

Water Plan (Border Rivers and Moonie) 2019

Explanatory notes for SL 2019 No. 12

made under the

Water Act 2000

General Outline

Short title

Water Plan (Border Rivers and Moonie) 2019

Authorising law

Sections 42, 47, 48, 53, 55, 68, 241 and 1236 of the *Water Act 2000*

Policy objectives and the reasons for them

The objective of the *Water Plan (Border Rivers and Moonie) 2019* (water plan) is to sustainably manage underground water, overland flow and surface water resources in the Border Rivers and Moonie plan area. The implementation of the water plan's objective is needed to ensure the long term viability of water resources in the plan area.

Basin states are required to submit their final water plans to the Murray-Darling Basin Authority by 28 February 2019 for assessment against the Basin Plan 2012 and subsequent accreditation under the Commonwealth *Water Act 2007*.

Achievement of policy objectives

The water plan provides for the management of water resources by:

- defining the availability of underground water, overland flow and surface water resources in in the plan area,
- identifying reserves and mechanisms for dealing with future water requirements, and
- providing a framework for sustainably managing and allocating water.

Consistency with policy objectives of authorising law

The water plan is consistent with the policy objectives of Chapter 2 of the *Water Act 2000*, which is to advance the sustainable management of water.

Inconsistency with policy objectives of other legislation

The water plan is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The water plan provides for numerous benefits including:

- strengthening recognition and understanding of cultural values and uses of water for Aboriginal people in plan outcomes and measures,
- meeting Sustainable Diversion Limits and Commonwealth accreditation requirements in line with the Basin Plan 2012,
- expanding the productive use of water through unallocated water reserves for future water demand including Emu Swamp Dam,
- creation of tradable water allocations and optimisation of existing water markets,
- improving measurement and compliance of water take, and
- enhanced environmental flow management and protection rules.

An implementation plan has been developed for activities needed to implement the water plan. A summary of the implementation plan has been endorsed by the Minister for Natural Resources, Mines and Energy. For some of the implementation tasks the workload can be predicted and existing resources realigned as the tasks can be considered “business as usual”. However, for some of the tasks, such as measuring of take and implementing the monitoring, evaluation and reporting strategies, the resourcing requirements cannot be predicted as state wide policy questions are yet to be resolved. Therefore, there may be a need to realign resources within the Department of Natural Resources, Mines and Energy once resource requirements are confirmed.

Consistency with fundamental legislative principles

The water plan has been drafted with regard to fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992* and are consistent with these principles.

Consultation

The water plan reflects extensive engagement with water users and local communities and management arrangements have full industry support in key agricultural areas including the Stanthorpe region. There were over 20 public meetings as well as targeted consultations with community and water user groups, Natural Resource Management bodies, local governments, industry representatives and irrigators. Targeted consultation with Aboriginal people included on-country meetings with six nations under the guidance of Northern Basin Aboriginal Nations.

The water plan has been developed in close consultation with the Murray-Darling Basin Authority and the Commonwealth to ensure that they deliver on commitments to protect environmental water including Commonwealth held entitlements.

Key changes to the water plan in response to issues raised include:

- amended environmental flow objectives for underground water to better enable trading while maintaining the productive yield of the aquifer and base flow to watercourses,
- inclusion of a new outcome to drive improved understanding of, and reverse where possible, environmental degradation caused by taking or interfering with water,
- more clearly defined outcomes for Aboriginal people, and
- stronger regulation for taking and measuring overland flow including the take of contaminated agricultural runoff.

The water plan will help build public confidence in water management in the Queensland Murray-Darling Basin by including new requirements for metering and measurement of the take of water in this plan area. This complements the Regional Water Management Program established by the department to address compliance and metering commitments relating to reviews conducted by the Murray-Darling Basin Authority and Queensland.

The Queensland Productivity Commission (QPC) advised the Department of Natural Resources, Mines and Energy that where the process to make or amend water plans is followed as per the provisions in the Act, the plans will have undergone an extensive impact assessment process and the QPC therefore considers that, under the Queensland Government Guide to Better Regulation, the department is not required to seek advice from the QPC.