



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Consultation draft
Fitzroy-Derby
water resources management plan
Policy and guidance

Department of Water and Environmental Regulation
Prime House, 8 Davidson Terrace
Joondalup Western Australia 6027
Locked Bag 10 Joondalup DC WA 6919

Phone: 08 6364 7000

Fax: 08 6364 7001

National Relay Service 13 36 77

wa.gov.au/dwer

© Government of Western Australia

April 2026

FIRST

This work is copyright. You may download, display, print and reproduce this material in unaltered form only (retaining this notice) for your personal, non-commercial use or use within your organisation. Apart from any use as permitted under the *Copyright Act 1968*, all other rights are reserved. Requests and inquiries concerning reproduction and rights should be addressed to the Department of Water and Environmental Regulation.

ISSN 1834-2620 (online)

Acknowledgements

The Department of Water and Environmental Regulation thanks:

- Department staff from the Water Allocation Planning team with support from the North West Region Licensing team, as well as the Groundwater Water Science, Legal Services, Geospatial and Data Services and Water Policy teams for their contribution to this publication
- the Kimberley Land Council, Traditional Owner Water Working Group, representatives from Kimberley native title bodies, and all stakeholders and other government representatives who generously contributed their time and expertise to inform the Department
- the State Solicitor's Office for its previous contributions and review of draft content.

For more information about this report, contact: fitzroyderbywaterplanning@dwer.wa.gov.au

Disclaimer

This document has been published by the Department of Water and Environmental Regulation. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the Department of Water and Environmental Regulation and its employees are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

This publication is available at our website wa.gov.au/dwer or for those with special needs it can be made available in alternative formats such as audio, large print, or Braille.

Minister's foreword

The *Fitzroy–Derby water resources management plan* represents a key step in protecting and managing one of Western Australia's most significant river systems, while supporting the sustainable and productive use of groundwater. The Fitzroy River catchment is ecologically rich, culturally important, and central to the lives and livelihoods of people across the region. Its river system supports tourism, recreation and community wellbeing, while groundwater underpins pastoral enterprises, industry and the water supply for towns and Aboriginal communities.

Effective water planning must balance many interests. It must protect rivers, aquifers and water-dependent ecosystems, respect cultural values, and provide clarity and certainty for communities and industries that rely on water for its opportunities.

To develop this plan, the Department of Water and Environmental Regulation engaged with people across the Fitzroy Valley over several years. Community perspectives vary widely reflecting both aspirations for economic development and regional growth, alongside strong calls to protect the Fitzroy River system as one of Australia's last large, free-flowing river systems.

The development of this inaugural water resources management plan for this part of the Kimberley has been guided by the advice and recommendations of Traditional Owners, as well as input from local communities, stakeholders and industry.

Traditional Owner cultural knowledge has been considered alongside the environmental and hydrogeological information to support a careful and balanced framework for managing water. This includes a proposal to create an Aboriginal Water Holding, which will set aside groundwater to enable Aboriginal people to take part in the economic opportunities for water use.

I am also proposing to form a Water Advisory Committee made up of Traditional Owners, industry, local government and stakeholders to advise on future water planning and water management in the area.

I encourage everyone with an interest in the Fitzroy River catchment, or groundwater in the plan area, to read this plan and have their say. Community input is essential to getting water management right, both now and into the future.



**HON DON PUNCH MLA
MINISTER FOR WATER**

Have your say

The Department of Water and Environmental Regulation welcomes your feedback on this *Consultation draft – Fitzroy–Derby water resources management plan: policy and guidance*.

Your input is sought with particular regard to how we should support sustainable groundwater use for economic development in the Fitzroy–Derby plan area, while protecting the Fitzroy River and water-dependent ecological, cultural, heritage and social values of the plan area. Below is a summary of the key consultations and discussions that have already informed this plan.

Why we developed this plan

The State Government set the intent and pathway for this plan when it released *Water allocation planning in the Fitzroy – policy position paper* (Government of Western Australia 2023; position paper). We then combined water planning for the Fitzroy River catchment with our partially completed work for the Derby groundwater area. This combined planning approach better reflects the interconnectedness of the river, river pools, wetlands, floodplains, springs, groundwater systems and coastal areas, and how these support unique plants and animals, cultural responsibilities, tourism and pastoralism in the West Kimberley.

What we have heard and previous consultations

We began consulting on water planning in 2018, as part of a whole-of-government approach to expand the Fitzroy River National Park and develop a Fitzroy management plan for ensuring the river's long-term health and sustainable economic development in the catchment. The State Government committed to 'not allow damming of the Fitzroy River or its tributaries'.

We have done several rounds of consultation on water planning in the plan area, including:

- consultation on the *Derby groundwater allocation plan: for public comment* (DWER 2020a)
- consultation on *Managing water in the Fitzroy River catchment: discussion paper for consultation* (Government of Western Australia 2020)
- a water forum, following release of the position paper (Government of Western Australia 2023)
- engagement with Traditional Owners, stakeholders and community members in 2025 while drafting this combined plan, summarised in *Consultation summary – Fitzroy–Derby water planning* (DWER 2026c).

This plan builds on our many conversations with Traditional Owners, water users, local communities, government agencies and stakeholders. Many people have maintained concerns about the potential impacts of water abstraction. People have also shown interest in water-based development opportunities – provided that these are done in a way that:

- protects the Fitzroy River as a free-flowing system
- protects water-dependent ecological, cultural, heritage and social values
- ensures decisions affecting Country and Traditional Owners are respectful
- cautiously approaches the development of groundwater abstraction given the highly variable climate and currently available baseline data
- enables a more resilient pastoral industry
- is based on transparency, sound science, and effective monitoring and compliance.

Key policies proposed in this plan

Below are the key water planning policies that we propose to include in the final plan. This would mean, once finalised, that this plan will give effect to all 10 policy positions in the position paper (Government of Western Australia 2023).

Until this plan is finalised, the Department will consider this consultation draft, alongside all other relevant considerations, when making water licensing and related decisions in the plan area.

Protecting the Fitzroy River and dependent environments (policy positions 01, 02, 04 and 07)

- In addition to enacting the State Government's policy position to not allow the Fitzroy River or its tributaries to be dammed, no additional surface water entitlements will be issued unless for the essential public purposes proposed in this plan.
- Surface water and groundwater regimes must remain within their natural range to protect water for dependent ecological, cultural, heritage and social values.

Groundwater allocation limits and availability (policy positions 02, 03 and 07)

- A total of **75.7 gigalitres (GL) a year** is set across groundwater allocation limits. This reflects a precautionary approach to setting allocation limits for groundwater resources and is consistent with feedback from Traditional Owners and stakeholders on allocation limit options.
- No further water is available from surface water resources or the Alluvial and Devonian Reef aquifers, unless it is essential or in the public interest. This is intended to protect the Fitzroy River and its tributaries and the ecological, cultural, heritage and social values that depend on the river and aquifers – which are of state and national significance.
- In the Derby Peninsula subarea, no further water is available for licensing, except for public purposes. We have prioritised existing use from the Wallal aquifer and reserved water from the Erskine aquifer for future public water supply for the town of Derby and surrounding communities.
- Water is still available for licensing in the Greater Derby and Fitzroy subareas from the Wallal, Erskine and Grant Poole aquifers. The limits we set for these groundwater resources balance water for the environment and future water needs. These limits are 40 per cent of the estimated rainfall recharge to each aquifer per year.
- Allocation limits do not guarantee where and how much water can be taken under a licence. Local water availability is assessed through the water licensing process, in accordance with the *Rights in Water and Irrigation Act 1914* and the local policies in this plan.

Fitzroy–Derby Aboriginal Water Holding (policy position 05)

- We propose to hold approximately 25 GL per year of the remaining groundwater available for licensing, under the limits in this plan, in the Fitzroy–Derby Aboriginal Water Holding. This gives effect to the policy position to establish an Aboriginal Water Reserve (Government of Western Australia 2023). The holding includes water across multiple groundwater resources to support future economic development opportunities for native title holders, either independently or in partnership with others.
- To determine how the holding will be administered, we will collaborate with native title parties and consider feedback from the public consultation on this draft plan. We are open to exploring options for an appropriate, fair and equitable governance and management process. Options

might include an oversight body, individual support to Prescribed Bodies Corporate, and/or facilitation and management by the Department.

- Use of water from this holding, and from any allocation limit component other than exempt use, would require a water licence granted through the Department's licence assessment process.

Careful and staged groundwater development (policy positions 02, 06, 07, 08 and 09)

- Groundwater use should increase gradually so that monitoring can detect any unacceptable impacts early.
- Water licence applicants should demonstrate sustainable groundwater use, protect water-dependent ecosystems and sites of ecological, cultural and social significance, and engage with Traditional Owners early in project design.
- Specific local licensing policies apply in sensitive areas (water management zones).
- Traditional Owner knowledge will be considered alongside contemporary science.
- This plan recognises their cultural authority and responsibilities, and deep connections to water and Country.
- We will track water resources, water use, water-dependent ecosystems and significant sites, and may adjust the licence conditions, policies, or this plan as needed.
- We will consider whether we need to report on the progression of water management under this plan five years after the final plan is published.

Advisory group (policy position 10)

- A Water Advisory Committee is proposed to strengthen collaboration on water matters between the State Government, Traditional Owners, industry and the community in the plan area.
- The committee will be formally established under the *Water Agencies (Powers) Act 1984*. In accordance with this, the Minister for Water will appoint the committee's members.
- The terms of reference and membership of the proposed committee have not been decided. These will be developed using feedback from the public consultation on this plan.
- Membership is likely to be made up of people representing Traditional Owners, government, industry and the community. It will be administered by the Department.
- The proposed committee will advise the Minister for Water on water management, water planning, or water policy matters relevant to water in the plan area and implementing the final version of this plan. This includes advising on future iterations of this plan, and any other matters that the Minister for Water may seek advice on.

How to have your say

You can have your say on this *Consultation draft – Fitzroy-Derby water resources management plan: policy and guidance* between 1 April 2026 and 30 June 2026. This plan is supported by a draft methods report that provides additional details on the plan and its development (*Consultation draft – Fitzroy–Derby water resources management plan: methods*).

During the consultation period, we encourage you to provide a submission on this plan, and to participate in community information sessions to be held in Perth, Broome, Derby, Halls Creek and Fitzroy Crossing. We will also continue talking to Traditional Owners and stakeholders during this time, to inform the final version of this plan and its supporting methods report.

For further information, or to arrange a meeting between us and your organisation or community, please contact the planning team via fitzroyderbywaterplanning@dwer.wa.gov.au.

You can make a formal submission on this plan in person during our community information sessions or online at: consult.dwer.wa.gov.au by 5.00 pm, 30 June 2026.

All submissions will be treated as public and may be published on our website following conclusion of the consultation period, unless the author specifically requests that the submission, or part thereof, be handled in confidence. Please note that even if you request that your submission be treated as confidential by the Department, it may still be disclosed in accordance with the requirements of the *Freedom of Information Act 1992*, or any other applicable written law. The Department reserves the right before publishing a submission to delete any content that could be regarded as racially vilifying, derogatory or defamatory to an individual or an organisation.

For general water licensing queries, please phone our Kununurra office on 08 9166 4100 or send an email to kununurra@dwer.wa.gov.au.

After the consultation period, we will review and consider the feedback we received to finalise this plan and the methods report. We will publish a statement of response that summarises the submissions and comments and how we considered these in finalising this plan.

Draft plan

Acknowledgement of Country

The Department of Water and Environmental Regulation acknowledges the Traditional Owners and custodians of the lands covered by the *Fitzroy–Derby water resources management plan*, and their deep and continuing connection to the land and waters of the Kimberley region.

We pay our respects to Elders past and present, and to all members of the Aboriginal communities in the Fitzroy–Derby Plan Area. We recognise that Aboriginal people and their culture are diverse across the Plan Area, and that continued custodianship of the land and water is fundamental to their health, spirit, culture and community.

We acknowledge that water is integral to life. We recognise that Traditional Owners have been custodians of Country for countless generations and are the first scientists and water managers.

We embrace the spirit of reconciliation, and we seek to listen, learn, and build strong partnerships with genuine opportunities for Aboriginal people throughout our business.

The Fitzroy River and its tributaries is known by several names (including the Martuwarra) across the many peoples, language groups and nations in the Plan Area. To respect these differences in language we have not used dual naming in this Plan.

Contents

1	Plan scope	1
1.1	Plan description.....	1
1.2	Plan Area	1
1.3	Supporting information	9
1.4	Definitions	9
2	Water resources management	10
2.1	Vision	10
2.2	Objectives, outcomes and strategies	10
2.3	Water allocation limits.....	14
2.4	Local licensing policies	16
2.5	Local licensing guidance	24
2.6	Water Advisory Committee	28
3	Monitoring and evaluation	29
	Appendices	32
	Glossary	47
	References	52

Figures

Figure 1	The Plan Area.....	2
Figure 2	Proclaimed groundwater and surface water areas compared with the Plan Area	4
Figure 3	Surface water subareas in the Plan Area	6
Figure 4	Groundwater subareas in the Plan Area	8
Figure 5	Alluvial connectivity management zone (grey area within the Plan Area).....	33
Figure 6	Conservation estate management zone.....	34
Figure 7	King Sound coastal management zone	35
Figure 8	The Derby heritage and wetlands management zone (orange areas).....	36
Figure 9	Defined waterways in the proclaimed Fitzroy River and Tributaries surface water area.....	37
Figure 10	Map of regional groundwater monitoring sites in the Plan Area	41
Figure 11	Map of stream gauging stations in the Fitzroy River catchment	43

Tables

Table 1	Surface water resources in the Plan Area.....	5
Table 2	Groundwater resources in the Plan Area and the geological formations within these (from shallowest to deepest).....	7
Table 3	Objectives, outcomes and strategies for the Plan Area	11
Table 4	Surface water allocation limits, components and water availability in this Plan	14
Table 5	Groundwater allocation limits, components and water availability in this Plan.....	15
Table 6	Local licensing policies that apply in the Plan Area	16
Table 7	Local licensing policies that apply to water management zones in the Plan Area	21
Table 8	Local licensing guidance for the Plan Area	24
Table 9	Monitoring and performance indicators in this Plan.....	30
Table 10	Regional groundwater monitoring sites in the Plan Area	38
Table 11	Regional stream gauging stations in the Fitzroy River catchment	42

1 Plan scope

1.1 Plan description

1.1.1 Plan name

This is the *Fitzroy–Derby water resources management plan: policy and guidance* (hereafter referred to as ‘this Plan’).

1.1.2 Nature of this Plan

This Plan is a policy and guidance document that establishes the Department of Water and Environmental Regulation’s approach to regulating, allocating and managing water resources in the Plan Area under the *Rights in Water and Irrigation Act 1914* (WA) (the Act).

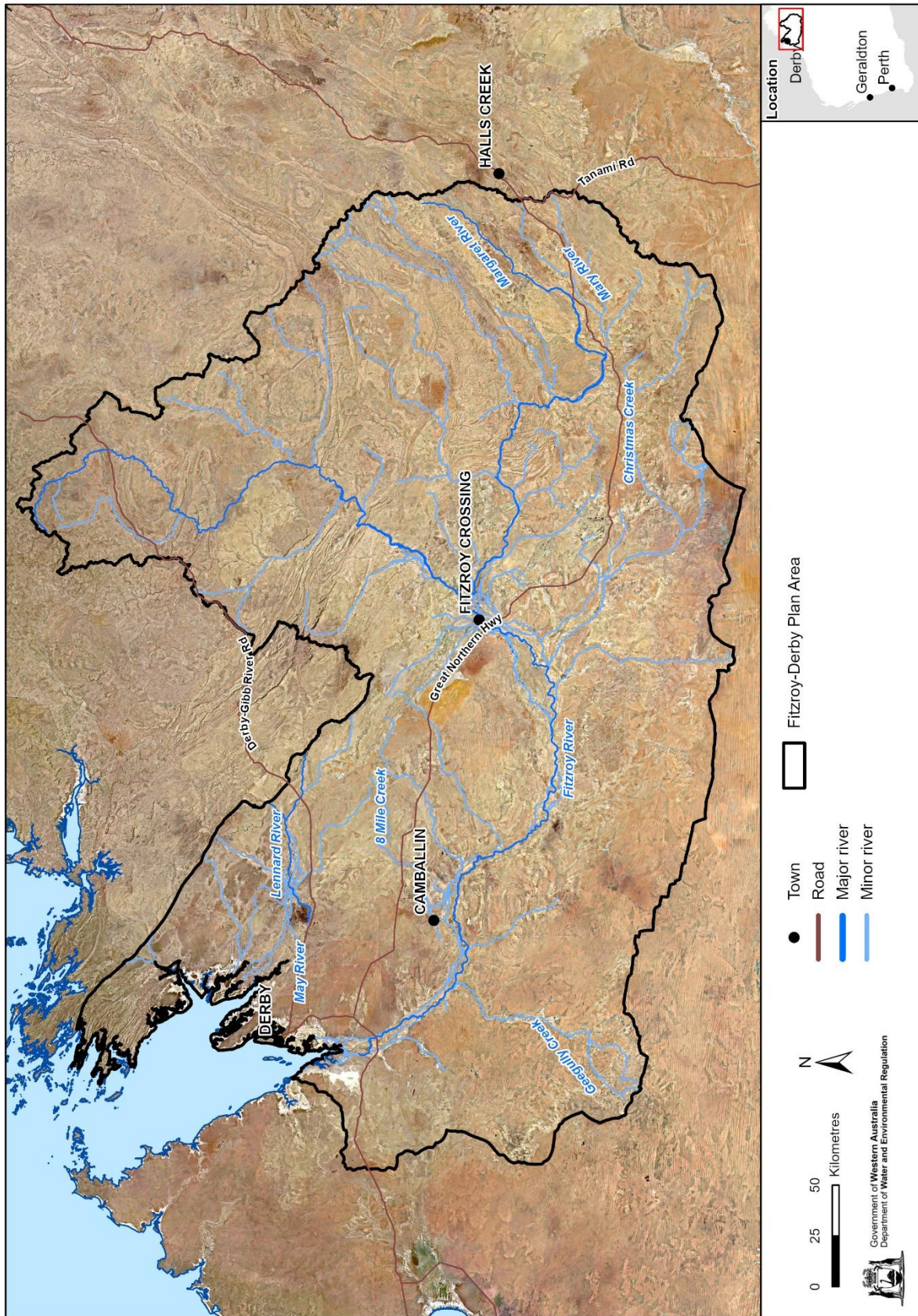
This Plan is the first one to cover the Fitzroy River and Tributaries surface water area and related groundwater resources in the Canning–Kimberley groundwater area. For the Derby groundwater area, this Plan replaces the *Derby groundwater management plan* (WAWA 1992) and *Derby groundwater allocation plan: draft for public comment* (DWER 2020a).

1.1.3 Plan timeframe

This Plan is in effect from the date of publication until it is amended, replaced or revoked.

1.2 Plan Area

This Plan covers an area of about 107,000 km² (including the coastal mudflats) in the Kimberley region of Western Australia (Figure 1, hereafter the Plan Area). The Plan Area includes the entire Fitzroy River catchment, the Derby Peninsula, and extends north to include the extent of the unconfined Grant Poole aquifer, Devonian Reef aquifer and some fractured rock systems.



J:\gis\projects\Project\DWERS\0000_SCI_PLA\3430_WMAP\0094_Fitzroy_Derby_Plan_Maps\aprx\3430_0094_001_BaseMap_A1.aprx

Figure 1 The Plan Area

1.2.1 Proclaimed areas

This Plan applies to the following areas proclaimed under the Act:

1. Derby groundwater area (entirely within the Plan area) – gazetted in March 1968 and varied (extended boundary) in June 1972 for underground water sources (as defined in section 2 of the Act).
2. Canning–Kimberley groundwater area (portion within the Plan Area) – gazetted in May 1997 for underground water sources (as defined in section 2 of the Act).
3. Fitzroy River and Tributaries surface water area (portion within the Plan Area) – gazetted in October 1959 for watercourses and wetlands (as defined in sections 3, 4A and 5 of the Act).

The Department does not regulate unproclaimed surface water in the Plan Area (Figure 2). Nevertheless, this Plan provides policies to manage the impacts of groundwater abstraction on surface water that is supported by aquifers.

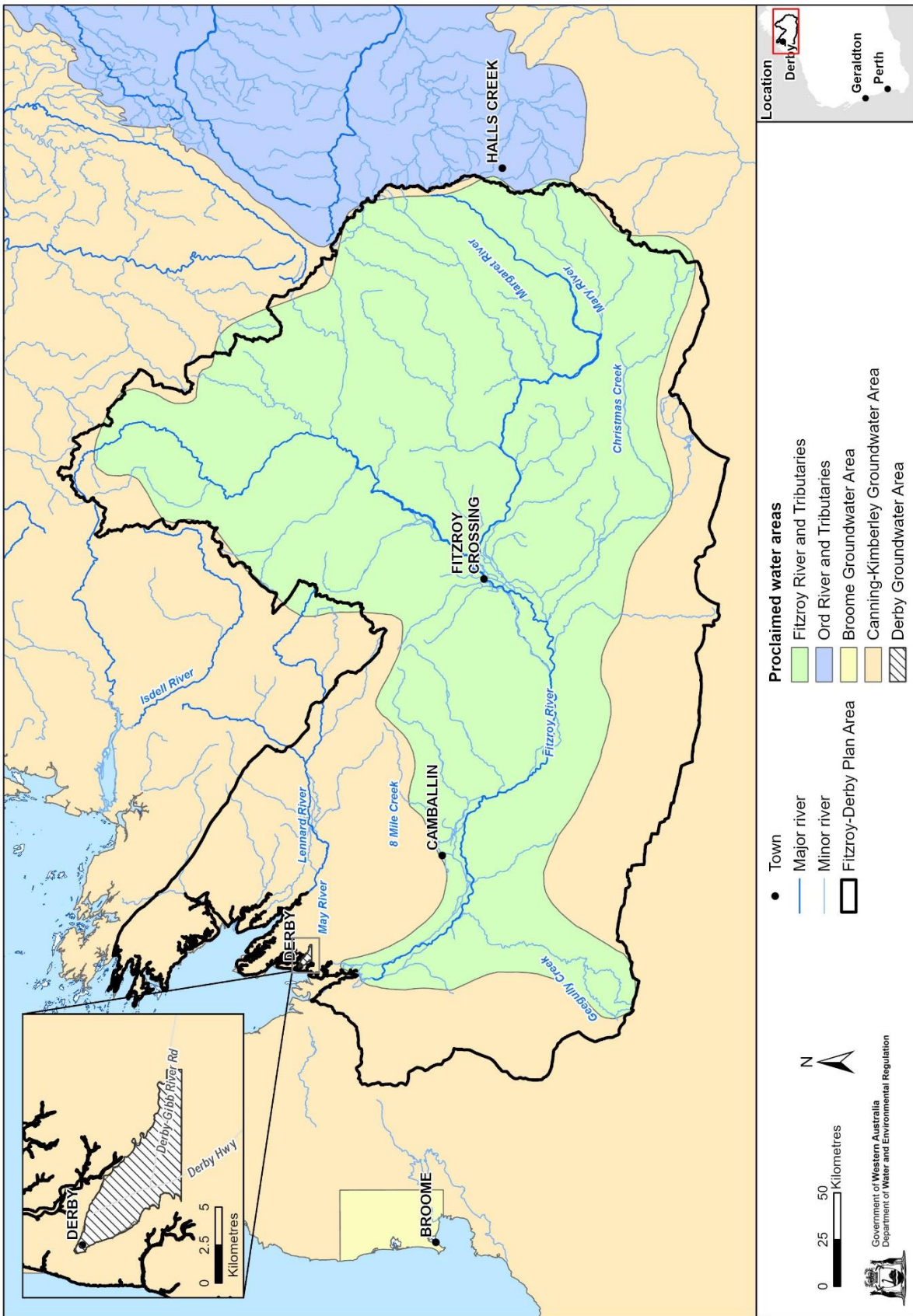


Figure 2 Proclaimed groundwater and surface water areas compared with the Plan Area

1.2.2 Surface water resources

The Plan Area includes six surface water resources (subareas in the Fitzroy River catchment) that include proclaimed and unproclaimed portions of the Fitzroy River catchment (Table 1 and Figure 3). Surface water is regulated in the proclaimed portions.

Table 1 Surface water resources in the Plan Area

Surface water resources		
Area	Subarea	Proclaimed portion
Fitzroy River and Tributaries surface water area (catchment)	Upper Fitzroy	Upper Fitzroy
	Leopold River	Leopold River
	Margaret River	Margaret River
	Christmas Creek	Christmas Creek
	Middle Fitzroy	Middle Fitzroy
	Lower Fitzroy	Lower Fitzroy

1.2.3 Groundwater resources

The Plan Area includes 14 groundwater resources (Table 2) across three groundwater subareas (Figure 4). An aquifer may not extend across an entire subarea.

Table 2 Groundwater resources in the Plan Area and the geological formations within these (from shallowest to deepest)

Groundwater resource			Formations within the resource
Area	Subarea	Basin-Aquifer	
Derby groundwater area	Derby Peninsula	Canning–Wallal	Wallal Sandstone and Upper Erskine Formation (hydraulically connected)
		Canning–Erskine	Lower Erskine Sandstone (the confined portion)
Canning–Kimberley groundwater area	Greater Derby	Canning–Alluvial	Alluvium of the May River
		Canning–Wallal	Wallal Sandstone
		Canning–Erskine	Erskine Sandstone
	Fitzroy	Canning–Alluvial	Fitzroy River Alluvium, Lennard River Alluvium, May River Alluvium, May–Meda River Alluvium, Margaret River Alluvium and Christmas Creek Alluvium
		Canning–Broome	Melligo Sandstone, Broome Sandstone and Mowla Sandstone
		Canning–Wallal	Jarlemai Formation, Wallal Sandstone, Barbwire Sandstone and Alexander Formation
		Canning–Erskine	Erskine Sandstone
		Canning–Liveringa	Liveringa Group and Millyt Sandstone
		Canning–Noonkanbah	Noonkanbah Formation
		Canning–Grant Poole	Poole Sandstone, Grant Group, Reeves Formation and Anderson Formation
		Canning–Devonian Reef	Devonian Reef Complex, Fairfield Group and Prices Creek Group
Combined–Fractured Rock Central	Numerous sandstone and siltstone units (underlain by basement rock)		

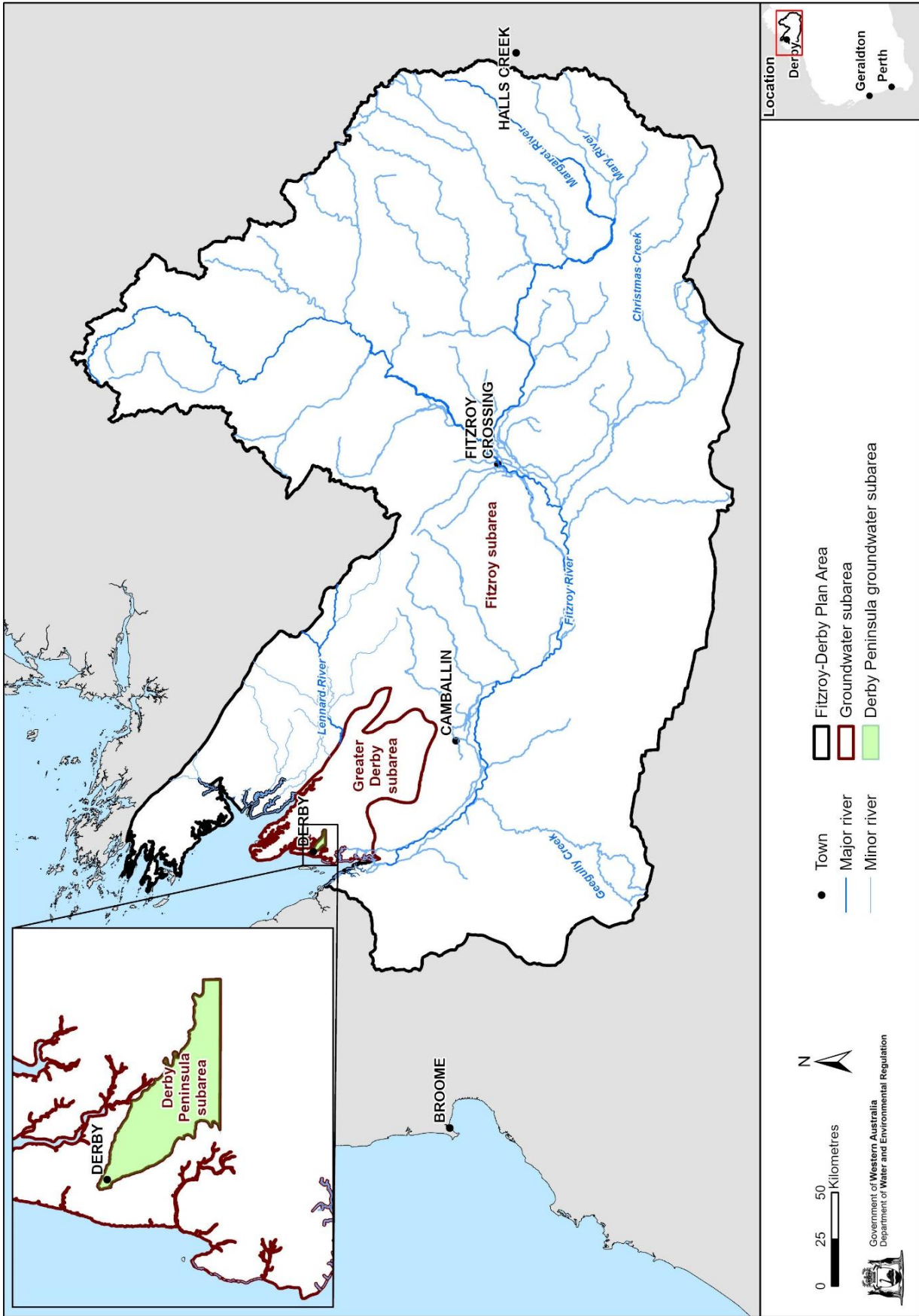


Figure 4 Groundwater subareas in the Plan Area

1.2.4 Water management zones

This Plan establishes four water management zones in the Plan Area (see maps in Appendix A) where specific, additional local licensing policies apply (Section 2.4, Table 7):

- Alluvial connectivity management zone – relates to the Alluvial aquifer and aquifers underlying it
- Conservation estate management zone – relates to protecting environmental values, including cultural and heritage values, in national and conservation parks
- King Sound coastal management zone – relates to managing the saltwater interface in aquifers along the coast
- Derby heritage and wetlands management zone – relates to protecting the Derby Town Commonage heritage place and Munkajarra wetlands.

1.3 Supporting information

This Plan is supported by the following key information:

- *Consultation draft – Fitzroy–Derby water resources management plan: methods* (main accompanying report to this Plan) (DWER 2026a)
- *Water allocation planning in the Fitzroy – policy position paper* (Government of Western Australia 2023)
- *Summary of submissions – Derby groundwater allocation plan: for public comment* (DWER 2026b)
- *Consultation summary – Fitzroy–Derby water planning* (DWER 2026c).

1.4 Definitions

Terms in this Plan have their meaning (definitions) set out in the Glossary.

Unless otherwise defined in this Plan, terms that are defined in the Act or in regulations to the Act have that same meaning in this Plan.

The Glossary and Appendices form part of this Plan.

2 Water resources management

2.1 Vision

This Plan supports a long-term vision for managing water resources in the Plan Area:

Water is life: essential for people, opportunity, ecosystems, culture and Country.

We manage water sustainably, respectfully and collaboratively to support a thriving, connected and resilient Kimberley region for all. In doing so, we empower communities, protect the free-flowing Fitzroy River, and uphold the ecological, cultural, heritage, and social values of the region, while supporting economic development through the sustainable use of groundwater.

The State Government and Traditional Owners work together to manage water in ways that respect traditional law and knowledge, honour its cultural importance, and support long-term community wellbeing.

2.2 Objectives, outcomes and strategies

The objectives and expected outcomes of this Plan, and the strategies to reach these, are set out in Table 3. While the outcomes and strategies are listed against certain objectives, some of the outcomes and strategies support multiple objectives.

Table 3 Objectives, outcomes and strategies for the Plan Area

Objectives	Outcomes	Strategies to achieve the objectives and outcomes
<p>Protect water regimes that would naturally support the Fitzroy River and its tributaries.</p>	<p>Expected environmental outcomes:</p> <ol style="list-style-type: none"> 1) The Fitzroy River and its tributaries remain free flowing and protected from the adverse impacts of surface water and groundwater abstraction. 2) Water regimes (quantity and quality) of all water sources and connectivity between sources are maintained within their natural range and in line with a changing climate, so that: <ul style="list-style-type: none"> • natural groundwater discharge to river pools, wetlands and springs is maintained • aquifer-to-aquifer connectivity is maintained, particularly in the dry season • biodiversity and ecological integrity of water-dependent ecosystems are protected • sites of cultural significance are protected, including Aboriginal heritage and the West Kimberley national heritage place • people can continue to rely on the Fitzroy River and its tributaries for recreation, food and cultural connection, now and into the future. 3) Inland movement of the naturally occurring saltwater interface is monitored and managed in aquifers along the King Sound coastline and estuaries. 	<ol style="list-style-type: none"> A. No damming of the Fitzroy River or its tributaries and only in-channel infrastructure consistent with the local licensing policies. B. Restrict further licensed use of surface water and the Alluvial and Devonian Reef aquifers through water allocation limits, water management zones and local licensing policies. C. Recognise the cultural importance of all water to Aboriginal people when assessing applications, assessing abstraction risks and doing water planning and engagement. D. Apply water management zones, local licensing policies, and licence conditions to prevent or minimise abstraction impacts on sites of ecological, cultural or social significance, and in line with the environmental outcomes of this Plan. E. Provide specialist advice on land planning and development proposals, to state and local governments, that is consistent with the vision, objectives and outcomes in this Plan. F. Monitor and evaluate surface water and groundwater resources, and water quality, ecological condition and cultural indicators (Department, Traditional Owners, licensees and Water Corporation).
<p>Protect surface water and groundwater for dependent environments, to support the health of water-related ecological, cultural, heritage and social values.</p>	<p>(This cell is shared with the first row and contains the same outcome descriptions.)</p>	<p>(This cell is shared with the first row and contains the same strategy descriptions.)</p>

Provide for the sustainable and productive use of groundwater to support current and future community needs, a diversified economy, and a resilient pastoral industry.

Expected water use outcomes:

- 4) The water regimes of all water sources (quantity and quality) are maintained, to:
 - provide a sustainable water supply to water users
 - ensure salinity levels are maintained within the same salinity class in bores and aquifers in the Derby Peninsula subarea.
- 5) Groundwater meets the needs of current and future communities, for:
 - existing and future drinking water supplies for towns and Aboriginal communities (as a priority)
 - existing licensed entitlements
 - an ongoing, resilient pastoral industry
 - ongoing uses exempt from licensing, including household and gardens, stock watering, and firefighting
 - ongoing native title purposes[^] that are non-licensable
 - public amenity demand for future urban growth of the Derby township and community.
- 6) Economic development is supported through considered groundwater allocations and development, with groundwater available in the Plan Area for:
 - general licensing purposes, such as irrigating crops to support diversified pastoral operations and other commercial activities.
 - native title parties' economic development or benefit (the Fitzroy–Derby Aboriginal Water Holding[^])

[^] See glossary for a definition.

- G. Maintain limits on the volumes of water for use through water allocation limits and components, and licensing assessments.
- H. Assess site-specific water availability through the licensing process, supported by applicant investigations.
- I. Enable access to the Fitzroy–Derby Aboriginal Water Holding (Strategic Aboriginal Water Reserve).
- J. Enable incremental and low-risk groundwater development to build knowledge and minimise impacts over time.
- K. Apply local licensing policies and guidance to ensure the take and use of water is sustainable and supports the objectives and outcomes of this Plan.
- L. Monitor and evaluate surface water and groundwater licensing, abstraction, availability and water quality (Department and licensees).
- M. Monitor and manage groundwater salinity and the saltwater interface in aquifers along the coast, especially in the Derby Peninsula subarea (Department, licensees and Water Corporation).

Objectives	Outcomes	Strategies to achieve the objectives and outcomes
<p>Support water management practices that are culturally informed, collaborative, transparent, adaptive and integrated with other natural resource management.</p>	<p>Expected community outcomes*:</p> <p>7) Collaboration and partnerships are encouraged and help strengthen knowledge sharing, transparency, monitoring, evaluation and adaptive management.</p> <p>8) Aboriginal interests, cultural values, heritage, and custodianship of Country are recognised in water resources management. This includes that:</p> <ul style="list-style-type: none"> • traditional knowledge is considered alongside contemporary science • Traditional Owners are engaged early and ongoingly in water licensing • Traditional Owners’ responsibilities are recognised (their responsibilities to prevent damage to Country and to ensure community wellbeing). <p>*Environmental and water use outcomes also provide community outcomes.</p>	<p>N. Align water licensing with land use, environmental, heritage and other regulatory frameworks.</p> <p>O. Apply adaptive management approaches to licences and water planning to respond to emerging risks, climate variability, and new knowledge, and to minimise or mitigate impacts if they occur.</p> <p>P. Ensure the water licensing process appropriately involves Traditional Owners, respects their traditional science and knowledge, and recognises their cultural responsibilities.</p> <p>Q. Establish local licensing policies and guidance on incorporating Traditional Owner knowledge in water applications, licences and operating strategies.</p> <p>R. Engage with Traditional Owner organisations, stakeholders, water users and the community through a Water Advisory Committee.</p> <p>S. Monitor and evaluate against performance indicators for each Plan outcome.</p> <p>T. Report on the implementation of this Plan and monitoring and evaluation results.</p>

2.3 Water allocation limits

The water allocation limits and components for surface water and groundwater resources in this Plan are in Table 4 and Table 5 respectively. Water allocation limits do not include water for the environment.

Table 4 Surface water allocation limits, components and water availability in this Plan

Surface water resource (proclaimed portion)	Allocation limit kL/year	Allocation limit component kL/year	Water availability for further licensing
		General licensing	
Upper Fitzroy	60,000	60,000	Restricted
Leopold River	0	0	Restricted
Margaret River	20,000	20,000	Restricted
Christmas Creek	0	0	Restricted
Middle Fitzroy	1,500	1,500	Restricted
Lower Fitzroy	6,001,500	6,001,500	Restricted
Plan Area totals	6,083,000	6,083,000	Restricted

Table 5 Groundwater allocation limits, components and water availability in this Plan

Groundwater resource		Allocation limit components kL/year							Water availability for further licensing [^]
Subarea	Basin-Aquifer	Allocation limit kL/year	General licensing	Fitzroy-Derby Aboriginal Water Holding	Public water supply	Exempt use	Public purposes reserve	Public water supply reserve	
Derby Peninsula	Canning–Wallal	1,000,000	505,000	0	0	355,000	140,000	0	Restricted
	Canning–Erskine	1,330,000	30,000	0	1,300,000	0	0	0	Fully allocated
Greater Derby	Canning–Alluvial	140,000	0	0	0	140,000	0	0	Restricted
	Canning–Wallal	4,280,000	2,464,500	1,665,500	0	150,000	0	0	Available
	Canning–Erskine	4,580,000	1,896,500	1,113,500	0	370,000	0	1,200,000	Available
	Canning–Alluvial	4,980,000	0	0	0	4,960,000	0	20,000	Restricted
	Canning–Broome	Not set							Case-by-case
	Canning–Wallal	22,800,000	10,726,000	10,654,000	0	1,405,000	0	15,000	Available
	Canning–Erskine	Not set							Case-by-case
Fitzroy	Canning–Liveringa	Not set							Case-by-case
	Canning–Noonkanbah	Not set							Case-by-case
	Canning–Grant Poole	33,200,000	18,531,500	11,623,500	550,000	1,535,000	0	960,000	Available
	Canning–Devonian Reef	3,385,000	2,750,000	0	0	430,000	0	205,000	Restricted
	Fractured Rock	Not set							Case-by-case
Plan Area totals		75,695,000	36,903,500	25,056,500	1,850,000	9,345,000	140,000	2,400,000	

[^]Please email kununurra@dwer.wa.gov.au with brief information about your project to see if there may be water available or see the Department’s online Water Register.

Consultation draft notes:

At the time of publication of this Plan, approximately 50 GL/year is available across the groundwater resources, with water available for further licensing (see last column in the table). This includes approximately 25 GL/year available from the general licensing component and approximately 25 GL/year available from the Fitzroy–Derby Aboriginal Water Holding. Any new licences granted from the general component before this Plan is finalised will not change the volume proposed for the Fitzroy–Derby Aboriginal Water Holding.

2.4 Local licensing policies

The Department’s policy approach to regulating and managing water licences and permits under this Plan is in Table 6 and Table 7. The local licensing policy takes precedence over statewide policy if there is an inconsistency between them. Some of these policies have related guidance provided in Section 2.5. The policies specified in this Plan are given effect during the water licensing and assessment process and by conditions on licences and permits issued in accordance with the Act.

Table 6 Local licensing policies that apply in the Plan Area

No.	Local licensing policy
1.	All applications: Relevant matters when assessing applications
1.1.	<p>Without limiting the matters that may be relevant, the Department may consider the following as relevant in the Plan Area when assessing applications¹:</p> <ul style="list-style-type: none"> a) Water-related Aboriginal interests and cultural values. b) All watercourses, wetlands and springs are likely Aboriginal heritage as defined by the <i>Aboriginal Heritage Act 1972</i> (WA; AH Act 1972), unless advised otherwise by the Department of Planning, Lands and Heritage (DPLH; regulator of the AH Act 1972). c) The Aboriginal, historic, aesthetic, cultural and natural heritage values recognised in listing the West Kimberley national heritage place under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth). d) Predicted impacts on the natural water regime supporting a site of ecological significance (see Glossary). e) Predicted impacts from the proposed taking and use of water on a site of cultural significance (see Glossary).

¹ This policy group includes local licensing policies on matters that the Department (under the Minister’s delegation) will consider relevant and have regard to in its water licensing process under the *Rights in Water and Irrigation Act 1914* and Rights in Water and Irrigation Regulations 2000; specifically in relation to, or additional to, the matters listed in Schedule 1, clause 7(2) of the Act for a section 5C licence, regulation 35(2) for a section 26D licence, and regulation 7(2) for a permit.

No. Local licensing policy
<p>2. Policies on further information under Schedule 1, Division 2, clause 4(2)</p>
<p>2.1. The Department may require the applicant to provide further information, within a specified time, to help assess whether the proposed take and use of water are environmentally acceptable and ecologically sustainable, which may include:</p> <ul style="list-style-type: none"> a) hydrogeological assessment (see policy 2.3 and 2.4) b) flora and/or fauna surveys to identify groundwater-dependent species and sites of ecological, cultural or social significance in the predicted drawdown area, or which may be impacted on by the proposed take and use of water (this may include condition, presence and absence of species, population structure, and species richness) c) subterranean fauna surveys in aquifers that likely support them d) a spatial dataset of all springs, persistent river pools and wetlands in the predicted drawdown area, or which may be impacted on by the proposed take and use of water (this may include remote sensing with a site visit to verify or ground-truth the data) e) investigations into the groundwater dependence of sites of ecological significance.
<p>2.2. The Department may require the applicant to provide further information, within a specified time, regarding how an application may affect Traditional Owners’ water-related rights, interests, cultural values and heritage. This may include evidence that the applicant has consulted with the relevant native title party/ies:</p> <ul style="list-style-type: none"> a) in a manner consistent with any agreement in place between the applicant and the native title party/ies or using best-practice engagement (see guidance 2.1 in Table 8) b) to identify any Aboriginal heritage within the area that may be impacted on by the proposed take and use of water, and the water-related outcomes of any heritage survey or impact assessment c) by providing them and any third parties² supporting them, with the relevant information about a water licence or permit application to enable informed comment, including: <ul style="list-style-type: none"> i. how the proposed take and use of water may impact on the water resource at sites of ecological, cultural or social significance ii. proposed strategies to prevent, minimise or mitigate impacts at sites of ecological, cultural or social significance d) or taken reasonable attempts to consult in good faith, where unable to consult as outlined above.

² Applicants may be asked by the native title parties to provide relevant information to specific organisations or individuals identified as working for them to help assess and advise on water licence and permit applications.

No.	Local licensing policy
2.3.	<p>In addition to the factors the Department considers in determining whether a hydrogeological assessment is required, as outlined in <i>Operational policy no. 5.12 – Hydrogeological reporting associated with a groundwater well licence (DoW 2009)</i>, the Department may also consider:</p> <ul style="list-style-type: none"> a) the complexity of the application, and b) the potential for the taking and use of water to impact on: <ul style="list-style-type: none"> i. the condition or extent of a groundwater-dependent ecosystem, or its significance ii. water quality or location of the seawater/saltwater interface/s iii. local groundwater levels (increase or decrease) iv. discharge of groundwater to the surface or nearshore marine environment v. the water resource. <p>Applicants are encouraged to seek the Department’s advice regarding suitable analytical or numerical groundwater models in data-poor areas.</p>
2.4.	<p>In addition to the factors listed in policy 2.3, the Department may require a hydrogeological assessment for applicants requesting more than 50,000 kL/year, if the proposed production bore is:</p> <ul style="list-style-type: none"> a) within a water management zone (see maps in Appendix A) b) less than 500 metres from the outer edge of a site of ecological, cultural or social significance, or c) less than 500 metres from another water user’s existing production bore.
2.5.	<p>The Department may require an applicant to undertake baseline monitoring to support water licence assessment. This may include:</p> <ul style="list-style-type: none"> a) the applicant constructing monitoring bores at designated locations b) collecting baseline water levels and sampling water quality at designated bores or sites to understand natural water regimes, aquifer conditions, and risks to groundwater-dependent ecosystems and other water users c) monitoring of ecological condition d) providing information to determine: <ul style="list-style-type: none"> i. surface water and groundwater connectivity (including timing and duration) ii. aquifer-to-aquifer connectivity iii. water-dependence of sites of ecological, cultural and social significance.
2.6.	<p>The Department may require applicants to undertake detailed, site-specific investigations into hydrogeology and the potential impacts of water use to support the Department to determine a sustainable volume that can be taken from water resources where an allocation limit has not been set.</p>

No.	Local licensing policy
<p>2.7. The Department may require the applicant to provide information that demonstrates how they will prevent and minimise impacts at sites of ecological, cultural and social significance during the licence term. This may be achieved by:</p> <ul style="list-style-type: none"> a) consulting with relevant native title party/ies during project planning b) revising their proposal if sites of ecological, cultural or social significance are in the predicted drawdown area c) installing monitoring bores in suitable locations and starting baseline water level and quality monitoring as early as practicable, before abstraction begins d) locating production bores as far as practicable away from groundwater-dependent ecosystems and other users' bores, including those used for stock watering e) in the Birdwood Estate, Greater Derby subarea, locating the production bore at least 100 metres from other users' bores to minimise the risk of drawdown impacting on neighbouring water supplies f) distributing abstraction across multiple bores to reduce localised drawdown g) proposing pumping rates that prevent or minimise environmental impacts h) implementing a monitoring program or operating strategy designed to prevent, minimise and mitigate impacts to sites of ecological, cultural or social significance and/or other water users. 	
<p>3. Policies on granting a water licence or permit</p>	
<p>3.1. The Department may grant a permit to interfere with or obstruct a watercourse (a section 11,17 or 21A surface water permit) in the Fitzroy River catchment for infrastructure that spans a defined waterway (see Glossary and Appendix B) if the purpose is for bridges, road crossings, pipelines, cables and other structures that are needed for public, pastoral or Aboriginal community purposes. Any approved infrastructure must be constructed so that it does not substantially interfere with the flow of water.</p> <p>A defined waterway is an estuary or a waterway and its bed and banks in the proclaimed Fitzroy River and Tributaries surface water area, depicted at a scale of 1:250,000 using the National Surface Hydrology Database, Geoscience Australia mapping layers – surface hydrology lines (Crossman & Li 2015).</p>	
<p>3.2. The Department may grant a water licence to take from a restricted water resource (see Glossary) if it is for the purpose of:</p> <ul style="list-style-type: none"> a) public drinking water supply b) water for Aboriginal communities c) supplying water for infrastructure, works and maintenance (excluding irrigation) to support pastoral operations d) supplying water for public infrastructure, works and maintenance e) supplying water for public amenity, including low-impact tourism f) renewing a water licence that was in effect before the release of this Plan g) approving a water licence that was under assessment before the release of this Plan <p>and where the applicant has demonstrated there is no alternative source available.</p>	
<p>3.3. In addition to the policy set out in <i>Operational policy 5.01 – Managing water reserved for use by drinking water service providers</i> (DoW 2011), the Department may grant a new water licence from the public water supply reserve (see Glossary) to an Aboriginal community if it is for community and drinking water use.</p>	

No.	Local licensing policy
3.4.	<p>The Department is unlikely to grant a licence for more than 3 gigalitres of groundwater per year in a single application.</p> <p>The Department supports an incremental approach to development. For individual projects that require significant volumes of water, the Department is more likely to grant a groundwater licence for an initial development phase wherein information is gathered to assess the sustainability of abstraction and the potential impacts on nearby sites of ecological, cultural or social significance. This information can then be used to support an application for more groundwater.</p>
3.5.	<p>The Department is unlikely to grant a new water licence from the Fitzroy–Derby Aboriginal Water Holding (see Glossary) unless it is to a native title holder or another person who has a negotiated agreement or commercial arrangement with a native title holder.</p> <p>Until a framework for decision-making on access to water held in the holding is established, the Department will make a decision on the application based on all available information, in consultation with the Kimberley Land Council and the relevant native title holder. The Department, on behalf of the Minister for Water, cannot indefinitely defer a decision on a licence application that requires access to the holding.</p>
3.6.	<p>The Department is unlikely to grant a licence for abstraction that is predicted to impact on the water regime in ways that would have an unacceptable impact on sites of ecological, cultural or social significance or a detrimental effect on other water users, unless the applicant can demonstrate how these impacts will be prevented, minimised and/or mitigated.</p>
3.7.	<p>The Department is unlikely to grant a licence for an increased volume to a licensee who is not using, or not projected to use, the volume of their existing licensed entitlement volume.</p>
4.	Policies on licence terms, conditions and reporting
4.1.	<p>The Department may include a condition that all bores are constructed in accordance with the latest edition of <i>Minimum construction requirements for water bores in Australia</i> (National Uniform Drillers Licensing Committee 2020; or as updated).</p>
4.2.	<p>As a condition of bore construction, the Department may require an applicant to conduct downhole geophysical logging (including gamma and resistivity) or sample palynology on new and replacement bores at the time of drilling.</p>
4.3.	<p>In accordance with the standard requirements set out in <i>Policy: Section 5C licence tenure</i> (DWER 2019; or its replacement), the Department may issue a water licence in the Fitzroy–Derby Plan Area for a term of five years or for a term that aligns with an agreed development timetable.</p>
4.4.	<p>The annual reporting year for all water licences in the Fitzroy–Derby Plan Area is 1 January – 31 December.</p>

No.	Local licensing policy
4.5.	<p>In addition to the criteria to develop an operating strategy outlined in <i>Policy: use of operating strategies in the water licensing process</i> (DWER 2020b), the Department may require an operating strategy if:</p> <ul style="list-style-type: none"> a) the licensee is required, or proposes, to align with a development timetable involving incremental increases in water use b) the licensee is required to implement adaptive management responses if certain criteria are met (e.g. trigger and threshold criteria) c) the licensee is required to commit to mitigate or repair any damage or degradation caused by their water use or related infrastructure, if unacceptable impacts occur. <p>The Department may include key elements of the operating strategy as conditions on the water licence.</p>
4.6.	<p>If the Department requires an applicant to monitor the impacts of abstraction outside of the applicant’s land tenure (within the predicted drawdown impact area), the applicant must provide evidence of legal access to the land, or consent from the landholders, where the monitoring (including monitoring bores) will be located, for the duration of the proposed licence term.</p>
4.7.	<p>Applicants may be asked to prepare a nutrient and irrigation management plan, in addition to an operating strategy, where the application of nutrients and fertilisers has the potential to contaminate water sources.</p> <p>See <i>Water quality protection note 33 – Nutrient and irrigation management plans</i> (DoW 2010) for advice on developing a comprehensive and effective plan.</p>

Local licensing policies that apply within relevant water management zones are provided in Table 7. These policies will be applied in addition to the local licensing policies in Table 6 above.

Table 7 Local licensing policies that apply to water management zones in the Plan Area

No.	Local licensing policy	Applicable zones
5. Licensing policies for other water management zones		
5.1.	<p>In addition to the factors listed in policy 2.3, the Department may require a detailed hydrogeological assessment for applications involving water abstracted from an aquifer that underlies the Alluvial aquifer or may cause drawdown in the Alluvial aquifer. In addition to, or as part of the detailed hydrogeological assessment, the Department may also request:</p> <ul style="list-style-type: none"> a) construction of nested or adjacent monitoring bores screened in both the Alluvial and underlying aquifer b) a hydrogeological assessment demonstrating that there is no hydraulic connectivity between the Alluvial aquifer and the target aquifer c) a hydrogeological assessment identifying which aquifer supports springs and persistent river pools and wetlands in the area, particularly where uncertainty exists. 	Alluvial connectivity

No.	Local licensing policy	Applicable zones
5.2.	<p>For new licences and licence renewals in the Derby Peninsula subarea, or in Birdwood Rise Estate in the Greater Derby subarea, the following licence conditions apply:</p> <ol style="list-style-type: none"> a) Licences for 2,000–5,000 kL/year – collect a water sample from each licensed production bore in October each year and submit the water sample to the Department’s Kununurra office by 31 October. b) Licences for 5,000–20,000 kL/year – collect water samples from each licensed production bore in March and October each year and submit the water sample to the Department’s Kununurra office by 31 March and 31 October. c) Licences for 20,000 kL/year or more – either: <ul style="list-style-type: none"> • collect water samples from each licensed production bore in March and October each year and submit to the Department’s Kununurra office by 31 March and 31 October, or • undertake regular or ongoing salinity measurements in monitoring and/or production bores at a specified frequency. <p>Note: all sampling must be conducted in accordance with the Department’s instructions.</p>	King Sound coastal
5.3.	<p>The Department may require, as part of a hydrogeological assessment, under Schedule 1, Division 2, clause 4(2) of the Act, that the applicant:</p> <ol style="list-style-type: none"> a) confirms the position of the saltwater interface and starts baseline monitoring b) provides a map and description of estuarine, nearshore and marine ecosystems that depend on fresh water (such as coastal soaks, springs, wetlands, mangroves, seagrass and saltflat ecosystems) c) provides hydrogeological information confirming the water source that a site of ecological, cultural and social significance is dependent on. 	King Sound coastal

No.	Local licensing policy	Applicable zones
5.4.	<p>In addition to policy 2.1, if the predicted impact of the take and use of water extends to this management zone, the Department may require evidence that the applicant has:</p> <ul style="list-style-type: none"> a) consulted with the relevant land managers³ responsible for land and sea Country predicted to be impacted b) provided the relevant land managers with relevant information about a water licence or permit application including: <ul style="list-style-type: none"> i. how the proposed take and use of water may impact on the water resource at sites of ecological, cultural and social significance ii. the proposed strategies to prevent, minimise or mitigate impacts on sites of ecological, cultural and social significance. 	Conservation estate
5.5.	<p>New bores and water licence applications within this management zone are unlikely to be granted unless they are for the purposes of:</p> <ul style="list-style-type: none"> a) public drinking water supply b) water for Aboriginal communities c) supplying water for public infrastructure, works and maintenance d) supplying water for public amenity including low-impact tourism e) renewing a water licence that was in effect before the release of this Plan f) approving a water licence that was under assessment before the release of this Plan. 	Conservation estate Derby heritage and wetlands
5.6.	<p>The Department is unlikely to grant new water licence applications that are located outside of this management zone but are likely to cause drawdown within the zone, unless that drawdown is predicted not to impact on the sites of ecological, cultural and social significance protected by the zone.</p>	Conservation estate Derby heritage and wetlands Alluvial connectivity

³ Land managers include the Department of Biodiversity, Conservation and Attractions and joint-management bodies that manage national parks in the Plan Area that are within the predicted drawdown area.

2.5 Local licensing guidance

The Department will consider the guidance provided in Table 8 when applying the local licensing policies in this Plan, as part of the water licensing and permitting process.

Table 8 Local licensing guidance for the Plan Area

Relevant Local licensing guidance policy	
Guidance to implement policy group 1: Relevant matters when assessing applications	
1.1	<p>The Department may seek specialist advice during licence or permit assessments if impacts from the take and use of water are likely, including advice from the:</p> <ul style="list-style-type: none"> a) Department of Planning, Lands and Heritage (DPLH) if there is potential for impacts on the natural water regime supporting Aboriginal heritage b) Department of Biodiversity, Conservation and Attractions (DBCA) if there is potential for impacts on the natural water regime supporting a site of ecological significance c) Department of Climate Change, Energy, the Environment and Water (DCCEEW) if there is potential for impacts on the West Kimberley national heritage place or a protected matter listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Guidance to implement policy group 2: Further information under Schedule 1, Division 2, clause 4(2)	
All of the policies in group 2	<p>Potential applicants should consider that the Department:</p> <ul style="list-style-type: none"> a) encourages potential applicants to meet the Department at the project planning stage, and before submitting a water licence or permit application, to identify the water management issues that relate to their project b) encourages applicants to seek advice from the Department about whether a licence to construct or alter a well is required in the Wallal, Erskine, Liveringa, Noonkanbah, Grant Poole or Devonian Reef aquifers because these aquifers are artesian in some areas c) encourages applicants to submit applications at the same time (for a licence to take water and a licence to construct or alter a bore) to help the Department assess water needs early and clarify the required information, while noting that licences may not be issued together (bore construction and testing results often inform the hydrogeological assessment for the licence to take water) d) may request an applicant to submit a project proposal report and/or a scope of works before the applicant begins investigations, to make sure the investigations are appropriately designed and to reduce any delays from the Department possibly requesting additional information later.

Relevant Local licensing guidance policy	
2.1	<p>To ensure the Department has relevant information on how an application may affect Traditional Owners’ rights, interests, cultural values, and heritage, the Department encourages the applicant to:</p> <ul style="list-style-type: none"> a) respect the free, prior, and informed consent principles b) start consulting with the relevant native title party/ies at the project planning stage and before submitting a water licence or permit application to the Department c) enter into a Heritage Protection Agreement, or an equivalent arrangement, with the relevant Traditional Owners for the land to which the licence or permit applies d) apply best-practice engagement considering advice and guidance available from the Department and other agencies, such as the engagement processes outlined in: <ul style="list-style-type: none"> i. <i>Consultation policy for section 18 applications</i> (DPLH 2023) ii. <i>Interim engaging with First Nations people and communities on assessments and approvals under the Environment Protection and Biodiversity Conservation Act 1999</i> (DCCEEW 2023) iii. Section 4.6 of the <i>La Grange groundwater allocation statement</i> (DWER 2025) iv. <i>Technical guidance – environmental impact assessment of social surroundings – Aboriginal cultural heritage</i> (EPA 2023) e) recognise that in the Kimberley region not all Aboriginal heritage is registered under the <i>Aboriginal Heritage Act 1972</i> (WA) f) recognise that the West Kimberley national heritage place has water-related historic, natural, and Indigenous values that are of outstanding heritage value to the nation g) to align their approvals and consultation activities by consulting with native title party/ies on both their water application and their obligations under the <i>Aboriginal Heritage Act 1972</i> and the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), at the same time.
2.1	<p>To ensure the Department has relevant information on how an application may affect Traditional Owners’ rights, interests, cultural values and heritage, the Department may:</p> <ul style="list-style-type: none"> a) inform the relevant native title party/ies and the Kimberley Land Council once a water licence, permit application or licence amendment has been advertised, in addition to notifications required under the <i>Native Title Act 1993</i> (Cth) b) give at least 30 days for the native title party/ies to respond, and more upon request c) consider the relevant comments from the native title party/ies, and the relevant information provided by any interested person who makes a submission on an application, before deciding on the application.
Guidance to implement policy group 3: Policies on granting a water licence or permit	
3.4 and 3.7	<p>The Department may consider the terms and conditions of an approved pastoral lease or permit, and advice from DPLH, when assessing the volume applied for and deciding on the volume of water to grant in a licence.</p>

Relevant Local licensing guidance policy	
3.4	<p>The Department encourages applicants in the Plan Area to design proposals that enable incremental development. This means applying for a licence that is for an initial development phase, for up to 3 gegalitres, wherein the requisite information is gathered to assess the proposed abstraction’s sustainability and risk of impact on nearby sites of ecological, cultural or social significance. Information collated for and during the initial development phase can then be used to support an application for more water that can be shown to be managed sustainably.</p> <p>Where there is uncertainty about groundwater behaviour, connectivity or the groundwater-dependence of nearby sites of ecological, cultural or social significance, the Department is likely to grant a licence for a smaller volume that enables impacts to be assessed and managed before larger volumes are considered in future applications.</p> <p>When assessing applications, the Department will consider whether the proposed volume and location of take:</p> <ul style="list-style-type: none"> a) reflects site-specific hydrogeological conditions and data availability b) allows potential impacts to be detected early and assessed through monitoring c) can be adaptively managed through licence conditions or an operating strategy d) minimises the risk of impacts to nearby sites of ecological, cultural or social significance e) is consistent with the objectives and outcomes of this Plan.
3.6	<p>Applicants may need to refer their proposal for assessment, to determine if approval is required, under the following legislation:</p> <ul style="list-style-type: none"> f) <i>Aboriginal Heritage Act 1972 (WA)</i>, if the take and use of water may harm Aboriginal heritage g) <i>Environmental Protection Act 1986 (WA)</i>, if the take and use of water may have a significant effect on the environment, including on social surroundings h) <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>, if the take and use of water may have a significant impact on protected matters, including the National Heritage List, threatened species, and migratory species which are protected under this legislation. <p>If the applicant does not self-refer their proposal, the Department may be required to refer the proposal where it has the authority to do so.</p>
Guidance to implement policy group 4: Licence terms, conditions, and reporting	
4.5	<p>If the Department requires an applicant to undertake monitoring, this should be undertaken in a manner that is consistent with any agreement/s with Traditional Owners.</p>

Relevant Local licensing guidance policy	
4.5	<p>In addition to the guidance provided in <i>Policy: use of operating strategies in the water licensing process</i> (DWER 2020b), the operating strategy associated with a licence may also include, but not be limited to:</p> <ul style="list-style-type: none"> a) monitoring schedules, with agreed target, trigger, and threshold criteria for: <ul style="list-style-type: none"> i. water levels and quality at sites of ecological, cultural or social significance ii. water levels and quality in persistent river pools and wetlands deeper than one metre at the end of the dry season iii. induction logging iv. stage height or water level of selected river pools or wetlands v. control sites outside the predicted drawdown area b) surveys of groundwater-dependent flora and fauna, including vegetation condition c) surveys of subterranean fauna d) measurement of climate factors such as rainfall and temperature e) cultural indicators developed with native title party/ies.
4.5	<p>In addition to the guidance provided in <i>Policy: use of operating strategies in the water licensing process</i> (DWER 2020b), the applicant’s approved operating strategy (to be or currently associated with a licence) may include, but not be limited to, the following responses if a trigger or threshold criteria are not met:</p> <ul style="list-style-type: none"> a) Report the exceedance and outcomes of management responses to the Department within a specified timeframe. b) Notify the relevant native title party/ies in a manner agreed with them. c) Increase the frequency of water level, water quality or other monitoring. d) Compare monitored data against the predicted impacts and report the findings to the Department in a specified timeframe. e) Modify water abstraction to reduce impacts within a specified timeframe. f) Implement agreed responses developed with native title party/ies. g) Cease abstraction for a specified period or until water levels or water quality return to target or threshold levels. h) Undertake mitigation actions or implement contingency measures.
4.4, 4.5	<p>For transparency, the Department encourages licensees to share reporting associated with their water licence with any relevant native title party/ies. The Department encourages licensees to formalise this practice through an agreement.</p>
General licensing guidance	
All licences to take water	<p>The Department encourages the efficient use of groundwater in accordance with best-management practices and irrigation methods. For example, applicants can refer to <i>Mosaic agriculture: a guide to irrigated crop and forage production in northern WA</i> (Moore et al. 2021). The Department may also request technical advice on this from the Department of Primary Industries and Regional Development (DPIRD) during water licence assessment.</p>

2.6 Water Advisory Committee

This section will be updated in the final plan, noting the proposed Water Advisory Committee will need to be established under the *Water Agencies (Powers) Act 1984 (WA)*. The committee's terms of reference and membership have not been decided. These will be co-developed using feedback from the public consultation on this Plan.

Membership of the Water Advisory Committee is likely to be made up of people representing Traditional Owners, government, industry and the community. It will be administered by the Department of Water and Environmental Regulation.

3 Monitoring and evaluation

The Department will monitor and evaluate how well this Plan is working over time. This will include checking whether the strategies are effective, appropriate and helping to achieve the objectives and outcomes of this Plan.

In doing this, the Department will consider whether:

- a) the strategies of this Plan are being implemented as intended
- b) observed changes or trends in monitoring, as evaluated through performance indicators in Table 9, can reasonably be attributed to implementation of this Plan
- c) the strategies are helping to achieve the objectives and outcomes of this Plan
- d) the Department's ability to implement this Plan, or progress towards achieving the objectives or outcomes of this Plan, is being affected by external factors, such as climate change, land use change, population growth, and broader economic, social, cultural and political influences
- e) this Plan remains suitable as is or whether amendment or replacement should be considered
- f) there is a need to adjust how, in practice, to implement this Plan.

The Department may use information from monitoring and evaluation to:

- review whether the coverage of the Department's own or licensees' monitoring is sufficient to detect changes or trends relevant to the objectives and outcomes of this Plan
- develop new performance indicators for future monitoring and evaluation
- refine conditions on licences and permits.

The Department will consider the need to report on implementation of this Plan and its monitoring and evaluation results five years after the final plan is published.

The Department will engage with Traditional Owner organisations, stakeholders, water users and the community through a Water Advisory Committee, to consider responses to potential issues and emerging risks that may be identified through monitoring and evaluation.

This Plan may be amended, revoked or replaced by a new plan by the Department or the Minister for Water, having regard to the outcomes of monitoring, evaluation and reporting, or at the Minister for Water's direction.

Table 9 Monitoring and performance indicators in this Plan

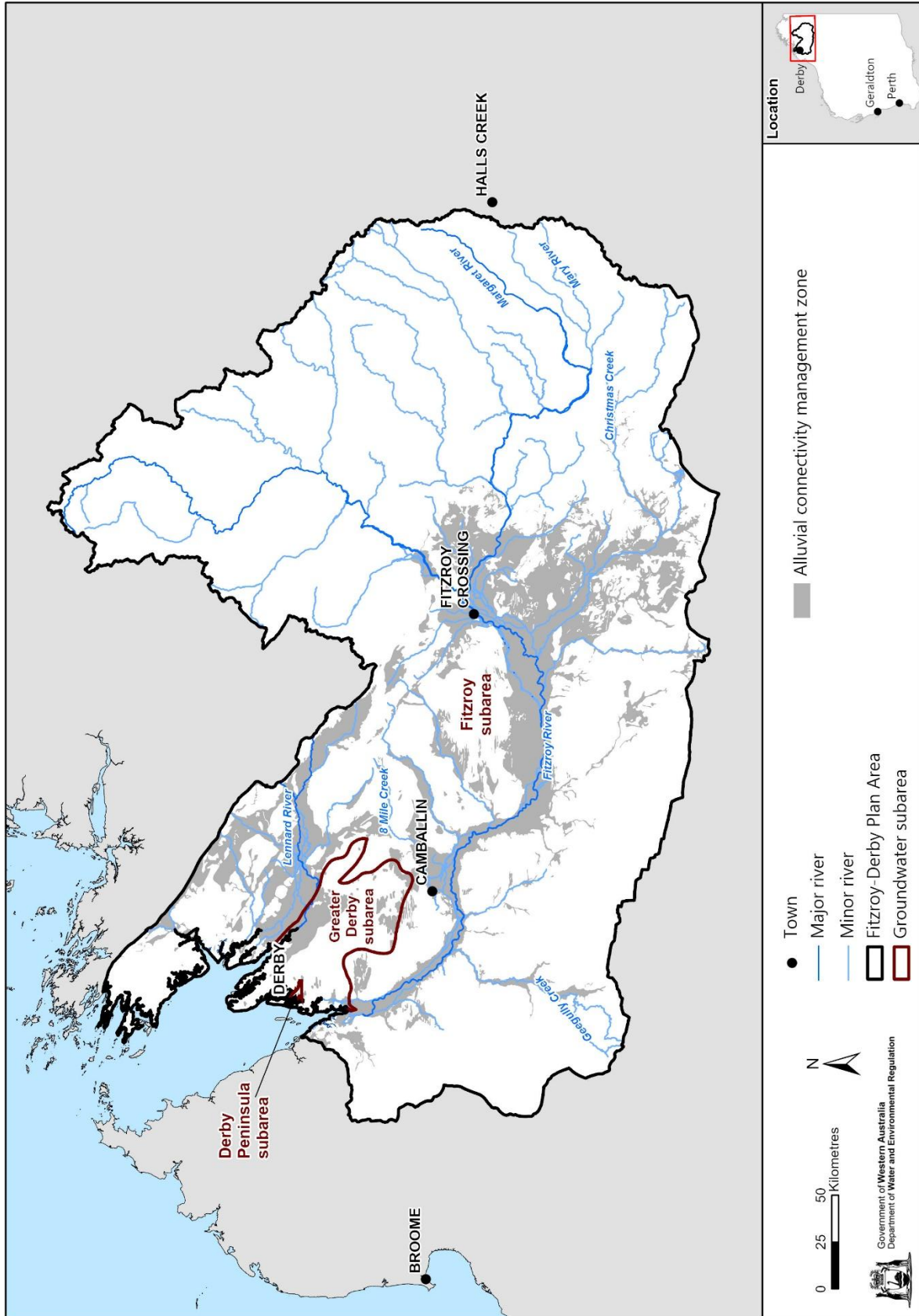
Outcomes	Performance indicators	Monitoring
Environmental outcomes	<p>The Department may review the changes or trends, relative to natural conditions, in one or more of the following:</p> <ul style="list-style-type: none"> a) surface water flows and water quality, including early wet-season flows and recessional flows b) groundwater levels and water quality c) water levels or stage heights in river pools, wetlands and springs, including indications of groundwater discharge d) salinity and saltwater interface monitoring in aquifers along the King Sound coastline and estuaries, including any evidence of inland movement of the interface e) the ecological conditions and cultural indicators of water-dependent ecosystems f) rainfall and its relationship to surface water and groundwater regimes, recognising that this may shift over time due to climate change. 	<p>Sources of information may include:</p> <ul style="list-style-type: none"> • the Department’s regional monitoring sites in the Plan Area (Appendix C) • monitoring and sampling by licensees as part of their licence or permit conditions, which may include water levels, water quality and ecological monitoring • engagement with Traditional Owner organisations, stakeholders, water users and the community through a Water Advisory Committee • cultural monitoring by or in partnership with Traditional Owners⁴.

⁴ Cultural monitoring data is not currently collected or provided to the Department but this may occur during plan implementation and be used to evaluate environmental outcomes.

Outcomes	Performance indicators	Monitoring
Water use outcomes	<p>The Department may review the changes or trends in one or more of the following:</p> <ol style="list-style-type: none"> a) surface water and groundwater licensing and abstraction relative to allocation limits and components b) groundwater salinity in the Derby Peninsula subarea, including the extent to which salinity remains within the same salinity class c) groundwater levels and quality at production bores supporting licensed uses d) groundwater availability and suitability: <ul style="list-style-type: none"> • for priority uses, including drinking water supplies for towns and Aboriginal communities • for exempt uses and native title purposes • to meet public amenity demand associated with future urban growth of the Derby township and community • to support economic development, including access to the Fitzroy–Derby Aboriginal Water Holding • for general licensing. 	<p>Sources of information may include:</p> <ul style="list-style-type: none"> • monitoring and sampling by licensees as part of their licence or permit conditions, which may include water levels, water quality and ecological monitoring • meter readings and water use reporting provided by licensees • engagement with Traditional Owner organisations, stakeholders, water users and the community through a Water Advisory Committee.
Community outcomes	<p>Together with a Water Advisory Committee, the Department may review one or more of the following:</p> <ol style="list-style-type: none"> a) the extent to which Aboriginal interests, cultural values, heritage, and custodianship of Country are recognised in water resources management b) the extent to which Traditional Owners are being engaged in the water licensing process c) the extent to which Traditional Owner organisations, stakeholders, water users, and communities are represented and participate in collaborative water management arrangements, including advisory committees and partnerships d) how Traditional Owner organisations, stakeholders, water users and community feedback has informed management over time. 	<p>Sources of information may include:</p> <ul style="list-style-type: none"> • engagement with Traditional Owner organisations, stakeholders, water users and the community through a Water Advisory Committee • licensing information and processes.

Appendices

Appendix A Water management zone maps



J:\gis\projects\ProjectDWER3000_SCI_PLA3430_WAP\0094_Fitzroy_Derby_Plan_Maps\appx3430_0094_7_10b13_ManagementZones.aprx

Figure 5 Alluvial connectivity management zone (grey area within the Plan Area)

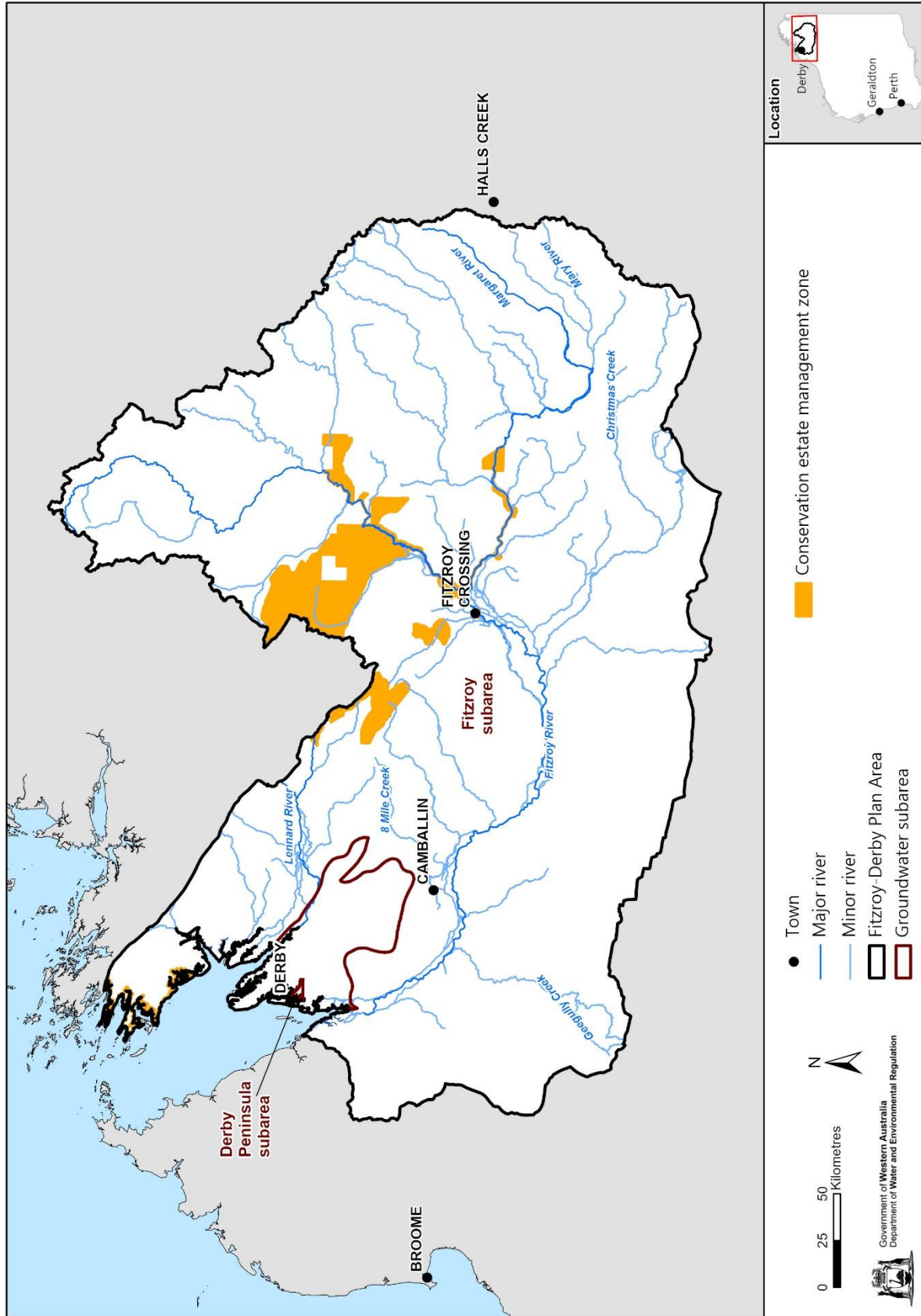
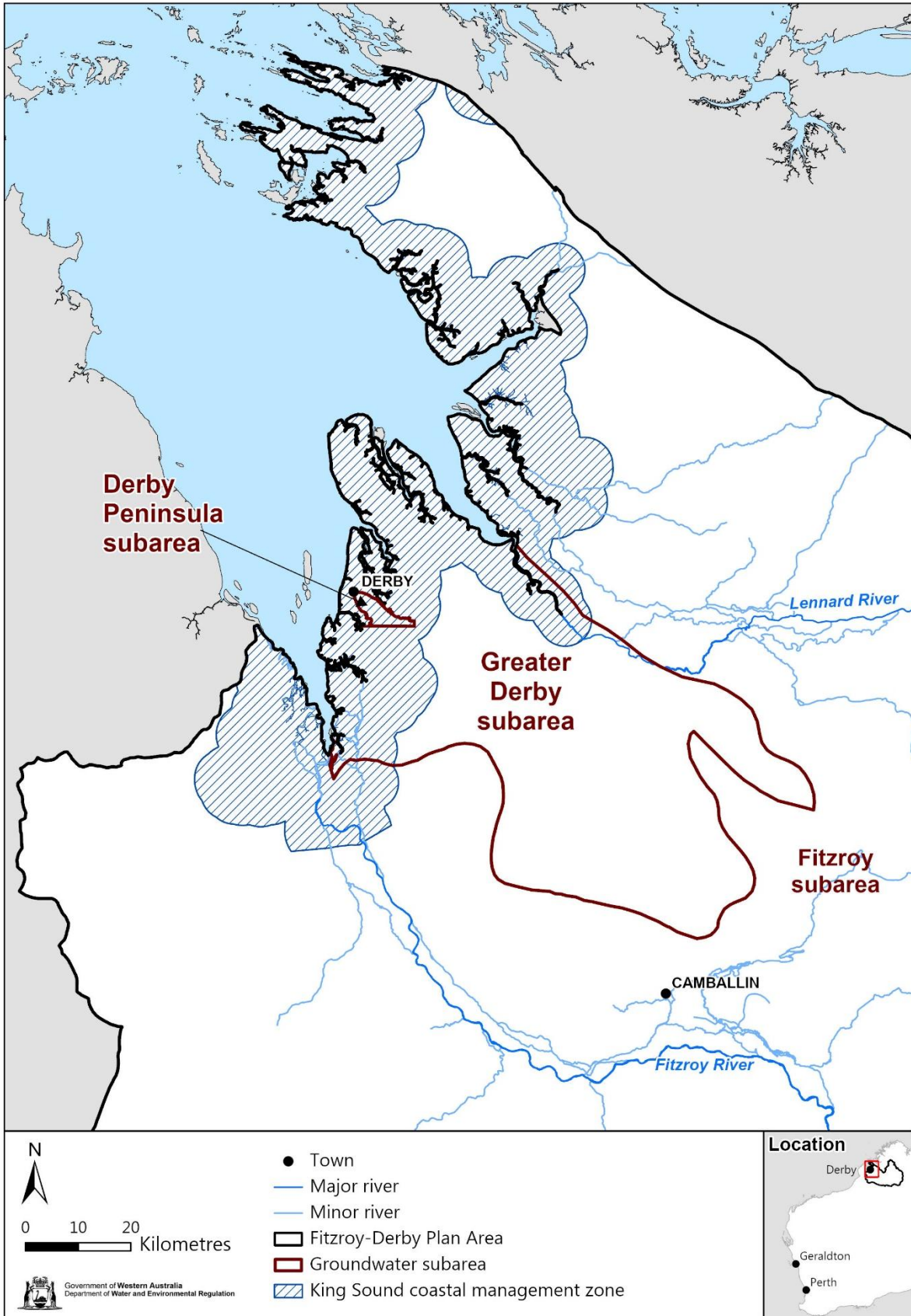
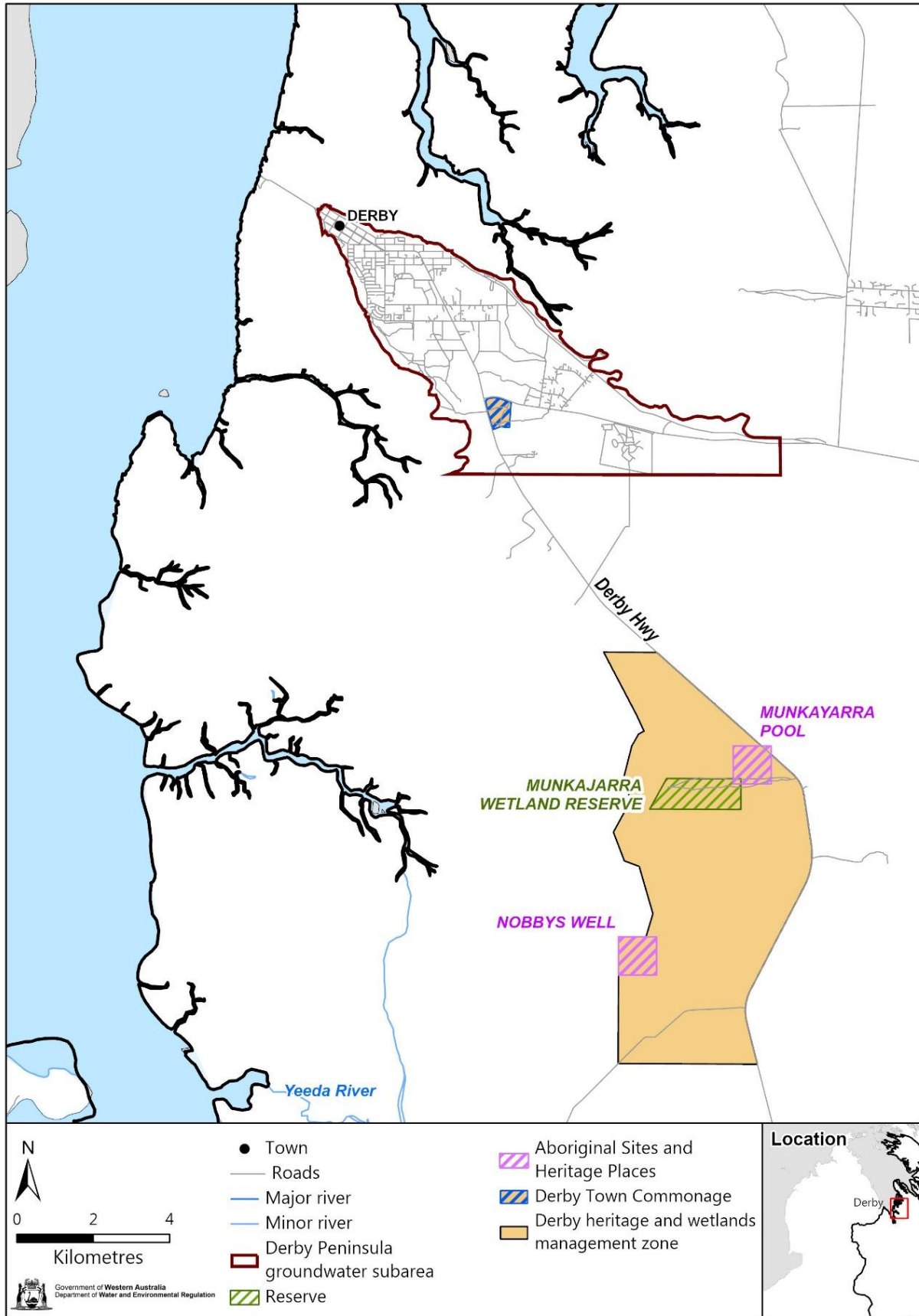


Figure 6 Conservation estate management zone



J:\gisprojects\Project\DWER\3000_SCI_PLA\3430_WAP\0094_Fitzroy_Derby_Plan_Maps\aprx\3430_0094_7_10to13_ManagementZones.aprx

Figure 7 King Sound coastal management zone



J:\gisprojects\Project\DWER\3000_SCI_PLA\3430_WAP\0094_Fitzroy_Derby_Plan_Maps\aprx\3430_0094_7_10to13_ManagementZones.aprx

Figure 8 The Derby heritage and wetlands management zone (orange areas)

Appendix B Defined waterways in the Plan Area

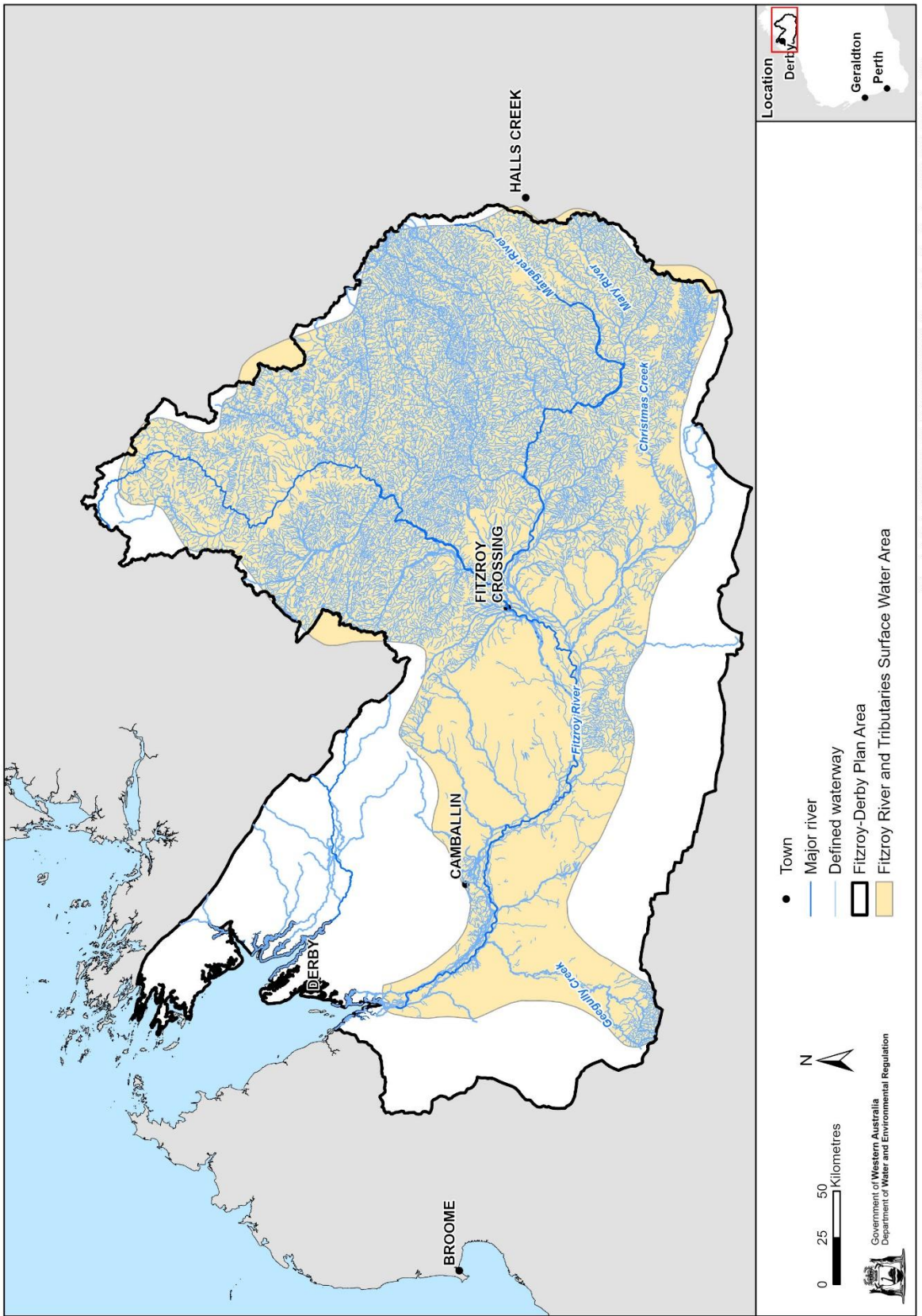


Figure 9 Defined waterways in the proclaimed Fitzroy River and Tributaries surface water area

Appendix C Department’s regional monitoring sites in the Plan Area

Table 10 and Figure 10 show the Department’s groundwater monitoring sites in the Plan Area. Table 11 and Figure 11 show the Department’s stream gauging stations in the Plan Area.

Table 10 Regional groundwater monitoring sites in the Plan Area

Subarea	Bore name	ID number	Purpose	Frequency ⁵	GDA2020 MGA zone 51	
					Easting	Northing
Greater Derby	ER16MB002	80300002	Erskine aquifer regional water level monitoring	Hourly	604004.25	8051842.45
	ER16MB005	80300005	Erskine aquifer regional water level monitoring	Hourly	614271.16	8071890.03
	KN16MB001	80200051	Erskine aquifer regional water level monitoring	Hourly	576796.38	8078559.73
	MR16MB001	80300006	Regional water level monitoring of the Erskine aquifer to assess connectivity between the Alluvial and Erskine aquifers	Hourly	600544.47	8084317.18
	MW16MB001	80200049	Wallal aquifer regional water level monitoring and local water quality monitoring	Hourly	580938.15	8066480.10
	MW16MB002	80200050	Wallal aquifer regional water level monitoring	Hourly	582183.97	8078514.41
	MW16MB003	80300000	Erskine aquifer regional water level monitoring	Hourly	598445.84	8072649.53
	MW16SWIM01	80200046	Wallal aquifer saltwater interface monitoring	Hourly	577944.87	8073631.19
	MW16SWIM02	80200047	Wallal aquifer saltwater interface monitoring	Hourly	578042.07	8071769.71
	MW16SWIM03	80200048	Wallal aquifer saltwater interface monitoring	Hourly	578061.67	8070957.30

⁵ All bores require auditing before a data logger is installed.

Subarea	Bore name	ID number	Purpose	Frequency ⁵	GDA2020 MGA zone 51	
					Easting	Northing
Fitzroy Floodplain	LF01	80270063	Alluvial aquifer monitoring near Myroodah Crossing	Hourly	628833.70	8000539.02
	LF02	80270064	Alluvial aquifer monitoring near Myroodah Crossing	Hourly	627241.58	8002498.77
	LF04A	80270067	Alluvial aquifer monitoring near Myroodah Crossing and to assess connectivity with the nested Liveringa bore	Hourly	624529.25	8002486.88
	LF04B	80270068	Liveringa aquifer monitoring near Myroodah Crossing and to assess connectivity with the nested Alluvial bore	Hourly	624528.15	8002478.82
	LF05	80270069	Alluvial aquifer monitoring adjacent to Fitzroy Barrage gauging station	Hourly	657653.93	7988974.20
	LF06	80270070	Grant Poole aquifer (shallow Poole Sandstone unit) regional water level monitoring	Hourly	603729.44	8007104.72
	LF07	80270071	Grant Poole aquifer (deeper Grant Group unit) regional water level monitoring	Hourly	606484.89	8011568.01
	N1A	80200001	Liveringa aquifer regional water level monitoring to assess connectivity with the Alluvial aquifer	Hourly	717149.00	7952474.47
	N2A	80200004	Regional water level of Alluvial aquifer to assess connectivity between the Alluvial and Liveringa aquifers	Hourly	717155.00	7952589.47
	N2B	80200005	Regional water level of Liveringa Group to assess connectivity between the Alluvial and Liveringa aquifers	Hourly	717152.00	7952590.47
	N2C	80200006	Regional water level of Liveringa Group to assess connectivity between the Alluvial and Liveringa aquifers	Hourly	717150.00	7952592.47
	DHM 5A	80210089	Alluvial aquifer monitoring next to Willare gauging station to assess surface water/groundwater connectivity	Hourly	567765.99	8039075.48
	DHM 8B (Shallow)	80210099	Wallal aquifer regional water level monitoring and connectivity with underlying Liveringa aquifer	Hourly	559989.99	8038414.48
	DHM 8C (Deep)	80210100	Liveringa aquifer regional water level monitoring and connectivity with overlying Wallal aquifer	Hourly	560015.99	8038427.48

Subarea	Bore name	ID number	Purpose	Frequency ⁵	GDA2020 MGA zone 51	
					Easting	Northing
Fitzroy Gorges	BS16MB001A	80200052	Grant Poole aquifer regional water level monitoring (Grant Group unit); assess vertical hydraulic gradient	Hourly	716962.01	8012493.54
	BS16MB001B	80270074	Grant Poole aquifer regional water level monitoring (Grant Group unit); assess vertical hydraulic gradient	Hourly	716975.03	8012514.08
	BS16MB001C	80270075	Grant Poole aquifer regional water level monitoring (Grant Group unit); assess vertical hydraulic gradient	Hourly	716947.44	8012512.80
	BS16MB003A	80200054	Grant Poole aquifer regional water level monitoring (Grant Group unit); assess vertical hydraulic gradient	Hourly	730197.06	8012175.74
	BS16MB003B	80270076	Grant Poole aquifer regional water level monitoring (Grant Group unit); assess vertical hydraulic gradient	Hourly	730216.74	8012189.43
	BS16MB003C	80270077	Grant Poole aquifer regional water level monitoring (Grant Group unit); assess vertical hydraulic gradient	Hourly	730189.17	8012198.65
	BU15MB002A	80200045	Alluvial aquifer monitoring at Fitzroy Crossing	Hourly	772954.85	7988693.15
	BU15MB004	80200025	Alluvial aquifer monitoring at Fitzroy Crossing	Hourly	774230.87	7988365.65
	BU15MB005	80200026	Alluvial aquifer monitoring at Fitzroy Crossing	Hourly	774978.16	7988291.28
	KD16MB001	80300008	Grant Poole aquifer (Grant Group unit) regional water level monitoring	Hourly	667313.35	8070904.19
	KD16MB002	80300009	Grant Group regional water level monitoring	Hourly	674610.08	8070298.42
	KD16MB003	80300010	Grant Group regional water level monitoring	Hourly	683659.41	8073983.87

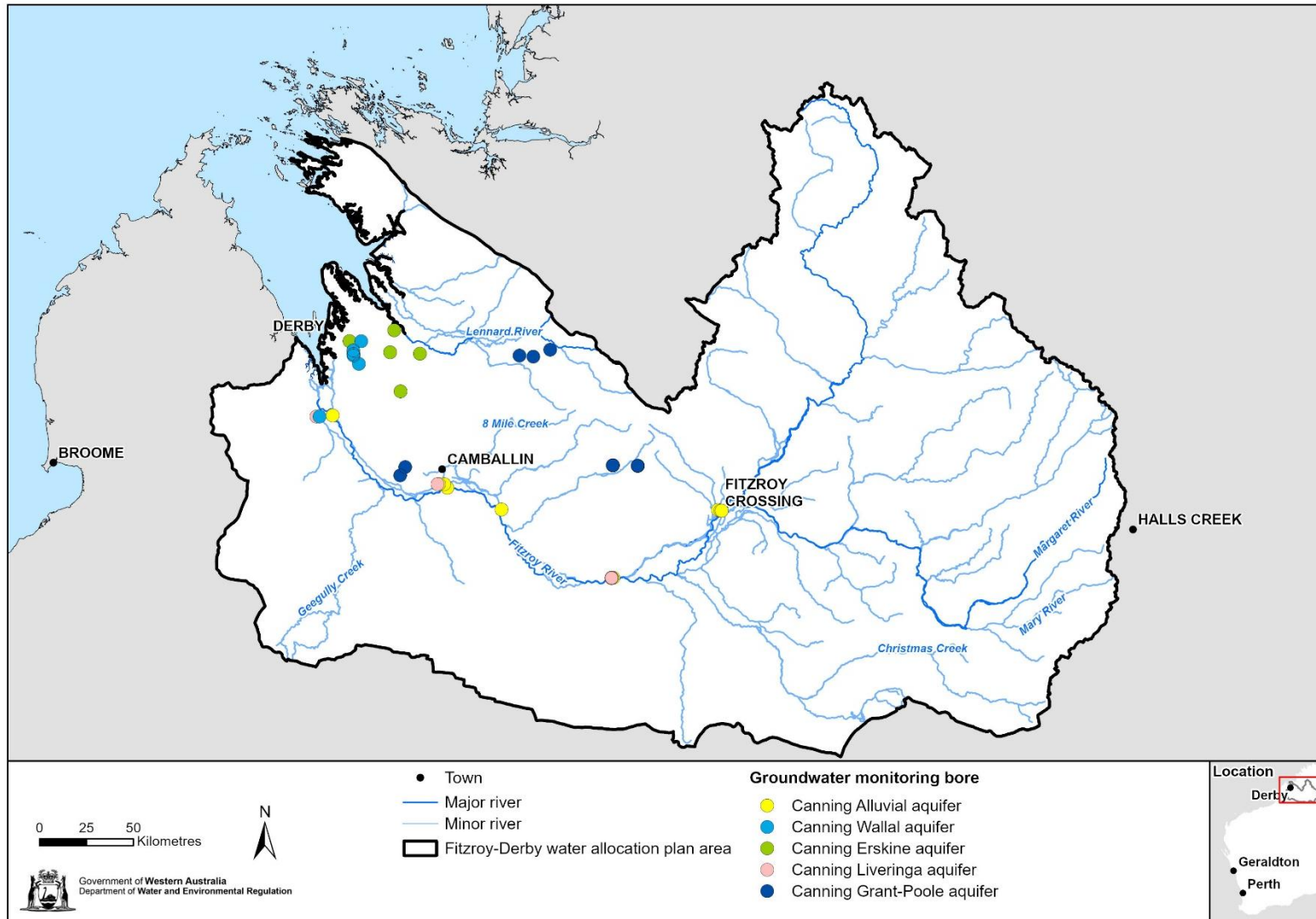
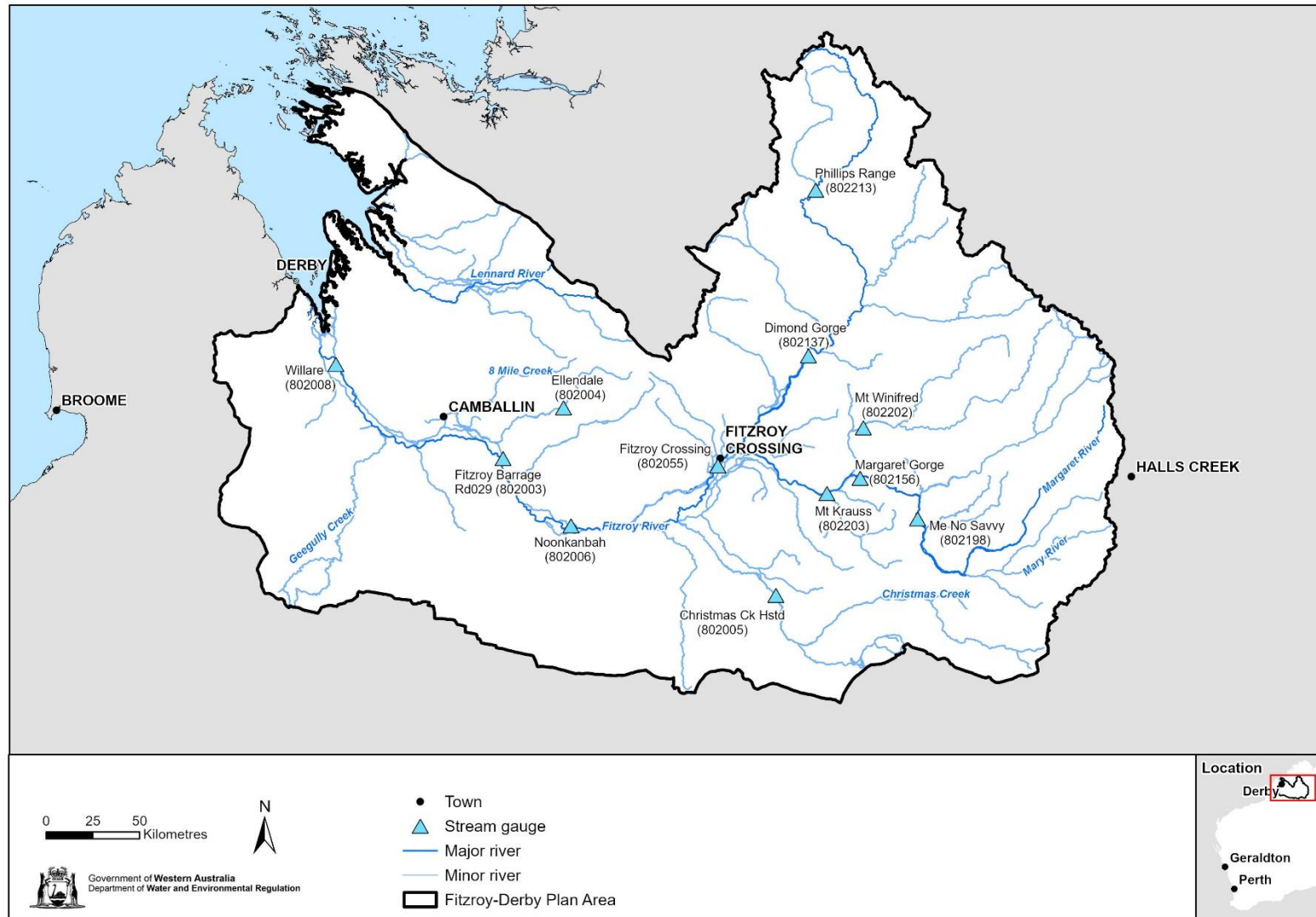


Figure 10 Map of regional groundwater monitoring sites in the Plan Area

Table 11 Regional stream gauging stations in the Fitzroy River catchment

Subarea	Site name	ID number	Purpose	Frequency	Easting	Northing
Upper Fitzroy	Phillips Range	802213	Regional stream gauging	Daily	185785.00	8132315.00
	Dimond Gorge	802137	Regional stream gauging	Daily	184666.00	8043599.00
Margaret River and Leopold River	Mt Krauss	802203	Regional stream gauging	Daily	196916.00	7970309.20
	Mt Winifred	802202	Regional stream gauging	Daily	215234.00	8006066.00
	Me No Savvy	802198	Regional stream gauging	Daily	245833.00	7958366.00
	Margaret Gorge	802156	Regional stream gauging	Daily	214392.10	7979068.00
Christmas Creek	Christmas Creek Homestead	802005	Regional stream gauging	Daily	803835.10	7915393.00
Middle Fitzroy	Fitzroy Crossing	802055	Regional stream gauging	Daily	772815.40	7984623.00
	Noonkanbah	802006	Regional stream gauging	Daily	694219.70	7952571.00
Lower Fitzroy	Fitzroy Barrage	802003	Regional stream gauging	Daily	657911.00	7988543.00
	Willare	802008	Water level gauging	Daily	568510.40	8038886.50
	Ellendale	802004	Regional stream gauging	Daily	690229.00	8015703.00



J:\gis\projects\Project\DWER\3000 SCI PLA\3430 WAP\0094 Fitzroy Derby Plan Maps\aprx\3430_0094_009 StreamGaugingStations.aprx

Figure 11 Map of stream gauging stations in the Fitzroy River catchment

Appendix D Map information

Disclaimer

The maps in this report are a product of the Department of Water and Environmental Regulation. These maps were produced with the intent that they be used for information purposes within this document and at the scale shown when printing.

While the Department has made all reasonable efforts to ensure the accuracy of this data, the Department accepts no responsibility for any inaccuracies and people relying on this data do so at their own risk.

Datum and projection information

Projection: GDA2020 MGA zone 51

Spheroid: GRS 1980

Compilation date: September 2022 – October 2025

Map sources

The Department is custodian of the following datasets, which it used to produce the maps in this report:

Alluvial aquifer – DWER 2022 (derived from DMIRS 500k regolith 2022)

Coastline – DWER 2000

Conservation estate management zone – DWER 2025 (derived from DBCA Legislated Lands and Waters 2025)

Defined waterways – DWER 2022 (derived from Geoscience Australia's National Surface Hydrology Database – surface hydrology lines 2015)

Derby groundwater area – DWER 2018

Fitzroy–Derby Plan Area – DWER 2019

Groundwater monitoring bore – DWER 2022

Groundwater subarea – DWER 2022

Hydrography – DWER 2007

Imagery – Landgate 2019

King Sound coastal management zone – DWER 2022

Proclaimed areas – DWER 2012

Roads – Landgate 2022

Stream gauges – DWER 2025

Surface water subareas – DWER 2022

Towns – DWER 2022 (derived from Landgate Geonoma 2022)

The Department used the following datasets from other sources to help produce the maps in this report: (name, custodian, source link)

Aboriginal Sites and Heritage Places, DPLH,

<https://catalogue.data.wa.gov.au/dataset/aboriginal-heritage-places>

DBCA Legislated Lands and Waters (DBCA-11), SLIP:

<https://catalogue.data.wa.gov.au/dataset/dbca-legislated-lands-and-waters>

Geonoma (LGATE-013), Landgate, SLIP: <https://catalogue.data.wa.gov.au/dataset/geographic-names-geonoma>

Geoscience Australia's National Surface Hydrology Database – surface hydrology lines 2015:
[Surface Hydrology Lines \(National\)](#)

Heritage Council WA – State Register (DPLH-006), DPLH

<https://catalogue.data.wa.gov.au/dataset/heritage-council-wa-state-register>

Roads (LGATE_012), Landgate, SLIP: <https://catalogue.data.wa.gov.au/dataset/roads-lgate-012>

Shortened forms

Shortened form	Complete word/phrase
Cth	Commonwealth
DCCEEW	Department of Climate Change, Energy, the Environment and Water (Australian Government)
DoW	former Department of Water (now DWER)
DPIRD	Department of Primary Industries and Regional Development
DPLH	Department of Planning, Lands and Heritage
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
the Act	<i>Rights in Water and Irrigation Act 1914 (WA)</i>
WA	Western Australia
WAWA	former Water Authority of Western Australia (now DWER and Water Corporation)

Volumes of water

One litre	1 litre	1 litre	(L)
One thousand litres	1,000 litres	1 kilolitre	(kL)
One million litres	1,000,000 litres	1 Megalitre	(ML)
One thousand million litres	1,000,000,000 litres	1 Gigalitre	(GL)

Glossary

Note: The bolded terms in these definitions are defined elsewhere in the Glossary.

Term	Definition
Abstraction	The authorised taking of water from any source for use.
Aboriginal heritage (legal term)	The definition of Aboriginal heritage used in this Plan relates to section 5 through to section 9 of the <i>Aboriginal Heritage Act 1972 (WA)</i> in relation to places, objects, traditional use, and traditional custodians.
Allocation limit	Annual volume of water set aside for consumptive use from a water resource.
Aquifer	A geological formation or group of formations capable of receiving, storing and transmitting significant quantities of water. Usually described by whether they consist of sedimentary deposits (sand and gravel) or fractured rock. Aquifer types include unconfined, confined and artesian.
Country (when used in connection to Aboriginal people)	Country means the lands, waterways, seas and skies to which Aboriginal peoples are intrinsically linked. The wellbeing, law, place, custom, language, spiritual belief, cultural practice, material sustenance, family and identity are all interwoven as one.
(sites of) Cultural significance	Sites of cultural significance are: <ul style="list-style-type: none"> • water places including rivers, wetlands and springs • water-dependent Aboriginal heritage as defined in the <i>Aboriginal Heritage Act 1972 (WA)</i> • water-dependent cultural heritage significance under section 5 of the <i>Heritage Act 2018 (WA)</i>, and/or • water-dependent places of world or national heritage significance under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>, such as the West Kimberley national heritage place.
Cultural value	Cultural values are the core principles and value systems that underpin a community, a society or, in the case of Traditional Owners , a nation, clan or language group. The value may be associated with a site of cultural significance or associated with the living, historical and traditional observances, practices, customs, beliefs, knowledge, relationships and skills of Aboriginal people. Cultural values of Traditional Owners can only be determined by them and are expressed in many ways, such as narrative, songlines, art and maps.
Defined waterway	A defined waterway is an estuary or a waterway and its bed and banks in the proclaimed Fitzroy River and Tributaries surface water area, depicted at a scale of 1:250,000 using the National Surface Hydrology Database, Geoscience Australia mapping layers – surface hydrology lines (Crossman & Li 2015).
Drawdown area (predicted)	The predicted drawdown area of a water licence or application is the area of the estimated or predicted extent of groundwater drawdown (groundwater level or pressure decline) that may occur due to abstraction under the water licence over its term, or proposed in the application.
Dry season	In this Plan, ‘dry period’ is the period from 1 May to the 31 October. Traditional Owners have their own seasonal calendars that describe this period of dry heat and no rain.

Term	Definition
(site of) Ecological significance	<p>A site of ecological significance is a water-dependent ecosystem that:</p> <ul style="list-style-type: none"> • is protected under environmental legislation or international agreements • supports species or communities that are protected under environmental legislation or international agreements • is listed in government policy and guidance • is regionally or locally important • provides vital habitat • is natural, rare or unique • supports significant biodiversity <p>Many of these sites are referred to in DWER (2023).</p>
Environment (legal term)	<p>Living things, their physical, biological, cultural and social surroundings, and interactions between all of these as defined under section 3, <i>Environmental Protection Act 1986 (WA)</i>.</p>
Environmental value	<p>An environmental value is the ecological, cultural, heritage or social importance of a water-dependent place or ecosystem, or water resource, including the attributes and functions that contribute to its significance and that may be affected by changes to water regime, water levels or water quality.</p>
Exempt use – component of an allocation limit	<p>A volume of water set aside within a water allocation limit to account for the unlicensed take and use of water from that water resource for purposes that do not require a water licence. It is set based on a current or future estimate of exempt water use.</p>
Exempt use – take and use of water	<p>Subject to the requirements of the <i>Rights in Water and Irrigation Act 1914 (WA)</i>, relevant regulations and exemption orders, a person can take water without a licence for:</p> <ul style="list-style-type: none"> • normal household consumption and watering of a domestic garden that is not larger than 2.0 ha for surface water and not larger than 0.2 ha for groundwater • watering stock, other than those being raised under intensive conditions • taking water from a spring for watering stock and domestic purposes • some short-term low-impact dewatering activities • firefighting purposes.
Fitzroy–Derby Aboriginal Water Holding	<p>This is the name of a Strategic Aboriginal Water Reserve in the Plan Area. It represents the volume/s of water set aside, across various water resources, that is/are intended to support economic development opportunities for native title holders. It does not guarantee access or a right to any person.</p>
Groundwater-dependent ecosystem	<p>Natural ecosystems that require access to groundwater to meet all or some of their water requirements on a permanent or intermittent basis, to maintain their communities of plants and animals, ecosystem processes they support and ecosystem services they provide (Richardson et al. 2011, p.1).</p>
Licence (legal term)	<p>A formal instrument granted under the <i>Rights in Water and Irrigation Act 1914 (WA)</i> to:</p> <ol style="list-style-type: none"> 1. construct or alter a well (bore), including monitoring bores, production bores, and replacing collapsed bores or decommissioning abandoned bores (section 26d) 2. take water (the licensed entitlement) from a water resource in accordance with the specified terms, conditions and restrictions on the licence (Section 5C).

Term	Definition
Licence entitlement	The quantity of water permitted to be taken under a Section 5C licence, usually specified in kilolitres per year (kL/year). Also referred to as an annual water entitlement.
Metering	Measurement of water that is taken from a water resource using a water meter.
National heritage (legal term)	A site of national significance for heritage as defined under section 324D of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth). This includes the highly valued and nationally recognised places in the West Kimberley, such as the Warloongaryi song line.
Native title holder (legal term)	A native title holder, in relation to native title, has the meaning given in section 224 of the <i>Native Title Act 1993</i> (Cth) and means: <ul style="list-style-type: none"> • a registered native title body corporate, also referred to as a prescribed body corporate; or • a person or persons who hold the native title.
(relevant) Native title party (legal term)	In relation to an area of land where a water licence or permit is applied for, the relevant native title party has the meaning given in section 24HA(7)(a) of the <i>Native Title Act 1993</i> (Cth), including: <ul style="list-style-type: none"> • a representative Aboriginal/Torres Strait Islander body • a registered native title body corporate, or • a registered native title claimant. In the case of the Fitzroy–Derby Plan Area, the representative body is the Kimberley Land Council.
Native title purposes (legal term)	Native title purposes in relation to water, refers to native title holders who are exercising their native title rights and practices, as per section 211 of the <i>Native Title Act 1993</i> (Cth), by taking water without a licence for: <ul style="list-style-type: none"> • the purpose of satisfying the native title holder’s personal, domestic and non-commercial communal needs, or • the exercise of enjoyment of their native title rights and interests.
Natural water regime	A description of the natural hydrological characteristics of a surface water or groundwater system before it has been altered by infrastructure or the take and use of water. A water regime may include the variation of flow rate, water level or water quality over time.
Persistent river pools and wetlands	A river pool or wetland that maintains surface water for 70 per cent or more of the dry season is indicative of persistence. Recognising the variable nature of flow in the Fitzroy River, this definition applies to persistent river pools that may ‘shift’ within a river reach in response to high wet-season flow and erosion events.
Permit (legal term)	A formal instrument granted under the <i>Rights in Water and Irrigation Act 1914</i> (WA) that allows a person to interfere with the bed and banks of a waterway or wetland, including pumps in streams, infrastructures to divert water, watercourse crossings and installing monitoring infrastructure (sections 17 and 25A of the Act).
Public purposes – component of an allocation limit	For this Plan, water is set aside in the public purposes component in the Wallal aquifer to support future urban growth and public amenity for the Derby township, when the water demand arises. Water would be accessible through a licence to provide water for public amenities.
Public water supply	Water taken by public water suppliers to supply water to homes and businesses, at drinking water quality and through a metropolitan or town water supply scheme.

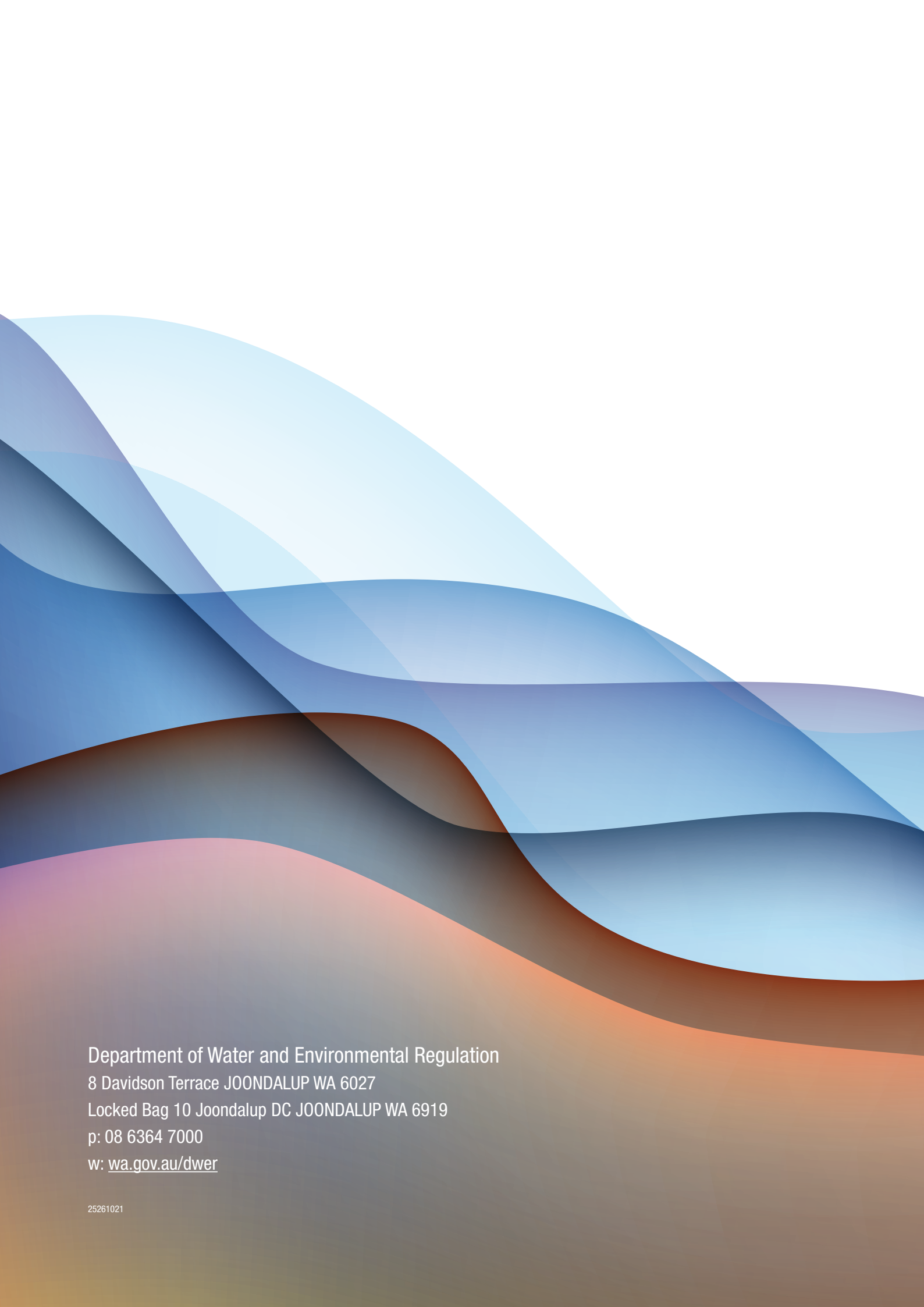
Term	Definition
Public water supply reserve – component of an allocation limit	The volume of water reserved for public water supply. In this Plan, it includes expected future demand for public water supply schemes and to supply Aboriginal communities in the plan area in the future.
Recharge	Water that infiltrates into the soil to replenish an aquifer.
Restricted water resource (or water availability)	For this Plan, a restricted water resource is one where the Department is unlikely to grant a water licence unless it is for a specified purpose. See the relevant local licensing policies for specific details.
Saltwater interface	The boundary where fresh water meets salt water in groundwater aquifers, often in coastal areas.
(site of) Social significance	A site of social significance is a place of relative importance to people where they rely on water to practise their recreational, tourism, education and scientific pursuits and enjoy the landscape and aesthetic aspects of a place.
Spring (or springs) (legal term)	As defined in s 2(1) of the <i>Rights in Water and Irrigation Act 1914</i> , a spring means a spring of water naturally rising to and flowing over the surface of land but does not include the discharge of underground water directly into a watercourse, wetland , reservoir or other body of water.
Subarea	A subdivision, within a surface water or groundwater area, defined to manage water allocation. Subarea boundaries are not proclaimed and can therefore be amended without being gazetted.
Target criteria	The site-specific criteria that are set to measure that an environmental outcome or management objective is achieved. It may be a defined water level, discharge rate or water quality parameter, a date or other measure for a groundwater-dependent ecosystem or environmental value .
Threshold criteria	A defined water level, discharge rate, flow rate, water quality parameter, or other measure intended to represent the limit of acceptable change, beyond which a defined groundwater-dependent ecosystem or environmental value is likely to be impacted, or an environmental outcome or management objective not achieved. This will prompt actions by licensees and by the Department.
Traditional Owner	An Aboriginal person/s is a Traditional Owner if they are: <ul style="list-style-type: none"> • a native title holder • a registered native title claimant or claim group • a member of a Regional Aboriginal Corporation established under a settlement agreement with the government • a person who is recognised as having the cultural authority to speak for a place.
Trigger criteria	A defined water level, discharge rate, flow rate, water quality parameter, or measure intended to forewarn of the possibility that threshold criteria may be reached, resulting in impact to a groundwater-dependent ecosystem, environmental value , or an environmental outcome or management objective not being achieved. This will prompt trigger actions by licensees and by the Department. Trigger criteria are set at a conservative level, and actions are initiated to avoid reaching the threshold criteria.
Water resource	An area or body of water used for water allocation planning and water licensing purposes, defined by the area and name of: <ul style="list-style-type: none"> • the surface water area, subarea, and resource (or subcatchment) • the groundwater area, subarea and aquifer. Water licensing generally only applies to the proclaimed part of the surface water or groundwater management area.

Term	Definition
<p>Water resources (legal term)</p>	<p>As defined in section 3(1) of the <i>Rights in Water and Irrigation Act 1914</i>, water resources includes —</p> <ul style="list-style-type: none"> (a) watercourses and wetlands together with their beds and banks (b) other surface waters (c) aquifers and underground water.
<p>Watercourse (legal term)</p>	<p>As defined in section 3(1) of the <i>Rights in Water and Irrigation Act 1914</i>, a watercourse means—</p> <ul style="list-style-type: none"> (a) any river, creek, stream, or brook in which water flows (b) any collection of water (including a reservoir) into, through or out of which any thing coming within paragraph (a) flows (c) any place where water flows that is prescribed by local by-laws to be a watercourse <p>and includes the bed and banks of any thing referred to in paragraph (a), (b) or (c).</p>
<p>Water regime</p>	<p>A description of the variation of flow rate or water level over time. It may also include a description of water quality.</p>
<p>Waterway (defined)</p>	<p>See Defined waterway.</p>
<p>We</p>	<p>In this Plan, the term 'we' is used to refer to the Department of Water and Environmental Regulation. We support the Minister for Water to administer the <i>Rights in Water and Irrigation Act 1914</i> (WA), including in relation to licensing decisions.</p>
<p>Wet season</p>	<p>In this Plan, 'wet season' refers to the period from 1 November to 30 April. Traditional Owners have their own seasonal calendar that describes this period of rain and flood.</p>
<p>Wetland (legal term)</p>	<p>As defined in section 2 of the <i>Rights in Water and Irrigation Act 1914</i>, wetland means a natural collection of water, whether permanent or temporary, on the surface of any land and includes —</p> <ul style="list-style-type: none"> (a) any lake, lagoon, swamp or marsh (b) a natural collection of water that has been artificially altered, <p>but does not include a watercourse.</p>

References

- Crossman S & Li O 2015, *Surface Hydrology Lines (National)*, Geoscience Australia, Canberra.
- DCCEEW (Department of Climate Change, Energy, the Environment and Water) 2023, *Interim engaging with First Nations People and communities on assessments and approvals under the Environment Protection and Biodiversity Conservation Act 1999*, Department of Climate Change, Energy, the Environment and Water, Australian Government, Canberra.
- DoW (Department of Water) 2009, *Operational policy no. 5.12 – Hydrogeological reporting associated with a groundwater well licence*, Department of Water, Perth.
- 2010, *Water quality protection note 33 – Nutrient and irrigation management plans*, Department of Water, Perth
- 2011, *Operational policy 5.01 – Managing water reserved for use by drinking water service providers*, Department of Water, Perth.
- DPLH (Department of Planning, Lands and Heritage) 2023, *Consultation policy for section 18 applications*, Department of Planning, Lands and Heritage, Government of Western Australia, Perth.
- DWER (Department of Water and Environmental Regulation), unpublished, Derby groundwater allocation plan: Scan of groundwater-dependent values, Water allocation planning internal report series report no. 7, Department of Water and Environmental Regulation, Government of Western Australia, accessed 29 October 2025.
- 2019, *Policy: Section 5C licence tenure*, Department of Water and Environmental Regulation, Perth.
- 2020a, *Derby groundwater allocation plan: for public comment*, Water Resource Allocation and Planning Report series, report no. 69, Department of Water and Environmental Regulation, Perth.
- 2020b, *Policy: use of operating strategies in the water licensing process*, Department of Water and Environmental Regulation, Perth.
- 2021 *Compliance and enforcement policy*, Department of Water and Environmental Regulation, Perth.
- 2023, *Ecological water requirements of water-dependent ecosystems in the Fitzroy planning area*, Environmental Water Report series, report no. 34, Department of Water and Environmental Regulation, Western Australian Government.
- 2025, *La Grange groundwater allocation statement: an update of the La Grange groundwater allocation plan*, Water Resource Allocation and Planning Report series, report no. 79, Department of Water and Environmental Regulation, Perth.
- 2026a, *Consultation draft – Fitzroy–Derby water resources management plan: methods*, Water Resource Allocation and Planning Report series, draft report, Department of Water and Environmental Regulation, Perth.
- 2026b, *Summary of submissions – Derby groundwater allocation plan: for public comment*, Department of Water and Environmental Regulation, Perth.

- 2026c, *Consultation summary – Fitzroy–Derby water planning*, Department of Water and Environmental Regulation, Perth.
- no date, *Aquatic GDE in the Fitzroy water planning area (DWER-126) (ID: 116)* [GIS dataset], SLIP, Government of Western Australia, accessed 23 October 2025.
- Environmental Protection Authority 2023, *Technical guidance – environmental impact assessment of social surroundings – Aboriginal cultural heritage*, Environmental Protection Authority, Western Australia.
- Government of Western Australia 2020, *Managing water in the Fitzroy River catchment: discussion paper for stakeholder consultation (discussion paper)*, November 2020, Government of Western Australia, Perth.
- 2023, *Water planning in the Fitzroy – policy position paper*, October 2023, Government of Western Australia, Perth.
- Moore G, Revell C, Schelfhout C, Ham C & Crouch S 2021, *Mosaic agriculture: a guide to irrigated crop and forage production in northern WA*, Department of Primary Industries and Regional Development, Bulletin no. 4915, Perth.
- National Uniform Drillers Licensing Committee 2020, *Minimum construction requirements for water bores in Australia*, 4th edn, National Uniform Drillers Licensing Committee, Australian Government, <https://adia.com.au>, accessed 23 October 2025.
- Stocker C & Paker H 2015 (unpublished), May and Meda rivers, West Kimberley – desktop hydrogeological investigation, Hydrogeological Report series, report no. HR357, Department of water, Government of Western Australia, accessed 29 October 2025.
- Water Authority of Western Australia 1992, *Derby groundwater management plan*, Western Australia, Perth.



Department of Water and Environmental Regulation

8 Davidson Terrace JOONDALUP WA 6027

Locked Bag 10 Joondalup DC JOONDALUP WA 6919

p: 08 6364 7000

w: wa.gov.au/dwer