

Submission by Water Access Licence Holders Tyalgum & Byangum, [REDACTED]

12th July 2020

**Re : Proposed Review by the NRC of the Water Sharing Plan for the Tweed River Area
Unregulated and Alluvial Water Sources 2010**

To Whom It May Concern

This Submission is made on behalf of irrigators who pump from the Tweed River at Byangum as below. Our properties are located adjacent to the Bray Park Weir pool from which Tweed Shire Council pumps water for filtration and reticulation to the community of the Tweed Shire.

Neil & Michelle Baker [REDACTED]

Corey Crosthwaite [REDACTED]

Andrew Goodall [REDACTED]

Further, this afternoon there has been discussions with irrigators at Tyalgum as listed below whom have expressed their concern regarding the Review and who also wish to join us with this Submission. They are irrigators who pump from Pumpenbil Creek, Brays Creek & Tyalgum Creek at Tyalgum which flows into the Oxley River.

Due to the lack of available time to include their Water Access Licence Numbers, they can be supplied if NRC wishes to confirm that they are bona fide irrigators.

I J Kennaugh	1 Water Access Licence
Bruce Kennaugh	2 Water Access Licences
Colin Kennaugh	1 Water Access Licence
Ron Stoddart	2 Water Access Licences

I confirm correspondence from Emma Collins, Principal Advisor, Natural Resources Commission, granting an Extension to COB 12 July for a submission to be made by us as irrigators regarding the proposed Review of the Tweed River Area Unregulated Alluvial Water Sources 2010 (the Plan).

It is our desire to make the following comments, observations and input regarding the proposed Review.

Irrigator / dairyfarmers from the Tyalgum area were unaware of the Review, are very concerned at the proposed changes by Tweed Shire Council to increase Councils “take” of water and whom are unable due to time restraints to lodge their own submissions.

They certainly desire to be included as part of the Review process. Neil Baker has been requested to include and submit their names with this Submission.

We are all irrigators from the Tweed River **or creeks which feed into the Oxley River at Tyalgum**. We have either had a WAL , or our families have had an Irrigation Licence, for many decades. In relation to both Corey Crosthwaite and Neil & Michelle Baker these Licences go back many decades. Andrew Goodall's licence was acquired from the previous land owner Lorrie Brinsmead and prior to that owner Neil Bignell in the 1970's.

We note all 3 Byangum WAL holders have undertaken extensive works to improve the Riparian Zones along our various properties, either individually, via a Landcare Group or joint works in conjunction with Tweed Shire Council.

These works encompass many kilometres of riverbank along either the Tweed or Oxley Rivers. Both the Crosthwaite and Baker families go back to the early 1900's on these properties. The current generation has realised that we have to ensure the future long term sustainability of our farming enterprises. This requires both an investment by us in monetary terms as well as a long term commitment to ensuring we contribute to minimising erosion of our valuable and irreplaceable soils, improving the health of our River system and the broader community through improved water quality by planting and revegetating large sections of Tweed and Oxley River banks.

Farming procedures have been improved, modified and adapted to allow increased productivity and ensuring further long term sustainability

We highlight our significant concerns regarding the Tweed Shire Council submission to the Review process.

These include that the staff of Tweed Shire Council, as the local Water Authority, have provided inaccurate reports to Councillors advising "that irrigators are responsible for a significant loss of water to the community when it is released from the Clarrie Hall Dam in periods of low flow" ..

We refer to the publicly accessible Council Agenda's for both Meetings of Councillors dated 18th June and 2nd July 2020.

The fact that staff had proposed that all irrigators be excluded from the Tweed River water supply in periods of low flow or once Council starts to release water from the Clarrie Hall Dam does not indicate a "Water Sharing Plan". This is more indicative of a "Water Taking Plan" that excludes us as farmers and rural landholders from the water supply when we are most desperate to provide water and fodder for our dairy cows, our beef cattle or livestock.

We are exceedingly disappointed that the Council staff Report to Councillors regarding Council's Submission to the proposed Review, on at least 2 occasions, inaccurately misrepresented the facts.

There has been an apology made by staff for these inaccurate statements in an email dated 30th June 2020.

Is it fair and just that Tweed Shire Council is both the largest consumer of water in the Tweed Valley whilst being the local Water Authority and also makes a determination that we are NOT to have an alternate Dam to provide future water security for ALL stakeholders ?

The Council publicly and repeatedly states that global climate change is upon us, warns us of impending and drastic negative changes , proposes to cut off our access to water in low flow or once Council decides to release water from the Dam, yet refuses to consider all stakeholders including ratepayers need to have an alternate Dam that increases supply, provides a different catchment area to increase water collection, provides a backup in case the Clarrie Hall Dam is contaminated and possibly could be used to minimise major flood events.

It is noted that the major flood resulting from Cyclone Debbie in 2017, whilst the highest on record for the Tweed River upstream at Uki, was not the worst it could be. There has never been a flooding

event where 2 of the River tributaries (these being the Tweed, Oxley & Rous Rivers) have had record floods simultaneously.. When this does occur the Tweed Valley really will be smashed by flooding not seen before.

As far as we are aware, Corey Crosthwaite was the only irrigator on the Tweed River that was an active user at the time who accessed a maximum of .7 Megalitre / day, not the 12 or 20 Mg that Council staff attributed to “irrigators”.

Tweed Shire Council made a decision not to proceed with an alternate water supply dam, known and proposed as the Byrill Creek Dam, a number of years ago. We maintain that as the world’s weather and rainfall patterns may substantially vary in the years ahead (due to either global warming or cyclical variations) , that it is incumbent on our local authorities to ensure the community (whether that comprises ratepayers, business owners or primary producers) to have access to this basic necessity.

We are appalled that Council staff wish to even consider excluding us as primary producers from the Tweed River water supply in the time of our dire need to provide water and fodder for our livestock.

As primary producers we constantly have to adapt and improve our methods to survive changing economic and climatic conditions. If we are to survive we need a constant safe and secure water supply.

We also highlight the significant cost imposts on us as farmers if we wish to change our Licence conditions or pump sizes which we believe is as much as \$ 2065 per licence change.

Further, if as proposed by Tweed Shire Council to “take” all water during low flow periods, how are we to survive ? Is there going to be funding available to allow us to secure alternate water from irrigation bores ? We don’t know if there is a viable water source underground suitable for such bores. Are we able to access this potential source ? Can supply from such a bore be restricted by Council during periods of low flow ??

Whilst Tweed Shire Council constantly states that it wishes to preserve farm land for future generations (we refer to the recently adopted Rural Land Strategy) , how can Council reconcile their proposal to unilaterally cut off our water for stock and irrigation during drought ?

We believe the current Plan has worked effectively and has balanced the needs of the various water consumers and the environment. There are always areas for further improvement , however any changes should not mean that the farmers / landholders are excluded from water due to the specific decisions made by Council not to ensure the future water security of all users whilst considering environmental needs. Farmers and irrigators requirements should also be considered equitably.

We wish to ensure there is continued flexibility to allow water to be best utilised amongst our various properties which we believe the current Plan allows.

Both Corey Crosthwaite and Neil Baker were selected by Tweed Shire Council to be part of the Bray Park Weir Project Reference Group which was convened to make a recommendation to Council on how the salt water intrusions into the Bray Park Weir water supply could be prevented. It is clearly apparent that Council was not adequately monitoring the levels of various unusual tides or anomalies which led to the main overtopping in August 2017.

As part of the PRG, we have cooperatively worked with Council and various stakeholder groups to propose a solution to this problem of salt water overtopping.

We highlight the fact that with any proposed work on the Bray Park Weir an upgrade of the fish ladder has to occur. Therefore, does the upgrade automatically require more water flow to improve the

effectiveness in operation to allow marine species to migrate up and down between the fresh water and tidal zone ?

If so, from where will this extra water flow be found ?

We look forward to once again working with the various stakeholder groups and the various government bodies to ensure we continue to have a reliable water supply for the current and future generations of primary producers and landholders whilst considering our environment as we have done for decades past.

We look forward to further discussions during the Review process to ensure there is an equitable and fair “sharing” of water, our most valuable resource.

Yours sincerely,

Neil & Michelle Baker



Corey Crosthwaite



Andrew Goodall



Colin Kennaugh



(on behalf of I J Kennaugh and Bruce Kennaugh)

Ron Stoddart

