



Speech by

**Andrew Cripps**

**MEMBER FOR HINCHINBROOK**

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## **DRAFT BARRON WATER RESOURCE PLAN**

 **Mr CRIPPS** (Hinchinbrook—LNP) (12.01 pm): The draft Barron Water Resource Plan was released for public comment on 20 December 2001. For nearly a decade irrigators in area B of the Barron WRP have contested the accuracy of the science used by DERM to refuse a number of applications for additional water for irrigation purposes. DERM maintains that the science shows that no more water can be taken from surface and groundwater services for irrigation in area B of the Barron WRP. This assertion has been vigorously contested by irrigators in area B. DERM has consistently refused to listen to these landowners, notwithstanding that they have decades of knowledge about the land and water resources in the local area. A number of landowners have resorted to legal proceedings to secure the additional water allocations that they have applied for in area B of the Barron WRP. The LNP has previously drawn attention to the dispute between DERM and the irrigators in area B by moving a disallowance motion in March 2010 regarding the WRP for the Barron. Many issues raised by LNP members participating in that debate lend warrant to the objections raised by the irrigators in area B and highlight the failure of DERM to consult meaningfully with local stakeholders. A number of WRPs developed in catchments across the state have been controversial and characterised by confrontation between DERM and local stakeholders. The development of the WRP for the Condamine-Balonne, which also took over a decade to be finalised, was equally controversial and confrontational and involved legal proceedings. The process used for the initial stages of the Wet Tropics WRP in my electorate has been similarly unsatisfactory.

The LNP warned during the course of that disallowance motion that under an LNP government DERM would be forced to use robust peer reviewed science and not impose predetermined, politically motivated results that satisfied the agenda of the government. I reiterate that warning today. Despite the LNP exposing a number of the indefensible aspects of the Barron WRP, this government has perpetuated the injustice.

To their credit, a few landowners have refused to be dictated to by Labor's political agenda, although they have done so at great personal cost. During the disallowance motion the LNP referred to the case of *De Tournouer v the CEO of DNRW* heard in the Land Court where the evidence of the so-called hydrological expert for the department was strongly criticised by the presiding judge as selective, evasive, intellectually arrogant and not to be relied upon by the court. It was a scathing repudiation of DERM's position.

Legal proceedings continue to this day, in which landowners seek sustainable allocations from area B of the Barron WRP. The Land Court is once again calling into question the scientific and professional competency of the department. The court has heard evidence that DERM has acted other than in accordance with the Water Act and the Barron WRP that it imposed on landowners. It has been alleged that DERM granted a number of new applications and renewed existing entitlements without giving consideration to the sustainability of the water use and granted irrigation licences on land not suitable for irrigation. In one case an irrigation licence was renewed despite the applicant stating on the application that the licence was not in use and would not be used in the future but was being renewed to maintain the capital value of the land. I table a letter dated 23 February 2011 to the Minister for Environment and Resource Management drawing attention to these issues. This letter has not been responded to.

*Tabled paper:* Letter, dated 23 February 2011, Mr from Keith Gould, Tableland Irrigators, to the Hon. Kate Jones MP in relation to the Barron Water Resource Plan [\[4533\]](#).

During the disallowance motion Labor MPs insisted irrigators would benefit from the opportunity to trade water entitlements created by the WRP in the Barron. The revelation that water entitlements have been improperly granted, particularly in relation to the granting of licences for inappropriate uses on land unsuitable for irrigation, and in some cases only to maintain the capital value of the land, surely jeopardises the successful introduction of water trading in the Barron WRP. His Honour Judge Smith, presiding in the Land Court, has expressed his concern about the development of the Barron WRP, questioning the plan on the principles of equity and if it was, indeed, in the public interest. Judge Smith even went so far as to suggest that he may be duty-bound to refer the development of the plan to the Crime and Misconduct Commission observing, in relation to the development of the plan, that if there is something that smells bad and looks bad then it is probably going to taste bad. That is a damning indictment on DERM and the development of WRPs under this Labor government where politics is more important than science.

Irrigators on the Atherton Tableland within the Barron WRP and water licence holders who have been maligned and treated with contempt across Queensland deserve much better. They will be treated much better under an LNP government.