



Speech By  
**Christopher Whiting**

**MEMBER FOR BANCROFT**

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**MINERAL, WATER AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr WHITING** (Bancroft—ALP) (12.40 pm): I rise to speak in support of the Mineral, Water and Other Legislation Amendment Bill. There are three things that I will touch on relating to the issue of water which we have heard about.

The first thing—and this addresses what the member for Burdekin has just talked about—is accounting for climate change in the water-planning framework. I start by pointing out that the shadow minister has said that on the one hand we should be wary of the data when it relates to climate change but on the other hand we should trust the data when it comes to the release of water. I do not think this is a consistent position.

I believe we need to have confidence in the data on climate change. It is called science. It is called evidence, as the member for Macalister, next to me here, has mentioned. Let me point out once again to the LNP that there is an overwhelming consensus regarding the evidence around climate change. Some 97 per cent of scientists in this area have said it is happening and it is real and that we need to start planning and taking action.

I believe that climate change places a large burden on our natural resource system. We are facing a warmer and drier Queensland. It is predicted that our average annual temperature will have gone up by about two degrees by 2050. Our rainfall will decrease by 21 per cent by that time. We are looking at sea level rises between eight and 18 centimetres above 2005 levels by 2030. Not only that, sea temperatures will rise by 3.6 degrees Celsius on average across Queensland if we do not address emissions. It is very clear in facing this scenario that we need to adapt our water-planning scenarios.

I want to hear whether the LNP addresses the issue of climate change. They have not mentioned climate change in this place except in parentheses—so-called climate change. I want them to say one day that they accept the science of climate change. I fear from listening to the member for Burdekin that we are not at that point as yet.

Secondly, I want to talk about the cultural values that need to be taken into account with water planning. It is very clear that water plans must include outcomes for Aboriginal and Torres Strait Islander people. For example, that we do not empty a water body or a waterhole that has cultural or spiritual significance for the local peoples. I do note that the report points out that the powers in this bill do not affect the use of water for economic purposes.

Thirdly, I want to speak about the further powers for the minister and CEO regarding the release of water. The chief executive can allow the release of water from the water reserve on a temporary basis to all for the better use of water. If a cyclone causes some flood contamination of a water source these powers allow decision-makers to make a decision very quickly. I think that is one imperative having seen how water sources have been contaminated in the past.

I forgot to mention that I rise as the chair of the State Development, Natural Resources and Agricultural Industry Development Committee. There were three issues that took up the time of the committee. The first of those issues was the conjecture around the diminished capacity or supposed

diminished capacity for redress or compensation for neighbours affected by resource extraction activity. That relates to section 81 of the act. There was a lot of toing and froing and advice being given either way. I am satisfied that agreements negotiated to resolve these issues are not directly connected to the powers outlined in this bill. It is great to hear that we can and will do more regarding the enforcement of environmental outcomes for neighbours affected by resource extraction activities. I welcome the minister's comments in this regard.

The second thing that vexed us was the proposed section 91 wording. A lot of time was spent talking about this. This is the clause that allows legal representation for landholders in arbitration only if both parties agreed or the arbitrator allowed it. It was felt that landholders should be allowed legal representation in the arbitration process if they felt it was necessary. We felt that this was about bargaining power. We have heard about landholders being up against large resource companies with a fair bit of clout.

The scenario emerged that even if it were one on one with a company representative, if that company representative were a senior legal practitioner that would result in an imbalance of bargaining power. A lot of stakeholders were uncomfortable with this very small clause. We felt it would be a proper signal to everyone that the landholder could get legal representation when needed. I thank the minister for acceding to this request.

Thirdly, we talked about the ability for landholders to recover costs for professional services, reports and perhaps their own time. I note that there is a capacity within the new CTAs for these issues to be dealt with. This will obviously keep emerging. I thank the minister for his comments regarding this.

In conclusion, I say that we have dealt with a lot in this bill. The committee accepted virtually all of the recommendations from the GasFields Commission. We want to make sure that all sides, especially landholders, spend less time in court and less time engaged in legal jousting. That is a better outcome for everyone involved with this and a better outcome for Queensland. I commend the bill to the House.