



WATERWORKS (RESIDENTIAL RATING) AMENDMENT ACT 1992

No. 68 of 1992

SUMMARY OF PROVISIONS

PART I PRELIMINARY

Section	
1.	Short title
2.	Commencement
3.	Amendment of s. 65a—Interpretation
4.	Amendment of s. 65b—Rates on residential land
5.	Amendment of s. 65c—Declaration of rates, etc., by Minister
6.	Amendment of s. 94—Time for payment of water rates, etc.
7.	Transitional provision



ANNO QUADRAGESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1992

No. 68 of 1992

An Act to amend the Waterworks Act 1932.

[Assented to 19 November 1992]

The Parliament of South Australia enacts as follows:

Short title

- 1. (1) This Act may be cited as the Waterworks (Residential Rating) Amendment Act 1992.
(2) The Waterworks Act 1932 is referred to in this Act as "the principal Act".

Commencement

- 2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 65a — Interpretation

3. Section 65a of the principal Act is amended—

- (a) by striking out from subsection (1) the definition of "threshold value";
(b) by striking out from subsection (1) the definition of "residential land" and substituting the following definition:

"residential land" means ratable land—

- (a) on which a residential building is situated;

or

- (b) that is vacant land in relation to which the Minister has made a determination under subsection (3),

but does not include land—

(c) on which a hotel, motel, boarding house, hostel or two or more flats are also situated;

or

(d) that, in the opinion of the Minister, is used primarily for non-residential purposes;

and

(c) by inserting after subsection (2) the following subsection:

(3) The Minister may, on the Minister's own initiative or on application in writing and on the basis of such evidence as the Minister may require, determine that vacant land is residential land if satisfied—

(a) that the land is situated in a predominantly residential locality and—

(i) is 0.1 ha or less in area;

or

(ii) is similar in area to other allotments of residential land in the locality;

or

(b) that—

(i) a person is in the process of constructing, or planning the construction of, a residential building on the land;

(ii) the land will be used primarily for residential purposes;

and

(iii) the land will not, before being used for residential purposes, be subject to division under Part XIXAB of the *Real Property Act 1886*.

Amendment of s. 65b — Rates on residential land

4. Section 65b of the principal Act is amended—

(a) by striking out from subsection (1)(a) "rate (the access rate)" and substituting "supply charge";

(b) by striking out subsection (2);

and

(c) by striking out from subsection (3) "access rate" and substituting "supply charge".

Amendment of s. 65c — Declaration of rates, etc., by Minister

5. Section 65c of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

- (1) The Minister may, by notice in the *Gazette*, fix—
 - (a) the supply charge;
 - (b) the water rate in respect of water supplied to land.

Amendment of s. 94 — Time for payment of water rates, etc.

6. Section 94 of the principal Act is amended—

- (a) by striking out from subsection (1)(a) "access rate" and substituting "supply charge";
- and
- (b) by striking out from subsection (4) "access rate" and substituting "supply charge".

Transitional provision

7. Water rates continue to be payable under the principal Act in respect of residential land for any period prior to the financial year commencing on 1 July 1993 as if this Act had not been enacted.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor