

**RIVERS AND FORESHORES IMPROVEMENT
(AMENDMENT) ACT 1986 No. 202**

NEW SOUTH WALES



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**RIVERS AND FORESHORES IMPROVEMENT (AMENDMENT)
ACT 1986 No. 202**

NEW SOUTH WALES



Act No. 202, 1986

An Act to amend the Rivers and Foreshores Improvement Act 1948 as a consequence of the enactment of the Water Administration Act 1986; and for other purposes. [Assented to 18 December 1986]

Rivers and Foreshores Improvement (Amendment) 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Rivers and Foreshores Improvement (Amendment) Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the commencement of the Water Administration Act 1986.

Amendment of Act No. 20, 1948

3. The Rivers and Foreshores Improvement Act 1948 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

**AMENDMENTS TO THE RIVERS AND FORESHORES
IMPROVEMENT ACT 1948**

(1) Section 2 (**Interpretation**)—

(a) Definition of "Commission"—

Omit the definition.

(b) Definition of "Constructing Authority"—

From paragraph (b), omit "Commission", insert instead "Ministerial Corporation".

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SCHEDULE 1—*continued*

AMENDMENTS TO THE RIVERS AND FORESHORES
IMPROVEMENT ACT 1948—*continued*

(c) Definition of “Ministerial Corporation”—

After the definition of “District”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(2) Section 8 (**Constitution of Rivers and Foreshores Improvement Board**)—

(a) Section 8 (2) (a)—

Omit “Commission”, insert instead “Department of Water Resources”.

(b) Section 8 (2) (d)—

Omit “Commission”, insert instead “Department of Water Resources”.

(c) Section 8 (3)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(d) Section 8 (9)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(3) Section 18 (**Rates**)—

Section 18 (1) (a)—

Omit “as prescribed”, insert instead “at the prescribed times and in the prescribed manner”.

(4) Section 19 (**Rates and contributions**)—

(a) Section 19 (1) (b)—

Omit “at the expiration of 3 months”.

SCHEDULE 1—*continued*AMENDMENTS TO THE RIVERS AND FORESHORES
IMPROVEMENT ACT 1948—*continued*

(b) Section 19 (1) (c)—

Omit the paragraph, insert instead:

(c) Interest shall be calculated on a daily basis and a payment made in respect of contributions, instalments or rates shall be applied first in payment of any interest borne by them.

(5) Section 23A (**Removal of soil from or in proximity to rivers**)—

(a) Section 23A (1), definition of “protected river land”—

Omit the definition, insert instead:

“protected river land” means—

- (a) land that is the bank or bed of a river;
- (b) land that is not more than 40 metres from the top of the bank of a river; or
- (c) material at any time deposited, naturally or otherwise and whether or not in layers, on land referred to in paragraphs (a) and (b);

(b) Section 23A (2) (a)—

After “writing”, insert “in the prescribed form”.

(c) Section 23A (6) (a)—

Omit the paragraph, insert instead—

- (a) under—
 - (i) Part II of the Water Act 1912;
 - (ii) a license, group license, authority or permit in force under that Act; or
 - (iii) an approval in force under Part VIII of that Act;

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SCHEDULE 1—*continued*

AMENDMENTS TO THE RIVERS AND FORESHORES
IMPROVEMENT ACT 1948—*continued*

(d) Section 23A (6) (b)—

Omit “, or of any other Act”.
