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WATER FIGHT IN WA OVER GRAB FOR \$40 MILLION FEDERAL GRANT

A fight over stripping farming families of their rights to construct farm dams to instead favour a piped irrigation scheme has exposed failure of water resource planning in WA with costly implications. Farmers have asked Michael McCormack, Federal Minister for Infrastructure and Transport, to hold back on a \$40 million grant to the irrigation scheme until rights to water of farming families have been restored and water planning is done in accordance with legislation.

The Southern Forests Irrigation Scheme in Manjimup is seeking a \$40 million grant under the National Water Infrastructure Development Fund to pump water from the Donnelly River into a 15 gigalitre dam and sell the water to members of an irrigation co-operative. Conflict has arisen because the water was planned to be available to farming families to construct farm dams in eight sub-catchments of the Donnelly River. Loss of water rights has halved the value of their farms.

The WA Minister for Water in November 2017 stopped issuing water licences to the farming families to build their own dams and instead made the water available to the Southern Forests Irrigation Scheme. The Minister for Water has been able to act unilaterally because the applicable *Warren-Donnelly surface water allocation plan* (2012) is an administrative plan rather a statutory plan provided for in WA's *Rights in Water and Irrigation Act*. Provisions were included in the *Act* in 2000 for statutory water resource management plans. These have been ignored by successive Ministers for Water; the process requires appointment of local water resource management committees and a peak level Water Resources Council for WA.

In 2013 the WA Department of Water in a '*Position paper - Reforming Water Resource Management*' admitted "*Administrative allocation plans provide less security to licence holders as the plans may be changed with administrative, rather than legislative due process. Decisions made based on an administrative plan are not as certain as those based on a statutory plan, and there may be additional costs to water users and the government if those administratively based decisions are appealed.*".

The National Water Infrastructure Development Fund gives funding priority to projects which are subject to statutory water resource management plans. There are no such statutory plans in WA.

Manjimup and Pemberton Landowners (MPL) representing farmers have asked Minister McCormack to intervene in the \$40 million grant process to restore farmers rights to self-supply water and to require development of a statutory water resource management plan providing for stakeholder consultation at peak and local levels.

MPL provided Minister McCormack with a letter they sent to the Premier of WA claiming self-supply water users in Manjimup had been denied procedural fairness, both administratively and through maladministration of legislation.

In the Letter to the Premier, MPL convener Neil Bartholomaeus claimed "None of the water plans in WA are statutory; not for Ord River, Gnangara/Perth, Harvey, Margaret River/Whicher, Myalup, Collie, Carnarvon, nowhere! It is scandalous neglect of statutory duties.", he said.

"There is a Western Australian Planning Commission and an implemented statutory framework for proper land use planning at peak and local levels.

"In negligent contrast, successive Ministers for Water have refused to appoint a Water Resources Council and follow the statutory framework for water resource planning," Mr Bartholomaeus said.

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