

Gulf Water Resource Plan and Resource Operations Plan amendments

Consultation report

August 2015

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Table of contents

Foreword	1
1 Introduction	2
1.1 The role of the consultation report	2
1.2 Intent of the final plans amendments	2
1.3 Copies of the final plans and supporting documents	3
1.4 Overview of the Gulf plan area.....	3
2 Consultation and submissions	4
2.1 Public information session and stakeholder meetings	5
2.2 Submissions	5
2.3 Government consultation	5
3 Submissions: issues raised on draft water resource plan amendment and outcomes	6
3.1 Support for the draft amended water resource plan	6
3.2 Unallocated water reserves.....	6
Background.....	6
Draft amended plan provisions	6
3.2.1 Volumes and methodology	7
Issue raised.....	7
The finalised provisions	7
3.2.2 Proportioning of unallocated water reserve volumes.....	8
Issue raised.....	8
The finalised provisions	8
3.2.3 In-stream storages	8
Issue raised.....	8
The finalised provisions	8
3.2.4 Entitlement reliability	8
Issue raised.....	8
The finalised provisions	9
3.2.5 Rates, volumetric limits and pump sizes.....	9
Issue raised.....	9
The finalised provisions	9
3.3 Mitigation strategies	9
Background.....	9
Draft amended plan provisions	10
3.3.1 General.....	10
Issue raised.....	10
The finalised provisions	11
3.3.2 Wet season flow.....	11

Issue raised.....	11
The finalised provisions	11
3.3.3 Water harvesting flow thresholds.....	12
Issue raised.....	12
The finalised provisions	12
3.4 Ecological outcomes, environmental flow objectives and performance indicators	12
Background.....	12
Draft amended plan provisions	12
3.4.1 Environmental low flow objectives	13
Issue raised.....	13
The finalised provisions	13
3.4.2 Performance indicators	14
Issue raised.....	14
The finalised provisions	14
3.4.3 Monitoring and reporting of environmental assets.....	16
Issue raised.....	16
The finalised provisions	16
3.4.4 Nodes and gauging stations	16
Issue raised.....	16
The finalised provisions	16
4 Submissions: issues raised on draft resource operations plan amendment and outcome	17
4.1 Support for the draft amended resource operations plan	17
4.2 Water transfers rules	17
Background.....	17
Draft amended plan provisions	17
Issue raised.....	18
The finalised provisions	18
4.3 Seasonal water assignments for water licences granted from the Indigenous reserve.....	18
Background.....	18
Draft amended plan provisions	18
Issue raised.....	18
The finalised provisions	18
5 Technical assessments issues raised and responses	19
Background.....	19
5.1 Environmental Assessment	19
5.1.1 Weighting of risk scores.....	19
Issue raised.....	19
Response	19
5.1.2 Impacts of flow regime changes on the largetooth sawfish.....	19

Issue raised.....	19
Response.....	19
5.1.3 Locations of environmental assessment nodes.....	20
Issue raised.....	20
Response.....	20
5.2 Fisheries assessment.....	20
5.2.1 Findings of fisheries assessment.....	20
Issue raised.....	20
Response.....	21
5.2.2 Modelled volumes of water used in fisheries assessment for the Gilbert River catchment.....	21
Issue raised.....	21
Response.....	21
5.3 Hydrologic assessment.....	21
5.3.1 Streamflow data.....	21
Issue raised.....	21
Response.....	21
5.3.2 Inclusion of existing entitlements in technical assessments.....	22
Issue raised.....	22
Response.....	22
5.3.3 General.....	22
Issue raised.....	22
Response.....	22
5.4 Socio-economic assessment.....	22
Issue raised.....	22
Response.....	23
5.5 Indigenous assessment.....	23
Issue raised.....	23
Response.....	23
6 Issues outside the scope of the amended plans.....	23
7 Other changes made.....	25
8 Implementation.....	25

Foreword

We are pleased to release the final amendments to the Water Resource (Gulf) Plan 2007 and the Gulf Resource Operations Plan 2010 (amendment plans). The finalisation of these plans demonstrates the government's commitment to supporting and facilitating initiatives for the private sector to undertake appropriate development in North Queensland on a sustainable basis.

Water planning in the Gulf has been a dynamic process that has resulted in continuous improvements being made to the way water is shared and managed. The key outcome of the amendment plans is to support an expansion of the irrigated agriculture industry in the Flinders and Gilbert river catchments.

The water resource plan amendment retains the focus on identifying new volumes of unallocated water to support irrigated agricultural development in the Flinders and Gilbert river catchments while minimising impacts on existing water users including the environment and the Gulf of Carpentaria fisheries.

The resource operations plan amendments provide the rules for accessing, using and trading unallocated water once it is released and entitlements are granted.

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

We would like to take this opportunity to thank everyone who contributed to the amendment process, particularly those who lodged submissions on the draft amendment plans. This report will provide a useful record of how the input was considered and addressed.

Now that the amendments have been finalised, an unallocated water release process in the Flinders River catchment will soon begin. Making this valuable resource available will unlock economic growth and jobs in the agricultural sector and ensure the growth of a productive and prosperous food and fibre sector in Far North Queensland.

Dr Anthony Lynham MP
Minister for Natural Resources and Mines

Sue Ryan
Deputy Director-General
Department of Natural Resources and Mines

1 Introduction

1.1 The role of the consultation report

In accordance with sections 51 and 104C the *Water Act 2000* (Water Act), the Minister and Chief Executive must prepare a consultation report on the amendments to the Water Resource (Gulf) Plan 2007 and Gulf Resource Operations Plan 2010 (amended plans). The report summarises the issues raised during the consultation process and in formal submissions on the draft amended plans. It also explains how the issues were addressed in preparing the final amendments to the plans.

1.2 Intent of the final plans amendments

The Water Resource (Gulf) Plan 2007 (Gulf WRP) stated reserves of unallocated water in the Flinders and Gilbert river catchments. An unallocated water release process was undertaken by the department in 2013. This process resulted in all of the general reserve in the Flinders River catchment and 95 per cent of the general reserve in the Gilbert River catchment being granted.

On 6 February 2014, the Office of Northern Australia released the Flinders and Gilbert Agricultural Resource Assessment (FGARA) which provided an evaluation of the feasibility, economic viability and sustainability of water resource development of the Flinders and Gilbert river catchments. The assessment concluded that there was the potential to support irrigated agricultural development in both catchments. In response to these findings a targeted review of the Gulf WRP and Gulf Resource Operations Plan 2010 (Gulf ROP) commenced. Further technical assessments were undertaken by the Commonwealth Scientific and Industrial Research Organisation (CSIRO) and the former Department of Science, Information Technology, Innovation and the Arts (DSITIA) to support the development of the draft amended plans, which were released in December 2014 for public comment.

The final amended plans provide for new volumes of general unallocated water reserves and Indigenous reserves in the Flinders and Gilbert river catchments and the ability to seasonally or permanently transfer licences granted from these reserves. The plans have also been amended to include strategies that ensure the needs of Gulf fisheries, the environment and existing water users are supported.

In addition, the final amended plans:

- restructure the existing plan outcomes into social, economic and ecological categories and include a new ecological outcome
- allow owners of land the ability to take water from a watercourse, lake or spring for non-riparian stock or domestic purposes except if the take is from a watercourse used for the distribution of water by a scheme licence holder
- provide for owners of land within 1 km of a prescribed watercourse to take groundwater for stock or domestic purposes
- transfer provision in the Gulf ROP that allowed for the granting of licences to interfere with the flow of water in relation to unallocated water and town water supplies into section 43 of the Gulf WRP
- include changes to reflect the August 2014 repeal of the *Wild Rivers Act 2005*.

1.3 Copies of the final plans and supporting documents

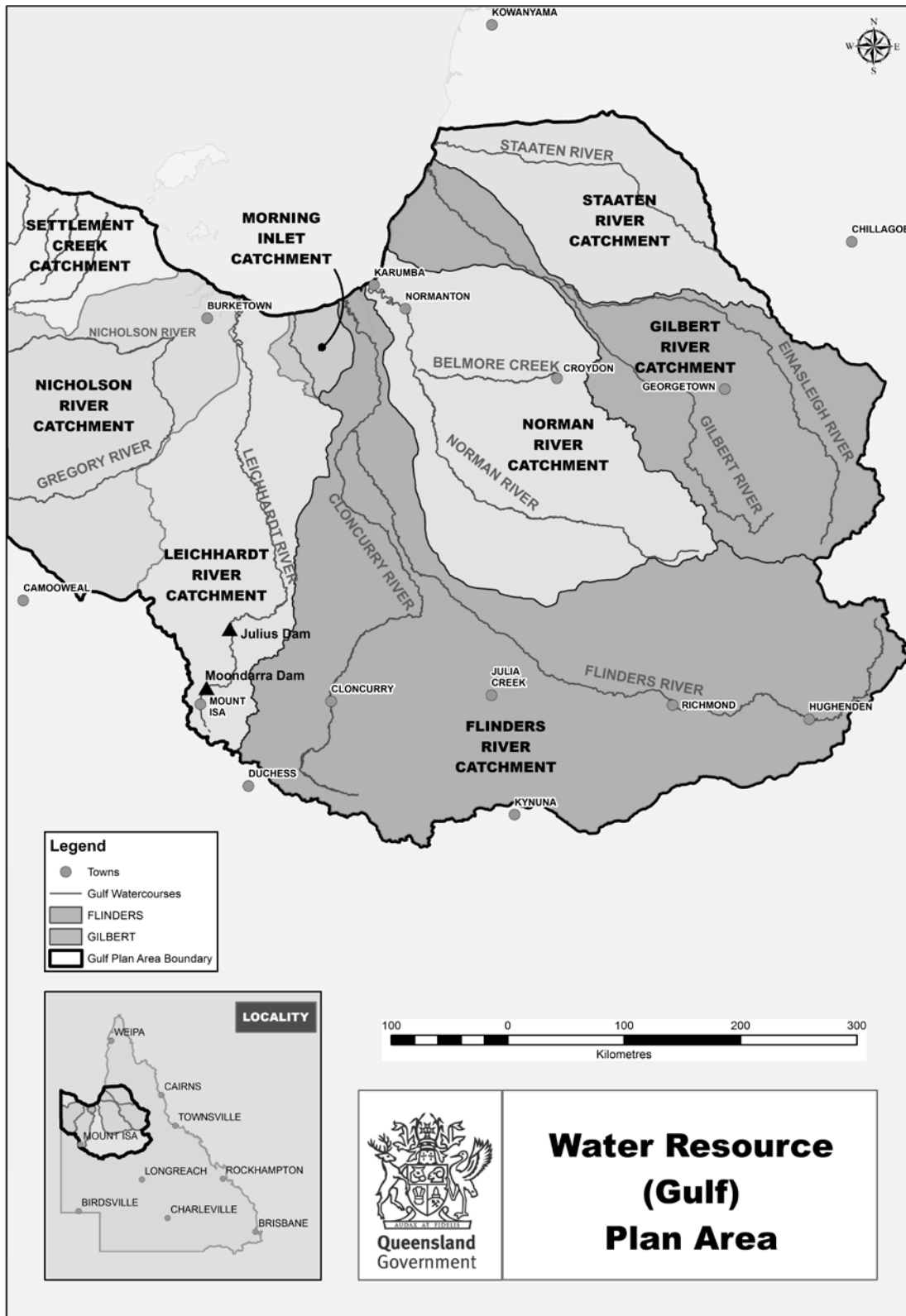
The final amended plans, this report and other supporting documents can be accessed on the Gulf catchment page of the department's website at www.dnrm.qld.gov.au.

1.4 Overview of the Gulf plan area

The total plan area is approximately 315 000 km² and comprises eight catchments that drain to the Gulf of Carpentaria (Figure 1). The largest catchment in the plan area is the Flinders covering approximately 109 000 km² and the smallest is the Morning Inlet covering approximately 3 700 km². The eight catchments are:

- Staaten River
- Gilbert River (including the Einasleigh River)
- Norman River
- Flinders River (including the Cloncurry River)
- Morning Inlet
- Leichhardt River
- Nicholson River (including the Gregory River)
- Settlement Creek.

Figure 1: Gulf—plan area



2 Consultation and submissions

Community and stakeholder consultation was fundamental for developing the draft and final amended plans. The community in the plan area has been consulted throughout the planning process.

A Statement of Proposals was released on 13 March 2014 inviting submissions on the proposals that would be considered in the development of the draft amended plans. Preliminary stakeholder meetings and meetings with the Local Water Consultation Group (consisting of representatives from local councils, irrigators, NRM groups, industry groups and Indigenous groups) were held to assist in the development of the draft amended plans.

On release of the draft amended plans, opportunities for further consultation were available through public information sessions and an invitation to submit on the draft amended plans. In addition, the draft amended plans were complemented by the release of further technical assessments on the water needs of the environment, including commercial fisheries in the Gulf of Carpentaria, as well as the risks that development poses to environmental assets and processes.

Follow-up discussions with stakeholders, including conservation groups, on issues raised during consultation and potential responses to these issues aided in finalising the draft amended plans.

2.1 Public information session and stakeholder meetings

Stakeholders in the plan area were consulted after release of the draft amended plans in January 2015, primarily through public information sessions and the submission process. Public information sessions were held in Cloncurry, Richmond and Georgetown on 21 and 23 January 2015, which allowed water users, other interested parties and the wider community to:

- develop an understanding of the proposals contained in the draft amended plans including the unallocated water reserves in the Flinders and Gilbert river catchments and the strategies proposed to ensure the needs of Gulf fisheries, the environment and existing water users are supported
- provide comment on the draft amended plans
- find out how to participate in the process by making formal submissions.

The issues raised in public meetings were similar to those identified through the submissions process.

2.2 Submissions

Submissions were invited when the draft amended plans were released for public comment on 17 December 2014. The formal submission period on the draft amended plans closed on 10 February 2015. A total of 21 submissions were received with varying issues presented. All issues raised in submissions were considered in finalising the amended plans.

2.3 Government consultation

Relevant Queensland Government agencies were consulted throughout preparation of the draft amended plans and in finalising the provisions. At the start of the public consultation period all local government authorities in the plan area received copies of the draft amended plans and were invited to comment on the draft provisions, as required under section 100(7) of the Water Act.

3 Submissions: issues raised on draft water resource plan amendment and outcomes

This chapter discusses how submission issues raised on the draft amended water resource plan were addressed in finalising the amendment.

Some of the issues raised in the submissions on the draft amended plans were outside the scope of the targeted amendment and are listed in Chapter 6.

3.1 Support for the draft amended water resource plan

Several submissions offered support for the planning process and provisions of the draft amended water resource plan including support for:

- the unallocated water volumes in the Flinders and Gilbert river catchments
- the wet season flow and pass flow conditions for entitlements granted from the general reserve
- the performance indicators and environmental flow conditions
- the amendment of a provision relating to the take of water for stock and domestic purposes.

3.2 Unallocated water reserves

Background

The Gulf WRP specified unallocated water reserves for most catchments and subcatchments identified in the plan area. Following the 2013 unallocated water tender process for the Flinders and Gilbert river catchments, no general reserve remains in the Flinders River catchment and only 780 ML of general reserve remains in the Gilbert River catchment. No Indigenous reserves were specified in the Gulf WRP for either the Flinders or Gilbert river catchments.

The demand for additional water reserves in the Flinders and Gilbert river catchments has been demonstrated through the 2013 unallocated water tender process, submissions received on the Gulf WRP Statement of Proposals and submissions on the draft amended plans. This demand includes small- and large-scale proposals in both the Flinders and Gilbert river catchments.

Draft amended plan provisions

The draft amended plan proposed new volumes for general and Indigenous unallocated water reserves in the Flinders and Gilbert river catchments (Table 1).

Table 1: Proposed unallocated water reserve volumes

Reserve	Flinders River catchment area (ML)	Gilbert River catchment area (ML)
General reserve	239 650	467 000
Indigenous reserve	8 500	17 000
Strategic reserve	17 850	5 000
Total	266 000	489 000

The volume for state purpose reserves in the Flinders River catchment, Nicholson River subcatchment and Norman River catchment were adjusted to reflect the volume of licences granted from the state purpose reserve expression of interest process in 2014.

3.2.1 Volumes and methodology

Issue raised

Four submitters stated that the unallocated water reserve of 266 000 ML in the Flinders River catchment is not enough to develop a sustainable and profitable agricultural industry and supported a higher volume being made available.

Two submitters recommended that the Minister take a precautionary approach and did not support the volumes proposed for the Flinders and Gilbert river catchments.

Five submitters raised the issue that no detail was provided on the methodology used to determine the unallocated water reserve volumes. One submitter also requested that the Government needs to outline the proposed apportioning of the Indigenous reserve.

The finalised provisions

The final plan provisions remain unchanged. The general unallocated reserve volumes for the Flinders and Gilbert river catchments were determined from hydrologic modelling undertaken by the former DSITIA and socio-economic and environmental assessments (including the work undertaken by the CSIRO (as part of FGARA). The general unallocated water reserves were determined in consideration of and seeking a balance between the following:

- water with an associated reliability that meets agricultural development needs
- minimising impacts of future water entitlements on existing water users
- minimising impacts on commercial fisheries in the Gulf of Carpentaria
- minimising impacts on key ecological processes and environmental assets.

An assessment was undertaken by the Department of Natural Resources and Mines (the department) to determine the Indigenous reserves in the Flinders and Gilbert river catchments. Firstly, Indigenous land parcels were identified and all lots with residential zoning were removed from the assessment as their water requirements would be allocated from an existing local government entitlement or the strategic reserve. The remaining lots were spatially analysed to investigate potential land uses requiring water.

The CSIRO FGARA report highlights a number of aspirations in the Gulf region that includes lands for resettlement, agriculture, nursery for bush tucker plants, tourism, arts and crafts centres, scientific research and biodiesel plantations. These purposes were ranked in order from highest to lowest volume of water requirements so that only the highest potential water use (broad acre cropping) would be used to determine the maximum possible future allocation.

The volume requirement for broad acre is 12 ML/hectare which therefore became the conversion factor used. This is consistent with the conversion factor used for the Gulf plan area as per section 74 of the Gulf WRP.

In determining the Indigenous reserve volumes there was no water set aside for any particular Indigenous group or enterprise. The water is available for helping Indigenous communities in the Flinders and Gilbert river catchments to achieve their economic and social aspirations. A detailed assessment to determine the sorts of activities that might support Indigenous economic and social aspirations was undertaken. Successful operations that already exist and support Indigenous people to achieve these goals were used as a model during this assessment.

3.2.2 Proportioning of unallocated water reserve volumes

Issue raised

Nine submitters requested that the unallocated water reserves be specified at locations rather than across catchment areas either by stream reach or resource operations plan zone. There was also concern that reserves should be set aside for both small-scale operations and larger projects.

The finalised provisions

The final plan provisions remain unchanged. This level of specification for the breakdown of the availability of the unallocated water reserves across the Flinders and Gilbert river catchments will be released in the tender documents on announcement of an unallocated water process.

3.2.3 In-stream storages

Issue raised

Eight submitters raised the issue that the department should consider in-stream storages in the Flinders and Gilbert river catchments, particularly in the Gilbert River catchment.

One submitter requested that the plan specifically preclude the building of in-stream water storage.

The finalised provisions

The final plan provisions remain unchanged. In line with CSIRO's FGARA recommendations, in-stream storages were investigated in the Gilbert River catchment only. However, off-stream storages with water harvesting capabilities would provide the best outcome for commercial Gulf of Carpentaria fisheries and the environment as the diversion of water can be better controlled than water in in-stream storages.

The Gulf WRP amendment allows proposed in-stream storages to be considered in the release of unallocated water in both the Flinders and Gilbert river catchments. A prospective proponent would need to meet the plan's outcomes and environmental flow objectives. For further information on the environmental flow objectives, outcomes and performance indicators refer to section 3.4 of this report.

3.2.4 Entitlement reliability

Issue raised

Several submitters stated that they did not want the reliability of existing entitlement holders to be affected by the release of new unallocated water.

One submitter objected about the need for entitlements granted from the general unallocated reserves to match existing entitlement reliability.

The finalised provisions

The final plan provisions remain unchanged. Provisions are in place in the Gulf WRP amendment to protect existing users including pass flow conditions to be included on new licences and a condition that subjects new entitlements to alternative permanent and/or seasonal transfer rules. The transfer rules are contained in the Gulf ROP amendment. The chief executive must take into account existing water users when decisions are made in relation to the permanent or seasonal transfer of water licences and applications to interfere with water in a watercourse.

One of the factors used in determining the general unallocated water reserves was to ensure that the water entitlements granted would provide for appropriate levels of access for potential new entitlements. This level of access was determined to be similar to the reliability that was modelled for entitlements granted from the unallocated water tender process in 2013.

3.2.5 Rates, volumetric limits and pump sizes

Issue raised

A request was made for Schedule 12 of the draft Gulf WRP amendment to be updated to reflect pump sizes and daily volumetric limits to support large-scale extraction.

The finalised provisions

Schedule 12 has been retained in its current form as this schedule does not restrict the size of pumps that can be used. Schedule 12 states the rates, volumetric limits and pump sizes for determining details to be stated on water licences, in accordance with sections 72 and 73 of the Gulf WRP amendment. There is provision in sections 72 and 73 for the chief executive to determine an alternative rate of take and volumetric limit to what is stated in Schedule 12.

The tender documents from the release of unallocated water in the Flinders and Gilbert river catchments in 2012 showed an example licence that had a maximum rate of 4900 litres/second and daily volumetric limit of 350 megalitres which are both greater than the highest rates and limits stated in Schedule 12.

3.3 Mitigation strategies

Background

In developing the draft amended plans the department engaged CSIRO and the former DSITIA to undertake additional technical assessments.

CSIRO was engaged to investigate the possible implications of future water resource development on the productivity of commercial fisheries, non-commercial fisheries, aquatic plants, animals and ecosystems of high ecological value in the Flinders and Gilbert river catchments and the Gulf of Carpentaria.

The former DSITIA was engaged to investigate and identify ecological assets and processes with critical links to flow. Risks to these assets were then analysed based on future water development scenarios for both the Flinders and Gilbert rivers.

In analysing the outcomes of both these assessments as well as the hydrologic modelling undertaken using CSIRO's Source model, it was determined that catchment-wide mitigation strategies were required for both the Flinders and Gilbert river catchments to reduce the

potential risks to the Gulf of Carpentaria fisheries and the environment, as well as existing users.

Draft amended plan provisions

The draft amended plans provided mitigation strategies for both the Flinders and Gilbert river catchments.

Wet season flow

It was proposed that any new entitlements granted from the general unallocated water reserve will not be able to access water from 1 January each year until a specific volume of water has reached an end of system location.

For the Flinders River catchment this was represented in the Source model as:

- 152 480ML at Walkers Bend gauging station.

For the Gilbert River catchment this was represented in the Source model as:

- 140 000ML at Miranda Downs gauging station.

If this volume of water has not been reached by 1 April, entitlement holders will be able to commence taking water.

Reduced volumes

Another mitigation strategy employed in the draft amended plans was to reduce the total volumes of unallocated water proposed under CSIRO's FGARA largest water development scenarios, i.e. where 570GL of water was available in the Flinders River catchment and 670GL of available water was identified in the Gilbert River catchment. The primary aim of this strategy was to improve the reliability of the new unallocated water volumes. Reducing the overall volumes also provides benefits to the Gulf of Carpentaria fisheries, the environment and existing water users.

In addition to reducing volumes in the Gilbert River catchment, a water harvesting development scenario was adopted to address residual risks which remained due to continued impacts from the instream storages proposed by CSIRO.

Water harvesting flow thresholds

The third and final mitigation strategy adopted in the draft amended plans was specific to the Flinders River catchment whereby the water harvesting flow thresholds that were proposed by CSIRO under the FGARA for the new unallocated water reserves were increased. This was undertaken to minimise the risks to the performance of existing water users.

In developing the draft amended plans, a water harvesting scenario was also adopted for the Gilbert River catchment, whereby water harvesting flow thresholds were applied to the take of any new water.

3.3.1 General

Issue raised

Submissions were received that questioned the need and effectiveness of mitigation strategies at all and suggestions were made that site-specific mitigation rather than catchment-wide flow rules are employed.

One submitter suggested that a reactive rule be applied, when needed, whereby after a series of consecutive years of periods of low flow, entitlement holders should then forego part of their entitlement in the next flow to support Gulf of Carpentaria fisheries.

The finalised provisions

The final plan provisions remain unchanged. The mitigation strategies provided for under the draft amended plans are consistent with the department's approach to holistic catchment management. In particular, the wet season flow rule is not only required for the Gulf of Carpentaria fisheries but also supports floodplain vegetation, wetlands and associated ecosystem functions.

It should also be noted that the modelling undertaken for the draft plan amendments represents just one way in which water resource development may occur across the two catchments. Mitigation strategies have been developed and environmental flow objectives have been set to ensure the needs of Gulf fisheries, the environment and existing water users are supported.

3.3.2 Wet season flow

Issue raised

A significant number of submitters made submissions about the wet season flow mitigation strategy with a number of differing views, these included:

- the mitigation strategy period should be bought forward from January to include rainfall in the early wet season (October to December)
- the determination of the wet season flow mitigation strategy needs to be justified
- the wet season flow mitigation strategy should be implemented, particularly where the flow event is measured
- all entitlements, including existing entitlements, should be subject to a wet season flow condition
- Green Hills dam could be used to meet the wet season flow mitigation requirement in the Gilbert River catchment.

The finalised provisions

The final plan provisions remain unchanged. The mitigation strategy will commence in January as evidence in the technical assessments show in the Gilbert River for example, 89.2 per cent of the wet season flows occur in January to March. If early wet season flows occur in December, water entitlement holders will be able to access this water.

The overview report detailed the determination of the wet season flow mitigation strategy, which was based on the 1-year average recurrence interval (ARI) daily flow (the size flow that is predicted to occur, on average, once a year). This flow represents a balance between event size and frequency. The 1-year ARI flow was multiplied by eight, which was an assumed factor that had been guided by research into the migratory requirements of fish species in parts of Queensland which indicates eight days of flow was required for successful migration. The wet season flow mitigation strategy ensures that flood flows from January to March reach the estuary.

In implementing the mitigation strategies for new licences granted from the general unallocated water reserves, it is important to note that the tender documents for the process to

release unallocated water will provide details about the wet season flow mitigation conditions including appropriate conditions for any licences granted in the upper catchments.

Licence conditions to implement mitigation strategies will be linked to active gauge stations that are part of the department's stream monitoring network. To protect existing entitlement holders, the wet season flow mitigation strategy only applies to any new entitlements that will be granted from the unallocated water reserves.

3.3.3 Water harvesting flow thresholds

Issue raised

One submitter noted that the water harvesting flow thresholds had not been specified. Another submitter expressed concern that the proposed elevated flow threshold for new allocations has a significant effect on availability and reliability of potential new water licences, particularly in Zone 10 of the Flinders River catchment.

The finalised provisions

The final plan provisions remain unchanged. In implementing the mitigation strategies for new licences granted from the general unallocated water reserves, it is important to note that the tender documents for the process to release unallocated water will provide details about the water harvesting thresholds at particular locations throughout the catchment.

Licence conditions to implement mitigation strategies will be linked to active gauge stations that are part of the department's stream monitoring network.

3.4 Ecological outcomes, environmental flow objectives and performance indicators

Background

Chapter 3 of the Gulf WRP states the outcomes, including ecological outcomes, which the plan seeks to achieve through implementing particular management strategies. Chapter 4 of the Gulf WRP states the performance indicators, environmental flow objectives and water allocation security objectives for the plan.

A performance indicator is a measure that can be calculated to assess the impact of an allocation or management decision or proposal on water allocations and natural ecosystems.

Environmental flow objectives aim to protect the health of natural ecosystems from future decisions made under the plan. They represent statistically derived values for performance indicators which are produced by the Source Model for the Flinders and Gilbert river catchments.

Draft amended plan provisions

The draft amendments proposed the inclusion of a new ecological outcome in section 15(1)(j) of the Water Resource Plan, 'maintenance of flows in the Gilbert River to provide brackish estuarine habitat suitable for juvenile banana prawn development'.

New environmental flow objectives for low flows (proportion of no-flow days), medium-to-high flows (mean annual flow, median annual flow, 1.5-year daily flow volume, 5-year daily flow volume and 20-year daily flow volume) and wet season flows (median wet season flow) were also proposed for both the Flinders River catchment at Walkers Bend and the Gilbert River catchment at Miranda Downs.

3.4.1 Environmental low flow objectives

Issue raised

Requests were made to the department through the submission process to include environmental low flow objectives for the maintenance of water levels in waterholes, achieving longitudinal connectivity of waterholes and ensuring the maintenance of water quality in the two catchments.

One submitter raised concerns that the end-of-system flow statistics targeted by the draft amended plan are very conservative when compared to other catchments in the state in which agricultural development is fostered.

The finalised provisions

The low-flow environmental flow objective proposed in the draft WRP amendment has been retained. For the Flinders and Gilbert rivers catchments the proportion of no-flow days was considered the best performance indicator to use as the permanence of waterholes is directly linked to the frequency and duration of no-flow spells. The intent of this environmental flow objective is to maintain longitudinal connectivity opportunities for migratory fish, and protect the persistence of refuge waterholes to maximise resistance and resilience of aquatic populations.

The final amended plan retains the new ecological outcome in section 15(1)(j) of the WRP, 'maintenance of flows in the Gilbert River to provide brackish estuarine habitat suitable for juvenile banana prawn development'.

The outcomes provided for in the final plan amendments, including the end-of-system flows, ensure an appropriate level of potential future development while taking into account existing water users, commercial Gulf fisheries and the environment.

The environmental flow objectives for low flows (proportion of no-flow days), medium-to-high flows (mean annual flow, median annual flow, 1.5-year daily flow volume, 5-year daily flow volume and 20-year daily flow volume) and wet season flows (median wet season flow) remain unchanged.

3.4.2 Performance indicators

Issue raised

The use of mean annual flow as a performance indicator in the Flinders and Gilbert river catchments was raised as a concern in one submission. Alternatively, another submitter raised concerns about the use of median flows. In particular, that median flows are used to measure water availability rather than mean flows.

One submitter raised concerns about the effectiveness of performance indicators in protecting key ecological assets in the Flinders and Gilbert river catchments.

The finalised provisions

The final plan provisions remain unchanged. Both performance indicators have their merits for measuring end-of-system flows and therefore both will be retained.

The performance indicators and environmental flow objectives presented in the draft amended plans were developed in consideration of targeted technical assessments undertaken by CSIRO and the former DSITIA.

Table 2 presents a summary of the flow class, related ecosystem component/ecological asset and their relationship to performance indicators, strategies and outcomes outlined in the final amended plans.

Table 2: Summary of ecological assets, performance indicators, strategies and outcomes

Flow class	Related ecosystem components	Applicable nodes	Performance indicator	Mitigation strategies	Related plan outcome
Low flow	Waterholes as refugia Stable flow spawning fish (Eastern rainbow fish) Gilbert River bed sand aquifer	Node 6 – Gilbert River at Miranda Downs Node 7 – Flinders River at Walkers Bend	1. Number of periods of no flow of 1 to 6 months 2. Number of periods of no flow of at least 6 months 3. Proportion of no flow days	The unallocated water volumes have been modelled as water harvesting developments and do not target low flows.	15 (1) (c) 15 (1) (d) 15 (1) (e)
Medium to high flow	Migratory fish (Hyrtl's tandan, Narrow-fronted catfish, Spangled perch and Largetooth sawfish) Freshwater turtles (Northern snake-necked turtle, Cann's long-necked turtle) Barramundi and Banana prawns Fluvial geomorphology and river forming processes (including sediment load and nutrient export)	Node 6 – Gilbert River at Miranda Downs Node 7 – Flinders River at Walkers Bend	1. Mean annual flow 2. Median annual flow 3. 1.5 year daily flow volume 4. 5 year daily flow volume 5. 20 year daily flow volume 6. Median wet season flow	January to March first wet season flow Adopted a new plan outcome 'maintenance of flows in the Gilbert River to provide brackish estuarine habitat suitable for juvenile banana prawn development' The unallocated water volumes have been modelled as water harvesting developments for both catchments	13 (i) 15 (1) (a) 15 (1) (b) 15 (1) (d) 15 (1) (h) 15 (1) (i) 15 (1) (j)
Overbank flow	Floodplain energy subsidy to riverine food webs Floodplain wetlands Floodplain vegetation	Nil	Nil	The unallocated water volumes have been modelled as water harvesting developments for both catchments. The adopted unallocated water volumes are smaller than those proposed by FGARA.	15 (1) (h) 15 (1) (i)

3.4.3 Monitoring and reporting of environmental assets

Issue raised

Three submitters raised concerns about the lack of detail about monitoring and reporting on the health of key ecological assets in the draft amended plans. Additionally, one submitter also requested that the chief executive report annually on the outcomes of ecosystem monitoring.

The finalised provisions

The final plan provisions remain unchanged. Under section 53 of the Water Act, the Minister must report on all WRPs. Section 54 of the Water Act then goes on to outline the matters the report must include. This list specifically mentions that a summary of the findings of research and monitoring for the plan must be included in the report. The timeframe for reporting on WRPs is consistent across the state, with all reports being made on a five-yearly basis.

Both the former DSITIA and CSIRO identified key ecological assets or high-risk species across the Flinders and Gilbert river catchments.

Section 2.2.1 of the former DSITIA's environmental assessment report outlines the identification of surface water dependent ecological assets. The ecological assets chosen are 'indicators' of the broader range of ecosystem components and processes to be protected and therefore WRPs and ROPs do not specifically outline monitoring and reporting requirements for ecological assets or high-risk species. Instead, they identify plan outcomes (economic, social and environmental) and environmental flow objectives which must be met under any future water resource development. It is through these measures that the plans provide a level of protection for ecological assets and the broader ecosystem requirements they represent.

In terms of ongoing environmental monitoring, assessment and reporting, the department undertakes an Environmental Flows Assessment Program. Environmental monitoring is completed across the state on a priority basis according to risk, business requirements, available resources and overall priorities.

Over the 10-year life of a plan, monitoring may only occur in some years, or may be very limited if scientific information can be extrapolated with confidence from similar or neighbouring catchments. The monitoring priorities are determined annually according to business needs and agreed knowledge priorities set out in the department's Water Planning Science Plan (2014-2019) available here: <https://www.dnrm.qld.gov.au/water/catchments-planning/planning-process/supporting>

The Queensland Government is also a partner in the newly established National Environmental Science Program (NESP) Northern Hub—a research program to be rolled out over the next 3 to 6 years in Northern Australia. It is expected that research completed under this program will also be informative in terms of the knowledge gaps identified in the environmental assessment.

3.4.4 Nodes and gauging stations

Issue raised

One submitter raised concerns that the end-of-system gauging station for the Gilbert river catchment, Miranda Downs, referenced in schedule 4 of the draft amended plan, is incorrect. The submitter recommended that the plan be corrected to refer to the active gauging station on the Gilbert River at Burke Development Road.

The finalised provisions

Schedule 4 of the final amended plan remains unchanged with regards to this concern.

The nodes referenced in Schedule 4 do not necessarily refer to active gauging stations within the catchments. The nodes referenced in this schedule are locations of gauging stations that are represented in the Source model for the Flinders and Gilbert river catchments. These locations provide reliable calibrated time series data.

4 Submissions: issues raised on draft resource operations plan amendment and outcome

This chapter discusses how submission issues raised on the draft amended resource operations plan were addressed in finalising the amendment.

4.1 Support for the draft amended resource operations plan

Several submissions offered support for the planning process and provisions of the draft amended resource operations plan including support for the streamlining of the reporting requirements.

4.2 Water transfers rules

Background

The Gulf ROP released in 2010 was amended in 2014 to include provisions for the permanent and seasonal water transfer of water licences in the Flinders and Gilbert river catchments. Maximum annual volumetric limits within each transfer zone were established to provide flexibility in moving volumes between zones without compromising the security of water access for existing users.

Transfers above these maximum annual volumetric limits are not restricted. An application can be made to transfer a water licence, where the resulting water licence would exceed the maximum annual volumetric limit, and these applications will be assessed on a case-by-case basis. There was no maximum annual volumetric limit set for the unzoned areas and, instead, the Gulf ROP stated that these transfers would be assessed on a case-by-case basis.

The provisions for seasonal water assignment included a table of the flow conditions that would be assigned to water licences transferring into the transfer zones. For licences in the unzoned area the flow conditions would be determined by the chief executive in consideration of the impact of the assignment on existing licence holders. The chief executive may also impose any other condition that is required to ensure the assignment will not impact on existing licence holders.

Draft amended plan provisions

The draft Gulf WRP amendment proposed that water entitlements granted from the general reserve in the Flinders and Gilbert river catchments must include a flow condition and a condition stating the transfer of water under the entitlement must be done in accordance with the group B water transfer rules.

The draft Gulf ROP amendment proposed that permanent transfers of water licences that state water trading group B are assessed by the chief executive based on the following information provided by the applicant:

- demonstration that the resulting licence(s) would not increase the average volume simulated to be taken annually
- the DVL, AVL and flow condition on the resulting licence(s) would not adversely impact on:
 - downstream entitlements including seasonal assignments

- the water needs of the environment
- the water available for town water supplies
- unallocated water reserves.

Seasonal assignment of water licences that state water trading group B will have their flow condition and any other condition determined by the chief executive to ensure the assignment will not impact on existing licence holders.

Issue raised

One submitter raised the issue that Table 6A (Licence transfer maximum annual volumetric limits) of the draft amended Gulf ROP was not updated to reflect the new volumes of unallocated water for the Flinders and Gilbert river catchments specified in Schedule 8 of the draft amended Gulf WRP.

The finalised provisions

Table 6A has remained unchanged as these maximum annual volumetric limits only apply to existing licences. The final Gulf ROP amendment does not preclude licences granted from the general unallocated water reserves to be transferred permanently or seasonally, they just need to be assessed on a case-by-case basis.

The identifying condition of water trading group B has been amended in the final plans to state water transfer group B to be consistent with the term ‘transfer’ in the Water Act.

4.3 Seasonal water assignments for water licences granted from the Indigenous reserve

Background

The Gulf WRP did not provide for any Indigenous unallocated water in the Flinders and Gilbert River catchments and therefore no seasonal transfer assignment rules were stated in the Gulf ROP. Seasonal water assignment rules were stated for water licences granted from the Indigenous reserves stated in Schedule 6A of the Gulf WRP.

Draft amended plan provisions

The draft amended Gulf ROP kept the provision for the seasonal assignment of water licences granted from Indigenous reserves (renumbered section 120) but stated that this division did not apply for water licences granted in the Flinders and Gilbert River water management areas.

Issue raised

Two submitters raised the issue that water licences granted from the Indigenous reserves in the Flinders and Gilbert River water management areas were not able to be seasonally assigned.

The finalised provisions

For water licences granted from the Indigenous reserves in the Flinders and Gilbert River water management areas the seasonal assignment rules are in section 115J of the amended Gulf ROP. Section 120 has been amended to state the Gulf catchments that section 120 applies to with a footnote stating that:

‘Seasonal water assignment rules for licences granted from the Indigenous reserves for the Flinders River water management area and the Gilbert River water management area are outlined in Section 115J’.

5 Technical assessments issues raised and responses

Background

Technical assessments were undertaken to support the development of the draft amended plans by CSIRO and the former DSITIA. The investigations identified the water needs of the environment, including commercial fisheries in the Gulf of Carpentaria, as well as the risks that development poses to environmental assets and processes.

These assessments were made publicly available for review on the department's website. The following sections outline specific issues raised on the technical assessments.

5.1 Environmental Assessment

5.1.1 Weighting of risk scores

Issue raised

One submitter raised concerns about the weighting applied to risk scores in the technical assessment undertaken by the former DSITIA. Specifically, it was raised that the floodplain energy subsidy asset had been disproportionately and inappropriately weighted in the risk assessment.

Response

In the risk assessment, which was undertaken by the former DSITIA as part of their environmental assessment, a weighting was applied to the consequence component of the floodplain energy subsidies to riverine food webs due to the non-linear way this ecological process is expected to respond to a reduction in the frequency of floodplain inundation events.

Derivation of the weighting factor was based on expert advice from Dr Tim Jardine, Australian Rivers Institute, Griffith University.

In summary, it is assumed that a reduction in floodplain inundation will lead to a resultant loss of floodplain energy subsidy to riverine food webs, and therefore a reduction in system carrying capacity. This response is expected to be high relative to the reduction in floodplain inundation, hence the consequence weighting factor applied.

This understanding has been developed from observations in several northern Australian rivers; however it has yet to be tested in either the Flinders or Gilbert River catchments. This uncertainty is reflected in the scores provided in Tables 106 and 107 of the former DSITIA's environmental assessment report.

5.1.2 Impacts of flow regime changes on the largemouth sawfish

Issue raised

One submitter raised concerns about the former DSITIA's assessment of the potential impacts of flow regime changes on the largemouth sawfish. The submitter explained that the most important part of an assessment of a vulnerable species under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) Significant Impact Criteria is the initial determination of whether or not the population represents an important population.

Response

The EPBC Act Significant Impact Criteria for species listed as 'vulnerable' requires consideration if 'An action is likely to have a significant impact on a vulnerable species if there is a real chance or possibility that it will: lead to a long-term decrease in the size of an important population of a species'.

Northern Australia has been identified as one of the only remaining regions in the world where viable populations of Pristids (sawfish) remain. In Australia the large tooth sawfish is widespread but patchy throughout its range which includes rivers of the Kimberly coast of Western Australia to the east coast of Cape York in Queensland. While its population structure still remains uncertain, DNA studies from northern Australia have shown that it is spatially structured and should be considered as 'independent demographic units' (populations), rather than a single panmictic (randomly breeding) population. This information supports the significance of protecting local populations to maintain the species' long-term viability across its range.

Several recommendations have been made by the former DSITIA in relation to improving our understanding of the spawning biology, movement and migratory dynamics, and critical flow dependencies of the largetooth sawfish so that future water management decisions can be based on robust, locally relevant information.

5.1.3 Locations of environmental assessment nodes

Issue raised

Concerns were raised about the choice of locations of DSITIA's environmental assessment nodes. Particularly, that these assessment nodes are upstream of the locations of new modelled extraction in the upper Flinders catchment.

Response

Section 2.5 of the former DSITIA's environmental assessment report outlines the assumptions and limitations of the assessment. Specifically, it is noted that:

- the environmental assessment nodes are representative of the stream network which is influenced by water resource development
- the modelled flow scenarios accurately represent the hydrological regime produced by management options as framed in a water resource plan or resource operations plan.

The nodes used in the environmental assessment report are locations of gauging stations that are represented in the Source model for the Flinders and Gilbert River catchments. These locations provide reliable calibrated time series data.

5.2 Fisheries assessment

5.2.1 Findings of fisheries assessment

Issue raised

One submitter was concerned that the overview report did not include CSIRO's recommendations in regard to increased research and monitoring and utilisation of adaptive management framework to deal with knowledge gaps in relationships between streamflows and the productivity and sustainability of the Gulf's fisheries. Concerns were also raised about the presentation and interpretation of the fisheries results in the overview report.

Two submitters raised concerns about how the reduction in fisheries catch was determined. Specifically, if it was calculated over just the two river systems identified (Flinders and Gilbert) or over 10 or more major river systems located throughout the Gulf of Carpentaria.

Other submitters requested additional monitoring of fisheries catch and movement of estuarine fish species, in line with CSIRO recommendations to improve the understanding of the impacts of habitat connectivity in the catchments that discharge into the Gulf of Carpentaria.

Response

The best available science and information was used to develop the draft amended plans including the independent technical fisheries assessment undertaken by CSIRO.

The independent fisheries assessment for the Flinders and Gilbert River catchments was a recommendation from CSIRO's FGARA and builds on the information and knowledge that was gained from this \$6.8 million assessment.

In compiling the overview report key findings from the ecological assessment, fisheries assessment and CSIRO's FGARA were presented. Both the environmental and fisheries technical assessments were made available for public review on the department's website. CSIRO's FGARA reports can be accessed online at www.csiro.au

The outcomes provided for in the final plan amendments ensure an appropriate level of potential future development while taking into account existing water users, commercial Gulf fisheries and the environment.

5.2.2 Modelled volumes of water used in fisheries assessment for the Gilbert River catchment

Issue raised

One submitter raised concerns that there were discrepancies in the modelled take of water between the overview report and CSIRO's fisheries technical assessment report. Specifically, that there was a lack of explanation in the overview report about the different volumes of take that were assessed for the Gilbert River catchment (i.e. 670GL vs 725GL).

Response

It is important to note that this issue does not relate to the draft water resource plan scenario which provides for 489GL of unallocated water in the Gilbert River catchment. Instead, it relates to other development scenarios that were tested and assessed in the development of the draft amended plans.

The 670GL scenario in the overview report and the 725GL scenario which originated from the FGARA work are from the same hydrologic modelling run. The first figure of 670GL is the combined total of the entitlements provided by the dams expressed as an annual volumetric limit (i.e. the maximum take per year) whilst 725GL is the total storage volume of the two dams.

5.3 Hydrologic assessment

5.3.1 Streamflow data

Issue raised

One submitter raised concerns about the discrepancies in mean and median annual flow data presented in the overview report compared with CSIRO's FGARA. The submitter noted that the department's mean and median annual flows for both the Flinders and Gilbert Rivers at end of system were higher than those reported by CSIRO in the FGARA.

Response

In comparing the end-of-system flows used by the department and CSIRO under the FGARA, the department's end-of-system flows represent pre-development flows. This is compared to the data used by CSIRO which includes estimates of current use.

5.3.2 Inclusion of existing entitlements in technical assessments

Issue raised

A number of submitters raised concerns that existing entitlements were not included in the total volumes of water modelled and considered in the technical assessments.

Response

All technical assessments undertaken as part of the development of the draft amended plans included the full use of existing entitlements.

5.3.3 General

Issue raised

A number of issues were raised through the submission process relating to the hydrologic assessment undertaken by the former DSITIA.

During the consultation and submission process, multiple submitters brought to the attention of the government new project proposals for agricultural development with several submitters requesting their project proposals be modelled and included in the final hydrologic modelling scenario and in the finalisation of the amended plans.

One submitter raised concerns about the threshold simulated in departmental modelling for the Flinders River zone 10 which is linked to Etta Plains gauging station. The submitter explained that the selection of this location for the flow threshold significantly reduces potential performance of water entitlements as reliance on flows is only from the Flinders River and that there is no opportunity to take advantage of flows from the Saxby or Cloncurry Rivers.

Response

The unallocated water volumes were determined in consideration of the substantial work undertaken by CSIRO as part of the FGARA. The department engaged CSIRO and the former DSITIA to undertake further technical fisheries and environmental assessments to help inform the development of the draft plan amendments.

Hydrologic assessments were undertaken by the former DSITIA (Queensland Hydrology) and built on the Source modelling platform with associated assumptions which was developed by CSIRO as part of the FGARA.

In finalising the unallocated water volumes, the department has undertaken further modelling assessments to ensure the greatest flexibility possible to support agricultural development across the two catchments.

The flow threshold specific to zone 10 in the Flinders that is linked to Etta Plains has been applied to reflect existing entitlement conditions in that zone.

On release of unallocated water, tender documents will be made available outlining product specifications including access conditions such as flow thresholds.

5.4 Socio-economic assessment

Issue raised

A range of views about the socio-economic benefits of water resource development in the Flinders and Gilbert River catchments was raised during the submission period including protecting an already established commercial fishing industry versus supporting a new irrigated agriculture industry.

One submitter expressed concern that the water resource plan seeks to achieve a balance between economic, social and ecological outcomes yet the only supporting documents were related to ecology and that there was no documented or publically available assessment of the impact of potential scenarios on economic or social assets.

Response

The draft amended plans built on the information and knowledge gained from CSIRO's FGARA which was made publicly available in December 2013.

It was not the intention of the government to repeat or replicate the robust work that had already been carried out by CSIRO. As part of the FGARA, a number of technical assessment reports were generated, including one titled *Socio-economics: triple-bottom-line accounting*. This is a technical assessment report presenting the methodology and results of a triple bottom line assessment which investigated the benefits and costs of development including monetary indicators describing environment and economy as well as broader social considerations.

A copy of this report is available online at www.csiro.au.

5.5 Indigenous assessment

Issue raised

One submitter requested further investigations into the Indigenous ecological values of coastal and marine resources that may be impacted by sustained reductions in stream flow from water resource development, as recommended by CSIRO in their technical fisheries assessment report.

Response

The draft amended plans are built on the information and knowledge gained from CSIRO's FGARA which was made publicly available in December 2013.

It was not the intention of the government to repeat or replicate the robust work that had already been carried out by CSIRO. As part of the FGARA, a number of technical assessment reports were generated including one titled *Indigenous water values, rights and interests in the Flinders and Gilbert catchments*. This is a technical assessment report which involved scoping research to investigate Indigenous water values, rights and interests in the catchments, Indigenous perspectives on natural resource development generally, and local Indigenous development opportunities and aspirations. CSIRO state that the goal was to address the existing information needs with respect to Indigenous water issues in these specific catchments to provide foundations for further community and government planning and decision making.

A copy of this report is available online at www.csiro.au.

6 Issues outside the scope of the amended plans

Issue	Response
Water Quality	
Two submitters raised concerns that the draft amendment plans had been developed without the consideration of water quality, as the draft amendment plans do not contain water quality objectives or performance indicators on water quality.	Water quality objectives are not within the jurisdiction of the Water Act. They are established under the <i>Environmental Protection (Water) Policy 2009</i> compliant with the <i>Environmental Protection Act 1999</i> . The Water Act and WRPs can address water quality to the extent it is affected by changes to the flow regime (i.e. volume of water).
Metering	
One submitter requested that water users implement telemetry technology to water measuring devices so that real-time surveillance can be used for compliance with water access conditions.	Since 2012, water users are now required to manage the purchase, installation, maintenance and validation of their water meters. This allows entitlement holders to choose meters that suit their pumping installations and operating conditions and support their farm management practices. Details on metering requirements are available on the department's website at www.dnrm.qld.gov.au .
Further consultation on draft amendment plans	
Two submitters requested that further and more inclusive consultation occur on the draft amendment plans before they are finalised. Five submitters expressed support for the formation of an advisory panel or group, particularly in the Gilbert River catchment to assist and provide advice on ensuring the fair and equitable distribution of water and/or to help manage sustainable development.	Consultation on the development of the draft amendment plans occurred through a number of avenues including the local water consultation group, public information sessions and departmental contact details were published for any stakeholder who requested further information in regards to the draft amendment plans.
Stated amendments	
Several submitters commented on provisions in the amended Gulf WRP that had been removed through a stated and minor amendment process in June 2014.	This process removed duplication, redundant sections and ineffective regulation from water resource plans.
Compliance with Water Act 2000	
There was concern among three submitters that the amended plans were not drafted following the requirements stated in the Water Act.	The amendment to both the WRP and ROP had a targeted scope and the development of these plans is in alignment with the Water Act.
Applications to interfere with water	
One submitter requested that an application to interfere with water associated with any future release of unallocated water should take into account the volume of water associated with existing entitlements and the volume of water requested through the unallocated water release process.	This issue is an implementation issue when releasing unallocated water. Section 43 of the WRP provides for an application to be made to interfere with water if the application is related to the granting of unallocated water. The granting of any future water licences to interfere will be considered when water licences to take are granted as part of any future process to release unallocated water.

7 Other changes made

While the draft amendment plans were prepared with due diligence and care, some minor errors were contained in the draft plans. Some of these errors and improvements were identified by submitters while others were identified by the department after the release of the draft amendment plans. These errors have been corrected and other changes that streamline previous plan provisions and remove unnecessary regulation and duplicated provisions have been made.

8 Implementation

Now that the amendments have been finalised, the Queensland Government will fast track the release of unallocated water in the Flinders catchment. Making this water available in 2017 will unlock economic growth and jobs in the agricultural sector in Far North Queensland. The simultaneous commencement of the WRP and ROP amendments in August 2015 provides certainty for proposed tenderers on the rules for accessing, using and trading unallocated water.

The Government is not in a position to release any unallocated water in the Gilbert river catchment until IFED has completed its environmental impact assessment process.

If you require any further information please contact the department on 1800 697 805 or email WRPGulf@dnrm.qld.gov.au.