

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7 October, 1975.*

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. , 1975.

An Act to provide for the levying of differential rates with respect to residential land; to make further provision with respect to the postponement, in certain circumstances, of rates levied by the Hunter District Water Board; and for these and other purposes to amend the Hunter District Water, Sewerage and Drainage Act, 1938.

BE

Hunter District Water, Sewerage and Drainage (Amendment).

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:—

1. This Act may be cited as the "Hunter District Water, Sewerage and Drainage (Amendment) Act, 1975".

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Sections 4, 5 and 7 shall be deemed to have commenced on 1st July, 1975.

3. The Hunter District Water, Sewerage and Drainage Act, 1938, is, in this Act, referred to as the Principal Act. Principal
Act.

4. (1) In this section—

15 "board" means the Hunter District Water Board;

"company" means a company or foreign company within the meaning of the Companies Act, 1961;

"flat" means flat as defined in section 89A (1) of the Principal Act;

20 "mixed development land" means mixed development land as defined in section 89A (1) of the Principal Act, but does not include—

(a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is owned by a trustee company in the capacity of executor, administrator or trustee; or

25

Differential rates applicable in respect of residential land for the period of 12 months commencing 1st July, 1975.

(b)

Hunter District Water, Sewerage and Drainage (Amendment).

5 (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“residential land” means residential land as defined in section 89A (1) of the Principal Act, but does not include—

10 (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is so owned by a trustee company in the capacity of executor, administrator or trustee; or

15 (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

20 “trustee company” means a trustee company within the meaning of the Trustee Companies Act, 1964, or the Public Trustee.

(2) Subject to section 100 (7) of the Principal Act, subsections (3) and (4) shall apply, in respect only of the 25 period of twelve months commencing on 1st July, 1975, or any part of that period, to and in respect of any water, sewerage or stormwater drainage rates charged by the board—

(a) on residential land on the basis of the unimproved value of that land; or

30 (b) on such part of mixed development land as is residential land on the basis of the unimproved value of that part.

(3)

Hunter District Water, Sewerage and Drainage (Amendment).

(3) The amount of rates payable in respect of residential land, other than residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act, shall be the aggregate of—

- 5 (a) the amount of rates that would result from charging the rate levied by the board on so much of the unimproved value of the land as does not exceed \$7,000;
- 10 (b) the amount of rates that would result from charging one-half of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$7,000 but does not exceed \$14,000; and
- 15 (c) the amount of rates that would result from charging one-quarter of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$14,000.

(4) Where the rate is levied on the unimproved value of—

- 20 (a) residential land, being residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act; or
- (b) such part of mixed development land as is residential land,

25 the amount of rates so levied that is payable in respect of the land shall be the aggregate of the rates that would be payable in respect of all of the flats comprised in the building on the land if each such flat were—

(c)

Hunter District Water, Sewerage and Drainage (Amendment).

5 (c) ratable as a separate parcel of land which had an unimproved value equal to an amount ascertained by dividing the unimproved value of the residential land referred to in paragraph (a) or of the part referred to in paragraph (b) by the number of flats comprised in the building on the land; and

(d) residential land to which subsection (3) relates.

10 (5) If the one-half or one-quarter of the rate referred to in subsection (3) (b) or (c) is an amount that contains more than four decimal places, one-half or one-quarter of that rate shall, for the purposes of subsection (3) (b) or (c), as the case may be, be that amount disregarding the decimal places in excess of four.

15 5. The Principal Act is amended by omitting from paragraph (b) of the definition of "residential land" in section 89A (1) the words "six acres" and by inserting instead the matter "2.5 hectares".
Amend-
ment of
Act No. 11,
1938.
Sec. 89A.
(Interpreta-
tion.)

6. The Principal Act is further amended by inserting after section 100 the following section :—
Further
amendment
of Act No.
11, 1938.
Sec. 100AA.

20 100AA. Where the board, in respect of the period of twelve months commencing on 1st July, 1976, or any subsequent period of twelve months commencing on 1st July, determines that any water, sewerage or stormwater drainage rate shall be levied on the assessed annual value or the unimproved value of any residential land, or of
25 that part of any mixed development land which is

residential

Hunter District Water, Sewerage and Drainage (Amendment).

residential land, the board may, by the resolution by which it makes that determination or by a subsequent resolution, determine that that rate shall differ according to any one or more of the following factors :—

- 5 (a) the amount of the assessed annual value or the unimproved value of the land ;
- (b) the class or description of the land ; or
- (c) any other prescribed factor,
- 10 and the rates in respect of that land shall be payable accordingly.

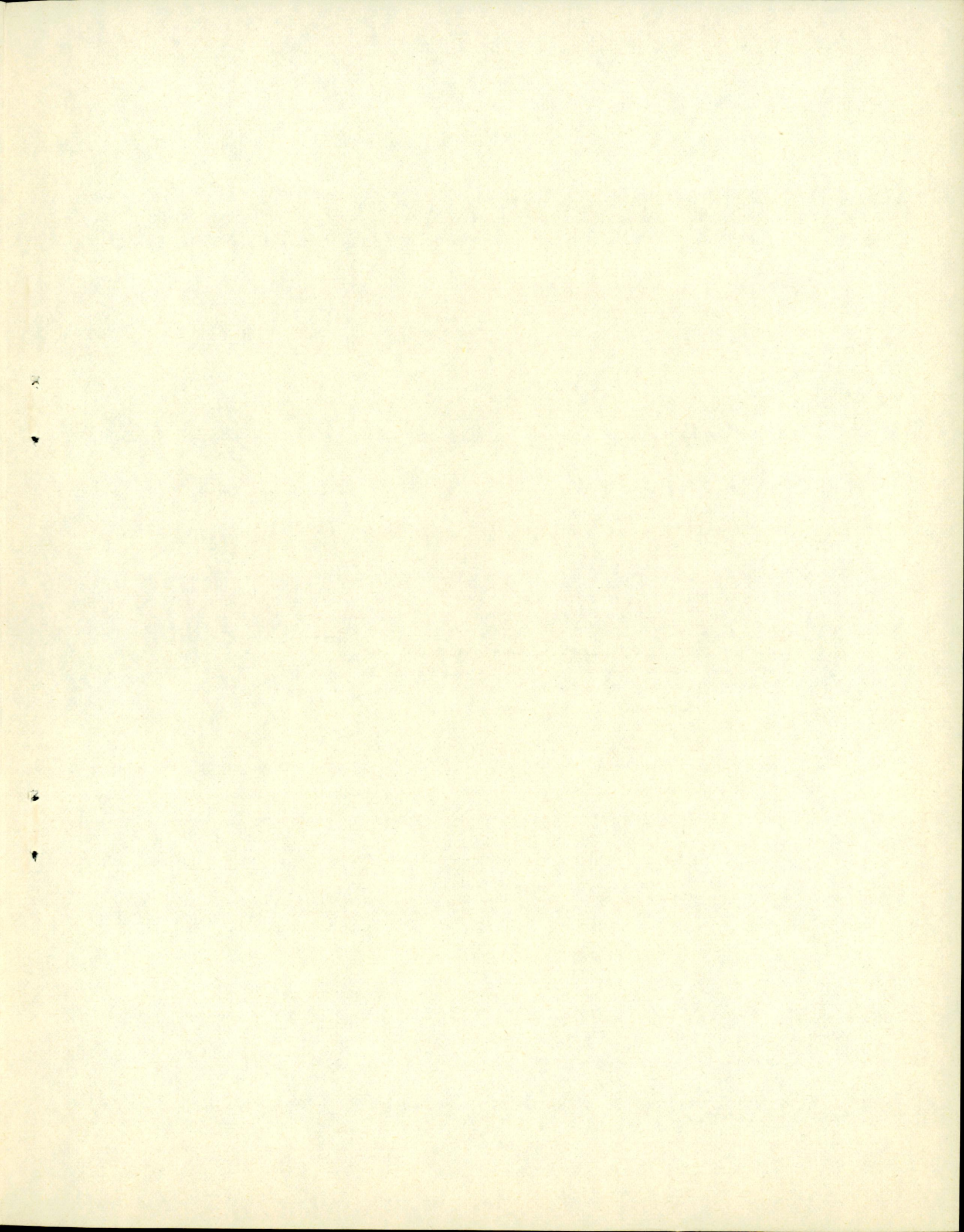
7. The Principal Act is further amended by omitting section 104B (7) and by inserting instead the following subsection :—

Further amendment of Act No. 11, 1938. Sec. 104B. (Power to reduce rates.)

- 15 (7) The board shall postpone payment of such part of the rates levied in any rating year to which a determination or redetermination under subsection (2) or (5) relates as remains after calculating the amount of rates that would be payable in respect of that part of the unimproved value of the land other than the attributable
- 20 part and deducting the amount so calculated from the whole amount of the rates so levied.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975
[8c]



No. , 1975.

A BILL

To provide for the levying of differential rates with respect to residential land; to make further provision with respect to the postponement, in certain circumstances, of rates levied by the Hunter District Water Board; and for these and other purposes to amend the Hunter District Water, Sewerage and Drainage Act, 1938.

[MR PUNCH—16 September, 1975.]

BE

Hunter District Water, Sewerage and Drainage (Amendment).

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:—

1. This Act may be cited as the "Hunter District Water, Sewerage and Drainage (Amendment) Act, 1975".

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

Commencement.

(2) Sections 4, 5 and 7 shall be deemed to have commenced on 1st July, 1975.

3. The Hunter District Water, Sewerage and Drainage Act, 1938, is, in this Act, referred to as the Principal Act.

Principal Act.

4. (1) In this section—

"board" means the Hunter District Water Board;

"company" means a company or foreign company within the meaning of the Companies Act, 1961;

"flat" means flat as defined in section 89A (1) of the Principal Act;

"mixed development land" means mixed development land as defined in section 89A (1) of the Principal Act, but does not include—

Differential rates applicable in respect of residential land for the period of 12 months commencing 1st July, 1975.

(a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is owned by a trustee company in the capacity of executor, administrator or trustee; or

(b)

Hunter District Water, Sewerage and Drainage (Amendment).

5 (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“residential land” means residential land as defined in section 89A (1) of the Principal Act, but does not include—

10 (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is so owned by a trustee company in the capacity of executor, administrator or trustee; or

15 (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

20 “trustee company” means a trustee company within the meaning of the Trustee Companies Act, 1964, or the Public Trustee.

(2) Subject to section 100 (7) of the Principal Act, subsections (3) and (4) shall apply, in respect only of the 25 period of twelve months commencing on 1st July, 1975, or any part of that period, to and in respect of any water, sewerage or stormwater drainage rates charged by the board—

(a) on residential land on the basis of the unimproved value of that land; or

30 (b) on such part of mixed development land as is residential land on the basis of the unimproved value of that part.

(3)

Hunter District Water, Sewerage and Drainage (Amendment).

(3) The amount of rates payable in respect of residential land, other than residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act, shall be the aggregate of—

- 5 (a) the amount of rates that would result from charging the rate levied by the board on so much of the unimproved value of the land as does not exceed \$7,000;
- 10 (b) the amount of rates that would result from charging one-half of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$7,000 but does not exceed \$14,000; and
- 15 (c) the amount of rates that would result from charging one-quarter of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$14,000.

(4) Where the rate is levied on the unimproved value of—

- 20 (a) residential land, being residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act; or
- (b) such part of mixed development land as is residential land,

the amount of rates so levied that is payable in respect of the
25 land shall be the aggregate of the rates that would be payable in respect of all of the flats comprised in the building on the land if each such flat were—

(c)

Hunter District Water, Sewerage and Drainage (Amendment).

5 (c) ratable as a separate parcel of land which had an unimproved value equal to an amount ascertained by dividing the unimproved value of the residential land referred to in paragraph (a) or of the part referred to in paragraph (b) by the number of flats comprised in the building on the land; and

(d) residential land to which subsection (3) relates.

(5) If the one-half or one-quarter of the rate referred to in subsection (3) (b) or (c) is an amount that contains 15 more than four decimal places, one-half or one-quarter of that rate shall, for the purposes of subsection (3) (b) or (c), as the case may be, be that amount disregarding the decimal places in excess of four.

5. The Principal Act is amended by omitting from 15 paragraph (b) of the definition of "residential land" in section 89A (1) the words "six acres" and by inserting instead the matter "2.5 hectares".

Amendment of Act No. 11, 1938. Sec. 89A. (Interpretation.)

6. The Principal Act is further amended by inserting after section 100 the following section :—

Further amendment of Act No. 11, 1938. Sec. 100AA.

20 100AA. Where the board, in respect of the period of twelve months commencing on 1st July, 1976, or any subsequent period of twelve months commencing on 1st July, determines that any water, sewerage or stormwater drainage rate shall be levied on the assessed annual value 25 or the unimproved value of any residential land, or of that part of any mixed development land which is

Power to levy differential rates on value of certain land.

residential

Hunter District Water, Sewerage and Drainage (Amendment).

residential land, the board may, by the resolution by which it makes that determination or by a subsequent resolution, determine that that rate shall differ according to any one or more of the following factors :—

- 5 (a) the amount of the assessed annual value or the unimproved value of the land ;
- (b) the class or description of the land ; or
- (c) any other prescribed factor,

10 and the rates in respect of that land shall be payable accordingly.

7. The Principal Act is further amended by omitting section 104B (7) and by inserting instead the following subsection :—

- 15 (7) The board shall postpone payment of such part of the rates levied in any rating year to which a determination or redetermination under subsection (2) or (5) relates as remains after calculating the amount of rates that would be payable in respect of that part of the unimproved value of the land other than the attributable part and deducting the amount so calculated from the whole amount of the rates so levied.
- 20

Further amendment of Act No. 11, 1938. Sec. 104B. (Power to reduce rates.)

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975

[8c]

...

THE
MUSEUM
OF
THE
CITY OF
NEW YORK

1871

1871

PROOF

**HUNTER DISTRICT WATER, SEWERAGE AND DRAINAGE
(AMENDMENT) BILL, 1975**

EXPLANATORY NOTE

THE object of this Bill is to provide for the levying of differential water, sewerage or stormwater drainage rates on residential land and on that part of mixed development land that is residential land.

The Bill contains the following provisions :—

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 provides that a reference in the proposed Act to "Principal Act" means a reference to the Hunter District Water, Sewerage and Drainage Act, 1938.

Clause 4 provides that, in respect of the rating year 1975–1976, certain rates levied by the Hunter District Water Board on the unimproved value of certain land used wholly or partly as residential land shall be reduced so that the amount payable shall be the aggregate of—

- (a) the amount of rates that would result from the application of the rate levied by the board to so much of the unimproved value as does not exceed \$7,000;
- (b) the amount of rates that would result from the application of one-half of the rate so levied to so much (if any) of the unimproved value as exceeds \$7,000 but does not exceed \$14,000; and
- (c) the amount of rates that would result from the application of one-quarter of the rate so levied to so much (if any) of the unimproved value as exceeds \$14,000.

Clause 5 changes a reference in the definition of "residential land" in section 89A (1) of the Principal Act from "six acres" to "2.5 hectares".

Clause 6 inserts a new section, 100AA, in the Principal Act which will empower the board, for any rating year after 1st July, 1976, to levy differential rates with respect to residential land and with respect to that part of mixed development land that is residential land.

Clause 7 amends section 104B of the Principal Act, which relates to the postponement of payment of part of the rates levied on land on which is erected a single dwelling-house where the land is in an area zoned for industrial, commercial or residential flat purposes. The amendment is necessitated by the amendments being made by clauses 4 and 6 of the Bill.

MINISTRE DES TRAVAUX PUBLICS
LE MINISTRE DES TRAVAUX PUBLICS
LE MINISTRE DES TRAVAUX PUBLICS

Le ministre des Travaux Publics a l'honneur de vous adresser ci-joint le rapport que vous m'avez demandé de lui adresser.

Je vous prie d'agréer, Monsieur le Ministre, l'assurance de ma haute considération.

Le Ministre des Travaux Publics

Le Ministre des Travaux Publics

Le Ministre des Travaux Publics

Le Ministre des Travaux Publics

Le Ministre des Travaux Publics

Le Ministre des Travaux Publics

PROOF

No. , 1975.

A BILL

To provide for the levying of differential rates with respect to residential land; to make further provision with respect to the postponement, in certain circumstances, of rates levied by the Hunter District Water Board; and for these and other purposes to amend the Hunter District Water, Sewerage and Drainage Act, 1938.

[MR PUNCH—16 *September*, 1975.]

BE

Hunter District Water, Sewerage and Drainage (Amendment).

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:—

1. This Act may be cited as the "Hunter District Water, Sewerage and Drainage (Amendment) Act, 1975".

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Sections 4, 5 and 7 shall be deemed to have commenced on 1st July, 1975.

3. The Hunter District Water, Sewerage and Drainage Act, 1938, is, in this Act, referred to as the Principal Act.

4. (1) In this section—

"board" means the Hunter District Water Board;

"company" means a company or foreign company within the meaning of the Companies Act, 1961;

"flat" means flat as defined in section 89A (1) of the Principal Act;

"mixed development land" means mixed development land as defined in section 89A (1) of the Principal Act, but does not include—

- (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is owned by a trustee company in the capacity of executor, administrator or trustee; or

Differential rates applicable in respect of residential land for the period of 12 months commencing 1st July, 1975.

(b)

Hunter District Water, Sewerage and Drainage (Amendment).

5 (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“residential land” means residential land as defined in section 89A (1) of the Principal Act, but does not include—

10 (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is so owned by a trustee company in the capacity of executor, administrator or trustee; or

15 (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

20 “trustee company” means a trustee company within the meaning of the Trustee Companies Act, 1964, or the Public Trustee

(2) Subject to section 100 (7) of the Principal Act, subsections (3) and (4) shall apply, in respect only of the
25 period of twelve months commencing on 1st July, 1975, or any part of that period, to and in respect of any water, sewerage or stormwater drainage rates charged by the board—

(a) on residential land on the basis of the unimproved value of that land; or

30 (b) on such part of mixed development land as is residential land on the basis of the unimproved value of that part.

(3)

Hunter District Water, Sewerage and Drainage (Amendment).

(3) The amount of rates payable in respect of residential land, other than residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act, shall be the aggregate of—

- 5 (a) the amount of rates that would result from charging the rate levied by the board on so much of the unimproved value of the land as does not exceed \$7,000;
- 10 (b) the amount of rates that would result from charging one-half of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$7,000 but does not exceed \$14,000; and
- 15 (c) the amount of rates that would result from charging one-quarter of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$14,000.

(4) Where the rate is levied on the unimproved value of—

- 20 (a) residential land, being residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act; or
- (b) such part of mixed development land as is residential land,

the amount of rates so levied that is payable in respect of the
25 land shall be the aggregate of the rates that would be payable in respect of all of the flats comprised in the building on the land if each such flat were—

(c)

Hunter District Water, Sewerage and Drainage (Amendment).

5 (c) ratable as a separate parcel of land which had an unimproved value equal to an amount ascertained by dividing the unimproved value of the residential land referred to in paragraph (a) or of the part referred to in paragraph (b) by the number of flats comprised in the building on the land; and

(d) residential land to which subsection (3) relates.

10 (5) If the one-half or one-quarter of the rate referred to in subsection (3) (b) or (c) is an amount that contains more than four decimal places, one-half or one-quarter of that rate shall, for the purposes of subsection (3) (b) or (c), as the case may be, be that amount disregarding the decimal places in excess of four.

15 5. The Principal Act is amended by omitting from paragraph (b) of the definition of "residential land" in section 89A (1) the words "six acres" and by inserting instead the matter "2.5 hectares".
Amendment of Act No. 11, 1938. Sec. 89A. (Interpretation.)

6. The Principal Act is further amended by inserting after section 100 the following section :—
Further amendment of Act No. 11, 1938. Sec. 100AA.

20 100AA. Where the board, in respect of the period of twelve months commencing on 1st July, 1976, or any subsequent period of twelve months commencing on 1st July, determines that any water, sewerage or stormwater drainage rate shall be levied on the assessed annual value or the unimproved value of any residential land, or of
25 that part of any mixed development land which is

¹ residential

Hunter District Water, Sewerage and Drainage (Amendment).

residential land, the board may, by the resolution by which it makes that determination or by a subsequent resolution, determine that that rate shall differ according to any one or more of the following factors :—

- 5 (a) the amount of the assessed annual value or the unimproved value of the land ;
- (b) the class or description of the land ; or
- (c) any other prescribed factor,

10 and the rates in respect of that land shall be payable accordingly.

7. The Principal Act is further amended by omitting section 104B (7) and by inserting instead the following subsection :—

Further amendment of Act No. 11, 1938. Sec. 104B.

- 15 (7) The board shall postpone payment of such part of the rates levied in any rating year to which a determination or redetermination under subsection (2) or (5) relates as remains after calculating the amount of rates that would be payable in respect of that part of the unimproved value of the land other than the attributable part and deducting the amount so calculated from the whole amount of the rates so levied.
- 20

(Power to reduce rates.)

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 64, 1975.

An Act to provide for the levying of differential rates with respect to residential land; to make further provision with respect to the postponement, in certain circumstances, of rates levied by the Hunter District Water Board; and for these and other purposes to amend the Hunter District Water, Sewerage and Drainage Act, 1938. [Assented to, 23rd October, 1975.]

BE

Hunter District Water, Sewerage and Drainage (Amendment).

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 "Hunter District Water, Sewerage and Drainage (Amendment) Act, 1975".

Commence- **2.** (1) Except as provided in subsection (2), this Act
ment. shall commence on the date of assent to this Act.

(2) Sections 4, 5 and 7 shall be deemed to have commenced on 1st July, 1975.

Principal **3.** The Hunter District Water, Sewerage and Drainage
Act. Act, 1938, is, in this Act, referred to as the Principal Act.

Differential
rates
applicable
in respect
of residential
land for
the period of
12 months
commencing
1st July,
1975.

4. (1) In this section—

"board" means the Hunter District Water Board;

"company" means a company or foreign company within the meaning of the Companies Act, 1961;

"flat" means flat as defined in section 89A (1) of the Principal Act;

"mixed development land" means mixed development land as defined in section 89A (1) of the Principal Act, but does not include—

- (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is owned by a trustee company in the capacity of executor, administrator or trustee; or

(b)

Hunter District Water, Sewerage and Drainage (Amendment).

- (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“residential land” means residential land as defined in section 89A (1) of the Principal Act, but does not include—

- (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is so owned by a trustee company in the capacity of executor, administrator or trustee; or
- (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“trustee company” means a trustee company within the meaning of the Trustee Companies Act, 1964, or the Public Trustee.

(2) Subject to section 100 (7) of the Principal Act, subsections (3) and (4) shall apply, in respect only of the period of twelve months commencing on 1st July, 1975, or any part of that period, to and in respect of any water, sewerage or stormwater drainage rates charged by the board—

- (a) on residential land on the basis of the unimproved value of that land; or
- (b) on such part of mixed development land as is residential land on the basis of the unimproved value of that part.

(3)

Hunter District Water, Sewerage and Drainage (Amendment).

(3) The amount of rates payable in respect of residential land, other than residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act, shall be the aggregate of—

- (a) the amount of rates that would result from charging the rate levied by the board on so much of the unimproved value of the land as does not exceed \$7,000;
- (b) the amount of rates that would result from charging one-half of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$7,000 but does not exceed \$14,000; and
- (c) the amount of rates that would result from charging one-quarter of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$14,000.

(4) Where the rate is levied on the unimproved value of—

- (a) residential land, being residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act; or
- (b) such part of mixed development land as is residential land,

the amount of rates so levied that is payable in respect of the land shall be the aggregate of the rates that would be payable in respect of all of the flats comprised in the building on the land if each such flat were—

(c)

Hunter District Water, Sewerage and Drainage (Amendment).

(c) ratable as a separate parcel of land which had an unimproved value equal to an amount ascertained by dividing the unimproved value of the residential land referred to in paragraph (a) or of the part referred to in paragraph (b) by the number of flats comprised in the building on the land; and

(d) residential land to which subsection (3) relates.

(5) If the one-half or one-quarter of the rate referred to in subsection (3) (b) or (c) is an amount that contains more than four decimal places, one-half or one-quarter of that rate shall, for the purposes of subsection (3) (b) or (c), as the case may be, be that amount disregarding the decimal places in excess of four.

5. The Principal Act is amended by omitting from paragraph (b) of the definition of "residential land" in section 89A (1) the words "six acres" and by inserting instead the matter "2.5 hectares".

Amendment of Act No. 11, 1938. Sec. 89A. (Interpretation.)

6. The Principal Act is further amended by inserting after section 100 the following section :—

Further amendment of Act No. 11, 1938. Sec. 100AA.

100AA. Where the board, in respect of the period of twelve months commencing on 1st July, 1976, or any subsequent period of twelve months commencing on 1st July, determines that any water, sewerage or stormwater drainage rate shall be levied on the assessed annual value or the unimproved value of any residential land, or of that part of any mixed development land which is

Power to levy differential rates on value of certain land.

residential

Hunter District Water, Sewerage and Drainage (Amendment).

residential land, the board may, by the resolution by which it makes that determination or by a subsequent resolution, determine that that rate shall differ according to any one or more of the following factors :—

- (a) the amount of the assessed annual value or the unimproved value of the land ;
- (b) the class or description of the land ; or
- (c) any other prescribed factor,

and the rates in respect of that land shall be payable accordingly.

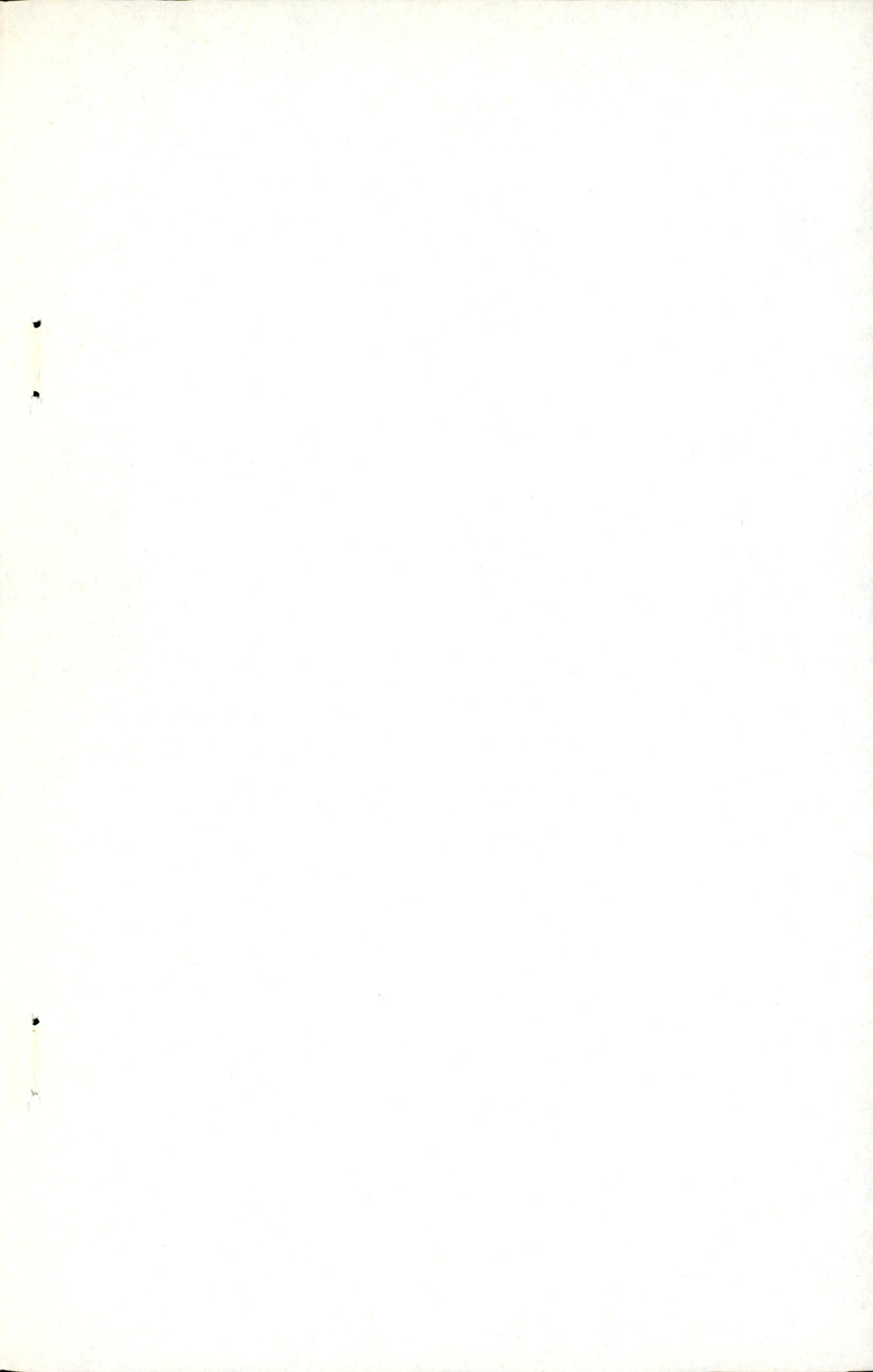
Further
amendment
of Act No.
11, 1938.
Sec. 104B.
(Power to
reduce
rates.)

7. The Principal Act is further amended by omitting section 104B (7) and by inserting instead the following subsection :—

(7) The board shall postpone payment of such part of the rates levied in any rating year to which a determination or redetermination under subsection (2) or (5) relates as remains after calculating the amount of rates that would be payable in respect of that part of the unimproved value of the land other than the attributable part and deducting the amount so calculated from the whole amount of the rates so levied.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975



I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 14 October, 1975.*

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 64, 1975.

An Act to provide for the levying of differential rates with respect to residential land; to make further provision with respect to the postponement, in certain circumstances, of rates levied by the Hunter District Water Board; and for these and other purposes to amend the Hunter District Water, Sewerage and Drainage Act, 1938. [Assented to, 23rd October, 1975.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Hunter District Water, Sewerage and Drainage (Amendment).

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 "Hunter District Water, Sewerage and Drainage (Amendment) Act, 1975".

Commencement. 2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Sections 4, 5 and 7 shall be deemed to have commenced on 1st July, 1975.

Principal Act. 3. The Hunter District Water, Sewerage and Drainage Act, 1938, is, in this Act, referred to as the Principal Act.

Differential rates applicable in respect of residential land for the period of 12 months commencing 1st July, 1975. 4. (1) In this section—

"board" means the Hunter District Water Board;

"company" means a company or foreign company within the meaning of the Companies Act, 1961;

"flat" means flat as defined in section 89A (1) of the Principal Act;

"mixed development land" means mixed development land as defined in section 89A (1) of the Principal Act, but does not include—

(a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is owned by a trustee company in the capacity of executor, administrator or trustee; or

(b)

Hunter District Water, Sewerage and Drainage (Amendment).

- (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“residential land” means residential land as defined in section 89A (1) of the Principal Act, but does not include—

- (a) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a company, except land that is so owned by a trustee company in the capacity of executor, administrator or trustee; or
- (b) any such land exceeding one hectare in area that is owned, either solely or jointly or in common with another person or persons, by a trustee company in the capacity of trustee for another company;

“trustee company” means a trustee company within the meaning of the Trustee Companies Act, 1964, or the Public Trustee.

(2) Subject to section 100 (7) of the Principal Act, subsections (3) and (4) shall apply, in respect only of the period of twelve months commencing on 1st July, 1975, or any part of that period, to and in respect of any water, sewerage or stormwater drainage rates charged by the board—

- (a) on residential land on the basis of the unimproved value of that land; or
- (b) on such part of mixed development land as is residential land on the basis of the unimproved value of that part.

(c)

(3)

Hunter District Water, Sewerage and Drainage (Amendment).

(3) The amount of rates payable in respect of residential land, other than residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act, shall be the aggregate of—

- (a) the amount of rates that would result from charging the rate levied by the board on so much of the unimproved value of the land as does not exceed \$7,000;
- (b) the amount of rates that would result from charging one-half of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$7,000 but does not exceed \$14,000; and
- (c) the amount of rates that would result from charging one-quarter of the rate so levied on so much (if any) of the unimproved value of the land as exceeds \$14,000.

(4) Where the rate is levied on the unimproved value of—

- (a) residential land, being residential land referred to in paragraph (c) of the definition of "residential land" in section 89A (1) of the Principal Act; or
- (b) such part of mixed development land as is residential land,

the amount of rates so levied that is payable in respect of the land shall be the aggregate of the rates that would be payable in respect of all of the flats comprised in the building on the land if each such flat were—

(b)

(c)

Hunter District Water, Sewerage and Drainage (Amendment).

(c) ratable as a separate parcel of land which had an unimproved value equal to an amount ascertained by dividing the unimproved value of the residential land referred to in paragraph (a) or of the part referred to in paragraph (b) by the number of flats comprised in the building on the land; and

(d) residential land to which subsection (3) relates.

(5) If the one-half or one-quarter of the rate referred to in subsection (3) (b) or (c) is an amount that contains more than four decimal places, one-half or one-quarter of that rate shall, for the purposes of subsection (3) (b) or (c), as the case may be, be that amount disregarding the decimal places in excess of four.

5. The Principal Act is amended by omitting from paragraph (b) of the definition of "residential land" in section 89A (1) the words "six acres" and by inserting instead the matter "2.5 hectares".

Amendment of Act No. 11, 1938. Sec. 89A. (Interpretation.)

6. The Principal Act is further amended by inserting after section 100 the following section :—

Further amendment of Act No. 11, 1938. Sec. 100AA.

100AA. Where the board, in respect of the period of twelve months commencing on 1st July, 1976, or any subsequent period of twelve months commencing on 1st July, determines that any water, sewerage or stormwater drainage rate shall be levied on the assessed annual value or the unimproved value of any residential land, or of that part of any mixed development land which is

Power to levy differential rates on value of certain land.

residential

Hunter District Water, Sewerage and Drainage (Amendment).

residential land, the board may, by the resolution by which it makes that determination or by a subsequent resolution, determine that that rate shall differ according to any one or more of the following factors :—

- (a) the amount of the assessed annual value or the unimproved value of the land ;
- (b) the class or description of the land ; or
- (c) any other prescribed factor,

and the rates in respect of that land shall be payable accordingly.

Further amendment of Act No. 11, 1938. Sec. 104B. (Power to reduce rates.)

7. The Principal Act is further amended by omitting section 104B (7) and by inserting instead the following subsection :—

(7) The board shall postpone payment of such part of the rates levied in any rating year to which a determination or redetermination under subsection (2) or (5) relates as remains after calculating the amount of rates that would be payable in respect of that part of the unimproved value of the land other than the attributable part and deducting the amount so calculated from the whole amount of the rates so levied.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 23rd October, 1975.*



