

Summary of issues arising from submissions received on the draft Barron Resource Operations Plan amendment

1 Introduction

The draft Barron Resource Operations Plan amendment (draft ROP) was released on 15 April 2010 and was supported by five public meetings between the department and the Barron community. These meetings were held in the Tolga, Atherton, Yungaburra and upper Barron areas.

Around 100 people attended the public meetings and were invited to provide submissions on the proposed amendments. In addition, departmental officers from the department's North Region met with over 40 individual water users to discuss issues and provide additional information to support submissions and increase general understanding of draft ROP proposals. The submission period closed on 4 June 2010 and a total of seventy, properly-made submissions were received.

A large number of the submissions (51) contain the same issues. In fact, submissions received from 45 people in the upper Barron area are exactly the same in content, with a further 6 submissions containing that content plus some additional points.

These submissions have been analysed and classified into issue groups. A preliminary description of the action to be taken in regard to each issue has been proposed and some simple descriptive statistics applied to those issues. The occurrence or frequency of an issue is not the only indicator of its importance or the need to act on the recommendation of the submission. For example, submissions from SunWater or Cairns Regional Council must be examined in detail and the recommendations they contain must be addressed.

This brief report outlines the types of submission received. This paper will be followed by a more detailed analysis of appropriate actions in regard to issues to be undertaken by officers from Water Planning – North and North Region in late June 2010.

2 Location

Issues contained in the submissions were related to 108 subcatchment or management areas within the draft ROP area. Forty-nine percent (53 issues) of issues identified related to water use in the Leslie Creek or Upper Barron zones. There were seventeen issues raised concerned with groundwater in either Atherton Subartesian Area A or B.

3 Interest group and water use

Participants identified themselves as belonging to a total of 158 interest groups. The largest of these interest groups were irrigators utilising unsupplemented water. This group accounted for 60 submissions. The second most significant contributor group were irrigators using subartesian water with 56 people identifying with this interest group. In addition, the most common use of water was irrigation and a large number of respondents also used water for stock and domestic uses. Table 1 describes the interest groups and water use associated with issues.

Table 1 Draft ROP - Interest groups and water use associated with issues.

Interest group	Number	Use of Water	Number
Irrigator (unsupplemented)	60	Irrigation	59
Irrigator (subartesian water)	56	Stock	17
Stock & domestic user	12	Domestic (household)	15
Riparian landholder	9	Farming	8
Irrigator (supplemented water)	4	Industrial	2
Water service provider	3	Other	1
Local Government	3		
Grazier	3		
Dryland farmer	3		
Small business	2		
Horticultural interests	1		
Environmental interests	1		

4 Summary of issues

There were a total of 66 issues mentioned in submissions. The bulk of these were related to water trading in unsupplemented and subartesian water. Following is a brief summary of the major issues identified. The following sections and tables describe each of the major issues contained in submissions in order of frequency of mention.

The major issue arising from both the public meetings and the submission process is the high value that the community places on a flexible trading marking that allows seasonal assignment of water as freely as possible (Table 2). Submissions indicate that intrazone boundaries present an unnecessary barrier to seasonal assignment (permanent trade is allowed) and that seasonal assignment should be allowed.

Another important issue concerns the rate at which water may be taken when it has been traded. Fifty one submitters stated that it is impractical for pumps and irrigator nozzles to be changed to change ‘instantaneous take rates’. These submissions suggest that the daily limits should be used.

Other issues included suggestions that trade between surface and groundwater should be permitted and detailed suggestions about near zone boundary issues (Table 2). An issue was also raised regarding the need for approval of an application to increase the maximum rate of take once the draft ROP has been finalised (as permitted).

Table 2 Unsupplemented water licence dealings

Water licence dealing issue	Number
Sharing 'instantaneous take' and daily volumetric limit when water is traded.	51
Increased trading flexibility including interzone seasonal assignment and permanent trade.	50
Increased flexibility for the trade of water available between January and June.	48
Allow seasonal assignment downstream across zone boundaries in the same watercourse eg. Intrazone trade in the Upper Barron (zones linked).	3
Trading will not be effective in Spring Creek. Opposition to trade from downstream to upstream in Spring Creek.	2
Allow greater flexibility and review of applications by Chief Executive where zone boundaries converge (Received verbal approval of an additional pump site. Went ahead and invested. Compliance action. Property is on the boundaries of Sub catch Area C, Upp. Barr. C, Upp. Barr. B, Scrubby Ck; Ahyah Ck.).	1
Expand trading to include trade between unsupplemented, supplemented and groundwater systems.	1
Allow seasonal assignment from the top of Gwynne's Creek down to its junction with Nicholas Creek, and in Nicholas Creek from [49-Sch4 - Personal Information] Don not allow trading from Nicholas Creek to Gwynne Creek or viceversa.	1

Table 3 shows the high number of submissions (48) that mention trigger levels and flow durations for limiting access to water or for withdrawing that limitation. There were a considerable number of submissions (also regarding groundwater observations bores) that argued that a lack of gauging stations in some areas would always result in a flawed process for identifying appropriate environmental flows.

Table 3 Unsupplemented water sharing rules

Water sharing rule issue	Number
Flow level trigger points compared to historical data in Leslie Creek	48
Restrictions should be only applied after 14 consecutive days of flows below limits and should be removed after 14 consecutive days above the limit	48
Lack of gauging stations and real data on which to base environmental flows in Cherry, Spring or Rocky creeks	2
Pumping has no impact on environmental flows	1

Table 4 relates to subartesian management areas. The main issues are trade and seasonal assignment between zones and the combination of zones in Area A. Submissions also raise the some concern that groundwater zones are not based on underlying geology.

Table 4 Groundwater dealings

Subartesian water dealings issue	Number
Allow permanent trade between groundwater zones in management areas A & B	3
Combine zones A3, A4 & A6 into one zone.	3
Expand trading of groundwater into adjacent zones.	3
Cross subsidisation' between groundwater and surface water. Conjunctive use.	1
Lack of trading opportunities in Atherton Subartesian Area A. Advertised in local newspaper and there were 'no takers'.	1

Allow trading between adjoining groundwater zones within a groundwater management area.	1
Groundwater zones are restrictive to trade and not based on underlying geology	1
Increase trading flexibility in groundwater management area A - remove barriers provided by the current 6 draft zones. Realign zones with surface water boundaries and cut the number of zones from 6 to 3. Suggested new boundaries identified on a map.	1

Most of the issues raised regarding the sharing of subartesian water were focussed on the use of observation bores, rather than stream flows, to determine limits (Table 5). There was also a suggestion that the amount (%) of groundwater that could be extracted during periods of low flow should be substantially increased.

Table 5 Groundwater sharing rules

Subartesian water sharing issue	Number
Base Groundwater Area B restrictions on data from observation bores rather than stream flows. Use Area A observation bores to complement Area B observation bores.	5
Groundwater restrictions based on stream flows in Tables M and O. Raise the percentage of nominal entitlement that may be accessed under the limitations.	4
Provide public access to 'current' streamflow information on DERM website.	2
No clear explanation of how volumetric limits in zones were derived.	1

Table 6 includes the issues that are either an issue addressed by the 'in force' *Water Resource (Barron) Plan 2002 (WRP)*, already dealt with through another process, or outside the scope of the draft ROP process. The on-farm storage issue was the most frequent issue raised in submissions and relates to the approval of sites for storing high flow water for future use.

Table 6 Other issues – WRP issues or dealt with outside the ROP amendment

Other issues (WRP or dealt with through another process)	Number
On-farm storage sites should be made available for high flow water (on-farm storage).	50
Conversion of area-based licences to volumetric entitlements.	11
Groundwater trading should be limited to agricultural landholders.	3
Offer to privately fund additional observation bores.	2
Licence conversion at 'stated volume' as allowed under section 30 (a) of the Barron WRP (note: the volume is contained within a condition on the licence and the submitter wanted to be converted at 10 ML/hectare).	2
Seasonal volumetric limits that are not adequate to sustain current irrigation practices.	2
Do not respecify licences in Subcatchment Area D until the scheduled mandatory review of the WRP.	1
Amount of water allocation (WRP issue). Not allocated enough water (non-conversion issue).	1
4,000 megalitres of unallocated water should be freed up for irrigators (note: used to provide for 10ML/hectare conversion rate)	1
Process for allocating groundwater is flawed and unfair.	1
Heed the independent advice and process of determining groundwater yield in Atherton Subartesian Area A. 14,500 ML yield (WRP).	1

Review EFOs during mandatory WRP review.	1
Attachment 7 lists the Cairns City daily volumetric limit as 88 ML. This has been corrected to 122 ML/day by DERM (letter 12 May 2010).	1
Fluctuations to releases from Tinarroo falls dam to be capped to 50 ML/day increments whether there is hydro release or not.	1
Criticism of the Water Advisory Group process and usefulness.	1
Future adverse impacts of the ROP amendment on agriculture.	1
History of representations to Ministers and a description of the commitments given to address irrigator issues.	1

5 Supplemented water submissions

The main issue raised by two substantial submissions concerned with water supplied from the Mareeba Dimbulah Water Supply Scheme (MDWSS) was the carry over rules. These submissions suggested that carry over in the MDWSS should be extended to a full water year, called for clarification and definition of a spill, express 668.0 metres AHD in TFD as a percentage or capacity.

Another private submission called for the redistribution of water reserved for Cairns City (4,000 ML) to irrigators.

Cairns Regional Council provided a submission with the main issues being that instantaneous take needs to be 1,694 litres per second to supply treatment works. The daily volumetric limit for the council licence was also identified as a mistake that needed correction but this issue was already dealt with through processes outside the draft ROP process (Table 6). The Council also requested a separate meeting to clarify (direct to Council), the impacts of 'critical' Tinarroo Falls Dam water levels and how they might affect the water reserved for future use by Cairns Regional Council.

6 SunWater submission

A submission was provided by SunWater that included the following points:

- Include provision for SunWater to submit an updated Implementaion Program.
- SunWater can prepare and submit critical Water Supply Arrangements to the Chief Executive Officer.
- Changes to 'High' category flow volumes at Node 2 (Table 4)
- Retain footnote to Table 6 Hydro releases (Maximum Daily River Flows)
- s82 (2) (b) implies that Carry Over is protected ahead of high priority water. If AA was zero then carry would not be possible. Delete the 'CO' part of the equation.
- Silation effects in weirs prevents them being used in Table 7 (AA paremeters) likewise 'dead storage'.
- Suggested amendments to wording of announced allocations s81
- Typographical error 'Announced Allocated'
- Wording of publicly announcing amount of individual carry over. Not made publicly available at present.
- s177 (monitoring) should be deleted as it repeats information already recorded in the SWIMS database.
- s183 Collins Weir is not required to be monitored for water quality?

- s183 Use the water quality monitoring standard described in DERM's Monitoring and data Collection Standard. Delete section 183 and refer to section 9 of the ROP.
- s189 Changes to quarterly reporting arrangements are suggested to use data contained in the SWIMS database and to exclude DERM-owned gauging stations.
- Is it not necessary to reproduce quarterly monitoring results for Copperlode Dam in annual reports?

7 What next?

This report is a preliminary description of the kind of issues presented by submissions on the draft ROP. It is the result of the first phase of issue analysis work and is for information purposes only. Water Allocation and Planning group will meet with officers from North Region to further analyse the issues and to determine what action may be taken on those issues.

At present, a Resource Operations Plan Referral Panel has been identified and is scheduled to meet between 27-30 July 2010 to deal with issues that require independent advice. Issues papers will be developed, as required, to inform that panel process. Other issues will be investigated by the department.

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Attachment 2: Departmental analysis of the issues raised in submissions on the amending draft Barron Resource Operations Plan

Key Issue	Draft Resource Operations Plan Provisions	Submitter Issue	Departmental Analysis	Resource Operations Plan Referral Panel Consideration	Final Resource Operations Plan Provisions
<p>Water allocation change rules</p>	<p>Section 142E of the amending draft plan details changes to water allocations that are prohibited. A change to the location of a water allocation from Ahyah Creek zone to any other zone is a prohibited change.</p> <p>Attachment 1A in the amending draft plan shows the zones in subcatchment area C of the plan area.</p>	<p>One submitter requested a review of the Ahyah Creek zone configuration so that trading between Ahyah Creek and the downstream Barron River zone could be allowed.</p>	<p>A change to the location of a water allocation from Ahyah Creek zone to any other zone is a prohibited change.</p> <p>The hydrologic modelling of the Upper Barron catchments indicates that each catchment has different characteristics and the entitlements in these catchments have different performance characteristics.</p> <p>This means that each zone has unique performance indicators which have been developed for that zone to ensure the security of a water user’s entitlement as well as environmental flows. Introduction of zonal trading would require complicated exchange rates that are not supported by a commensurate level of model and data reliability.</p> <p>The trading rules in the amending draft plan still provide significant trading opportunity for water users whilst maintaining the security of water allocations as well as</p>	<p>Not within the scope for referral to the resource operations plan Referral Panel.</p>	<p>The plan’s provisions are unchanged.</p>

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			<p>environmental flow objectives.</p> <p>The department will monitor trading activity and assess the effectiveness of zone configuration as part of the annual reporting requirement for implementing the water resource plan. The current zone configuration can be reassessed in the future to determine if further trading flexibility can be accommodated.</p>		
<p>Subdivisions and amalgamations of water allocations and water allocation change rules</p>	<p>Sections 141 and 141A outline the rules for subdividing and amalgamating water allocations.</p> <p>Sections 142A to 142F detail the permitted and prohibited changes that can occur to a water allocation.</p> <p>Applications to change the rate at which water may be taken must be made within one year of the plan's</p>	<p>The submitter is concerned that a water allocation subdivision rule which requires that the maximum rate of take for a water allocation be divided in proportion to the annual volumetric limit for the water allocation will negatively impact on the water allocation holder's ability to trade their water allocation.</p> <p>The submitters are concerned that when subdividing a water allocation they will be</p>	<p>The plan does not detail any rules for specifying the rate of take when subdividing or amalgamating a water allocation. This is an omission in the draft amending plan as, without this specification, there is potential to increase interference with water taken under an allocation. This can impact on the security of all water entitlements.</p> <p>To maintain the security of all water entitlements and to address the submitters concerns about ensuring there is some flexibility in specifying the rate of take on a water allocation that is the result of a subdivision, a new rule has been developed. The new rule will state</p>	<p>Not within the scope for referral to the resource operations plan Referral Panel.</p>	<p>Section 141 of the plan will be amended to state that subdivision of a water allocation is permitted where "the sum of the maximum rate of take on the new water allocations is equal to the maximum rate of take of the water allocation that is being subdivided."</p> <p>Section 141(1)(a), (c) and (d) will be condensed into a single subsection.</p>

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	<p>commencement. Any change to the rate of take must not result in a rate of take that is greater than that specified in the water resource plan for existing pump size stated on an existing development permit associated with the existing water allocation.</p>	<p>forced to specify a reduced rate of take on the new water allocation. This would render the subdivided water allocation worthless as they would not reduce the rate of take on that part of the original water allocation they were keeping.</p>	<p>that when creating new water allocations, the sum of the maximum rate of take for the new water allocations must be equal to the maximum rate of take of the water allocation that is being subdivided.</p> <p>This does not mean that the maximum rate of take must be in proportion to the nominal volume or the annual, seasonal or daily volumetric limits of the new water allocations created. Rather, the maximum rate of take cannot be increased as a result of the subdivision of a water allocation.</p> <p>Similarly, section 141A will also be amended to state that the maximum rate of take of the new water allocation is equal to the sum of the maximum rate of take of the water allocations being amalgamated.</p> <p>In the draft amending plan, the rate of take is dependent on the capacity of the works described on the</p>		<p>This new subsection will state that “the sum of the annual volumetric limits, seasonal volumetric limits and daily volumetrics of the new water allocations is equal to the annual volumetric limit, seasonal volumetric limit and daily volumetric limit of the water allocation that is being subdivided.”</p> <p>Subsection (1)(b) will also be amended to state that the nominal volumes for the new water allocations are in the same proportion as the nominal volume to annual volumetric limit ratio for the water allocation that is being subdivided.</p>

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			<p>development permit on the day the plan commences. Water allocation holders have 12 months from the plan commencement to apply to change the maximum rate of take on their water allocation.</p> <p>As water allocations traded in full retain the rate of take stated on the water allocation, it is not appropriate to leave the maximum rate of take on water allocations that are subdivided to be increased above the rate of take specified on the original water allocation.</p>		
<p>Seasonal water assignment between zones</p>	<p>Chapter 7, part 1 division 3, of the amending draft plan details the rules that apply to a water user who wishes to seasonally assign all or part of their water allocation. Water that has been seasonally assigned must be taken from the same zone as water taken under the water allocation. The water</p>	<p>Forty-seven submitters requested that inter-zonal seasonal water assignments be permitted as this would provide greater flexibility for irrigators to match the annual cropping practices with the seasonal variability in water availability.</p> <p>The submitters suggested a ‘first come, first served’ approach</p>	<p>The draft Plan did not consider inter-zonal seasonal water assignment to ensure that permanent trading between zones would not be impacted by seasonal water assignment.</p> <p>After considering the issue, the department agrees that seasonal water assignments and permanent trading can be managed in the same manner by adopting the maximum and minimum annual volumetrics outlined in the draft plan (tables 14A, 14B and 14C) for the Upper</p>	<p>This issue was considered by the Referral Panel.</p> <p>The Panel agreed with the department’s recommendation to allow both seasonal and permanent trading to be managed to the same maximum</p>	<p>The rules relating to seasonal water assignments are being amended. The new rules will be managed in conjunction with section 142(2) of the draft resource operations plan for changing the location of a water allocation.</p>

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	<p>taken under seasonal assignment must not exceed the remaining volume that may be taken under the water allocation in the water year and in the July to December period inclusive.</p>	<p>for permanent and seasonal trading.</p>	<p>Barron, Leslie Creek and Mazlin Creek zones. Once the maximum volumetric limit for that zone is reached, no further trading or seasonal water assignments are permitted into the zone. If the minimum volumetric limit is reached, no further trading or seasonal water assignments out of the zone would be permitted.</p> <p>This approach is considered to be the least confusing for irrigators and easily manageable within existing administrative arrangements.</p>	<p>and minimum volumetric limits.</p>	
<p>Water sharing rules for unsupplemented water allocations</p>	<p>Chapter 7, part 1, division 4 of the draft outlines the water sharing rules that apply to unsupplemented water allocations. These rules detail the limitations that the chief executive will impose on water allocations when certain streamflow conditions are met.</p>	<p>The submitters argued that seven days was too short a period to enable irrigators in the Upper Barron River, Ahyah Creek, Peterson and Scrubby Creek zones to adapt to the restrictions.</p> <p>The submitters argued that they could be still adjusting to the restriction when further restrictions where</p>	<p>The limitations for taking water under a water allocation were developed after extensive hydrological modelling.</p> <p>The limitations and the timeframes stated in the draft plan ensure the equitable sharing of the water resource between existing entitlements and the environment.</p> <p>The application of a twenty one day period when lifting restrictions is considered appropriate as this timeframe allows sufficient time for flow recovery.</p>	<p>The resource operations plan Referral Panel considered this issue and agreed with the department's recommendation for the provisions to remain unchanged.</p>	<p>The plan's provisions are unchanged.</p>

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	<p>The limitations in the draft plan propose a seven day lead-in period for triggering a limitation as well as a twenty-one day consecutive period for lifting the restriction.</p>	<p>triggered.</p> <p>Submitters suggested that a fourteen day lead-in period for applying restrictions was more appropriate as this would give irrigators time to adjust and prepare for the new restriction. They also requested a fourteen consecutive day period for sustaining flows above the relevant threshold before lifting restrictions again.</p> <p>The submitters also suggested that some of the trigger flows were too high and should be lowered so that restrictions occur less frequently.</p>	<p>The department considers, on the basis of historical information, that the thresholds for triggering a restriction would not result in limitations being applied more frequently (than under previous restrictions applied in accordance with section 25 of the <i>Water Act 2000</i>) unless utilisation of entitlements increase.</p> <p>A comparative analysis of historical practices and the application of water sharing rules indicates that these rules would have occurred around the times when rosters and restrictions were applied previously.</p>		
<p>Groundwater management rules for the Atherton subartesian area A</p>	<p>Sections 154A and 154B outline the rules when seeking to transfer a water licence in the</p>	<p>These submitters, who are all located in the Atherton subartesian management area A, did not agree with the</p>	<p>When analysing the issues raised by the submitters, the department reviewed the zone configuration for the Atherton subartesian area A and agreed that the zones could be</p>	<p>Not within the scope for referral to the resource operations plan</p>	<p>Attachment 1D of the plan has been amended to show the new zones for Atherton subartesian</p>

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	<p>Atherton subartesian area to other land in the Atherton subartesian area.</p> <p>Sections 155A and 155B outline the rules for seasonal water assignments in the Atherton subartesian area.</p>	<p>zone configuration for this management area which confined the relocation of water licences and seasonal water assignment to the zones specified.</p> <p>The submitters suggested that the zones be realigned to catchment boundaries of the major watercourses within management area A.</p> <p>One submitter also requested the amalgamation of two zones into a single zone as the submitter owns adjoining land which is located in two different zones.</p>	<p>configured to better align with catchment boundaries.</p> <p>Zone A1 is now based on the part of the Rocky Creek catchment that lies within subartesian management area A.</p> <p>Zone A2 is now based on the Spring Creek catchment within subartesian management area A.</p> <p>Zone A3 is now based on the Cherry Creek catchment within the subartesian management area A.</p> <p>Zone A4 is now based on the Mazlin Creek catchment within subartesian management area A.</p> <p>Zone A5 is now based on the catchment boundary for the unnamed tributary of the Barron River that lies within the subartesian management area A.</p> <p>The draft resource operations plan already allows inter-zonal seasonal assignments where the location of existing licences are in separate zones but where on conjoined land.</p>	<p>Referral Panel.</p>	<p>management area A. There are now five zones instead of six.</p>
Groundwater management rules	Sections 157 of the amending draft plan	Two submitters who currently take	The draft resource operations plan proposes to use streamflows at	The resource operations plan	The plan's provisions for chapter 7A are

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<p>for the Atherton subartesian area B</p>	<p>proposes that flows and the subsequent determination of limitations for taking water be measured at the Picnic Crossing gauging station for water licences in zones B1, B2, B3, B4 and B9 in Atherton subartesian area B.</p>	<p>groundwater from zone B9 (Peterson Creek) in management area B requested that the groundwater management rules for this zone be based on aquifer levels in monitoring bores. Where there is limited data, groundwater management in Peterson Creek should be implemented in accordance with the limitation rules, stated in the draft plan, for management area A (i.e. Chapter 7A, Part 2, Division 1).</p>	<p>Picnic Crossing gauging station to limit groundwater take in drier periods when there is a higher risk of impacting surface water base flows. Baseflows are flows derived from groundwater discharge to a stream.</p> <p>Although Peterson Creek does not contribute to the flow measured at Picnic Crossing, the department has recorded stream flows in Peterson Creek that indicates a close correlation between streamflows in the Barron River and Petersen Creek, particularly in relation to base flow during dry periods.</p> <p>Several new monitoring bores have been drilled in management area B, including two new monitoring bores within the Peterson Creek catchment.</p> <p>As more information becomes available from these new monitoring bores, improvements to the plan can be made in the future. The plan states that an amendment may be made to the plan where that amendment is necessary to</p>	<p>Referral Panel considered this issue and agreed with the rationale for the draft amending resource operations plan provisions.</p> <p>The Panel noted that although managing groundwater in zone B9 (Peterson Creek) using trigger flows at Picnic Creek gauging station was not ideal, it was the most suitable solution at this time.</p> <p>The Panel also agreed that the current water sharing rules be viewed as an</p>	<p>unchanged. Section 251B of the ROP allows for an amendment to be made to chapter 7A, where that amendment is necessary to implement alternative water sharing rules for subartesian water.</p>

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			implement alternative water sharing rules for groundwater.	interim solution until new, specific management rules for zone B9 can be derived from the bore monitoring data.	
Water sharing rules for the Mareeba Dimbulah Water Supply Scheme	Section 81A in the amending draft resource operations plan detailed the rules that apply to water allocation holders who wish to carry over part of their unused water allocation from one water year to the next water year.	A number of submitters were concerned that the carry over rules relating to when carry over expires (subsection 5) were too “restrictive” or were “unrealistic”. Submitters did not propose a specific cutoff level in the storage.	When analysing the issues raised by the submitters, including the alternative carry over provisions proposed, the department consulted SunWater Limited (as the Resource Operations Licence holder) on the suitability of the proposed alternative carry over provisions and the results of the modelling. Revised carry over provisions were considered and modelled to evaluate the impact, if any, on the water allocation security and environmental flow objectives outlined in the water resource plan. Modelling showed that when Tinaroo Falls Dam storage level is less than 75 percent capacity, the announced allocation for medium	Not within the scope for referral to the resource operations plan Referral Panel.	There has been a slight amendment to the plan’s provisions to provide a better description of when carry over expires. This clarifies the cancellation of carry over at the specified volume relative to storage capacity.

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			<p>priority water allocations at the commencement of the water year would be reduced significantly. This means that irrigators could not plan for their enterprises with confidence at the beginning of a water year. Although the water allocation security objectives for medium priority water allocations are not compromised by the reduced level of announced entitlement, there is a need to ensure farm planning confidence. The storage percentage below which carry over expires should therefore remain at 75%. This equates to 667 metres AHD (not 668 metres AHD as stated in the draft amending plan).</p>		
<p>Relocation of water licences</p>	<p>Section 148 details the rules for the chief executive to follow when considering applications to transfer part or all of a water licence to other land.</p> <p>The chief executive may approve an</p>	<p>The submitters claimed that while they held supplemented water allocations from the Mareeba Dimbulah Water Supply Scheme, their unsupplemented entitlements were insufficient and they had little opportunity to secure additional water</p>	<p>When developing relocation rules in the draft resource operations plan, an analysis of metered water use data indicated that there were large unsupplemented entitlements with relatively low levels of water use. For this reason, Emerald Creek, above the supplementation point, was identified as a relocation zone where the transfer of water licences could occur.</p>	<p>Not within the scope for referral to the resource operations plan Referral Panel.</p>	<p>The plan's provisions are unchanged.</p>

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	<p>application to transfer a water licence to other land where the proposed water licence would authorise water to be taken from the same zone as the existing water licence.</p>	<p>via trading within the scheme.</p> <p>The submitters requested additional unsupplemented watercourses in subcatchment area A be considered as relocation zones.</p>	<p>Analysis of existing unsupplemented water licences indicates that there are a relatively small number of the licences in other watercourses in this subcatchment with most being used for stock and domestic purposes. This suggests that there is limited additional water that could be accessed by expanding the relocation zones.</p>		
<p>Constructing in-stream storages</p>	<p>Sections 146 to 146C in the amending draft plan detail how the chief executive must deal with certain water licence applications. This includes applications which seek to increase interference with the flow of water.</p>	<p>The submitters have requested that the construction of dams be allowed in gullies.</p>	<p>The water resource plan applies to supplemented and unsupplemented surface water as well as groundwater. The water resource plan does not deal with overland flow water, so the plan does not prohibit the construction of off-stream storages. In-stream storages on watercourses have always required a licence to impound water.</p>	<p>Not within the scope for referral to the resource operations plan Referral Panel.</p>	<p>The plan's provisions are unchanged.</p>

Submission form:

Barron Resource Operations—Draft Amendment Plan 2010

We appreciate your interest in the planning process and value your input. This form is to enable you to identify concerns you would like addressed. We ask that you identify yourself so that we may respond to your submission and contact you for future consultation if you so desire. Please note that it is not compulsory to answer all questions, however, your name and address, signature, grounds of the submission and facts in support of the submission must be provided for it to qualify as a properly made submission. All properly made submissions received will be acknowledged and information gathered will be taken into consideration in the development of the plan amendment.

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Organisation IR & JN POGGIOLI

Position PARTNERS & LAND HOLDERS.

Phone No 0740954231. Mobile _____

Email atherton-tableland-hay@bigpond.com.

Signature 1 _____ Date 3/6/10

Signature 2 _____ Date 3/6/10.

(*if necessary for organisation)

Which interest group do you primarily represent? (You may tick more than one box)

- | | |
|---|--|
| <input type="checkbox"/> Irrigator (supplemented surface water) | <input type="checkbox"/> Grazier |
| <input type="checkbox"/> Irrigator (unsupplemented surface water) | <input type="checkbox"/> Mining industry |
| <input checked="" type="checkbox"/> Irrigator (groundwater) | <input type="checkbox"/> Riparian landholder |
| <input checked="" type="checkbox"/> Dryland farmer | <input type="checkbox"/> Local government |
| <input type="checkbox"/> Water service provider | <input type="checkbox"/> Environmental interests |
| <input checked="" type="checkbox"/> Stock and domestic water user | <input type="checkbox"/> Research/academic |
| <input type="checkbox"/> Commerce/development | <input type="checkbox"/> Commercial fisher |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Small business |
| <input type="checkbox"/> Recreational fisher | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> NRM Board/catchment | |

RECEIVED BY DERM MAREEBA
 File No MAR/055/000/0129
04 JUN 2010
 Action By MR633
 Reg Doc Code MR10/01108...

In what area/river/catchment is your interest? (You may tick more than one box).

Attachment 1 – Submission by Atherton Tableland Seed Pty Ltd

Re: Barron Resource Operations Plan – Draft Amendment Plan 2010

The issues which we would like to address in relation to the above plan are as follows:

1. Permanent water trading of groundwater allocations within Management Area A.

Under the current proposal, water trading of groundwater licenses can only occur between properties in the same zone within Management Area A or B. This unfairly discriminates against landholders of farming blocks without existing water licenses.

For example, at present, if a landholder owns a dry block in Zone A4 and also owns a water license on a block in Zone A3, unless they are contiguous, that landholder is not able to transfer all or part of that license to the dry block. Therefore the productivity of the dry block is at least halved and the value of such the dry block severely reduced. If this rule is implemented as it stands, it will cripple the productivity of many dry farms. This rule demonstrates a lack of understanding of agricultural practices and requirements in the central Tablelands region.

Many blocks have licences that are disproportionate to the amount of land that they are assigned to, and would provide much greater productivity if part of the license could be transferred to a block that has no water assignment or too small an assignment. This would be prudent management of water which currently is prevented by the draft ROPS.

This problem began with the issuing of licenses by the Department. Had the Department fairly assigned water licenses based on the area of the land this would be far less of an issue.

Limiting the area in which transfers can occur will only result in limited productivity & severely depress land prices on dry land farming blocks. The only people who will want to purchase a dry block in that zone will be other landholders within that same zone with existing water licenses.

Because the owners of dry land farms can no longer apply for new allocations they are entirely dependent on another landholder in that zone being prepared to sell or seasonally assign their water allocation to them. Permanent trading will never happen while water is so tightly restricted. So

instead of having an entire area of productive farms you will reduce it to pockets of productivity until the unproductive business sell out.

For the future development and viability of agriculture, it is vital for every landholder to have the ability to own and access permanent irrigation supplies and also the means for farmers to permanently increase their existing allocations by trading licenses.

The whole point of the Barron Resource Operations Plan is to ensure proper management of water so that this valuable resource is not misused or wasted.

Given that the Atherton Tableland has one of the highest and most reliable rainfalls in the country, this area will continue to be an enormous producer of fresh produce for the nation. Therefore every acre which has the potential to produce should have the capacity to do so. The prospect of our current dry land farms never having the ability to have permanent water allocations would seriously reduce viable acreage.

2. Permanent water trading of groundwater allocations within Management Area A between Zone A3 & A4 & A6.

Further to item 1, Zones A3, A4 and A6 in Management Area A should be combined to form one single zone.

These three zones form the "Golden Triangle", so-named due to the uniform rich volcanic soil, high rainfall and moderate climate which combine to result in a richly productive farming area. To handicap such high productivity by disallowing transfer of water within this area is ridiculous.

Had the Department equitably distributed water licenses from the outset these issues would be non-existent. As it stands, it will be a constant battle between the haves and the have-nots until the have-nots are squeezed out.

The ability to irrigate enables an enormous variety of production to occur, particularly high yielding, high value crops – particularly fruit and vegetables.

The Tablelands has the special capability of producing many successive crops throughout a year, and is not limited to production of just one annual crop like many other areas. However this relies on the ability to irrigate in those few dry winter months. Production would be seriously impeded if irrigation was limited to only those farms that have an existing licence.

Landholders with large licenses will be more productive than those without water and eventually will cause the dry land farmers to sell out. The

landholders with licenses will have better bargaining power because they are the only ones willing to buy dry farms because they have the ability to transfer water licenses within that zone.

We therefore ask the Department to reconsider the zoning of A3, A4 & A6 into one combined zone to allow the reasonable trading of water licenses across this area.

3. The purchasing of water assignments to be limited to landowners within Area A & B.

With the permanent trading of groundwater in Areas A & B, we would also wish to see trading limited to agricultural landholders within those same areas.

We believe that this would protect the interests of existing landholders and their industries who have a vested interest in the region and its water usage. In turn this would result in a more natural balance in trading activities, relative to the ebbs and flows of the regional economy.

We are concerned that entities without a vested interest in the area will capitalize on supply and demand with the unfair advantage of not relying on this commodity (water) for their own economic viability.

We propose that if these entities want to trade, they will also have to invest in the region by purchasing land in order to be a 'water user'. This would "weed out" those wishing to capitalize on the water market who have no intention to use the water for its intended purpose, but instead treat it as a "stock in trade".

Failure by the Department to include measures which prevent overt capitalization of the water market, would clearly demonstrate a lack of understanding of agriculture. It would also fly in the face of the Department's argument that The Barron Water Resource Plan provides "strategies for sustainably allocating and managing water resources to meet projected growth.....".

Water management is necessary to safeguard future supplies for 'water users'. Entities which are not 'water users' should not have the ability to impact on industries which depend on this water for their economic viability.

R

Turchet Sandra

BROPA-

From: Douglas Jason
Sent: Friday, 4 June 2010 1:25 PM
To: Turchet Sandra
Subject: FW: Barron Resource Operations Plan - Draft Amendment Plan 2010 - Submission IR & JN Poggioli
Importance: High
Attachments: Submission - IR & JN Poggioli.doc; Submission - IR&JN Poggioli.PDF

From: Atherton Tableland Hay [mailto:atherton_tableland_hay@bigpond.com]
Sent: Friday, 4 June 2010 12:45 PM
To: WRP Barron
Subject: Barron Resource Operations Plan - Draft Amendment Plan 2010 - Submission IR & JN Poggioli
Importance: High

The Chief Executive
 Department of Environment and Resource Management

Attention: Mr Jason Douglas
 Barron ROP Amendments

Dear Sir,

Please find attached our submission regarding the draft Barron Resource Operations Plan – Draft Amendment Plan 2010.
 Attached is the Submission form and additional pages of comments.
 If you require anything further please let me know.

Sincerely,
 IR & JN Poggioli



Atherton Tableland Seed Pty Ltd
 PO Box 153, Tolga Qld 4882
 Tel: (07) 4095 4231
 Fax: (07) 4095 4878
 Email: atherton_tableland_hay@bigpond.com

RECEIVED BY DERM MAREEBA	
File No	
04 JUN 2010	
Action By	
Reg Doc Code	

Please Note: This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee, you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply email. Any content of this message and its attachments which does not relate to the official business of the sending company must be taken not to have been sent or endorsed by that company or any of its related entities. No warranty is made that the email or attachments are free from computer viruses or other defect.



Submission form:**Barron Resource Operations—Draft Amendment Plan 2010**

We appreciate your interest in the planning process and value your input. This form is to enable you to identify concerns you would like addressed. We ask that you identify yourself so that we may respond to your submission and contact you for future consultation if you so desire. Please note that it is not compulsory to answer all questions, however, your name and address, signature, grounds of the submission and facts in support of the submission must be provided for it to qualify as a properly made submission. All properly made submissions received will be acknowledged and information gathered will be taken into consideration in the development of the plan amendment.

Surname (Mr/Mrs/Ms/Dr/Other) _____

First Name SANDRA CURCIO

Address P.O. BOX 153 TOLGA QLD

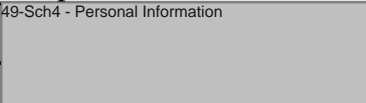
Postcode 4882 Fax 0740954878

Organisation DRM AGR1 PTY LTD

Position SECRETARY

Phone No 0740954231 Mobile _____

Email atherton-tableland-hay@bigpond.com

Signature 1  Date 04/6/10

Signature 2* _____ Date _____

(*if necessary for organisation)

Which interest group do you primarily represent? (You may tick more than one box)

- | | |
|---|--|
| <input type="checkbox"/> Irrigator (supplemented surface water) | <input type="checkbox"/> Grazier |
| <input type="checkbox"/> Irrigator (unsupplemented surface water) | <input type="checkbox"/> Mining industry |
| <input checked="" type="checkbox"/> Irrigator (groundwater) | <input type="checkbox"/> Riparian landholder |
| <input checked="" type="checkbox"/> Dryland farmer | <input type="checkbox"/> Local government |
| <input type="checkbox"/> Water service provider | <input type="checkbox"/> Environmental interests |
| <input checked="" type="checkbox"/> Stock and domestic water user | <input type="checkbox"/> Research/academic |
| <input type="checkbox"/> Commerce/development | <input type="checkbox"/> Commercial fisher |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Small business |
| <input type="checkbox"/> Recreational fisher | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> NRM Board/catchment | |

RECEIVED BY DERM MAREEBA
File No <u>MARE/055/000(0.22)</u>
04 JUN 2010
Action By <u>MR633</u>
Reg Doc Code <u>MR10/01107</u>

In what area/river/catchment is your interest? (You may tick more than one box).

Barron Resource Operations Plan—Draft Amendment Plan 2010

Please refer to the Barron plan area map shown on the next page.

- | | |
|---|---|
| <input type="checkbox"/> Mareeba Dimbulah Water Supply Scheme | <input type="checkbox"/> Subcatchment area A or B |
| <input checked="" type="checkbox"/> Subcatchment area C | <input type="checkbox"/> Subcatchment area D, E, F or G |
| <input checked="" type="checkbox"/> Subcatchment area H | <input type="checkbox"/> Cairns Northern Beaches subartesian area |
| <input checked="" type="checkbox"/> Atherton subartesian area Management Area A | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Atherton subartesian area Management Area B | |

In what Local Government Area(s) is your interest? (You may tick more than one box)

- | | |
|--|---|
| <input type="checkbox"/> Cairns Regional Council | <input checked="" type="checkbox"/> Tablelands Regional Council |
|--|---|

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

What is the source of the water you use and what do you use water for? (You may tick more than one box)

	Council Supply	Water in streams or creeks	Surface water Storage (e.g. farm dam)	Groundwater
Domestic (household)				✓
Stock				✓
Irrigation				✓
Recreational				
Industrial				
Tourism				
Farming				✓
Other (please specify)				

What comments do you have about the proposed amendments to the Barron Resource Operations Plan?

PLEASE SEE ATTACHED 3 PAGES FOR ADDITIONAL COMMENTS.

Number of additional pages attached to this Submission Form Thank you for your time.

3 PAGES



Attachment 1 – Submission by DRM Agri Pty Ltd

Re: Barron Resource Operations Plan – Draft Amendment Plan 2010

The issues which we would like to address in relation to the above plan are as follows:

1. Permanent water trading of groundwater allocations within Management Area A.

Under the current proposal, water trading of groundwater licenses can only occur between properties in the same zone within Management Area A or B. This unfairly discriminates against landholders of farming blocks without existing water licenses.

For example, we are currently purchasing a farming block in Zone A3 which has a water license attached to it. One of the main reasons we purchased this farm was so that we could transfer a portion of its water license allocation to another of our family properties in Zone A4 which has no present allocation, making it far more productive.

Unless the draft rules are altered (see item 2), we will have one block with plenty of allocation and another with no allocation, although they are less than 1000m apart.

Because the blocks are not contiguous, we cannot even seasonally transfer any part of our license to the dry block. Therefore the productivity of the dry block is at least halved and the value of the dry block is severely reduced.

If this rule is implemented as it stands, it will cripple the productivity of many dry farms. This rule demonstrates a lack of understanding of agricultural practices and requirements in the central Tablelands region.

Many blocks have licences that are disproportionate to the amount of land that they are assigned to, and would provide much greater productivity if part of the license could be transferred to a block that has no water assignment or too small an assignment. This would be prudent management of water which currently is prevented by the draft ROPS.

This problem began with the issuing of licenses by the Department. Had the Department fairly assigned water licenses based on the area of the land this would be far less of an issue.

R

Limiting the area in which transfers can occur will only result in limited productivity & severely depress land prices on dry land farming blocks. The only people who will want to purchase a dry block in that zone will be other landholders within that same zone with existing water licenses.

Because the owners of dry land farms can no longer apply for new allocations they are entirely dependent on another landholder in that zone being prepared to sell or seasonally assign their water allocation to them. Permanent trading will never happen while water is so tightly restricted. So instead of having an entire area of productive farms you will reduce it to pockets of productivity until the unproductive business sell out.

For the future development and viability of agriculture, it is vital for every landholder to have the ability to own and access permanent irrigation supplies and also the means for farmers to permanently increase their existing allocations by trading licenses.

Given that the Atherton Tableland has one of the highest and most reliable rainfalls in the country, this area will continue to be an enormous producer of fresh produce for the nation. Therefore every acre which has the potential to produce should have the capacity to do so. The prospect of our current dry land farms never having the ability to have permanent water allocations would seriously reduce viable acreage.

2. Permanent water trading of groundwater allocations within Management Area A between Zone A3 & A4 & A6.

Further to item 1, Zones A3, A4 and A6 in Management Area A should be combined to form one single zone.

These three zones form the "Golden Triangle", so-named due to the uniform rich volcanic soil, high rainfall and moderate climate which combine to result in a richly productive farming area. To handicap such high productivity by disallowing transfer of water within this area is ridiculous.

Had the Department equitably distributed water licenses from the outset these issues would be non-existent. As it stands, it will be a constant battle between the haves and the have-nots until the have-nots are squeezed out.

The ability to irrigate enables an enormous variety of production to occur, particularly high yielding, high value crops – particularly fruit and vegetables.

The Tablelands has the special capability of producing many successive crops throughout a year, and is not limited to production of just one annual crop like many other areas. However this relies on the ability to irrigate in those few dry winter months. Production would be seriously impeded if irrigation was limited to only those farms that have an existing licence.

Landholders with large licenses will be more productive than those without water and eventually will cause the dry land farmers to sell out. The landholders with licenses will have better bargaining power because they are the only ones willing to buy dry farms because they have the ability to transfer water licenses within that zone.

We therefore ask the Department to reconsider the zoning of A3, A4 & A6 into one combined zone to allow the reasonable trading of water licenses across this area.

3. The purchasing of water assignments to be limited to landowners within Area A & B.

With the permanent trading of groundwater in Areas A & B, we would also wish to see trading limited to agricultural landholders within those same areas.

We believe that this would protect the interests of existing landholders and their industries who have a vested interest in the region and its water usage. In turn this would result in a more natural balance in trading activities, relative to the ebbs and flows of the regional economy.

We are concerned that entities without a vested interest in the area will capitalize on supply and demand with the unfair advantage of not relying on this commodity (water) for their own economic viability.

We propose that if these entities want to trade, they will also have to invest in the region by purchasing land in order to be a 'water user'. This would "weed out" those wishing to capitalize on the water market who have no intention to use the water for its intended purpose, but instead treat it as a "stock in trade".

Failure by the Department to include measures which prevent overt capitalization of the water market, would clearly demonstrate a lack of understanding of agriculture. It would also fly in the face of the Department's argument that The Barron Water Resource Plan provides "strategies for sustainably allocating and managing water resources to meet projected growth.....".

Water management is necessary to safeguard future supplies for 'water users'. Entities which are not 'water users' should not have the ability to impact on industries which depend on this water for their economic viability.

Turchet Sandra

From: Douglas Jason
Sent: Friday, 4 June 2010 2:21 PM
To: Turchet Sandra
Subject: FW: Barron Resource Operations Plan - Draft Amendment Plan 2010 - Submission DRM Agri Pty Ltd
Importance: High
Attachments: Submission - DRM Agri Pty Ltd0001.PDF; Submission - DRM Agri Pty Ltd.doc

From: Atherton Tableland Hay [mailto:atherton_tableland_hay@bigpond.com]
Sent: Friday, 4 June 2010 2:15 PM
To: WRP Barron
Subject: Barron Resource Operations Plan - Draft Amendment Plan 2010 - Submission DRM Agri Pty Ltd
Importance: High

The Chief Executive
Department of Environment and Resource Management

Attention: Mr Jason Douglas
Barron ROP Amendments

Dear Sir,

Please find attached our submission regarding the draft Barron Resource Operations Plan – Draft Amendment Plan 2010.
Attached is the Submission form and additional pages of comments.
If you require anything further please let me know.

Sincerely,
Sandra Curcio
Secretary
DRM Agri Pty Ltd



Atherton Tableland Seed Pty Ltd
PO Box 153, Tolga Qld 4882
Tel: (07) 4095 4231
Fax: (07) 4095 4878
Email: atherton_tableland_hay@bigpond.com

RTI DL RELEASE - DNRM



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Submission form:**Barron Resource Operations—Draft Amendment Plan 2010**

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Surname (Mr/Mrs/Ms/Dr/Other)

First Name

IAN RICARDO POGGIOLI

Address

P.O. BOX 153 TOLGA

Postcode

4882

Fax

0740954878

Organisation

I.R. POGGIOLI

Position

LANDHOLDER

Phone No

0740954231

Mobile

Email

atherton-tableland-hay@bigpond.com

Signature

49-Sch4 - Personal Information

Date

3/6/2010

Signature 2

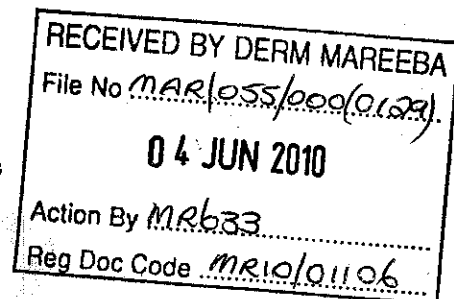
Date

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Which interest group do you primarily represent? (You may tick more than one box)

- | | |
|---|--|
| <input type="checkbox"/> Irrigator (supplemented surface water) | <input type="checkbox"/> Grazier |
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For example, at present, if a landholder owns a dry block in Zone A4 and also owns a water license on a block in Zone A3, unless they are contiguous, that landholder is not able to transfer all or part of that license to the dry block. Therefore the productivity of the dry block is at least halved and the value of such the dry block severely reduced. If this rule is implemented as it stands, it will cripple the productivity of many dry farms. This rule demonstrates a lack of understanding of agricultural practices and requirements in the central Tablelands region.

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Turchet Sandra

BROPA-

From: Douglas Jason
Sent: Friday, 4 June 2010 1:25 PM
To: Turchet Sandra
Subject: FW: Barron Resource Operations Plan - Draft Amendment Plan 2010 - Submission IR Poggioli
Importance: High
Attachments: Submission - IR Poggioli.PDF; Submission - IR Poggioli.doc

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Sent: Friday, 4 June 2010 12:49 PM
To: WRP Barron
Subject: Barron Resource Operations Plan - Draft Amendment Plan 2010 - Submission IR Poggioli
Importance: High

The Chief Executive
 Department of Environment and Resource Management

Attention: Mr Jason Douglas
 Barron ROP Amendments

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Sincerely,
 Mr Ian Poggioli



Atherton Tableland Seed Pty Ltd
 PO Box 153, Tolga Qld 4882
 Tel: (07) 4095 4231
 Fax: (07) 4095 4878
 Email: atherton_tableland_hay@bigpond.com

RTI/DL RELEASE - DNRM

RECEIVED BY DERM MAREEBA	
File No	
04 JUN 2010	
Action By	
Reg Doc Code	

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Barron Resource Operations—Draft Amendment Plan 2010

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Surname (Mr/Mrs/Ms/Dr/Other) 49-Sch4 - Personal Information

First Name 49-Sch4 - Personal Information

Address 49-Sch4 - Personal Information

Postcode 49-Sch4 - Personal Information

Organisation 49-Sch4 - Personal Information

Position 49-Sch4 - Personal Information

Phone No 49-Sch4 - Personal Information

Email 49-Sch4 - Personal Information

Signature 1 49-Sch4 - Personal Information Date *4-6-10*

Signature 2* 49-Sch4 - Personal Information Date

(*if necessary for organisation)

Which interest group do you primarily represent? (You may tick more than one box)

- | | |
|--|---|
| <input type="checkbox"/> Irrigator (supplemented surface water) | <input type="checkbox"/> Grazier |
| <input checked="" type="checkbox"/> Irrigator (unsupplemented surface water) | <input type="checkbox"/> Mining industry |
| <input checked="" type="checkbox"/> Irrigator (groundwater) | <input checked="" type="checkbox"/> Riparian landholder |
| <input type="checkbox"/> Dryland farmer | <input type="checkbox"/> Local government |
| <input type="checkbox"/> Water service provider | <input type="checkbox"/> Environmental interests |
| <input checked="" type="checkbox"/> Stock and domestic water user | <input type="checkbox"/> Research/academic |
| <input type="checkbox"/> Commerce/development | <input type="checkbox"/> Commercial fisher |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Small business |
| <input type="checkbox"/> Recreational fisher | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> NRM Board/catchment | |

RECEIVED BY DERM MAREEBA
 File No *MAR/055/0006(29)*
 4 JUN 2010
 Action By *MR633*
 Reg Doc Code *MR10/01102*

In what area/river/catchment is your interest? (You may tick more than one box).

SUBMISSION TO BARRON RESOURCE OPERATION PLAN, DRAFT
AMENDMENT PLAN, April, 2010

Water is a valuable, limited but renewable, natural resource.

Where there is threat of overtaxing the available supply, a responsible authority, such as DNR&W should be the obvious choice – providing the policies adopted are based on :

- (A) The best available facts, and subject to upgrade as better information becomes available,
- (B) Fairness to all concerned parties as well as sustainability of the natural resource,
- (C) Openness and accountability to all concerned parties.

The April, 2010 Draft Amendment Plan of the Barron Resource Operation Plan is flawed for the following reasons.

(A) Its authors have adopted a 'law unto themselves' attitude and have rejected any and all facts and opinions which don't compliment their 'hidden agenda.'

(i) The only assessment of the amount of available water in this catchment which has been accepted by the authors has been calculated by someone punching the wrong buttons on a computer. The authors ignored the estimates made by a panel of three hydrologists who, using DNR&W's limited data conservatively calculated that the sustainable amount of available water in the Area A aquifer would be between 50 and 100% more than the estimated amount used by the authors. (Incidentally, these three scientists perform a large amount of work for DNR&W, where their opinions are valued- but apparently not when those opinions don't suit the authors of this Plan.)

(ii) The only approach to Water Users to discover their consumption was made a few days after a letter was sent to them from DNR&W advising them of the fines and penalties they would receive if they exceeded their entitlements. Understandably, the replies were neither complete nor accurate.

(iii) Gauging stations have not been installed on most of the streams outflowing from this aquifer. Together with the meters on the pumps which measure the water extracted from the aquifer, and gauging stations measuring the surplus water, DNR&W would be able to accurately determine, over a two or three year period, the true amount of water in the Barron Catchment Area.

(iv) It is a fact, though not acknowledged by DNR&W until recent times, that all water, excluding rainfall runoff, exiting the Barron Catchment Area comes from the aquifer under this area. It is therefore disappointing to say the least, to know that the authors have settled on a sustainable annual take of only 14,500 megalitres from the Area

A underground, while DNR&W's agent, Sunwater, budgets for an annual loss of 66,000 megalitres of water from the same origin.

(v) A Water Advisory Group was elected to assist in the formation of this plan. Collectively, the group brought to the table a wealth of experience and knowledge and each applied himself to achieve the best and fairest of results, without favor. [REDACTED]

49-Sch4 - Personal Information

(B) Allocations and water licences have been granted and denied on a discriminate, inappropriate and unfair basis. In one instance, full allocation of five megalitres per hectare was granted to land covered with World Heritage listed rainforest near the top of a steep hill, while in other instances, farmers practicing and dependant on irrigation for their livelihood have been either persuaded that they don't need increased allocations or refused increased allocations though the water was available.

(i) The earliest water users appear to hold the smallest allocations while the holders of the largest allocations are consistently farmers whose irrigation history dates no further back than the mid 1990s

(ii) Some of the earlier water users who did apply for an increase in their allocation, and I am one, were talked out of it by Departmental officers using reasons such as There is plenty of water- use it, We won't enforce allocations even if you exceed them, Why do you want to do all that paperwork?, The only necessary reason to increase your allocation would be if you intended to grow sugarcane and needed to assure the sugar mill that you could irrigate your sugarcane crop if it became necessary.

(iii) Some applications for allocations have been on hold since 1994 while others have received either new or increased allocations during the moratorium.

(iv) From the earliest of times, the unsupplemented water on a property was for the use of that landholder. If the Department chooses to undertake sustainable management of usage of that water, so be it, but allocate on a 'megalitre per irrigatable hectare' basis not as a 'gift to the greedy' who will then be able to capitalize on leasing or selling some marks on a piece of paper which was given to them. That piece of paper has nothing to do with supply of water, only with allowing a landholder to use the water on his property, if he can find any. Through out history, Governments at all levels have been able to give or take with 'the stroke of a pen.' This issue is too important to be hidden behind defense of past actions or denying that past decisions may have been wrong. If the Department truly wants to build a co-operative, respected and trouble-free management of unsupplemented water use, set a firm foundation by arranging a fair distribution of water allocations.

(C) For stakeholders to have confidence in a project, they need to be satisfied there is no 'hidden agenda' and, no need to have a solicitor present if discussion is going to last longer than 'Good day'.

(i) 49-Sch4 - Personal Information I am confused because this Plan bears little resemblance to the issues discussed and the recommendations made by WAG meetings, unless taken out of context or misrepresented.


(ii) Answers, not legalized decisions, need to be given explaining why those decisions were made, and whether those decisions will help stakeholders, the general community, the environment or will be just another revenue raiser for the Government.

(iii) In the past few years, I have made two deputations to two different Ministers. One of those ministers later stood on my property, was appalled to hear details of my dealings with the Department, and asked 'How long have officers of my department been treating landholders this way?' The other minister told me 'don't worry. One way or the other, we'll get you water.' Since the Amendment Plan has been released, I have advertised in the local newspaper for 'Expressions of interest to sell or seasonally trade water allocations or licenses in any of three different zones in Area A. I did not receive even one reply. The BROPS is not showing potential to support the Minister's commitment that I be able to continue irrigation farming using the water I have been using for the last forty-seven years.

I support my opening remarks, but the present Plan will take away my livelihood. I respectfully urge you to consider the issues raised in this submission and others. We are innocent victims of a system which for many years was a friend in Government clothing and is now revealed as something different.

While controlled water take is not as important in this area of high rainfall and annual water replenishment as it is in some areas of Queensland and Australia, it never the less may become so in the future. I would like to think that I and/or my family will be part of that future - Government permitting.

49-Sch4 - Personal Information



Submission form:

Barron Resource Operations—Draft Amendment Plan 2010

We appreciate your interest in the planning process and value your input. This form is to enable you to identify concerns you would like addressed. We ask that you identify yourself so that we may respond to your submission and contact you for future consultation if you so desire. Please note that it is not compulsory to answer all questions, however, your name and address, signature, grounds of the submission and facts in support of the submission must be provided for it to qualify as a properly made submission. All properly made submissions received will be acknowledged and information gathered will be taken into consideration in the development of the plan amendment.

Surname (~~Mr/Ms/Ms/Dr/Other~~)

~~Name~~ Bronwyn Dwyer, Guiesppe Moro & Oscar Bugno

Address C/- Tableland Cane Growers Ltd PO Box 1359, Mareeba, QLD

Postcode 4880 Fax 07 40925857

Organisation Tableland CANE GROWERS Ltd, Mareeba District Fruit & Vegetable Growers Assoc. & N.Q. Co-op Ltd.

Position Manager & Chairmen

Phone No 40926065 (Bronwyn) Mobile 49-Sch4 - Personal Information

Email tblcane growers.com.au, moro_joe@hotmail.com, ogbugno@active8.net.au

Signature 1 49-Sch4 - Personal Information Date: 4/6/10

Signature 2* 49-Sch4 - Personal Information Date: 4/6/10

(*if necessary for organisation) Signature 3: 49-Sch4 - Personal Information Date: 4/6/10

Which interest group do you primarily represent? (You may tick more than one box)

- Irrigator (supplemented surface water)
- Irrigator (unsupplemented surface water)
- Irrigator (groundwater)
- Dryland farmer
- Water service provider
- Stock and domestic water user
- Commerce/development
- Tourism
- Recreational fisher
- NRM Board/catchment
- Grazier
- Mining industry
- Riparian landholder
- Local government
- Environmental interests
- Research/academic
- Commercial fisher
- Small business
- Other (please specify)

RECEIVED BY DERM MAREEBA
 File No MR/055/000(0129)
 4 JUN 2010
 Action By MR.633
 Reg Doc Code MR10/01099

Representative organisations

In what area/river/catchment is your interest? (You may tick more than one box).

Barron Resource Operations Plan—Draft Amendment Plan 2010

Please refer to the Barron plan area map shown on the next page.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Mareeba Dimbulah Water Supply Scheme | <input checked="" type="checkbox"/> Subcatchment area A or B |
| <input type="checkbox"/> Subcatchment area C | <input checked="" type="checkbox"/> Subcatchment area D, E, F or G |
| <input checked="" type="checkbox"/> Subcatchment area H | <input type="checkbox"/> Cairns Northern Beaches subartesian area |
| <input checked="" type="checkbox"/> Atherton subartesian area Management Area A | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Atherton subartesian area Management Area B | |

In what Local Government Area(s) is your interest? (You may tick more than one box)

- Cairns Regional Council Tablelands Regional Council

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

Tableland Onegrowers Ltd & Mareeba District Fruit & Vegetable Growers Assoc
represent the irrigators of our respective industries
NQ Co-op represents its shareholders who are farmers & irrigators.

What is the source of the water you use and what do you use water for? (You may tick more than one box)

	Council Supply	Water in streams or creeks	Surface water Storage (e.g. farm dam)	Groundwater
Domestic (household)				
Stock				
Irrigation		✓	✓	✓
Recreational				
Industrial				
Tourism				
Farming		✓	✓	✓
Other (please specify):				

What comments do you have about the proposed amendments to the Barron Resource Operations Plan?

Please see attached Submission.
Number of Additional Pages: five (5)

Number of additional pages attached to this Submission Form Thank you for your time.
 Five (5).



03rd June 2010

The Chief Executive
Department of Environment and Resource Management
Attention: Mr Jason Douglas
Barron ROP Amendments
PO Box 156
MAREEBA QLD 4880

Dear Sir,

SUBMISSION: BARRON ROP – DRAFT AMENDMENT PLAN 2010

1.0 Background

This submission has been made jointly by 'Tableland CANEGROWERS Ltd, Mareeba Dimbulah Fruit and Vegetable Growers Association and N.Q. Co-op Ltd' ('the organisations').

The organisations would like to thank the 'Department of Environment and Resource Management' ('DERM') for having specifically consulted the organisations about the Barron 'Resource Operations Plan' ('ROP') and associated 'Draft Amendment Plan 2010' ('Draft'). To date the consultations have resulted in improvements to the ROP for the organisations' water users. Notwithstanding, provisions remain in the ROP or exist in the Draft that are of significant concern to the organisations' water users. Detailed below are the provisions of concern to the organisations and the amendments sought by the organisations to the ROP or Draft to extinguish those concerns.

2.0 PROVISIONS OF CONCERN

2.1 Carryover Rules

Carryover rules were omitted from the ROP, but were included in the Draft following representations by the organisations. However the carryover rules included in the Draft are materially different to the existing rules. The changes that have been made to the rules substantially reduce the benefit of carryover to water users and no reasoning has been provided by DERM to the organisations for the changes nor does there appear to be any logical reason for the changes.

The existing rules provide for the commencement of carryover at the start of a water year regardless of Tinaroo Falls Dam's supply level and require the cessation of carryover when 'Tinaroo Falls Dam' ('TFD') stops spilling or at the end of the water year, whichever occurs first. Until now the organisations have worked with the existing rules despite there being no definition of what constitutes a 'spill event' and no logical reason as to why carryover ceases when the dam stops spilling. It should be noted that the premature cessation of carryover may prevent the full utilisation of water allocations and may reduce Sunwater revenue with no environmental or water security benefits.

2.1.1 Amendments Sought to Carryover Rules

- Commencement of carryover permitted on 01st July of each water year except when there is a Critical water level classification for TFD. All other reference to TFD water level classifications to be omitted.
- Carryover to cease at the end of the water year or if the Critical water level classification is reached, whichever occurs first.
- All reference to TFD level 668.0m AHD to be omitted as this would negate carryover in an average season within approximately two (2) months of the commencement of the water year.
- All reference to the spilling of TFD to be omitted as there is currently no definition in the Draft to describe what constitutes or who determines a spill event. The organisations only acceptable definition of a spill event is *'Water which commences flowing over TFD wall in the second half of the current water year i.e. on or after 01st January and continues to do so for seven (7) consecutive days'*.

2.2 Water Release Rules

The water release rules are anomalous with the natural flow regime of the Barron River and the river's tributaries.

The natural flow regime of the Barron River and its perennial tributaries incorporates an extended period of elevated flows driven by significant run-off events during the monsoonal summer wet season and a baseflow period during the balance of the year where flow generally diminishes commensurate with groundwater levels. In contrast, the minimum daily river flow volumes for Node 2 (i.e. Myola) and at the Lake Placid Overflow during High and Medium water level classifications for TFD provide for the highest minimum daily river flow volumes during the baseflow period and the lowest minimum daily river flow volumes during the wet season and during Low and Critical water level classifications for TFD there is no fluctuation in the minimum daily river flow volumes over the year at these nodes. At Nodes 4 (i.e. Mareeba) and 5 (i.e. below TFD) there is no fluctuation in the minimum daily flow volumes over the year whatsoever except where the water level classification for TFD changes.

The maximum daily river flow volumes for Node 2 (i.e. Myola) under the hydropower release arrangements significantly compound the unnaturalness of the water release rules.

If the water release rules prescribed by the ROP fulfil the 'Environmental Flow Objectives' ('EFO') prescribed by the 'Water Resource (Barron) Plan 2002' ('WRP'), then the EFO's are materially flawed and could only serve to further erode the ecological integrity of the river.

The organisations consider that the water release rules will be detrimental to the ecology of the river, may be causing too much water to be released from TFD (and therefore may be eroding the security of water allocations) and causing unnecessary interference to water extraction infrastructure (i.e. pump hole sedimentation and fluctuating water levels).

The organisations will be seeking a review of the EFO's during the mandatory review of the Barron WRP.

2.2.1 Amendments Sought to Water Release Rules

With respect to the Draft, the organisations seek the following amendment to the ROP

- Fluctuations to releases from TFD to be capped to 50 ML / day increments, regardless of whether or not changes to the releases are being made under the hydropower release arrangements or in response to a change in the water level classification of TFD.

2.3 Respecification of Water Licences in Subcatchment Area D

The organisations contend that the respecification of Water Licences in Subcatchment Area D from area-based entitlements to volumetric entitlements will have significant adverse impacts upon the benefit historically obtained under those water licences, particularly those licences held by CL Fassio and GA & T Cardillo.

The organisations are mindful and grateful of the assistance that DERM has given the said licensee to date, nonetheless the organisations urge DERM to ensure that respecification of the licenses only occur at a conversion rate of 12 ML / Ha / annum which reflects the conversion rate used in areas of the Mitchell ROP which have similar climate and stream flows to Boyle and Sandy Creek. Respecification of the licenses at any lesser conversion rate would constitute a failure to recognise the following facts, and ultimately constitute a failure to respecify the licenses equitably.

- The reach of Sandy and Boyle Creeks which the licences authorise water to be taken from have historically conveyed sufficient water for the licences to be utilised for the irrigation of sugar cane.
- Since the metering project in the Barron ROP in 2007 meter readings for Licences on Boyle and Sandy clearly indicate that the water does exist.
- The licensees estimate the licenses have routinely been utilised to apply ≈ 10 ML / Ha / annum to the entire area authorised to be irrigated under the licences without causing the cessation of streamflow.
- Limits on the use of water under the said licences have never been imposed by the state.
- There are only four (4) unsupplemented entitlements in Subcatchment D. These entitlements do not impact each other.
- The rainfall / evaporation deficit and irrigation requirements of the land authorised to be irrigated under the licences exceeds that in Subcatchment Area C where licences will be converted at a rate of 10 ML / Ha / annum and akin to that in the parts of the Water Resource (Mitchell) Plan Area where licences will be converted at a rate of 12 ML / Ha / annum.
- Investigations undertaken by the Bureau of Sugar Experiment Stations into economically optimum irrigation rates for sugar cane support the respecification of the licences at a rate of 10 ML / Ha / annum.

2.3.1 Amendments Sought to Provisions about the Respecification of Water Licences.

- The organisations request that the provisions of the Draft be amended such that all Water Licences in Subcatchment Area D remain as area-based entitlements and are not respecified to a volumetric entitlement until such time that the mandatory review of the WRP has been undertaken, which review includes a review of the volumetric conversion rates for water licences in Subcatchment Area D.

2.4 Seasonal Water Assignments

The Draft includes provisions for water allocations to be permanently traded out of a zone but within the same watercourse, however it precludes the seasonal trading of water allocations out of zone but within the same watercourse. There does not appear to be any water resource issues for this inconsistency.

2.4.1 Amendments Sought to Seasonal Water Assignment Rules

- The organisations request that the provisions of the Draft be amended such that the ROP enables the seasonal assignment of water allocations from a zone in a watercourse to a downstream zone in the same watercourse, except where atypical hydrologic processes exist (e.g. natural rate of streamflow in downstream zone less than upstream zone due to intervening groundwater recharge zone, etc).

2.5 Division of Instantaneous Extraction Rates Caused by Trading

The proposed trading rules require the instantaneous extraction rate of an unsupplemented water authorisation be divided between the trading parties relative to the division of the annual volumetric entitlement between the trading parties. In most circumstances it is impractical to substantially reduce or increase the extraction rate of the pumping equipment for an irrigation system despite it often being simple to reduce or increase the area irrigated or volume of water used by an irrigation system.

The organisations contend that the abovementioned provisions will limit the effectiveness of trading and reflect DERM's unwillingness to play an active role in the day to day management of the water resource (e.g. the imposition and enforcement of water limits resulting from unseasonably dry periods or the increased utilisation of water authorisations in heavily allocated watercourses) rather than a willingness to implement practical trading rules.

2.5.1 Amendments Sought to Provisions about Instantaneous Extraction Rates

- The organisations request that the provisions dealing with trading of unsupplemented water authorisations be amended such that the daily volumetric limit be divided relative to the division of the annual volumetric entitlement, that the instantaneous extraction rate authorised by the entitlement being traded from be unaffected by the trade and that the instantaneous extraction rate authorised by the entitlement being traded to be increased where it can be demonstrated the increase is necessary and will not in itself compromise the utilisation of other water entitlements.

2.6 Zone Relocation of Atherton Subartesian Management Areas A & B

The proposed Management Areas A & B for groundwater trading do not reflect the underlying geology and therefore are not in line with the groundwater aquifers.

The organisations contend that DERM need to increase the number of observation bores in Area B so that ground water monitoring results can be used to more accurately determine water trading zones in the future.

2.6.1 Amendments Sought to Provisions regarding Management Areas A & B

- The organisations request that Atherton Subartesian Management Areas A & B be amended so that groundwater trading zones reflect the underlying geology.
- The organisations request that groundwater trading be permitted between adjoining zones within a Management Area.

2.7 Water Sharing Rules for groundwater in Area B

The Draft bases the water sharing rules for groundwater Area B on the Barron River flow readings at Picnic Crossing. The organisations contend that surface water readings should not be used to determine water sharing rules for groundwater and that due to an insufficient number of observation bores in Area B there is a lack of knowledge on the aquifer and its relationship with the Barron River.

The organisations reiterate their earlier statements that DERM need to increase the number of observation bores in Area B so that ground water monitoring results can be used to more accurately determine water sharing rules in the future.

2.7.1 Amendments Sought to Water Sharing Rules for groundwater in Area B

- The organisations request that the ROP base water sharing rules for groundwater in Area B on information from existing Area B observation bores in conjunction with information from observation bores in Area A.

3.0 FURTHER INFORMATION

The organisations trust that DERM will genuinely consider the matters detailed by this submission and look forward to DERM continuing to consult the organisations about the *Water Resource (Barron) Plan 2002* and associated matters.

If DERM requires any further information with respect to these matters please do not hesitate to contact Bronwyn Dwyer on 4092 6065 on behalf of the 'organisations'.

RECEIVED BY DERM MAREEBA
File No MAR/255/200/0129
3 JUN 2010
Action By MR683
Reg Doc Code MR10/0.1096

FROM: Richard Fredrick Williams
Address: [Redacted]
Contact details: [Redacted]

Signature..... [Redacted]**Date**..... 1/6/10
BROPA - 8.

Organisation: Tablelands Regional Council
Position: Councillor
Interest Group: Local Government
Grazier
Stock and Domestic User
Potential Irrigator, Ground Water

Submission on Barron Resource Operations Plan Draft Amendment

1. Rules for Seasonal Trading should allow as much flexibility as possible, and trading between zones should be permitted, especially down stream. Seasonal Trading Rules should be similar to Permanent Trading Rules in this regard. Farmers are reluctant to permanently trade their water but would like to make it available on a seasonal basis to other farmers if they are not using it themselves. We expect there will be very limited permanent trading, and permanent trading is not going to be increased by having additional restriction on seasonal trading.
2. The water that is available from January to June should have extra flexibility and should be made tradable more widely upstream and into the smaller tributaries. At this time of the year stream levels are such as not to cause problems with excessive use in these places.
3. Restrictions should not be activated until 14 consecutive days of flow below trigger points and similarly restrictions should be lifted after 14 consecutive day of flow above trigger points. Utmost consideration has to be given to making water available to users at times of low flow as often crops are desperate for water at these times.
4. The flow level trigger points for determining limitations for water allocations need to be reviewed in the light of historical data measured at the gauging stations. Water users need to be confident that if restrictions were to be implemented using the new rules they would not be worse off than before. For example, using the proposed trigger points would have resulted in a 75% limitation on Leslie Creek from 8/11/2007 until 14/1/2008 when in actual fact history demonstrates that the restriction at this time was not necessary. Similarly, the proposed trigger points would have resulted in a 50% restriction from 8/10/2009 until 29/1/2010 on Leslie Creek, when history has demonstrated that this relatively severe restriction was not necessary. Other examples occur with the Barron flow measured at Picnic Crossing
5. When water is traded, instantaneous take should stay the same for both parties unless both agree to a change. The daily rate is the most appropriate measure for management, and it should be adjusted so that the purchaser can pump for longer to use the extra water while the seller pumps for less time. It is impractical to change pumps and irrigator nozzles to change instaneous flow rates flow rates.

6. Sites on minor tributaries and gullies should be made available for storage of water taken between January and June when there are high flows. The storage of this water will take pressure off the streams later in the year when water is in short supply.
7. Trading of Ground Water needs to be expanded outside the present restrictive zones. The zones as they are do not fit with the underlying geology and therefore cannot represent separate aquifers. If any zone has sufficient ground water, trading should be allowed to bring more allocation into it. With zone boundaries as they are proposed, it would be reasonable to allow trading between adjacent zones.
8. Area B Ground Water restrictions should be based on observation bore levels and not stream flows. If the data from observation bores in Area B is deemed inadequate, the observation bores in Area A should be used to complement the Area B observation bores. This would make it similar to Area A. As in Groundwater Area A, any limitation should be announced before the start of the water year and not be reduced further during the year.
9. No explanation has been given as to how Volumetric Limits in Zones have been calculated. Possibly these figures may need adjustment.
10. Water Advisory Group discussions led to the belief that Seasonal Water Assignment rules, would be similar to the rules for the Subdivision of Water Allocations. I believe that's how the system should work, if the Department is genuine about water trading.

RTI DL RELEASE DNRM



Submission form:

Barron Resource Operations—Draft Amendment Plan 2010

We appreciate your interest in the planning process and value your input. This form is to enable you to identify concerns you would like addressed. We ask that you identify yourself so that we may respond to your submission and contact you for future consultation if you so desire. Please note that it is not compulsory to answer all questions, however, your name and address, signature, grounds of the submission and facts in support of the submission must be provided for it to qualify as a properly made submission. All properly made submissions received will be acknowledged and information gathered will be taken into consideration in the development of the plan amendment.

Surname (Mr/Mrs/Ms/Dr/Other)

First Name	49-Sch4 - Personal Information
Address	
Postcode	
Organisation	
Position	
Phone No	
Email	
Signature 1	
Signature 2*	Date

(*if necessary for organisation)

Which interest group do you primarily represent? (You may tick more than one box)

- | | |
|--|--|
| <input type="checkbox"/> Irrigator (supplemented surface water) | <input type="checkbox"/> Grazier |
| <input checked="" type="checkbox"/> Irrigator (unsupplemented surface water) | <input type="checkbox"/> Mining industry |
| <input checked="" type="checkbox"/> Irrigator (groundwater) | <input type="checkbox"/> Riparian landholder |
| <input type="checkbox"/> Dryland farmer | <input type="checkbox"/> Local government |
| <input type="checkbox"/> Water service provider | <input type="checkbox"/> Environmental interests |
| <input type="checkbox"/> Stock and domestic water user | <input type="checkbox"/> Research/academic |
| <input type="checkbox"/> Commerce/development | <input type="checkbox"/> Commercial fisher |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Small business |
| <input type="checkbox"/> Recreational fisher | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> NRM Board/catchment | |

RECEIVED BY DERM MAREEBA
 File No *MR/055/000(0149)*
 2 JUN 2010
 Action By *MR 633*
 Reg Doc Code *MR10/01093*

In what area/river/catchment is your interest? (You may tick more than one box).

Barron Resource Operations Plan—Draft Amendment Plan 2010

Please refer to the Barron plan area map shown on the next page.

- | | |
|---|---|
| <input type="checkbox"/> Mareeba Dimbulah Water Supply Scheme | <input type="checkbox"/> Subcatchment area A or B |
| <input type="checkbox"/> Subcatchment area C | <input type="checkbox"/> Subcatchment area D, E, F or G |
| <input checked="" type="checkbox"/> Subcatchment area H | <input type="checkbox"/> Cairns Northern Beaches subartesian area |
| <input checked="" type="checkbox"/> Atherton subartesian area Management Area A | <input type="checkbox"/> Other |
| <input type="checkbox"/> Atherton subartesian area Management Area B | |

In what Local Government Area(s) is your interest? (You may tick more than one box)

- | | |
|--|---|
| <input type="checkbox"/> Cairns Regional Council | <input checked="" type="checkbox"/> Tablelands Regional Council |
|--|---|

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

What is the source of the water you use and what do you use water for? (You may tick more than one box)

	Council Supply	Water in streams or creeks	Surface water Storage (e.g. farm dam)	Groundwater
Domestic (household)				
Stock				
Irrigation		✓	✓	✓
Recreational				
Industrial				
Tourism				
Farming				
Other (please specify)				

What comments do you have about the proposed amendments to the Barron Resource Operations Plan?

See attached

Number of additional pages attached to this Submission Form Thank you for your time.

6



28/04/2010

The Chief Executive
Department of Environment and Resource Management
Attention: Mr Jason Douglas
Barron ROP Amendments
PO Box 156
Mareeba QLD 4880

Dear Sir,

Submission – Barron ROP Amendments

This submission relates to the proposed relocation zones within Management Area A of the Atherton Subartesian Area.

49-Sch4 - Personal Information

As I have stated in previous submissions, in relation to the WRP amendments, I feel that the conversion of area based surface water entitlements and the fact that I did not obtain the full 5ML/ha groundwater entitlements on some of this land has seriously affected my farming capabilities. I was hoping that I would be able to seasonally assign water between these blocks to accommodate my rotational farming practices.

To my dismay the draft ROP amendments have placed my 49-Sch4 - Personal Information into 3 different Relocation Zones thus preventing me from seasonally assigning water between my blocks to meet my requirements. Attachment 1 shows my blocks in relation to the proposed relocation area boundaries.

I really must challenge the science and logic that was used when determining these zone boundaries. At the community consultation meeting held at the Tolga Racecourse on 28/04/2010 Shannon Dempster advised that the boundaries were designed by Graham Herbert of your Department so as to reflect the distinct aquifers that occur in the area based upon the research and reports that were undertaken prior to the release of the Barron WRP.

It is well understood that the aquifers are contained within basalt layers which resulted from the numerous eruptions from volcanic vents such as Bones Knob and Hallorans Hill. Bruce Pearce of DERM has reported on the lava sequences and he was unable to determine the presence of distinct aquifers which could have lead to

the proposed relocation zones. Drilling logs for bores in the area confirm that water is obtained from numerous layers within the basalt profile. The Department has always treated the groundwater contained within the basalts in Area A as one "pool" with a total of 14500 ML per annum able to be extracted from the area. All modelling, waterlevel contouring and management to date has been on the basis that the basalts are acting like one large single aquifer system. I do not believe each of the proposed zones represents a distinct aquifer system and therefore there is no logical basis for your selection of these particular zone boundaries.

The Barron Water Resource Plan acknowledges the interrelationship between groundwater and surface water within the Plan area. I refer to s12 (2) which states: "Subartesian water is to be allocated and managed to maintain subartesian water contributions to the flow of water in watercourses, lakes and springs and to groundwater dependent ecosystems."

As groundwater and surface water are interconnected throughout Area A, I propose that the boundaries for groundwater relocation should be much more aligned with the proposed surface water boundaries – after all we are talking about the same water. You seem to have taken this fact into account in determining the Area B boundaries but have chosen to ignore it in dealing with Area A.

I propose that the current 6 zones are merged into just 3 in order to more accurately align with surface water catchments and also to allow management of those areas in a way that has all properties which may impact on catchment spring discharges in the one zone. A map showing my proposed zones is attached.

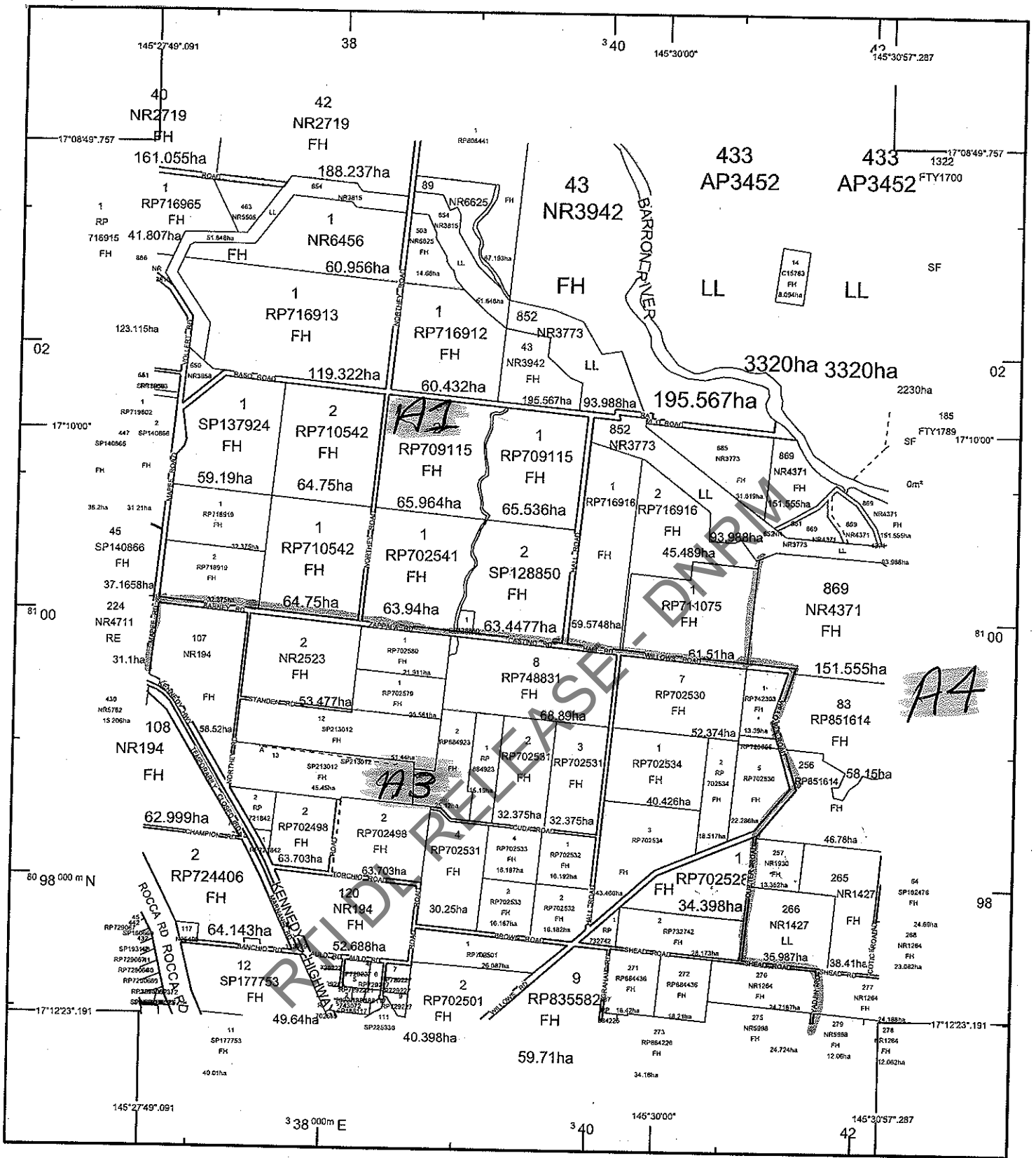
Zone 1 should include all properties within Area A which are in the Mazlin Creek catchment. The watercourses and springs within this zone are upstream of Tinaroo impoundment.

Zone 2 should include all properties within that part of Surface Water Zone H within the Spring and Cherry Creek catchments as the spring discharge points are close together just downstream of the Dam.

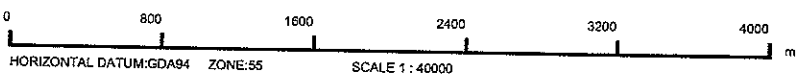
Zone 3 would include all properties in Area A within the Rocky Catchment (Part of SW zone H). The reason SW zone H was split into 2 was the distance between the discharge points. Zone 3 discharges its spring water into the Barron River much further downstream than Spring and Cherry creeks.

It is noted that the 5 key monitoring bores used in determining water limitations are all located towards the southern part of area A, mostly within the Mazlin catchment. To me this would also contradict the logic of the proposed zones being distinct aquifer systems. Surely if the aquifers were not connected then it would be necessary to have key monitoring bores within each zone.

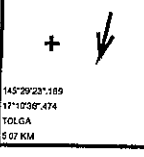
If the zone boundaries were realigned as I have suggested, not only would you be allowing a fairer and more logical water relocation initiative but I believe you would be in a better position to manage the groundwater contributions to streamflows.



STANDARD MAP NUMBER
7963-12122



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	2/SP128650
Area/Volume	63.4477ha
Tenure	FREEHOLD
Local Government	TABLELANDS REGIONAL
Locality	TOLGA
Parish	BARRON
County	NARES
Segment/Parcel	21334/15

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 29/04/2010

DCDB 28/04/2010 (Lots with an area less than 1.000ha are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Environment and Resource Management (DERM)'s best efforts, DERM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

File A

For further information on SmartMap products visit <http://mrv.qld.gov.au/property/mapping/binmap>

SmartMap

An External Product of SmartMap Information Services
Based upon an extraction from the Digital Cadastral Data Base

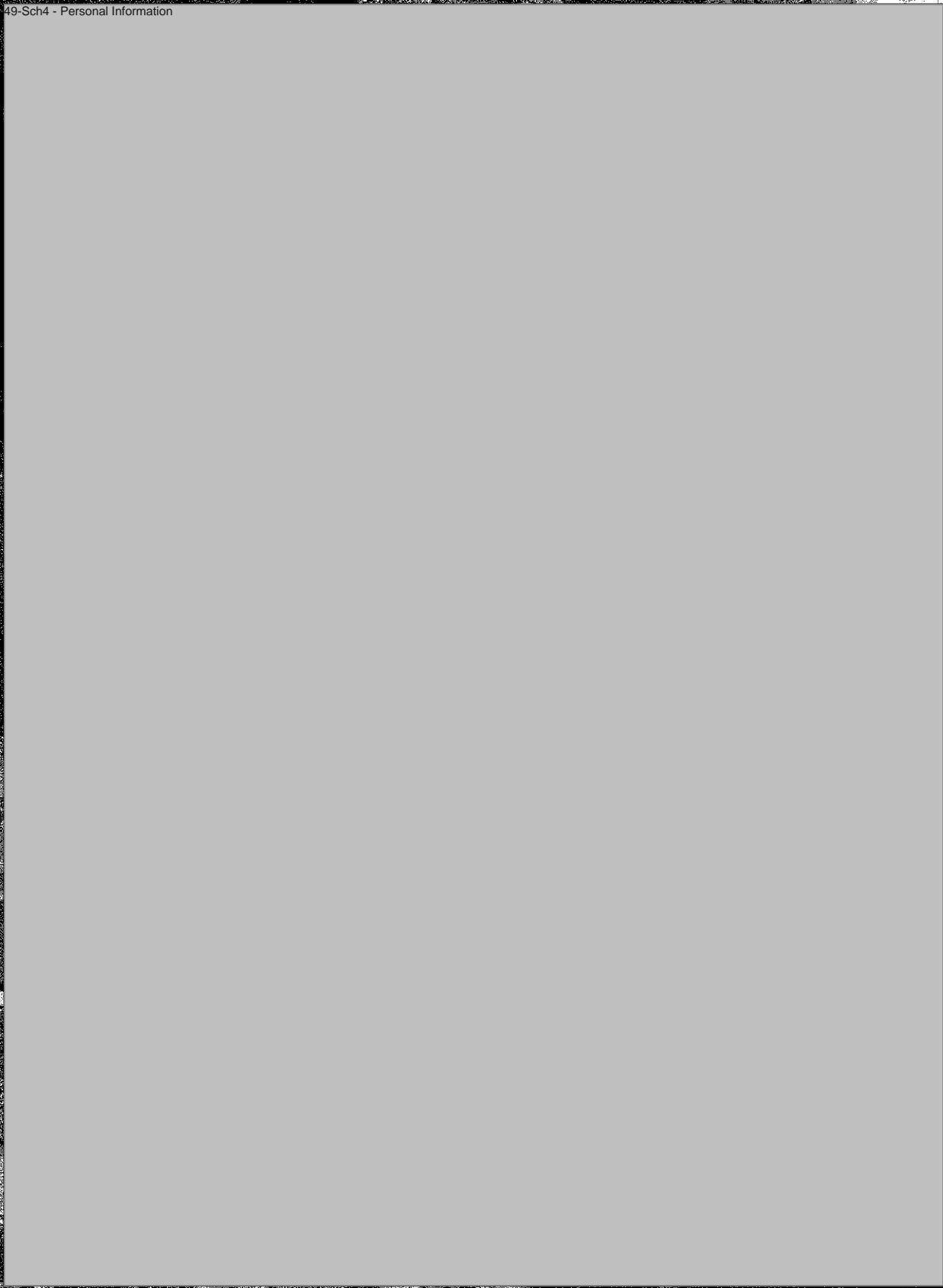


Queensland Government

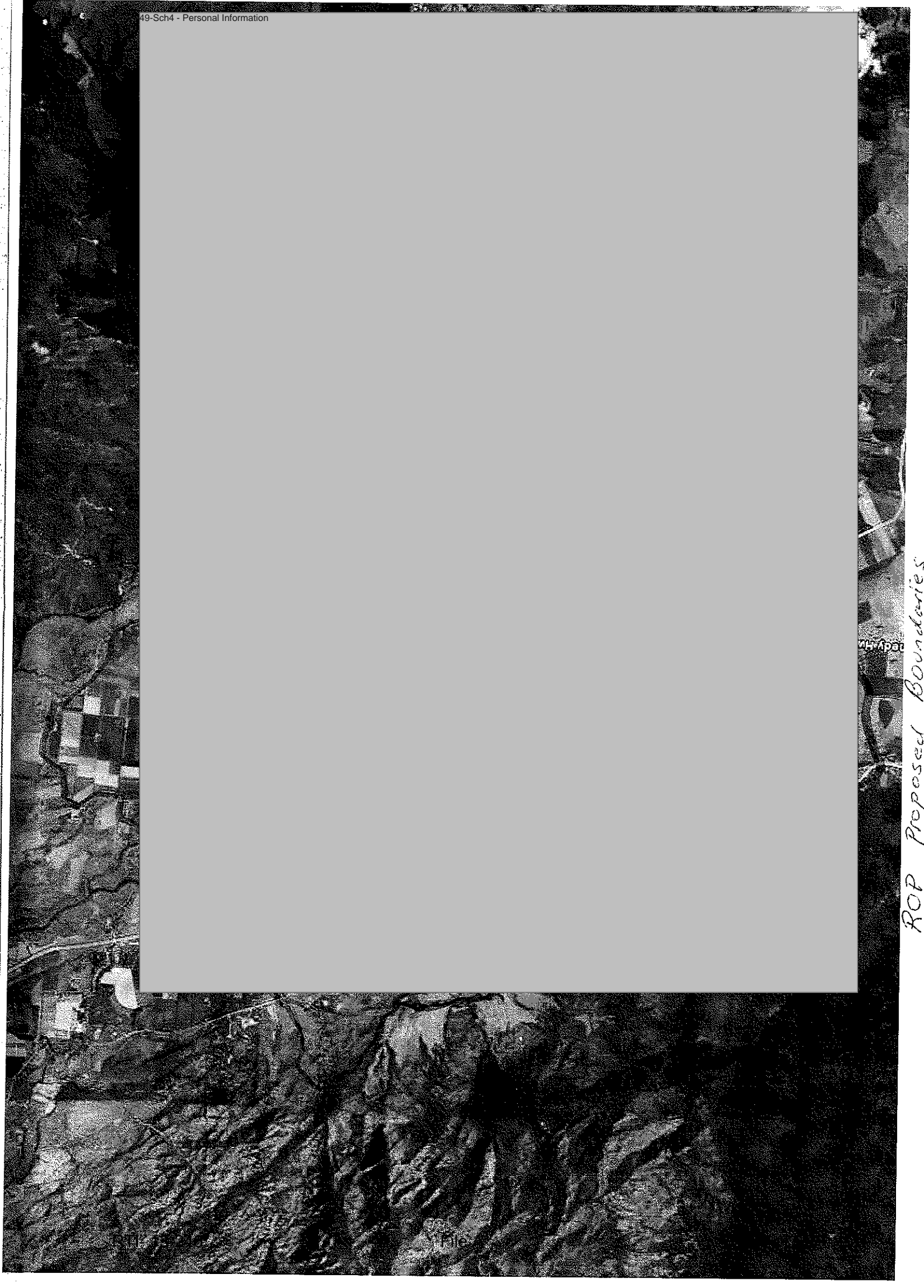
(c) The State of Queensland, (Department of Environment and Resource Management) 2010.



RTI- 13-246



ROP Proposed Boundaries





Proposed Changes to Zone Boundaries

TOTAL 3 Pages

①

Submission form:

Barron Resource Operations—Draft Amendment Plan 2010

We appreciate your interest in the planning process and value your input. This form is to enable you to identify concerns you would like addressed. We ask that you identify yourself so that we may respond to your submission and contact you for future consultation if you so desire. Please note that it is not compulsory to answer all questions, however, your name and address, signature, grounds of the submission and facts in support of the submission must be provided for it to qualify as a properly made submission. All properly made submissions received will be acknowledged and information gathered will be taken into consideration in the development of the plan amendment.

49-Sch4 - Personal Information

Surname

First Name

Address

Postcode

Organisation

Position

Phone No

Email

Signature 1

Signature 2*

Date 4/6/10

Date

(*if necessary for organisation)

Which interest group do you primarily represent? (You may tick more than one box)

- Irrigator (supplemented surface water)
- Irrigator (unsupplemented surface water)
- Irrigator (groundwater)
- Dryland farmer
- Water service provider
- Stock and domestic water user
- Commerce/development
- Tourism
- Recreational fisher
- NRM Board/catchment
- Grazier
- Mining industry
- Riparian landholder
- Local government
- Environmental interests
- Research/academic
- Commercial fisher
- Small business
- Other (please specify)

RECEIVED BY DERM MAREEBA
 File No MAR/055/000(0129)
 4 JUN 2010
 Action By MR 633
 Reg Doc Code MEI/01091

In what area/river/catchment is your interest? (You may tick more than one box).

Barron Resource Operations Plan—Draft Amendment Plan 2010

②

Please refer to the Barron plan area map shown on the next page.

- Mareeba Dimbulah Water Supply Scheme
- Subcatchment area C
- Subcatchment area H
- Atherton subartesian area Management Area A
- Atherton subartesian area Management Area B
- Subcatchment area A or B
- Subcatchment area D, E, F or G
- Cairns Northern Beaches subartesian area
- Other

In what Local Government Area(s) is your interest? (You may tick more than one box)

- Cairns Regional Council
- Tablelands Regional Council

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

If you are the representative of a community or stakeholder group please name the group and briefly outline its purpose.

What is the source of the water you use and what do you use water for? (You may tick more than one box)

	Council Supply	Water in streams or creeks	Surface water Storage (e.g. farm dam)	Groundwater
Domestic (household)				✓
Stock		✓	✓	✓
Irrigation			✓	✓
Recreational				
Industrial				
Tourism				
Farming		✓	✓	✓
Other (please specify):				

What comments do you have about the proposed amendments to the Barron Resource Operations Plan?

See attached 1 sheet

Number of additional pages attached to this Submission Form Thank you for your time.

1 sheet attached

(3)

Comments included in the Submission on Barron Resource Operations Plan Draft Amendment.

1. Rules for Seasonal Trading should allow as much flexibility as possible, and trading between zones should be permitted, especially down stream. Seasonal Trading Rules should be similar to Permanent Trading Rules in this regard. Farmers are reluctant to permanently trade their water but would like to make it available on a seasonal basis to other farmers if they are not using it themselves. We expect there will be very limited permanent trading, and permanent trading is not going to be increased by having additional restriction on seasonal trading.
2. The water that is available from January to June should have extra flexibility and should be made tradable more widely upstream and into the smaller tributaries. At this time of the year stream levels are such as not to cause problems with excessive use in these places.
3. Restrictions should not be activated until 14 consecutive days of flow below trigger points and similarly restrictions should be lifted after 14 consecutive day of flow above trigger points. Utmost consideration has to be given to making water available to users at times of low flow as often crops are desperate for water at these times.
4. The flow level trigger points for determining limitations for water allocations need to be reviewed in the light of historical data measured at the gauging stations. Water users need to be confident that if restrictions were to be implemented using the new rules they would not be worse off than before. For example, using the proposed trigger points would have resulted in a 75% limitation on Leslie Creek from 8/11/2007 until 14/1/2008 when in actual fact history demonstrates that the restriction at this time was not necessary. Similarly, the proposed trigger points would have resulted in a 50% restriction from 8/10/2009 until 29/1/2010 on Leslie Creek, when history has demonstrated that this relatively severe restriction was not necessary. Other examples occur with the Barron flow measured at Picnic Crossing
5. When water is traded, instantaneous take should stay the same for both parties unless both agree to a change. The daily rate is the most appropriate measure for management, and it should be adjusted so that the purchaser can pump for longer to use the extra water while the seller pumps for less time. It is impractical to change pumps and irrigator nozzles to change instantaneous flow rates flow rates.
6. Sites on minor tributaries and gullies should be made available for storage of water taken between January and June when there are high flows. The storage of this water will take pressure off the streams later in the year when water is in short supply.
7. Trading of Ground Water needs to be expanded outside the present restrictive zones. The zones as they are do not fit with the underlying geology and therefore cannot represent separate aquifers. If any zone has sufficient ground water, trading should be allowed to bring more allocation into it. With zone boundaries as they are proposed, it would be reasonable to allow trading between adjacent zones.

2

Barron Resource Operations Plan—Draft Amendment Plan 2010

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Domestic (household)				✓
Block		✓	✓	✓
Irrigation			✓	✓
Recreational				
Industrial				
Tourism				
Farming		✓	✓	✓
Other (please specify):				

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How to make a submission

Submissions are being sought from interested individuals and groups about the Barron Resource Operations Plan – Draft Amendment Plan 2010.

Submissions close at 5.00pm 22 April 2010.

Note: All submissions will be treated with sensitivity and wherever possible in confidence. However, submissions may be viewed by other parties under the provisions of the Right to Information Act 2009.

If you wish to use this form as a complete submission please complete the following pages.

Post the Submission Form and any attachments to:

Postal Address:

Street Address:

The Chief Executive

The Chief Executive

Department of Environment and Resource Management

Department of Environment and Resource Management

Attention: Mr Jason Douglas

Attention: Mr Jason Douglas

Barron ROP amendments

Barron ROP amendments

PO Box 156

28 Peters Street

MAREEBA QLD 4880

MAREEBA QLD 4880

Submissions may also be made via:

Internet at <www.derm.qld.gov.au/wrp/barron>

Email to Barronwrp@derm.qld.gov.au

RECEIVED BY DERM MAREEBA
File No <i>MAR/055/000(0129)</i>
1 JUN 2010
Action By <i>MR633</i>
Reg Doc Code <i>MR10/00954</i>

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Surname (M/Mrs/Ms/Dr/Other)

INNES.

First Name

CHARLIE.

Address 49-Sch4 - Personal Information

Postcode

Organisation

Position

SOLE TRADER.

Phone No 49-Sch4 - Personal Information

Email

Signature 1 49-Sch4 - Personal Information Date *31. 5. 2010.*

Signature 2* Date

(*if necessary for organisation)

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- Irrigator (unsupplemented surface water)
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- NRM Board/catchment
- Grazier
- Mining industry
- Riparian landholder
- Local government
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- Commercial fisher
- Small business
- Other (please specify)

UPPER BARRON

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ground water, trading should be allowed to bring more allocation into it. With zone boundaries as they are proposed, it would be reasonable to allow trading between adjacent zones.

8. Area B Ground Water restrictions should be based on observation bore levels and not stream flows. If the data from observation bores in Area B is deemed inadequate, the observation bores in Area A should be used to complement the Area B observation bores. This would make it similar to Area A. As in Groundwater Area A, any limitation should be announced before the start of the water year and no be reduced further during the year.

RTI DL RELEASE - DNRM