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Federation Chamber

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Consideration in Detail

SPEECH

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Questioner
Speaker Burke, Tony, MP

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Mr BURKE (Watson—Minister for Sustainability, Environment, Water, Population and Communities) (18:53): I have to say that I am going to try not to take any of it on notice, because I really want to address every issue that has been asked, although I know some of your colleagues will not be too keen for me to do that, because I will have to jump up a couple times to be able to get through it.

Could I deal with the last issue first, the issue of trying. You have all heard me talk about my frustrations with this in the chamber again today. The states have been asking and both sides of politics in this parliament have been saying, 'We are willing to explore and willing to go down a path where, as much as possible, if we can streamline decision-making processes so that they are only dealt with at the state level, we want to.'

On flying foxes, I decided not to wait for the COAG process to finish, the reason being that one of my great frustrations—and I think a great frustration of anyone who holds this particular job—is when delays through duplication of processes do not just cause delays but actually fundamentally change outcomes for the worse. The flying fox is a classic example. There is a limited period of time, during the first half of each year, when flying foxes can be relocated without triggering the EPBC Act. Once you hit their breeding season it is much harder. If you have to go through a state process and a federal process, you are more likely to go beyond that period and then you end up with a challenge.

I wrote to the state governments and said, 'If you are willing to sign a conservation agreement, I will give you this one immediately.' To the credit of the New South Wales government, their officials are talking to my officials, so some progress is being made there; they have not signed it yet, but at least there are conversations. It will be much better for people. If the right environmental decision is going to be made, my view is: make it quickly. But to my great frustration the Queensland government still has not responded at all. The government that was actually championing this issue at COAG has not even bothered to reply as an immediate down payment on something that is a huge issue up and down Queensland.

On flying foxes, if a state is willing to sign the conservation agreement, I will put my signature on the document with them that day. I do not want to see the situation we have seen in the past where schools, hospitals and homes end up being infested with bats and living there just becomes a disaster. I do not want to see that happen. But the only way to fix it is to streamline the process so that decisions can be made and actions to relocate colonies can happen quickly. For the life of me, I do not understand why the states have delayed on this. I do not want to be critical of New South Wales, because they have at least had their officials dealing with mine.

A number of the environmental groups are quite upset that I have offered this to the states straightaway. But I have seen, and been frustrated by, what this does to communities. There is a period when flying foxes can be relocated without causing any significant objection from the federal legislation. Why on earth, when the conservation agreement is on the table and ready to go, the states have not taken me up on it is beyond me. But every community that ends up with problems in the second half of this year as a result of it will know exactly the outcome of the delays.

On Nimmie-Caira, I think the question was answered during the question: we have paid for the feasibility study and, until that comes in, you are not able to take the first step. You need the feasibility study to work out how the project would operate and to make it happen. Suffice it to say that it is my view and the view of the New South Wales minister that, while this project is complex in a number of ways, it actually has real potential. We funded the feasibility study not to make it go away but to try to find a way of making it work.

On the Murray-Darling Basin issues, I will first go to the question on why infrastructure money has been deferred. It is a really simple and, I would hope, unanimously agreed principle that you do not give the states money to do things unless they have signed the contracts to tell you what they will do. That is a logical thing. These are massive projects. Some of them have long planning periods once contracts are signed. If we want them to be

high-quality projects, the money does not just rush out the door. That means that with the initial run of state projects a lot of them did not pass due diligence. They were not able to—

Mr Hunt interjecting—

Mr BURKE: It will put at risk getting the answers on the record. I am not going to take everything on notice. If you want that, you will then get some pretty brisk answers without the details.

Mr Hunt interjecting—

Mr BURKE: We do not have the same notice provisions in here. I mean, you can put them on the *Notice Paper*, but we have one hour to answer questions here and I do not want to take up any extra time discussing what our procedure will be. But I want to flag that we have been given some extraordinarily important issues. I have seen the anger of the community of Griffith, who are about as upfront as you can be on this. I would be disappointed if the expectation of the opposition was that I only provided that response in writing. I think the people of Griffith have an expectation that I turn up in person to their meetings and they have an expectation that I respond directly to what has been raised by the member for Riverina. On the deferral of infrastructure money, where contracts have not been signed it has to be deferred. The money does not disappear; it remains there. But for projects like Menindee, for example, the New South Wales government, when Premier O'Farrell came in, unilaterally terminated that agreement. We have kept the money there because we want it to be spent. We are still negotiating with the state government but, until we get an agreement, I am not going to have a situation where budget figures appear where there is no prospect at all of money being spent. I do not think that is sensible. I will certainly not send it out of the door without contracts being concluded.

On what came of the meeting with Senator Joyce, I do not want to breach the confidence of your colleague, so I will simply say it was a positive and productive meeting. We certainly do not have anything like agreement at the moment, but we are meeting and I think that is significant. I have no doubt that Senator Joyce is conducting the meeting in good faith.

My principal concern about the numbers being unchanged in the SDLs is that there were changes to the groundwater numbers. I thought those changes were good and I have said so. I would like to see the environmental outcomes be more ambitious than they are. That goes beyond the concept of an SDL. Even wherever SDLs land, there are other things that can be done that deliver much more significant environmental outcomes, through things like the release of capacity constraints. That is important. Also, Menindee is a classic example. The SDL does not refer to how much additional water will go into the river. The SDL refers to how much water will be stored in dams for environmental purposes. If you are getting sensible environmental works and measures like, say, Menindee, that does not actually count towards the SDL because it is not being stored in dams. But it is already in the river. So it is already delivering a better environmental outcome. That is where I think some of this debate gets too caught up in the SDL, from an environmental perspective as well. We have to look at what the problems are that we are trying to solve in terms of the health of the Murray-Darling Basin and then drive the best ways of dealing with that. Held water is part of it. Buyback needs to be part of it, but it should not be the only game in town.

If you look at the infrastructure projects where we have reached agreement with the states—NVIRP 2 in Victoria is a classic example—you will see that you get the infrastructure money flowing there now. The Victorian government put together a well designed program—there was a change of government—and they wanted to change it from what the previous Labor government wanted. That was fine. We have ended up negotiating something that works for them, works for those communities and that will ultimately deliver more water for the environment than we previously would have had as a result of NVIRP 2 and 3. So where those projects can be put together, we are doing so.

Every state was always going to reject it at this point. If we get agreement, it will be agreement further down the track. I would add that the reasons for states rejecting the current plan are not consistent. Some of them are diametrically opposed. I do not particularly think we will ever come up with a plan—we certainly have not done so for the last century—where every state believes that it is ideal. If we end up with a plan where the objectives we are trying to reach are met, then I think that is a sensible objective. I think I have covered what needed to be covered.