

STANDING COMMITTEE ON PUBLIC ADMINISTRATION —  
“PRIVATE PROPERTY RIGHTS: THE NEED FOR DISCLOSURE AND FAIR COMPENSATION”

**829. Mr D.T. REDMAN to the Minister for Water:**

I refer to the recent report of the Legislative Council committee chaired by Hon Adele Farina into property rights that gives a damning assessment of the minister’s agency’s management of spring rights in the Manjimup and Pemberton districts.

- (1) How does the minister account for the significant inconsistencies in advice to farmers about spring rights?
- (2) Does he accept that this is creating significant unrest in the farming community over what is a clear legislative right?
- (3) What is he going to do about it?

**Mr D.J. KELLY replied:**

I thank the member for the question.

- (1)–(3) One of the things that I have noticed about the member during this period in opposition is that he constantly raises with me complaints about policies that were in place when he was not only in government, but also Minister for Water. He constantly writes me letters saying that his constituents had a dealing with my department and they are unhappy about X, Y and Z in water policy and asking me what I am going to do about it. I have to write back to the member and say that the policy that the department applies is the policy that he applied as Minister for Water. I hope he informs his constituents that the issue that they are complaining about was in fact his policy when he was minister. That is his pattern.

The issue of spring rights is complicated at times, depending on the circumstances of the particular farm and the assessment that is made by the department about whether or not water that is present on a property is in fact a spring right. The advice I am given is that that is a complicated policy that has to be assessed in every circumstance. The member writes me letters asking why this person is not entitled to access water based on spring rights. Some people raised that issue before the parliamentary inquiry. I get advice from the department that says that it applies that policy in exactly the same way as it has been for many years, including when the member was the minister. Sometimes when that policy is applied, the applicant gets the water that they are looking for; sometimes they do not. As a result, sometimes people are happy; sometimes people are not. My understanding is that that issue has been applied by the department consistently during this government, as it was during the member’s term in government, including when he was the minister.