

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

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, Ann Leahy, Minister for Local Government and Water and Minister for Fire, Disaster Recovery and Volunteers provide this human rights certificate with respect to the Water Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025 made under the *Water Act 2000*.

In my opinion, the Water Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025, 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 Resource (Whitsunday) Plan (Postponement of Expiry) Notice 2025 (the POE Notice) is subordinate legislation published under section 56(1) of the *Water Act 2000* (the Act) and postpones the expiry of the Water Resource (Whitsunday) Plan 2010 (the water plan) until 30 September 2028. This will ensure that sustainable water management arrangements remain in place for the Water Plan area's water users after the current expiry date of 01 December 2025.

The POE Notice is made under section 55 of the Act where the expiry date of a water plan can be postponed while the water plan is being replaced, but it is not subject to a public consultation process.

Human Rights Issues

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

The decision of the Minister to postpone the expiry of the water plan until 30 September 2028 to prepare a new replacement water plan does not limit any human rights.

The postponement of the expiry of the water plan until 30 September 2028 stated under the POE Notice will preserve the existing water management framework under the water plan while providing more time to prepare the new water plan under the Act.

Conclusion

I consider that the Plan POE Notice is compatible with the *Human Rights Act 2019* because it does not limit human rights.

ANN LEAHY MP
MINISTER FOR LOCAL GOVERNMENT AND WATER AND MINISTER FOR FIRE, DISASTER
RECOVERY AND VOLUNTEERS

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