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Submission to Senate Inquiry:
Traveston Dam

Subjects :

1. Premier Beatties' political need to fix the water supply crisis he helped create.
- &
2. Property Acquisitions and Compensation, inadequate, unjust and Un – Constitutional.

My wife, three children and I moved to The Mary Valley approximately two and a half years ago from suburban life to develop a business and family life in a rural community.

We moved to a 5 acre block adjoining Skyring Creek in Federal with plans for building bed & breakfast cottages, start breeding kennels and a furniture workshop.

On the 27th April 2006 our plans and dreams were ambushed and held hostage by this plan to dam our home and business ventures, as well as our entire local community.

Prior to purchasing our property we paid for the standard and appropriate "searches" of government records to find out if indeed any highways or dams were to be built on our proposed dream acreage allotment.

The "searches" came back to be clear. We than purchased our property and started to build our dream.

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We are now informed that indeed our property needs to be used to build this dam. We are now also told that the new Bruce Highway will now take our front yard.

1.Premiers political fix.

The sudden announcement for this dam by Premier Peter Beattie on the 27th of April 2006 was a terrible shock to us all in the dam “footprint”. We were never consulted, community debate was never held and Premier Beattie has even arrogantly stated in parliament that this dam will go ahead regardless of the outcomes of any feasibility studies.

The Premier has also declared that “people power will not work here” as he attempts to convince a hostile audience that his dream dam will happen regardless of what the people think.

The manner of which the Premier has burdened the people of the Mary Valley with a problem that his government helped create is a disgrace, and against every standard that democracy stands for.

By refusing to act on the sound advice of his own departments years ago that advised building new water infrastructure for the increased population that was swelling in south east Queensland, The Premier has allowed south east Qld to run too low on available water.

The Premier “sat on his hands” until the state of Qld was in a state of crisis, and than chose to dump his political crisis onto the national voter heartland of the Mary Valley.

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2. Property Acquisitions & Compensation Un-Constitutional.

We have attempted to sell our property to the State government, but have been unable to because of there inadequate financial compensation.

*The Qld governments policy of allowing the constructing company (QWI) to be the “**judge & jury**” of property valuations has led to many residents being undercut and devalued as this business enterprise (QWI) attempts to save themselves money in the compulsory purchase of properties needed.*

A direct and blatant conflict of interest exists here with the company responsible to build this dam at a price tag of 1.7 billion is also the same people responsible with coming up with figures for the values of home owners properties and businesses.

People have been threatened with court, home owners have been intimidated and told to “take it or we’ll get our price in court”. The prices that QWI come up with are generally hundreds and thousands of dollars lower and completely inconsistent with valuations from accredited and licensed valuation firms. QWI is choosing not to pay their values and even questioning these companies integrity.

We have witnessed a thirsty and desperate State labor government ignore the wishes, the democratic and Constitutional rights of the Mary Valley people.

The Mary Valley has been singled out by the Qld labor government to bare the brunt of Premier Peter Beattie’s gross mistake of failing the good people of Queensland with appropriate water infrastructure for a growing population.

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For nine years this Qld labor government has “sat on its hands” and watched water consumption increase dramatically as more and more people moved into Queensland. Rather than adapt to this increase this Qld labor government ignored the steady drum beat of dire warnings and recommendations issued by its own departments.

The result is a desperate and thirsty Premier that – prior to the Qld election promised the good people of Qld a mega dam that so happened to miss any labor electorates.

Premier Peter Beattie has deposited his crisis onto the people of the Mary Valley.

This proposed dam is a political answer to Premier Peter Beattie’s political failure to lead Qld appropriately.

Common sense, honesty and the home owners’ rights have been bulldozed over to make way for Premier Beattie’s attempt to rectify his mistakes of yesteryear by making the Mary Valley pay for his error.

Section 51 (xxxi) of The Australian Constitution clearly stipulates that governments in Australia can acquire properties only if they are done “On Just Terms”.

The overwhelming evidence suggests to me that the forceful removal of home owners, businesses and families alike without their consent or even appropriate democratic debate violates our most fundamental rights as Australians.

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Our forefathers that wrote the Australian Constitution (may God bless their souls) had the foresight and wisdom to understand that future governments may attempt to override the basic democratic rights of the home owners.

They understood that the fundamental glue that holds a healthy democratic and free society together was the family unit, and that a family's home needs to have the protection of Commonwealth legislation.

They understood that a person's home is considered to be a person's castle and the rights of a healthy society must allow for fair and just terms - before governments can acquire their "castles."

The modern meaning of Just is Fair. There is absolutely nothing fair about being forced of your home and property because a political leader decides that his electorate wants what another community already has.

With no democratic debate, no community input, and having the company charged with achieving a low price for the Qld government set prices for compensation that I can see that this method of Acquiring properties is in no way, shape or form Just – or Fair for the people of the Mary Valley.

QWI has repeatedly informed me that they will not allow my family the ability to replace what they intend to forcefully take off us, with a compensational figure that allows us to rebuild our current house on an equivalent block. This is Unjust!

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QWI have repeatedly informed myself that they will not meet the full price that is independently assessed by a Qld licensed and accredited valuation team. This is Unjust

QWI have informed me that they will only pay the full valuation of a firm that they employ to do the governments valuations.

Most questions that are put to this company QWI or The Qld Department of Natural Resources are not answered. A consistent theme of refusal to answer questions on behalf of the property owners is widespread, and indeed very frustrating and arrogant.

There are two fundamental rights bestowed upon Australian citizens by the Australian Constitution.

One is that citizens are entitled to be tried for a criminal offence in front of a jury of peers.

The other is that Australian Constitutional Legislation makes it law that properties can only be acquired by governments if they acquired on Just terms.

I cannot imagine any High Court Judge forming the opinion that the manner in which the Qld government is acquiring properties is even remotely close to fair or indeed “on just terms”.

I believe this for a very good reason. If citizens can be violated and abused by inconsiderate and callous governments than the entire system of a healthy democracy is in danger of collapsing.

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For the basic and fundamental glue that holds a healthy democratic society together is the institution of the family unit.

If the family and its home can become “pawns” in political whims of poor government policy than a fractured and failing society will eventually follow that of the fractured family and its home.

A person’s home is deemed to be a person’s castle – (adopted from Old Englands Magna Carta and English common law.)

There is absolutely nothing fair about property owners in the Mary Valley being the scape goat for a failed water policy, and being forced to bare the brunt of a political leader that refuses to follow the democratic norms of our Australian society.

The Qld Premier has been blind to the injustice bestowed upon the residents in the Mary Valley and deaf to our needs.

A leader that refuses to see the alternatives and fails to listen to the home owners affected is indeed attempting to dam the natural flow of democracy and indeed Constitutional rule of law.

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*Mr Courtney MacRae
Property owner in the proposed Traveston Dam footprint.*

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