

Water Plan (Fitzroy Basin) Amendment Plan 2022

Explanatory notes for SL 2022 No. 119

made under the

Water Act 2000

General Outline

Short title

Water Plan (Fitzroy Basin) Amendment Plan 2022

Authorising law

Sections 42, 47, 48, 50, 51, 1259 and 1264 of the *Water Act 2000*

Policy objectives and the reasons for them

Section 50(1)(a) of the *Water Act 2000* (Water Act) provides for the Minister to amend a water plan for any part of Queensland to advance the sustainable management of water.

The objective of the *Water Plan (Fitzroy Basin) Amendment Plan 2022* (amendment plan) is to amend the definitions for the high and medium priority groups for the Rookwood Weir Water Supply Scheme. These amendments better reflect the security of supply for water allocation holders in different parts of the Rookwood Weir Water Supply Scheme.

Achievement of policy objectives

The amendment plan will amend schedule 7, part 1, section 3A to:

- amend the reference to high priority groups upstream of Rookwood Weir to be any location within the Rookwood Weir Water Supply Scheme; and

- amend the reference to the medium priority group for terminology consistency with the Lower Fitzroy and Fitzroy Barrage water supply schemes.

Consistency with policy objectives of authorising law

The subordinate legislation is consistent with the main objectives of the Water Act, which is to provide a framework for the 'sustainable management of Queensland's water resources'.

Inconsistency with policy objectives of other legislation

The subordinate legislation is not inconsistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

The Water Act 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 amendment plan will provide the following benefits, which include:

- enabling high priority water allocations located downstream of Rookwood Weir.
- creating consistency for the description of medium priority water allocations with other water supply schemes on the Fitzroy River.

There are no costs associated with the implementation of this amendment plan.

Consistency with fundamental legislative principles

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

Consultation

The Office of Best Practice Regulation (OBPR) was consulted under the *Queensland Government Guide to Better Regulation* to determine if further assessment was required for the amendment plan under the Regulatory Impact Analysis (RIA) system. OBPR advised that the amendments will not add to the burden of regulation, therefore no further assessment under the RIA system is required.

DRDMW has consulted with Sunwater as the requester of the amendment and the Rockhampton Regional Council (RRC), who were advised that the amendments will not impact urban water security supply from the Fitzroy Barrage. RRC raised no concerns with the amendment plan.

Section 51(2)(a) of the Water Act enables an amendment of a type stated in a water plan as not requiring public consultation and submissions on a draft of the plan if the Minister reasonably believes the amendment will not adversely affect the rights of the water entitlement holders or natural ecosystems. Section 151 of the Fitzroy water plan states the types of amendments which can be made to the water plan under section 51(2)(a) of the Water Act. Subsections 151(b), (e) and (f) are relevant for the types of amendments being made to the Water Plan under this amendment plan.

Notes on provisions

Clause 1 states that this plan may be cited as the Water Plan (Fitzroy Basin) Amendment Plan 2022.

Clause 2 states that this plan commences on the date it is notified.

Clause 3 states that this plan amends the Water Plan (Fitzroy Basin) 2011.

Amendments schedule 7, part 1, section 3A

Clause 4 subsection (1) replaces the reference to 'a high priority group upstream of Rookwood Weir' with 'the high priority group', as a water allocation may be in a high priority group anywhere within the Rookwood Weir Water Supply Scheme.

Clause 4 subsection (2) replaces the reference to 'a medium priority group upstream or downstream of Rookwood Weir' with 'the medium priority group' for consistency with the description of medium priority groups for the Lower Fitzroy and Fitzroy Barrage water Supply Schemes.