

# **Water Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025**

Explanatory notes for SL 2025 No. 98

made under the *Water Act 2000*

## **General Outline**

### **Short title**

Water Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025.

### **Authorising law**

Sections 55 and 56 of the *Water Act 2000* (the Act).

### **Policy objectives and the reasons for them**

The objective of this subordinate legislation is to postpone the expiry of the Water Resource (Whitsunday) Plan 2010 (the water plan) under section 55 of the Act.

Under section 55(2) of the Act 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 three years.

The Water Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025 (POE Notice) will postpone the expiry of the Water Plan until 30 September 2028, while a replacement water plan is being developed as per the requirements of the Act.

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 Act.

### **Consistency with policy objectives of authorising law**

This notice is consistent with the objectives of the Act.

### **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 Act 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 while a replacement water plan is developed 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 POE Notice published under section 55(2) of the Act. However, the development of a replacement water plan will be subject to the consultation provisions of the Act.

The Department of Local Government, Water and Volunteers (the department) will submit a regulatory impact assessment for this process with the Office of Best Practice Regulation (OBPR), Queensland Treasury.

## **Notes on provisions**

Clause 1 states that this notice may be cited as the Water Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025.

Clause 2 states that for section 56(1) of the Act, the new expiry date for the Water Resource (Whitsunday) Plan 2010, as postponed under section 55 of the Act, is 30 September 2028.

Clause 3 states that this notice expires on 01 October 2028.