



The Hon. Tony Burke MP

T R A N S C R I P T

Interview with Matt and Dave, ABC 891

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Subjects: Murray Darling Basin plan – water allocations - consultations

E&OE only

JOURNALIST: Tony Burke, Minister for Water, joins us now. Welcome to the program Minister.

TONY BURKE: You're not really doing that show throwing thing in Adelaide are you?

JOURNALIST: We are Minister, there'll be one in Rundle Mall. Has anyone thrown a shoe at you?

TONY BURKE: Not yet, but I suspect my day will come.

JOURNALIST: You're trying to throw a shoe at the Murray Darling Basin Authority though, why so?

TONY BURKE: What I wanted to clarify, a whole lot of the arguments that have been going back and forth have been, what does the Act demand people to do. There were about five or six completely different legal interpretations, some of them floating around the community and some of them here in the building Parliament.

What I thought I had to do was get some legal advice, and announce before I'd even seen it that whatever it said, I would make it public. That's what I did yesterday. Just so we could get some clarity on the Act that were all dealing with.

Because Malcolm Turnbull has been out there saying, this is what he believes the Act says. A whole lot of people have been saying it's

something different. Effectively the legal advice that has come out backs in the opinion that Malcolm Turnbull put.

JOURNALIST: And what is that?

TONY BURKE: That it is quite open to the Murray Darling Basin Authority to be able to take into account economic effects, social effects, as well as the environment.

JOURNALIST: Based on that advice, do you believe that the Authority has done its job properly?

TONY BURKE: I think what they've got in the Guide is one of the options open to them under the Act, I don't doubt that at all. But there has been a question as to whether or not, if they wanted to, they could do completely equal weighting of environment, economy, social impacts. The legal advice says that's open to them.

It's for them as an independent authority to work out where they want to go.

JOURNALIST: They've been saying that's outside their brief though, haven't they?

TONY BURKE: In some of their comments they have been.

JOURNALIST: And you're saying they're wrong?

TONY BURKE: That's what the legal advice says.

JOURNALIST: But they're an independent Authority. Shouldn't you leave it up to them to decide what they want to do with the Act.

TONY BURKE: What they do with all the legal options available is for them as an independent Authority and I'm relaxed about that. The concern that was there was that there was an argument saying that the Act was preventing them from looking at some issues and I do believe as Minister that it's reasonable for me to get some independent advice. Particularly, when I give a guarantee before I've even seen it that whatever it says I'll make it public.

JOURNALIST: When the Prime Minister said that she was committed to do whatever the Authority recommended. Were people entitled to believe that the Government was backing the Authority.

TONY BURKE: I think people were entitled to work on the basis that we were determined to deliver the reform. And we still are. I hear what you're saying on that.

The Plan that the PM was talking about was the final Murray Darling Basin Plan and we don't get that until the end of next year, there's a whole lot of process before we get there.

But once we get to that final stage, and that final document that I sign off on, we're determined to implement it.

JOURNALIST: But how can people reconcile the statements that Julia Gillard and Penny Wong gave during the election campaign, that they would back whatever the Authority recommended, with your statements last Friday that the Authority's Guide is not Government policy and is not Tony Burke's document.

TONY BURKE: Well for a start I was talking about the Guide. There are three different documents that goes through this process. You've got the Guide that's out now, you've got a draft plan that comes out early next year and you've got the Final Plan that comes out at the end of next year.

JOURNALIST: Do you think people have been misled?

TONY BURKE: No, the final Plan is the one that the PM referred to. And even the Murray Darling Basin Authority isn't signed up to needing to implement the Guide. Their view is that this is all about consultation.

So even from the Authority's perspective what's there in the Guide isn't the final landing place ready for implementation.

JOURNALIST: Tony Burke, your Prime Minister yesterday warned about her concerns about a strain of economic hansonism, linked to economic populism and has said that it shouldn't derail key economic reforms.

Are you bowing to populism? Have you been scared by a few book burners.

TONY BURKE: My view on this is the same as the first time I spoke to your program from the moment I got this job which is we want three outcomes and I do believe that we can deliver all three – a healthy river, strong regional communities, and strong food production. I reckon we can deliver all three.

I've been saying that these are the three things I want to be able to get out of this from the day I got this job. The consultation and some of the strength of reactions that have happened at the community meetings haven't shifted my view at all.

JOURNALIST: Do you accept the core recommendation of the Authority that between three and four thousand gigalitres needs to be returned to the Murray Darling.

TONY BURKE: I make it clear and give the guarantee, I've said this directly to the Chair, Mike Taylor, on anything about the numbers I'm simply not going to be intervening from the sidelines and announcing what I think numbers might be while they're going through a consultative process.

There is an opportunity for me at the very end of the process to be involved in the document in that way. But there is a long path of consultation...

JOURNALIST: So you're not even prepared to back them in on that one core recommendation of returning between three and four thousand gigalitres to the system.

TONY BURKE: I'll give you one example as to why, there's a whole lot of work being done around the states at the moment to see if for some of our environmental assets to see if we can manage them more efficiently. Some of the arguments don't work quite as well with the Lower Lakes because there you are talking about voluments of water. But for a whole lot of the environmental assets there are ways of managing them with engineering works that actually free up volume for the rest of the river.

If you can do that then the numbers of three and four thousand that will be required for the environment actually shift.

JOURNALIST: But isn't that an argument about how you return three to four thousand, whether it's through engineering, more efficient production methods, or just buying back water. That's a debate about the means of returning that amount of water. I'm asking you, are you committed to the figure of three to four thousand returning to the system by whatever means.

TONY BURKE: It depends what part of the system you're in as to whether it does that. If you're in the Darling, for example, as you know, a gigalitre in the darling by the time it gets down to the Murray it's much less. So, you actually can, if you have these efficiencies the three to four figure does actually shift. It depends what part of the Basin you're in with your environmental works and measres.

So that's why, for me to sign up to 'yeah that figure's right', would undermine a whole lot of work that I've got the State Government's doing that I think could deliver some good outcomes here.

JOURNALIST: Did you discuss the legal advice with the Premier Mike Rann?

TONY BURKE: No, I don't recall having a conversation with him about it.

JOURNALIST: Do you think that might be a good idea? He's paraded this as, really, the solution, the magic bullet for the river Murray. Julia Gillard has ignored him on the detention centre for Adelaide and here's his grand plan for the Murray fallig to bits before his eyes. Do you think you owe him a chat on that one?

TONY BURKE: I've spoken to Mike ever since I had the agriculture portfolio on water issues. Obviously, we'll keep talking but on all that's happened here is that there was a question, what does the Act allow people to do? So I asked the Australian Government Solicitor to give me an opinion and announced in advance, whatever the advice says I will make it public.

JOURNALIST: Mike from Clayton Bay has been waiting to talk to you. Good morning Mike.

MIKE: Good morning boys. I'm absolutely disgusted and Minister your spin is unbelievable, you're saying that you're not going to intervene and yet you've come up with this new legal advice that is going to react with the multinationals up at St George who are sucking the guts out of the Darling and the multinationals up at Griffith who are sucking the guts out of the Murrumbidgee. The whole issue is that we need a certain amount of water, and you've got scientific evidence to say that we need three thousand gigalitres to come down the river and flush it out.

TONY BURKE: The legal advice is something that I sought and I think the reflection there, I don't think that's what the lawyers were doing. I really don't. What they've done is they've had a look at the Act and I've asked the question, what are the limits on what they're allowed to take into account. That question has been answered and it's back to the independent Authority now.

JOURNALIST: David from Paynham, just finally. Hello David.

DAVID: Hello Matt and David, I think we just heard the Government announce that they are going to let the Murray die.

TONY BURKE: I think, by the time you get to the Plan, that no one will be saying that. No one will be saying that. I'm determined to land this reform. I'm determined to make sure that we do get a healthy river system.

I happen to believe that we can do that without wrecking regional communities and by still being a nation of food producers.

JOURNALIST: Tony Burke, thank you for talking to 891.

TONY BURKE: Thank you.

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