

# **WATER BOARD (AMENDMENT) ACT 1990 No. 15**

NEW SOUTH WALES



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# **WATER BOARD (AMENDMENT) ACT 1990 No. 15**

NEW SOUTH WALES



**Act No. 15,1990**

An Act to amend the Water Board Act 1987 in relation to service charges; and for other purposes. [Assented to 7 June 1990]

**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Water Board (Amendment) Act 1990.

**Commencement**

2. This Act commences on a day or days to be appointed by proclamation.

**Amendment of Water Board Act 1987 No. 141**

3. The Water Board Act 1987 is amended as set out in Schedule 1.

**Repeal of s. 26A of Sydney Opera House Trust Act 1961 No 9**

4. The Sydney Opera House Trust Act 1961 is amended by omitting section 26A (certain land not ratable).

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**SCHEDULE—AMENDMENTS**

(Sec. 3)

(1) Section 3 (**Definitions**):

In section 3 (1), after the definition of "special area", insert:  
"**special environmental program area**" means an area of land declared by an order in force under section 28 to be a special environmental program area;

(2) Section 28 (**Orders for purpose of service charges**):

After section 28 (5), insert:

(5A) The Minister may, by order published in the Gazette, declare any land described in the order to be a special environmental program area for the purposes of this Act.

(3) Section 30 (**Board may levy service charges and impose fees and other charges**):

(a) From section 30 (1) (g), omit "and".

SCHEDULE 1—AMENDMENTS—*continued*

- (b) After section 30 (1) (g), insert:
  - (g1) special environmental service charges; and
- (c) After section 30 (1), insert:

(1A) The Board is not to levy special environmental service charges with respect to any period commencing after 30 June 1994, but nothing in this subsection prevents the Board from re-assessing or recovering a special environmental service charge after that date.

- (4) Section 31 (**Land in respect of which the Board may levy service charges**):

After section 31 (6), insert:

(6A) The Board may only levy special environmental service charges on land within a special environmental program area.

- (5) Section 35 (**Assessment of service charges**):

Omit section 35 (3).

- (6) Section 36A:

After section 36, insert:

**Information to be provided on fees and charges**

36A. (1) Any notice issued by the Board requiring payment of a service charge, or any other fee or charge relating to the use of water or of sewerage facilities, must include a statement to the effect that information as to the calculation and assessment of the service charge, fee or charge will be provided by the Board at the request of the person who is liable to pay the service charge, fee or charge.

(2) The Board must, at the request of a person who is liable to pay a service charge, fee or charge imposed by the Board, provide information as to the calculation and

SCHEDULE 1—AMENDMENTS—*continued*

assessment of the service charge, fee or charge within a reasonable time.

(7) Schedule 3, Part 1 (**Land exempt from service charges**):

- (a) From item 4, omit "public hospital,".
- (b) From item 4, omit "the hospital," , insert instead "the".
- (c) Omit items 6, 8, 15 and 18.
- (d) From item 9 (c), omit "or" where thirdly occurring.
- (e) At the end of item 9 (d), insert  
; or  
(e) any building used or occupied solely as a hospital and not conducted for private gain.
- (f) From item 13, omit "the Bursary Endowment Act 1912, or any certified school under the Public Instruction (Amendment) Act 1916", insert instead "the Education and Public Instruction Act 1987".

(8) Schedule 3, Part 2 (**Exceptions**):

Omit item 3, insert instead:

3. Land vested in the Crown or an authority (within the meaning of the Public Finance and Audit Act 1983) that:

- (a) is used or occupied by the Crown or such an authority for a purpose specified in item 1,2,3,5 or 7 of Part 1 of this Schedule; or
- (b) is land referred to in item 10 of Part 1 of this Schedule (other than a public road or the permanent way of a railway).

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*[Minister's second reading speech made in -  
Legislative Assembly on 21 May 1990  
Legislative Council on 23 May 1990]*