29 June 2026

PGA Submission
to the Department of Water and Environmental Regulation
on the
Draft Fitzroy Derby Water Resources Management Plan

Executive Summary

The Pastoralists and Graziers Association of Western Australia (PGA) submits this response to the *Consultation draft – Fitzroy-Derby water resources management plan: policy and guidance*.

The PGA represents pastoral leaseholders and freehold farmers across Western Australia, including members who own over 50% of all pastoral leases within the Fitzroy River catchment. The PGA therefore has a substantial interest in the long-term management of this region's water resources.

The PGA's principal concern is that the draft plan adopts allocation limits that are substantially more conservative than those supported by the available scientific evidence. It risks locking away substantial economic development potential, appears to contradict State and Federal Government development strategies, and applies a regulatory framework that creates significant barriers for agricultural development in the Kimberley.

We urge the Minister for Water to consider a revised approach that is more closely aligned with the science, balances environmental, social and economic objectives, and provides a practical, equitable pathway for sustainable development.

Key Concerns

1: The draft plan does not explain why it departs so substantially from the findings of the CSIRO Northern Australia Water Resource Assessment and the WA Government's Water for Food Program

The CSIRO Northern Australia Water Resource Assessment (2018) remains the most comprehensive assessment undertaken of water resources in the Fitzroy catchment. Its principal findings include:

- **Sustainable surface water harvest** (85% reliability) – **1,700 GL/year** (25–35% of mean/median annual flow)
- **Sustainable groundwater yield** (Grant Group & Poole Sandstone, <5% recharge) – **Up to 120 GL/year**

- **Irrigable Area –** ~160,000 ha (only 1.7% of catchment)
- **Economic potential –** ~4,700 FTE jobs and $1.1 billion annually

The CSIRO modelling concluded that extraction of 1,800 GL/year would have only minor impacts on wetlands, waterholes and riparian vegetation, with no change to important flow habitats for barramundi or freshwater sawfish.

The proposed allocation represents approximately 0.36% of the surface water volume that the CSIRO identified as potentially available for sustainable extraction. The PGA considers that such a low allocation effectively functions as a prohibition on future development rather than a precautionary allocation.

The PGA also notes that the WA Government's own Water for Food Program, which sought to identify sustainable irrigated agriculture opportunities across northern Australia, appears to have been quietly abandoned. Its findings have not informed this draft plan. We would welcome greater policy coherence in this regard.

2: The allocation limits in the draft plan are overly cautious and do not support adaptive management

Between January and May 2026, approximately 12,000 GL flowed past the Fitzroy gauging station to the Indian Ocean. The draft plan does not explain how the proposed allocation of 6.1 GL/year relates to observed river flows or identify the environmental flow requirement on which this limit is based.

We note that the draft plan does not quote any specific volume required for environmental maintenance of the river system. We would have expected this figure to be cited to form the basis of the surface water allocation figures.

The draft plan sets groundwater allocation limits at 40% of estimated rainfall recharge. While we do not dispute the need for a precautionary buffer, we are not aware of a scientific justification for setting the limit at 40% rather than, say, 60% or 70% – particularly given the CSIRO's finding that extraction of <5% of recharge from the Grant Group and Poole Sandstone aquifers (approximately 120 GL/year) is sustainable.

Potential production and regional economic development

Documented statistics demonstrate that:

- Using just 10% of the water that passed the Fitzroy gauge in the first three weeks of February 2026 (259 GL) it would be possible to irrigate 17,267 hectares of sorghum fodder, producing 172,670 tonnes of hay – enough to feed 127,000 cattle for 90 days.
- The Kimberley Meat Company abattoir between Derby and Broome has been non-operational for two years, largely due to the lack of suitable cattle for year-round processing. Irrigated fodder production would enable the region to supply cattle consistently, supporting local jobs and economic activity.

The CSIRO study showed that there is up to 5.4 million hectares of irrigable land in the Fitzroy basin. Of this, 160,000 ha could be irrigated with 1,700 GL annually. This could contribute to a **potential**

4,700 FTE jobs and more than $1 billion in regional economic activity.

We note that the town of Fitzroy Crossing appears to depend on a blend of low-to-moderate wages, significant Centrelink and social support, and a smaller base of pastoral, tourism, and service-sector income. Greater agricultural development would diversify the regional economy, strengthen employment opportunities, and broaden the economic base of communities throughout the Fitzroy catchment..

Adaptive Management

The PGA strongly supports adaptive management but considers that an allocation of 6.1 GL/year does not provide a meaningful basis for adaptive management because it leaves virtually no capacity for future development.

We recommend:

- An **initial surface water allocation limit of 300 GL/year**, with adaptive management to increase toward CSIRO's 1,700 GL if monitoring supports it
- A **groundwater allocation limit of at least 170 GL/year** (CSIRO's sustainable yield)

Governmental barriers to development

The PGA would also like to draw attention to the significant practical barriers that currently prevent pastoralists from taking up existing groundwater allocations. The Minister for Water has noted that there are currently unused groundwater allocations. The reason for this is not a lack of interest in development; rather, applicants must navigate multiple regulatory approvals across several agencies without a clear step-by-step process, creating unnecessary cost, delay and uncertainty.

For a pastoral business to establish a new groundwater source (bore) there is the cost of: drilling, flow testing, and equipping, long before the ongoing operational costs are incurred. The hydrogeological knowledge of the region is incomplete, meaning that drilling a new bore does not guarantee supply.

Added to this is the list of regulatory processes and procedures that need to be followed. Currently there is no clearly articulated, step-by-step explanation of the regulatory requirements. These require approvals from more than one government department, which further complicates the process. There is also the risk of government departments contravening each other, or creating a process loop that prevents an application from moving forward.

From the outset, seeking a groundwater licence is prohibitive, with the environmental impact assessment process being extremely expensive. For a pastoral business, the requirement to pay for a water licence application without a clearly articulated step-by-step process (of all possible scenarios and costs associated with these) is a significant deterrent.

Existing forms and guidance are difficult to navigate, particularly for applicants without specialist regulatory expertise.

If the government genuinely wants to support economic development in the Fitzroy Basin, we would respectfully suggest that it should facilitate easier processes and consider covering the costs of regulatory imposts (such as EIAs). Having dedicated staff who can guide applicants through the process would be a good start.

3: The plan does not adequately align with State and Federal economic development strategies

The **Kimberley Regional Investment Blueprint** identifies agriculture, infrastructure, indigenous economic participation and regional development as strategic priorities.

Through this blueprint, the Premier's Economic Development Strategy for the Kimberley explicitly identifies job creation and economic diversification as priorities. The Fitzroy catchment – with its abundant water, suitable soils (up to 5.4 million hectares of Class 3 irrigable land), and strategic location – is a natural focus for agricultural development. Agricultural development could support and empower many Indigenous people, not just through direct on-station employment but in the many associated jobs throughout the whole supply chain.

This draft plan actively works against those objectives. It effectively locks away the very resource (water) that could enable the job creation and economic activity the Premier's strategy seeks.

The draft plan makes no reference to the **Commonwealth's Northern Australia development agenda**, including:

- The **Northern Australia Infrastructure Facility** (NAIF)
- The **White Paper on Developing Northern Australia**
- The current **Joint Standing Committee on Northern Australia inquiry into "Preparing for emerging industries across Northern Australia"** (submissions closed 30 January 2026, reporting 28 October 2026)

The Commonwealth's Northern Australia agenda similarly prioritises export industries, infrastructure and First Nations economic participation.

Water is the fundamental input for all these objectives. A water plan that prohibits water use is difficult to reconcile with a Commonwealth agenda that seeks to develop northern Australia.

4: Indigenous Economic Development – a need for a proper policy framework

The draft plan proposes a Fitzroy-Derby Aboriginal Water Holding of approximately 25 GL/year. While the PGA does not oppose Aboriginal economic development, we have serious concerns about the process:

1. **There is no WA policy framework for Aboriginal Water Reserves.** The NT Government developed a Discussion Paper (2017), conducted community consultation, and then published a Strategic Aboriginal Water Reserve Policy Framework. WA, however, is attempting to implement the same concept without any proper policy process.
2. **The basis for the proposed 30% allocation is not explained.** It is being promulgated across WA without local or regional justification.

3. The draft plan may create **commercial circumstances** in which access to water is contingent upon partnership arrangements rather than open competitive access.

We recommend:

- A **moratorium on additional Aboriginal Water Reservations** until a proper WA policy framework is developed, using the NT process as an exemplar
- That the Aboriginal Water Holding be held in reserve and only released when Indigenous groups have developed specific project proposals – not used as a tool to force joint ventures

5: Differential regulatory framework – Kimberley vs. Pilbara

While the Fitzroy documents do not directly address the Pilbara, the PGA observes that the government applies a fundamentally different regulatory standard in the two regions:

- **In the Kimberley**, agriculture is effectively prohibited from accessing surface water, and groundwater is tightly restricted in the name of precaution.
- **In the Pilbara**, mining companies are granted groundwater licences in hundreds of gigalitres per year, even where extraction demonstrably depletes pastoral bores used for stock watering. The regulatory response is typically "make-good" provisions – compensation for lost water – rather than refusal of the mining licence.

This asymmetry is difficult to justify on hydrological grounds alone. The *Rights in Water and Irrigation Act 1914* provides the Minister with broad discretion. That discretion appears to be exercised differently across regions.

The PGA is concerned that materially different regulatory approaches appear to apply to agricultural development in the Kimberley compared with mining developments in the Pilbara. We request that the government explain the policy basis for this distinction.

Recommendations

The PGA recommends that the Minister for Water:

1. **Adopt science-based allocation limits.** Set an initial surface water allocation of 300 GL/year (with adaptive management to increase toward CSIRO's 1,700 GL if monitoring supports it) and a groundwater allocation of at least 170 GL/year, consistent with CSIRO's calculated sustainable yield. Remove the effective prohibition on new surface water licences and replace it with a transparent, science-based licensing framework.
2. **Implement genuine adaptive management.** Establish a reasonable starting allocation, commit to robust monitoring, and demonstrate a willingness to **increase** allocation if impacts are acceptable, not just decrease.
3. **Publish DWER's own modelling.** Release the modelling that informed the draft plan and conduct and publish a full economic impact assessment of forgone agricultural development.

4. **Develop a proper Aboriginal Water Reservation policy framework.** Place a moratorium on additional Aboriginal Water Reservations until a WA policy framework is developed through public consultation (using the NT process as an exemplar). Water allocation should not be used to force commercial partnerships; the Aboriginal Water Holding should be held in reserve and released only when Indigenous groups have developed specific, viable project proposals.

5. **Reconcile this draft plan with the State and Federal development strategies.** Align this plan with the Premier's Economic Development Strategy for the Kimberley and the Commonwealth's Northern Australia development agenda.

6. **Remove practical barriers to development.** Develop a clear, step-by-step regulatory guide for groundwater licence applications, with dedicated staff to assist applicants through the process, and consider covering the costs of regulatory imposts such as EIAs to genuinely support economic development in the region.

7. **Provide a public explanation of regulatory asymmetry.** Explain why water is managed so differently between the Kimberley and the Pilbara, and how this is consistent with the government's duties under the *Rights in Water and Irrigation Act 1914*.

Conclusion

We are grateful to the Minister for Water for the opportunity to meet with him and his policy advisors on June 9, 2026. We also acknowledge the briefing provided by DWER on June 19, 2026.

The PGA supports a science-based water management framework that protects the environmental values of the Fitzroy River while enabling sustainable economic development.

In our view, the draft plan does not yet achieve that balance. We encourage the government to revise the plan so that it better reflects the available science, supports adaptive management and removes unnecessary barriers to responsible development.

Signed:

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