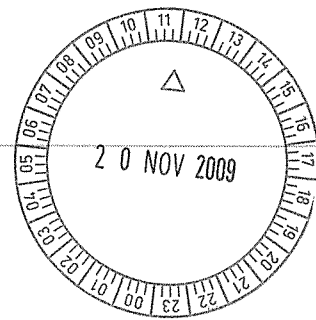


PUBLIC**Stephenson, Cassandra**

From: Scott Coghlan
Sent: Thursday, 19 November 2009 7:04 AM
To:
Subject: Water supply dams submissions
Attachments: column22112009.doc; 091118_DoW Media Response Scott Coghlan Lefroy Brook.doc

Hi Minister and review committee,

I thought I would enter a few relevant issues into the review process currently underway, after some interesting dialogue with Water Corp and Dept of Water this week.

While these are not part of my official submission, which has already been emailed through earlier this week...I think they add some important context to the current debate, particularly with regards to the ability of Water Corp and the Dept of Water to competently, and legally, manage our waterways.

Firstly, attached is a copy of a piece I have written for this week's Sunday Times, detailing what appears to be a closure of a stretch of river at Pemberton that had no actual legislative backing, on which DoW have backflipped just this week.

I also attach the response from DoW, which clearly does not answer my simple request to be shown the actual legislation enabling the closure.

Secondly, below is a PDF link that also details broken written promises to provide an international standard whitewater course below Stirling Dam, the documents showing a number of assurances followed by a sudden backflip.

I am not involved with the whitewater organisation in any way, but can see a pattern emerging when it comes to delivering the best result for the public of WA – doesn't seem to be a priority.

http://www.whitewaterperth.org.au/pages/When_will_promises_be_honoured.pdf

<http://www.whitewaterperth.org.au/pages/REQUEST-TO-MAKE-REPRESENTATION-TO-MINISTER-WALDRON.pdf>

I felt it was important to enter this information into the current process.

Regards,

Scott Coghlan (editor Western Angler magazine)

_____ Information from ESET Smart Security, version of virus signature database 4620 (20091118)

The message was checked by ESET Smart Security.

<http://www.eset.com>

WHILE at Pemberton a couple of weeks ago, we made our usual pilgrimage to the Rainbow Trail, arguably the finest stretch of trout fishing water in Western Australia, and also one of the most scenic tourist drives in the state.

In recent years, the Rainbow Trail has been beset with problems, with the road closed for some time due to a problem with the bridge at the Big Brook Dam end, and the infamous pipeline debacle, when **the Water Corporation** decided it would stick a ruddy great ugly pipe smack down the middle of the once picturesque Lefroy Brook.

This pipeline was meant to run through the bush and be a replica of the original pipeline through the area from many years ago – in essence a “heritage pipeline”.

Instead, it was a black polypipe monstrosity, and the powers that be decided it was easier to run it down the brook than mess around going through the bush.

In what scenario does sticking an ugly pipe down the centre of one of the area’s best tourist attractions become a good idea?

Anyway, the public outcry over the pipe saw it eventually shifted back to the side of the stream and normal service was resumed for a while at the Rainbow Trail.

We have been fishing this stretch of river every year since we’ve been going down to Pemberton, which we’ve been doing for more two decades now.

So imagine our surprise when we discover an ugly cyclone fence around the wall of the town weir, along with signs listing all the activities banned in the area due to it being a “water catchment area” and a warning that there were cameras watching over the site.

Kind of at odds with the tranquil and largely unspoiled natural beauty that the Rainbow Trail usually offers, I would have thought.

Anyway, we’ve never fished the weir, so continued on up the track to a section of river that has produced spectacular fishing over the years.

It’s a stunning section of water, easily waded, with some superb rapids and often good fish to boot.

But we were confronted by a large Water Corporation sign warning us that fishing, among many other activities, was not allowed.

As we continued on upstream, these stark blue and white signs were placed at every location one might feasibly want to stop, so we had no choice but to turn back.

What puzzled us was why recreational activity along this section of river had suddenly become verboten?

People had camped and fished in this area for many years, which is above the town weir that acts as the local water supply, without any major water contamination issues that I am aware of.

Not only that, in summer water released from Big Brook Dam runs down through this stretch to the weir, and ultimately becomes drinking water for Pemberton.

Big Brook Dam is a hugely popular recreational area, where locals and tourists head to swim, kayak, picnic and fish, so the logic of such a closure downstream of the dam is hard to fathom.

If the water is already coming from a popular recreational site, and there are also several farms with livestock along the edge of the brook, then what possible gain could there be in these restrictions?

I subsequently made inquiries into the change, visiting the websites of the Water Corporation, Department of Water (DoW) and Department of Environment and Conservation (DEC), as well as speaking to Fisheries.

Then I got on the phone and started seeking clarification on the legislative backing for the closure.

I spoke to an employee of the Water Corporation, and their initial response was that they’d always had the right and never exercised it, but extensive further research by myself and

several others was unable to find any specific legislative ruling forbidding fishing along the Rainbow Trail.

In 2004, Water Corp did release a document titled *Lefroy Brook Catchment Area drinking water source protection assessment : Pemberton Town water supply*, which purported to be the first step towards putting in place a Drinking Source Water Protection Plan (DSWPP) and was issued under instruction from the then Department of Environment (DoE), now DEC. According to the paper, DoE was in charge after the release of the initial document and stakeholder consultation was to occur, to be followed by a draft DSWPP to be released for public comment for a six-week period, before the final document on Lefroy Brook was produced.

A DSWPP would be necessary to close Lefroy Brook to recreational access, and indeed the Department of Water says on its website that the relevant DWSPP exists.

However, I couldn't find any further mention of the process after 2004, and indeed was told by a source that it had simply been put on the backburner after that initial paper.

And yet the signs went up in February this year.

Eventually, responsibility was directed to the Department of Water and they provided me with an official statement, claiming the signs were put up under powers granted by the *Country Areas Water Supply Act 1947* and by-laws that protect water quality apply under this Act, and that the signs were consistent with DoW's 2003 official policy on recreation in drinking water supply areas.

Under the Act, the Minister for Water is able to enact by-laws "for the prevention of the pollution of water within any water reserve or catchment area", but there certainly does not appear to be any by-law enacted for the Lefroy Brook in recent years.

Thankfully, DoW has decided to pull down the offending signs for now, purportedly because of the current review into recreational activities in water supply catchments, as mentioned in this column a fortnight ago.

However, the fact remains that no one from any of the departments involved was able to provide the actual legislative backing for the closure, which would have answered my queries once and for all.

If the various departments themselves can't provide it, one has to seriously doubt if it actually exists.

All's well that ends well I guess, with the signs on the Rainbow Trail coming down.

But one then has to wonder where and when else this sort of thing has happened on the watch of those currently controlling our most precious natural resource, and what would have happened if no-one had queried it?

With one problem solved, we can only hope the Water Corporation and Department of Water will be as willing to compromise in the current water supply dam recreational access debate.