

# Notice of Meeting

## Extraordinary Water and Sewer Advisory Committee Meeting

An Extraordinary Water and Sewer Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Friday, 19 July 2024
Time	10:00 AM

Phil Holloway  
Director Infrastructure Services

I2024/1041  
Distributed 11/07/24

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## CONFLICT OF INTERESTS

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**What is a “Conflict of Interests”** - A conflict of interests can be of two types:

**Pecuniary** - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Code of Conduct for Councillors (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

**Remoteness** – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

**Who has a Pecuniary Interest?** - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

**Relatives, Partners** - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

**No Interest in the Matter** - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or

- (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

**Non-pecuniary Interests** - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

**Committee members are reminded that they should declare and manage all conflicts of interest in respect of any matter on this Agenda, in accordance with the [Code of Conduct](#).**

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## RECORDING OF VOTING ON PLANNING MATTERS

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### **Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters**

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
- (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
- (b) not including the making of an order under that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

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## **OATH AND AFFIRMATION FOR COUNCILLORS**

Councillors are reminded of the oath of office or affirmation of office made at or before their first meeting of the council in accordance with Clause 233A of the Local Government Act 1993. This includes undertaking the duties of the office of councillor in the best interests of the people of Byron Shire and the Byron Shire Council and faithfully and impartially carrying out the functions, powers, authorities and discretions vested under the Act or any other Act to the best of one's ability and judgment.

# **BYRON SHIRE COUNCIL**

## **BUSINESS OF MEETING**

### **1. APOLOGIES**

### **2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**

### **3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

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### **4. STAFF REPORTS**

#### **Infrastructure Services**

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**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

**Report No. 3.1      Adoption of Minutes from Previous Meetings**

5    **Directorate:**                      Infrastructure Services

**File No:**                              I2024/984

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10    **RECOMMENDATION:**

**That the minutes of the Water and Sewer Advisory Committee Meeting held on 30 May 2024 be confirmed.**

**Attachments:**

15

1      Minutes 30/05/2024 Water and Sewer Advisory Committee, I2024/863 , page 9  

# BYRON SHIRE COUNCIL

## ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

### **Report**

The attachment to this report provides the minutes of the Water and Sewer Advisory Committee Meeting of 30 May 2024 .

### **Report to Council**

- 5 The minutes were reported to Council on 27 June 2024.

### **Comments**

In accordance with the Committee Recommendations, Council resolved the following:

- 24-001 Resolved that** Council notes the minutes of the Water and Sewer Advisory Committee Meeting held on 30 May 2024. (Lyon/Ndiaye)

- 24-002 Resolved** that Council adopts the following Committee Recommendation:

#### **Report No. 3.1 Adoption of Minutes from Previous Meeting**

File No: I2024/752

#### **Committee Recommendation 3.1.1**

That the minutes of the Water and Sewer Advisory Committee Meeting held on 21 March 2024 be confirmed. (Lyon/Ndiaye)

- 24-003 Resolved** that Council adopts the following Committee Recommendations:

#### **Report No. 4.1 Infrastructure Services Utilities Monthly status Report - February - April 2024**

File No: I2024/750

#### **Committee Recommendation 4.1.1**

1. That the Water and Sewer Advisory Committee notes the report.
2. That Council writes to the Federal Minister for Communications and Minister for Emergency Management, with a copy to the Australian Local Government Association, asking for changes in federal legislation to reduce the stranglehold that Telcos have on Council's infrastructure such as critical water supply reservoirs. (Lyon/Ndiaye)

10

- 24-004 Resolved** that Council adopts the following Committee Recommendations:

#### **Report No. 4.2 Incident Response Plan and Information Update**

File No: I2024/763

## BYRON SHIRE COUNCIL

### ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

#### Committee Recommendation 4.2.1

1. That the Water and Sewer Advisory Committee notes the report.
2. The Water and Sewer Advisory Committee thank staff for detailed reporting.

(Lyon/Ndiaye)



## Minutes of Meeting

### Water and Sewer Advisory Committee Meeting

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 30 May 2024
Time	11.30am



**BYRON SHIRE COUNCIL**

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

# BYRON SHIRE COUNCIL

## ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

## 3.1 - ATTACHMENT 1

### BYRON SHIRE COUNCIL

WATER AND SEWER ADVISORY COMMITTEE MEETING MINUTES 30 MAY 2024

#### **Minutes of the Water and Sewer Advisory Committee Meeting held on Thursday, 30 May 2024**

**File No:** I2024/863

#### PRESENT:

Councillors:	Cr Cate Coorey	Apology
	Cr Michael Lyon	Present
	Cr Sarah Ndiaye (Chair)	Present
	Cr Duncan Dey	Present
Staff:	Phil Holloway (Director Infrastructure Services)	Present
	Cameron Clark (Manager Utilities)	Present
	Peter Trute (Communications Consultant)	Present
	Chloe Woods (Minute taker)	Present
Community:	Elia Hauge	Apology
	David Fligelman	Present
	Ben Fawcett	Present
	Bruce Clarke	Present

*Cr Sarah Ndiaye (Chair) opened the meeting at 11:38am and acknowledged that the meeting was being held on Bundjalung Country.*

#### ATTENDANCE VIA AUDIO-VISUAL LINK:

There were no attendances via audio visual link

#### APOLOGIES:

Apologies were received from Cr Cate Coorey and Elia Hauge.

#### DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

BYRON SHIRE COUNCIL

WATER AND SEWER ADVISORY COMMITTEE MEETING MINUTES 30 MAY 2024

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ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

**Report No. 3.1 Adoption of Minutes from Previous Meeting**  
**File No: I2024/752**

**Committee Recommendation:**

**That the minutes of the Water and Sewer Advisory Committee Meeting held on 21 March 2024 be confirmed.** (Fawcett/Clarke)

*The recommendation was put to the vote and declared carried.*

*Note: The minutes of the meeting held on 21 March 2024 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 18 April 2024.*

**OTHER BUSINESS**

The Water and Sewer Advisory Committee are seeking to hold an Extraordinary meeting on 19 July 2024 from 10am to 1pm with all Councillors to be invited to review the Consultation Report on the Mullumbimby water supply. Mayor Michael Lyon will write to the General Manager to request the Extraordinary meeting in accordance with the Committee's Constitution.

*David Fligelman joined the meeting at 11:43am.*

*Peter Trute joined the meeting at 11:52am, left the meeting at 12:31pm and did not return.*

*The meeting adjourned at 12:31pm for a short break and reconvened at 12:36pm.*

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STAFF REPORTS - INFRASTRUCTURE SERVICES

**Report No. 4.1 Infrastructure Services Utilities Monthly status Report - February - April 2024**  
**File No: I2024/750**

**Committee Recommendation:**

1. That the Water and Sewer Advisory Committee notes the report.
2. That Council writes to the Federal Minister for Communications and Minister for Emergency Management, with a copy to the Australian Local Government Association, asking for changes in federal legislation to reduce the stranglehold that Telcos have on Council's infrastructure such as critical water supply reservoirs. (Dey/Fligelman)

*The recommendation was put to the vote and declared carried.*

# BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

## BYRON SHIRE COUNCIL

WATER AND SEWER ADVISORY COMMITTEE MEETING MINUTES 30 MAY 2024

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**Report No. 4.2**      **Incident Response Plan and Information Update**  
**File No:**            I2024/763

**Committee Recommendation:**

1. That the Water and Sewer Advisory Committee notes the report.
2. The Water and Sewer Advisory Committee thank staff for detailed reporting.  
(Dey/Lyon)

*The recommendation was put to the vote and declared carried.*

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### FOR INFORMATION ONLY

**Report No. 6.1**      **Development Assessment**  
**File No:**            I2024/746

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*There being no further business the meeting concluded at 1:31pm.*

STAFF REPORTS - INFRASTRUCTURE SERVICES

**Report No. 4.1 Mullumbimby Water Supply Strategy  
Public Consultation Report**

5 **Directorate:** Infrastructure Services  
**Report Author:** Cameron Clark, Manager Utilities  
**File No:** I2024/1032

**Summary:**

10 Byron Shire Council is considering solutions for long-term water security in Mullumbimby due to increasing water demand and inadequate supply from Lavertys Gap weir.

A report by Hydrosphere Consulting identified four scenarios: continue using Lavertys Gap, build an off-stream reservoir, connect to the regional water supply by Rous County Council, or use a new groundwater source. The recommended option is to connect to the regional supply.

15 Public consultation was conducted from June 3 to June 30, 2024, involving a survey and various engagement activities. The survey received 433 submissions. Key findings include:

1. High importance placed on maintaining a separate local water supply.
2. Security of supply, environmental, and economic outcomes deemed very important.
3. Neutral stance on cost-sharing, with a slight preference for distributing costs across Byron Shire.
- 20 4. Majority opposition to connecting to the regional water supply.
5. Scenario 2 (off-stream reservoir) received the most first preferences.

A detailed report on public consultation results is attached.

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**RECOMMENDATION:**

**That the Committee notes the report.**

**Attachments:**

- 30 1 Mullumbimby Water Supply Strategy Public Consultation Report July 2024, E2024/80095 ,  
page 17  

## Report

5 Byron Shire Council is to decide on a solution to provide long-term water security to the town of Mullumbimby. Mullumbimby's demand for water is increasing with development and population growth and water management consultants have concluded that the current water supply, from Lavertys Gap weir on Wilsons Creek, cannot meet forecast demand without the potential for more frequent and severe water restrictions. The current, ageing water system must be upgraded and a new water source is needed to provide future water security.

10 Council commissioned water management consultants Hydrosphere Consulting to look at options for securing Mullumbimby's water supply to 2050 and beyond. Hydrosphere's 2021 report, which is available on Council's website, identified four viable scenarios:

- 1) Keep drawing water from Lavertys Gap weir with no new water sources;
- 2) Build an off-stream storage reservoir between the weir and the town to store high river flows that would normally overtop the weir
- 3) Permanent connection to the regional water supply operated by Rous County Council
- 15 4) Supplementing Mullumbimby's water supply from a new groundwater source.

The consultants and Council's engineering staff recommended Scenario 3 based on the report's environmental, economic and social assessment.

### Public consultation

20 Council resolved at its August, 2023 meeting to undertake community consultation on the findings of the report prior to deciding on a course of action.

25 In April 2024, Council retained communications consultant Peter Trute, author of this report, to conduct the consultation ahead of a decision by Council at its August, 2024 meeting. A stakeholder engagement plan was created and a communications campaign was developed to provide key stakeholders and the broader Byron Shire community with clear, accessible explanations of the findings of the report and the recommendations of the consultants and council staff, and to provide an opportunity for feedback.

30 Information was published on the Your Say section of Council's website and a survey was created for submissions during the public exhibition period from June 3 to June 30, 2024. The public exhibition and survey were promoted via Council newsletter, social media, print and radio advertising, media releases, market stalls and public information sessions. Stakeholder engagement included media interviews, public information sessions and meetings with representatives of the Mullumbimby Residents' Association and Water Northern Rivers.

A detailed report on the public consultation and stakeholder engagement activities is provided in Chapter 3.

35 Results of public exhibition period and online survey

The "Have your say on securing Mullumbimby's water supply" Your Say page received 976 page views during the public exhibition period and was the third-most-viewed Your Say page for the April-June 2024 quarter.

# BYRON SHIRE COUNCIL

## STAFF REPORTS - INFRASTRUCTURE SERVICES

4.1

The survey asked participants to respond to five questions and provided two free text fields for further comments.

The questions were:

- 5        1) How important is it to you that the town remains on a separate local water supply? (ranked from Not at all important to Extremely important)
- 2) Which issues are most important for you when considering Mullumbimby's future water supply – security of supply, environmental outcome, economic outcome (ranked from Not at all important to Extremely important)
- 10       3) Please indicate your support for the following options for meeting this cost – higher water rates in Mullumbimby, cost shared equally across Byron Shire (ranked from Strongly oppose to Strongly favour)
- 4) Do you support the recommendation to connect Mullumbimby to the regional water supply operated by Rous County Council? (options: Yes, Unsure/Neutral, No)
- 5) Please rank the scenarios listed below in order of preference (Scenarios ranked from 1 to 4)
- 15       A total of 433 submissions were received.

For Question 1, the majority of responses ranked maintaining a separate water supply as extremely important.

For Question 2, the majority of responses ranked security of supply, environmental outcome and economic outcome as extremely important.

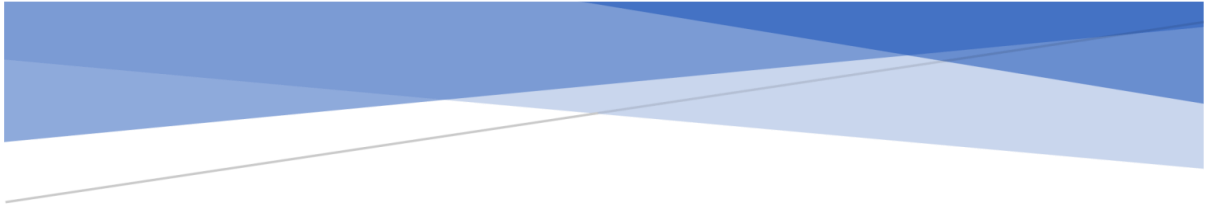
- 20       For Question 3, the majority of responses were Neutral, followed by favouring sharing of cost across Byron Shire

For Question 4, the majority of responses did not support the recommendation to connect to the regional water supply.

For Question 5, the largest number of first preferences were for Scenario 2.

- 25       A detailed analysis of the results is provided in Attachment 1 of this report.





# MULLUMBIMBY WATER SUPPLY STRATEGY

Public consultation report

Public engagement activity and community feedback on  
scenarios identified for Mullumbimby's future water supply

Prepared by Peter Trute  
Communications Consultant

July 2024

Disclaimer: This report has been prepared on behalf of and for the exclusive use of Byron Shire Council. This report is subject to and issued in accordance with the agreement between Byron Shire Council and the report author, Peter Trute. Peter Trute accepts no liability or responsibility whatsoever in respect to any use of or reliance on this report by any third party. Copying this report without the permission of Byron Shire Council or the author is not permitted.

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## Executive Summary

Byron Shire Council is to decide on a solution to provide long-term water security to the town of Mullumbimby. Mullumbimby's demand for water is increasing with development and population growth and water management consultants have concluded that the current water supply, from Lavertys Gap weir on Wilsons Creek, cannot meet forecast demand without the potential for more frequent and severe water restrictions. The current, ageing water system must be upgraded and a new water source is needed to provide future water security.

Council commissioned water management consultants Hydrosphere Consulting to look at options for securing Mullumbimby's water supply to 2050 and beyond. Hydrosphere's 2021 report, which is available on Council's website, identified four viable scenarios:

- 1) Keep drawing water from Lavertys Gap weir with no new water sources;
- 2) Build an off-stream storage reservoir between the weir and the town to store high river flows that would normally overtop the weir
- 3) Permanent connection to the regional water supply operated by Rous County Council
- 4) Supplementing Mullumbimby's water supply from a new groundwater source.

The consultants and Council's engineering staff recommended Scenario 3 based on the report's environmental, economic and social assessment.

### Public consultation

Council resolved at its August, 2023 meeting to undertake community consultation on the findings of the report prior to deciding on a course of action.

In April 2024, Council retained communications consultant Peter Trute, author of this report, to conduct the consultation ahead of a decision by Council at its August, 2024 meeting. A stakeholder engagement plan was created and a communications campaign was developed to provide key stakeholders and the broader Byron Shire community with clear, accessible explanations of the findings of the report and the recommendations of the consultants and council staff, and to provide an opportunity for feedback.

Information was published on the Your Say section of Council's website and a survey was created for submissions during the public exhibition period from June 3 to June 30, 2024. The public exhibition and survey were promoted via Council newsletter, social media, print and radio advertising, media releases, market stalls and public information sessions. Stakeholder engagement included media interviews, public information sessions and meetings with representatives of the Mullumbimby Residents' Association and Water Northern Rivers.

A detailed report on the public consultation and stakeholder engagement activities is provided in Chapter 3.

**Results of public exhibition period and online survey**

The “Have your say on securing Mullumbimby’s water supply” Your Say page received 976 page views during the public exhibition period and was the third-most-viewed Your Say page for the April-June 2024 quarter.

The survey asked participants to respond to five questions and provided two free text fields for further comments.

The questions were:

- 1) How important is it to you that the town remains on a separate local water supply? (ranked from Not at all important to Extremely important)
- 2) Which issues are most important for you when considering Mullumbimby’s future water supply – security of supply, environmental outcome, economic outcome (ranked from Not at all important to Extremely important)
- 3) Please indicate your support for the following options for meeting this cost – higher water rates in Mullumbimby, cost shared equally across Byron Shire (ranked from Strongly oppose to Strongly favour)
- 4) Do you support the recommendation to connect Mullumbimby to the regional water supply operated by Rous County Council? (options: Yes, Unsure/Neutral, No)
- 5) Please rank the scenarios listed below in order of preference (Scenarios ranked from 1 to 4)

A total of 411 valid submissions were received.

For Question 1, the majority of responses ranked maintaining a separate water supply as extremely important.

For Question 2, the majority of responses ranked security of supply and environmental outcome as extremely important, and economic outcome as neutral.

For Question 3, the majority of responses were Neutral, followed by favouring sharing of cost across Byron Shire

For Question 4, the majority of responses did not support the recommendation to connect to the regional water supply.

For Question 5, the largest number of first preferences were for Scenario 2.

A detailed analysis of the results is provided in Chapter 4 of this report.

## 1. Introduction

### Background

Mullumbimby's current water supply comes from the historic Lavertys Gap weir. All other towns and villages in Byron Shire draw water from Rous County Council's regional water supply, which also services Ballina, Lismore and Casino.

Mullumbimby's water supply flows from the weir through an open channel and tunnel to the Mullumbimby water treatment plant (WTP), which was built in 1940. The weir and channel were constructed in the 1920s to supply water to Mullumbimby and the former Mullumbimby hydro-electric scheme.

In 2021 Council engaged consultants (Hydrosphere) to investigate the future delivery of Mullumbimby's water and provide a recommendation for giving residents and businesses reliable access to clean water at a reasonable price.

Hydrosphere concluded that, if the weir supply continues to be used, the open channel is in poor condition and the raw water transfer system must be upgraded. The ageing WTP will also require replacement to ensure continued supply of safe drinking water.

### Hydrosphere report and recommendation

The Hydrosphere report, Mullumbimby Water Supply Strategy (December 2021), identified four scenarios for Mullumbimby's future water supply.

The outcome scenarios were:

- 1. Keep using Lavertys Gap weir with no new water source (up-front cost - above \$14.4 million) System upgrades and a new water treatment plant (WTP) will be needed and beyond 2027 water restrictions may increase.
- 2. Build a new off-stream reservoir to store high flows that overtop the weir (up-front cost – above \$36 million) - System upgrades and new WTP will also be required. This scenario could provide a secure water supply until about 2060.
- 3. Permanent connection to the Rous regional water supply (up-front cost above \$4.2 million. Recommended by consultants and council staff) - Permanent connection to the regional water supply means water is no longer drawn from the weir and a new WTP is not needed. Rous currently provides to towns and villages in the Byron Shire, with the exception of Mullumbimby.
- 4. Supplementing the existing Lavertys Gap weir supply with a new groundwater source (up-front cost – above \$18.1 million) - Investigations will be needed to identify a viable groundwater source and a new WTP will be required.

Scenario 3 - permanent, full connection to the Rous regional water supply - is the option recommended by Hydrosphere and Byron Shire Council engineering staff, based on the environmental, economic and social assessment. The Hydrosphere report concluded:

*“Based on the TBL assessment, the most favourable scenario is S3: Permanent connection to the RCC regional supply. This scenario would have minimal environmental impact and the security of supply is only limited by the security of the RCC regional supply. Social acceptance of this scenario has not yet been determined but when other factors such as*

*energy consumption, infrastructure modifications and required investment are considered, the regional supply has significant benefit over the local scenarios. The NPV of the regional scenario is the lowest of all scenarios. There are significant capital cost savings in avoiding the need to replace the Mullumbimby WTP and upgrade the weir supply in addition to constructing new infrastructure, however, the ongoing costs of a regional supply are higher than local scenarios."*

(Mullumbimby Water Supply Strategy, Hydrosphere Consulting page VIII)

## 2. Public consultation

Council resolved at its August, 2023 meeting to undertake community consultation on the findings of the report prior to deciding on its course of action for Mullumbimby's future water security. In April, 2024, Council retained external communications consultant Peter Trute, the author of this report, to conduct the public consultation. The public consultation included creation of a stakeholder engagement plan, management of communications content and collateral, stakeholder engagement and the design and conduct of a community survey during a 28-day public exhibition period, which ran from June 3 to June 30, 2024.

### Content created

A communications campaign was created to provide the Byron Shire community with clear and accessible explanations of the findings of the report and the recommendations of the consultants and council staff. The content and collateral created is listed here:

- **Your Say page:** A page titled "Have your say on securing Mullumbimby's water supply" was launched on the Your Say section of the Byron Shire Council website on June 3 to open the public consultation period and provide online access to the community survey.



*Your Say page on Byron Shire Council website*

The Your Say page featured background information, a clear summary of each of the four Scenarios identified in the 173-page Hydrosphere report and an at-a-glance table providing a description of each Scenario and its associated costs.

### Mullumbimby's water supply scenarios

The consultant's report short-listed four water supply scenarios, summarised below.

Each scenario has associated benefits and costs.

Council's engineering staff recommend Scenario 3 – permanent connection to the Rous County Council water supply.

For each scenario, some factors remain the same, including:

- continued use of the weir and Water Treatment Plant (WTP) in the short term
- short- term WTP upgrades to ensure consistent, safe water supply
- extension of the Rous County Council emergency bulk water supply connection to all of Mullumbimby.

View [Comparison of water supply scenarios table](#)

Background information

+

Scenario 1 - Keep drawing water from Lavertys Gap weir with no new water sources

+

Scenario 2 – Off-stream storage

+

Scenario 3 – Full connection to Rous County Council

+

Scenario 4 – Groundwater

+

*Background information and Scenario summaries on Your Say page*

A link to the Community Survey was provided, as well as a timeline for the public consultation and decision-making process and information about public information sessions.

Links to download the full Hydrosphere report and the report's Executive Summary were also provided.

The "Have your say on securing Mullumbimby's water supply" Your Say page received 976 page views during the public exhibition period and was the third-most-viewed Your Say page for the April-June 2024 quarter, after the Byron

The Community Survey closed at the end of the public consultation period on June 30, 2024.

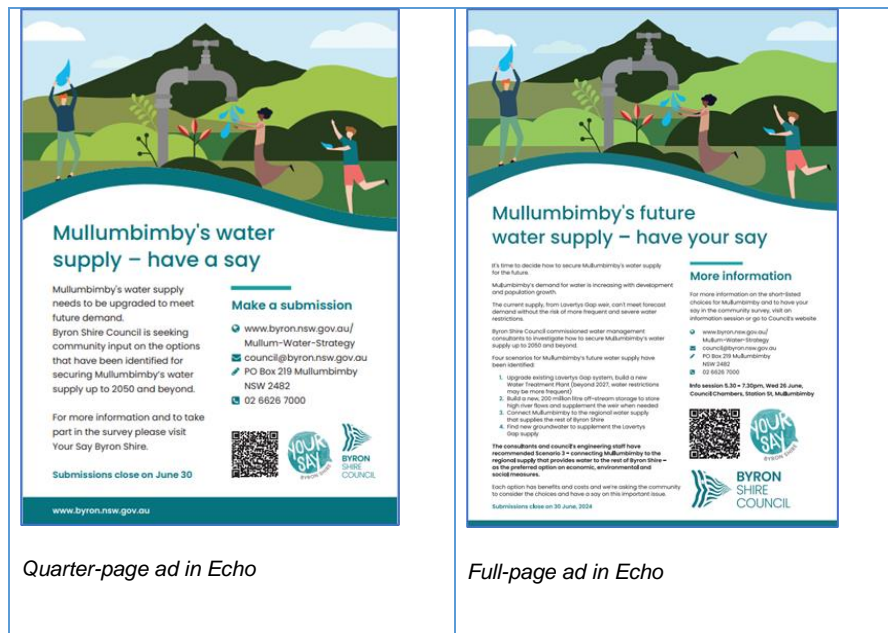
The Your Say page is at this link: [Have your say on securing Mullumbimby's water supply - Byron Shire Council \(nsw.gov.au\)](#)



- Advertising

Print advertisements were published in the Byron Shire Echo newspaper.

Quarter-page ads ran in the early general news pages of the Echo on June 5, 12, 19 and 26. A full-page ad ran in the early general news pages of the Echo on June 26.



A radio ad to raise awareness of the consultation period and community survey ran on Byron Bay community radio station Bay FM from June 3 to 16 during the Breakfast and Drive slots. The script of the ad was:

*Mullumbimby's water supply needs to be upgraded to meet future demand.*

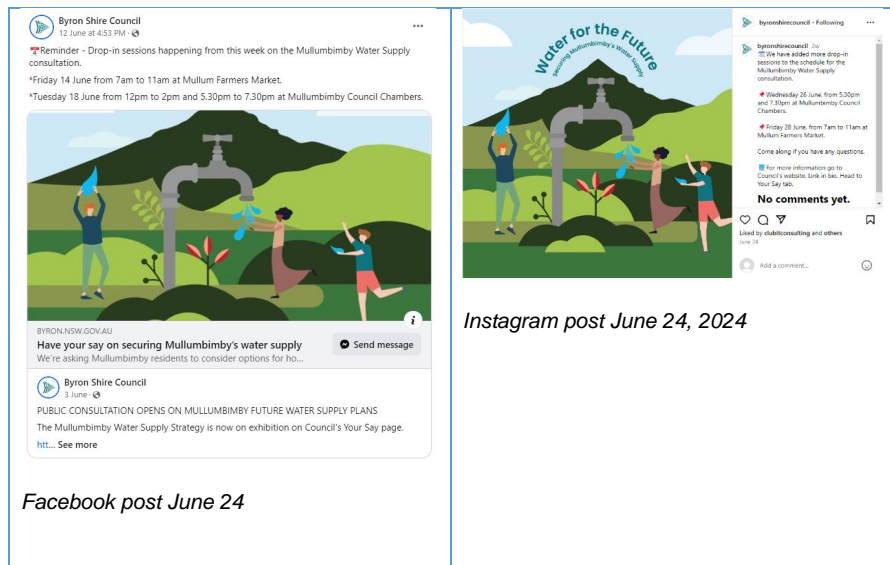
*Byron Shire Council is seeking community input on the options that have been identified and recommended for securing Mullumbimby's water supply up to 2050 and beyond.*

*To find out more and to make your views known in the community survey, go to the Your Say section of Council's website at [byron.nsw.gov.au](http://byron.nsw.gov.au)*

*Submissions close on June 30.*

### Council communications- social media

The public consultation, Community Survey and information sessions were promoted on the Byron Shire Council Facebook and Instagram accounts during the public exhibition period



### Council communications- E News

A link to the public consultation on Mullumbimby's water supply was included in the Community E News newsletters distributed on June 14 and June 28.

There were 25 clicks on the link in the June 14 E News, which was sent to 16,660 recipients, had a 50.2 percent open rate and 1,870 clicks across all links.

There were 24 clicks on the link in the June 28 E News, which was sent to 16,624 recipients, had a 47 percent open rate and 1,397 clicks across all links.

## 3. Stakeholder engagement

### Media engagement

Media releases detailing the public consultation on Mullumbimby's future water supply were distributed on June 3 and June 25, 2024.

The June 3 release, "Public consultation opens on Mullumbimby future water supply plans", was viewed 95 times on the Council website and resulted in a TV news report on NBN News, "Mullumbimby's water supply at risk" on June 3.

The June 25 release, "Final week to comment on Mullumbimby's future water supply plans" was viewed 117 times on the Council website.

Byron Shire Mayor Michael Lyon was interviewed on ABC North Coast radio's breakfast program on July 21.

Byron Shire Council Manager, Utilities Cameron Clark was interviewed for community radio station Bay FM's Eco Futures program on June 26.

The Byron Shire Echo ran four stories on Mullumbimby's water supply during the public consultation period, listed here:

- "The push is on to preserve Mullum's local water supply" June 5 article by Water and Sewer Advisory Committee member Ben Fawcett supporting Scenario 2.
- "A deeper dive into plans to abandon Mullum's local water supply" June 12 article citing concerns by Greens candidate for council Elia Hauge about consultation process.
- "Questions remain unanswered over Mullum's water strategy" June 19 article citing concerns by Ben Fawcett and Elia Hauge over questions they say have not been answered about the Mullumbimby Water Supply Strategy
- "Conflict claims rejected over Mullum's future water plans" June 26 article reporting that Ben Fawcett, Elia Hauge and Cr Duncan Dey claim Hydrosphere has a perceived non-pecuniary conflict of interest in working for multiple clients. Article included Hydrosphere response that it does not have any conflict of interest in undertaking work for multiple clients.

#### Drop-in sessions at Council Chambers

Information sessions were held at the Council Chambers in Mullumbimby on June 18 from 12pm-2pm and 5.30pm-7.30pm. Present at both sessions were BSC Manager Utilities, Cameron Clark, Hydrosphere consultant Robyn Campbell and communications consultant Peter Trute.

The 12pm session was attended by six people. Comments from attendees were:

- One resident of Wilsons Creek Rd supplied with water from the trunk main said he did not want a water tank and wanted town water
- Another trunk main customer said she had not seen the information session advertised
- On the question of meeting the cost of Mullumbimby's water supply, one resident asked what services are already subsidised across the Shire and asked who paid the cost of sandbagging at Belongil Beach. Said he wanted equitable treatment.

The 5pm session was attended by five people. Comments included:

- Attendee asked about government grants for work. Council representative responded that a grant is not likely for Mullumbimby stand-alone project, more likely for regional project.
- Attendee comment: "The people who set (the weir) up had a great vision. I'm biased in support. If it's coming down to a money factor I'd hope that council look into their funding sources"
- Attendee said he did not believe the cost estimates in the Hydrosphere report.

Another information session was held at the Council Chambers on June 26 from 5.30pm-7.30pm. Present were BSC Manager Utilities, Cameron Clark, Hydrosphere consultant Robyn Campbell and communications consultant Peter Trute.

Eleven people attended. All were residents of properties served by the trunk main or representatives of property owners. Some residents have lengthy family histories in the area, some had purchased recently. Cameron Clark and Robyn Campbell answered questions.

Questions and comments included:

- Concern about Section 12.7.4 of the Hydrosphere report indicating that potable water supply will be taken away
- Concern about impact on land value if town water supply is removed and compensation
- Comment that water supply change should not be at the expense of business, livelihood and land value
- Resident asked do 13 affected property owners have an extra say?
- Concern that info sessions were not adequately promoted. Residents say they heard about them via neighbours. Wanted direct contact.

- Question whether council has sought legal advice on disconnecting a ratepayer from potable water supply
- Comment that council has never paid compensation for water mains passing through properties
- Comment that state of raw water channel indicates insufficient budget for maintenance
- Question about impact if trunk main supply not available to Energy Australia and APA substations located in the area
- Request for direct contact to 13 property owners after the meeting. Contact details supplied.
- Comment that not enough research has been done on maintaining potable supply
- Question about water supply for firefighting access points on Wilsons Creek Rd
- Question if part of trunk main can be used as a backfeed for potable water
- Comments that in addition to residential use, town water provides a backup for properties using onsite water for business activities such as livestock and market garden

Responding to questions on S12.7.4 mention of “alternative supplies (e.g. rainwater tanks)” Robyn Campbell referred to S13.1 “Servicing of trunk main customers is yet to be resolved for all options”. Issues include ensuring water treatment meets standards. Cameron Clark advised that servicing of trunk main customers will need to be determined in consultation with property owners once the water supply scenario for Mullumbimby is decided. Undertaken to follow up the trunk main customers following the meeting. Contact details recorded.

#### Information stalls at Mullum Farmers Market

Council information stalls were run at Mullum Farmers Market on Friday June 14 and Friday June 28. Present were BSC Manager Utilities, Cameron Clark, Hydrosphere consultant Robyn Campbell and communications consultant Peter Trute.



*Information stall at Mullum Farmers Market*

On June 14, 55 people were spoken to. Two hard copy surveys were taken. Seven people said they were in favour of offstream storage. Three were in favour of connection to Rous. Most people listened to information but expressed no preference. Two people expressed a belief that Rous County Council is a corporation seeking to increase profits. The regional council structure was explained.

On June 28, 40 people were spoken to. Many said they had already completed the online survey. One said the survey design was too complicated. Two hard copy surveys were completed.

Information stall at Byron Farmers Market

The Mullumbimby Water Supply Strategy team joined Council's pop-up information session at Byron Farmers Market on June 20. A total of 23 people were spoken to and two hard copy surveys were done.

Comments included concern about microplastics in water and risk in regional connection, a question about Rous taking over Lavertys Gap, concern about loss of heritage if Lavertys Gap weir is not used. A Suffolk Park resident said she wants to keep Mullumbimby separate because multiple sources of water are better.

Meeting with Mullumbimby Residents' Association

Council offices June 19, 2024

Attendees: Dale Emerson, MRA Convener; Gay Laverty, MRA; Noelle Maxwell, MRA. Cameron Clark, BSC; Robyn Campbell, Hydrosphere; Peter Trute, consultant.

Cameron Clark described the project, public exhibition period and current extension of Mullumbimby's emergency connection to the Rous regional water supply.

Gay Laverty described family history at Lavertys Gap. Would like to see weir rehabilitated for heritage. Content to accept expert recommendation on supply.

Noelle Maxwell said current supply is a resource that belongs to the town. Supports keeping connection to take pressure off the regional system. Asked why emergency water connection is more expensive.

*(NOTE: Answer sourced from Rous 3/7/24: The Emergency Mullumbimby supply is currently charged as a Special Approved Connection. This is a charge for a temporary connection where no payment for capital headworks have previously been made. The special approved connection rate will remain whilst Mullumbimby connection remains as a temporary emergency supply. A permanent connection would result in Rous's Bulk Water headwork charges being levied on new developments in the Mullumbimby supply zone.)*

Peter Trute asked about a Submission Guide produced by MRA to guide residents' responses to the online Community Survey. Response from Dale Emerson that MRA relied on people with a different opinion of how the report should be done.

*(NOTE: Details of MRA Submission Guide in Chapter 4 below)*

Dale Emerson said MRA wanted more information. Critical of the level of IAP2 engagement in the public consultation as low.

*(NOTE: IAP2 level for the consultation = Inform and Consult)*

Referred to previous correspondence with BSC Mayor and General Manager dated 28/11/23 detailing Resolution 23-365 to consult and inform community in a meaningful way, North Coast Enabling Regional Adaptation Report, and questions put to council about process of meaningful engagement.

Said dates of public info sessions were not available on the website. Peter Trute explained that dates were published on website but were not finalised at start of exhibition period.

Dale Emerson said consultation should extend to Chamber of Commerce, sports clubs, churches. Called for a citizens' assembly to decide issue.

*(NOTE: The Mullumbimby Chamber of Commerce was provided with information and offered a meeting but did not proceed.)*

Dale Emerson requested explanation of how the Multi-Criteria Analysis in the Hydrosphere report was produced. Request taken on notice by Cameron Clark.

#### Meeting with Water Northern Rivers

25 June 2024

10am Byron Shire Council offices

Attendees: Nan Nicholson, WNR; Kathryn McConnochie, WNR; Jim Richardson, WNR; Cameron Clark, BSC; Robyn Campbell, Hydrosphere; Peter Trute, consultant.

Nan Nicholson concerned with water security in the Rous water supply system.

Jim Richardson asked is consultation process about “tweaking the preferred option”.

Cameron Clark responded process is seeking feedback on all options.

Peter Trute detailed public information nature of consultation.

Nan Nicholson asked how potential blowout in cost of potential Dunoon Dam might affect water costs for Mullumbimby and Byron Shire ratepayers. Cameron Clark responded Rous has confirmed Mullumbimby incremental demand is not relevant to case for dam whether built or not.

Peter Trute asked if WNR has a position on whether Mullumbimby should be charged separately for water or costs should be defrayed across entire Shire. Jim Richardson said that hasn’t been discussed and WNR position is neutral on that point.

Jim Richardson asked about engagement with NSW DPE on its 2023 Far North Coast Regional Water Strategy? Action 4.3 of strategy “Support regional scale, adaptive decision making for town water supplies in the Far North Coast”.

Cameron Clark responds - has discussed Byron actions and plans with DPE and they are satisfied with council current plans.

Nan Nicholson asked if Dunoon Dam built and there is a cost blowout how will that affect ratepayers across four LGAs supplied by Rous. Peter Trute to follow up with Rous.

Nan Nicholson asked about demand management. Cameron Clark replies demand management is part of BSC strategy.

Jim Richardson asked about consultation with indigenous stakeholders. Cameron Clark replies consultation to be done if required once a decision reached.

Nan Nicholson asked how has Rous accounted for future cost of supply augmentation?

Concerned six Rous councillors support Dunoon Dam construction.

Final statement from Jim Richardson for WNR: Permanent connection to Rous is premature until Rous has firmed up its rainfall-independent water supply.

## 4. Your Say Survey

#### Survey Description

The community survey was run online and was also available in hard copy at information sessions and at the Council office in Mullumbimby. The survey asked participants to respond to five questions and provided two free text fields for further comments.

The questions were:

- 1) How important is it to you that the town remains on a separate local water supply? (ranked from Not at all important to Extremely important)

- 2) Which issues are most important for you when considering Mullumbimby's future water supply – security of supply, environmental outcome, economic outcome (ranked from Not at all important to Extremely important)
- 3) Please indicate your support for the following options for meeting this cost – higher water rates in Mullumbimby, cost shared equally across Byron Shire (ranked from Strongly oppose to Strongly favour)
- 4) Do you support the recommendation to connect Mullumbimby to the regional water supply operated by Rous County Council? (options: Yes, Unsure/Neutral, No).  
A free text field was provided with the request: *"Please add any comments to explain your answer"*.
- 5) Please rank the scenarios listed below in order of preference (Scenarios ranked from 1 to 4).  
A free text field was provided to respond to the question: *"Once a preferred approach has been identified, we will do detailed investigations and design to implement a secure water supply for Mullumbimby. Is there anything else you wish Council to consider?"*

#### Survey Results

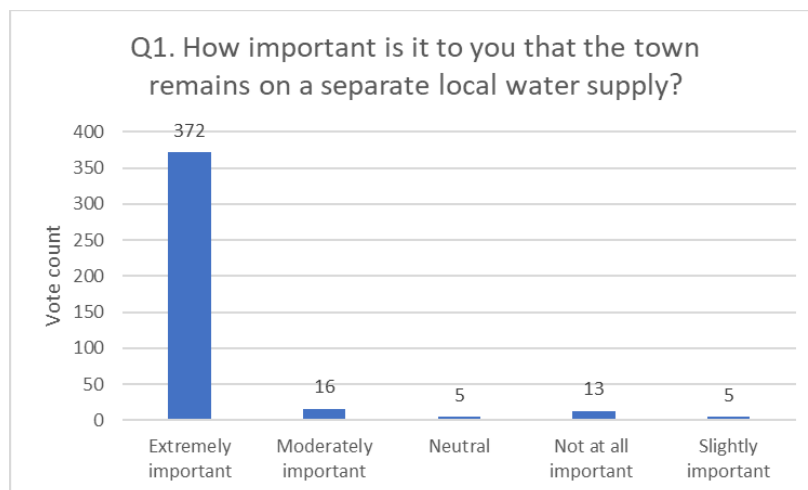
The results for each question are listed below.

#### A NOTE ON THE SURVEY RESULTS: Mullumbimby Residents' Association Submission Guide

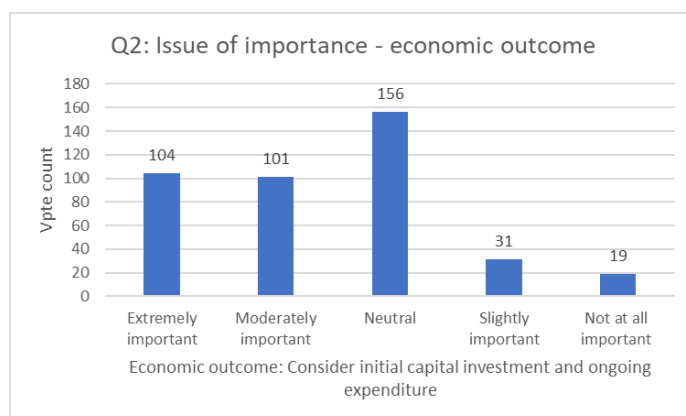
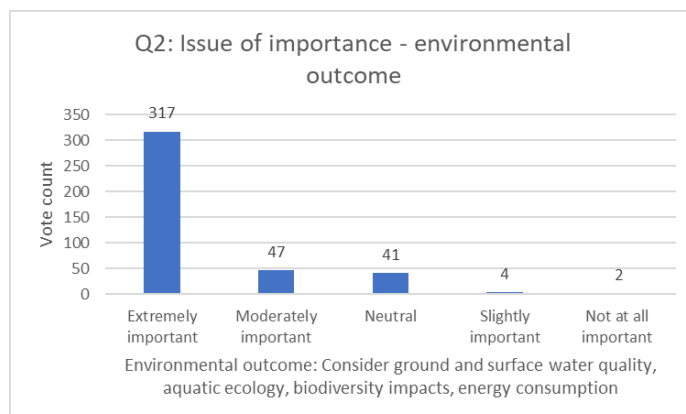
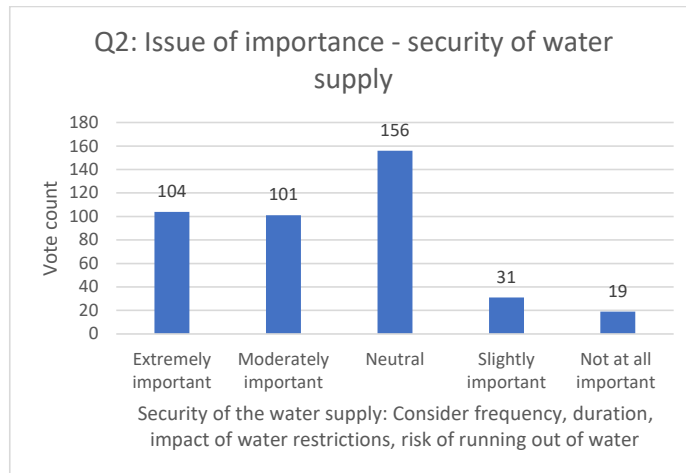
The Mullumbimby Residents' Association (MRA) produced a guide for completing the survey to advocate for the adoption of Scenario 2. The Submission Guide was hosted online on the Water Northern Rivers website and was distributed in hard copy. A significant proportion of the survey responses to each question align with the responses suggested in the submission guide.

A copy of the submission guide is included at Appendix 1 for information.

For Question 1, of 411 responses, 372, or 91%, ranked remaining on a local water supply as extremely important.



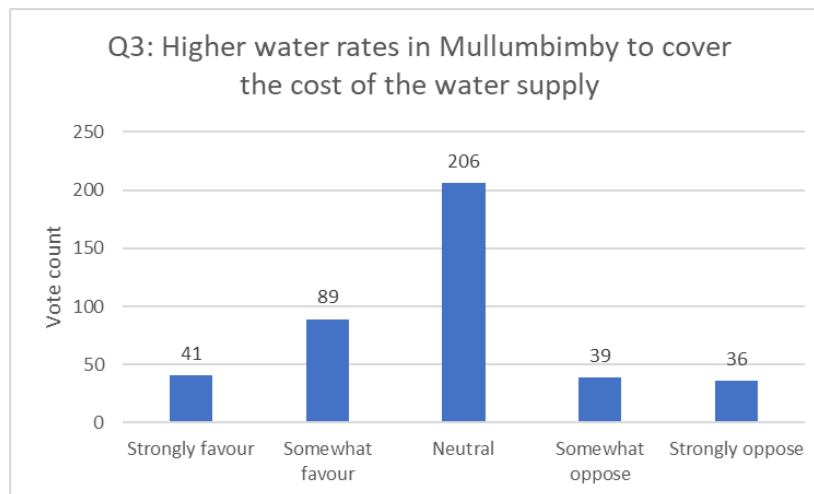
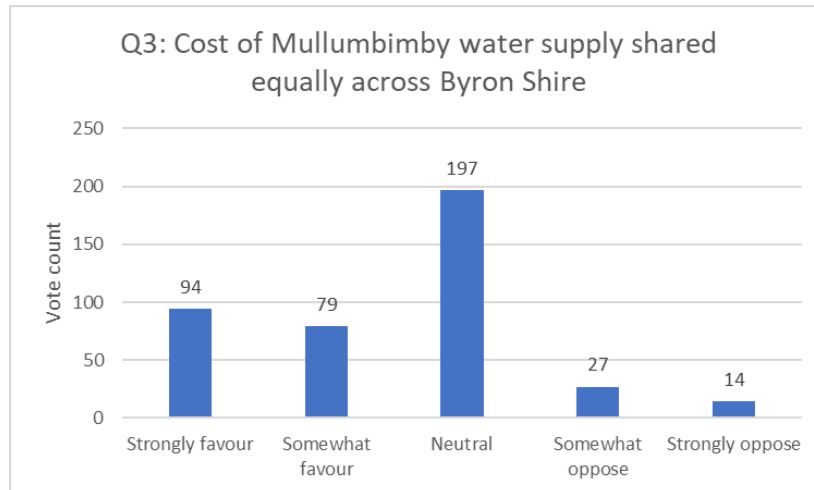
For Question 2, security of water supply and environmental outcome ranked the same, with 77% of responses ranking them extremely important. Economic outcome was ranked: Extremely important – 25.3%; Moderately important – 24.5%; Neutral – 37.9%; Slightly important – 7.5%; Not at all important – 4.6% (results rounded)



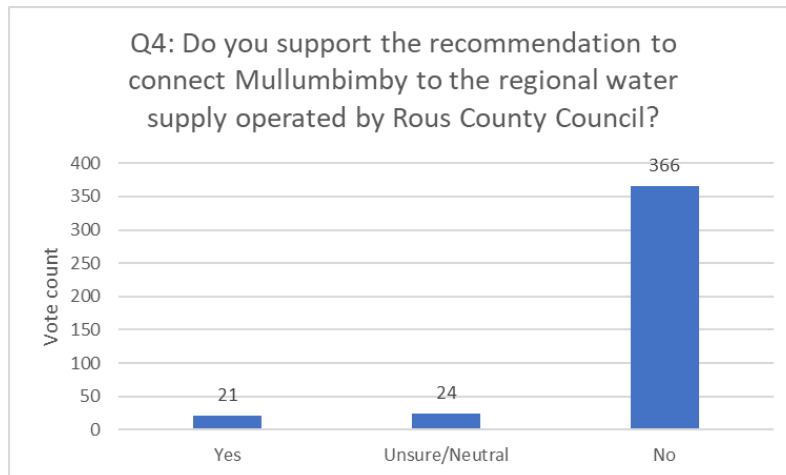


Question 3 sought an indication of how the community wished to meet the cost of a separate water supply for Mullumbimby in the event a local supply was the chosen scenario. The most common response was “Neutral”, which aligns with the suggested response in the MRA Submission Guide. The Submission Guide described Q3 as “fear-based questions” and recommended answering “Neutral” to both.

Of the 94 “Strongly favour” responses for sharing the cost of Mullumbimby’s water supply equally across Byron Shire, 35 respondents were from Mullumbimby.



Question 4 asked if respondents supported the recommendation of the consultant and Council staff to connect Mullumbimby to the regional water supply. Of 411 responses, 366, or 89 percent, did not support the recommendation.

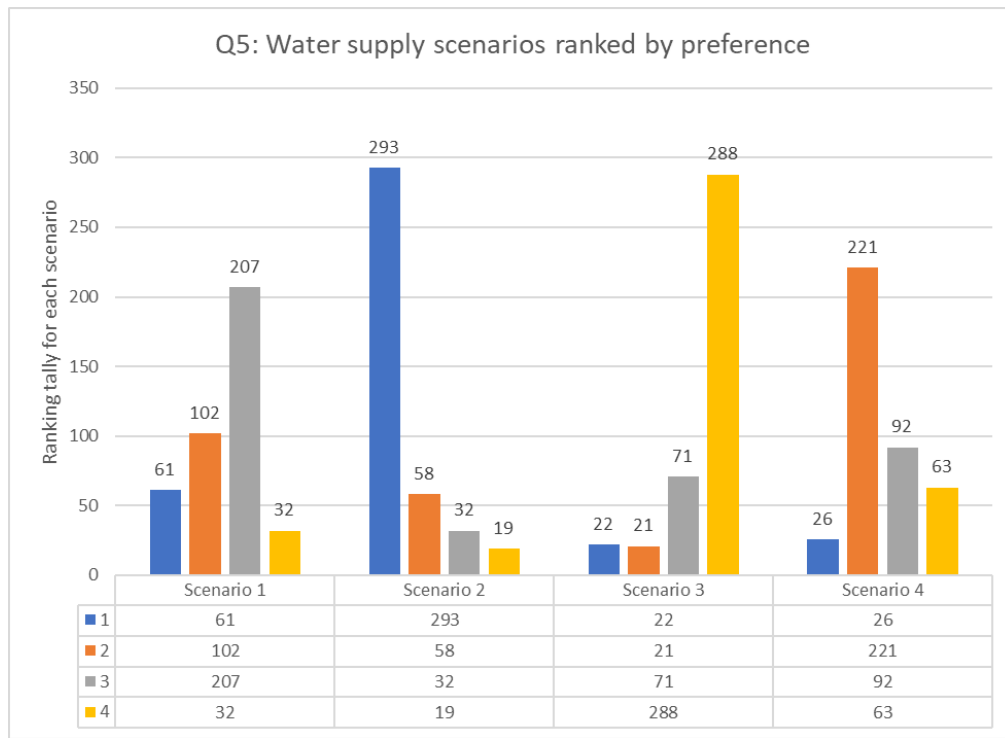


A free text field was provided with the request: *“Please add any comments to explain your answer”*. Responses have not been published pending legal advice.

Question 5 asked respondents to rank the four scenarios in order of preference, from 1 for most preferred, to 4 for least preferred. Scenario 2 gathered the highest number of first preference rankings. Scenario 3 gathered the highest number of fourth preference rankings.

Note: A number of responses were incomplete or contained blank fields and could not be included in the count. A total of 402 responses were counted for Question 5.

(See chart on next page)



#### FREE TEXT FIELD

A free text field sought responses to the question: “Once a preferred approach has been identified, we will do detailed investigations and design to implement a secure water supply for Mullumbimby. Is there anything else you wish Council to consider?”. Responses have not been published pending legal advice.

#### COMMON THEMES IN FREE TEXT RESPONSES

A number of questions and concerns emerged in comments. Below are some answers to the most common questions

##### Dunoon Dam

Many comments express concern that connecting Mullumbimby to the Rous regional water supply will support the case for construction of Dunoon Dam. Byron Shire Council has sought advice from Rous County Council on this issue and has been advised that the additional demand created by Mullumbimby represents about four percent of current water supplied by Rous to the region. Rous has advised that there would be no requirement to augment its supply to connect Mullumbimby. This information was included on the Your Say page.

A report to Rous County Council’s June 19 meeting noted “There would be no requirement/s to augment the Rous bulk distribution network to enable the permanent connection of Mullumbimby.”

The report concluded “The additional demand on the Rous bulk water supply that would be created through a permanent connection to Mullumbimby would represent approximately 4 percent of current bulk water supplies to the region. Considering the projected population growth of the region, the portion Mullumbimby represents would be expected to be closer to 5 per cent by 2050.

#### Fluoride

A number of comments express a concern that water supplied by Rous County Council to Mullumbimby, in the event of connection to the regional supply, would be fluoridated.

This is not true. No water supplied to Byron Shire by Rous County Council contains fluoride.

#### Climate change considerations

A number of comments included a statement that “the consultant’s report did not appropriately consider climate disasters” or similar.

In the 2019/20 drought the Rous emergency connection was activated from 23 December 2019 to 21 January 2020.

In the 2022 floods Mullumbimby’s water supply went offline on February 27 and staff were unable to access the Water Treatment Plant until March 1 because of flooding and damaged access roads. Because the Water Treatment Plant was unable to treat water, the emergency supply connection was activated and water restrictions were put in place. Mullumbimby relied on the emergency connection to Rous water for two weeks and used more than 13,300 kilolitres. Water quality for the rest of the shire was not affected. Rous water production from Rocky Creek Dam continued.

In regards to climate modelling used in the report, Hydrosphere Consulting has confirmed that the supply yield for each scenario in its report was determined using the NSW Governments security of supply methodology including climate change considerations in accordance with the *Guidelines on Assuring Future Urban Water Security* (NSW Office of Water, 2013). These were the accepted guidelines available at the time and although climate change modelling is continually evolving, there is no other industry-based approach advocated by the NSW Government at this time.

A detailed response from Hydrosphere Consulting is at Appendix 2.

#### Conflict of interest

Some comments have made claims that the consultant has a conflict of interest.

Hydrosphere is an independent consultancy that has done work for Rous, Byron, Tweed, Ballina, Lismore, Richmond Valley, Clarence Valley and Tenterfield councils and has deep knowledge of the water supply systems across our region.

The report on Mullumbimby was completed in 2021 and has been discussed in committee and council meetings. There has been no complaint made to council about a conflict of interest. The consultant has given advice based on data and technical expertise and has nothing to gain from making these recommendations.

In a statement to the Byron Shire Echo on June 17, 2024 in response to a question from the newspaper, Hydrosphere Consulting said: “Hydrosphere Consulting does not have any conflict of interest in undertaking work for multiple clients. Hydrosphere Consulting, as with other consulting companies, performs work for numerous state and local government agencies in the region. Our focus is environmental and water management. The agencies

we undertake work for have dove-tailing responsibilities with respect to water management and it is therefore logical that work we undertake for the different agencies touches on the same issues from different perspectives.” The full Hydrosphere statement is available at Appendix 3.

#### Report methodology/multi-criteria analysis (MCA)

Hydrosphere Consulting has provided information about its report methodology.

The MCA is based on integrated water cycle management planning principles advocated by the NSW Government for this sort of project.

The report acknowledges that community consultation was not undertaken at the time of the assessment as it was Council’s preference to present the report to the public for feedback. The predicted level of community acceptance was compared based on the expected frequency, duration and severity of restrictions, the extent of investment (cost to ratepayers), infrastructure modifications, energy requirements and service delivery required for each scenario.

The supply yield for each scenario was determined using the NSW Government security of supply methodology including climate change considerations in accordance with the *Guidelines on Assuring Future Urban Water Security* (NSW Office of Water, 2013). These were the accepted guidelines available at the time and although climate change modelling is continually evolving, there is no other industry-based approach advocated by the NSW Government at this time.

Supply scenarios based on the short-listed options were developed to identify feasible supply arrangements, infrastructure requirements, costs and key considerations. The scenario comparison methodology used in this project and TBL assessment criteria were developed with consideration of the comparison of options and the IWCM Information Sheet 2 - *Evaluation of integrated water cycle management scenarios* (NSW Department of Industry, 2019).

Economic criteria included capital and operating cost and 30-year net present value. All capital costs were presented as budget estimates based on market rates from comparable projects. All operating costs were presented as budget estimates based on the cost rates applicable at the time. All costs are subject to price escalation, changing market forces, availability of materials and detailed design.

Weightings were assigned to each criterion based on relative importance so that the sensitivity of the weightings can be tested. Changing the weightings does not change the outcomes of the MCA ranking. In all criteria, scenario 3 (regional connection) ranked the highest.

A detailed response from Hydrosphere Consulting is at Appendix 2

#### Location of respondents

Survey respondents were asked to indicate their suburb or village

Bangalow	1
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# BYRON SHIRE COUNCIL

## STAFF REPORTS - INFRASTRUCTURE SERVICES

## 4.1 - ATTACHMENT 1

Billinudgel	2
Binna Burra	1
Broken Head	1
Brunswick Heads	23
Byron Bay	17
Coopers Shoot	1
Coorabell	1
Ewingsdale	3
Federal	3
Goonengerry	4
Huonbrook	4
Main Arm	11
Montecollum	2
Mullumbimby	225
Mullumbimby Creek	25
Myocum	12
New Brighton	1
Newrybar	1
Ocean Shores	16
Possum Creek	1
Rosebank	1
South Golden Beach	4
Suffolk Park	4
Tyagarah	2
Upper Coopers Creek	1
Upper Main Arm	2
Upper Wilsons Creek	3
Wanganui	2
Wilsons Creek	32
Wooyung	1
No location given	4
<b>Total</b>	<b>411</b>

## 5. APPENDICES

### Appendix 1

Mullumbimby Residents' Association Submission Guide (screenshot from Water Northern Rivers website)

## SECURING MULLUMBIMBY'S WATER SUPPLY SUBMISSION GUIDE

**Use this Guide to fill out Byron Shire Council's  
*Have Your Say* survey questions by 30th June**

**The key question is basically a referendum on connecting to Rous & thus abandoning Mullumbimby's independent water source at Lavery's Gap.**

**COUNCIL'S SURVEY QUESTIONS & OUR SUGGESTED ANSWERS:**

Q. How important is it to you that the town remains on a separate local water supply?  
**Best answer: Extremely important.**

Q. Which issues are most important for you when considering Mullumbimby's future water supply?  
**Best answer: Respond as best reflects your values.**

Q. Maintaining a secure water supply for Mullum will require significant investment. These are fear-based questions; we recommend answering "neutral" to both.

Q. Do you support the recommendation to connect Mullumbimby to Rous?  
**Best answer: NO. (This is the critical referendum question)**


Q: Councils invitation for you to explain your first answers  
**Your possible answers:**

- Mullum has had a century of independent water supply - we value our autonomy.
- Adding off-stream storage for Lavery's Gap supply will make our system resilient against future disasters.
- Rous is still considering the Dunoon Dam; we oppose this destructive dam and don't want to contribute to demand for it.

Q. Council asks you to rank 4 scenarios  
**Best answer:**  
Scenario 1 (minor repairs) - select 3; Scenario 2 (off-stream storage) - select 1;  
Scenario 3 (close Lavery's Gap) - select 4; Scenario 4 (find ground water source) - select 2

Q. Council asks if there is anything else you wish them to consider?  
**Optional - use points from Background Info on [waternorthernrivers.org](http://waternorthernrivers.org)**

**Use this QR CODE  
to go to Council's Online Survey  
Or google: Byron Council *Have Your Say***



Prepared by Mullumbimby Residents Association. More info at [waternorthernrivers.org](http://waternorthernrivers.org)



## SECURING MULLUMBIMBY'S WATER SUPPLY BACKGROUND INFORMATION

**Tell council to adopt Option 2, an off-stream reservoir - the best option for our environment and our community.**

### Where does Mullumbimby's water currently come from?

Mullum's water is collected in a weir on Wilsons Creek at Lavertys Gap. The weir was built in the 1920s and is well maintained. There's a treatment plant at Lavertys Gap that is aging and in need of replacement. The weir doesn't hold enough water to supply Mullum in drought and the treatment plant gets clogged with sediment in floods. The other towns of Byron Shire are currently supplied by Rous Water.

### Why is an off-stream reservoir a good option?

- It's a more environmentally-friendly option: by collecting water from the creek when it's abundant and storing it off-stream, more environmental flow can be left for the creek during drought. A fish ladder could be added to the weir at Laverty's Gap.
- Having a water source close to town is more resilient; during the 2022 flood crisis, landslips posed a major risk to the pipelines that bring Byron Shire water from Rous. The 2019 fires also threatened Rous infrastructure.

### Why is connecting permanently to Rous a bad idea?

- Connecting to Rous would mean decommissioning Lavertys Gap, and putting all our eggs in one basket. This is not a smart strategy for a resilient water supply. Also, council would lose valuable knowledge and skills by relying on Rous.
- Council estimates that Rous is slightly cheaper over 30 years than local scenarios, which have higher initial capital costs. But nobody, not even Rous themselves, knows how much their water will cost decades into the future.
- Rous is still pursuing Dunoon Dam, which would destroy important Widjabul Wia-bal cultural heritage sites, Big Scrub rainforest, and koala habitat. Connecting Mullumbimby permanently to the Rous system would increase regional demand on Rous, and therefore pressure to build their new dam, at an estimated cost of \$841million.

### Why do council staff disagree?

Council's consultant did a multi-criteria analysis - but they made big assumptions about which options are acceptable to the Mullumbimby community, they ignored the risk of the destructive Dunoon Dam, and they didn't appropriately consider climate change.

### Have Your Say before 30th June

Use this Guide to fill out the Byron Shire Council *Have Your Say* survey.

Tell council: NO to connecting Mullumbimby to Rous water, and YES to adopt Option 2, an off-stream reservoir - the best option for our environment and our community.

Prepared by Mullumbimby Residents Association. More info at [waternorthernrivers.org](http://waternorthernrivers.org)



Appendix 2

*Statement from Hydrosphere Consulting on methodology for the Mullumbimby Water Supply Strategy Multi-Criteria Analysis (MCA) (provided to Council 10/07/24)*

There are many different ways to undertake a multi-criteria assessment (MCA) but the methodology adopted for the MCA is based on integrated water cycle management planning principles advocated by the NSW Government for this sort of project. A preliminary (coarse) assessment of the supply-side and demand-side options was undertaken to document the attractiveness and issues related to each option and develop a short-list for further consideration. The short-listed options were then compared in terms of yield benefit, infrastructure requirements, environmental and social outcomes.

The report acknowledges that community consultation was not undertaken at the time of the assessment as it was Council's preference to present the report to the public for feedback. The predicted community acceptance was compared based on the expected frequency, duration and severity of restrictions, the extent of investment, infrastructure modifications, energy requirements and service delivery required for each scenario.

The supply yield for each scenario was determined using the NSW Governments security of supply methodology including climate change considerations in accordance with the Guidelines on Assuring Future Urban Water Security (NSW Office of Water, 2013). These were the accepted guidelines available at the time and although climate change modelling is continually evolving, there is no other industry-based approach advocated by the NSW Government at this time. The NSW Government's Far North Coast Regional Water Strategy Implementation Plan (2022) proposes the future development of regional-scale, adaptive decision-making modelling methodologies and assessment methods to underpin water supply options assessments.

Supply scenarios based on the short-listed options were developed to identify feasible supply arrangements, infrastructure requirements, costs and key considerations. The scenario comparison methodology used in this project and TBL assessment criteria were developed with consideration of the comparison of options and the IWCM Information Sheet 2 - Evaluation of integrated water cycle management scenarios (NSW Department of Industry, 2019).

Economic criteria included capital and operating cost and 30-year net present value. All capital costs were presented as budget estimates based on market rates from comparable projects. All operating costs were presented as budget estimates based on the cost rates applicable at the time. All costs are subject to price escalation, changing market forces, availability of materials and detailed design.

Weightings were assigned to each criterion based on relative importance so that the sensitivity of the weightings can be tested. Changing the weightings does not change the outcomes of the MCA ranking. In all criteria, scenario 3 (regional connection) ranked the highest.

The predicted impacts on biodiversity for each scheme are low and impacts are considered to be manageable for each scenario. Actions to reduce these impacts (e.g. an environmental flow regime and terrestrial biodiversity offsets) will be developed for each local scenario where required and suitable measures will potentially be put in place to obtain planning approval and ensure stakeholder acceptance of each scenario although detailed investigations and consultation are required to confirm this. RCC is responsible for the offset

of biodiversity impacts for the regional scenario (S3) and is incorporating these considerations in the development of its groundwater supply options.

There has been no assessment undertaken of the cumulative impact of the options for Mullumbimby involving connection to RCC supplies, however it is considered that connection to a regional water supply scheme would result in lower environmental impact than development of an additional local supply source and infrastructure in Mullumbimby. The addition of Mullumbimby to the regional supply is unlikely to affect RCC's overall bulk supply strategy and the major environmental impacts associated with the regional scheme are fixed regardless of the inclusion of Mullumbimby in the regional scheme. In addition, reduced extraction from Lavertys Gap Weir and potentially taking the weir out of service may improve environmental outcomes for the Wilsons River system over the long-term. Other beneficial uses of the weir may also be identified by Council (e.g. recreational opportunities, heritage features). As the environmental impacts of each scenario are similar, selection of the preferred scenario focused on social and economic considerations.

For Mullumbimby, connection to the regional supply provides access to a more diverse range of sources than a local supply and therefore increased resilience. The regional supply includes multiple surface water and groundwater surfaces, and additional groundwater surfaces are being developed as part of the RCC Future Water Strategy 2060 implementation in addition to the addition of surface water supplies at Marom Creek. The outcome of the RCC Future Water Strategy Stage 1 (2025) will result in a regional supply with four surface water supplies (Rocky Creek Dam, Wilsons River, Emigrant Creek Dam and Marom Creek), augmented groundwater supplies at Alstonville and Woodburn and three treatment plants. A local supply option for Mullumbimby relies on a single surface water source (Wilsons Creek), with emergency supply from the regional system available at low flows and high cost. Therefore, a local supply option is heavily reliant on Wilsons Creek stream flows as well as the WTP and pipeline infrastructure operability and suitability which increases the risk of system failure.

The benefits of centralisation of water supplies and regional interconnection include improved financial outcomes through economies of scale, access to a wider range of options to improve efficiency, system resilience and operational flexibility. Financial benefits would result from regional opportunities for staging of water source development, increased flexibility in scheme development, reduced duplication of infrastructure and sharing of costs over a larger customer base. There is also the potential to reduce the risk of supply shortage in the region through supply diversity, supply redundancy, climate resilience and system flexibility. A regional scheme also allows access to a wider range of options to improve environmental and social outcomes than a local scheme. The benefits of regional supplies (compared to local supplies) have been recognised in the NSW Government's Far North Coast Regional Water Strategy Implementation Plan (2022), particularly Action 4.3 (Support regional-scale, adaptive decision-making for town water supplies in the Far North Coast) which includes connecting smaller systems in the Richmond/Brunswick catchments (Casino, Nimbin, Mullumbimby) to the RCC bulk water supply on a permanent basis as well as development of other regional supply sources such as desalination.

To reduce overall environmental impact, the utilisation of existing water infrastructure (within sustainable limits) should be considered in preference to the exploitation of new resources. The connection to the RCC bulk supply system provides the opportunity to utilise existing surface water and groundwater sources and treatment infrastructure and reduce the potential for over-extraction from the Wilsons River at Lavertys Gap. The report recognises that the RCC regional water supply also requires augmentation due to the reduction in yield

that will result from climate change and predicted growth in the existing regional supply area. The RCC bulk water supply system requires future augmentation with or without the permanent connection to Mullumbimby and S1 and S3 will only incrementally increase any impacts of the regional supply. S3 (with permanent connection) would be approximately 4.7% of the total regional demand by 2030 (5.1% by 2060). As a result of this minor increase in demand, the Rous system would continue to operate within the approved operational parameters for the system, regardless of the connection of Mullumbimby.

**Appendix 3**

*Hydrosphere Consulting statement to Byron Shire Echo, 17/06/24:*

Hydrosphere Consulting does not have any conflict of interest in undertaking work for multiple clients. Hydrosphere Consulting, as with other consulting companies, performs work for numerous state and local government agencies in the region. Our focus is environmental and water management. The agencies we undertake work for have diverse responsibilities with respect to water management and it is therefore logical that work we undertake for the different agencies touches on the same issues from different perspectives.

We are engaged by clients such as Byron Shire Council or Rous County Council to undertake specific projects and we deliver the work on a best for project basis, i.e. we offer advice and services that we feel best meets the terms of any particular engagement. We do not favour one client over another. We do not influence the outcomes of a project for one client at the expense of outcomes for another client. We always provide factual unbiased reports and our clients do not require, request or otherwise encourage anything different.

When we bid for work, we consider whether a conflict of interest could occur and either limit the scope of the services we tender, or decline to bid for the work. If we were to become aware of a conflict of interest during the execution of a project then we would refer the issue to the client and determine how or whether we would continue to undertake the project.

Our clients also take measures to avoid conflict of interest when engaging consultants. As consultants we are subject to council procurement policies and are expected to comply with statements of business ethics and numerous other guidelines which ensure ethical dealings.

With respect to usage of consultants: We offer services that are in demand however we do not hold a monopoly on such services and we have numerous commercial competitors. Our staff are remunerated fairly and we win work because we charge commercial rates which are competitive in the market place and provide services that are of value to our clients.

Any bids we submit are commercial in confidence and we do not disclose our pricing or rates to third parties.

END