

South Australia

Natural Resources Management (Transitional Provisions—Levies) Variation Regulations 2006

under the *Natural Resources Management Act 2004*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Natural Resources Management (Transitional Provisions—Levies) Variation Regulations 2006*.

2—Commencement

These regulations will come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Natural Resources Management (Transitional Provisions—Levies) Regulations 2005*

4—Insertion of regulation 6

After regulation 5 insert:

6—Differentiating factors—section 92

- (1) This regulation applies in relation to the 2006/2007 and 2007/2008 financial years.

- (2) For the purposes of applying subsection (3) of section 92 of the NRM Act in respect of a financial year to which this regulation applies, the following are prescribed as matters to be taken into account by the Minister (if the Minister determines to act under that subsection in relation to the constituent councils of a particular region), namely—
- (a) that the respective shares of those constituent councils with respect to the amount to be paid to the relevant regional NRM board under the board's regional NRM plan may be adjusted so that the share of each council in respect of the financial year (after taking into account any adjustment under paragraph (b)) is approximately equal to the amount contributed (or to be contributed) by the council to the board under Part 8 Division 2 of the *Water Resources Act 1997* in relation to the 2005/2006 financial year, as provided by regulation 5, plus any amount paid (or to be paid) by the council to the board under the scheme established by section 36 of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* in relation to the 6 month period ending on 31 December 2005 and the 6 month period ending on 30 June 2006, as provided by clause 55 of Schedule 4 of the NRM Act, with each of these amounts being adjusted to take into account increases in the CPI—
- (i) during the 12 months ending on 30 September 2005 for the 2006/2007 financial year; and
- (ii) during the 24 months ending on 30 September 2006 for the 2007/2008 financial year;
- (b) insofar as the relevant regional NRM board must recover amounts to cover its liabilities under section 96 of the Act, that the respective shares of those constituent councils with respect to the amount to be paid to the board under the board's regional NRM plan may be adjusted so that the share of each council in respect of the financial year—
- (i) takes into account the amount (if any) that the council is intending to recover under section 96 of the Act in relation to the financial year; or
- (ii) takes into account the number of rateable properties in the area of each council (being properties that are also situated in the relevant NRM region).

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 8 June 2006

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