

**HUNTER DISTRICT WATER, SEWERAGE AND
DRAINAGE (AMENDMENT) ACT, 1980, No. 167**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 167, 1980.

An Act to amend the Hunter District Water, Sewerage and Drainage Act, 1938, to remove certain limits imposed on the Hunter District Water Board in relation to the levying of rates, and to require that Board to use "land values" determined under the Valuation of Land Act, 1916, in place of "unimproved values" determined under that Act in relation to the valuation of land for the purpose of levying rates; and for certain other purposes. [Assented to, 15th December, 1980.]

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, 1980".

Commence-
ment.

2. (1) Except as provided in subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Schedule 1, and section 5 in its application to Schedule 1, shall commence on 1st May, 1981.

(3) Schedule 2, and section 5 in its application to Schedule 2, shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Principal
Act.

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

Schedules.

4. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT
RELATING TO THE REMOVAL OF CERTAIN LIMITS ON
RATES.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT
RELATING TO THE ADOPTION OF LAND VALUES.

Amendment
of Act
No. 11,
1938.

5. The Principal Act is amended in the manner set forth in Schedules 1 and 2.

Savings.

6. Nothing in this Act affects any savings effected by the Interpretation Act, 1897.

Hunter District Water, Sewerage and Drainage (Amendment).

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
REMOVAL OF CERTAIN LIMITS ON RATES.

- (1) Section 99 (1), (2), (2A), (4)—

Omit the subsections.

- (2) (a) Section 100 (2)—

Omit "For the purpose of securing compliance with the provisions of this Act as to the limitation of rates the", insert instead "The".

- (b) Section 100 (3)—

Omit the subsection.

- (c) Section 100 (7A)—

After section 100 (7), insert :—

(7A) In levying any water rates, sewerage rates or drainage rates in any district, it shall be lawful for the board to levy a special rate, in addition to the ordinary rate, if the provision of the water, sewerage or drainage service, as the case may be, in that district at the ordinary rate, either on account of the remoteness of the district or the high cost involved in the provision of the service, would occasion a loss to the board.

Hunter District Water, Sewerage and Drainage (Amendment).

Sec. 5.

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
ADOPTION OF LAND VALUES.

- (1) Sections 100 (1), (4), (6), 100AA, 100AB (1), 101 (3B), (3C), 104B (1), (2), (4), (6), (7)—

Omit "unimproved" wherever occurring, insert instead "land".

- (2) (a) Section 100 (8)—

Omit "or any Act amending that Act,".

- (b) Section 100 (8)—

Omit "valuation to", insert instead "valuations to".

- (c) Section 100 (10)—

Omit "section 100", insert instead "subsection".

- (3) Section 100AA—

Omit ", 1976", insert instead "next after the day appointed and notified pursuant to section 2 (3) of the Hunter District Water, Sewerage and Drainage (Amendment) Act, 1980".

- (4) Section 100AB (1)—

Omit ", 1977", insert instead "next after the day appointed and notified pursuant to section 2 (3) of the Hunter District Water, Sewerage and Drainage (Amendment) Act, 1980".

Hunter District Water, Sewerage and Drainage (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
ADOPTION OF LAND VALUES—*continued.*

(5) (a) Section 101 (1)—

Omit the subsection, insert instead :—

(1) For the purposes and subject to the provisions
of this Act—

(a) the land value of ratable land shall be—

(i) except as provided in subparagraph
(ii)—the land value of the land;
and

(ii) in the case of a stratum—the
unimproved value of the stratum,
as determined in accordance with the
Valuation of Land Act, 1916; and

(b) the assessed annual value of ratable land
shall be the assessed annual value of the
land as determined in accordance with the
Valuation of Land Act, 1916.

(b) Section 101 (3), (3A)—

Omit “said Act” wherever occurring, insert instead
“Valuation of Land Act, 1916.”.

(6) Section 104B (10)—

Omit “, 1975”, insert instead “next after the day appointed
and notified pursuant to section 2 (3) of the Hunter
District Water, Sewerage and Drainage (Amendment)
Act, 1980”.

Hunter District Water, Sewerage and Drainage (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
ADOPTION OF LAND VALUES—*continued.*

(7) (a) Section 104c (3)—

Omit “, 1975”, insert instead “next after the day appointed and notified pursuant to section 2 (3) of the Hunter District Water, Sewerage and Drainage (Amendment) Act, 1980”.

(b) Section 104c (3), (5)—

Omit “an unimproved” wherever occurring, insert instead “a land value”.

(c) Section 104c (4) (a)—

Omit “unimproved” where firstly occurring, insert instead “land value”.

(d) Section 104c (4) (a)—

Omit “unimproved” where secondly occurring, insert instead “land”.

(e) Section 104c (4) (b)—

Omit “unimproved”, insert instead “land value”.

(f) Section 104c (5)—

Omit “unimproved” where secondly occurring, insert instead “land”.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 15th December, 1980.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981



House District Water, Sewerage and Drainage (Amendment)

SCHEDULE 2--continued

AMENDMENTS TO THE PRINCIPAL ACT RELATIVE TO THE
ADDITION OF LAND VALUES--continued

(7) (a) Section 104c (3)--

Omit "1, 1917", insert instead "and after the day appointed and notified pursuant to section 2 (1) of the House District Water, Sewerage and Drainage (Amendment) Act, 1930"

(b) Section 104c (3), (5)--

Omit "an unimproved" wherever occurring, insert instead "a land value".

(c) Section 104c (4) (a)--

Omit "unimproved" where firstly occurring, insert instead "land value"

(d) Section 104c (4) (a)--

Omit "unimproved" where secondly occurring, insert instead "land".

(e) Section 104c (4) (b)--

Omit "unimproved", insert instead "land value".

(f) Section 104c (5)--

Omit "unimproved" where secondly occurring, insert instead "land".

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

A. R. CUTLER,
Governor.

Government House,
Sydney, 12th December, 1930

BY AUTHORITY
A. WARD, GOVERNMENT PRINTER, NEW SOUTH WALES--301

HUNTER DISTRICT WATER, SEWERAGE AND
DRAINAGE (AMENDMENT) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Metropolitan Water, Sewerage, and Drainage (Land Valuation) Amendment Bill, 1980.

The object of this Bill is to amend the Hunter District Water, Sewerage and Drainage Act, 1938, so as—

- (a) to remove certain limits imposed on the Hunter District Water Board in relation to the levying of rates (Schedule 1);
- (b) to require, as from a day to be appointed, that Board to use "land values" determined under the Valuation of Land Act, 1916, in place of "unimproved values" determined under that Act in relation to the valuation of land for the purpose of levying rates (Schedule 2); and
- (c) to make other provisions of a minor or consequential nature.

(MR FERGUSON—18 November 1980)

HUNTER DISTRICT WATER, SEWERAGE AND DRAINAGE
(AMENDMENT) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Metropolitan Water, Sewerage and Drainage
(Land Valuation) Amendment Bill, 1980.

The object of this Bill is to amend the Hunter District Water, Sewerage and
Drainage Act, 1938, so as—

- (a) to remove certain duties imposed on the Hunter District Water Board
in relation to the levying of rates (Schedule 1);
- (b) to require, as from a day to be appointed, that Board to use "land
values" determined under the Valuation of Land Act 1919 in place
of "unimproved values" determined under that Act in relation to the
valuation of land for the purpose of levying rates (Schedule 2); and
- (c) to make other provisions of a minor or consequential nature.

Act No. 10 of 1980.

HUNTER DISTRICT WATER, SEWERAGE AND DRAINAGE (AMENDMENT) BILL, 1980

No. , 1980.

A BILL FOR

An Act to amend the Hunter District Water, Sewerage and Drainage Act, 1938, to remove certain limits imposed on the Hunter District Water Board in relation to the levying of rates, and to require that Board to use "land values" determined under the Valuation of Land Act, 1916, in place of "unimproved values" determined under that Act in relation to the valuation of land for the purpose of levying rates; and for certain other purposes.

[MR FERGUSON—18 November, 1980.]

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 :—

5 **1.** This Act may be cited as the "Hunter District Water, Sewerage and Drainage (Amendment) Act, 1980". Short title.

2. (1) Except as provided in subsections (2) and (3), this Act shall commence on the date of assent to this Act. Commence-
ment.

(2) Schedule 1, and section 5 in its application to Schedule 10 1, shall commence on 1st May, 1981.

(3) Schedule 2, and section 5 in its application to Schedule 2, shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

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

4. This Act contains the following Schedules :— Schedules.

20 **SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE REMOVAL OF CERTAIN LIMITS ON RATES.**

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE ADOPTION OF LAND VALUES.

5. The Principal Act is amended in the manner set forth in Schedules 1 and 2. Amendment
of Act
No. 11,
1938.

25 **6.** Nothing in this Act affects any savings effected by the Interpretation Act, 1897. Savings.

Hunter District Water, Sewerage and Drainage (Amendment).

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
REMOVAL OF CERTAIN LIMITS ON RATES.

- (1) Section 99 (1), (2), (2A), (4)—
5 Omit the subsections.

- (2) (a) Section 100 (2)—

Omit "For the purpose of securing compliance with the provisions of this Act as to the limitation of rates the", insert instead "The".

- 10 (b) Section 100 (3)—

Omit the subsection.

- (c) Section 100 (7A)—

After section 100 (7), insert :—

- 15 (7A) In levying any water rates, sewerage rates or drainage rates in any district, it shall be lawful for the board to levy a special rate, in addition to the ordinary rate, if the provision of the water, sewerage or drainage service, as the case may be, in that district at the ordinary rate, either on account of the remoteness of the district or the high cost involved
20 in the provision of the service, would occasion a loss to the board.

*Hunter District Water, Sewerage and Drainage (Amendment).***SCHEDULE 2.****Sec. 5.****AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
ADOPTION OF LAND VALUES.**

- (1) Sections 100 (1), (4), (6), 100AA, 100AB (1), 101 (3B),
5 (3C), 104B (1), (2), (4), (6), (7)—

Omit "unimproved" wherever occurring, insert instead
"land".

- (2) (a) Section 100 (8)—

Omit "or any Act amending that Act,"

- 10 (b) Section 100 (8)—

Omit "valuation to", insert instead "valuations to".

- (c) Section 100 (10)—

Omit "section 100", insert instead "subsection".

- (3) Section 100AA—

- 15 Omit ", 1976", insert instead "next after the day appointed
and notified pursuant to section 2 (3) of the Hunter
District Water, Sewerage and Drainage (Amendment)
Act, 1980".

- (4) Section 100AB (1)—

- 20 Omit ", 1977", insert instead "next after the day appointed
and notified pursuant to section 2 (3) of the Hunter
District Water, Sewerage and Drainage (Amendment)
Act, 1980".

Hunter District Water, Sewerage and Drainage (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
ADOPTION OF LAND VALUES—*continued.*

(5) (a) Section 101 (1)—

5 Omit the subsection, insert instead :—
(1) For the purposes and subject to the provisions
of this Act—

(a) the land value of ratable land shall be—

10 (i) except as provided in subparagraph
(ii)—the land value of the land;
and

15 (ii) in the case of a stratum—the
unimproved value of the stratum,
as determined in accordance with the
Valuation of Land Act, 1916; and

(b) the assessed annual value of ratable land
shall be the assessed annual value of the
land as determined in accordance with the
Valuation of Land Act, 1916.

20 (b) Section 101 (3), (3A)—

Omit “said Act” wherever occurring, insert instead
“Valuation of Land Act, 1916,”.

(6) Section 104B (10)—

25 Omit “, 1975”, insert instead “next after the day appointed
and notified pursuant to section 2 (3) of the Hunter
District Water, Sewerage and Drainage (Amendment)
Act, 1980”.

*Hunter District Water, Sewerage and Drainage (Amendment).*SCHEDULE 2—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
ADOPTION OF LAND VALUES—*continued.*

(7) (a) Section 104c (3)—

- 5 Omit “, 1975”, insert instead “next after the day appointed and notified pursuant to section 2 (3) of the Hunter District Water, Sewerage and Drainage (Amendment) Act, 1980”.

(b) Section 104c (3), (5)—

- 10 Omit “an unimproved” wherever occurring, insert instead “a land value”.

(c) Section 104c (4) (a)—

Omit “unimproved” where firstly occurring, insert instead “land value”.

15 (d) Section 104c (4) (a)—

Omit “unimproved” where secondly occurring, insert instead “land”.

(e) Section 104c (4) (b)—

Omit “unimproved”, insert instead “land value”.

20 (f) Section 104c (5)—

Omit “unimproved” where secondly occurring, insert instead “land”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980
(20c)