

Local Government Amendment (Stormwater) Bill 2005

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Local Government Act 1993* (the **Principal Act**) to allow councils to levy an annual charge for stormwater management services.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the amendments to the *Local Government Act 1993* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] inserts section 496A in the Principal Act. The proposed section provides that a council may levy an annual charge for the provision of stormwater management services to certain land.

Schedule 1 [4] inserts section 510A in Part 2 (Limit of annual income from rates and charges) of Chapter 15 of the Principal Act. The proposed section provides that the regulations are to prescribe the maximum amount that a council may charge for stormwater management services. **Schedule 1 [2]** amends section 505 of the Principal Act to provide that annual charges for stormwater management services are not part of the general income of a council for the purposes of Part 2 of Chapter 15 of the Principal Act.

Schedule 1 [8] inserts a definition of **stormwater management service** in the Dictionary to the Principal Act. The term is defined to mean a service to manage the quantity or quality, or both, of stormwater that flows off land, and to include a service to manage the re-use of stormwater for any purpose.

Schedule 1 [3] and [5]–[7] make other consequential amendments.