



Formal Submission: Draft Fitzroy–Derby Water Resources Management Plan

To: Department of Water and Environmental Regulation (DWER), Western Australian Government

From: Dr Helen CD McCarthy, Chairperson – Esperance Local Environmental Action Forum (LEAF)

Date: 30 June 2026

Subject: Objection to Proposed Large-Scale Water Extraction Frameworks for the Martuwarra (Fitzroy River) Catchment

1. Executive Summary

The Esperance Local Environmental Action Forum (LEAF) does not support policy frameworks that facilitate large-scale surface water extraction from the Martuwarra (Fitzroy River) catchment for industrial agriculture or mining and submits that any allocation framework should prioritise ecological sustainability and Aboriginal cultural values.

Drawing upon sustainable water management principles championed by researchers such as Professor Stuart White (Director of the Institute for Sustainable Futures), LEAF urges DWER to implement a plan focused on demand-side efficiency, regional ecological resilience, and the protection of Aboriginal cultural values.

LEAF supports a precautionary approach to water planning consistent with contemporary environmental management principles, scientific evidence regarding environmental flow requirements, and the rights and interests of Traditional Owners recognised through modern water governance frameworks.

2. The Precedent of Exploitation in Isolated Communities: Lessons from Esperance

As a regional Western Australian environmental advocacy group, LEAF's perspective is informed by direct experience of how isolated communities can bear the environmental, social, and economic consequences of industrial activities when

regulatory safeguards prove inadequate.

The Esperance lead contamination incident of 2006–2007 demonstrated how environmental harm can fall most heavily on communities with limited influence over decisions made far from the regions affected. The incident highlighted the importance of robust oversight, timely regulatory intervention, and clear accountability when industrial development carries environmental risks.

For LEAF, Esperance serves as a cautionary example of the need for precautionary planning. Once environmental damage occurs, remediation is often costly, prolonged, and incomplete. This lesson is particularly relevant to the Martuwarra catchment, where decisions about water extraction and development should prioritise long-term ecological health, cultural values, and community wellbeing over short-term commercial interests.

3. Major Threats and Points of Contention in the Kimberley

Current pressures to increase water extraction from the Martuwarra catchment, including proposals for substantial water allocations to support irrigation and agricultural expansion, present significant risks to a unique tropical river system that remains largely free flowing.

Irrigation and Agricultural Expansion

Proposals to clear land for intensive crop production, including cotton and other large-scale irrigated agriculture and fracking risk contributing to the types of ecological degradation and altered flow regimes experienced across parts of the Murray–Darling Basin where excessive water extraction has occurred.

Industrial and Resource Development

Proposals associated with industrial development, resource extraction, and mineral processing will increase pressure on groundwater systems and surface-water-dependent ecosystems if not carefully managed under precautionary planning frameworks.

4. Alignment with Sustainable Water Governance

Natural Flow Preservation

Unregulated northern river systems must retain natural flow regimes, including seasonal flood cycles and flow variability, to sustain downstream wetlands, floodplains, fisheries, biodiversity, and species of significant conservation concern, including the Freshwater Sawfish (*Pristis pristis*), which is listed as Critically Endangered on the International Union for Conservation of Nature (IUCN) Red List of Threatened Species.

Demand-Side Management over Expanded Extraction

Rather than increasing water extraction capacity, this governments should prioritise demand-side solutions such as water-use efficiency, closed-loop

recycling systems, improved irrigation technologies, and low-impact economic development models.

5. Cultural Frameworks and First Law

The Western Australian Government must recognise and respect the First Law, cultural obligations, and enduring spiritual connections held by Traditional Owners throughout the Martuwarra catchment.

The Martuwarra is not merely a water resource. It is a living cultural landscape that carries profound significance for Traditional Owners connected to the river system.

True consultation requires the co-design of water allocation frameworks with organisations such as the Martuwarra Fitzroy River Council rather than treating Aboriginal cultural values and responsibilities as secondary considerations within water allocation processes.

6. Definitive Recommendations to DWER

1. Do not approve applications for high-volume surface-water extraction where there is a risk of unacceptable impacts on ecological health, Aboriginal cultural values, or the long-term sustainability of the Martuwarra catchment.
2. Mandate that environmental water requirements and Aboriginal cultural water values are legally protected as non-negotiable baseline considerations before any commercial allocations are determined.
3. Implement rigorous monitoring, compliance, and accountability mechanisms that ensure proponents are legally and financially responsible for environmental impacts.

Conclusion

The Martuwarra remains one of Australia's most significant free-flowing river systems and is widely recognised for its ecological, cultural, and hydrological importance. Decisions made under the Fitzroy–Derby Water Resources Management Plan will have consequences extending far beyond the lifespan of any individual development proposal.

LEAF urges DWER to adopt a precautionary, science-based, and culturally informed approach that places ecological integrity, Aboriginal cultural values, and long-term community wellbeing ahead of short-term commercial interests.

Thank you for reading our submission.