

**WATER SUPPLY AUTHORITIES (AMENDMENT) BILL
1988**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Hunter Water Board Bill 1988.

The object of this Bill is to amend the Water Supply Authorities Act 1987—

- (a) to remove provisions relating to the Hunter District Water Board because of the intended enactment of the Hunter Water Board Act 1988; and
- (b) to make various other provisions aimed at improving the administration of the Principal Act (which generally parallel provisions contained in the proposed Hunter Water Board Act 1988).

Clause 1 specifies the short title of the proposed Act.

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

Clause 3 is a formal provision giving effect to the Schedules of amendments.

**SCHEDULE 1—AMENDMENTS RELATING TO
THE HUNTER WATER BOARD**

Schedule 1 removes provisions relating to the Hunter District Water Board as a new Hunter Water Board will be constituted to take over its functions by the proposed Hunter Water Board Act 1988.

SCHEDULE 2—MISCELLANEOUS AMENDMENTS

Definition of “statutory body”

Schedule 2 (1) amends the definition of “statutory body” for the purposes of the Principal Act so as to exclude a corporation incorporated under the Associations Incorporation Act 1984.

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Entry on land

Schedule 2 (2) makes it clear that, unless the occupier of land objects, a Water Supply Authority may, without giving prior notice, enter and occupy the land for the purpose of reading a meter, ascertaining whether trade waste is present or escaping or making a valuation.

Removal of requirement to prescribe various matters

Schedule 2 (3), (4) and (5) remove references to prescribed employees, prescribed notices, prescribed periods of notice and prescribed persons from sections 16, 17 and 20. The relevant periods of notice will be required by those sections to be reasonable instead of being specified in regulations.

Section 24 is to be amended (Schedule 2 (6)) to remove an unnecessary requirement to make regulations limiting the types of building approvals or development consents to which Division 2 (Construction of works for developers) of Part 3 applies.

Section 41 is to be amended (Schedule 2 (12)) so as to allow an Authority to determine fees which are currently prescribed for certificates issued by the Authority. Particulars which may be included in those certificates will no longer need to be prescribed.

Connections to water or sewer mains

Schedule 2 (7) will enable a person (subject to law) to open up the surface and soil of any road or way (public or private), footpath or public reserve to connect premises with a water or sewer main of an Authority.

Goods and services for which an Authority may levy charges

Schedule 2 (8) makes it clear that an Authority may, in accordance with the regulations, impose fees and charges for any service or thing supplied or provided by it.

Determinations by an Authority relating to service charges

Schedule 2 (9) (a) provides that determinations of an Authority relating to the levying of service charges on land do not have effect until approved by the Minister.

Schedule 2 (9) (b) enables the Governor-in-Council to extend the time for making such determinations and to authorise any action of an Authority necessary to cure any irregularity and to make a valid determination.

Charges on land

Schedule 2 (10) provides that charges made by an Authority in connection with the occupation of land are charges on the land.

Schedule 2 (11) makes it clear that section 40 (sale of land for unpaid amounts) does not apply to a charge incurred before the section applied to it.

Persons licensed to do work

Schedule 2 (13) includes in the list of persons in section 48 who are allowed to do water supply, sewerage or drainage work which may affect an Authority's works a person holding an appropriate certificate of registration in force under the Plumbers, Gasfitters and Drainers Act 1979.

Divesting of Authority's interest in land

Schedule 2 (14) enables the Governor, with the consent of the council concerned, to vest in a council, by proclamation published in the Gazette, the estate or interest of an Authority in any land on which a work of an Authority is situated.

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Regulations

Schedule 2 (15) makes it clear that regulations may be made under the Principal Act prescribing charges for the abstraction and use of water, creating offences for the contamination and pollution of water and regulating or prohibiting the abstracting, using, polluting or contaminating of waters within special areas.
