

Water Plan (Barron) (Postponement of Expiry) Notice 2022

Explanatory notes for SL 2022 No. 193

made under the

Water Act 2000

General Outline

Short title

Water Plan (Barron) (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 (Barron) 2002 (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 cannot postpone the expiry for more than 3 years.

The Water Plan (Barron) (Postponement of Expiry) Notice 2022 will postpone the expiry of the Water Plan until 30 June 2023, while a replacement Water Plan is being developed as per the requirements of the *Water Act 2000*.

The postponement will ensure that the effect of the Water Plan continues the existing water management framework, which in turn protects the existing water entitlements and the needs of the environment until a replacement plan comes into effect.

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 this notice will continue to provide for the sustainable use of water in the Water Plan area and there are no associated costs.

Consistency with fundamental legislative principles

The notice, 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 (RDMW) 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 RDMW'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 (Barron) (Postponement of Expiry) Notice 2022.

Clause 2 states that for section 56(1) of the Act, the new expiry date for the Water Plan (Barron) 2002, as postponed under section 55 of the Act, is 30 June 2023.

Clause 3 states that this notice expires on 1 July 2023.

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