



Australian Government
Bureau of Meteorology

***Water Regulations 2008*—Policy for updating the list of commercially sensitive sites**



Release history

Date	Version	Status	Owner
March 2016	1.0	Final	Water Accounting and Regulations Section regulations@bom.gov.au

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Foreword

The Bureau of Meteorology administers Part 7 (Water Information) of the *Water Regulations 2008* (the Regulations). Part 7 sets out details for provision of water information to the Bureau, as required in the *Water Act 2007*. It defines who must give specified water information to the Bureau, and the time and format in which it must be given.

The Regulations individually name over 200 organisations required to give the Bureau specified water information that is in their possession, custody or control. For reasons of commercial sensitivity, the Regulations provide for hydroelectricity generators named in Category C to give their water information in a particular form and at timeframes that protect the public interest. This water information is from sites listed in the document *Commercially Sensitive Sites* which is incorporated by reference in the Regulations.

The Bureau is conscious that organisations incur costs in order to comply with these requirements. It seeks to minimise the impacts of changes to legislative requirements and foster a cooperative approach with data providers that is transparent and treats data providers equally.

To this end, the Bureau has developed a framework to formalise and communicate a consistent approach to maintaining and developing Part 7 of the Regulations. The framework involves a three tiered architecture consisting of principles, policies and procedures.

- **Principles** are high level, strategic and enduring. They represent our values in relation to legislative requirements affecting stakeholder organisations. They frame the strategic development of the underlying policies.
- **Policies** are rules and protocols which are practical in nature and dictate how we will manage particular aspects of the legislative requirements.
- **Procedures** are internal documents that help us implement the published policies. They contain additional detail relevant to Bureau personnel who are responsible for implementing them.

The Bureau has policies and procedures for each of the activities involved in managing the Regulations. These activities include:

1. amending the *Water Regulations 2008*
2. issuing and maintaining the Administrative Instrument
3. maintaining the list of Commercially Sensitive Sites (incorporated document)
4. maintaining the Metadata and Contextual Information Requirements (incorporated document)
5. maintaining the list of Persons and Classes of Persons (incorporated document)
6. versioning and release of the Water Data Transfer Format.

Policy for updating the list of commercially sensitive sites in the *Water Regulations 2008*

Policy

The Bureau of Meteorology:

1. Will operate in accordance with each of the overarching principles for developing and maintaining Part 7 of the *Water Regulations 2008*. The principles are published at <http://www.bom.gov.au/water/regulations/principlesPolicies.shtml>
2. Will review the *Commercially Sensitive Sites* document every two years and assess whether sites should continue to be listed
3. Before making changes to the *Commercially Sensitive Sites* document (adding or removing sites), will:
 - consult with and consider the views of the organisation that owns the site, including any impact on the site owner which may arise from the change
 - consider the reasons (those of both the Bureau and the site owner) for adding or removing the site
 - consider the importance of the information from the site to Bureau water information products
 - consider whether publication of current water information from the site would be in the public interest
 - make a reasoned assessment of the likelihood of commercial damage on a person or organisation, or distortion of market outcomes arising from provision and publication of current water information from the site, taking into account any mitigating effects of delaying publication
4. Will give site owners adequate notice of, and reasonable opportunity to respond to, a proposal to remove sites from the list
5. When sites are added to or removed from the list, the Bureau will provide information to the site owner to explain associated requirements for provision of the water information from the site
6. Will formally advise affected water information providers when the Bureau publishes an updated *Commercially Sensitive Sites* document
7. Will ensure that its website always shows the version of the *Commercially Sensitive Sites* document that lists the current names of sites designated as commercially sensitive
8. Will publish and maintain an online register of all the accumulated changes made to the site names in the *Commercially Sensitive Sites* document.

Policy for updating the list of commercially sensitive sites in the *Water Regulations 2008*

Definitions

Commercially Sensitive Sites means the document of that name located on the Bureau's website at:

<http://www.bom.gov.au/water/regulations/schedules/sensitiveSites.shtml>.

This document is incorporated by reference in the Regulations (Regulation 1.06 refers)

Persons means all individuals, trusts, companies and corporations as well as agencies of state, territory or Australian governments, required to give water information to the Bureau

Regulations means the *Water Regulations 2008*

Category C persons are a category of organisations named in the Regulations that include major hydroelectricity generators.

Date of effect

This policy takes effect on 11 March 2016.

Review date

This policy is due for review by March 2018.

Who is affected?

This policy applies to existing and potential water information providers named in Person Category C of the Regulations, and those in the Bureau who have a role in developing and managing the *Commercially Sensitive Sites* document.

Rationale

Some of the water information provided to the Bureau may be commercially sensitive, in the sense that its disclosure may be commercially damaging to a person (not necessarily the person who provided the information to the Bureau). The Regulations provide for hydroelectricity generators named in Category C to give their water information in a particular form and at timeframes that protect the public interest.

Contact

For more information on this policy, contact: regulations@bom.gov.au

Related documents

[Bureau of Meteorology principles for developing and maintaining Part 7 of the *Water Regulations 2008*](#)

[The Australian Government Guide to Regulation](#)

Availability

This policy is published on the Bureau's website at:

<http://www.bom.gov.au/water/regulations/principlesPolicies.shtml>
