



Speech by

**Hon. S. ROBERTSON**

**MEMBER FOR STRETTON**

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Hansard 7 November 2001

**WATER AMENDMENT BILL**

**Hon. S. ROBERTSON** (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (11.56 p.m.), in reply: I commence by thanking all members on the government side—the members for Kallangur, Charters Towers, Toowoomba North, Mackay and Bulimba—for their contributions to this debate. In particular I thank the member for Fitzroy. Given that we are approaching midnight, he graciously retired from participating in this debate. I am aware that he does have a local issue to discuss. I look forward to catching up with him in the next day or so to discuss that local issue with respect to Fitzroy.

I must apologise to members of the government that I cannot respond to their contributions in the time that is available to me tonight. I feel I must say a few words about the contributions of the members opposite. I want to start off by saying—

**Mr Johnson:** If you can't say something nice, don't say it at all.

**Mr ROBERTSON:** Unfortunately, I want to start tonight by saying three things that are negative because they need to be said. First of all, earlier today the Leader of the Opposition stood up in this place and decried the fact that members of his team were not provided with briefings for legislation. Considering that tonight's legislation is important, particularly to the National Party, one would have thought that the opposition spokesperson, when offered a briefing on this legislation, would have accepted it. He did not just reject it once; he rejected it twice. On two occasions my office contacted him to provide him with a detailed briefing on this fundamental important legislation and on neither occasion did he accept that offer. That puts in some perspective how fair dinkum the opposition spokesperson really is.

**Mr SEENEY:** I rise to a point of order. The minister is obviously trying to mislead the House.

**Madam DEPUTY SPEAKER** (Ms Jarratt): Order! There is no point of order.

**Mr SEENEY:** I find the minister's assertion personally offensive.

**Madam DEPUTY SPEAKER:** Order! There is no point of order. The member for Callide will resume his seat. There was no personal offence.

**Mr SEENEY:** I ask that he withdraw.

**Madam DEPUTY SPEAKER:** Order! There is no point of order. The member will resume his seat.

**Mr SEENEY:** I find his comments offensive and I ask that they be withdrawn.

**Madam DEPUTY SPEAKER:** Order! I draw the attention of the member for Callide to the provisions of standing order 123A and I ask him to resume his seat. There is no point of order.

**Mr HORAN:** I rise to a point of order. Our member is entitled, if he is personally offended by a statement that was directed personally at him—

**Madam DEPUTY SPEAKER:** Order! There was no personal comment made.

**Mr HORAN:** The minister made the point that he had offered a briefing; he was being derogatory about it. The member is entitled to have that withdrawn if he is personally offended.

**Madam DEPUTY SPEAKER:** There is no point of order. There was no personal affront.

**Mr ROBERTSON:** I turn now to two matters—

**Mr SEENEY:** I rise to a point of order. No way in the world. It is a longstanding convention of this House that any member can request that a personal and offensive statement be withdrawn. The minister made a statement aimed directly at me. I found it offensive. I have asked that it be withdrawn. The minister is obligated to withdraw.

**Madam DEPUTY SPEAKER:** The minister will withdraw the statement.

**Mr ROBERTSON:** I withdraw. Given that I have a number of matters to raise tonight and given the propensity of members to jump to their feet at the least slight they take, I just hope that this will not cut into the time available to me.

The second matter I want to discuss is the continued assertion by members opposite that any member that assumes a ministerial position that has anything to do with the land outside of the city is somehow unqualified to accept that ministerial position. I am frankly fed up of having to put up with those jibes. Let me say this: the member opposite, my opposite number, is also the shadow spokesperson for police and corrective services. Has he ever been a police officer? Has he ever been a prison officer? No. The Leader of the Opposition used to be Minister for Health. Was he ever a doctor? Was he ever a nurse? No. I stand here as qualified as anyone else in this place to hold the position of Minister for Natural Resources. Lest those opposite think my bona fides to hold this position may in some way be impaired by the fact that I come from the city, I ask them to reflect on a recent article in the *Queensland Country Life* after a tour to western Queensland with the leaders of Agforce where the banner headline read 'He saw, he listened, he acted'. I would have thought that that headline reported in the *Queensland Country Life* on my ministerial visit suggests that one does not have to come from the backblocks of Queensland to assume this position of Minister for Natural Resources with legitimacy.

The third matter I want to raise tonight is that I have heard some slights and condescending comments made in this place in my time, but I cannot let this one pass. It is beneath the member for Mirani to refer to the mayor of Mackay as someone who would be unable to turn off a tap.

**Mr Malone:** I did not say that.

**Mr ROBERTSON:** The record shows that the member made a comment about the mayor of Mackay that is the most condescending comment I have heard in this place for a long time.

**Mr MALONE:** I rise to a point of order. My comment was that the mayor of Mackay as a member of the SunWater board is not necessarily unqualified but certainly it is probable that she is unable to change a tap washer. I think that is a fair comment.

**Madam DEPUTY SPEAKER:** There is no point of order.

**Mr ROBERTSON:** All I can say to the member for Mirani is that the first thing tomorrow morning I would be phoning the mayor of Mackay and apologising for that most condescending of slights.

Let me deal with a number of matters that were discussed by members opposite. First of all, in terms of the contribution made to the debate by the Leader of the Opposition, a lot of what he said I actually agree with in terms of how fundamental getting water reform right in this state is to the future of Queensland. He was spot on in terms of the importance of this issue. That is why over the time I have been Minister for Natural Resources I have tried to implement what I like to call practical reforms. That is why yesterday I announced the ability for four irrigators to increase the size of their ring tanks from five metres to eight metres so long as the overall storage of water does not increase.

One thing that became very apparent to me very early on in the piece is that in some areas of the state such as St George irrigators can lose 40 per cent of their water from evaporation. By allowing people to increase the size of their ring tanks from five metres to eight metres, we can achieve an immediate dividend and an immediate improvement in efficiency by some 20 per cent. That is what I did yesterday. As we come to the end of the moratorium period in places like the Fitzroy, the Condamine-Balonne and the Border Rivers where, as pointed out in the past by the Leader of the Opposition, this may result in a downturn in local economies because the bulldozers and contractors will not be able to continue to work, I have provided an opportunity for those bulldozers to continue to work. Not only have I allowed for the increase of dam heights from five metres to eight metres, I have also allowed for channel works to continue. Channel works allow water from one ring tank to be moved to another ring tank based on the particular demands and planning that an irrigator may want to undertake so long as those channels do not result in an increase in take from overland flow. That is not going to be available to everyone because of each individual's particular circumstances, but it at least provides the opportunity to allow those contractors to continue to get work over this difficult moratorium period.

That is why I talk about practical reforms. That is why I have also come up with the principle or concept in this legislation of a referral panel. When officers of my department came to me with these amendments, they had a very stringent provision to be put in there. I asked this question: will that provision result in three-sided ring tanks, because it was so stringent to ensure that the moratorium remained as solid as it should be? They said yes. I said, 'That's not acceptable.' That is not acceptable

to me. I do not want to see three-sided ring tanks anywhere in Queensland. What we need is a provision that allows works that are classified as started to be completed. Under the current act, it comes to me to make the decision as to whether works are started or not. That is clearly impractical. I cannot go out and do a physical inspection of every proposal. Instead, I set up the idea of a referral panel.

If my department, based on the best knowledge available to it, determines that works do not make it to the starting criteria, an appeal can be made to me and that appeal will go to this referral panel. I will give the House an indication as to whom that referral panel will be made up of. These have not been finalised yet, but I am prepared to inform members opposite. Three members of the panel will sit on any particular matter. This is the panel I have come up with. The panel will consist of a member from the Queensland Rural Ministerial Advisory Council, Ms Lyn Seymour; Mr Vern Donovan, a former CEO of the Fitzroy Shire Council; Dr Geoff Lawrence, the Executive Director of the Institute of Sustainable and Regional Development from the Central Queensland University; Mr Brad Stanfield, an accountant and former partner of Arthur Andersen; Ms Anne Portess, a councillor from Herberton Shire Council; and Dr Steven Raine, a program coordinator from the National Centre for Engineering and Agriculture.

That panel, with the broad range of experience of those people, will make the most detailed and well-considered decisions. To ensure transparency, I am also ensuring that the recommendations made by that referral panel will be published so that over time we build up a suite of decisions by referral panels that people can refer to so they know what the game is and what the rules are. This is why I am talking about practical reforms. That is what I am very much all about in terms of these amendments and what I am trying to do as Minister for Natural Resources.

I do not want to be provocative by any stretch, and quite sincerely so, but I need to answer some statements made by members opposite about the Condamine-Balonne. Understandably, a number of members have stood here tonight with particular interests in that part of the world and have made certain comments about the moratorium and where we are heading with the water resource plan. Last sitting week I read into *Hansard* an excerpt from a statement made by the former Minister for Natural Resources, the member for Warrego. I did not do that to be half smart, I did that to put on the record what it is that we are facing with the water resource plan. I will remind members opposite of what the then minister, the member for Warrego, had to say about extractions from the Condamine-Balonne. On 16 May 1996 he said—

While Queensland has not contributed to the salinity problems in the Murray riverine plains and cannot solve those problems, it is important that Queensland be part of a responsible management strategy for the Darling River and the downstream Murray River. Queensland landholders and Government have been generally responsible and conservative in resource management, and should continue to be so to allow the health of the river to be ensured.

In terms of water allocation, Queensland has been far more conservative than in other parts of the basin, and as the flow management plans are finalised, there should be an opportunity for some further development of water use in Queensland. However, when a reasonable upper limit to the use of water is set, it will be important for all parties to operate within the limits so that users' rights are fulfilled all the way down the basin and the rivers are healthy.

I agree with that statement, but we need to understand the level of extractions from the Condamine-Balonne in 1996, when that statement was made by the former minister. The former government's own document *Towards the Murray-Darling Basin Cap Queensland Style* states—

... with current licensed annual nominal diversion capacity in Queensland streams estimated at 556,000 megalitres.

That was the level of extractions back in 1996. What are current extraction levels from that basin? They are over 900,000 megalitres. In the last five years we have seen around a 60 per cent increase in extraction levels.

So when the then minister said that there might be some room for an increase in extractions, I do not think he for one moment contemplated a 60 per cent increase. No-one did. That is the difficulty we face. It is not just a case of allowing the full utilisation of licences that existed in 1996. If the level of extractions was the same, the problem would be easy to solve. The reality is that the increase in extractions in that basin, to the extent of 60 per cent, causes us such difficulty these days. That is the problem. I point no fingers and I make no criticism of former ministers, but this is the reality of what we face.

A number of members took the opportunity to talk about SunWater. The member for Mirani talked about the protest we faced at the community cabinet meeting on Monday. Tonight I inform the House about what we are prepared to do. I have heard the calls for greater transparency of SunWater. That is why the Premier and I met with a delegation of the protesters. I will speak to the particular issue raised by the member for Tablelands shortly. Unfortunately, George Adil could not make it. He was busy doing what he does best, and that is farming. There were representatives from Burdekin, from Eton and from the Pioneer Valley. We worked through the issues.

We have come up with a commitment for SunWater to be more transparent. Yesterday I had a meeting with the chief executive and the chairman of the board of SunWater. We have agreed to put

to those representatives a preparedness to fund an independent audit of SunWater. That auditor can go through the books of SunWater and, if you like, test the price paths that have been put in place. It will be an independent auditor of the irrigators' choosing. I do not care who they choose. We will fund it and they can go through the books and test the price paths we have put in place. There are issues to do with commercial confidentiality. That is why we do not release the costs of every scheme willy-nilly. We believe that the best way to go on this is to fund an independent auditor who can then report back to the various irrigation schemes with what they have found.

The member for Tablelands mentioned Mareeba-Dimbulah. If I recall correctly, she said that 96 per cent of the costs of the scheme are being funded by the irrigators and four per cent are being funded by industrial users. That is not correct. I will give the breakdown of how the costs were split in the financial year just gone. The real split is irrigators 63 per cent, urban industrial eight per cent, others six per cent and community service obligation 23 per cent. In terms of the cost of running that scheme at current price levels, that means that the taxpayers out there are funding 23 per cent of the costs of running Mareeba-Dimbulah. That is our commitment under the community service obligation for Mareeba-Dimbulah. That is what we are talking about. They are the accurate figures as at 2000-01.

I have worked closely with the member for Darling Downs, and I appreciate his cooperation over some time now. I note that he has chosen to object to this bill. I must say that I am somewhat disappointed by that but will get over it. The central point of what I understand the member for Darling Downs to say is that, in terms of what we are trying to do with works that were perhaps determined as started, everyone should be allowed to develop to the full extent of what they originally envisaged. The difficulty of that is that some of the plans before us for determination, in terms of what is constituted as started, have a 10-year framework. They actually envisage quite massive development over that 10-year period. It would be irresponsible for us to allow every irrigator with a 10-year plan to develop their series of ring tanks, to have carte blanche.

I get back to what I said before. We are trying to not create a situation whereby we have three-sided ring tanks. So people can finish their ring tanks by all means, but they should not think they can build a second one because that is what they had planned for—or a third, fourth, fifth or sixth one.

**Mr Hopper:** I agree with that.

**Mr ROBERTSON:** But that is not what the member said. He said that people must be able to finish the program of works. The program of works we face is that 10-year program, and we cannot allow that to happen. We are trying to stop the situation of using some arbitrary date that is put in place: 'I extended it by 10 weeks because it got wet,' and what have you. That is silly. We cannot continue to do that. We put in place a referral panel, where we can deal with people on an individual basis so that they do not end up with a three-sided ring tank. I appreciate, nevertheless, what the member has said.

The member talked about a creek that has not seen water for three years and he said that we have been through a pretty dry period. There may actually be another reason for that. I know that I will upset some members opposite when I say this, but the latest figures show that, with the level of development in the catchments we are talking about in his area, at end-of-valley flows, as they cross the border, we are now down to 45 per cent of what is considered to be the natural flow of those rivers. So if you take out 55 per cent of the water you may well end up with a few creeks that do not fill too often. That could well be the reason the particular creek he is talking about has not filled in the last three years. That is what we are trying to stop.

Nobody can actually say to me with a straight face, 'If you take 55 per cent of water out of a river it is not going to have some sort of impact somewhere.' And when people talk about pure science and perfect science, frankly there is no such thing, and members opposite know that. They will not recognise that we still do not know what is the impact on a river's health as a result of actions taken five years ago, 10 years ago or 20 years ago. If they want to talk science, let us talk about lag effects. Let us talk about effects on macro invertebrates that may not actually be seen for years to come.

There is uncertainty in the science, and there will always be uncertainty in the science, because that is the way that science operates. With any decision that we take today—even if we were to put water back into the river—we do not know whether, all of a sudden, the health of the river will in the next 12 months demonstrate some sort of rebirth. That is not the way that science works, and the Leader of the Opposition knows that. The impact from the decisions we make today may not be seen for another 10 years, 20 years or 50 years. But we do not sit back and fund another study. We do not sit back and say, 'Let's get another group of scientists working in their white coats and perhaps they will come up with the answers.' It does not work that way.

We need to accept that the only way out of this conundrum that exists not only in the Murray-Darling but in other stressed river systems in this state is to apply the precautionary principle. That is our only option. Until our knowledge gets better and until we track in a much better way than we have in the past changes to the ecological health of rivers, then we will never know. But we just do not allow

development to continue to occur on the basis of saying that we do not know; we apply a precautionary principle. Let me say to all members in this place that if members opposite were sitting over here in this place faced with making the same decisions, they would be coming up with exactly the same answers. But there is one thing that distinguishes us on this side of the House from those on the other side of the House, that is, that when it comes to security of water entitlements we have the runs on the board because we will not give out water entitlements to our mates. We will not give out water entitlements based on whether one is the National Party branch secretary or the National Party branch president. The one thing that challenged security of water entitlements under the previous 1989 Water Act was the ability to interfere by giving out more and more licences. And who got those licences? I have to tell members that they all held up their green cards as members of the National Party. That is what got us into this situation today.

Members opposite come in here and talk about security of water entitlements, but only the Water Act 2000 has provided the certainty that they so piously are demanding now. When they were last in office, when they had carriage of the Water Act 1989, what did we see? We saw the absolute prostitution of the water licensing system in this state. National Party branch members stuck up their hands and, brother, they got their water licences. That is why the irrigators at St George will not have a bar of them.

**Honourable members** interjected.

**Madam DEPUTY SPEAKER** (Ms Jarratt): Order! There is far too much audible conversation and noise in the House. I will hear the minister.

**Mr ROBERTSON:** They say, 'Minister, we want you to fix the problem, but we don't want to go back to those dark old days when, if you weren't a member of the National Party, you didn't get any water.' I invite any member to refer to the results at the last election in the seat of Warrego and look at the member's primary vote. Do members know what happened to his primary vote? It went down.

**Mr McNamara:** It went to water.

**Mr ROBERTSON:** It went to water, because it was payback time—payback for the level of corruption and uncertainty and the taking away of secure water entitlements that existed under the previous government.

**Mr HOBBS:** I rise to a point of order. I find those words totally offensive and I ask the gutless minister to withdraw them.

**Madam DEPUTY SPEAKER:** Order! The member for Warrego will resume his seat. There is no point of order.

**Mr HOBBS:** I ask the minister to withdraw.

**Madam DEPUTY SPEAKER:** Order! There is no point of order.

**Mr HOBBS:** There is a point of order. I am offended by those words and I want them withdrawn.

**Madam DEPUTY SPEAKER:** Order! The member for Warrego will resume his seat. There was no point of order.

**Mr HOBBS:** I am offended. The minister mentioned me—the member for Warrego.

**Madam DEPUTY SPEAKER:** Order! The member for Warrego shall resume his seat. There is no point of order.

**Mr HOBBS:** The minister mentioned the member for Warrego. That is me. I am the member for Warrego. I am offended.

**Madam DEPUTY SPEAKER:** Order! I draw the attention of the member for Warrego to the provisions of standing order 123A and ask him to resume his seat. There is no point of order. I call the minister.

**Mr HOBBS:** Madam Deputy Speaker—

**Mr ROBERTSON:** I withdraw. He 'fessed up—guilty as charged. I withdraw.

We have heard a lot tonight about no right of appeal. If only members opposite had turned up to the briefings or read the legislation they would know that the referral panel that I am establishing tonight with this legislation provides them with exactly what it is that they want. They talked about my predecessor having some ideological problem with water reform. What we see tonight is a whole range of practical reforms that will be welcomed by irrigators right throughout the state. But because of their ideological objection, and because they are so offended that a Labor government can actually get it right, they are opposing the bill tonight. Why? Only because they hate the Water Bill 2000! That is the only reason. When the member for Callide—my opposition number—was provided with the opportunity to detail what it is that offended him about these amendments, he sat there mute and absurd because he actually has no substance.

Time expired.