

# **Warrego, Paroo, Bulloo and Nebine water resource plan and amended resource operations plan**

## **Consultation Report**

**February 2016**

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## Summary

The Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003 (repealed Queensland WRP) was reviewed prior to its expiry on 30 June 2016. The Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2015 (new Queensland WRP) incorporates the outcomes of this review and replaces the repealed Queensland WRP. The Warrego, Paroo, Bulloo and Nebine Resource Operations Plan (amended ROP) has been amended concurrently with the new Queensland WRP and contains rules which implement the new Queensland WRP strategies.

This consultation report has been prepared to inform stakeholders and interested parties of the issues raised during consultation on the draft plans, and how these issues were considered in finalising the plans. In particular, the report focuses on issues raised in submissions received on the draft plans.

Key issues raised in the submissions included the operation of the Allan Tannock Weir near Cunnamulla, the water year for the Cunnamulla Water Supply Scheme, Aboriginal water use and the protection of held environmental water. All issues of relevance to water allocation and management were thoroughly considered and assessed prior to finalising the plans.

We would like to take this opportunity to thank all those stakeholders, groups and individuals who contributed to the water planning process and, in particular, those who lodged submissions on the draft plans. This report will provide a useful record of how all input was considered and addressed.

**The Hon. Dr Anthony Lynham MP**

**Minister for State Development and Minister for Natural Resources and Mines**

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# 1 Introduction

## 1.1 The role of the consultation report

### 1.1.1 Queensland

In accordance with sections 51 and 104C the Queensland *Water Act 2000* (the Water Act), the Minister and Chief Executive of the Department of Natural Resources and Mines (the department) must prepare a consultation report on the review and replacement of the Queensland<sup>1</sup> Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003 (repealed Queensland WRP) with the new Queensland Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2016 (new Queensland WRP) and the amendment of the Resource Operations Plan 2006 (previous ROP).

The Minister and chief executive are required under the Water Act to consider all properly made submissions in finalising the new Queensland WRP and amended ROP. This report documents the consultation process undertaken by the department as well as summarising the issues raised during the consultation process and how these issues were considered by the Minister in finalising the plans.

The report is divided into the following chapters:

- Chapter 1—a summary of the development of the draft Queensland Water Resource (Warrego, Paroo, Nebine and Bulloo Basin) Plan 2014 (draft WRP) and draft Warrego, Paroo, Nebine and Bulloo Resource Operations Plan 2014 (draft ROP) and an overview of the plan area.
- Chapter 2—a summary of consultation processes undertaken and the stakeholder involved in the process.
- Chapter 3—a summary of the major issues raised in the consultation and how these issues were considered in finalising the plans. This section also includes a table summarising other issues raised in the consultation and a table summarising issues that were deemed out-of-scope of the planning process.
- Chapter 5—details of key changes between the draft and final plans.
- Chapter 6—implementation.

### 1.1.2 Commonwealth

Queensland is preparing a water resource plan for the Warrego-Paroo-Nebine for accreditation under section 63 of the *Water Act 2007* (Commonwealth) against the requirements of the Murray-Darling Basin Plan 2012 (Basin Plan). The Basin Plan was developed and is coordinated and implemented by the Murray-Darling Basin Authority (the Authority). The Water Resource Plan comprises a number of instruments and texts including the new Queensland WRP and amended ROP. Basin Plan requirements for consultation are addressed in the proposed Water Resource Plan.

## 1.2 The plan area and the water to which the plan applies

The plans cover the Warrego, Paroo, Bulloo and Nebine catchment areas which constitute the plan area presented in Figure 1. The Warrego, Paroo and Nebine drain to the Murray–Darling Basin

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<sup>1</sup> For the purposes of clarification and to minimise the confusion between a water resource plan under the Queensland *Water Act 2000* and a water resource plan under the Commonwealth *Water Act 2007*, it is necessary to refer to a “Queensland WRP” throughout this document. A “Water Resource Plan” means the Water Resource Plan as defined under the Commonwealth *Water Act 2007*.

system while the Bulloo catchment is a closed drainage system. The new Queensland WRP applies to:

- all water in watercourses, lakes or springs (including water collected in dams and weirs)
- overland flow water
- subartesian<sup>2</sup> groundwater not connected to the Great Artesian Basin (GAB).

### 1.3 Intent of the final plans

The planning process provides a framework for sustainably allocating and managing water resources in the Warrego, Paroo, Bulloo and Nebine catchment areas. The new Queensland WRP contains outcomes, objectives and strategies with the purpose of:

- defining the availability of water in the plan area
- providing a framework for sustainably managing water and the taking of water
- identifying priorities and mechanism for dealing with future water requirements
- providing a framework for establishing water allocations
- providing a framework for reversing, where practicable, degradation in natural ecosystems.

Specifically, the new Queensland WRP represents a more stream lined and modernised Queensland WRP to that of the repealed Queensland WRP that contained redundant, repetitive and dated provisions. The new Queensland WRP also includes new and updated provisions that reflect new science, understanding and legislation relating to the management of water resources.

Due to its linkages with the Basin Plan the new Queensland WRP has been prepared in line with the requirements for a water resource plan under the Basin Plan and the Commonwealth *Water Act 2007*. One of the key requirements is the management of groundwater and this is now managed under the new Queensland WRP.

In addition to the management of groundwater, the new Queensland WRP:

- restructures the outcomes into ecological, economic, Indigenous and social
- provides existing entitlement holders greater security of their access to water
- provides no less protection of flows for the environment
- provides unallocated surface water for indigenous economic and social aspirations
- allows for growth in industries reliant on water by specifying reserves of unallocated surface water and groundwater
- protects access to groundwater by existing water bores from the impacts of new water bores.

The intent of the amended ROP is to provide rules to implement and align with the new Queensland WRP. The amended ROP has also been modernised in a similar fashion to the new Queensland WRP and:

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<sup>2</sup> Subartesian water is referred to as groundwater in this document and the new Queensland WRP and amended ROP. Groundwater is defined in the new Queensland WRP as underground water that is subartesian water not connected to artesian water.

- provides another rule for the management of releases from Allan Tannock Weir during extreme dry periods that responds to the occurrence of drought and in particular the need to provide water for irrigators and other water users during extreme dry periods.
- protects waterholes from any potential impacts of new water allocations
- allows the resource operations licence holder to provide an estimate of available water supply scheme water more regularly to assist entitlement holders in making business decisions.

## 1.4 History of water planning in the plan area

Under the Water Act, the Minister must plan for the allocation and sustainable management of water to meet the State's future needs. To meet these obligations, the Water Act provides for the Minister to prepare Queensland WRPs for any part of the State. A Queensland WRP for a particular catchment area specifies strategic water resource planning provisions to meet a variety of economic, social, cultural and environmental outcomes.

The Water Act also provides for the chief executive of the department to prepare a ROP to implement the strategies of a Queensland WRP. A ROP is a statutory instrument and does not expire; however, it may be amended or replaced to ensure consistency with the Queensland WRP.

The Water Act provides for the concurrent development of a Queensland WRP and ROP. This streamlines the water planning process by enabling both plans to be released together, which provides stakeholders with an opportunity to comment on both strategic and operational components of water planning at the same time.

The first generation of the Queensland Warrego, Paroo, Nebine and Bulloo WRP was released in 2003 and applied to water in a watercourse, lake or spring and overland flow water. The ROP subsequently came into effect in 2006 to implement the strategies of the Queensland WRP. Minor amendments to the repealed Queensland WRP were made in 2006, 2008 (to recognise the 9000 ML of unallocated water gifted to the Commonwealth Environmental Water Office), 2009, 2011 and 2013.

Under section 52A of the Water Act, a Queensland WRP expires after ten years and is replaced, unless it is repealed prior to this date or its expiry is postponed to a maximum life of 20 years. The repealed Queensland WRP was due to expire by 1 September 2014. However, the expiry of all Queensland Murray-Darling Basin plans was extended (to 30 June 2016 for the Queensland Warrego, Paroo, Bulloo and Nebine WRP and 30 June 2019 for all other plans) under an amendment to the Water Act in May 2013. The 30 June 2019 date was selected to align with the implementation timeframes of the Basin Plan 2012 and to enable the Commonwealth's water recovery program to be completed before the plans were reviewed.

The statutory requirement for a review of Queensland WRPs after ten years ensures adaptive management. As understanding of the ecology and hydrology of the catchment improves, and as social, cultural and economic issues change and become better understood through more effective consultation processes, a Queensland WRP can be adapted to account for this information.

The Queensland Government is a signatory of the Intergovernmental Agreement on Implementing Water Reform in the Murray-Darling Basin and the associated National Partnership Agreement that ensure commitment to meeting Basin Plan requirements. The Basin Plan specifies long-term average sustainable diversion limits (SDLs) for each catchment and aquifer, which is effectively a cap on the long-term average volume of water able to be extracted.

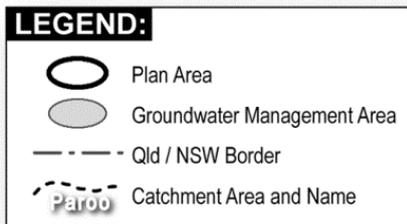
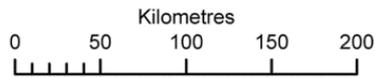
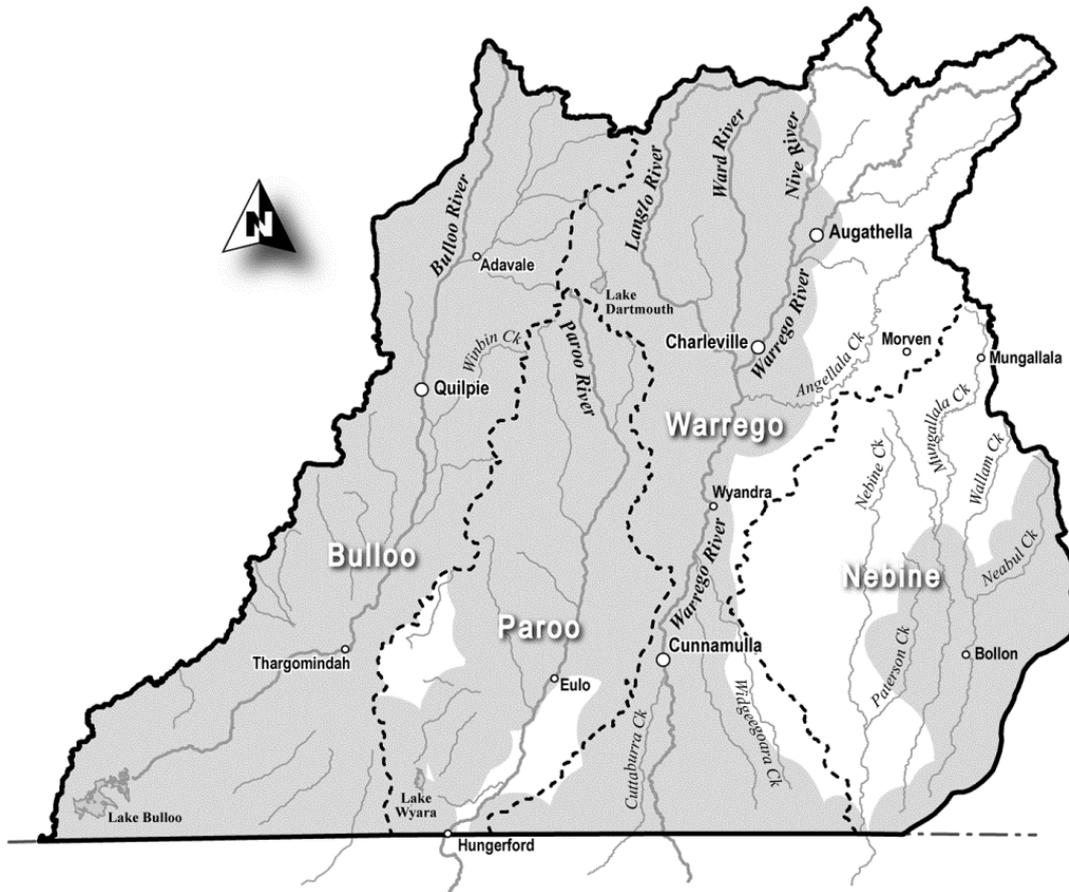
Where it has been identified that the surface water or groundwater resource is over allocated the Commonwealth has committed to recovering water entitlements to ensure long-term average extraction volumes are capped at the identified SDLs. The final Commonwealth water resource plans will ensure there is no further growth in take of water from fully allocated and over allocated aquifers.

The Water Resource Plan for the Warrego-Paroo-Nebine is the first water resource plan area in Queensland to be made in line with the Basin Plan requirements. The Water Resource Plan includes Queensland's state instruments such as the new Queensland WRP and amended ROP as well as other documents required to meet the requirements of the Basin Plan. The Water Resource Plan for the Warrego-Paroo-Nebine was chosen to be the pilot plan for Queensland as the area has a stable and low level of water resource development and has not been subject to the Commonwealth's water recovery programs. Consequently it has been assessed as a low risk plan area in the Queensland part of the basin and the Water Resource Plan for the Warrego-Paroo-Nebine represents a fit-for-purpose implementation of the Basin Plan in line with its low risk status.

Consultation on the review of the repealed Queensland WRP and amendment to the ROP began in May 2013 and has continued throughout the review process.

Further background to the water resource planning process has been included in the overview report that was prepared for the draft plans released in September 2014. This report and other information about the water planning process are available on the department's website at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au).

Figure 1 – Warrego, Paroo, Bulloo and Nebine plan area



WPBN\_Conceptual

## 2 Consultation and submissions

Preliminary consultation on the draft plans began in 2013 and the draft plans were released for a period of public consultation in September 2014. A range of stakeholders have been involved throughout the consultation process and provided formal submissions on the draft plans. Additional consultation has occurred with stakeholders where needed to complement the formal consultation processes.

### 2.1 Initial consultation

Prior to preparing the draft plans, the department held community meetings and met with relevant stakeholders to gain an understanding of the issues and concerns relating to the previous plan (now the repealed Queensland WRP).

Community meetings were held during May 2013 in Charleville, Quilpie, Bollon, Eulo, Thargomindah and Cunnamulla. A meeting with local Aboriginal people was also held at Charleville.

### 2.2 Consultation on the draft plans

Upon release of the draft plans, public information sessions were held in Bollon, Eulo, Toompine and Cunnamulla during October 2014. A public notice was published advising of the release of the draft plans and they were also made available at regional and shire council offices. Written advice of the release of the draft plans and details of the information sessions were also sent to key stakeholders. These public information sessions allowed water users, other interested parties and the wider community to:

- develop an understanding of the core outcomes, strategies and objectives in the draft Queensland WRP and how they might be implemented
- understand the proposed changes to the Queensland WRP and ROP
- provide direct comment on the draft plans
- make an informed submission.

Some of the key stakeholders in the plan area include:

- water entitlement holders
- SunWater
- AgForce
- Queensland Farmers Federation
- regional and shire councils including Murweh, Maranoa, Western Downs and Blackall Tambo regional councils and Quilpie, Bulloo, Paroo and Balonne shire councils
- Traditional Owners and Aboriginal groups, including Northern Basin Aboriginal Nations (NBAN) and the Far South West Aboriginal Natural Resource Management group
- riparian and non-riparian landholders
- Murray-Darling Basin Authority
- New South Wales government departments
- Commonwealth Environmental Water Office

- Natural Resource Management bodies, such as South West Natural Resource Management.

## **2.3 Submissions**

Formal submissions were invited on the proposed changes to the plans. Fourteen properly made submissions were received from local community members, SunWater and the Commonwealth Environmental Water Office, including a petition signed by 44 persons. The issues raised in formal submissions as well as through formal and informal consultation are covered in chapter 3.

During finalisation of the new Queensland WRP and amended ROP, the department continued to consult with key stakeholders and organisations.

## **3 Issues raised in consultation and outcomes**

This chapter summarises the issues raised during the consultation process on the draft plans and how they were dealt with. Key issues raised included:

- stock and domestic storage and release rules for Allan Tannock Weir
- water year for Cunnamulla Water Supply Scheme
- Aboriginal water values and uses
- protection of held environmental water and environmental flows.

### **3.1 Stock and domestic storage and release rules for Allan Tannock Weir**

#### **3.1.1 Background**

Allan Tannock Weir (the weir) is the water storage infrastructure for the Cunnamulla Water Supply Scheme (CWSS). Operating rules in the previous ROP allow for a release of water to be made from the weir to supplement riparian landholders downstream for stock and domestic purposes.

The operating rule in the previous ROP required the first 300 megalitres per day (ML/day) of inflow to be released and passed downstream providing the storage level is above the minimum operating level, or 10 per cent of the storage volume. Critical water supply arrangements (CWSA) were introduced in May 2014 in acknowledgement of the extreme climatic conditions that existed at the time, including an 18 months period where there was no inflow into the weir, and to give some relief to the two active irrigators who have significant areas of permanent plantings (i.e. table grapes). When they were introduced, the CWSA were generally supported by the irrigators, local community, Paroo Shire Council and downstream graziers. The CWSA required the first 300 ML/day to be released and passed downstream providing the storage level is in excess of 70 per cent of the storage volume. CWSA are generally put in place to cover extreme dry events.

#### **3.1.2 Draft ROP provisions**

Section 18 of the draft ROP proposed that the operating rule require the first 300 ML/day of inflow to be released and passed downstream providing the storage level is in excess of 70 per cent of the storage volume. The operating rule reflected the CWSA.

#### **3.1.3 Issues raised in consultation**

Ten submissions were received from water allocation holders, downstream graziers, local business proprietors and individuals from the Cunnamulla community regarding this issue. The submissions

ranged from retaining the operating rule in the previous ROP, to removing the operating rule completely.

Submissions in favour of retaining the operating rules in the previous ROP stated that the CWSA had worked well for irrigators during the current drought, but they were concerned that downstream users would be disadvantaged should the requirement to release water be removed permanently. An additional concern was that the rule in the draft ROP will lead to earlier cease to flow periods downstream of the weir, thereby potentially impacting on refugial waterholes.

Concerns from traditional owners in the plan area also requested that pass flows should be sufficient enough to flush sand build up downstream and upstream of the weir as well as to provide for the filling of fishing holes and billabongs and to maintain cultural sites such as those located on Cuttaburra Creek. There were also concerns about the impacts of the weir on the depth and characteristic of the Warrego River as well as the reduction in flows on fish stocks. Some fishermen are inclined to cross over to the Paroo catchment due to reduced stocks and poor conditions in the Warrego River.

Seven submissions were in favour of not having an operating rule and allowing the weir to be operated on a “fill and spill” basis giving the following reasons:

- significant benefit to the community and local business by supporting: tourism, recreation, irrigated agriculture and horticulture
- basis for investment and employment in a low income region
- water security for the town of Cunnamulla
- supports the ecosystem around the weir
- the local government to supply water to the two stock and domestic users downstream during dry times—all other properties downstream have access to groundwater
- there are no ecological or public benefits as any release would only run a short distance and then evaporate and disappear in the sand.

Five of these submissions stated that if the “fill and spill” arrangement was unacceptable, then the operating rule should be the first 300 ML/day to be released and passed downstream providing the storage level is in excess of 75 per cent of the useable volume and providing 30 days had elapsed from when the inflow had ceased and if no other flow was approaching the weir.

### **3.1.4 Finalised ROP provisions**

In response to submissions the department assessed four options for consideration:

- Retaining the operating rule proposed in the draft ROP.
  - Retaining the operating rule in the previous ROP.
  - Removing the operating rule.
- and
- Combining the operating rule in the previous ROP during normal conditions and the operating rule proposed in the draft ROP. That is when the weir has not reached full supply level for greater than 18 months; no water will be released until such time as the weir is at least 70 % full. During normal climatic conditions, releases will be made to support downstream riparian stock and domestic users.

To compare and analyse the options the hydrologic model (Integrated Quantity and Quality Model) was used to determine effects on; storage status, downstream releases, weir performance and end of system flows. Possible effects on water allocations, the environment (i.e. waterhole persistence and fish migration), and social and economic factors, were also considered. Meetings were held with the New South Wales Government Office of Water and Office of Environment and Heritage and the Commonwealth Environmental Water Holder. Finally, an independent referral panel assessed the proposed options and provided recommendations to the chief executive.

As a result of submissions, further analysis performed by the department and recommendations from the referral panel, the chief executive has changed the operating rule in the final ROP. The rule has been altered to combine the operating rule in the previous ROP during normal conditions and the operating rule proposed in the draft ROP, to be triggered during drier times. This option maintains the intent of the original operational rules, to ensure that requirements to provide water for downstream needs are being addressed and to protect pre-existing rights to access water downstream of the weir. The rule also responds to the occurrence of drought and in particular the need to provide water for irrigators and other water users during extreme dry times. It also meets requirements of the Basin Plan in relation to protection of planned environmental water and managing an extreme dry period, respectively.

A further meeting was held in late September 2015 at Cunnamulla with those stakeholders that provided a submission on the stock and domestic release rule as well as other interested members of the community. The purpose of the meeting was to discuss the new rules proposed for the final amended ROP as well as to provide an update on the progress of the new final Queensland WRP and amended ROP. The majority of issues raised were similar to those raised in formal submissions as well as a few out of scope issues.

## **3.2 Water year for Cunnamulla Water Supply Scheme**

### **3.2.1 Background**

The previous ROP defines the water year for the CWSS as being the 12 months beginning 1 July and ending 30 June. The purpose of the water year in the CWSS is to prescribe an accounting period for supplemented water allocations and to set a point in time for the scheme operator to announce the announced allocations for the new water year.

### **3.2.2 Draft ROP provisions**

The dictionary in the draft ROP defines the water year for the CWSS as being the 12 months beginning 1 July and ending 30 June. There was no change proposed from the previous ROP.

### **3.2.3 Issues raised in consultation**

Four submissions on the draft plan requested that the water year be changed, to start 1 April and end 31 March the following year.

The request for changing the water year is to ensure announced allocations can be made prior to local grape growers deciding and beginning pruning operations. Though not articulated in the submissions, the rationale for the change of water year is to maximise local irrigator's level of certainty when they need to make crop decisions. According to local grape growers, the volume of water available between pruning (April – June) and picking (December – January) is the important factor when making decisions about pruning. With the water year beginning on the 1 July, announced allocations for the water year are made after pruning has begun.

### **3.2.4 Finalised ROP provisions**

Options for changing the water year in accordance with submissions were taken to the independent referral panel and the water year proposed in the draft ROP has been retained in the final amended ROP.

The water year in the final amended ROP aligns with reporting requirements for other water supply schemes throughout Queensland and maintains management efficiencies for SunWater, the Resource Operations Licence (ROL) holder for the CWSS. Reporting requirements under the Commonwealth's *Water Act 2007* and Basin Plan also align with the financial year. The referral panel provided recommendations to the chief executive.

More certainty in terms of water availability for table grape growers is provided by changes to the rules around how often the announced allocation is recalculated. The ROL holder is now able to recalculate the announced allocation periodically throughout the water year when the announced allocation percentage is less than 100 per cent. Additionally, water users may complete their own forecasts based on the formula for calculating announced entitlements, approaching SunWater directly to request a forecast on water availability or accessing SunWater's webpage for information on approximate storage levels.

## **3.3 Consultation processes on Aboriginal water values and uses**

### **3.3.1 Background**

Queensland recognises that consultation with Aboriginal people and the consideration of Aboriginal values and uses to be a fundamental part of the water planning process. This is in line with current National Water Initiative principles, which identifies actions to provide for improved Aboriginal access to water resources through planning processes.

The Murray-Darling Basin Authority formed the Northern Basin Aboriginal Nations (NBAN) in 2010 to contribute to the development of the Basin Plan and to provide an Aboriginal perspective on natural resource management and cultural issues in the Murray–Darling Basin. NBAN comprises Traditional Owner nominated representatives from 22 Aboriginal Nations in the northern Murray–Darling Basin, including all those in the Queensland part of the Basin.

In developing the draft Queensland WRP and draft ROP the department held meetings in May 2013 in the plan area to provide opportunities for local Aboriginal interests to comment on the draft Queensland WRP. This consultation was held in collaboration with the Far South West Aboriginal Natural Resource Management group, NBAN and the South West Natural Resource Management group.

Departmental officers have consulted with NBAN about the draft Queensland WRP and sent NBAN a letter advising them of the public release of the draft plans and where they could access the documents, submission forms and public meetings. NBAN did not make a written submission as part of this process during the formal submission period

To date the department has been undertaking consultation, based on formal and informal advice from NBAN and the Authority throughout the preparation of the Queensland WRP and ROP (as a part of the Water Resource Plan for accreditation under the Basin Plan) while also being in line with existing processes under the Water Act, the National Water Initiative and the MDBA Handbook for

Practitioners<sup>3</sup>. The MDBA Handbook for Practitioners refers further to the *United Nations Declaration on the Rights of Indigenous Peoples*.

The Independent Referral Panel report on the review of the Commonwealth's *Water Act 2007* recommended that the Authority prepare guidelines to assist Basin State governments to develop water resource plans in accordance with Basin Plan water resource plan requirements relating to Indigenous values and uses, with the guidelines to draw on the Convention on Biological Diversity's Akwé: Kon Guidelines as appropriate<sup>4</sup>. At the publishing of this report there have been no guidelines prepared by the Authority that draw on the Akwé: Kon Guidelines that have been made available to the Basin States however the Akwé: Kon Guidelines have guided further additional consultation undertaken by the Queensland Government.

Formal consultation upon the release of the draft plans was undertaken with Traditional Owners in an information session at Cunnamulla on 17 October 2014. Issues raised at this information session have informed the development of the final plans.

In October 2015, the department and Department of Environment and Heritage Protection (DEHP) held an additional series of meetings in the plan area to inform Aboriginal attendees of the planning process and changes that had been made during the finalisation of the Queensland WRP and ROP. This series of meetings, facilitated by NBAN representatives, was held in Bollon, Cunnamulla, Eulo, Charleville, Quilpie, Augathella, Toowoomba and Roma. This was also an opportunity for Aboriginal people to provide comments and suggestions for any final changes to the Queensland WRP and ROP.

The department has prepared a cultural assessment report that summarises the issues raised by Aboriginal people during the initial phases of the consultation<sup>5</sup>. The cultural assessment report includes information on the Aboriginal values and uses of water in the plan area identified in consultation as well as the key issues raised by Aboriginal people in relation to water planning and management. In addition, the department has prepared a report on the Aboriginal values and uses<sup>6</sup> to capture the outcomes from the consultation phase in October 2015 and to meet the requirements of the Basin Plan. This report builds on the cultural assessment report and summarises the approach taken by the Queensland Government to engage with Aboriginal people and ensure their views are taken into consideration in the planning process.

### **3.3.2 Draft Queensland WRP provisions**

The development of the draft Queensland WRP and draft ROP is prescribed under the Water Act and includes requirements relating to consultation. One of the strategies undertaken to communicate the draft Queensland WRP and draft ROP to the community was through a series of public meetings. The details regarding this process are outlined in chapter 2 of this report.

Chapter 3 of the draft Queensland WRP stated the general, economic, social and ecological outcomes to be achieved through the draft Queensland WRP strategies and objectives. Within the

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<sup>3</sup> Handbook for Practitioners – Water resource plan requirements, Murray-Darling Basin Authority 2013. Please see <http://www.mdba.gov.au/sites/default/files/WRP-Handbook-for-Practitioners.pdf>

<sup>4</sup> Report of the Independent Review of the *Water Act 2007*, Commonwealth of Australia 2014. Please see <https://www.environment.gov.au/system/files/independent-review-water-act-2007.pdf>

<sup>5</sup> Department of Natural Resources and Mines 2015. Warrego, Paroo, Bulloo Nebine water resource plan and resource operations plan: Cultural assessment report. Queensland Government, Brisbane.

<sup>6</sup> Department of Natural Resources and Mines 2016. Aboriginal values and uses. Queensland Government, Brisbane.

economic and social outcomes there were specific outcomes that state that water is to be available for traditional owners to achieve their economic and social aspirations as well as to maintain flows that support the cultural values of the traditional owners of the plan area.

Chapter 5 of the draft Queensland WRP specified strategies to achieve these outcomes including the specification of reserves of unallocated water for any or community purposes. Community purposes included for the purposes of helping traditional owners in the plan area to achieve their economic and social aspirations.

### 3.3.3 Issues raised in consultation

The cultural assessment report and Aboriginal values and uses report provide a full summary of the issues raised by Aboriginal people at the meetings held in the plan area as well as in correspondence with NBAN. The following issues were specifically raised by NBAN on the draft Queensland WRP and draft ROP outside the formal submission period:

- concern with the level of engagement with traditional owners in the development of WRPs especially the draft Queensland WRP for the Warrego, Paroo, Bulloo and Nebine which was inadequate
- the draft Queensland WRP was not publically released in part because of the unreasonable nature of the consultation with Aboriginal people and which would have been formally scrutinised formally by NBAN under the Basin Plan before it could be accredited by the Authority
- nature of consultation falls far short of the Akwé: Kon Guidelines<sup>7</sup> utilised by the International Convention on Biological Diversity which the independent panel reviewing the Commonwealth's *Water Act 2007* recommend be utilised by governments in dealing with Indigenous people including in the preparation of water resource plans
- for historical reasons Aboriginal Nations were excluded from receiving water entitlements when these were first assigned to landholders and this has prevented us securing our legitimate cultural, environmental and economic interests in contrast to irrigators and more recently water traders unconnected to land ownership
- as a consequence Aboriginal nations have not had the benefit of owning and managing these entitlements and the experience and knowledge—administrative, conventional, ecological and hydrological.

### 3.3.4 Finalised Queensland WRP provisions

The final Queensland WRP more clearly articulates the Indigenous outcome by separating this outcome from other plan outcomes.

The final Queensland WRP also more clearly articulates that specific reserves volumes of unallocated water can be granted under new entitlements for local traditional owners. There is now a separate definition for *Indigenous purpose* which also aligns with the more contemporary WRPs throughout Queensland that specify reserves of unallocated water for Indigenous purposes.

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<sup>7</sup> Akwé: Kon Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or who are likely to impact on, sacred sites and on lands and water traditionally occupied or used by indigenous and local communities. Please see: <https://www.cbd.int/doc/publications/akwe-brochure-en.pdf>

## 3.4 Protection of ‘held environmental water’ and environmental flows

### 3.4.1 Background

The Commonwealth *Water Act 2007* states that ‘held environmental water’ means water available under a water access right, a water delivery right or an irrigation right for the purposes of achieving environmental outcomes (including water that is specified in a water access right to be for environmental use). The Commonwealth *Water Act 2007* also specifies a definition for ‘planned environmental water’ that can be summarised as water that is made up of flows released from storages, dam spills, inflows from tributaries or water in a river that is protected from extraction. The purpose of planned environmental is to reinstate natural flow patterns to rivers and streams, taking into account the timing, frequency and variability of flows and in doing so contributes to specific environmental outcomes. Planned environmental water is also known as ‘rules based’ environmental water<sup>8</sup>.

Under the Queensland Water Act the protection of environmental water is a key element of the water resource planning framework and is based on extensive technical assessments and stakeholder consultation. The environmental watering arrangements under the Queensland water planning framework seek to protect and where possible restore natural flow regimes to support high value environmental assets and critical ecosystem functions and aligns with the ‘rules based’ environmental water approach described by the Authority

The combination of planning instruments and legislative provisions under Queensland’s water planning framework provides the mechanisms and measures to sustainably manage the impact of water extraction on environmental flows and protect environmental assets. This long-term, integrated, rules-based approach to environmental water is appropriate for a largely unregulated and low development plan area such as the Warrego, Paroo, Bulloo and Nebine catchments.

The department has been in consultation with the Authority, Commonwealth Environmental Water Office, New South Wales and other stakeholders regarding the rules-based approach to environmental water.

### 3.4.2 Draft Queensland WRP and ROP provisions

The draft Queensland WRP provided protection for environmental flows through the specification of ecological outcomes and the environmental flow objective prescribed in schedule 4.

The ecological outcomes specified in the draft Queensland WRP are:

- minimise changes to the natural variability of flows that support aquatic ecosystems
- maintain the flow regimes of the Paroo and Bulloo rivers
- maintain the floodplain vegetation and wetland systems including Currawinya Lakes, Paroo Overflow Lakes and the Bulloo Lakes
- maintain flows that support waterholes, river channels and habitat for migratory fish.

The draft Queensland WRP strategies and objectives (such as environmental flow objectives) help the WRP to meet the above outcomes. The draft Queensland WRP contained one performance indicator with its associated environmental flow objective or statistic against which to measure and

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<sup>8</sup> Murray-Darling Basin Authority, 2013. Effective coordination and use of environmental water. Commonwealth of Australia, Canberra. Please see: [http://www.mdba.gov.au/media-pubs/publications/environmental-watering-plan/ewp/ewp\\_ch5](http://www.mdba.gov.au/media-pubs/publications/environmental-watering-plan/ewp/ewp_ch5) [Accessed November 2015]

ensure that water management decisions such as trading were not impacting on environmental flows. The performance indicator that was chosen was mean annual flow. Mean annual flow is defined in the draft Queensland WRP as the total volume of flow of water at a node in the simulation period divided by the number of years in the simulation period or the mean annual flow in megalitres at the end of the system (Queensland/New South Wales border). The environmental flow objective statistic in the draft Queensland WRP is expressed as a percentage of the pre-development mean annual flow.

Although not specifically classified as an environmental flow release rule, the draft ROP contained stock and domestic storage and release rules for Allan Tannock Weir in the CWSS. These releases have the added benefit of providing environmental flows to aquatic ecosystems such as waterholes downstream of the weir.

The draft ROP also contains rules for when unsupplemented water allocations (waterharvesting entitlements) can access water during periods of high flows. These rules ensure sufficient time has passed before waterharvesting can begin to allow flows to replenish aquatic ecosystems.

Also, conditions will also be applied to water allocations with no flow conditions that move to a new location to ensure that before water can be accessed from a waterhole there must be a visible flow passing downstream of the point of take.

### **3.4.3 Issues raised in consultation**

A submission received from the Commonwealth Environmental Water Office raised issues relating to environmental flows and the water allocations held by the Commonwealth Environmental Water Office. Informal consultation with other stakeholders and the Authority also raised similar issues.

In summary the issues raised in submissions and consultation includes:

- The draft plans should include provisions to protect held environmental water from extraction by other consumptive users. Held environmental water security could be improved during low flows by universally applying visible flow rules to all nil flow water allocations.
- There are no provisions in the draft ROP that explicitly protect the unused flows of unsupplemented water allocations (such as held environmental water) from extraction by downstream users.
- Environmental benefits are derived when the held environmental water is 'used' in that water is not diverted, but remains in-stream.
- Modelling was undertaken in 2009 for water allocations gifted to the Commonwealth Environmental Water Office (held environmental water). It indicated that 57 per cent of average long term environmental in stream flows from the held environmental water is lost by the time it reaches the border due in-stream loss and extraction by downstream users.
- During low flows much of the contribution from the held environmental water in the Upper Warrego is expected to be extracted, thereby reducing its local flow and environmental benefits.
- The number of performance indicators and environmental flow objectives in the previous Queensland WRP compared to the draft Queensland WRP has gone from five to one and this appears as though there is less protection of flows for the environment.
- Not convinced that the one broad indicator of mean annual flow is sufficient or sensitive enough to protect environmental flows and a range of flow regimes are required.

- Concerned that having only one performance indicator and environmental flow objective creates a lower test for change when the department is assessing water management decisions.
- Acknowledge that some 'growth' is permissible within existing Queensland WRP limits and that this is mirrored in the Basin Plan sustainable diversion limits; however would like to explicitly note that this will result in less water entering New South Wales, impacting negatively on the reliability of New South Wales water users.
- Found it particularly difficult to see a clear line of sight between Basin Plan requirements and objectives and the outcomes sought from the draft Queensland WRP especially with respect to the Basin Wide Environmental Watering Strategy.

### **3.4.4 Final Queensland WRP and ROP provisions**

The final Queensland WRP now contains six performance indicators and associated environmental flow objectives including mean annual flow as proposed in the draft Queensland WRP. The ecological outcomes remain the same. The additional performance indicators are:

- days in no-flow waterhole flow periods
- days in low flow periods
- days between fish migration flow events
- days with river-forming flow
- days between floodplain inundation periods.

These new indicators (except the days in low flow periods) were initially investigated for potential inclusion in the draft Queensland WRP however it was shown that they did not limit any water management decisions (such as trading and/or operational rules) due to the low level of water resource development and would have had no effect in the draft Queensland WRP.

As a result of this assessment, submissions and further consultation the new performance indicators have been included in the final Queensland WRP to more be more transparent about the aspects of the flow regime that are linked to the ecological assets for the plan. The days in low flow periods performance indicator has been included to provide a level of assurance to those water entitlements holders south of the Queensland/New South Wales border that low flows passing into New South Wales will not be impacted by any future water management decisions. These performance indicators and associated ecological assets will inform monitoring and assessment of the performance of the Queensland WRP in meeting its ecological outcomes.

The final amended ROP also includes new stock and domestic storage and release rules for Allan Tannock Weir that benefit environmental flows as discussed in 4.1.4 of this report.

In addition, further consultation was held with the Authority, Commonwealth Environmental Water Office and New South Wales to explain in more detail how Queensland manages environmental watering within a rules based approach. In Queensland, WRP strategies and ROP rules work together to ensure that water resource development does not increase beyond the levels set by the plans. Specifically, water sharing rules in the ROP include details, such as setting a maximum volume of water that may be taken by an entitlement in a water year and setting access conditions on consumptive water entitlements to protect certain flow events or waterhole levels from extractions.

These types of water sharing rules and conditions on water allocations ensure that environmental flow objectives are not impacted.

Held environmental water is protected by the water sharing rules and the conditions on water allocations. As water allocation, held environmental water has the same level of protection as all other water allocations. In other words, held environmental water is protected by the water allocation security objectives for unsupplemented water allocations. Any future decisions made by the chief executive about the allocation and management of water must be consistent with the environmental flow objectives and water allocation security objectives specified in section 15 and 17 of the new Queensland WRP.

Furthermore, monitoring programs (such as those discussed in Queensland's Science Plan<sup>9</sup>) assess the performance of a WRP in meeting its outcomes (e.g. s10-14 of the new Queensland WRP). The findings from the monitoring programs are reported in the Minister's five yearly reports. The impacts of any future water management decisions are assessed using the hydrologic model against the environmental flow objective and water allocation security statistics for each of the performance indicators (e.g. s15-17 of the new Queensland WRP). These performance indicators are not monitored over the life of the WRP to assess its performance—that is the role of monitoring programs.

The request for all water allocations to include a visible flow condition in the Warrego and Nebine catchments would reduce security and reliability for existing water allocation holders. Section 6.14 of the Basin Plan 2012 states that nothing should require a change in the reliability of water allocations of a kind that would trigger Subdivision B of Division 4 of Part 2 of the Commonwealth *Water Act 2007*. Also, the take of water under entitlements in the plan area has been assessed as low risk to the ecological indicator assets in the plan area, including waterholes as refugia; therefore there is no basis to implement mechanisms such as this.

An explanation of the linkages between the Basin Plan requirements and objectives and the outcomes in the new Queensland WRP with respect to the Basin Wide Environmental Watering Strategy will be provided through the Long Term Watering Plan prepared by Queensland in accordance with the Basin Plan.

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<sup>9</sup> Available at <https://www.dnrm.qld.gov.au/data/assets/pdf/file/0016/233701/water-planning-science-plan.pdf>

### 3.5 Other issues raised in submissions

Table 1 addresses the other issues that were raised in the submissions and not addressed in sections 4.1 – 4.4.

**Table 1: Other issues raised via submissions and how they were addressed**

Issues raised via submission	How the issue was addressed
The consultation process should have involved water users prior to release of draft plans.	The consultation opportunities for the draft plans are in line with the requirements under the Water Act. Additional opportunities were also provided prior to the release of the draft plans through public meetings in the plan area in 2013 (refer to section 2).
Difficulty in identifying which rules have changed as final version of plans provided – there needs to be more transparency of the changes made to plans.	Noted – Overview reports <sup>10</sup> contain details of how the plans have changed.
Concerned that water allocations in zone A may be traded out of the zone.	No change. The amended ROP retains the current provisions that deal with a change in location or “trading” of water allocations. However, the decision to sell water allocations is at the discretion of the water allocation holder, but any trades must be consistent with water allocation security objectives and the environmental flow objectives.
In relation to the ordering of WRP economic outcomes: outcome on maintenance of flood flows (e) to support grazing activities should become outcome (a). A dollar value has been stated in a 1998 Ray Dowell Report. More than half of the Shire is and makes a living from the Warrego River floodplain and as such the economic and social value is huge.	No change. There is no priority to the ordering of the outcomes in the list. They are all equally as important.
Cunnamulla Water Supply Scheme: What is 182.5m AHD? This is confusing and should be explained.	The definition for AHD or Australian Height Datum is stated in the amended ROP.
Cunnamulla Water Supply Scheme: Licence holders to be notified of all allocation announcements by email, phone, text and post.	No change. SunWater currently provide details of announced allocations to customers through the SunWater website, mailing of advice postcards and direct SMS messaging.
Conversion of licences - submitter requesting conversion of a specific licence for water spreading to a water allocation.	No change. The conversions of licences that authorise the take of water for the purpose of water spreading were not considered for the new Queensland WRP due to insufficient data.
Need to identify all the sustainable diversion limits for ground and surface water of the Warrego River. The submitter was in favour of licences for particular waterholes and soil areas. Submitter said there is a need to be open to new ideas for water use, such as new small crops	No change. The sustainable diversion limits will be identified as part of the Commonwealth WRP and align with the sustainable diversion limits stated in the Basin Plan. The set-up of the current water allocation and licensing regime for surface water and groundwater took into consideration many elements of water use including the

<sup>10</sup> Please see <https://www.dnrm.qld.gov.au/water/catchments-planning/catchments/warrego-paroo-bulloo-nebine>

Issues raised via submission	How the issue was addressed
which would generate employment.	intended use of the entitlements
Support for removal of requirement to monitor water quality	No change. Submitter supports change.
Suggested removal of requirement to provide annual summary of operational and emergency incidents as these are reported as in accordance with section 69.	No change. Annual reporting to the chief executive on emergency and operational incidents only requires that there be a summary of details.
Cunnamulla Water Supply Scheme: Recommendation to remove requirement to publish announced allocation in a newspaper due to recent enhancements in methods of communication of which the benefits are far superior to publishing announced allocations in newspapers. Submitter currently provides announced allocation details to customers through website, mailing of advice postcards and SMS. Submitter believes high cost in complying with this requirement is unnecessary providing little benefit to customers (Attachment 1 Dictionary - Requirement to publish)	No change. There is no compulsory requirement to publish in a newspaper under the definition of "publish" in the amended ROP.
WRP should foster investment and employment in the low income region by improving water security and water affordability. In particular, remote rural and aboriginal communities along the river have low investment and low employment opportunities.	No change. The new Queensland WRP provides a statutory basis for the protection of water entitlements through the specification of outcomes, strategies and objectives. A key strategy of the new Queensland WRP is to ensure the average volume of water taken from the plan area does not increase, thereby protecting the ability to access water under an entitlement. Water allocation security objectives also protect entitlements from any adverse impacts of future water management decisions such as trading. The new Queensland WRP also specifies reserves of unallocated water for particular purposes from which new entitlements to access water can be granted.
Request for an assessment of the effectiveness of the dry spell flow protection rules in the draft ROP in achieving the environmental outcomes. The concern being that the benefits of the rules may be diminished by the special conditions attached to most waterharvesting allocations in the Lower Warrego water management area, which allow take to commence before the flow peak has passed.	No change. All waterharvesting entitlement conditions and rules are reflected in the hydrologic model. Environmental assessments undertaken identified no medium or high risks to environmental watering requirements of ecological assets. Therefore there is no need to assess the water sharing arrangements such as the special condition.
Commonwealth Environmental Water Office supports the recommendation in the Environmental Assessment Report – Stage 2 to develop an additional rule for defining announced access periods to protect the first post-winter flow in cases where it has been more than three years since the occurrence of a flow event that provides fish migration opportunities. The CEWO considers that such water sharing rules should be included in the draft WRP and draft ROP to	No change. Modelling of worst case trading runs did not indicate a change of risk to ecological assets that warrants a new rule as was suggested. This is because the change in spells between fish migration events does not reach the threshold of concern for this indicator asset: <ul style="list-style-type: none"> <li>• Only spells longer than 10 years represent a critical threshold (local extinction risk), and the longest spell in the simulation is 5.8 years, which does not reach the critical 10-</li> </ul>

Issues raised via submission	How the issue was addressed
<p>ensure that the plans adequately address these critical environmental needs.</p>	<p>year risk threshold, and</p> <ul style="list-style-type: none"> <li>Management scenarios don't create any sequential risk events. In all cases there are at least 10 low risk years between high risk periods.</li> </ul> <p>Furthermore, full entitlement modelling assumes the 'sleeper' or undeveloped entitlements are accessing water when flow thresholds are reached. In reality these sleeper entitlements are not taking water therefore the risk may actually be less than 12.6%.</p> <p>In addition the proposed rule has the potential to reduce the reliability and therefore security of these existing water allocations.</p> <p>Please refer to the environmental assessments for more detail at <a href="https://www.dnrm.qld.gov.au/water/catchments-planning/catchments/warrego-paroo-bulloo-nebine">https://www.dnrm.qld.gov.au/water/catchments-planning/catchments/warrego-paroo-bulloo-nebine</a> or alternatively <a href="http://www.qld.gov.au/environment/library/">http://www.qld.gov.au/environment/library/</a></p>
<p>Support for the special visible flow condition being imposed on permanent and seasonal trades of water allocations with a nil pass flow condition into new location/waterholes.</p>	<p>Noted</p>
<p>Monitoring and reporting of environmental water: Commonwealth Environmental Water Office suggests that in the 5 yearly reporting to the Minister reporting requirements be clearly specified and include interim assessment of how WRP is achieving ecological outcomes stated.</p>	<p>Accounting for environmental water is a requirement under Schedule 12, Item 9, of the Basin Plan and provision will be made to address this through these requirements and under s71 reporting requirements.</p>
<p>Monitoring and reporting of environmental water: Commonwealth Environmental Water Office submits that a requirement for monitoring, measuring and accounting for environmental flows be included in the WRP.</p>	<p>This monitoring and reporting requirement will form part of the Water Resource Plan for the Basin Plan.</p>
<p>Including linkages/references to relevant New South Wales water sharing plans would improve whole of catchment management of environmental water.</p>	<p>No change. The new Queensland WRP refers more broadly to having outcomes consistent with the Basin Plan and water sharing agreements and commitments between Queensland and New South Wales. The inclusion of additional types of references in subordinate legislation is not necessary. Departmental webpages contain these references and linkages and they will also form part of the Water Resource Plan to be submitted to the Authority.</p>
<p>Providing a timeframe for when records (as required by monitoring and reporting requirements in the draft ROP) are made publicly available by the chief executive would be useful to stakeholders.</p>	<p>No change. Data on the trade of water allocations is available quarterly on the department's website. The volume of water taken is available through the annual report as required by section 71 of the <i>Water Act 2007</i>. Water quantity or flow data is available daily on the Queensland government's website.</p>

Issues raised via submission	How the issue was addressed
<p>The WRP should include clear criteria as to why and how plans can be suspended and the extent of temporary rules that can be put in place while the plan is suspended.</p>	<p>No change. Queensland legislation does not allow for a WRP to be suspended. Instead, under sections 25A to 25ZE of the Queensland Water Act, a ROP, resource operations licence or interim resource operations licence may be overridden by a declaration or regulation. WRPs under the Water Act can be amended, replaced or have their expiry postponed. Any legislation or subordinate legislation can be repealed under Queensland's <i>Statutory Instruments Act 1992</i>.</p>
<p>New South Wales holds concerns surrounding the management of take from overland flow in Queensland. New South Wales welcomes the work to date however would be keen to see increased vigour in this area of management. Development on the floodplain has the ability to significantly influence flows passing from Queensland to New South Wales particularly in periods of small to moderate flooding. Request an articulation of the management framework for overland flow in Queensland to better assess the level of risk to New South Wales.</p>	<p>Warrego, Paroo, Bulloo and Nebine risk assessments show that the risk associated with an increase in surface water diversion from overland flow is low both for non-farm dams and stock and domestic purposes. The new Queensland WRP is a no growth plans whereby no new entitlements to take water (other than from unallocated water reserves or for stock and domestic purposes) are allowed.</p> <p>The management of overland flow in other plan areas within the Queensland section of the Murray-Darling Basin will be the subject of bilateral discussions with New South Wales upon the future review of those plans.</p>

### 3.6 Out of scope issues

Several issues raised in submissions could not be dealt with under a Queensland WRP or ROP and are addressed below in Table 2. These issues relate to other legislation and subordinate legislation including, but not limited to, the Water Act, the *Environmental Protection Act 1994* the *Petroleum and Gas Act 2004*, and the Water Resource (Great Artesian Basin) Plan 2006.

**Table 2: Issues that were out of scope of the WRP and ROP**

Issues raised via submission	Comments
<p>Concern about the impact of tree clearing and blade ploughing on the flow dynamics of the Warrego river especially low to medium flows. No longer do they get the low flows at the same frequency and medium to high flows are now the norm.</p>	<p>Tree clearing and blade ploughing are land management issues under the <i>Environmental Protection Act 1994</i> The Department of Environment and Heritage Protection is responsible for this legislation.</p>
<p>Concern about management of CSG and mining bores, and a lack of monitoring, impact of poorly constructed bores and water take on stock and domestic and the Great Artesian Basin. Submitter stated that CSG and mining must be accountable for their effects on other users and must have the same standards.</p>	<p>Mining is managed under the relevant sections of the Water Act (i.e. chapter 3) and other legislation such as <i>Petroleum and Gas (Production and Safety) Act 2004</i> and <i>Petroleum Act 1923</i>.</p>
<p>Mining should not be exempt from the Water Act and should have to obtain a water licence like everyone else. All bores should be inspected when drilled for gas and water.</p>	<p>Mining is managed under the relevant sections of the Water Act (i.e. chapter 3) and other legislation such as <i>Petroleum and Gas (Production and Safety) Act 2004</i> and <i>Petroleum Act 1923</i>.</p>
<p>High cost to validate water meters in remote</p>	<p>Validation of water meters and the requirements</p>

<p>areas such as St George. Training course for 2 days will cost \$1550 and licence fees on top. Told by the department that water meters cannot be validated off site.</p>	<p>are in accordance with the Water Regulation 2002 as discussed in the department's <i>Water meter installer and validator guide for non-urban water meters</i> available on the Queensland Government's website. Please see <a href="http://www.business.qld.gov.au/industry/water/managing-accessing/accessing-water/water-meters/changes-metering">www.business.qld.gov.au/industry/water/managing-accessing/accessing-water/water-meters/changes-metering</a></p> <p>It is important to note a key part of the validation process is in ensuring that the actual installation in situ is in accordance with department standards.</p>
<p>Reassessment of water charges and management in light of water affordability issues for irrigators and pricing distortions. This follows the allocation of Part A and where the public are being charged for water that has been released and not available. A detailed explanation of the costs and charges should be given.</p>	<p>Water charges and pricing for SunWater schemes have been recommended by the Queensland Competition Authority for the five year period from 1 July 2012 to 300 June 2017. These recommendations came out of a review process and involved three rounds of consultation with stakeholders. Any further enquiries or feedback should be directed to SunWater. There will be further consultation opportunities during the next price path investigation.</p>
<p>Concern based on a 2013 CSIRO report on the GAB which stated that groundwater has a greater potential to move vertically across GAB formations than previously thought. Is concerned that we still do not know where water from bores leak to, so just what effect will taking water from so called shallow layers will have on pressure and water from the GAB.</p>	<p>Water from the Great Artesian Basin is managed under the Water Resource (Great Artesian Basin) Plan 2006. The department's position is that shallow layers (sediments above the Great Artesian Basin) are not connected to the Great Artesian Basin. Bore construction must comply with the requirements of the bore construction standards policy to prevent amongst other things leakage between aquifers due to poor construction practices.</p>
<p>The submission requested a reinstatement of repealed licence G41044</p>	<p>This licensing enquiry has been passed onto the local departmental licensing office and the licence was not able to be identified.</p>
<p>The Warrego has contributed over and above its weight in contributing to environmental flows back to the Murray Darling Basin and now the priority should be to ensure sustainable development in the region.</p>	<p>This issue is noted.</p>
<p>Several submitters were concerned that any release of water through the sliding gate on the Allan Tannock Weir would leave the entire Cunnamulla community at risk of:</p> <ul style="list-style-type: none"> <li>• people being drawn through the open gate and drowning</li> <li>• the gate failing to shut which would be a disaster for the ecology of the weir and community</li> <li>• the government at serious risk of litigation - there can be no guarantee that the gate will never jam, it is on the bottom of the weir wall and would drain the weir</li> </ul>	<p>Issue that relate to the potential dangers of operating the sliding gate are outside the scope of Queensland WRPs and ROPs however it should be noted that almost all licensed infrastructure associated with water supply schemes throughout Queensland require a gate to release flows downstream. SunWater also have safety information including amongst other things, safe distances from dam and weir walls available on their website.</p>
<p>Current management practices for Allan Tannock Weir are keeping the water levels in the weir artificially low which reduces the</p>	<p>Management of these weeds is outside the scope of ROPs and is a longer term problem that cannot offset the needs to provide equitable distribution of</p>

<p>occurrence of overtopping. Overtopping manages the build-up of duckweed and water lettuce which dries out and breaks down with no further control measures needed.</p>	<p>flows to downstream needs. The Department of Agriculture and Fisheries is responsible for advice relating to the management of aquatic weeds.</p>
<p>Permission is sought to remove the accumulation of sand behind the weir wall which has reduced the depth of the river by approximately two meters. The reduction in depth has reduced the volume of water able to be stored for irrigation.</p>	<p>This issue is outside the scope of Queensland WRPs and ROPs however authorisation to remove this sand can be obtained in accordance with riverine protection permit or quarry material allocation notice provisions of the Water Act.</p>

## 4 Other changes made

This section summarises other changes made from draft to final plans. For the final Queensland WRP those changes include:

- clarification of the aquifers covered by the sediments above the Great Artesian Basin groundwater management area
- renaming of the performance indicator for unsupplemented water allocations to accurately reflect the definition and how it is determined
- addition of a new water allocation security objective for unsupplemented water allocations to prevent a reduction in the performance of a water allocation group over the life of the Queensland WRP from water management decisions
- limit on the amount of water than can be taken for prescribed activities under the Water Regulation 2002 from a water supply scheme and from anywhere else in the plan area
- addition of setback distances for new water bores to prevent third party impacts on existing water bores
- inclusion of a new node for measuring environmental flow objectives at Wyandra on the Warrego River.

Other changes in the amended ROP are as a result of modernising to align with the more contemporary ROPs throughout the rest of Queensland.

While the draft plans were prepared with due diligence and care, some minor errors were contained in the draft plans. These errors have been corrected and other changes that reflect latest drafting standards and amendments to the Water Act have been made.

## 5 Implementation

The new Queensland WRP replaces the Queensland Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003. The amended ROP will commence once the new Queensland WRP has passed through the legislative assembly. The amended ROP will implement the strategies in the new Queensland WRP.

The Queensland Government will submit the new Queensland WRP and amended ROP as part of the Commonwealth Water Resource Plan to the Authority for accreditation under the Commonwealth *Water Act 2007*.