

Water Plan (Mary Basin) (Postponement of Expiry) Notice 2021

Explanatory notes for SL 2021 No 49

made under the

Water Act 2000

General Outline

Short title

Water Plan (Mary Basin) (Postponement of Expiry) Notice 2021

Authorising law

Section 55 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 (Mary Basin) Plan 2006.

The Minister for Regional Development and Manufacturing and Minister for Water formally commenced the water planning process to replace the Water Plan (Mary Basin) 2006 with the release of the Preliminary Public Consultation notice on 27 May 2021. Postponing the expiry of the water plan until 28 May 2024 will allow the department to complete technical assessments and undertake adequate consultation to address current and emerging issues as part of the replacement process.

There are no expected adverse impacts of the postponement of plan expiry on water users 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 notice 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*.

Benefits and costs of implementation

The subordinate legislation will provide for the continued use of all existing water entitlements authorised under the *Water Act 2000* and for all water management arrangements in the Water Plan (Mary Basin) 2006 to continue until the water plan is replaced as part of the water planning process commenced on 27 May 2021.

There are no costs associated with implementation of this notice.

Consistency with fundamental legislative principles

The notice is consistent with fundamental legislative principles.

Consultation

The preliminary public consultation notice was released on 27 May 2021 to formally commence the process to replace the Water Plan (Mary Basin) 2006 and outlined the proposed arrangements for consultation. The public submission period closes on 30 July 2021 and these submissions will be considered in drafting the replacement Water Plan (Mary Basin) 2006.

Water supply scheme operators and other key stakeholders in the plan area have been consulted on the replacement process and the requirement to postpone the expiry of the plan to allow for technical assessment and adequate consultation to occur.

The Office of Best Practice Regulation has previously been consulted in relation to this type of notice and has confirmed that a Regulatory Impact Statement is not required.