

**HUNTER DISTRICT WATER, SEWERAGE AND  
DRAINAGE (AMENDMENT) ACT.**

**New South Wales**



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. 74, 1973.**

An Act to increase the allowable rebate of rates to certain classes of pensioners and to enable the Hunter District Water Board to vary those rebates by a by-law; to reduce the rates payable by ratepayers in respect of residential land in the Municipality of Maitland; to postpone the operation of a general valuation by the Valuer-General in respect of certain areas; for these and other purposes to amend the Hunter District Water, Sewerage and Drainage Act, 1938; and for purposes connected therewith. [Assented to, 20th December, 1973.]

BE

*Hunter District Water, Sewerage and Drainage (Amendment)*

**No. 74, 1973** **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, 1973".

**Commence-  
ment.** **2.** This Act shall be deemed to have commenced on 1st July, 1973.

**Amendment  
of Act  
No. 11,  
1938.** **3.** The Hunter District Water, Sewerage and Drainage Act, 1938, is amended—

**Sec. 100.  
(Basis of  
rating.)** (a) by inserting next after section 100 (8) the following new subsection :—

(9) Notwithstanding subsection (8), for the purposes of any rate for the year commencing 1st July, 1974, the board shall not take into account any general valuation furnished by the Valuer-General for the financial year ended 30th June, 1974.

**Sec. 104A.  
(Reduction  
of rates  
payable  
by certain  
classes of  
pensioners.)** (b) (i) by omitting from sections 104A (4) (a) (i), 104A (4) (b) (i), 104A (6) (a) (i) and 104A (6) (b) (i) the words "eighty dollars" wherever occurring and by inserting instead the matter "\$120";

(ii) by omitting from sections 104A (4) (a) (ii), 104A (4) (b) (ii), 104A (6) (a) (ii) and 104A (6) (b) (ii) the words "forty dollars" wherever occurring and by inserting instead the matter "\$60";

(iii)

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(iii) by inserting next after section 104A (15) the No. 74, 1973 following new subsection :—

(16) The amount by which a rate is to be reduced in accordance with subsection (4) or (6) may be varied from time to time by the by-laws and the amount as so varied shall be read as the amount stated in subsection (4) or (6), as the case may be.

(c) by inserting next after section 104A the following new section :—

104AA. (1) In this section—

“flat” means a room or suite of rooms separately occupied or used or if not occupied or used so constructed, designed or adapted as to be capable of being separately occupied or used, as a residence, but does not include a strata lot;

New sec.  
104AA.  
  
Board may  
reduce  
rates in  
certain  
areas.

“residential land” means—

- (a) a parcel of land occupied or used solely as the site of one single dwelling;
- (b) a parcel of land occupied or used solely as the site of one building comprising two or more flats;
- (c) a strata lot occupied or used or if not occupied or used so constructed, designed or adapted as to be capable of being occupied or used, as a residence;

“single dwelling” means a house occupied or used, or if not occupied or used so constructed, designed or adapted as to be capable of being occupied or used, as a separate dwelling, but does not include a strata lot or a property commonly known as a shop and dwelling;

“strata

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No. 74, 1973

“strata lot” means—

- (a) until the Conveyancing (Strata Titles) Act, 1961, is repealed, a lot as defined in section 2 of that Act; and
- (b) on and after the commencement of the Strata Titles Act, 1973, a lot as defined in subsection (1) of section 5 of that Act.

(2) A parcel of land does not cease to be occupied or used solely as the site of a single dwelling or a building comprising two or more flats by reason of there being on the parcel of land any building or improvement that is ancillary to the single dwelling or building, as the case may be.

(3) Subject to subsection (7) of section 100, where a rate is levied for the year commencing on 1st July, 1973, or for the year commencing on 1st July, 1974, on residential land in the Municipality of Maitland and the board is satisfied that there has been an increase relative to the rate levied on that residential land for the year commencing on 1st July, 1972, and such increase results solely from either—

- (a) a general valuation furnished in the year one thousand nine hundred and seventy-two by the Valuer-General under the Valuation of Land Act, 1916, and adopted by the board pursuant to subsection (8) of section 100; or
- (b) the combined effect of such a general valuation and an increase in the scale of rates fixed under Clause 1 of the Third Schedule,

then in either case the board shall reduce the rate in accordance with subsection (4).

(4)

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(4) The amount by which such rate is No. 74, 1973 required to be reduced under subsection (3) is one-half of such part of such increase as results solely from such a general valuation.

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