

Water Plan (Wet Tropics) (Postponement of Expiry) Notice 2024

Explanatory notes for SL 2024 No. 190

made under the

Water Act 2000

General Outline

Short title

Water Plan (Wet Tropics) (Postponement of Expiry) Notice 2024

Authorising law

Section 54 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 (Wet Tropics) 2013 (Water Plan) under section 54 of the *Water Act 2000*.

The Water Plan is due to expire on 1 September 2024, and under section 49 of the *Water Act 2000* a Minister's Performance Assessment Report was published on 14 June 2024. This report determined that the Water Plan and its implementation continues to be effective in achieving most of the outcomes and advancing the sustainable management of water resources in the water plan area.

Postponing the expiry of the water plan until 1 December 2032 will ensure that sustainable water management arrangements remain in place for water users in the plan area. It will also allow the Department of Regional Development, Manufacturing and Water (the department) to undertake additional assessment of the plan outcomes and where appropriate, address identified current and emerging issues as part of future plan review process prior to the plan's proposed expiry on 1 December 2032.

There are no expected adverse impacts of the postponement of plan expiry on water users, cultural values, or the environment.

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

The 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. The subordinate legislation is compatible with the human rights protected by 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

The implementation of the Water Plan (Wet Tropics) (Postponement of Expiry) Notice 2024 will ensure that the Water Plan does not expire, therefore continuing to provide for the sustainable use of water in the Water Plan area.

There are no costs associated with implementation of this notice.

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

A notice outlining the proposed new expiry date for the plan and the reasons for the proposed postponement was published on the department's website on 14 June 2024 inviting the public to make submissions. The submission period closed on 15 July 2024. The submissions were considered by the Minister for Regional Development, Manufacturing and Minister for Water in making the decision to postpone the expiry of the Water Plan.

Notes on provisions

Clause 1 states that this notice may be cited as the Water Plan (Wet Tropics) (Postponement of Expiry) Notice 2024.

Clause 2 states that for section 56(1) of the *Water Act 2000*, the new expiry date for the Water Plan (Wet Tropics) 2013, as postponed under section 54 of the *Water Act 2000*, is 1 December 2032.

Clause 3 states that this notice expires on 2 December 2032.