
	Paper No: 5516T2207	
	Date: 1/12/16	
	Member: Mr Speaker	
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ANDREW CRIPPS MP

MEMBER FOR HINCHINBROOK

SHADOW MINISTER FOR NATURAL RESOURCES AND MINES

SHADOW MINISTER FOR NORTHERN DEVELOPMENT

7 November 2016

The Hon Peter Wellington MP
 Speaker of the Legislative Assembly
 Parliament House, George St
 BRISBANE QLD 4000



Dear Mr Speaker,

I am writing to request that you refer to the Ethics Committee, a matter which I believe to be a deliberate misleading of the Parliament by the Member for Mount Coot-tha on 1 November 2016.

I draw Mr Speaker's attention to the Member for Mount Coot-tha's contribution to the debate on motion on page 3999 of the Official Record of Proceedings, 1 November, 2016.

During the debate the Member for Mount Coot-tha made the following statements:

"They brought in legislation that guaranteed an unlimited right to take groundwater for large-scale mining projects with no approval" (emphasis added)

I contend that this statement is false and that the Member for Mount Coot-tha knew the statement was false, given he is the Minister for Environment and Heritage Protection.

The former LNP government's laws on groundwater are contained in the *Water Reform and Other Legislation Amendment Bill 2014 section 369A and section 394A* (the Bill), which was passed on 26 November 2014, received assent on 5 December 2014, but is yet to commence.

This Bill provides the right for mining tenure holders to take water for associated purposes without a water licence. However, it requires the mining tenure holder to produce and submit an Underground Water Impact Assessment Report and Baseline Assessment, under sections 369A and section 394A of the Bill.

Both of the Underground Water Impact Assessment Report and Baseline must be submitted to the Chief Executive under the *Water Act 2000* for the Chief Executive's consideration and approval.

Under section 385 of the *Water Act 2000* the Chief Executive has the power once the Underground Water Impact Assessment Report is provided:

- (a) to approve the report, with or without conditions; or
- (b) to require the responsible entity to modify the report under section 384.

Under section 399 of the *Water Act 2000* the Chief Executive has the power once the Baseline Assessment is provided:

- (a) approve the plan, with or without conditions; or
- (b) ask the holder to amend the plan and submit the amended plan within a stated reasonable period.

I submit that the above demonstrates that the Member for Mount Coot-tha's statement was deliberately misleading. His statement was:

I therefore contend that:

- 1) the evidence provided above clearly and definitively shows the Member for Mount Coot-tha's statement to the House was demonstrably false and sought to deliberately misled the House - a clear breach of Standing Order 266 (2);
- 2) accordingly, based on the substantial evidence provided above, this matter not only warrants investigation by the Ethics Committee to determine if it constitutes a deliberate misleading of the Parliament; and
- 3) given the Member for Mount Coot-tha is the Minister for Environment and Heritage Protection, who has the resources of a Department and jointly administers the *Water Act 2000*, that the Member for Mount Coot-tha must have known the statement he made was incorrect and therefore, he sought to deliberately mislead the House.

If you require any further information to assist in looking into this matter my office would be happy to provide it to you.

I look forward to your consideration.

Yours sincerely



Andrew Cripps MP
Member for Hinchinbrook
Shadow Minister for Natural Resources and Mines
Shadow Minister for Northern Development