

s47(3) Notice

Decision of the Minister for Natural Resources, Mines and Energy not to proceed with finalising the Water Plan (Moreton) (Supply Scheme Arrangements) Amendment Plan 2018, pursuant to section 47(3) *Water Act 2000*

Background

1. The Water Plan (Moreton) (Supply Scheme Arrangements) Amendment Plan 2018 (draft water plan amendment) proposes to establish water allocation and management arrangements for existing entitlement holders in the Central Lockyer Valley Water Supply Scheme (the scheme).
2. The Minister for Natural Resources, Mines and Energy (the Minister) published a notice under section 46(2) of the *Water Act 2000* (the Act) on 5 November 2018 which included providing for any entity to make a submission on the draft water plan amendment. The submission period closed on 18 January 2019 with submitters able to provide supporting information until 4 February 2019.
3. Individual meetings with water users were held following the release of the statement of intent and the draft water plan amendment.
4. The Department of Natural Resources, Mines and Energy (the department) received 124 properly made submissions on the draft water plan amendment.

The authority to issue a s47(3) notice

5. Under section 47(1) of the Act, before deciding to finalise a water plan, the Minister must consider all properly made submissions about the draft water plan under section 46.
6. Under section 47(3) of the Act, the Minister has the power to give a notice and the reasons for not finalising the plan.
7. On 7 August 2019, the Minister decided to issue a notice and the reasons for not finalising the draft water plan pursuant to section 47(3) of the Act.

Material and other evidence upon which findings of fact are made

8. In arriving at the decision, the Minister considered the following material and other evidence:
 - i. the issues raised in the 124 properly made submissions on the draft water plan amendment; and
 - ii. the outcomes of consultation with the Member for Lockyer, representatives from key industry groups and the Lockyer Water Users Forum, technical advisors and water users.

Findings on material questions of fact

A. Submissions

9. The majority of the 124 submissions on the draft water plan amendment:
 - i. did not support the history of use methodology for determining volumetric limits on groundwater allocations on the basis that the metered data did not accurately represent their groundwater use.
 - ii. disputed the hydrological model for underground water as it did not accurately represent the groundwater system within the Central Lockyer Valley.
 - iii. requested an amendment to the water year.
10. Some submissions, including one that was signed by over 1200 people (the group submission), promoted an alternative approach for converting groundwater entitlements to volumetric water allocations. The group submission proposed a methodology of applying the same conversion factor to all groundwater entitlement holders irrespective of their current water use (this is referred to as a flat rate approach).

B. Consultation with impacted parties

11. On 26 February 2019 the department provided a preliminary response to the issues raised in submissions, including the group submission, and outlined the proposed strategy for addressing the issues raised and working with the community to finalise the draft water plan amendment.
12. Ongoing consultation with representatives from the Lockyer Water Users Forum, Growcom, the Queensland Farmers' Federation and water users occurred on: 12 April 2019, 8 May 2019, 4 June 2019 and 11 June 2019.
13. Consultation with the Lockyer Valley Regional Council also occurred in April and May 2019.
14. The department has also been working with the Department of Environment and Science to develop a new hydrological groundwater model that addresses the issues raised in submissions.

Reasons for decision

15. This decision notice outlines the decision of the Minister to not finalise the Water Plan (Moreton) (Supply Scheme Arrangements) Amendment Plan 2018 under s47(3) of the Act.
16. The department received 124 submissions from irrigators, industry groups, the community and small business owners.
17. The majority of submissions on the draft water plan amendment did not support the provisions for converting groundwater licences to water allocations in the Central Lockyer Valley Water Supply Scheme.
18. The Minister is satisfied the new draft water plan amendment is at the request of the community and the Lockyer Valley Water Users Forum. These groups have worked in partnership with the department to develop an alternative approach for determining volumetric limits on groundwater allocations.

19. After considering the issues raised in submissions and the consultation that has occurred between 26 February 2019 to 11 June 2019, the Minister has decided not to finalise the Water Plan (Moreton) (Supply Scheme Arrangements) Amendment Plan 2018.
20. Preparation of the Water Plan (Moreton) (Supply Scheme Arrangements) Amendment Plan 2019 addresses the concerns raised in the submissions and through consultation with representatives from the Lockyer Valley Water Users Forum, industry groups and technical advisors.

Enquiries

If you would like further information please email WRPMoreton@dnrme.qld.gov.au.

Dated this 14 August 2019

Hon. Dr Anthony Lynham MP

Minister for Natural Resources, Mines and Energy