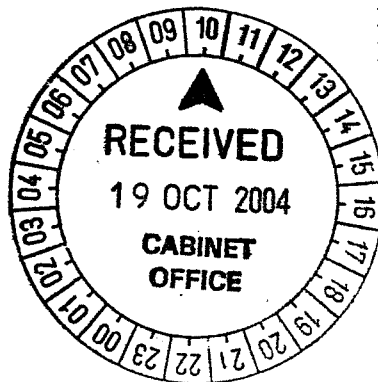
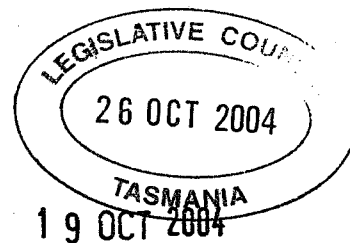




Tasmania



MINISTER for
PRIMARY INDUSTRIES and WATER



Manager
Cabinet Office
Department of Premier and Cabinet

GOVERNMENT RESPONSE TO THE LEGISLATIVE COUNCIL SELECT COMMITTEE REPORT ON CLYDE RIVER WATER

The above report was released by the Select Committee on 2 September 2004. I tender the following response to the recommendations of that Report on behalf of the Government.

I would be obliged if the Leader for the Government in the Upper House can table this response on behalf of the government in order to comply with the agreement that Legislative Council Select Committee reports receive an appropriate Government Response.

RECOMMENDATION 1:

All irrigators accept the Commission as the administrators of the Clyde River Irrigation District for the time being.

Response:

The Government supports this recommendation and it is consistent with the Government's action in agreeing to the substitution of the Commission for the Clyde Water Trust as the administrator of the District.

RECOMMENDATION 2:

All irrigators cooperate with the Commission in the process of determining future allocations.

Response:

The Government is supportive of a cooperative arrangement between the Commission and the irrigators for determining future allocations. The Commission is taking a consultative approach in arriving at its final recommendations on the allocation of irrigation rights.

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RECOMMENDATION 3:

The Commission, in managing any process leading to the allocation of future rights, has due regard to all the relevant matters including the statutory obligation to make allocations ‘consistent with agreements in force at the time’.

Response:

The Government supports a process that will enable irrigation rights to be distributed in a fair and equitable manner to River Clyde irrigators. The Commission is mindful of the extensive work done to date by other parties in making recommendations on the allocation of rights and is using this work as the basis of its consultation with irrigators. This existing work recognises both the historical allocation of water by the Trust and historical water usage.

RECOMMENDATION 4:

All irrigators, as a matter of urgency, respond to the Rivers and Water Supply Commission’s invitation to apply for water rights.

Response:

The Government fully supports this recommendation and would urge irrigators to respond to the RWSC’s invitation to apply for irrigation rights. It is the Commission’s intent that these responses will form the starting point for consultation with irrigators on the final allocations.

RECOMMENDATION 5:

Future planning for the Clyde River Irrigation District should take into account all options, including the option for further on-farm storage and the increased use of water from Lake Meadowbank, for increasing the supply of cost efficient water to irrigators in the district.

Response:

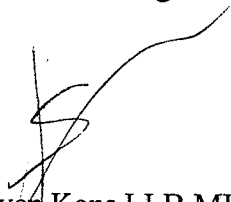
Sustainable water development is a key plank of the Government’s State of Growth policy and the long-term viability of the water supply operations is essential for the ongoing well-being of the River Clyde community.

While a number of opportunities exist for providing additional water supplies to the River Clyde valley, as identified through the Water Development Plan, the realisation of these opportunities will require significant capital investment.

It is the Government's view that the water entity administering the Irrigation District should not consider committing any funding to providing additional water until at least the following three conditions have been met:

- the current debts incurred by the Trust have been repaid in full;
- the irrigation rights have been allocated based on existing water availability and there has been sufficient time for the bedding down of the new operational arrangements; and
- there is demonstrated demand and commitment to purchase any additional water by irrigators.

Finally, it should be noted that the Select Committee's Report implies that the granting of irrigation rights in respect of the River Clyde Irrigation District is subject to a right of appeal under Part 14 of the *Water Management Act 1999* (see the Report's Summary of Findings item 9). Advice from the Office of the Solicitor General is that there is nothing in that Act nor in the *Irrigation Clauses Act 1973* which provides such a right of appeal on the granting of irrigation rights, with the result that the right of appeal, if any, could only be to the Supreme Court.



Steven Kons LLB MHA
MINISTER

Copy: Hon Michael Aird, Leader of the Government in the Upper House