

Water Plan (Burdekin Basin) (Postponement of Expiry) Notice 2023

Explanatory notes for SL No. 103

made under the

Water Act 2000

General Outline

Short title

Water Plan (Burdekin Basin) (Postponement of Expiry) Notice 2023

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 (Burdekin Basin) 2007 (the Water Plan) under section 55 of the *Water Act 2000*.

Section 55(2) provides for the Minister to postpone the expiry of an existing plan while the plan is being replaced from time to time but cannot postpone the expiry for more than 3 years.

The Water Plan (Burdekin Basin) 2007 is due to expire on 1 September 2023. On 10 March 2023, notice was given under section 44 of the *Water Act 2000* that the Minister for Regional Development and Manufacturing and the Minister for Water proposed to replace the Water Plan (Burdekin Basin) 2007. While the Water Plan continues to meet its outcomes and objectives, there are several emerging issues, risks and opportunities which can only be adequately addressed via a plan review.

The Water Plan (Burdekin Basin) (Postponement of Expiry) Notice 2023 will postpone the expiry of the Water Plan until 1 September 2026, 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

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 (Burdekin Basin) (Postponement of Expiry) Notice 2023 will ensure that the Water Plan does not expire, therefore continuing to provide for the sustainable use of water in the Burdekin Basin water plan area.

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

Consistency with fundamental legislative principles

This 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*.

Notes on provisions

Clause 1 states that this notice may be cited as the Water Plan (Burdekin Basin) (Postponement of Expiry) Notice 2023.

Clause 2 states that for section 56(1) of the Act, the new expiry date for the Water Plan (Burdekin Basin) 2007, as postponed under section 55 of the Act, is 1 September 2026.

Clause 3 states that this notice expires on 2 September 2026.

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