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## A BILL

**To enable the Municipal Council of Sydney to assess Unoccupied Land  
in the said City and to impose rates thereon.**

[MR. WINDEYER ;—19 *February*, 1869.]

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**W**HEREAS it is expedient that the owners of Unoccupied Land Preamble.  
within the City of Sydney shall be liable to be rated in respect  
of such land Be it therefore enacted by the Queen's Most Excellent  
Majesty by and with the advice and consent of the Legislative Council  
5 and Legislative Assembly of New South Wales in Parliament assem-  
bled and by the authority of the same as follows :—

1. In the construction of this Act the words "Unoccupied Interpretation of  
words "Unoccupied"  
and "Owner."  
lands tenements and hereditaments" shall be taken to include lands  
tenements and hereditaments which shall not since their sale alienation  
10 or other disposition by the Crown have been improved by building  
cultivation or enclosure or in other like manner And the word  
"Owner" shall be taken to mean any one having the immediate bene-  
ficial interest in any lands tenements or hereditaments.

2. All unoccupied lands tenements and hereditaments within the Unoccupied lands to  
be liable to rate.  
15 City of Sydney shall be liable to be assessed and the owners thereof  
rated as hereinafter provided.

3. It shall be lawful for the Municipal Council of Sydney to Unoccupied lands to  
be assessed.  
direct the valuers appointed by them to make and enter in the Ward  
Assessment Book an assessment of the net annual value of all unoc-  
20 cupied lands tenements and hereditaments within the City of Sydney  
Provided that all such unoccupied lands tenements and heredita- How assessment  
computed.  
ments shall be computed as of the net annual value of *five pounds per*  
*centum* upon the fair capital value of the fee-simple thereof.

Notice of assessment to be given.

4. Notice of such assessment shall be addressed to the owner of such lands tenements and hereditaments if such owner be resident in the Colony and be known to the said Municipal Council and shall be left at or sent through the post to his last known residence or place of business in the Colony and if such owner be not resident in the Colony or be not known to the said Municipal Council notice of such assessment shall be by advertisement twice at least in two successive weeks in two newspapers circulating in the said City. Provided that in any notice by advertisement as hereinbefore required it shall not be necessary to describe such lands tenements or hereditaments by metes and bounds but only to state in general terms so that the same may be intelligible the situation and estimated area thereof and the name of the original grantee thereof.

Appeal from assessment.

5. Any person aggrieved by any such assessment or by any addition to or alteration of such assessment shall possess the same right of appeal therefrom subject to the same conditions as are by law provided with regard to assessments of buildings tenements or other property within the said City.

Confirmation of assessment.

6. The Ward Assessment Books shall be confirmed by the said Municipal Council and signed by the Town Clerk in respect of the assessments hereby authorized in like manner as is by law prescribed in respect of other assessments.

Rate of one shilling in the pound of assessed net annual value.

7. A rate of *one shilling* in the pound upon the net annual value so assessed as hereinbefore provided shall be payable by the owner of such lands tenements and hereditaments to the said Municipal Council and shall be due and payable in each year in equal half-yearly proportions.

Word "Owner" sufficient if name unknown.

8. Whenever the name of any owner liable to be rated hereunder is not known to the said Municipal Council it shall be sufficient to rate such owner in the Rate Book by the designation of the owner without stating his name.

Notice of demand of rate.

9. A notice in writing signed by the City Treasurer requiring payment to be made to such Treasurer of the rate so due at such time as shall be therein expressed shall be addressed to the owner of the lands tenements and hereditaments liable to such rate if such owner be resident in the Colony and be known to the said Municipal Council and shall be left at or sent through the post to his last known residence or place of business in the Colony and if such owner be not resident in the Colony or be not known to the said Municipal Council such notice as aforesaid shall be nailed or posted up on some conspicuous part of the lands tenements or hereditaments liable to such rate.

10. If any person rated under the provisions of this Act fail to pay the said rate due from him for the space of fourteen days after notice has been given as required by the last preceding section the said Municipal Council may recover the same from the person making default And in any such proceeding the Rate Book of the said Municipal Council and all entries purporting to be made therein in manner by this Act directed by the production thereof alone and without any evidence that the notices required by or other requirements of this Act have been given or complied with shall be receivable in evidence of such rates and the contents thereof.

Owner making default may be sued.

Rate Book to be evidence.

11. Any such overdue rate shall be and remain a charge upon the lands tenements and hereditaments in respect of which the same is payable and may be recovered at any future time from any owner of such lands tenements and hereditaments.

Overdue rates charge on property.

12. Such portion of the proviso of section one hundred and thirty-seven of the Act of Council fourteenth Victoria number forty-one as enacts that where the building tenements or other property shall have been in fact untenanted or occupied by servants solely for the care of the same for the whole of the period in respect of which the rate is demanded such owner shall be wholly exempt is hereby repealed.

Repeal of proviso to section 137 of 14 Vic. No. 41.

13. This Act shall be styled and may be cited as the "Sydney Corporation Amendment Act of 1869."

Short title.

10. If any person fails to pay the said rate under the provisions of this Act for the space of fourteen days after notice has been given to him for the space of fourteen days after the date of the said rate, the Municipal Council may recover the same from the person making default. And in any such proceeding the Rate Book of the said Municipal Council and all entries purporting to be made therein in manner last aforesaid by this Act directed by the production thereof alone and without any evidence that the notice required by or other requirements of this Act have been given or complied with shall be receivable in evidence for such rate and the interest thereon.

11. Any such overdue rate shall be and remain a charge upon the lands tenements and hereditaments in respect of which the same is payable and may be recovered at any future time from any owner of such lands tenements and hereditaments.

12. That portion of the proceeds of such rate as is mentioned in section thirty-seven of the Act of Council (numbered thirty-seven) shall be applied to the payment of the rate of interest on any loan or loans raised by the Corporation for the purpose of the said rate. And the rate of interest on any such loan shall be the rate of interest on any such loan as is provided in section thirty-eight of the Act of Council (numbered thirty-eight) and the rate of interest on any such loan shall be the rate of interest on any such loan as is provided in section thirty-eight of the Act of Council (numbered thirty-eight).

13. This Act shall be cited as the Sydney Corporation Act 1938.