



**Queensland
Government**

Department of Regional Development,
Manufacturing and Water



Water Plan (Mary Basin) 2024

Minister's consideration report

Acknowledgement of Traditional Owners

We respectfully acknowledge the Aboriginal peoples and Torres Strait Islander peoples as the Traditional Owners and Custodians of this Country – the lands and seas on which we meet, live, learn, work and play. We acknowledge those of the past, the Ancestors whose strength has nurtured this land and its people, and we recognise their connection to land, sea and community. We pay our respects to them, their culture and to their Elders past and present.

This publication has been compiled by the Department of Regional Development Manufacturing and Water.

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Minister's foreword

This report has been prepared to inform stakeholders of the considerations I made in finalising the Water Plan (Mary Basin) 2024.

Thank you to all those who participated and contributed to the development of the Water Plan (Mary Basin) 2024, particularly those who attended meetings and contributed to discussions, and those who provided written submissions on the preliminary public consultation notice which commenced the review and replacement of the water plan and on the draft Mary Basin water plan.

I also sincerely thank the traditional owners who participated in engagement activities. Cultural engagement has shown waterways, rivers, lakes and springs are highly significant components in the cultural landscape. The protection of keystone cultural species through maintaining flows is important.

I am pleased that the submissions and feedback received on the draft Mary Basin water plan indicated broad support for the water plan provisions, including all water plan outcomes.

Water in this plan area is important for town water supply, agriculture, industry, cultural values, fishing, tourism and the environment. It includes water that flows into the Great Barrier Reef, the Ramsar-listed Great Sandy Strait wetland, and estuaries and supports a number of important environmental assets such as Mary River cod, Mary River turtle and lungfish. The support and issues raised during consultation and in submissions reflect interest across these broad areas.

The outcomes and strategies of the Water Plan (Mary Basin) 2024 promote regional economic development within the Mary Basin through the sustainable allocation and management of the water resources. The plan facilitates the ongoing utilisation of existing water authorisations and accommodates emerging demands by setting aside unallocated water reserves, including those designated for traditional owners. The water trading framework provides flexibility for water users to respond to changing conditions and efficient allocation of water based on market demand.

All issues raised through consultation and submissions have been fully considered in finalising the water plan. The outcomes and strategies set out in the water plan include consideration of the impacts of climate change on water availability.

Ongoing involvement in the water planning process across all sectors has ensured that the final water plan supports a balanced approach of environmental, social, cultural and economic considerations. The Water Plan (Mary Basin) 2024 continues to advance the sustainable management of Queensland's water resources. The Water Plan (Mary Basin) 2024 will be implemented, monitored and assessed before it is reviewed and replaced ensuring an adaptive and sustainable water management framework.

Hon. Glenn Butcher MP

Minister for Water

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1. Introduction

1.1 Purpose of this report

This report outlines the submissions received during consultation on the draft Water Plan (Mary Basin) and how the issues raised in the submissions were addressed by the Minister in finalising the Water Plan (Mary Basin) 2024 (water plan).

This is in accordance with [section 48 of the Water Act 2000](#) (Water Act) which states that following approval of a water plan by the Governor in Council:

“...the Minister must publish a report stating the considerations made in finalising the plan...”

This report also provides information about the consultation process undertaken by the Department of Regional Development, Manufacturing and Water (the department) in developing the water plan, including a summary of the preliminary public consultation.

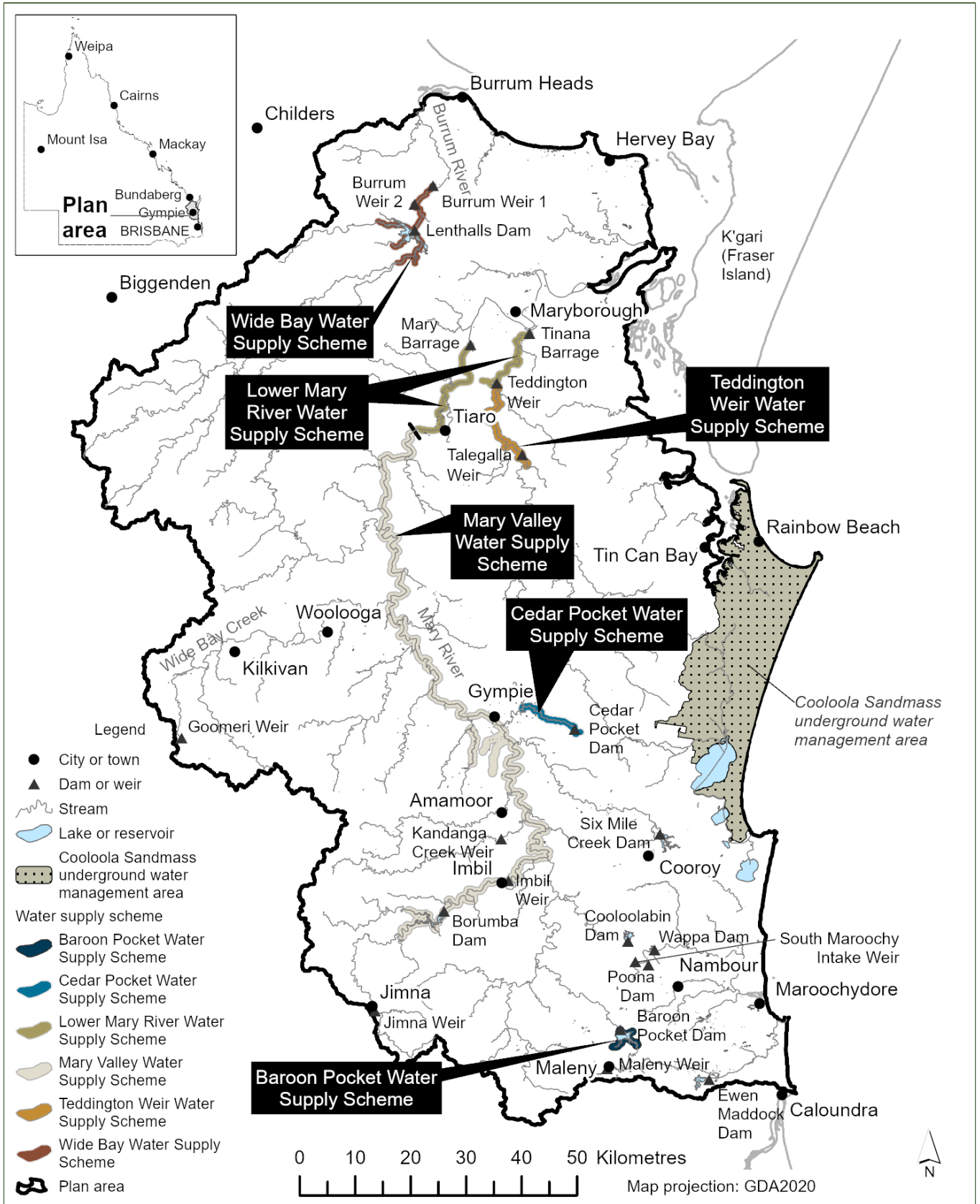
Although not required by the Water Act, this report summarises submissions on the draft water management protocol and how these matters were considered by the chief executive. Section 69 of the Water Act requires the chief executive to publish a Statement of Changes upon amending or replacing a water management protocol and this has been included as part of this report.

This report also provides information on the submissions received in relation to entitlements listed in the water entitlement notice (WEN).

1.2 Overview of the water plan area

The water plan area covers approximately 15,700km² and is located on the Fraser Coast in South East Queensland (SEQ). This area includes the Mary, Burrum, Noosa, Maroochy and Mooloolah River catchments (Figure 1). The water plan supports a variety of industries including significant agricultural production, a growing tourism industry and fisheries as well as urban water requirements, cultural and environmental outcomes.

The water plan area contains six water supply schemes (WSS) supplying significant volumes of water for irrigation and urban water supply needs. The water plan applies to surface water, excluding overland flow water, and underground water in the Cooloola Sandmass underground water management area.



1.3 Intent of the water plan

The provisions in the water plan provide a framework for sustainably managing and allocating:

- surface water (water in a watercourse, lake or a spring)
- underground water – Cooloola Sandmass underground water management area.

The water plan contains outcomes and strategies for:

- balancing the water needs for environmental, social, cultural, and economic purposes
- providing for the continued use of all entitlements and other authorisations to take or interfere with water
- providing unallocated water reserves to meet new and emerging demands including reserves for the traditional owners
- providing a framework for temporary and permanent water trading of water allocations as well as temporary trade of water licences.
- monitoring and reporting of water resources.

The water plan is implemented through statutory instruments such as the water management protocol and the water entitlement notice. The water management protocol provides the rules to implement the strategies, outcomes and objectives stated in the water plan, and the water entitlement notice implements changes to water entitlements as directed by the water plan.

1.4 Key changes to the water plan

Key changes implemented through the review and replacement of the water plan include:

- defining environmental outcomes to better support the Great Barrier Reef and the Ramsar-listed wetlands of the Great Sandy Strait
- including cultural outcomes to recognise cultural values of traditional owners
- setting environmental flow objectives through better hydrological links to ecosystem needs
- identifying 79,985ML of unallocated water, including a strategic reserve of 70,485ML to support regional economic development and urban water security, an Indigenous reserve of 7,100ML and a general reserve of 2,400ML
- improving specification of water licences to help achieve water plan outcomes
- redefining water allocation security objectives to maintain water security and provide more flexibility for water trading and unallocated water releases
- identification of significant watercourse reaches to protect environmental and cultural values by applying conditions to new entitlements granted from unallocated water
- considering climate change effects on future water availability.

1.5 Development of the water plan and water management protocol

The water planning process commenced in May 2021 with the release of the preliminary public notice for public consultation and submissions. A draft Water Plan (Mary Basin) (draft water plan) was then released in February 2023 for a second phase of public consultation. The planning process for the water plan review is summarised in Table 1.

Table 1: Water planning milestones for replacement of the Mary Basin water plan

Date	Milestone
27 May 2021 – 30 July 2021	Preliminary public consultation notice released and call for submissions about the Minister's proposal to replace the Water Plan (Mary Basin) 2006.
28 May 2021	Notice gazetted to postpone the expiry of the Water Plan (Mary Basin) 2006 to 28 May 2024.
2021 to early 2023	Technical assessments developed (hydrologic – including climate change scenarios, socioeconomic, environmental and cultural), policy paper development, continued engagement.
22 February – 21 April 2023	Notice of release of Draft Water Plan (Mary Basin) 2023, draft water management protocol and draft water entitlement notice for consultation. Stakeholder meetings held with local councils, industry groups, water service providers, water entitlement holders, environmental groups and other key stakeholders.
21 April – 26 May 2023	Draft water plan, draft water management protocol and draft water entitlement notice submissions period extended by the Minister.
May 2023 to April 2024	Review of submissions, finalisation of technical advice and policy development for final water plan, final water management protocol and final water entitlement notice.
April 2024	Governor in Council approval of the Water Plan (Mary Basin) 2024 and Water Entitlement Notice.
April 2024	Water Plan (Mary Basin) 2024 and Water Entitlement Notice published in the Queensland Government Gazette.
April 2024	Final water management protocol published on the department's website after approval by Chief Executive.

1.6 Where to find the water plan and supporting documents

The water plan and water management protocol are available by searching 'Mary Basin' at www.business.qld.gov.au.

You can explore the following spatial areas via the [Queensland Globe](#):

- the water plan
- nodes
- subcatchments
- water management areas
- water supply schemes and zones
- significant watercourse reaches
- property boundaries.

2. Consultation and submissions

As outlined in Table 1, community and stakeholder engagement has been held at all stages in developing the water plan, water management protocol and water entitlement notice.

2.1 Preliminary public consultation

There were 85 meetings undertaken during the first round of consultation on the preliminary public consultation notice (PPC notice). Sixteen stakeholder groups participated in these meetings.

During the PPC notice submission period, 95 written submissions were received. Submissions were provided by a range of stakeholders including local water users and water entitlement holders, industry users, water service providers, representative bodies, local government, environmental groups, traditional owners and tourism and recreational users.

Key issues or suggestions raised through the PPC notice submission process included:

- establishment of a Community Reference Panel and/or extensive consultation to be undertaken
- amendment of water licences to volumetric entitlements—majority supportive with some concerned on methodology
- consideration of unallocated water volumes to support strategic reserve, urban growth and cultural values; and for this water to be made available for use
- provisions for environmental flows for iconic species, Ramsar-listed Great Sandy Strait wetlands and low flows
 - including those provisions in infrastructure operating rules
- implementation of metering/compliance
- establishment of water trading—permanent and seasonal
- consideration of climate change and the effect on available water
- protection of existing entitlements.

2.2 Engagement with traditional owners

Preliminary engagement activities were undertaken with traditional owners to inform the development of the draft water plan and draft water management protocol. Discussions were held with community leaders and traditional owners across the Mary Basin water plan area on a wide range of topics, not all of which can be addressed through water planning. Topics included:

- cultural values of the waterways
- concerns about water and water management
- changes that have been observed
- aspirations for the future.

As a result of this engagement, three key recommendations were provided:

1. recognise of Butchulla, Jinibara and Kabi Kabi peoples as legitimate stakeholders in water planning, particularly for advice on cultural water requirements
2. investigate opportunities to provide traditional owners with access to water for economic, social and cultural purposes
3. support continual engagement and involvement of traditional owners in water planning, management and monitoring.

Further consultation was undertaken after the draft water plan was released to ensure the views of traditional owners were adequately captured through draft water plan outcomes, Indigenous reserves of unallocated water and release process stated in the draft water plan and draft water management protocol. Submissions from traditional owners seeking further detail on the unallocated water release process and products have been incorporated in the final water management protocol.

Please see the link below that provides a video overview of cultural engagement with representatives of the Kabi Kabi.

[Kabi Kabi Traditional Owners and the Mary Basin Water Plan | Work is continuing on the new Mary Basin Water Plan which will replace the 2006 Water Plan. Our goal, as a department, is to address current and emerging... | By Water QueenslandFacebook | Facebook](#)

2.3 Consultation on the draft water plan

The consultation undertaken on the draft water plan included:

- targeted consultation sessions with key stakeholders and community representatives
- targeted engagement with traditional owners within the water plan area
- awareness raising through social media and the department's website
- by-appointment meetings with interested individuals
- briefings with other State Government departments
- dedicated email and phone contacts to answer questions
- formal submission process.

During this consultation and submission period, 35 meetings were held with a range of stakeholder groups and individuals.

Targeted communication products were also released with the draft water plan, and can be accessed through the [Library Services catalogue](#). This series of information sheets detail key issues and topics, including:

- climate change projections for the catchment
- cultural values, cultural outcomes, and the engagement process with the traditional owners
- hydrologic assessment and the hydrologic model
- modernised water entitlements, seasonal assignment of water licences, and water licence amendments
- performance indicators for environmental flow objectives (EFOs) and water allocation security objectives (WASOs)
- Resource Operation Licence (ROL) holders, and Water Supply Schemes (WSS)
- underground water (Cooloolooloo Sandmass underground water management area)
- water licence volumes
- making a submission on the draft water entitlement notice (WEN).

During this consultation period (including the extended timeframe detailed in Table 1), there were 110 submissions received on the draft water plan, draft water management protocol, and draft WEN. Figure 2 indicates that most submissions were provided by entitlement holders (approximately 64%).

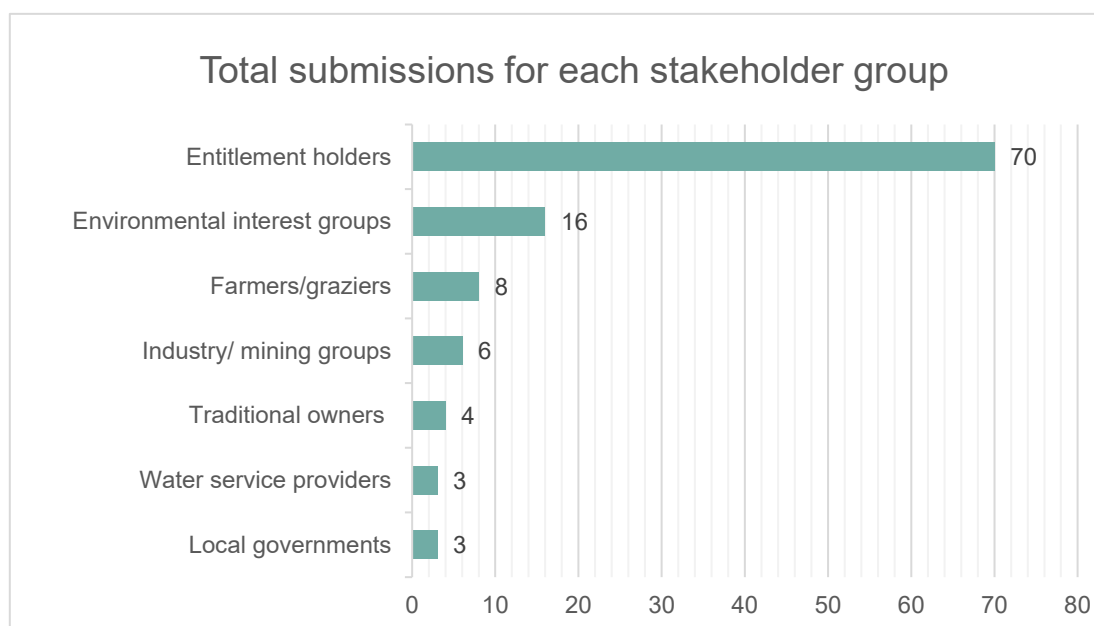


Figure 2: The number of submitters who commented on the draft water plan, draft water management protocol and draft water entitlement notice by stakeholder group. Submissions covered a range of topics (see Table 2).

2.3.1 Submissions analysis

There were several key themes that submitters commented on. These comments have been categorised in Table 2.

Table 2: Issues raised in submissions on the draft water plan, water management protocol, and matters out of scope.

Theme	How often theme was raised (% of all themes)
Submissions on the draft water plan	
Comments on water plan strategies for amending water licences (not submissions for additional volume)	19%
Measures including metering	14%
Environmental flow objectives	10%
Climate change	9%
Strategic reserves and general reserves for unallocated water	7%
Indigenous reserves for unallocated water	6%
Cultural outcomes	6%
Significant watercourse reaches	5%
Water plan area and purpose	5%
Environmental outcomes	5%
Social and economic outcomes	4%
General outcomes	2%
Coolooloa Sandmass underground water management area	2%
Release processes and considerations for unallocated water	1%

Theme	How often theme was raised (% of all themes)
Surface water	1%
Overland flow water	1%
Water allocation security objectives	1%
Total	100%
Submissions on the draft water management protocol	
Unsupplemented surface water licences - seasonal water assignments	45%
Unallocated water reserves and general requirements when granting unallocated water	23%
Unallocated water release processes for Indigenous reserves	15%
Significant watercourse reaches	9%
Monitoring and reporting	6%
Water sharing rules	3%
Total	100%
Matters not directly relevant to the water plan review	
Engagement with Water Advisory Groups	48%
Feedback on how consultation was undertaken	29%
Other groundwater issues	23%
Total	100%

For the draft water plan, strategies for amendments to water licences and a measure for metering were the most frequently raised matters by submitters, with:

- 19% of comments relating to the draft water plan strategies for amending water licences
- 14% of comments relating to measures of the draft water plan (including metering).

Stakeholders were also interested in the water plan outcomes, including cultural, social, economic, and general outcomes, with 15% of comments relating to these themes.

The comments raised in submissions indicate that amendments in the draft water plan may have potential impacts on water licences, and the chief executive's consideration through the draft WEN to deal with the matters is essential.

For the draft water management protocol, seasonal water assignments were the most frequently raised matter with 45% of comments relating to this theme. Unallocated water reserves and general requirements were raised in 23% of comments on the water management protocol.

For the draft WEN, 60 individuals sought an increase to the proposed volume of their water licences (accounting for a total of 96 licences).

In addition to submissions from individual water licence holders, submissions were also received from Water Advisory Committees in the water plan area. The Water Advisory Committees all indicated support for ongoing engagement with the department, especially regarding implementation of the water management protocol.

3. How feedback was considered

The water plan, water management protocol, and WEN were finalised after considering all matters raised from:

- written submissions during the consultation periods
- reviewing and assessing proposed changes to water licence nominal entitlements, unallocated water distribution and environmental flows
- meetings with stakeholders
- interagency agency feedback.

3.1 Water plan area and purpose

Draft water plan provisions

The draft water plan defined the area to which the water plan applies and the over-arching purpose of the water plan.

Matters raised

Seven submitters supported the subcatchments being defined as water management areas.

Five submitters expressed their support for the water plan

- one submitter commented that the water plan allowed for greater flexibility associated with seasonal variability.

Five submitters were not supportive of elements of the water plan

- one submitter suggested farmers should be able to manage their own water themselves
- two submitters did not support water being used outside of the catchment area
- three submitters commented that the draft water plan was difficult to interpret and navigate and recommended a simpler format using clear language.

In relation to the purpose of the water plan

- one submitter noted the importance of the water plan to strike a balance between the preservation of the basin ecosystem, and the operation of primary production across the catchment.

How these matters were considered

Supporting submissions were considered in finalisation of the water plan.

In considering the submission which raised self-management of water resources by farmers, a key purpose of the water plan is to sustainably regulate the taking and interference of water (balancing the requirements of all water users). The water plan provides security and equity for existing water entitlements and provides transparent water management options including the ability to expand irrigated areas and secure additional water through seasonal trading and by accessing unallocated water reserves.

Regarding the two submissions expressing concern about the transfer of water between catchments within the Mary Basin, it is noted that the water plan is subordinate legislation under the Water Act. One of the purposes of the Water Act (s2) is to provide a framework for the sustainable management of Queensland's water resources including the allocation and use of water resources for economic, physical and social wellbeing of the people of Queensland. The water plan establishes the framework for the allocation and management of water within the water plan area and continues to provide opportunities for future growth for communities dependent on water resources. This is achieved by

balancing the needs of all interests in water, including the environmental, agriculture and cultural values of water. The water plan protects existing users within the Mary Basin catchment, and also includes unallocated water reserves to be utilised for purposes described within the water plan and water management protocol.

In consideration of the submission requesting simpler language, the water plan is subordinate legislation. The final water plan will be published with explanatory notes which provides a plain English version of each provision. Information in correspondence to stakeholders will also be provided with the final water plan, explaining what the water plan does. Clear messaging will also occur through avenues such as engagement, web content, social media and media outlets.

3.2 Water plan outcomes

3.2.1 General outcomes

Draft water plan provisions

The general outcomes set the broad goals of the water plan.

The water plan recognises that the natural state of watercourses, lakes, springs and aquifers has changed because of the taking of, or interference with, water.

The water plan aims to ensure that water is allocated and managed in a way that seeks to achieve a balance between economic, social, cultural and environmental outcomes.

Matters raised

One submitter remarked that the science, modelling, framework and approach underpinning the development of the water plan was strong and coherent.

How these matters were considered

A minor amendment was made to the wording of outcome 15 (c)(ii), “*promotes improved understanding of – the **flow-related requirements** of ecosystems in the plan area;*” where “flow-related requirements” has replaced “flow requirements” for consistency with the environmental outcomes.

3.2.2 Social and economic outcomes

Draft water plan provisions

Economic outcomes of the water plan are stated in section 16.

Social outcomes of the water plan are stated in section 17.

Matters raised

Economic outcomes:

- three submitters supported the economic outcomes of the water plan
- two submitters suggested that the draft water plan did not adequately addresses economic outcomes, as the proposed limits on water use for irrigation development, may not support the growth of certain industries
 - one of these submitters suggested that the volume limits proposed for seasonal water assignments may not facilitate the use of unused or partially used licences
- one submitter suggested the economic outcomes 16 (a), (b), (c), and (d)(i) were not adequately addressed in the water plan and should be amended, as the 6ML/ha conversion rate may not allow for flexibility for individuals to manage for seasonal variability; and concerns were raised that the limits on the availability of water for irrigation development were unlikely to support agricultural growth.

Social outcomes:

- one submitter supported the social outcome 17 (a)(i) for urban supply
- one submitter was concerned that any changes to water access would be felt by many families and small businesses, locally and state-wide
- one submitter was concerned that the water plan did not allow for agricultural expansion and limited users to the volume of water they have used previously
- a submitter suggested the addition of a new outcome to section 17, to demonstrate that the water plan's flow regime contributes to supporting water quality for social users.

How these matters were considered

In considering how the outcomes support economic development, including recognising the take of water under existing entitlements, the draft water plan contained provisions under s48(5) to enable a different decision to be made by the chief executive about the amendment of nominal entitlement volume on individual water licences. Individual water licence holders were given the opportunity to make a submission on the draft water entitlement notice, detailing information about their authorised take of water for consideration by an independent referral panel established under s74 of the Water Act.

Additionally, the draft seasonal water assignment rules have been enhanced following feedback from submissions (see Appendix A for details), and unallocated water reserves are available across the water plan area to allow for future growth in the Mary Basin.

Several minor wording changes were also made to the social and economic outcomes in the water plan, following feedback from all stakeholders and to improve clarity.

3.2.3 Cultural outcomes

Draft water plan provisions

Cultural outcomes of the water plan are stated in section 18.

Matters raised

In relation to the cultural outcomes, the strategies to achieve these outcomes and long-term monitoring:

- two submitters identified their support for the inclusion of cultural outcomes
- four submitters questioned how the water plan delivered the cultural outcomes
- four submitters supported the inclusion of defined measures for the monitoring, evaluation, and reporting of cultural outcomes, including co-monitoring activities
- one submitter expressed interest for First Nations Land and Sea rangers to be included in monitoring and research activities
- one submitter recommended workshops or short course opportunities for traditional owners, for building capacity on technical aspects of water science, research and terminology
- one submitter recommended that cultural outcomes incorporated the social, spiritual and customary objectives of traditional owners in the water plan area.

Considering consultation and engagement with traditional owners:

- three submitters expressed their support for consultation with traditional owners in the water plan area
- two submitters commented that the water plan should include provisions for the meaningful involvement of traditional owners at all stages of water planning

- one submitter recommended ongoing long-term engagement for traditional owners with monitoring for healthy water stewardship
- one submitter raised concerns about inadequate provisions in the water plan that ensure consistent engagement with traditional owners and suggested the meaningful involvement at all levels from policy development to the operational processes.

Three submitters raised other concerns, and recommended:

- further consideration into cultural connectivity and story lines, across water plan boundaries
- investigating opportunities for both consumptive and non-consumptive water for economic and cultural purposes.

Furthermore, one submitter noted that water is sacred, and the availability of water or flows to sacred sites is essential for future generations.

How these matters were considered

A wording amendment was made to outcome 18 (c) to strengthen and build upon the existing consultation that occurred during the development of the draft water plan.

Several submitters commented on the consultation and engagement, and the conversations that the department has had with the traditional owners of the Mary Basin. Cultural outcomes in the water plan were informed by engagement activities that establish cultural values. The cultural outcomes in the water plan were well supported by traditional owners consulted with during the water planning process (including registered native title body corporates, native title claimants' groups and other Aboriginal corporations and representative bodies). A monitoring, evaluation and reporting strategy (MERS) will be developed by the department within 12 months of plan commencement. This will include detailed strategies for each cultural outcome, and strategies for the continued engagement with traditional owners plus opportunities for co-monitoring.

The use of the term traditional owners throughout the water plan is inclusive of the broader Indigenous community to ensure the social, economic and cultural needs of all Aboriginal peoples and Torres Strait Islander peoples are considered. This also aligns with obligations under section 28 of the *Human Rights Act 2019*.

The department is grateful for the suggestion during consultation to establish a forum for Native Title holders and other traditional owners across Queensland, to provide advice and make decisions on all aspects of water planning. The department continues to develop strategies to involve and seek input from traditional owners in the water planning process in the future and will continue to engage with the submitter in relation to their suggestion.

3.2.4 Environmental outcomes

Draft water plan provisions

Environmental outcomes of the water plan are stated in section 19.

Matters raised

Six submitters supported the environmental outcomes in the draft water plan:

- one submitter supported the review of water entitlements to consider their environmental impacts
- four submitters supported the measures in the water plan which ensure natural flows are maintained in all creeks–
 - to ensure the protection of waterholes and streamflow
 - for the preservation of fish passage
 - to ensure good quality drinking water for stock

- one submitter supported sufficient flows moving through the entirety of the Mary River and out into Hervey Bay and the Ramsar-listed Great Sandy Strait wetland.

Five submitters raised concerns or suggested amendments, including three submitters who recommended the addition of further environmental outcomes to improve and reverse degradation of waterways and environmental flows within the catchment:

- two submitters requested the Maroochy River be listed in the water plan s19(1)(d)
- one submitter raised concerns that the draft water plan lacked the specific provisions, strategies, and other measures that implementation of the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 would necessitate.

How these matters were considered

Changes to the wording and structure of environmental outcomes were made to strengthen and build on the existing consultation that occurred during the development of the draft water plan. Individual outcomes have been included for low, medium and high flow regimes. Other outcomes include provisions that address potential adverse impact caused by operation of infrastructure, and correction of terminology used for habitat requirements.

The Maroochy River has been included in the outcomes as suggested. Clarification has also been made to ensure that all freshwater reaches are included in relation to low flow regime and flow-related habitat requirements of ecological assets.

No additional environmental outcomes were added. The water plan contains the following strategies that aim to minimise further degradation and where practicable, improve flows for the environment:

- increased coverage of environmental flow reporting nodes to assess environmental flow objectives (EFOs)
- EFOs and performance indicators (PI) that will enable improvements to environment flow release rules from Lenthalls Dam, Six Mile Creek Dam, Baroon Pocket and Borumba Dam storages
- introduction of significant watercourse reaches, for use in consideration of unallocated water releases
- amendment of water licences to state a volumetric limit that caps the take for the catchment, and addition of a metering measure
- enabling water sharing rules in certain subcatchments.

Environmental assessments considered environmental values under the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 and water quality objectives under the Reef 2050 Water Quality Improvement Plan.

The department has consulted the then Department of Environment and Science and innovation in the development of the environmental outcomes. While water plans support water quality outcomes through responsible flow management, there are many other pressures on water quality that are external to the scope of water plans. These pressures include things like:

- point source pollution
- poor land use management
- vegetation clearing
- degradation of riparian vegetation and wetland communities.

The water plan outcomes provide for environmental values and water quality objectives through flow management strategies.

3.3 Measures, objectives and performance indicators

3.3.1 Measures including metering

Draft water plan provisions

The water plan measures provide a way to check how effective the water plan strategies have been in achieving the water plan outcomes.

Measures in the draft water plan included:

- the development of a monitoring, evaluation and reporting strategy (MERS) by 20 December 2024 under section 22 of the draft water plan
- all unsupplemented surface water entitlements are to be measured by 31 December 2033
- all water entitlements to take surface water are to be measured when granted.

The measuring of water entitlements did not apply to a water entitlement to take unsupplemented surface water for stock and domestic purposes or with a nominal entitlement of less than 3ML.

Matters raised

- seventeen submitters raised concerns about water metering, with some submitters opposing the need for metering;
 - some submitters were concerned about who would install water meters and how they would be funded
 - others were concerned about the cost of installation and ongoing validation and the requirement to report meter readings
- ten submitters generally supported water metering;
 - additional suggestions ranged from more proactive compliance, including actions such as financial penalties, to the measurement of all groundwater across the basin
 - submitters also suggested financial incentives to speed up the adoption of metering and installation of telemetry to read meters
- seven submitters raised concerns that the period given to implement metering is too long, particularly for irrigators that want to take seasonal water assignments before the metering deadline
- six submitters commented in support of the MERS
- five submitters questioned how the department will separate stock and domestic take activities and prescribed activities uses, and suggested it should be assessed separately from nominal entitlements
- two submitters requested the Ramsar-listed Great Sandy Strait wetland and Great Barrier Reef outcomes be included
- one submitter recommended that unsupplemented surface water entitlements with a nominal volume of 5ML or less be exempt from metering to align with other subordinate legislation, rather than the proposed 3ML threshold.

How these matters were considered

There are four subcatchments within the water plan area that are already metered ('metered entitlement areas'). Consideration of metering for the remaining 16 sub-catchments will be undertaken by the department and stated in the *Water Regulation 2016*.

The water plan also provides for the establishment of seasonal water assignments in the water management protocol. Accurate and timely measuring, recording, and reporting of water taken is essential for effective water resource management. It ensures that water can be extracted sustainably,

and all water users receive their fair share in accordance with entitlement conditions and legislative requirements. It also provides transparency and assurance that water is being managed sustainably for the benefit of all Queenslanders.

Surface water and underground water entitlement holders will be responsible for the metering or measurement of take (including all costs) associated with their entitlement unless metering arrangements by a water supply scheme operator apply.

The requirement to measure all water licences to take unsupplemented surface and underground water now aligns with the Queensland non-urban water measurement policy, rather than identifying a separate minimum metered entitlement volume in the water plan. Therefore, the 3ML proposed threshold has been removed from the final water plan. The Queensland non-urban water measurement policy identifies purposes and volumes that are exempt from metering.

The implementation date of the MERS has been amended to be within 12 months of the water plan's commencement date. The MERS outlines the strategies to achieve each water plan outcome, the evaluation questions to determine if the outcome was effective, the data needs and knowledge gaps, and the reporting mechanism. This could include consideration given to monitoring and evaluation of specific stream-flows and flow-related requirements for the Ramsar-listed Great Sandy Strait wetland and Great Barrier Reef.

Submitters questioned how the take of water for stock or domestic purposes or prescribed activities would be accounted for under a metered entitlement. The department has mechanisms for accounting for other authorised take that may occur through metered works.

Submitters recommended the measuring of all underground water. Considerations regarding underground water are listed in section 3.7 of this report.

3.3.2 Water allocation security objectives

Draft water plan provisions

Water allocation security objectives (WASOs) protect the share of water available to the holder of a water allocation. The WASO for both supplemented and unsupplemented water allocation groups (for both medium and high priority allocations) is the performance ratio.

The performance ratio is equal to the simulated average annual volume that may be taken divided by the total nominal volume for the group. The nominal volume is stated on each water allocation and is a number (megalitre (ML)) that represents the share of the resource derived based on the hydrological model.

Matters raised

- one submitter requested that the WASO performance ratio be increased to 99% (not 98%) for high priority users, to align with other water plans and to provide long-term security
- one submitter commented that users within the Mary Valley Water Supply Scheme have raised concerns over the reliability of their entitlements and impacts to medium priority users should be minimised
- two submitters requested that the department monitor the impacts of the water plan on water allocation holders in the catchment, particularly medium priority users who may experience the impacts of climate change on their water allocation security.

How these matters were considered

There were no changes made to the WASOs in the water plan.

The WASOs are a measure that define the share of the resource based on the eWater Source hydrological model, and they are not a measure of reliability of the water allocation.

The new WASO (performance ratio) is stated for supplemented water allocations and provides protection for water allocation holders, while increasing flexibility for supplemented water allocation

holders. The WASO does not impact on how water allocation holders take water or change how Water Supply Schemes (WSS) are currently operated.

The approved eWater Source hydrological model is now available from the then Department of Environment and Science and Innovation and replaces the previous IQQM (Integrated Quantity and Quality Modelling) hydrological model.

A series of factsheets are available on the department's [online library](#) to describe the historical performance of each water allocation group, the water plan objectives (EFOs and WASOs), and how climate change was considered in the water plan.

3.3.3 Environmental flow objectives

Draft water plan provisions

Environmental Flow Objectives (EFOs) protect the share of water available for the environment. EFOs set boundaries for assessment of decisions during the life of the water plan using the approved hydrologic model (section 21 of the draft water plan).

The EFOs for the draft water plan included:

- mean annual flow
- days in no flow periods
- days in ecological asset low flow periods
- days in estuarine salinity periods
- days in riparian and floodplain vegetation flow periods
- days with river-forming flow periods.

Matters raised

- three submitters supported the increased focus on environmental flows and maintaining river health
- one submitter supported the mean annual flow objective.

Changes to the performance indicators:

- three submitters raised concerns that the EFOs were confusing, are unable to be understood by the broader public and difficult to understand how they would provide adequate protection of environmental values.

Reporting nodes:

- ten submitters supported the inclusion of additional reporting nodes; with several submitters also requesting additional reporting nodes be installed in the future to assist environmental monitoring and compliance, improve quantitative flow information, improve protection of waterhole policy, and the expansion of significant water reaches.

Low flow and no flow targets:

- six submitters raised the following concerns about low flow and no flow EFOs and suggested that they should be revised to better support environmental outcomes within the water plan area—
 - EFOs would be difficult to achieve
 - support to lungfish populations and Mary River cod recruitment
 - access to stock and domestic water
 - reduced streamflow in Six Mile Creek
- one submitter questioned how the flow requirements for threatened species were considered.

Estuarine flows:

- three submitters raised concerns about environmental flows into the Mary River estuary–
 - possible reductions in flows could impact estuarine salinity levels
 - possible reductions in flows could impact estuarine ecological processes
 - possible reductions in flows could impact the ability for fish to access the Mary Barrage fishway and ultimately, the Ramsar-listed Great Sandy Strait wetland
 - estuarine flows should be prioritised over inter-basin transfers and urban water supply allocations.

Borumba Dam and Yabba Creek:

- one submitter recommended environmental flows for threatened species in Yabba Creek be established, post-finalisation of Borumba Dam developments.

How these matters were considered

There are some changes in EFOs in the water plan.

1. Changes to performance indicators

The draft water plan included changes to the performance indicators, and some submissions indicated that the EFOs were confusing and difficult to understand if they provided adequate environmental value protection. Fact sheets, including the outlining of performance indicators, were developed and released with the draft water plan to assist with understanding. The department is committed to ongoing consultation to facilitate improved understanding of the performance indicators. The performance indicators are more aligned with the ecological assets being monitored within the water plan and provide a clear linkage between the monitoring and assessment of the water plan.

2. Reporting nodes

Submissions made suggestions for additional reporting nodes however no changes to reporting nodes have been made in the water plan. The node locations align with monitoring programs and ecological risk assessment work. These are linked to ecological assets in locations where environmental flows can be managed. Ongoing monitoring occurs throughout the life of the water plan to ensure the outcomes are achieved, with a five yearly Minister's performance report a key requirement. Continued monitoring programs may include sites other than EFO reporting nodes.

3. Low flow and no flow targets

EFOs are determined based on the needs of the ecosystem and consideration for the management arrangements within each subcatchment of the water plan. There are minor changes to the EFOs within the water plan that reflect a better understanding of the use of water in the Mary Basin.

Also, in consideration of stakeholder issues raised about unallocated water releases and potential impacts, additional matters the department must consider have been included for when releasing unallocated water.

4. Estuarine flows

The water plan considers water quality objectives and environmental values specified in [the Environmental Protection \(Water and Wetland Biodiversity\) Policy 2019](#) and the [Reef 2050 Water Quality Improvement Plan](#). These considerations are detailed in the environmental water plan outcomes, which have been updated in the water plan, with changes documented in section 3.2 of this report. Specific EFOs for estuarine flows are outlined in schedule 6 and remain unchanged in the water plan. The additional reporting node at the Mary River Barrage contributes to transparency and addresses stakeholder concerns about flows to the Ramsar-listed Great Sandy Strait wetland. It is important to note that while water plans can support good water quality outcomes through responsible flow management, there are other water quality factors that are not administered by the Water Act. These include point source pollution, land use management, and impacts on wetlands.

5. Borumba Dam and Yabba Creek

The final objectives for reporting Node 19 have been amended. The objectives in the draft water plan reflected values that could only be achieved with upgraded outlet works to Borumba Dam. The existing resource operation licence (ROL) for Mary Valley Water Supply Scheme does not outline an environmental flow management rule for Borumba Dam due to constraints with the dam outlet works. A new storage on Yabba Creek may have potential to improve downstream environmental flows particularly if the ROL is amended to include an environmental management rule. The objectives may be updated to reflect improved environmental outcomes with certainty regarding proposed new infrastructure and operation.

6. Final EFO statistics

Some of the final EFO statistics for the water plan are different to the draft water plan due to a number of reasons. Firstly, the model was updated with the decided increase to nominal entitlement volumes as a result of submissions demonstrating current water use. Furthermore, there was consolidation of the numbers and grouping of nodes within the model to aid in future modelling for decision making. Finally, updated significant watercourse reach minimum pass flow provisions and addition of new significant watercourse reaches was reflected in the modelled representation of the assumed take of unallocated water.

3.4 Strategies for achieving outcomes for surface water

3.4.1 Decisions about surface water

Draft water plan provisions

The draft water plan included a section regarding decisions must not increase the amount of surface water taken under the water plan.

Matters raised

- two submitters raised locality-specific or licence-specific comments, including support for existing water users to have input on decision-making around water restrictions; and concerns around the security of water.

How these matters were considered

The draft water plan did not include provisions for formal water sharing rules to be implemented for unsupplemented water users. From consultation, it was determined that there was general support for formalising arrangements for water sharing in unsupplemented reaches, with future water sharing rules to be included in the water management protocol. Section 53 of the water plan outlines the requirements of the water management protocol to contain water sharing rules.

The following amendments have been made to the water plan.

Section 25 (decisions must not increase the amount of surface water taken) has been removed and replaced with amendments to section 33 and section 36. This is because –

- all unsupplemented water licences to take water clearly state a volume
- the amendments provide improved clarity for the decision maker in dealing with future applications.

3.4.2 Significant Watercourse Reaches

Draft water plan provisions

The draft water plan stated that a significant watercourse reach (SWR) is part of a watercourse that is in the water plan area and shown on the map in schedule 5.

Matters raised

- there was general support for SWRs

- five submitters suggested additional reaches: Mary River estuary, the Mary River from Miva to Tiaro, Amamoor, Kandanga, Widgee, Wide Bay and Yabba creeks
- one submitter commented that Kandanga Creek should be restricted to stock and domestic use, to ensure water availability for environmental flows, and reduce climate change impacts
- submitters were concerned about the effectiveness of the Six Mile Creek SWR in relation to additional impact from unallocated water releases upstream
- submitters raised concerns regarding the suitability of the minimum flow thresholds being suitable for protection of threatened aquatic species and suitable measurement locations.

How these matters were considered

There have been changes to the water plan and water management protocol following SWR submissions.

Additional SWRs were included on Amamoor and Kandanga creeks based on recommendations of submissions. In considering the additional SWRs, the department considered the environmental outcomes, cultural outcomes, existing habitat and flow-related habitat requirements for listed threatened species, cultural values of the traditional owners within the reach and streamflow monitoring site availability. Other SWRs recommended by submitters were not included as they either were outside the bounds of water managed by the Water Act or the additional protections of SWRs would not be applicable.

SWRs in the water plan only apply to unallocated water releases from the general reserve, and not seasonal water assignments or existing licences.

An additional provision has been added to the water plan to require conditions on Licences to Interfere (LTI) associated with accessing unallocated water volumes to be reviewed and amended, if necessary, to ensure the conditions are fit for purpose and to mitigate impacts on SWRs and downstream environments.

3.5 Unallocated water

Unallocated water is water reserved under a water plan that can be made available for future use. The reserves consider water availability and potential risks to existing users and environmental flows.

Section 29 of the water plan identified the total volume of unallocated water available.

3.5.1 Strategic & General reserves

Draft water plan provisions

The draft water plan stated an unallocated surface water volume of 70,485ML for the strategic reserve which may be granted for a State purpose (coordinated project, a project of regional significance or a town water supply purpose). The draft water plan stated a general reserve unallocated surface water volume of 2,360ML and a 40ML unallocated underground water volume which may be granted for any purpose.

Matters raised

- thirteen submitters were supportive of the draft water plan's strategic reserve volume which was a reduction from 150 gigalitres in the previous plan
- ten submitters suggested that the reserve volumes, in addition to the existing entitlements, are too high, and that extraction from the Mary River must be reduced
- five submitters raised concerns about the general reserve volume and questioned if it was sufficient

- five submitters had concerns about the strategic reserve volume, with some commenting that it could be reduced further to benefit the Mary River estuary and Ramsar-listed Great Sandy Strait wetland, and others were unsupportive of a strategic reserve volume due to concerns about water availability.
 - one submitter suggested that the strategic reserve volume should be used for environmental flows or accessed during high flow events
- one submitter did not support the granting of any new water licences in certain subcatchments due to localised low water availability; and suggested a formal trading process developed in consultation with existing Water Advisory Committees
- one submitter raised concerns that the water plan provides too much unallocated water, which would decrease surface water flows, particularly in unsupplemented streams.

How these matters were considered

There were no changes made to the strategic or general reserve volumes of unallocated water in the water plan.

In response to submissions that raised concerns about the volume allocated and potential impacts of the reserve volumes on existing water users and the environment, the water plan outcomes stated in Part 3 of the water plan were considered in establishing these volumes. Hydrologic modelling represents full utilisation of all existing entitlements and unallocated water reserves. While the Mary River reach has a high volume of entitlements and unallocated water reserves, 88% of mean annual flow is maintained at the end of the system. The hydrologic model will be used to develop and assess release processes for unallocated water reserves.

The general reserve volume has been maintained from the previous plan. Demand for general reserve water is considered low. This is evidenced by the level of utilisation of existing entitlements.

In response to concerns about availability of water in dry times, additional management strategies include establishment of water sharing rules and targeted access conditions for entitlements granted from unallocated water reserves (e.g. minimum passing flows). The water plan allows for the establishment of water sharing rules in consultation with entitlement holders and existing water advisory committees.

Water trading for supplemented water allocations will continue as per the existing arrangements. Water trading for unsupplemented water licences is now provided for in the water plan on a seasonal basis. These mechanisms facilitate the use of under-utilised entitlements within the Mary Basin.

3.5.2 Indigenous reserves

Draft water plan provisions

The draft water plan stated a reserve volume of 7,040ML of surface water and 60ML of underground water, which may be granted for an Indigenous purpose to help traditional owners achieve their economic, social and cultural aspirations.

Matters raised

- six submitters supported the Indigenous reserve provided in the draft water plan providing opportunities for traditional owners to engage with the water plan and encourage further interest in agriculture and regenerative land care
- five submitters requested further consultation or engagement on the Indigenous reserve regarding options for consumptive and non-consumptive water entitlements with both traditional owner groups and other stakeholders. Formal engagement options and a document to outline the process for traditional owners to access unallocated water was also requested.
- five submitters requested further information or clarification on the Indigenous reserve including what it can be used for, potential water licence conditions, accessibility, source and location

- one submitter was supportive of the reserve but questioned whether the entitlements should be tradeable
- one submitter questioned why this is an identified group for the management of this unallocated water, and stated that all licensees should be subject to the same conditions and accessibility
- one submitter requested the development and facilitation of cultural water entitlements and releases from suitable water storage infrastructure
- one submitter stated that Native Title holders have special rights and interests that are distinct from the interests of the broader Indigenous community and any granting of water licences must be vested in the respective Native Title Aboriginal Corporations.

How these matters were considered

There were no changes to the Indigenous reserve volumes in the water plan.

A purpose of the Water Act is to provide a framework for the sustainable management of Queensland's water resources and quarry material.

The sustainable management of water includes recognising the interests of Aboriginal peoples and Torres Strait Islander peoples and their connection with water resources.

The water plan recognises the interests of traditional owners in the water plan area by including cultural outcomes to be achieved for the water plan under Part 3 and by establishing:

- significant watercourse reaches under Part 2 to protect cultural values of a significant watercourse reaches by imposing flow conditions on new authorisations to take surface water under Part 6
- Indigenous reserves of water to be granted for an Indigenous purpose under Part 8.

Whilst the special rights and interests of Native Title holders is acknowledged, the water plan states unallocated water held as an Indigenous reserve may be granted for an Indigenous purpose – to help the traditional owners of the water plan area achieve their economic, social and cultural aspirations. Under the water plan, traditional owners, of an area, means Aboriginal peoples and Torres Strait Islander peoples who have, in accordance with Aboriginal tradition or Island custom, a connection with land and waters in the area. Importantly this arrangement ensures the water plan is consistent with the purpose of the purpose of the Water Act and compatible with the *Human Rights Act 2019*.

In response to concerns around the conditions for the release of Indigenous reserves, further detail on the unallocated water release process has been incorporated into the final water management protocol.

The process for release of any water held in an Indigenous reserve for an Indigenous purpose will include prior notification of, and consultation with, traditional owners in the area, including representative Aboriginal corporations.

Water supply scheme operators may apply to amend relevant statutory instruments to include non-consumptive cultural water releases, providing these amendments are consistent with the water plan.

The volume of water available for each subcatchment is specified in the water management protocol (see section 4.3 Unallocated Water – water management protocol).

3.5.3 Release processes and considerations

Draft water plan provisions

The draft water plan stated the process for releasing unallocated water for general and strategic purposes is a process in the Water Regulation 2016 which may include public auction, tender or fixed price sale.

Section 33 of the draft water plan stated considerations the chief executive must take into account in dealing with unallocated water held in a general or strategic reserve.

The draft water plan stated that the process for granting unallocated water held as an Indigenous reserve is stated in the water management protocol.

All decisions made by the chief executive about the allocation and management of water (other than water permits) must be consistent with the outcomes of the water plan, EFOs, and WASOs.

Matters raised

- two submitters recommended that additional considerations are included when deciding on applications for the take of underground water. This includes consideration for the effect on underground water levels, pressure and quality, and the impacts of saltwater intrusion to coastal aquifers
- one submitter suggested clarification was needed on where new strategic reserves will be distributed, and how they can be accessed
- one submitter suggested an amendment to section 33(1) of the draft water plan, so that the following must also be considered for the release of unallocated water from a general or strategic reserve:
 - the effect of take on the ecological characteristics of the Great Barrier Reef, and Ramsar-listed Great Sandy Strait wetland
 - whether the proposed take is located within a significant watercourse reach
 - if the proposed take will impact water quality, or underground water storages
 - if the proposed take will exacerbate the effects of climate change on water availability.

How these matters were considered

All decisions made by the chief executive about the allocation and management of water, including the release of unallocated water, must be consistent with the outcomes of the water plan. Additional considerations for unallocated water releases have been added to section 32 – Matters the chief executive must consider.

Unallocated water reserved under the water plan, including where the water is available and the volume, is outlined in Attachment 2 of the water management protocol. Further information regarding the granting of unallocated water from the strategic reserve is also provided in Chapter 2 of the water management protocol.

In response to submissions, additional provisions have been added to the water plan and water management protocol. These provisions detail the matters that must be considered in relation to the granting of entitlements from unallocated water, including significant watercourse reaches (section 32(1)(d)) and the potential risks this may have to an existing urban water supply (section 32(1)(c)(v)).

Considerations surrounding the effect of underground water flows, water quality and downstream watercourses are already listed. Consideration of climate change and flows of freshwater to support the Great Barrier Reef and Ramsar-listed Great Sandy Strait wetland are incorporated in the general and environmental outcomes.

3.6 Water licences

3.6.1 Water licence applications

Draft water plan provisions

The draft water plan included a section regarding decisions must not increase the amount of surface water taken under the water plan, excluding a decision about reinstating a water licence, taking unallocated water reserved under the water plan or granting a water permit.

The draft water plan outlined that a general unallocated water reserve (s30) will be made available for future water needs. The draft water plan outlined the process for release of unallocated water and the matters that need to be considered when making this determination.

Matters raised

- four submitters requested to apply for water harvesting licence/ water licences/ or unallocated water
- one submitter advised that future water harvesting licences may be requested by irrigators, but if these are considered viable, strict rules need to be developed in relation to flood flows, not low flows.

How these matters were considered

The water plan establishes additional water available through the unallocated water provisions, which specify the volumes of water available, the particular reserves and where they are located. Releasing unallocated water will have to consider the water plan outcomes, objectives and measures, which may result in passing flow conditions, similar to water harvesting licences, for water entitlements granted.

Sections that outline water licence applications have been amended to provide improved clarity for the decision maker in dealing with future applications. This includes sections regarding water Licences to Interfere (LTI) with the flow of surface water to update who can apply, and for what purpose, and to deal with existing interferences.

3.6.2 Amendment of water licences

Draft water plan provisions

The draft water plan proposed to amend more than 1,000 surface water licences by –

- stating a purpose - to one of the following – ‘any’, ‘urban’ or ‘stock and domestic’. The purpose of ‘any’ is for most other purposes other than ‘urban’, while ‘stock and domestic’ is for non-riparian use of stock or domestic water
- assigning a nominal entitlement – the annual volume that can be taken under a water licence. For pre-amended water licences that stated:
 - a maximum annual volume as a nominal entitlement volume or within the conditions, that volume stated was retained for the draft nominal entitlement volume
 - an authorised area (in hectares) the draft nominal entitlement volume has been determined using a conversion rate of 6ML/ha
 - a purpose of ‘waterharvesting’ without stating an area (in hectares) or a volume, the draft nominal entitlement volume was determined by multiplying the pre-defined flow rate of the authorised works (pump) by 30 pumping days.
- the draft water plan contained provisions under s48(5) to enable a different decision to be made about the amendment of nominal entitlement volume on individual water licences. Individual water licence holders were provided to opportunity to make a submission on the draft WEN detailing information regarding their authorised take of water for consideration by an independent referral panel established under s74 of the Water Act.
- stating a maximum rate of take – all water licences now have a maximum rate of take expressed in megalitres per day. Those with the purpose of ‘any’ or ‘stock and domestic’ have the maximum rate of take determined by dividing the nominal entitlement by 30. Water licences with the purpose of ‘urban’ maintained the rate of take stated on the pre-amended water licence.
- stating conditions – all conditions on the pre-amended water licences were reviewed to ensure consistency across all licences, and measurability.

Matters raised

- fourteen submitters were supportive of the volumetric amendment of water licences from area-based, which will:

- allow for greater transparency and ability to monitor, report, and respond to usage trends
- lead to greater efficiency of water use, driven by financial efficiency
- help to ensure adequate environmental flows
- require ongoing support from the department for effective implementation.
- thirty-nine submitters suggested different amendment rates to the proposed 6ML/ha rate. The suggested rate ranged from 4ML/ha to 14ML/ha. The reasons given for the different amendment rates were:
 - concerns that the volumetric amendment rate (of 6ML/ha) may not broadly meet individual circumstances of existing water use; amended rates included 8ML/ha, 12ML/ha and 10–14ML/ha;
 - it will not provide enough water for farms to manage seasonal variability (in rainfall and temperature)
 - it leaves little scope for existing users to seek variation of this assessment and will disadvantage existing users
 - will reduce the ability of business to be able to function at full capacity
 - a lower volumetric conversion rate including 4ML/ha and 5ML/ha would be more suitable for subcatchments with lower water availability; to avoid localised over-allocation and reduce risks to the ecology.
- twenty-three submitters raised a range of concerns with water licence amendment strategies, and suggested:
 - the buy-back of sleeper licences for additional water for use or the environment
 - that flow conditions be applied to all licences
 - restrictions to the instantaneous rate of take
 - restriction of take from Kandanga Creek for stock and domestic purposes only
 - allowance for unrestricted water harvesting during high flow periods
 - maintenance of area-based entitlements to limit the take of water
 - a review of previous decisions on water licences with volumetric conditions
 - that the volumetric amendment of water licences will devalue their properties.

How these matters were considered

There are no changes proposed to the water plan for the process of amending existing water licences.

Volumetric water licences provide for clearly defined shares of the available water resource, security, equity and certainty for water users who share and rely on the same water resource, while ensuring improved compliance mechanisms. It also provides flexibility for water use activities on the authorised land parcels. Assigning a volume and a maximum rate of take establishes a cap on the amount of water that can be taken from each subcatchment. This enables improved management of water entitlements, such as providing for seasonal (temporary) trading of the available water between landowners within a local subcatchment.

In response to submissions suggesting a range of other amendment rates, assessment of annual rainfall and evaporation data across the water plan area and a range of irrigation methods indicated that 6ML/ha/year (equivalent to an additional 600mm of rainfall per year), provides for most water demands of irrigated crops in the water plan area. The water plan provisions allow for a different amendment rate where the water licence holder could demonstrate historical usage in a submission on the draft WEN. This process and the submissions received are described in section 5 of this report.

Water licences are attached to land and provide a right to access water at the activity land parcel described on the licence. The water plan establishes seasonal water assignments which allows for seasonal use of underutilised water licences. The introduction of a consistent water licence rate of take (one 30th of the nominal entitlement volume) provides equity of access to the water resource and simplifies the seasonal water assignment trading process.

In response to concerns about the take of water under existing water licences impacting on local water availability and water for the environment, the water plan establishes the opportunity to develop water sharing rules in subcatchments as necessary to address localised water availability issues during dry times. The water plan also establishes processes to consider flow conditions on entitlements for future decisions when granting water from unallocated water reserves, for example, significant watercourse reaches. All new water licences will only be granted through unallocated water releases.

3.7 Underground water

Draft water plan provisions

The draft water plan stated that the Cooloola Sandmass underground water management area is the only underground water management area in the catchment. Sections 28 and 50 of the draft water plan set out the limitations to take or interfere with underground water, and the criteria for deciding applications for underground water licences.

Matters raised

Cooloola Sandmass Underground water management area

- two submitters suggested further consideration of improved monitoring in the Cooloola Sandmass
- one submitter stated that underground water needs to be managed across the whole plan area, due to the risk of extraction of underground water impacting on stream baseflow linked to underground water
- one submitter recommended using a precautionary management approach for Cooloola Sandmass, to mitigate potential impacts from climate change
- one submitter raised concerns that if all water entitlements are fully utilised, there would be an increased risk of seawater intrusion.

Other unmanaged underground water

- one submitter recommended the continued monitoring of new bores from drill logs
- one submitter recommended not regulating the take of underground water outside of the Cooloola Sandmass
- two submitters raised concerns about the potential for the over-extraction of underground water from bores adjacent to streams reliant on groundwater flows and the resulting ecological effects
- one submitter raised concerns that underground water may become over extracted if surface water sources become depleted, which may already be occurring in some sub-catchments. Metering of bores was suggested to better understand groundwater extraction in future
- one submitter raised concerns regarding how the water plan addresses impacts to, and connectivity of underground water sources across the catchment area
- one submitter recommended recommendations for water sampling to be conducted from bore and creek sites at Six Mile Creek, as underground water take is expected to increase
- one submitter recommended recommendations for long-term monitoring of underground water in Six Mile Creek catchment be undertaken.

How these matters were considered

There were no changes related to the Cooloola Sandmass underground water management area made in the water plan.

Cooloola Sandmass is a metered entitlement area under the *Water Regulation 2016* and requires active water users to have an approved water meter installed. The water plan allows for an additional 100ML of underground water to be granted from Indigenous unallocated water reserves in the Cooloola Sandmass. This is considered low risk to the water plan's environmental outcomes. Nevertheless, the department will continue to monitor underground water and surface water dependent ecosystems in the Cooloola Sandmass.

In response to submissions suggesting underground water management outside of the Cooloola Sandmass, previous assessments based on the current level of development have concluded that the risks to water users and underground water dependent ecosystems by over-extraction of underground water in other parts of the water plan area to be low. Outside of the Cooloola Sandmass, the geology of the water plan area is highly variable and discontinuous with low yielding and variable quality water supplies.

However, monitoring of both underground water and construction of new water bores will continue throughout the water plan area to ensure early detection of any risks and help inform future management decisions.

3.8 Overland Flow

Draft water plan provisions

Overland flow water is water that runs across the land after rainfall, either before it enters a watercourse, after it leaves a watercourse as floodwater, or after it rises to the surface naturally from underground. The draft water plan did not propose to regulate overland flow water.

Matters raised

- three submissions were received in support of continuing to not regulate overland flow water
- one submission was received which stated the level of overland flow take should continue to be monitored within the catchment.

How these matters were considered

No changes have been made to the water plan as overland flow water is not considered a risk to achieving plan outcomes. The department will continue to monitor the level of overland flow take (development of new overland flow water storages) within the catchment, as suggested by one submission.

3.9 Climate change and hydrologic model assessment

Draft water plan provisions

The Department of Environment, Science and Innovation has assessed the current and potential future climate for the water plan area. Current trends in average temperature, potential losses from evaporation and annual rainfall were compared to the historical period. Projected trends to 2030 and 2050 were generated from a range of General Circulation Models described in the Intergovernmental Panel on Climate Change Fifth Assessment Report and further evaluated by CSIRO for Australian conditions. The projections considered the Representative Concentration Pathway 4.5 (middle emissions scenario) and 8.5 (high emissions scenario) as a range for the future emissions trends.

The annual temperature projections for the Mary Basin show increases and the scenarios diverge around 2030, meaning some temperature rise is likely during the life of this plan. There is also an associated increase in potential water losses through evaporation across the catchment. Annual rainfall data shows a small decreasing trend although the projected rainfall has large uncertainty which is typical for Queensland. Monthly rainfall data shows more variability alongside a trend towards a small increase in the summer months and decreases in the spring months, which may lead to a

potentially drier catchment leading into the wet (summer) season. These seasonal rainfall changes are projected to lower annual rainfall totals.

The hydrologic model was used to assess projected climate change trends on water availability for all existing water entitlements, management strategies and unallocated water reserves. The hydrologic model and data may be requested at <https://www.business.qld.gov.au/industries/mining-energy-water/water/maps-data/modelling/hydrologic-data>

Matters raised

- eleven submitters raised concerns about the impacts of climate change and how they have been incorporated in the water plan:
 - two submitters questioned how reserves were considered under climate change scenarios, including the consideration for a climate change strategic reserve and impacts to water supply storages
 - one submitter found it difficult to identify where and how climate change considerations had been incorporated into the water plan.
- five submitters commented on the hydrological model that underpins the water plan:
 - two submitters outlined caution when using the full historic simulation period for assessment as it may overestimate water availability for current climate conditions
 - two submitters raised concerns that the model that underpins the water plan was not easily accessible to the public, which reduces transparency and accountability
 - one submitter supported the extended simulation period incorporating historic measured climate data.

How these matters were considered

Climate change science is part of the technical assessment supporting the water plan. Climate change projections were considered in the development of the draft water plan through consideration of risks posed for the water plan outcomes. A factsheet is available on the [department's online library](#) that describes how climate change is considered in the water plan.

Find out more about [how we manage climate change risks through water planning](#).

4. Further considerations for the water management protocol

The draft water management protocol was released at the same time as the draft water plan and submissions were invited. For the benefit of submitters and stakeholders, this chapter summarises changes to the draft water management protocol that have resulted from submissions and further consultation. Further details of the changes from the draft to final water management protocol can be found in Appendix A - Statement of Changes.

4.1 Preliminary

Water management protocol sections 1 – 9 (Chapter 1)

This chapter of the water management protocol outlines the commencement, purpose, water to which the water management protocol applies, including information about zones and management areas.

Minor amendments were made to update references to the water plan.

4.2 Significant watercourse reaches

Water management protocol sections 10 – 11 (Chapter 2)

Changes were made to clarify how granting a water licence located in a significant watercourse reach is considered. The water licence condition parameters for each significant watercourse are outlined in Table 13 of Attachment 3.

Significant watercourse reach flow thresholds do not apply to existing water entitlements, seasonal water assignments or the granting of water licences from the strategic reserve (for urban purposes).

The significant watercourse reach table (Table 13, Attachment 3) now includes the two new significant watercourse reaches for Amamoor Creek and Kandanga Creek, and increased minimum passing flow conditions for most reaches.

Submissions were received about the suitability of the minimum passing flows stated for each significant watercourse reach in the draft water management protocol. The minimum passing flow of 0.175 cumecs listed in the draft water management protocol was based on initial water depth calculations required for movement of aquatic species. Further work has been undertaken to quantify minimum passing flows required to maintain watercourse connectivity and waterhole resilience along the full reach of each significant watercourse reach whilst also accounting for total maximum daily rates to take related to water licence amendments and existing waterharvesting thresholds on those watercourses. Minimum passing flow conditions have been amended to 0.75 cumecs for the Mary River and 0.35 cumecs for Six Mile Creek, Glastonbury Creek, Munna Creek, Tinana Creek, Amamoor Creek and Kandanga Creek.

The water management protocol outlines the requirement that any new water licence granted at a location within a significant watercourse reach must have a passing flow condition of at least the minimum flow for that reach. Where the chief executive is not satisfied that the minimum passing flow condition for the significant watercourse reach is sufficient, the chief executive can determine a suitable flow condition, greater than the minimum flow condition using the outlined considerations.

4.3 Unallocated water

Water management protocol sections 12 – 19 (Chapter 3)

This chapter includes:

- unallocated water reserve types, volumes and locations
- general requirements for granting unallocated water

- the process for releasing water from the Indigenous reserve
- process and considerations when releasing from strategic or general reserve.

Part 1 – Unallocated water reserve types, volumes and location

Submissions sought clarification about who can access reserve volumes and for what purpose entitlements may be granted.

Changes include new definitions to clarify location of proposed works, and improved formatting to make linkages with Attachment 2.

Submitters supported the strategic and general reserves, including the strategic reserves for Gympie urban water supply, the 50,000ML volume for Sunwater and the Six Mile Creek and Ewen Maddock Dam volumes for Seqwater. The process for the release of strategic and general reserves is outlined in [part 2, division 2, subdivision 2 of the Water Regulation 2016](#).

Submissions sought clarification about who can access reserve volumes and for what purpose entitlements may be granted.

Changes were made to clarify the entitlement types available for the reserves.

Part 2 - Releasing unallocated water from the Indigenous reserve

Submissions received on this part included:

- clarification on the Indigenous reserve and the processes around its release, water source, entitlement type, conditions, accessibility, and purpose
- request for further consultation or engagement on the Indigenous reserve, with both traditional owner groups and other stakeholders.

The water management protocol no longer includes the definition of an **eligible person** as it's no longer required to implement the water plan provisions. The water plan sets out an amended approach to Indigenous unallocated water as outlined in the Indigenous reserve section 3.5.2 of this document.

The stated purpose for water licences granted from Indigenous reserves is now 'Any'. This means that water taken under these entitlements can be used for any purpose.

The Indigenous reserve tables for surface water in Appendix 2 have been combined to a single Indigenous reserve table. The table now describes the available volume for a water management area and the traditional country that is recognised within that area or combination of areas. The assignment of volumes to traditional country area is based on the land coverage in each subcatchment of native title land determination and interests at the time the water plan and documents were being developed.

A volume of 10ML has been assigned to the traditional country of Wakka Wakka peoples in the water management area of J – Munna Creek. In the draft water management protocol, this reserve was originally aligned to the area covered by the Future Native Title Claimant – Kabi Kabi First Nation Traditional Owners Native Title Claim Group. This volume has been adjusted from 3,750ML to 3,740ML in the final water management protocol in recognition that a portion of the reserve applies to the area of the Wakka Wakka People Native Title Determination (Wakka Wakka People #3), and the total volume of unallocated water must not be greater than the total prescribed volume in the water plan (7,040ML for surface water).

To further develop and implement release processes, the department must consult with traditional owners and Aboriginal corporations that represent recognised traditional country.

4.4 Supplemented water allocation dealing rules

Water management protocol sections 20 – 35 (Chapter 4)

This chapter of the water management protocol detailed the dealing rules for supplemented water allocations in relevant water supply schemes.

A submitter expressed their support for the interchangeability of supplemented water allocations between the Lower Mary Water Supply Scheme and the Teddington Weir Water Supply Scheme.

No changes were made to the water management protocol from draft to final.

4.5 Unsupplemented surface water

Water management protocol sections 36 – 40 (Chapter 5)

This chapter contains a new part as a place marker for the establishment of water sharing rules. It also contains the seasonal water assignment rules for surface water licences in all water management areas, the prescribed limits for these assignments and measurement requirements.

Submissions were received on all of the above-mentioned topics.

Changes to seasonal water assignments were made to increase the prescribed limit volumes and remove the proposed upstream/downstream limits. New seasonal water assignment restriction points for particular water management areas have been introduced to mitigate potential impacts on town water supplies. The total volume of water seasonally assigned in any water year remains unrestricted between adjacent land parcels, within the same subcatchment.

The department will monitor seasonal water assignment activity for effectiveness of flexible temporary water entitlements. Subsequently, if necessary, the department may amend the water management protocol in consultation with water users.

For the development and implementation of water sharing rules, the department will engage with the established Water Advisory Committees and licence holders to within the water management areas where considered necessary. This may formalise some of the existing voluntary restrictions.

4.5.1 Seasonal water assignment

The following feedback about seasonal water assignment processes not directly aligned with the water management protocol was received from submitters:

- seasonal water assignments must be approved without undue delay for example, including a written timeframe for processing
- the cost of meter installation may be a deterrent to small licence holders to participate in the seasonal water assignment market, committing more water to long term reserves
- request for permanent trading opportunities in future, as seasonal water assignments may not provide sufficient financial security
- generally opposed to water trading as they believed a dollar value would be placed on water, that previously has not been, and existing users would be able to trade allocations that once contributed to environmental flows
- a potential training need for entitlement holders, in understanding market trading rules and regulations particularly when water metering is required
- concern for the increase in cost (of buying seasonal water assignment) associated with high demand
- recommended unrestricted trading for entitlement holders with multiple water licences, and reduced meter installation costs.

4.6 Monitoring and reporting

Water management protocol sections 41 – 43 (Chapter 6)

This chapter states that the chief executive must measure and record:

- water quantity
- water taken

- underground water levels
- prices for water permanently traded and seasonally assigned
- the number of permanent trades and seasonal assignments
- volume of water permanently traded and seasonally assigned.

It is also a requirement that the department must collect information on future water demands and water bore construction trends.

Submissions requested monitoring of surface water and underground water, metered water use, and assessment of trends in the take of overland flow water and seasonal water assignment.

No amendments were made to the final water management protocol in relation to monitoring and reporting.

The department continues to measure and record monitoring information across the water plan area for both underground water and surface water through monitoring bores and stream gauging stations. The monitoring network schedule is fit for purpose and provides a base level of information for the department's needs. The adequacy of the water monitoring network is periodically reviewed. Gympie Regional Council, as part of their water licences associated with water extraction in the Cooloola Sandmass underground water management area, are required to monitor and report water level, quality and metered use data to the department. This data is used to assess effectiveness of management strategies in the water plan.

The Minister's next 5-year Performance Report will provide information on the risks to achieving plan outcomes including information on, for example, authorised take for stock and domestic purposes (where known) and overland flow development.

5. Water Entitlement Notice

The draft WEN was released for public comment on 22 February 2023 and closed on 26 May 2023. The draft WEN stated the following draft entitlement conversions, grants, amendments and replacements:

- conversion of 9 interim water allocations to water allocations
- granting of 3,080ML of unallocated water from the strategic reserve to Fraser Coast Regional Council
- granting of three new water licences (two surface and one groundwater) relating to existing long-term permitted take
- amendment of area-based water licences to volumetric entitlements
- amendment of water licences with a purpose of 'town water supply' to 'urban'
- replacement of multi-purpose licences that have different access conditions for each purpose with new separate water licences
- amending the Six Mile Creek licence to interfere to include improved environmental management rules for Six Mile Creek Dam.

The draft water plan recognised that the proposed water licence volumes may not meet historic water use for all water users. Water licence holders were encouraged to make a submission requesting consideration for additional volume to meet historic water use. Information supporting historic water use practices was to be provided as part of the submission. Submissions on the draft WEN were managed in accordance with section 74 of the Water Act.

There were 60 individual submissions received pertaining to 96 water licences. Where required, submitters were formally contacted to provide additional supporting information if available (such as evidence of electricity records, pump specifications etc). Submitters for 35 water licences provided sufficient supporting information to satisfy the chief executive to amend the licences as per the submission request (supported in full). Supporting information included:

- calculated water use using annual electricity records and pump specifications
- metered use data
- industry published crop irrigation requirements up to 10ML/ha
- consultant reports.

There were 17 water licence submissions which were not supported, because they were deemed to be inconsistent with section 48(2) of the draft water plan. These included 15 area-based licences with an existing volumetric condition already stated on the licence, and 2 water licences requesting additional hectares than stated on their existing water licence to be considered for amendment to a volume.

For other water licences, submissions requesting additional nominal entitlement volume were considered under the matters outlined in section 48(5) of the draft water plan:

- the purpose for which water may be taken
- the volume required for the purpose
- the efficiency of water use
- the conditions under which water may be taken
- the water-taking capacity of relevant works
- the local availability of water.

Where sufficient information was provided to demonstrate that an increased nominal entitlement volume did not reflect the take of water under the existing water licence, the chief executive was able

to decide new amended volumes. Where the submissions lacked supporting evidence and there was some uncertainty about information provided to support a decision, submissions were reviewed by the Water Act Referral Panel under section 74 of the Water Act.

Submissions for 44 water licences were forwarded to the Water Act Referral Panel on the basis the chief executive did not agree with the submission. The Water Act Referral Panel subsequently made recommendations for consideration by the department.

5.1 Summary of submission topics

The range of topics from the 60 submissions included:

- concerns about the proposed volume of their water licences not being adequate for their needs
- requests for increases to the volume stated in the volumetric condition on their existing water licence
- support for increases in nominal entitlement volumes to meet the individual water use circumstances of water licence holders
- requests that the WEN includes additional information about water licences, such as whether they are located in significant watercourse reaches.

5.2 Considerations and final WEN

A review of all the submissions received seeking additional water licence volume and the Water Act Referral Panel recommendations resulted in the following:

- 38 licence submissions being supported in full
- 18 licence submissions being supported in part
- 23 licence submissions were not supported
- 17 licence submissions were considered inconsistent with the water plan, and not supported.

Where the department did not receive a submission for a water licence, the amendment of the licence will be consistent with the water plan and the draft WEN.

Section 44 of the water plan specifies the content and conditions that must be stated on water licences to take water. This does not include additional information such as significant watercourse reaches which do not affect existing entitlements. Significant watercourse reaches are identified in Schedule 5 of the water plan.

The details listed in the WEN are current as of 9 November 2023. The WEN will take effect from 10 May 2024. All water entitlement holders listed in the WEN will be notified of the publication of the notice within 30 business days of the publication.

6. Matters not directly relevant to the water plan review

The following sections outline a range of submissions received that are considered out of scope for the review and replacement of the water plan and water management protocol.

6.1 Water Advisory Committees

There are multiple active Water Advisory Committees in the water plan area that represent water licence holders for the respective subcatchments. These committees provide advice to the department about the management and sharing of water. As such, submissions have been received about the role of these committees under the water plan.

- Submitters commented that the department must continue to engage with the Water Advisory Committees about implementation of the water plan, for example water sharing rules and seasonal water assignments.
- A submitter questioned why unsupplemented water in subcatchments needs to be regulated by the department, when it could be managed by local committees or advisory groups.

Water Advisory Committees, whilst important for advice about local watercourse conditions, particularly in dry times, do not have a statutory authority under the Water Act to regulate and manage unsupplemented water. The Water Act, water plan and water management protocol establish a regulatory framework for water management. This includes seasonal water assignment, development of water sharing rules where required, modernisation of water entitlements and measurement of take of water.

The department will continue to support the implementation of the water plan through consultation with the public and relevant public interest groups, including Water Advisory Committees.

6.2 Feedback on water plan consultation

Submitters provided feedback on a range of consultation matters, including:

- support for the overall concept of community consultation
- suggestions that financial institutions should be recognised stakeholders in consultations on the water plan, as changes may impact licence holders who rely on a water licence to obtain funding
- suggestions that individual client-specific or site-specific meetings with water licence holders are held prior to final decisions being made
- continued education and transparency for all key stakeholders, so that all stakeholders understand their responsibility towards the protection of the river system as a whole
- explanation about the history of existing water entitlements within the Mary Basin
- recognition of the department's efforts to engage with traditional owners during the water plan review process, with suggestions that engagement with Native Title holders did not necessarily represent all wider Indigenous communities and individuals
- more local public meetings, for all users of the water in the water plan area, not just licence holders.

Section 46 of the Water Act provides a framework for public consultation for the development of a draft water plan. The consultation for the development of the water plan was consistent with this framework with submissions on the draft water plan and protocol open to all interested persons/entities. More

detail regarding the consultation process that was undertaken to develop the draft and final water plan can be found in Chapter 2 of this report.

The department will take the feedback provided on board for future water planning activities.

6.3 Water use efficiencies

Submitters commented on:

- further consideration of opportunities to recycle water, improve efficiencies and reduce demand for water, and for desalination
- the need for an increase in community awareness around using water efficiently and adaptation to climate change
- an extension training program in Irrigation Water Use Efficiency (based on the successful Dairy Industry model) to facilitate the transition from large volume travelling irrigators to more water efficient irrigation systems.

The Water Act and plan are about the sustainable management of the natural water resources of the Mary Basin.

6.4 Cultural values and consultation

Submitters commented on a range of cultural water matters, including:

- a request to address the impact of the Voice referendum, and the path to Treaty
- how connectivity will improve across water plans and other legislation, to ensure water quantity and quality
- request for Indigenous Land Use Agreements to be developed and negotiated with relevant bodies, that support wetland protection
- request for the department to develop consultation to discuss the Jinibara Healthy Country Plan in the next 12-24 months
- how the department would improve communication and connectivity with other legislation, particularly regarding access to water sites and water quality e.g, Water Act, water plans, Native Title claims and determinations, human rights and the right to access private property for waterway stewardship.

The water plan maintains provisions which require the chief executive to consider the impact on cultural values when:

- deciding to implement a general or strategic reserve unallocated water release process
- deciding an application for a licence to interfere
- deciding an application in the Cooloola Sandmass underground water management area.

In considering cultural values the chief executive requires sufficient information on cultural values to support the assessment and decision. Proponents may need to provide supporting information such as a cultural values report with information on culturally significant sites, artefacts, culturally significant species, or other information informed through consultation with traditional owners relevant to the area.

In making decisions the chief executive must consider obligations under the *Native Title Act 1993* (Commonwealth) and the *Human Rights Act 2019*.

The department acknowledges these comments and will continue to engage with traditional owners on cultural matters that are within its jurisdiction.

6.5 Environmental concerns

Submitters commented on a range of environmental matters, including:

- greater responsibility from everyone within the catchment is needed regarding river health
- requests for the inclusion of provisions to regulate the use of water if there is a risk of land and water degradation from the use of that water (for example, from agricultural irrigation causing nutrient enrichment of waterways)
- concerns about erosion and sediment build-up in waterways due to sand mining, and suggested watercourse buffer zones be implemented as a prevention strategy
- a holistic approach to the water plan that emphasises the Ramsar-listed Great Sandy Strait wetland
- a request for more weirs be built
- recommendation to take a precautionary management approach, so as not to damage the habitat and lifestyle of everything that depends on the catchment
- a request for more information on the continuation of compensation flows from Baroon Pocket Dam.

It is acknowledged that water has many linkages to environmental matters. However, matters that relate to holistic river health and catchment sedimentation may not be directly addressed in water plans. Information related to compensation flows is provided by the relevant resource operations licence holder.

6.6 Compliance

Submitters commented on a range of compliance matters, including:

- a request for stronger enforcement from the department regarding compliance and unauthorised take
- a request for a compliance element be added to the water management protocol surrounding licence conditions and restrictions during times of low flow
- suggested annual reviews of water usage be conducted through mandatory metering to better inform water usage and seasonal assignments
- concerns about the availability of water for licence holders due to excessive take of stock or domestic water and unauthorised take.

Queensland's water resources are vital for our economic, social, environmental, and cultural wellbeing, driving economic growth and job opportunities for our regional communities.

The department's role is to ensure that water is managed fairly and responsibly, to make best use of our water resources by delivering sustainable, safe, secure and affordable water to all Queenslanders - today and tomorrow. The department is responsible for Queensland's water management laws and regulations and regulates activities under the Water Act.

As a modern best-practice regulator, the department is committed to continual improvement of its regulatory approach, and makes changes to improve services and regulatory processes over time.

Read more about the [role of Queensland's water regulator](#).

7. Next steps

Water Plan (Mary Basin) 2024

The Water Plan (Mary Basin) 2024 is now subordinate legislation under the Water Act and supersedes the Water Plan (Mary Basin) 2006. The Water Plan (Mary Basin) 2024 is available on the Office of the Queensland Parliamentary Counsel website and has a 10-year life under the *Statutory Instruments Act 1992*.

Mary Basin Water Management Protocol 2024

The Mary Basin Water Management Protocol 2024 has also been finalised and a Statement of Changes is available in Attachment A of this report.

Although there were some amendments to the water management protocol from draft to final, the department will continue to work with water users, key industry groups, local government and traditional owners to address implementation issues with the water management protocol.

Fact sheets will be developed about the release process for Indigenous unallocated water reserves. The department will continue to engage with traditional owners.

A Statement of Changes will be published if any further changes to the water management protocol occur.

Mary Basin Water Entitlement Notice

The Mary Basin Water Entitlement Notice was published in the Queensland Government Gazette.

In implementing the requirements of the water entitlement notice, the department will:

- convert the interim water allocations to water allocations as per Part 1
- grant the water allocation to Fraser Coast Regional Council as per Part 2
- grant the water licences as per Part 3
- amend the area-based licences to volumetric entitlements as per Part 4, Schedule 1
- amend water licences with a purpose of 'town water supply' to 'urban' as per Part 4, Schedule 2
- replace the water licences as per Part 5.

Monitoring, Evaluation and Reporting Strategy

The department will develop a Monitoring, Evaluation and Reporting Strategy (MERS) within 12 months of water plan commencement to support assessment of the effectiveness of the Water Plan (Mary Basin) 2024.

The MERS is intended to consider the assessment of the water plan outcomes, including the types of monitoring and assessment activities that will contribute to review of the water plan outcomes. In development of the MERS, the department will consider the types of research and monitoring that will be needed to fill knowledge gaps. This will provide an opportunity for research partners, other government agencies and natural resource management organisations skilled in these areas to align activities to assist in providing this information during the life of the water plan.

For further information about the water plan, water management protocol or water entitlement notice, please contact the department by phoning 1800 135 531 or emailing waterplanning.mary@rdmw.qld.gov.au.

Appendices

Appendix A Statement of Changes

A Statement of Changes is required under section 69 of the 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.

Chapter 1 Preliminary. Changes to this chapter include:

- Section 6 (b) - amended the name of the Cooloola Sandmass subartesian area to the Cooloola Sandmass underground water management area.
- Section 8 - has been added and details the extent of water management areas, noting that section 7 of the water plan outlines that each of the defined subcatchments is a water management area.

Chapter 2 Significant watercourse reaches. This is a new chapter that includes:

- Section 10 – Scope has been added to introduce the chapter outlining the provisions for applying minimum passing flow conditions to surface water licences.
- Section 11 - has been added to detail considerations for granting new water licence products with a location in a significant watercourse reach. Significant watercourse reaches are defined in the map shown in Schedule 5 of the water plan. New water licences in these defined reaches must include conditions that state at least the minimum passing flow and measurement point outlined in Attachment 3, Table 13 of the water management protocol.

Chapter 3 Unallocated water. Changes to this chapter include:

- Section 12 - Scope has been added to outline the chapter outlining the provisions for the unallocated water reserves for the Water Plan (Mary Basin) 2024 which includes Indigenous reserve.
- Section 13 - definition for **location** for application in Chapter 2 has been added.
- Part 1, Section 15 – outlines the reserve types and what purpose the reserves are for. This section refers to further location details of availability of unallocated water volumes outlined in tables shown in Attachment 2.
- Part 1, Section 16 – specifies the entitlement type to be granted for each reserve type.
- Part 1, Section 17 - condition for granting new water entitlements (not a supplemented water allocation) in a water supply scheme to include a minimum passing flow condition to ensure that supplemented water isn't accessed.
- Part 2 – Section 18 - detail of the process for releasing unallocated water held as Indigenous reserve to traditional owners. Further consultation with traditional owners, including recognised Aboriginal corporations must occur before a release process commences.
- Part 2, Section 19 – place marker for water sharing arrangements to share water licence volumes granted from Indigenous reserve to traditional owners. This may allow traditional owners to make decisions to allow use of their available entitlement volumes by other water users.

Chapter 4 states the water allocation dealing rules – for supplemented water allocations. Changes to this chapter include:

- Administrative changes to update reference to water plan.
- Changes to water allocation dealing rules to be consistent with section 158 of the Water Act and part 5, division 3 of the Water Regulation 2016.

Chapter 5 is a new chapter to outline provisions for unsupplemented water licences introduced in the draft protocol. Provisions in this chapter include:

- Section 36 – scope of the chapter to outline water sharing and seasonal water assignment rules for the taking of unsupplemented surface water under a water licence.
- Section 37 – definition for **location** for application in Chapter 4 of the water management protocol has been added.
- Section 38 – application of the chapter to apply to all unsupplemented water licences. Currently the chapter has no provisions for underground water licences in the Cooloola Sandmass underground water management area. The water management protocol may be amended to include provisions for underground water.
- Part 1, Section 39 - water sharing rule place marker. Amending water licences to state nominal entitlement volume, equitable rate of take and simplified conditions is a significant transition as part of the new plan and protocol. The development of water sharing rules is intended to commence in consultation with water licence holders in specific water management areas after the water licence amendments have been implemented.
- Part 2, Section 40 – rules for seasonal water assignment of surface water added. Seasonal water assignments (SWA) provisions to allow water licence holders to temporarily transfer unused volumes of water in a water year to other water users in the same water management area. This section outlines the requirements for undertaking a SWA – volume limits, locations, measurement of take, maximum rate of take, and restrictions around town water supply locations. The restriction points and seasonal assignment volume limits are detailed in Table 6 and 7, respectively.

Chapter 6 states monitoring requirements for the chief executive. Changes to this chapter include:

- Administrative changes to update references to the water plan.
- Section 41 - amended to include measurement and recording of sale price of seasonal assignments, and monitoring of water demand trends and water bore construction trends.

Attachment 1 – dictionary:

- Additional terminology definitions applicable to the water management protocol provisions.

Attachment 2 - unallocated water reserves:

- Inclusion of the volume availability and locations for the surface water and underground water reserves outlined in the water plan for:
 - strategic reserve in Table 8
 - Indigenous reserves in Table 9 (surface water) and Table 10 (underground water)
 - general reserves in Table 11 (surface water) and Table 12 (underground water).

Attachment 3 – significant watercourse reaches:

- Inclusion of Table 13 to outline the water licence condition consideration the chief executive must apply to a new water licence that may be granted from unallocated water in a defined significant watercourse reach. The significant watercourse reaches are defined by the map in Schedule 5 of the water plan.

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