




Speech By
Deb Frecklington

MEMBER FOR NANANGO

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WATER LEGISLATION AMENDMENT BILL

 **Mrs FRECKLINGTON** (Nanango—LNP) (6.18 pm): I rise to speak to the Water Legislation Amendment Bill as the shadow minister for water. The primary objective of this bill is to amend the Water Act 2000 to establish a regulatory framework for implementing Queensland's strengthened policy for measuring the take of non-urban water. It follows the Labor government's public comments made in 2018 in response to the independent audit of Queensland's non-urban water measurement and compliance as well as the Murray-Darling Basin compliance compact to improve non-urban water management and compliance. The bill also amends several other pieces of water legislation to apparently improve their operational efficiency through amendments that increase the coverage and standard of meters used to measure non-urban water take, provide for measurement of overland flow take, improve data quality and timeliness, and ensure fit-for-purpose enforcement for measurement of take, for which we know the Labor government would like to have as many enforcements as possible.

The State Development and Regional Industries Committee tabled its report on 9 December 2022 and recommended that the bill be passed and made three further recommendations: one, continue to monitor the cost implications and transition time needed to implement the strengthened requirements; two, provide the Water Engagement Forum with exposure drafts of regulations and standards in advance of implementation and that a review of regulations be conducted after a period of no more than five years; and, three, develop and publish a clear framework that specifies how that reported data will be collected, used, distributed and published.

From the outset I want to confirm that the LNP opposition will not stand in the way of this bill, and it is good to see the water minister in the House.

A government member interjected.

Mrs FRECKLINGTON: No, it is good to see the water minister in the House because he has the manufacturing event that we would both like to be at right at this moment, so I do acknowledge the presence of the water and manufacturing minister in the House, and all of the best for your event tonight. I know that we have been enjoying the purple carpet that has been rolled out for the women in manufacturing.

I want to confirm that we will not stand in the way of this bill. However, there are issues and flaws with this legislation that I want to place on record. In doing so, I want to acknowledge the work of the State Development and Regional Industries Committee, in particular the deputy chair, the member for Lockyer, Jim McDonald, and the member for Burleigh, Michael Hart. Both the members for Lockyer and Burleigh listened intently and consulted widely during the committee process and brought to light a number of issues throughout the hearings, as is evidenced by their statement of reservation. This shows why the committee process is so important and perhaps the Premier might like to understand this the next time she decides to trash parliamentary process and procedure by ramming through legislation like she did during the last sitting week to avoid scrutiny and transparency. In bizarre scenes that even those opposite have spoken out about as being chaotic, it just obviously adds more to the chaos and

the crisis. Disappointingly but not surprisingly, the Labor members on the committee used their numbers to avoid including many of the issues that the LNP raised during the committee process. However, it is important for me to raise these issues during the debate.

The issues identified during the inquiry proved that this legislation has not been fully thought out and completely rushed through, and it is not just me saying that but many stakeholders and advocacy groups are also saying that. Is it any wonder that this appears to be the case after the embarrassment the member for Gladstone had during the 2022 budget estimates? Who could forget when I revealed that two years into his ministerial role at that time—and we are now up to three years—the member for Gladstone still had not put any bills forth at all? In fact, this is the first—

Mr Stewart: How many have you done?

Mrs FRECKLINGTON: I take that interjection from the Minister for Mines: it is obvious he has never been in opposition! It is well over a year since that date and it is clear that the member for Gladstone had to be dragged kicking and screaming into the chamber. He relented to my pressure and brought a bill into the House—

A government member: You are dreaming!

Mrs FRECKLINGTON:—in his capacity as water minister. I am happy to take that interjection that I am dreaming. Yes, I am dreaming: it has actually happened. The water minister's bill is here before the House. Like the rest of his ministerial colleagues, it is clear that the member for Gladstone is all-too consumed with the chaos and crisis that is engulfing the government. I want to put this on the record: where are the leaks coming from in this Palaszczuk government? He has the title. Do members think the Minister for Water is the leaker in this government? After that estimates I can just imagine that the minister would have gone back to his staff and said, 'Quick! Find me a bill about anything. We don't want to have to go through with that.'

Ms Boyd interjected.

An opposition member: Catch up!

Mrs FRECKLINGTON: Catch up. We are now at 2023, so catch up. As I pointed out, it has taken close to three years for the minister to bring forth any legislation into this House. After those three years of inaction, we have seen many missed opportunities for the water portfolio—an important portfolio for all Queenslanders. The minister's department continues to commission study after study—going round and round in circles with another study—and this complete mismanagement from the minister is starving Queenslanders of reliable and secure water not just now but into the future. It is not just me saying that; it is the constant stream of whistleblowers who are calling into my office.

Ms Pease interjected.

Mrs FRECKLINGTON: I will take that interjection, because at least I had a plan, unlike these jokers opposite. Honestly, the minister could have brought forth—

Ms PEASE: Mr Deputy Speaker, I rise to a point of order. I believe the member is misleading the House: she never had a plan for the Bradfield scheme.

Mr DEPUTY SPEAKER (Mr Martin): That is not a point of order. Resume your seat.

Mrs FRECKLINGTON: Mr Deputy Speaker, I rise to a point of order: that is a frivolous point of order from the member.

Mr DEPUTY SPEAKER: Member for Nanango, I have already dealt with that point of order.

Mrs FRECKLINGTON: The minister could have brought forward legislation to give better support to councils in maintaining their water assets—something I constantly hear about from mayors and councillors right across this state and something that I know my colleague and friend the member for Warrego is very passionate about. I recently met with one of my local councils, the South Burnett Regional Council, to discuss important water security measures that must be implemented for the long-term economic future of our region. It needs the Labor government to listen to those commonsense plans and obviously that will drive economic growth in the ag sector, because, like so many other regional areas, growth is only restricted by access to additional water.

We know that the South Burnett Regional Council has three major projects: the building of the Barlil Weir—something that we have announced several times over for our crop farmers in the Bye and Mondure areas; an extension of the mighty Blackbutt irrigation scheme for our avocado growers, and a big shout-out to the Blackbutt Avocado Festival on the weekend—it was fantastic; and water allocation for Gordonbrook Dam to improve Kingaroy's current water shortage problems.

The minister could have brought forward legislation to make more water affordable for Queenslanders and allow more water supply for domestic use, but that has not happened. The minister could have brought forward legislation to build new water infrastructure. In contrast, the minister's record is actively campaigning against investment in dams in this state. It would be remiss of me not to highlight that under the member for Gladstone's watch as minister we have seen the Paradise Dam fiasco. We have also seen Urannah Dam cut. We have seen Emu Swamp Dam cut. We have seen the Hughenden irrigation project cut and Hells Gate Dam cut. All of these projects—nation-building, drought-proofing projects—will underpin the future of not only urban supply but the future of ag and manufacturing right across this state.

A major issue that was raised during consultation on this bill was the cost and unrealistic time frame for the implementation of compliance measures for our hardworking irrigators. In July I travelled to Bundaberg with my colleague the member for Burnett where we met with the coastal Burnett groundwater management advisory committee. It highlighted its concerns about the implementation of the Queensland non-urban water management policy, in particular the cost involved and the unrealistic time frames for the water meter revalidation.

These irrigators I met echoed the feedback the committee received in its submissions that the November 2023 deadline is completely inappropriate. There is just not enough bodies on the ground to validate these meters, especially given the extreme contractor shortage affecting the industry at present. It neglects to consider the cost of implementation to primary producers as a major concern. Feedback from many submitters has suggested government funding will not be sufficient. AgForce has advised costs of meters can be in the range of between \$2,000 to \$30,000 for some of the larger patent approved meters. The Kalamia Cane Growers organisation estimated it to be even higher, with costs of \$10,000 given that there may need to be pipe or pump infrastructure changes as well. In my electorate I have received similar feedback from the Cressbrook Creek Irrigators who simply do not understand, and rightfully so, the unrealistic November time frame. I again plead with the minister to push it back.

Mr Butcher: If they book it in they'll be looked after.

Mrs FRECKLINGTON: We are just going to trust that, are we, Minister? Where are they going to book it in? There is not enough validators to have it booked in. Please listen. It is reasonable to expect that these costs for implementation will be passed on to the consumer resulting in the prices of fruit and veg further increasing purely because of this government's reckless actions. Is this yet another secret tax on grocery items by the Palaszczuk Labor government? This is in addition to fruit and veg already going up due to other negligible policy changes by both state and federal Labor governments.

The LNP was also concerned that the telemetry study will not fully cover the costs primary producers will incur, with many already affected by high input costs and the effects of natural disasters, like the many horticulture producers in my region of the Somerset and the member for Lockyer's community. The Somerset and Lockyer regions are the food bowl for South-East Queensland. These producers are only just emerging from the devastating floods of 2022 and now they will be hit again by a Labor government who just do not understand how these extra costs are going to impact them. Let us not forget that many producers—and this is probably a lesson for some of those Labor people who have no clue—do not only have one meter, they often have multiple meters. That might mean that if they have six meters at, let us say conservatively—and I am saying conservatively—\$5,000 on average per meter, they are just expected to find \$30,000.

QFF in its submission raised concerns about the establishment costs and noted that the cost of compliance should not result in agriculture businesses becoming non-viable. This expense has no benefit for the producer. It does not improve their farming practices. It does not improve the food and fibre they are growing for us. It is just a regulatory cost. It hits at the hip pocket and nothing more. It is another cost like rising electricity costs that just has to be absorbed by business. What it does, however, is help the Labor government look like they are doing something for the green inner city voters. We know Labor are desperate to do anything to cling onto power. The member for McConnel, the member for Bulimba, the member for Cooper and the member for Millar are all feeling this threat loud and clear.

The LNP is also concerned with the lack of consultation undertaken with detail lacking when it comes to the development of regulations. We know that consultation is not a strong suit of those opposite so I guess this is not much of a surprise. Dale Miller, formerly of AgForce, advised the committee—

We do not know, as far as I am aware, what the department has done with that information in terms of making adjustments to what firstly had been proposed.

It is incredibly concerning that the minister is not taking into consideration the feedback provided to him by key stakeholder and advocacy groups. I would implore the minister to review the consultation undertaken. The other issue that came up during the committee inquiry was the risk that local contractors will not be used for the installation of these meters. The LNP believes local contractors

should be used where possible to install the approved meters. Every effort needs to be made at a regulatory level to ensure local contractors are used for these works. Stakeholders raised this issue of being able to secure the services of duly qualified people who can install and validate the meters and the availability of the meters themselves, particularly in some parts of regional Queensland.

While I note the department's advice that they will monitor the situation, this is just another example of a government not understanding the realities of day-to-day primary production. We saw something similar in the floods with the unrealistic deadlines for the QRIDA flood grants which assumed landholders would be able to just hire contractors out of the air and have them come and immediately fix flood-damaged paddocks, fences and equipment. The government imposed deadlines which looked good in their reports but had no actual meaning in the real world. We had to constantly beg and plead with the government to extend the deadlines because access to contractors for these flood-impacted farmers is nearly impossible. A similar situation will most likely occur with the meter installation. I urge the minister to take that into consideration. There is also no way for irrigators to appeal their water meter revalidation requirements. The arbitrary deadlines imposed on irrigators for the revalidation must be reconsidered because the department knows that most meters will not be able to be revalidated in time—it is actually impossible.

The bill fails to consider the fact that landholders using water for low-risk takes are likely to result in water entitlements being exceeded. Therefore, the many landholders across Queensland that use water for stock and domestic purposes will be potentially exposed—I can see the minister shaking his head, but he cannot just say 'trust me'; we need to see it in the legislation—to unnecessary costs from these amendments. I acknowledge that in their submission AgForce stated on behalf of their members—

Strongly support not requiring metering on stock and domestic use.

They go on—

Water used for stock and domestic purposes is a basic landholder right with intrinsic limits related to land capability and should not be metered.

...

Water used for S&D purposes is negligible compared to Queensland's total water use.

I could not agree more.

In relation to an objective of this bill to provide for farm scale measurement of overland flow water take, I have, like all members on this side, serious concerns. It is ambiguous, to say the least, whether the measurement of overland flow relates only to Queensland's Murray-Darling Basin catchment or does it relate to all dams, including stock and domestic dams across Queensland? On one hand we have Minister Butcher in his speech stating—

The bill provides for measurement plans which will be required for overland flow water licences in the Queensland Murray-Darling Basin ... Measurement plans will detail how water take is measured on-farm and provide more accurate information about the amount of overland flow and the water taken in these catchments so its impact on river flows and water availability for other users can be better understood and managed more effectively.

On the other hand, in the committee report there is no specific mention that the measurement of overland flow only relates to the Murray-Darling Basin. In fact, the committee report just says that the bill introduces—and this is where our concern is—a head of power for regulation to require the measurement of farm scale overland flow. The devil really is in the detail or, in this case, the regulation. It is noted in the committee report that much of the detail underpinning the strengthened arrangements are to be provided in regulation. How do we trust the minister to do the right thing in that regulation, which the committee has not reviewed?

I note the QFF raised issues about the application of overland flow measurement requirements and how they will be implemented inside and outside the Murray-Darling Basin area, including the cost of meeting those requirements. AgForce shared those concerns, especially outside the Murray-Darling Basin. What is the actual end goal here for the government? Is it to start the process in the Murray-Darling Basin and gradually, quietly, move measurement of overland flow to cover all farm dams across Queensland?

I look forward to the minister stating that in the House. It was very quiet but I take the interjection from the minister: he shook his head and he said, 'No.' I look forward to the minister stating that in the House. It is extremely concerning if that is the case.

Government members interjected.

Mrs FRECKLINGTON: They joke and laugh about it but they do not get the seriousness of this for primary producers in the state. I am being very considered in my contribution. The department even estimated costs of between \$30,000 and \$40,000 to deliver overland flow measurement requirements, hence the minister will understand my concerns. Therefore, I will be moving an amendment to alter clause 39 of the bill in an effort to remove that ambiguity and address the need to exclude the measurement of water used for stock and domestic purposes. I am happy to table those amendments now and have them circulated.

Tabled paper: Water Legislation Amendment Bill 2022, amendments to be moved by Mrs Deb Frecklington MP [1329](#).

Tabled paper: Water Legislation Amendment Bill 2022, explanatory notes to Mrs Deb Frecklington's amendments [1330](#).

Tabled paper: Water Legislation Amendment Bill 2022, statement of compatibility with human rights contained in Mrs Deb Frecklington's amendments [1331](#).

To that end, the amendment will exclude the measurement of overland flow for stock and domestic use across the entirety of the state. The amendment carves stock and domestic use out of the authorisations to which measurement requirements apply.

The Water Legislation Amendment Bill could have been an opportunity for the government to invest in ensuring access to clean and safe water, particularly for our Indigenous communities. Like many Queenslanders I was shocked and disappointed to hear reports from brave whistleblowers about water contamination in the Yarrabah Aboriginal Shire Council. Our First Nations people should not be forced to live in Third World conditions because the government has been too busy with its internal chaos to deliver those basic services. It is unacceptable that a community in Queensland—

Government members interjected.

Mrs FRECKLINGTON: This is a serious issue. It is completely unacceptable that right now—

Government members interjected.

Mrs FRECKLINGTON: On behalf of the people of Yarrabah, I will take that interjection because they want us to bring up this issue with the Palaszczuk government because the Palaszczuk government is not listening to them. I am doing it on their behalf. It is unacceptable that a community in Queensland does not have access to clean drinking water. Again, that just shows that the chaos and confusion of this government does not seem to be finished.

As I mentioned earlier in my contribution, the LNP will not stand in the way of this bill. However, there are a tranche of issues with the legislation that have stemmed from this bill being rushed and not completely thought out, which are symptoms of the chaos and crisis that are engulfing the government. It is disappointing that these issues are occurring time and time again because the government has given up on the basics of governing and is too obsessed with itself. This bill is a missed opportunity to address many of the issues in the water portfolio in this state. I look forward to the next bill because it is exciting to be able to debate these issues with the minister.

I urge members opposite to please, on behalf of rural and regional landholders across the entirety of this state, consider and support the LNP's amendment, which I have just foreshadowed and will talk about in consideration in detail, to exclude the measurement of overland flow for stock and domestic use across the entirety of the state. I implore the minister to make this the start of a strong legislative agenda by accepting my amendment—an agenda to secure the future of Queensland's water supply and an agenda that will actually deliver for all Queenslanders.