

**Minutes of the Nogo Mackenzie IAC Meeting held in Emerald on the
19th October 2011**

Meeting opened at 0945 at the SunWater Depot, 87 Esmond Street, Emerald.

Attendees: In accordance with attendance sheet at Annex A

Apologies: Ian Burnett, Geoff Kavanagh

Previous Minutes:

The minutes of the previous meeting on 5th of October 2010 were read and accepted as presented.

Business Arising from Previous Minutes:

1. Bedford Weir Incident; It was reported that SunWater has been summonsed to appear in court by the WH&S Department. The SunWater legal representatives are in discussions with the Department of Justice about the actual charges etc.

2. Draft IAC Code of Conduct; No further progress has been made with regard to this document but it will be addressed between the IAC Chairman and the SunWater Service Manager.

New Business:

1. Kerry Jones the Service Manager Emerald introduced Martin Lambert from the Leisure Management Group to the Committee. Martin wanted to speak to the IAC members for approximately 15 minutes. He outlined his purpose with SunWater and his scope of work as set out by senior SunWater Management. There was some robust discussion between members and Martin with regards to Irrigators paying for Recreation Area improvements etc.

2. Transfer Termination Fees: KJ outlined what the SunWater response was to these Termination fees. Termination fees are calculated by calculating the difference between Part A water on the River and Part B water on the Channel. There are some minor calculations for NPV and CPI, then GST is added. These fees are set by DERM and SunWater.

3. TCC when does the Trial cease being a Trial?

Dougall Millar asked John Walter to speak on this matter as it has affected him the most with system failures. JW spoke about the introduction of TCC and how it was “sold” to the Irrigators as the “best thing since sliced bread”. He stated, with support from all committee members present, that it was introduced in 2004 as a Trial. He said that as far as he and the other irrigators were aware the TCC system had never been fully trialled and tested, let alone commissioned fully. When the system was installed dam levels were very low and irrigators were not getting their full allocation of water, therefore the channels were never operating at full capacity and demand. It was agreed that KJ would investigate

this matter further and have some answers to further questions in December 2011.

4. Mining Company and Exploration Company access to Channels and Drains in the Irrigation area. Peter Galea asked why SunWater had allowed Stanmore Coal to access the irrigation area and assisted them to find areas for exploration drilling. KJ responded that there is no option but to allow the exploration company onto the land owned by SunWater as they hold a legal Exploration Permit (EPC) over that land. SunWater has not just allowed these companies to access this area, we have tried to minimise the impact on adjacent landholders and have also imposed a Deed of Agreement on access, codes of practice and other measures to minimise this impact. The SunWater Board will be visiting Emerald next week and will be shown where the Exploration Company intend to drill.

5. Peak Flow Entitlements: Mike McCosker was at the meeting representing a member who could not attend. He asked what the written rules were in regards to PFE. His opinion and also some of the other members was that SunWater has no business in what the irrigator does with their water after it passes the customer meter. They can do what they want with the water. There was some robust discussion around the table. DM said that he agreed with MMc, but if him taking water through a ‘Off Peak’ Offtake affected another irrigator on the channel with PFE, then he had a problem. KJ offered to raise this matter with senior management to try and get a reasonable answer, hopefully agreeable to all parties. Other irrigation schemes have PFE clearly spelled out in scheme documentation.

6. Bedford Weir: DM asked about the situation at Bedford Weir. Who is going to pay for this and are SunWater going to fix it. KJ responded that the matter was still in the courts and that as far as he was aware SunWater were investigating the installation on a “Oppenheimer” weir. This is a similar device but with reinforcing webs across its area. As far as who pays for this SunWater is still investigating and waiting for an outcome from the legal proceedings.

7. Carryover, a change of the interpretation of the rules in Brisbane: Rob Ingram and Dougall asked about the change in the rules for Carryover water. KJ responded that there was no real change. There were some inconsistent applications of the rules within the EIA. There were some customers who did not have carryover and some who did. There are also schemes which operate carryover in a different way to Emerald. All that SunWater has done is to bring everyone in the EIA onto the same rules which have always been there.

8. QCA/ Water Pricing:

DM had some questions in relation to water pricing.

a. Intersafe program, why was this very large and expensive program not consulted with the IAC. KJ responded that the Intersafe program was paid for by funds from the Qld Government as a Dividend return. It did not really come from local costs.

b. Bedford Weir, why are the legal costs up to \$3 million being passed onto water users. KJ responded that he was unsure but that he would assume that

SunWater had sufficient insurance to cover such matters. Hopefully he would have an answer when we have a follow-up meeting in December.

The meeting was closed at 1205pm and the Chairman thanked all persons for attending.

Next meeting to be during the first week of December, either the 5th or the 9th. The date will be fixed as the cotton season progresses.

Minutes Confirmed;

Chairperson

SunWater Manager

Date

Date

IAC Meeting held 19th October 2011 Attendance Sheet:

Dougall Millar	Chairman
Peter Galea	Member Selma Channel
Robert Ingram	Member Selma Channel
Les Fluerty	Member Weemah Channel
Ross Burnett	Proxy to Ian Burnett Member Weemah Channel
Nigel Burnett	Grower
Mike McCosker	Proxy to Geoff Kavanagh Member Weemah Channel
Carl Morowitz	Member Nogoia/ Comet River
Neek Morowitz	Grower
John Walter	Grower

