

# Fitzroy Basin Water Amendment Plan

## Minister's Consideration Report

June 2021



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## **Acknowledgement of the Traditional Owners of the Fitzroy Basin water plan area**

The Department of Regional Development, Manufacturing and Water acknowledges and pays respect to the Traditional Owners in the Fitzroy Basin area of Queensland. The contributions of earlier generations including the Elders, who passed on their knowledge of natural resource management, are valued and respected. The department acknowledges that the Traditional Owners of this region have a deep cultural connection to their lands and waters and that there is a need to recognise Traditional Owner knowledge and cultural values in water planning.

## Forward

I am pleased to advise that the Water Plan (Fitzroy Basin) Amendment Plan 2021 has been finalised. This report has been prepared to inform stakeholders and the broader community of my considerations in finalising the amendment plan.

The eleven submissions received during the consultation period on the draft Water Plan (Fitzroy Basin) Amendment Plan 2020 and the feedback received during consultation meetings were critical in informing the amendment plan. I was pleased that the submissions and feedback indicated broad support for the draft plan amendment's provisions, including the protection of access to water for existing users and the protection of environmental flows.

All issues raised through consultation and submissions have been fully considered and where possible, addressed in finalising the water plan. Key issues raised in submissions included to protect security of town water supply, unallocated water specification and cultural outcomes.

I am confident that these amendments are a positive step toward facilitating the release of unallocated water and establishing the necessary rules towards implementing a trading framework for the new water allocations associated with Rookwood Weir. The Water Plan (Fitzroy Basin) Amendment Plan 2021 provides for continued access to water for existing users, supports existing agricultural enterprises, and provides opportunities for new economic development to occur.

Thank you to all of you who have participated and contributed to the development of the final Water Plan (Fitzroy Basin) Amendment Plan 2021, particularly the Rockhampton Regional Council, Livingstone Shire Council, Gladstone Area Water Board and Sunwater. Your ongoing involvement in the water planning process will ensure that the final Water Plan (Fitzroy Basin) Amendment Plan 2021 continues to advance the sustainable management of Queensland's water resources.

**Hon. Glenn Butcher**

Minister for Regional Development and Manufacturing and Minister for Water

# Contents

1.0	Introduction .....	4
1.1	Purpose of this report .....	4
1.2	Overview of the water amendment plan area .....	4
1.3	Intent of the water amendment plan.....	4
1.4	Development of the water plan and water management protocol.....	5
1.5	Copies of the water plan and supporting documents.....	5
2.0	Consultation and submissions .....	6
2.1	Consultation on the draft water amendment plan .....	6
2.2	Submissions .....	6
3.0	Issues raised in submissions and how they were considered .....	7
3.1	Support for the draft water amendment plan.....	7
3.2	Town water supply .....	7
3.3	Inclusion of cultural outcomes.....	8
3.4	Inclusion of new environmental flow objectives for node 1 .....	9
3.5	Other issues .....	9
3.6	Out of scope issues.....	10
4.0	Further considerations of plan finalisation .....	11
5.0	Further considerations for water management protocol .....	11
6.0	Next steps.....	12
	Appendices.....	13
	Appendix A: Map of the plan area .....	13
	Appendix B: Statement of Changes to Water Management Protocol .....	14

## Tables

Table 1.1	Water Planning milestones for the water amendment plan .....	5
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# 1.0 Introduction

## 1.1 Purpose of this report

In accordance with section 48 of the *Water Act 2000* (Water Act), following approval of the Water Plan (Fitzroy Basin) Amendment Plan 2021 (water amendment plan) by the Governor in Council, the Minister must prepare a report stating the considerations made in finalising the plan. This report outlines the submissions received on the draft plan and how the issues raised in the submissions were addressed.

This report provides information about the considerations in finalising the water amendment plan. It outlines the consultation process undertaken by the Department of Regional Development, Manufacturing and Water (the department formerly known as the Department of Natural Resources, Mines and Energy) in developing the water amendment plan. It also summarises the issues raised in the submissions on the draft water amendment plan and how these were considered and addressed by the Minister in finalising the water amendment plan.

Section 69 of the Water Act requires the chief executive to publish a Statement of Changes upon amending or replacing a water management protocol. Because the amendments to the water management protocol are directly related to changes made to the water plan, the Statement of Changes has been included in this report so that it may be read in conjunction with this report.

## 1.2 Overview of the water amendment plan area

The part of the Fitzroy Basin water plan area covered by the water amendment plan comprises the Fitzroy Barrage and Lower Fitzroy water supply schemes, the proposed ponded extent of Rookwood Weir and the Don and Dee Rivers and Alma Creek water management areas. An amendment was also made to transition rules which apply to the Don and Dee, Prospect Creek and Upper Callide groundwater sub-areas currently managed under the Water Regulation 2016, into the water plan. Appendix A contains a map of the plan area, including the location of the Rookwood Weir site.

The Fitzroy Basin water plan area has diverse geographic and environmental features and supports agriculture, industrial activities and a number of large community centres.

The water amendment plan will provide opportunities to meet emerging agriculture demands in the area while maintaining the security of existing entitlements and environmental flows.

## 1.3 Intent of the water amendment plan

The key aim of the water amendment plan is to include new provisions that—

- provide for the construction of Rookwood Weir
- promote economic development, employment opportunities and water security in the Central Queensland region, which is heavily reliant on agriculture
- aid the economic recovery of regional Queensland in the wake of COVID-19
- create a measure in the plan that ensures at least 50 per cent of water from Rookwood Weir is allocated for agricultural purposes
- provide for amendment of supporting instruments including in relation to trading rules, water sharing rules, environmental management rules and monitoring requirements.

The draft amendment plan also amends existing management arrangements which apply to other parts of the Fitzroy Basin plan area.

## 1.4 Development of the water plan and water management protocol

The water planning process commenced in April 2020 with the release of the Statement of Proposals for public consultation. A draft Water Plan (Fitzroy Basin) Amendment Plan was then released in August 2020 for a second phase of public consultation. The planning process for the targeted amendment is summarised in Table 1.1 below.

**Table 1.1 Water planning milestones for the water amendment plan**

Date	Milestones
April 2020	Statement of Proposals and public notice were released for public consultation and submissions about the Minister's intention to amend the water plan to establish zones and water allocation security objectives related to unallocated water to be released for Rookwood Weir at a future date.
August 2020	Draft Water Plan (Fitzroy Basin) Amendment Plan 2020 and draft water management protocol were released for consultation and public submissions. Public notices were also published in the local newspapers.
September 2020	Stakeholder meetings were held with local councils, industry, Aboriginal groups, agricultural representatives, environmental groups, key stakeholders and state agencies.
September 2020	Formal submission period closed.
June 2021	Governor in Council approval of the final Water Plan (Fitzroy Basin) Amendment Plan 2021.
June 2021	Final Water Plan (Fitzroy Basin) Amendment Plan 2021 published in the Queensland Government Gazette.
June 2021	Final water management protocol published on the department's website.
2021-2022	Drafting of and consultation on the operational instruments, including water management protocol, resource operations licence and operations manuals for Rookwood Weir.

## 1.5 Copies of the water plan and supporting documents

The water amendment plan and water management protocol are available by searching Fitzroy Basin at [www.business.qld.gov.au](http://www.business.qld.gov.au).

## 2.0 Consultation and submissions

Community and stakeholder engagement has been instrumental at all stages in developing the water amendment plan and water management protocol. The first round of public consultation was undertaken with the Statement of Proposals released in April 2020, initiating the water planning process. A second round of consultation occurred with the release of the draft water amendment plan and draft water management protocol in August 2020.

The consultation undertaken for the development of the draft and final water amendment plan included:

- online meetings and information sessions
- awareness raising through social media and websites
- local government and key stakeholder body briefings and information sessions
- liaison with other State Government departments
- consultation with Aboriginal groups, environmental groups and industry groups
- dedicated email and phone contacts for community members and landowners to have questions answered by the department and Sunwater
- formal submissions process.

### 2.1 Consultation on the draft water amendment plan

The community in the plan area was actively engaged and consulted with throughout the development of the water amendment plan and water management protocol.

Briefings and meetings were held during the submission period to enable the department to provide further information about the intent of the draft documents, respond to questions and provide details about how to make a submission.

Due to the social distancing restrictions for managing Covid-19, no public information sessions were held in the Rockhampton area as might have been the case in past planning processes. However, the department undertook an extensive consultation process using video conferencing to ensure affected people and interested parties were consulted during the submission period. Dedicated email and phone contacts were also utilised to ensure interested members of the community or landowners could directly contact the department to ask questions or find out more information.

Meetings were held with Rockhampton Regional Council, Livingstone Shire Council and Gladstone Area Water Board to discuss the draft water amendment plan and seek feedback about the intent of the plan.

Separate briefings and information sessions were held with Aboriginal groups, such as Darumbal People and the Wadja People, to seek their feedback on the proposals stated in the draft water plan.

Separate briefings and information sessions were also held with key stakeholder groups such as Queensland Farmers' Federation (QFF), Agforce, World Wide Fund for Nature (WWF) and industry groups.

A face-to-face meeting was also held with the Don and Dee Water Advisory Group to discuss new water sharing rules for this part of the plan area.

In finalising the water amendment plan the department considered submissions along with feedback from discussions with the key stakeholders and submitters. These were generally supportive of the strategies proposed in the draft water amendment plan.

### 2.2 Submissions

Following the release of the draft water plan amendment on 19 August 2020, 11 submissions were received on the draft water plan amendment and the draft water management protocol amendment. The formal submission period closed on 29 September 2020.

## 3.0 Issues raised in submissions and how they were considered

This section summarises key issues raised, relevant background information, and how the issues were considered and addressed in finalising the water amendment plan and water management protocol.

The department reviewed the relevant information and provided feedback as appropriate where it aligned with the provisions in the Act and/or the water plan, including the plan outcomes. Analysis was supported by additional information provided as evidence by submitters and/or by further technical assessment (including hydrologic modelling when required) in response to individual submissions. Where necessary, the submitters were contacted for clarification or feedback on the proposed response to their issues.

### 3.1 Support for the draft water amendment plan

Support for the draft water plan and the planning process was generally expressed in submissions, including positive feedback on the following aspects:

- The overall construction and operation of the new water infrastructure
- The increase in water availability in the region from Rookwood Weir to support agriculture and industry
- Fifty per cent of water allocated from Rookwood Weir to be for agricultural use
- The water planning framework supporting economic development in the region.

### 3.2 Town water supply

#### Draft plan provisions

The draft water amendment plan did not propose any changes in which there would be additional considerations within the water plan for providing further protections for town water supply.

#### Issues raised

One submitter raised concerns about how the future construction and operation of Rookwood Weir, and the take of water from the Rookwood Weir Water Supply Scheme, may impact existing and future town water supply take from the Fitzroy Barrage. Furthermore, the submitter believes there are no safeguards within the water plan outcomes or objectives which require consideration of potential town water supply impacts during future assessment of statutory instruments associated with Rookwood Weir.

Another issue raised regarding town water supply was that the current operational arrangements within the Lower Fitzroy and Fitzroy Barrage water supply schemes should be assessed, and possibly amended to optimise current operating and water sharing arrangements, particularly within zone A of those schemes.

#### Considerations and finalised provisions

The water amendment plan has been changed to address the submitter's concerns.

A new general outcome has been included to protect the probability of being able to take water from the Fitzroy River under a water allocation to supply town water. The outcome will need to be considered in future decision-making processes regarding the granting of applications. For example, an application or a granting made under the *Water Act 2000* or under the water plan will need to be consistent with this outcome. If an application was made prior to the commencement of the amendment plan, then it is exempt from the requirement to be consistent with this outcome as the application was made under the unamended water plan.

The Rookwood Weir water supply scheme arrangements when developed will need to be assessed against this new outcome.

A second new general outcome and new measure have been included in the final water amendment plan as follows:

- A new specific outcome for surface water in the Fitzroy Barrage Water Supply Scheme and the Lower Fitzroy Water Supply Scheme to enable the operations manuals for the Fitzroy Barrage Water Supply Scheme and Lower Fitzroy Water Supply Scheme to include measures ensuring water security for water service providers when there is a shortage of water.

Concerns were raised in the submission and in further discussions that the existing operational arrangements stated in the operations manuals for the Fitzroy Barrage Water Supply Scheme and Lower Fitzroy Water Supply Scheme were not reflective of the hydrology, existing water entitlement use and future water demands during periods of low water levels. While the submitter did not specify what arrangements could be changed to optimise water supply from the schemes, the new outcome facilitates a requirement for the resource operations licence holders for the schemes to amend their operations manuals. This would be in the event that their cooperative management arrangements identify aspects of their operations manuals which could be amended to improve town water supply during periods of low water levels in the Fitzroy Barrage.

To implement this measure, the resource operations holders may apply to the chief executive under section 201(2) of the Water Act to amend their operations manuals for consistency with the new outcome and measure. Otherwise, the chief executive may direct the holders under section 201(4) of the Water Act to amend the operations manuals for consistency with the outcome and measure. In either case, the onus of responsibility falls onto the resource operations licence holders to undertake necessary assessments and hydrologic modelling to ensure any proposed changes meet the water plans existing outcomes and objectives.

### 3.3 Inclusion of cultural outcomes

#### Draft plan provisions

The draft water plan amendment did not include any proposals to change the general outcomes with regards to including any new cultural outcomes.

#### Issues raised

The draft water amendment plan states no cultural outcomes associated specifically with Rookwood Weir. One submitter pointed to the plan amendment needing to include cultural outcomes. These cultural outcomes would need to recognise the people's spiritual connection to the Fitzroy River and impacts from the allocation of water associated with the Rookwood Weir on cultural stories and values.

The submission raised the cultural significance of the Rookwood Weir site to the Traditional Owners and the dependence on the river for their way of life, connection to country and Cultural Dreaming.

#### Considerations and finalised provisions

No new cultural outcomes have been included in the water plan. The Water Resource (Fitzroy Basin) Plan 1999 (Fitzroy WRP) was the first plan to be reviewed and replaced and was finalised in December 2011. At the time, the *Water Act 2000* only required a water resource plan to state the general and ecological outcomes for the plan area.

The water plan currently states the following general outcomes related to cultural matters:

- to support water-related cultural values including the values of the traditional owners in the plan area
- to provide mechanisms that support water being made available for Indigenous communities dependent on water resources in the plan area to achieve their economic and social aspirations.

In 2018, the Mineral, Water and Other Legislation Amendment Act made it a requirement for a water plan to state cultural outcomes. However, there is no underlying intention in the act that if a water plan is amended, it must be amended to be consistent with the requirement to state cultural outcomes. The consultation requirements during a targeted amendment process are too narrow to enable water plan outcomes to be amended where the outcome may be relevant to other parts of the plan area.

Because these general outcomes relate to the whole plan area, it is not considered appropriate to amend the existing general outcomes to be specific to the area impacted by Rookwood Weir, or to include new cultural outcomes in the water plan at this time without undertaking a plan wide consultation process with other Aboriginal groups.

Cultural outcomes will be included as part of the next plan review. This will ensure the process is followed to identify cultural values and objectives and prepare appropriate cultural outcomes in consultation with Aboriginal groups across the plan area. This will include the recognition of the cultural and spiritual connections to the river and dreaming stories raised in the submission. This will ensure all groups are included in the engagement and meaningful outcomes and strategies are developed together with interested parties.

The department has held a number of meetings with Traditional Owner groups since the submission was made to better understand the concerns related to Rookwood Weir and connections to the river. The department has committed to ongoing engagement with Aboriginal groups over the current water planning process and ahead of the next plan review.

Separately and in addition to the water planning engagement, the department and Sunwater have been working with Traditional Owners in relation to the Rookwood Weir project, including on cultural heritage and other matters.

## 3.4 Inclusion of new environmental flow objectives for node 1

### Draft plan provisions

The draft water plan amendment did not include new environmental flow objectives for node 1, located immediately downstream of Eden Bann Weir.

### Issues raised

One submitter suggested node 1 should state environmental flow objectives (EFOs) for seasonal baseflow, medium to high flow and first post winter flow. This would allow the effect of Rookwood Weir to be better assessed and monitored for the purposes of compliance with EFOs as it is closer to Rookwood Weir than the next assessment node (node 0) at the Fitzroy Barrage.

### Considerations and finalised provisions

No changes have been made in the final water plan. The original Fitzroy WRP finalised in 1999 did not include any medium to high flow objectives for node 1. During the development of the Fitzroy WRP 2011, the EFOs for the seasonal baseflow objectives and first post winter flow objectives were further streamlined. This resulted in the removal of EFO nodes that stated seasonal baseflow and first post winter flow objectives if their medium to high flow objectives weren't stated in the Fitzroy WRP 1999.

The final nodes stated in the Fitzroy WRP 2011 were subject to the environmental assessment process which underpinned the review of the EFOs stated in the plan. This environmental assessment included a climate change sensitivity assessment, for which node 1 was not subject to. The assessment also considered the impacts of future water resource development related to the redistribution of unallocated water reserves between the 1999 and 2011 plans.

However, it should be noted that node 0 still remains relevant and important for the purposes of assessing the impacts on EFOs related to the construction and operation of Rookwood Weir. In maintaining a flow regime that meets the end of system EFOs, ecological assets linked to flow immediately downstream of Eden Bann Weir will continue to benefit from releases which supply downstream water users and maintain the nominal operating level in the Fitzroy Barrage.

## 3.5 Other issues

One submission was interested in further discussion with the department on a range of issues, including:

- the scientific modelling and mitigation strategies being considered around migratory native species of fish and turtles
- water plan measures related to the construction of the weir and the environmental monitoring and modelling requirements to manage the weir's impacts
- how springs are protected from groundwater extraction
- developing research on cultural flows and an allocation of water to protect and preserve cultural flows.

The department has initiated discussions and held an initial meeting on these matters with the submitter. The intention for discussions with the submitter was to explain the relevant parts of the water planning framework that deal with the above issues.

## 3.6 Out of scope issues

### 3.6.1 Capacity of Rookwood Weir

The water plan cannot place a requirement on a proponent to build a piece of water infrastructure to a certain height. A water plan can only state aspects such as the maximum volume of water that may be granted from an unallocated water reserve relating to a particular height of that infrastructure. However, depending on the specification of products granted from a release of unallocated water for the current construction of Rookwood Weir, any residual reserve volume may be used in the future for a raising of infrastructure or new infrastructure on the Fitzroy River.

Importantly, the plan already provides sufficient unallocated water for Rookwood Weir, including sufficient volume to accommodate the Premier's announcement on 11 March 2021 about the increase of the weir height to support additional economic development and growth. Additionally, the increased height has been demonstrated to be consistent with the plan's water allocation security objectives and environmental flow objectives.

### 3.6.2 Fifty per cent unallocated water release for agriculture

One submission requested that the requirement for at least 50 per cent of water to be allocated for agricultural purposes from the strategic infrastructure unallocated water reserve was too low. The proposals regarding the release of the water to agriculture are consistent with the agreement between the state and federal governments to jointly fund the construction of Rookwood Weir. It should be noted that urban and industrial expansion are also occurring within the plan area, such as in the Capricorn Coast, and in Gladstone, which facilitates their requirement for additional volumes of water for town water supplies and industrial requirements.

### 3.6.3 Inclusion of rules and conditions on the resource operations licence

One submission stated that it is essential that specific rules and conditions are included in the resource operations licence (ROL) to ensure the construction and operation of Rookwood Weir does not compromise the water plan's general and specific ecological outcomes. The ROL will be developed over a number of stages. Initially the ROL authorises interference with the flow of water associated with the construction of the weir. An application was submitted to the Chief Executive for approval prior to the start of construction within the bed and banks of the river. The ROL will be amended as construction progresses and the weir moves towards full operation. Each amendment will be submitted to the Chief Executive for approval.

The Chief Executive may grant the application, with or without conditions, if satisfied the application:

- advances the sustainable management of Queensland's water
- is consistent with the water plan outcomes and the measures that contribute to achieving them stated in the plan, and
- achieves any objectives stated in the plan, including the water allocation security objective and the environmental flow objectives.

Therefore, no changes are proposed to be made in the final water plan amendment.

## 4.0 Further considerations of plan finalisation

This section summarises further key changes made in the final water amendment plan as compared to the draft water amendment plan. Although not directly requested through the public submissions, they reflect changes necessary to achieve the outcomes of the final plan in a way that provides a more fit-for-purpose and contemporary regulatory environment. These include:

- Stating the water licence zones for the Don and Dee Rivers and Alma Creek water management area in the water management protocol
- Inclusion of water allocation zones currently taken to be in the water plan under section 1264 of the Water Act to be stated in the water plan.
- Updating references to outdated terms and references to other documents.

## 5.0 Further considerations for water management protocol

This considerations report is required under the Act to deal with submissions on the draft water amendment plan. The draft water management protocol was released at the same time as the draft water amendment plan and submissions were invited. Although not required under the Act, this section of the report summarises submissions on the draft water management protocol and the attached **Appendix B** shows the changes that have been made to the water management protocol. The final water management protocol will be released at the same time as the final water amendment plan.

It should be noted that the water management protocol will again be amended to include the operational rules and arrangements associated with Rookwood Weir. There will be further consultation with affected parties on this protocol and other operational instruments prior to weir commissioning.

### **Unallocated water volumes held in strategic water infrastructure reserve**

One submitter requested that the proposed volume of water that may be granted as water allocations to them be increased from 16,500ML to 16,670ML to account for losses in delivering the water from Rookwood Weir to their point of take in the ponded area of the Fitzroy Barrage. This extra volume is seen as necessary in maintaining the current assumed loss factor of 10 per cent for delivering water downstream of Rookwood Weir.

### **Don and Dee Rivers and Alma Creek Water Management Area**

One submission was received that raised a number of issues in relation to the Don and Dee Rivers and Alma Creek Water Management Area. The first issue was in support of the changes proposed in the draft water management protocol regarding seasonal water assignment rules for the Don and Dee groundwater sub-area. The draft water management protocol provides for an application to be made for a seasonal water assignment up to a total volume of 150ML. This change will be reflected in the final water management protocol.

The second issue outlined a preference for the Don River to be identified in the water management protocol as one zone rather than two zones (Don A and Don B), to allow increased trading and use of the water on available irrigation land along the entire length of the Don River to support increased agricultural production. The two zones better reflect the local hydrological characteristics of the area and the contribution of flows from both the Dee River and Callide Creek to the Don River. This provides a more practical approach to managing the distribution of take of water through seasonal water assignment to ensure protection of existing users and the environment. Therefore, no change to the description of the Don River zones is proposed for the final water amendment plan or water management protocol.

The third issue related to a flow condition that had previously been applied to some surface water licences that only allow the take of a particular volume of water (Part B) under the water licence once a passing flow threshold at the Rannes Gauging Station has been met. These water licences were previously amended from area based to volumetric licences under the deferred aspect of the draft Fitzroy Basin Resource Operations Plan 2014. In particular this was for licensees that could demonstrate a water demand of 14ML per hectare for irrigation of Lucerne crops in the Don and Dee area. The conditions applied to the water licences allowed for increased access

to water while ensuring that the objectives of the water plan could continue to be met. This issue is considered out-of-scope for the water plan amendment.

The final issue suggested that water in watercourses and water in the alluvial aquifers of the Don and Dee area be recognised as the same water source. This would enable those licensees that hold entitlements to take from both sources ensuring greater flexibility to utilise their entitlements without needing to access water through the water trading framework. A change to how each water source is currently managed would need to be informed by rigorous modelling and scientific data to characterise both types of water resources and confirmation that existing water entitlements and the environment would not be adversely impacted. This submission was considered out-of-scope for this targeted amendment as the process would require further modelling, assessment and consultation.

## 6.0 Next steps

The water amendment plan is now subordinate legislation under the Water Act. The water amendment plan will make changes to the water plan and these changes will be made available on the Office of the Queensland Parliamentary Counsel website.

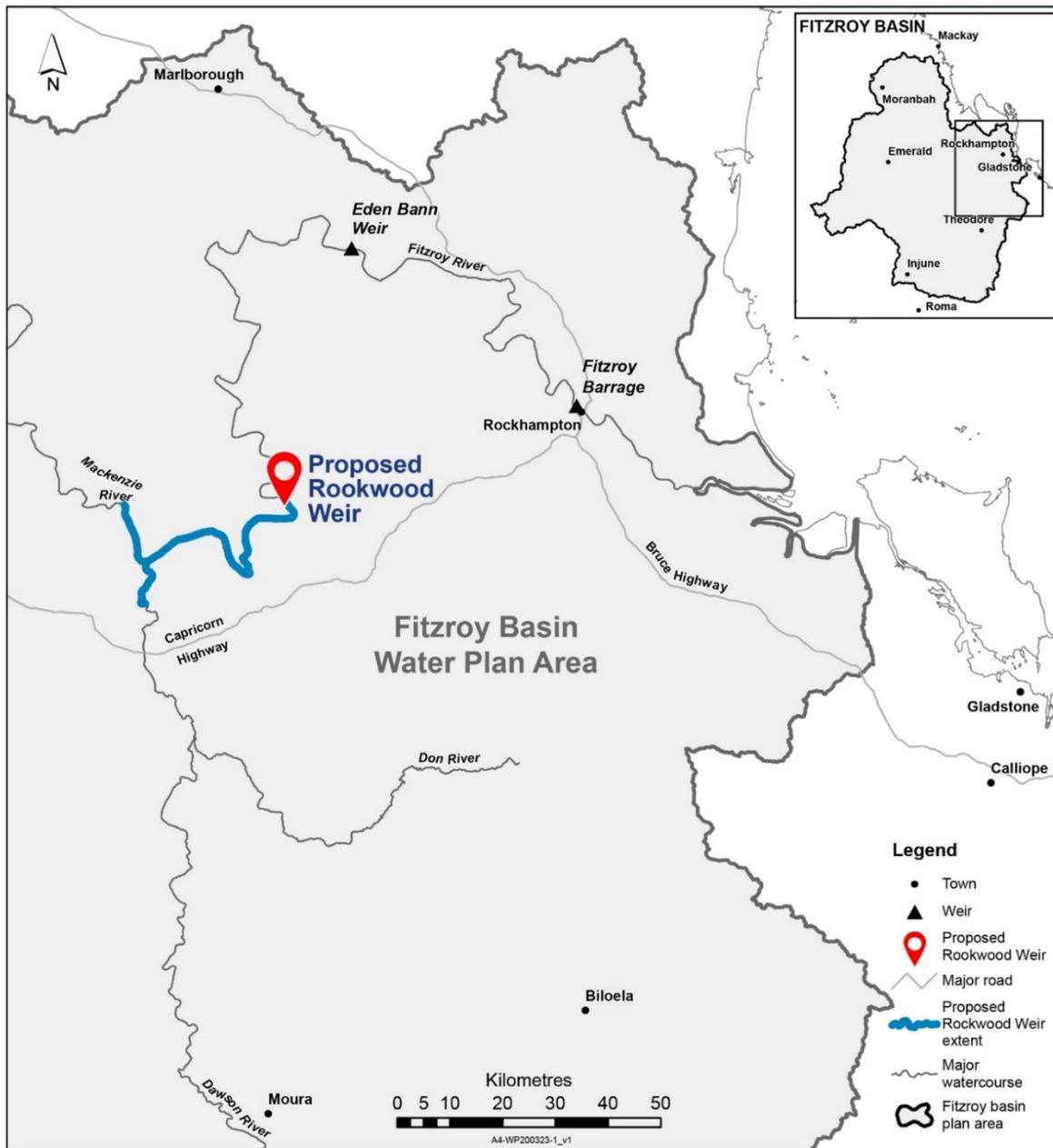
The water management protocol implements the strategies of the water amendment plan to further the advancement of meeting the stated general, ecological and specific ecological outcomes of the water plan.

The protocol will undergo a second amendment process to support the Rookwood Weir project.

For any further information about this report, or the water amendment plan or the water management protocol, please contact the department by phone on 1800 822 100 or by email on [centralwaterservices@dnrme.qld.gov.au](mailto:centralwaterservices@dnrme.qld.gov.au).

# Appendices

## Appendix A: Map of the plan area and Rookwood Weir site



# Appendix B: Statement of changes to water management protocol

## Purpose

A Statement of Changes is required under section 69 of the *Water Act 2000* (Water Act) if the chief executive amends a water management protocol. The Statement of Changes serves to inform affected water users and other interested parties about the changes that have been made to the water management protocol, the reasons for the changes, how the changes were consulted on and any changes resulting from consultation.

## Proposed amendments to the Fitzroy Basin Water Management Protocol

A draft Fitzroy Basin Water Management Protocol (Fitzroy WMP) was developed to incorporate a number of changes which are briefly detailed below.

### Changes to the unallocated water reserves for specific volumes to be released from reserve

The Fitzroy Basin WMP has been amended to include specific volumes of water to be released from the strategic water infrastructure reserve on the Fitzroy River. These include specific volumes of water to be made available to Livingstone Shire Council and Gladstone Area Water Board.

### Changes to rules for the Don and Dee water management area

The Fitzroy WMP has been amended to remove water sharing rules for the Don and Dee water management area because the current arrangements do not give the desired outcome for the irrigators or meet the outcomes and objectives of the water plan. The amendments under the Water Plan (Fitzroy Basin) Amendment Plan 2021 (water amendment plan) will facilitate the inclusion of new water sharing rules.

The Fitzroy WMP has been amended to include seasonal water assignment rules for the Don and Dee water management area. The area was previously managed under interim seasonal water assignment rules under the Water Regulation 2016. These rules restricted all seasonal trading. In transferring these rules from the Water Regulation 2016 into the Fitzroy WMP, they have been amended to increase opportunities for seasonal trading while remaining consistent with the water plan's objectives and outcomes.

### Changes resulting from amendments to the Water Regulation 2016

The Fitzroy Basin WMP is being amended to reflect the inclusion of existing water sharing rules and seasonal water assignment rules for the Don and Dee groundwater sub-area, and the Prospect Creek and Upper Callide groundwater sub-area. These rules were being managed under the Water Regulation. The inclusion of these rules in the Fitzroy Basin WMP will consolidate all existing management frameworks in the plan area under the water plan and will enable the groundwater systems to be more adaptively managed.

### Changes resulting from the inclusion of rules under section 1259 and 1264 of the *Water Act 2000*

The Water Reform and Other Legislation and Amendment Act 2014 commenced on 6 December 2016 and introduced changes to the water planning framework in the Water Act. One of the primary changes was the transitioning of water resource plans and resource operations plans into new planning instruments, including statutory water plans, water management protocols and operations manuals.

The water plan includes amendments under section 1259(7) of the Water Act which enables an amendment to be made to the water plan which is an amendment to include provisions of a type mentioned in section 1264 of the Water Act. In undertaking these amendments to the water plan, some aspects of the provisions taken to be in the water plan are being delegated down to the Fitzroy Basin WMP. This will enable more flexible and adaptive management of water licence dealing rules than what could otherwise be achieved if these rules were included in the water plan.

### Changes to update the Fitzroy Basin WMP in line with other legislative changes

The Fitzroy Basin WMP has been amended to update any changes as a result of changes to the *Water Act 2000*, Water Regulation 2016 or other statutory instruments. Some of the changes that have been made include:

- Updating the process for releasing unallocated water from a reserve;
- Updating the monitoring and reporting requirements for the chief executive.

## Release of the draft Fitzroy Basin Water Management Protocol

A draft Fitzroy Basin WMP was released for public consultation on 19 August 2020 with the submission period closing on 29 September 2020. The draft Fitzroy Basin WMP was released alongside the draft water amendment

plan and consulted on at the same time. A Statement of Intent was released accompanying the draft water amendment plan and draft Fitzroy Basin WMP to explain the changes being made to each instrument. Two submissions were received about matters contained in the draft Fitzroy Basin WMP.

Briefings and meetings were held during the submission period to enable the department to provide further information about the intent of the draft documents, respond to questions and provide details about how to make a submission.

Due to the social distancing restrictions for managing Covid-19, no public information sessions were held in the Rockhampton area as might have been the case in past planning processes. However, the department undertook an extensive consultation process using video conferencing to ensure affected people and interested parties were consulted during the submission period. A face-to-face meeting was also held with the Don and Dee Water Advisory Group to discuss new water sharing rules for this part of the plan area included in the Fitzroy Basin WMP.

In finalising the water amendment plan the department considered submissions along with feedback from discussions with the key stakeholders and submitters. Where appropriate, changes were made to the final Fitzroy Basin WMP.

### **Next steps**

Upon publication of the WMP on the department's website, the provisions will immediately become active, which includes the ability for water users in the Don and Dee water Management Area to apply for a seasonal water assignment. The department will continue to engage with water users in this area to ensure efficient implementation of seasonal water assignments and work towards establishing an appropriate water sharing framework in the future.



**Queensland**  
Government