



## CLARENCE ENVIRONMENT CENTRE Inc

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Date 5<sup>th</sup> April, 2016

Attn Mr Peter Hackett  
NSW Department of Primary Industry - Water  
Grafton

Dear Peter

### **Water extraction Licence Application (30SL0667327)**

In relation to the above request for a water extraction licence, the Clarence Environment Centre objects to the proposal on the following grounds, and requests that Dept of Primary Industry – Water deny the application.

1. It is our understanding that other lower Orara River landowners have had their extraction licences revoked (bought back?) in recent years **because of past over-allocation**. This situation has since been further exacerbated by the permanent closure of the Nymboida Power Station, thus reducing daily flows by up to more than 600ML, which historically has frequently amounted to more than 50% of the flow in the Lower Orara.

2. It needs to be recognised that the riparian zone of the Orara River, downstream of Blaxlands Creek is unique. The dominant mix of Black Bean (*Castanospermum australe*), Silky Oak (*Grevillea Robusta*) and Satinash (*Syzygium floribundum*), a community that, to the best of our knowledge, only occurs along the lower reaches of the Orara and nowhere else in the world.

Coincidentally, in March of this year, the Clarence Environment Centre assisted with weed surveys along several sections of the Orara, including that from Bawdens Bridge to Ramornie, a survey that reported the riparian vegetation all along that stretch of river bank to be in excellent condition, with remarkably few weeds, and little degradation by way of erosion. Therefore any development that could have potentially adverse impacts to that significant vegetation has to be avoided.

3. There is no gazetted Water Sharing Plan for the Clarence River, with only a Draft Report Card for the Lower Orara River available on the DPI web site, which is now rendered obsolete by the permanent closure of the Nymboida Power Station. Flows from the power station have historically been diverted from the Nymboida River for over 90 years, thus massively inflating average flows in the Lower Orara, with its closure making a 'nonsense' of %ile flow calculations currently on display.

#### **Other matters of concern:**

- The 25<sup>th</sup> March advertisement of this application is confusing, with two applications rolled into one, stating only in relation to the Orara River application that: “*An application under Section 10 of the Water Act 1912 for a 150mm pump on the Orara River has been received from Dosanjh Investments Pty Ltd for irrigation and farming purposes (66 megalitres) on Lot 262 DP 751383 Parish Rushforth County Clarence (30SL0667327).*” This fails to provide relevant information to stakeholders which, under Section 10(3) Water Act 1912, would have been provided to DPI Water, specifically:

- b) *“the maximum rate at which water may be taken from the river or lake”*
- e) *“if the work is for the purpose of irrigation (which this is), particulars of the area and location of the land proposed to be irrigated, the class or classes of crops proposed to be grown thereon, the works proposed to be provided for the distribution of the water to the land to be irrigated and the work proposed to be undertaken in the preparation of such land for irrigation.”*

- The failure to provide basic information such as the location of the proposed pump, or details of associated infrastructure, or river-bed excavation that might be associated with such a proposal. In fact the Clarence Environment Centre was informed that DPI Water was not yet aware of the proposed pumping location, although there was an assurance that the site, when identified, would be inspected before approval is granted.
- Likewise, in the absence of an up-to-date gazetted Water Sharing Plan for the Clarence, it is not possible for stakeholders to determine average river flows or %iles thereof, and therefore, the percentage of that flow that can be legally extracted.
- We are concerned at the failure to include a need to assess impacts, not only of the pumping operation, but the cumulative impacts of the entire irrigation scheme, including other infrastructure such as the off-stream storage dam, **that is already being constructed**.
- The lack of up-to-date figures detailing other existing extraction licences, to enable calculations of cumulative impacts from extraction on that section of the Lower Orara downstream of Glenreagh.
- We are also concerned that there has been no Development Application lodged for what we have managed to glean is a blueberry farming operation, an industry known for its high use of chemicals both as pesticides and fertilisers, that will be operating immediately adjacent to a major waterway.
- As a result of potential chemical run-off, the lack of any environmental impact assessment of potential impacts on Platypus and endangered aquatic species such as Eastern Freshwater Cod is also a concern.

This is all relevant information that stakeholders require in order to make informed comment on the proposed extraction, and it simply hasn't been provided.

Yours sincerely

John Edwards  
Honorary Secretary  
Clarence environment Centre