

WATER — IRRIGATION PROJECTS — KIMBERLEY AND PILBARA

3168. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Water:

I refer to a series of public announcements on potential new large scale water allocations and irrigation developments in the Kimberley and Pilbara, made by the Minister over the past several months and media reports of those announcements, and I ask:

- (a) how much groundwater is currently licensed for extraction in each of the Department of Water's Kimberley and Pilbara groundwater planning and licensing areas;
- (b) upon what specific studies or reports has the Minister based the claim that there are about one trillion litres of fresh groundwater that can be used to grow cash crops in the Kimberley and Pilbara:
  - (i) will the Minister table those studies or reports and, if not, why not;
- (c) is this one trillion litres additional to existing licensed allocations or does it include existing licensed allocations;
- (d) which groundwater aquifers would this water be drawn from;
- (e) what formal assessment and approvals process or processes would be required before these allocations are finally approved and implemented;
- (f) given that the Department of Water's *Water Resources Inventory 2014* states that there are around 300 Gigalitres (GL) of additional groundwater available for use in the Kimberley and around 39 GL of water in the Pilbara, and the same report states that the level of technical information for most of the Kimberley-Canning groundwater area is "Initial", on what basis did the Minister suggest the potential for such large additional groundwater allocations based on so little actual data;
- (g) has the Government conducted any assessments to determine what the impacts of this level of additional water extraction might be on existing communities, businesses and ecosystems that rely on groundwater:
  - (i) if yes to (g), what are the assessments and can they be tabled; and
  - (ii) if no to (g), when will such studies be conducted;
- (h) has the Department of Water produced a statutory Regional Water Management Plan for the Fitzroy River catchment or the Canning-Kimberley Groundwater Area;
- (i) if no to (h), on the basis of which transparent and rigorous statutory water allocation planning process does the Minister believe decisions should be made about allocating large volumes of Western Australia's precious groundwater;
- (j) upon which specific studies or reports has the Minister based the claim that there are about or over 100 000 hectares of land in the Kimberley and Pilbara that could be converted to irrigated agriculture:
  - (i) will the Minister table these studies or reports and, if not, why not;
- (k) where exactly would this land be;
- (l) does the Minister recognise that the Water for Food projects outlined in the Department of Water's "West Kimberley projects and alternative land tenure options Fact Sheet 1 October 2014", would involve clearing much of the Fitzroy Valley between Fitzroy Crossing and Derby;
- (m) is the Minister aware that the Fitzroy River and associated riparian zone is listed on the Australian National Heritage List;
- (n) has the Government conducted any assessments to determine what the impacts of this level of land clearing and land conversion might be on communities, businesses (such as tourism) and native species that rely on the existing native woodlands and wetlands of the Fitzroy valley:
  - (i) if yes to (n), where are those assessments and can they be tabled; and
  - (ii) if no to (n), when will they be conducted;
- (o) what formal Government assessment and approval processes will be conducted prior to any final decision on the implementation of the large scale land clearing and irrigation projects outlined by the Minister and in the Department's *Water for Food* documents;

- (p) when will the Minister commence the public planning and consultation processes that are essential precursors for the proposed large scale groundwater allocations and land-clearing projects in the Kimberley;
- (q) what community consultations have been held in the Fitzroy valley in relation to the *Water for Food* proposals to extract large additional volumes of groundwater and clear large areas of woodland and wetlands along the Fitzroy River;
- (r) given that entrepreneur Andrew Forrest has recently said that he plans to access five trillion litres (5 000 Gigalitres) of water from the Kimberley–Canning system for agriculture, can the Minister verify that this level of water extraction is sustainable and will not cause serious cumulative impacts:
  - (i) if no to (r), has or will, the Minister be contacting Mr Forrest to advise him that such water extraction levels are unsustainable;
- (s) has Mr Forrest submitted any actual proposal for this level of water extraction:
  - (i) if no to (s), when does the Government understand or expect such a proposal to be submitted;
- (t) given that the Minister has recently announced that Western Australia’s existing water legislation is outdated and not fit-for-purpose in planning for the protection and sustainable use of water in Western Australia, does the Minister acknowledge that statements about large new groundwater allocations in the Kimberley and Pilbara are premature and irresponsible;
- (u) when will the draft of the new water legislation promised by the Minister to allow for responsible water planning in Western Australia be available for public viewing and feedback;
- (v) is the Minister aware that at least one Kimberley pastoralist is currently facing prosecution for alleged illegal land clearing and several other leaseholders may have also been engaged in illegal clearing but there was insufficient evidence to prosecute them; and
- (w) does the Minister acknowledge that premature and exaggerated statements about large new water allocations and irrigation projects in the Kimberley are creating or fuelling a boom mentality that is giving rise to destructive and unlawful activities in the region:
  - (i) if yes to (w), what does the responsible Minister intend to do to stop this destructive and unlawful activity?

**Hon Ken Baston replied:**

- (a) Approximately 1130 gigalitres across both the Kimberley and Pilbara groundwater planning and licensing areas.
- (b) The *Planning to develop sustainable irrigated agriculture in Northern Western Australia 2014* report, published by the Department of Agriculture and Food Western Australia.
  - (i) This report is in the public domain and I provide a copy.
- (c) Includes existing licensed entitlements.
- (d) Groundwater could be drawn from a number of aquifers across the Kimberley and Pilbara.
- (e) A proponent would need to make application for a groundwater licence which would then be assessed under section 5C of the *Rights in Water and Irrigation Act 1914* and in accordance with Schedule 1 Division 2 clause 7 (2) of the Act.
- (f) The potential was based on the Department of Agriculture and Food Western Australia report as outlined in answer (b).
- (g) No
  - (i) Not Applicable
  - (ii) Further groundwater studies will be undertaken through the Water for Food program over the next three years.
- (h) No
  - (i) The Department of Water would follow a water allocation planning process. This process would include consultation, hydrogeological investigations and full consideration of the benefits or effects on existing water users and the resource itself. This process will then be used to inform water licensing decisions. Local impacts of water abstraction are assessed under

the *Rights in Water and Irrigation Act 1914* schedule 1 clause 7(2) as well as policies and/or water allocation plans.

- (j) The claim is based on the Department of Agriculture and Food Western Australia report as outlined in answer (b).
  - (i) See answer to question (b)(i).
- (k) As this review was intended as a high level regional planning document, no specific land areas were identified.
- (l) No. The Water for Food Fitzroy Valley project is focussed on sustainable access to groundwater to establish irrigated grazing nodes or mosaic agriculture.
- (m) Yes
- (n) No
  - (i) Not applicable
  - (ii) The Water for Food program will not be clearing any land in the Fitzroy River Valley as developers are responsible for all approvals, including clearing approvals, which will address any impacts identified during the assessment process.
- (o) Any proponent planning to implement a large scale land clearing and irrigation development will be responsible for satisfying all Government approvals processes.
- (p) Any proponent planning to implement a large scale land clearing and irrigation development will be responsible for satisfying all Government approvals processes. However, community consultation has been at the forefront of the Water for Food program.
- (q) None. Community consultation specifically on land clearing has not been held in the Fitzroy Valley as developers are responsible for all approvals, including clearing approvals.
- (r) No. Any request for a licence to extract groundwater will be assessed through a formal process.
  - (i) No
- (s) Water licence applications requesting more than 100,000 kilolitres per annum are required to be publicly advertised.
  - (i) Not applicable
- (t) No. The current legislation provides the framework to assess proposals to extract groundwater.
- (u) The draft legislation will not be released for public comment.
- (v) No. Vegetation clearing is administered by the Department of Environment Regulation.
- (w) No. The Water for Food program is the Government's approach to planning growth in the West Kimberley with industry, local government, local Aboriginal organisations and the community.
  - (i) Not applicable