

# Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022

Explanatory notes for SL 2022 No. 107

made under the

*Water Act 2000*

## General Outline

### Short title

*Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022*

### Authorising law

Sections 55 and 56 of the *Water Act 2000*

### Policy objectives and the reasons for them

The objective of this subordinate legislation is to postpone the expiry of the *Water Plan (Fitzroy Basin) 2011* (Water Plan) under section 55 of the *Water Act 2000*.

Under section 55(2) of the *Water Act 2000* if the Minister is preparing a new water plan to replace an existing water plan the Minister may postpone the expiry of the existing plan from time to time but can not postpone the expiry for more than 3 years.

The Water Plan is due to expire on 1 September 2022. While the Water Plan continues to meet its outcomes and objectives, there a number of emerging issues, risks and opportunities which can only be adequately addressed by a Water Plan review and replacement.

The Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022 will postpone the expiry of the Water Plan until 30 August 2025, while a replacement Water Plan is being developed as per the requirements of the *Water Act 2000*.

### Achievement of policy objectives

The policy objectives are achieved through the notice, which is declared to be subordinate legislation under section 56(2) of the *Water Act 2000*.

## **Consistency with policy objectives of authorising law**

This notice is consistent with the objectives of the *Water Act 2000*.

## **Inconsistency with policy objectives of other legislation**

The subordinate legislation is not inconsistent with the policy objectives of other legislation, including the *Human Rights Act 2019*.

## **Alternative ways of achieving policy objectives**

The *Water Act 2000* sets out the framework for amending a water plan. There are no alternative means for achieving the policy objectives.

## **Benefits and costs of implementation**

Implementation of the *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022* will ensure that the Water Plan does not expire prior to being replaced and will continue to provide for the sustainable use of water in the Fitzroy Water Plan area.

There are no costs associated with the implementation of this notice.

## **Consistency with fundamental legislative principles**

The Water Plan, which is subordinate legislation, is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

## **Consultation**

Consultation is not required for a Postponement of Expiry Notice published under section 55(2) of the *Water Act 2000*. However the development of a replacement Water Plan will be subject to the consultation provisions of the *Water Act 2000*.

The Department of Regional Development, Manufacturing and Water (DRDMW) lodged a proposal with the Office of Best Practice Regulation (OBPR), Queensland Treasury, submitting that the Water Plan should be exempt from the Regulatory Impact Assessment process.

OBPR issued a letter of evaluation supporting the DRDMW's proposal. OBPR considers that the proposal will not add to the burden of regulation. No further regulatory impact analysis is required under the Queensland Government Guide to Better Regulation.

## Notes on provisions

Clause 1 states that this notice may be cited as the *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022*.

Clause 2 states that for section 56(1) of the Act, the new expiry date for the Water Plan, as postponed under section 55 of the *Water Act 2000*, is 30 August 2025.

Clause 3 states that this notice expires on 31 August 2025.

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