

Act No. 15 of 1990

WATER BOARD (AMENDMENT) BILL 1990

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Water Board Act 1987:

- (a) to enable the Board to levy special environmental service charges as a separate category of service charges until 30 June 1994; and
- (b) to provide for certain information (which is currently required to be specified in notices setting out service charges) to be available on request only, and
- (c) to remove certain exemptions from service charges currently applying to land which is vested in the Crown or in certain authorities.

The Bill also repeals section 26A (certain land not ratable) of the Sydney Opera House Trust Act 1961 which currently excludes the land on which the Sydney Opera House is situated from being ratable land.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

Clause 4 repeals section 26A (certain land not ratable) of the Sydney Opera House Trust Act 1961.

Special environmental service charges

Schedule 1 (1)–(4) enables the Board to levy charges described as special environmental service charges as a separate category of charges on land which the Minister has, by order published in the Gazette, declared to be a special

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environmental program area. The Board may only levy charges in that category until 30 June 1994.

Notices of fees and charges

Schedule I (5) and (6) remove the requirement that a notice as to the service charges payable on a parcel of land must specify certain information as to the calculation and assessment of those service charges. Instead, such notices and notices as to other fees and charges relating to the use of water or of sewerage facilities are to contain a statement to the effect that such information will be provided by the Board at the request of the owner of the land.

The Board is also required to make information on the calculation and assessment of other fees and charges available on request.

Service charges on properties vested in the Crown and certain authorities

Schedule 1 (7) and (8) amend Schedule 3 to the Principal Act which deals with exemptions from service charges. Generally speaking, all land vested in the Crown or an “authority” (broadly defined in the Public Finance and Audit Act 1983) is currently exempt. The proposed amendment will to a large extent remove the exemption. The only Crown/authority land that will now be exempt is the following:

- * land used or occupied (not by the Crown or an authority) for certain public, benevolent or charitable purposes;
- * public roads and railways.

As part of the amendment the following specific exemptions are removed:

- * land belonging to a public hospital or vested in an area health service;
- * land vested in a university
- * land vested in the Mines Rescue Board.

The current exemption relating to the Sydney Opera House is removed by clause 4 of the Bill.

The Crown will still be able to avail itself of exemptions available to private individuals (e.g. unoccupied land below highwater mark).
