

Water and Soil Conservation Amendment Act 1987 203

Commenced: 1 Apr 1988

ANALYSIS

Title

1 Short Title and commencement

2 Costs of managing water resources

1 Short Title and commencement

1. Short Title and commencement-(1) This Act may be cited as the Water and Soil Conservation Amendment Act 1987, and shall be read together with and deemed part of the Water and Soil Conservation Act 1967 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of April 1988.

2 Costs of managing water resources

24K 2. Costs of managing water resources-(1) The principal Act is hereby amended by repealing sections 24K and 24KA, and substituting the following section: (1) For the purpose of defraying the costs of the administration, monitoring, and supervision of rights and the costs of carrying out its functions under section 20 (5) (c), (ca), and (d) to (i) of this Act, the Board, by special order, may from time to time fix scales of charges recoverable from the holders of all rights in respect of natural water within its region granted on application or otherwise authorised under this or any other Act, other than authorisations under section 22 of this Act.

(2) In setting a scale of charges the Board shall have regard to

(a) The costs it incurs in respect of different catchments and areas; and

(b) The likely benefits to the holders of different classes of right and to other persons or categories of person; and

(c) The effects of the exercise of the rights on the water and soil resource; and

(d) The extent to which the administration, monitoring, and supervising of the exercise of rights is necessary to ensure that the conditions, restrictions, or prohibitions to which rights are subject are being complied with; and

(e) Any monitoring and catchment management carried out by the holders of rights pursuant to any lawful requirement of the Board.

(3) Every special order under subsection (1) of this section shall be made in the manner set out in section 113 of the Local Government Act 1974; and the provisions of that section, with the necessary modifications, shall apply accordingly.

(4) Every copy of a resolution made pursuant to subsection (1) of this section and deposited in accordance with section 113 (1) (c) of the Local Government Act 1974 shall have attached to it a statement, signed by the Secretary to the Board, setting out the principles upon which the scale of fees is based.

(5) Every scale of fees fixed under this section shall come into force on such date as may be specified in the resolution, being a date not earlier than the date on which the resolution is confirmed. If no date is so specified the scale of fees shall come into force on the date on which the resolution is confirmed.

(6) Nothing in this section shall apply to any taking or use of natural water authorised by the second proviso to section 21 (1) of this Act.

(2) Section 13 of the Water and Soil Conservation Amendment Act 1983 is hereby consequentially repealed.