

Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022 Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Glenn Butcher, Minister for Regional Development and Manufacturing and Minister for Water provide this human rights certificate with respect to the *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022* made under the *Water Act 2000*.

In my opinion, the *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022* postpones the expiry of the *Water Plan (Fitzroy Basin) 2011* until 30 August 2025.

The Postponement of Expiry Notice is made under section 55 of the *Water Act 2000* where the expiry date of a water plan can be postponed while a water plan is being replaced. The process to replace the Fitzroy Basin Water Plan commenced on 28 July 2022 with the publishing of the Preliminary Public Consultation notice made under section 44 of the *Water Act 2000*.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022* does not raise any human rights issues.

The Postponement of Expiry Notice has been prepared under section 55 of the *Water Act 2000* and will ensure that the water plan continues the effect of the current water plan. This will ensure existing water access rights and environmental water requirements within the plan area continue to be met while a new water plan is developed and finalised.

A Preliminary Public Consultation Notice stating the intention to replace the *Water Plan (Fitzroy Basin) 2011* with a new water plan has been released for public submissions under section 44 of the *Water Act 2000* on 28 July 2022. This preliminary consultation phase seeks to include and engage all stakeholders and interested parties within the Fitzroy Basin plan area into development of the new water plan.

The postponement of the *Water Plan (Fitzroy Basin) 2011* by the *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022* until 30 August 2025 will provide for sufficient time for

the development – including consultation - and finalisation of the new water plan under the *Water Act 2000*.

Conclusion

I consider that the *Water Plan (Fitzroy Basin) (Postponement of Expiry) Notice 2022* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

GLENN BUTCHER MP
MINISTER FOR REGIONAL DEVELOPMENT AND MANUFACTURING AND
MINISTER FOR WATER

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