



ANNO DECIMO QUINTO

**ELIZABETHAE II REGINAE**

A. S.

A.D. 1966

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**No. 40 of 1966**

An Act to amend the Waterworks Act, 1932-1962,  
and the Sewerage Act, 1929-1962.

[Assented to 25th August, 1966.]

BE IT ENACTED by the Governor of the State of South  
Australia, with the advice and consent of the Parliament  
thereof, as follows :

PART I

PART I.

PRELIMINARY

1. (1) This Act may be cited as the "Statutes Amendment  
(Waterworks and Sewerage) Act, 1966".

Short title  
and  
arrangement.

(2) This Act is arranged as follows :—

PART I.—PRELIMINARY, s. 1 :

PART II.—AMENDMENT OF WATERWORKS ACT,  
1932-1962, ss. 2-11 :

PART III.—AMENDMENT OF SEWERAGE ACT,  
1929-1962, ss. 12-18.

PART II

PART II.

AMENDMENT OF WATERWORKS ACT, 1932-1962

2. (1) The Waterworks Act, 1932-1962, as amended by this  
Act may be cited as the "Waterworks Act, 1932-1966".

Short title  
and  
citation.

(2) The Waterworks Act, 1932-1962, is in this Part referred  
to as "the principal Act".

PART II.

Amendment of  
principal Act,  
s. 66—  
Annual  
assessments.

## 3. Section 66 of the principal Act is amended—

(a) by striking out subsection (1) thereof and inserting in lieu thereof the following new subsection :—

(1) Except as is otherwise provided by this section, the Minister shall, as of the first day of January, one thousand nine hundred and sixty-seven, and as of the first day of January in each succeeding year, for the purposes of this Act, make such assessment as is in this Act described. ;

and

(b) by striking out subsections (3) and (4) thereof and inserting in lieu thereof the following new subsections :—

(3) After such publication as aforesaid, the assessment so made shall, unless lawfully altered, come into force on the first day of July, one thousand nine hundred and sixty-seven and on the first day of July in each succeeding year and shall continue and remain in force until the end of that financial year for which it was made ; but if the assessment is lawfully altered then the assessment as so altered shall be deemed to come into force from the commencement of that financial year and shall continue and remain in force until the end thereof.

(4) Notwithstanding anything in this section, the Minister may if he thinks proper direct by notice published in the *Government Gazette* before the first day of January in any year that the assessment which is in force on the last day of any year shall continue and be in force during the whole of the next following financial year.

(5) Until such time as the assessment as made on the first day of January, one thousand nine hundred and sixty-seven comes into force, the assessment in force at the commencement of the Waterworks Act Amendment Act, 1966, shall, subject to this Act, be the assessment for the purposes of this Act.

(6) For the purpose of making the assessment of the Corporation of the City of Adelaide the Minister may, if he thinks proper, make the assessment as of the first day of July in each year and may adopt, either wholly or in part, the assessment which has been made by, or by the authority of, the Corporation of the City of Adelaide.

(7) Notice of the making of the assessment of the Corporation of the City of Adelaide shall be published by the Minister in the *Government Gazette* as soon as he conveniently can after it has been made.

(8) Immediately upon such publication, the assessment of the Corporation of the City of Adelaide, so made, shall be deemed to have been in force from the first day of July, and shall, unless lawfully altered thereafter, continue and remain in force until the end of that financial year for which it was made ; but if the assessment is lawfully altered, then, the assessment, as so altered, shall be deemed to have been in force from the commencement of that financial year for which it was made and shall continue and remain in force until the end thereof.

4. Section 69 of the principal Act is amended—

- (a) by inserting after the word “inspect” in paragraph (a) of subsection (1) thereof the passage “land and premises and” ;
- (b) by striking out the word “any” where it first occurs in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the word “such” ;
- (c) by inserting after the word “person”, where it first occurs in subsection (2) thereof, the passage “being the owner or occupier of any land or premises or” ;
- (d) by striking out the passage “to inspect the same”, after the word “aforesaid” in subsection (2) thereof, and inserting in lieu thereof the passage “to have access to and inspect any such land or premises or any such book or document as aforesaid” ;
- (e) by striking out the passage “from the same” in subsection (2) thereof and inserting in lieu thereof the passage “from any such book or document” ;
- (f) by striking out the passage “twenty pounds” in subsection (2) thereof and inserting in lieu thereof the passage “forty dollars” ;

and

- (g) by inserting after subsection (2) thereof the following subsection :—

(3) Notwithstanding anything in this section the Minister or any person acting on an order

Amendment of principal Act, s. 69—  
Power to inspect land and premises and assessment books.

PART II.

under the Minister's seal shall not be entitled to enter and inspect any private dwelling-house, and shall not be entitled to enter any other premises under this section unless the owner or occupier has been given reasonable notice of intention to enter the same.

Amendment of  
principal Act,  
s. 73—  
Addition to  
assessment.

**5.** Section 73 of the principal Act is amended—

- (a) by inserting after the word “assessed” where it secondly occurs in subsection (1) thereof the passage “or have been assessed but there has been a variation in any land or premises by reason of the erection, addition, alteration or demolition of any building, or part thereof, or the subdivision or re-subdivision of land, or for any other reason whatsoever” ;
- (b) by inserting after the word “force” in subsection (1) thereof the passage “or any subsequent assessment made pursuant to the provisions of section 66 of this Act,”;
- and
- (c) by inserting before the word “assessable” where it first occurs in subsection (2) thereof the word “so”.

Amendment of  
principal Act,  
s. 82—  
Scale of  
water rates.

**6.** Section 82 of the principal Act is amended by striking out the passage “the said assessment” in subsection (1) thereof and inserting in lieu thereof the passage “any assessment made under this Act in force on the first day of July in each year”.

Amendment of  
principal Act,  
s. 86—  
Payment for  
excess water.

**7.** Section 86 of the principal Act is amended—

- (a) by inserting after the word “year” in subsection (1) thereof the passage “in respect of which his consumption of water is measured or assessed (in this section called “the consumption year”)” ;
- (b) by inserting after the word “rates” where it first occurs in subsection (1) thereof the passage “levied for such land or premises for the year ending the thirtieth day of June in any year in which the consumption year terminates” ;
- and
- (c) by striking out—
- (i) the words “the land” in subsection (2) thereof and inserting in lieu thereof the words “any land”

and

- (ii) the passage in subsection (2) thereof "through any one service and meter".

**8. Section 90 of the principal Act is amended—**

Amendment of principal Act, s. 90—  
Imposition of water rates.

- (a) by striking out the passage "mentioned in the second schedule to this Act" in subsection (1) thereof ;

and

- (b) by striking out subsection (2) thereof and inserting in lieu thereof the following new subsection :—

(2) From and after the expiration of seven days from such publication being made, water rates shall be payable in respect of land and premises within any such water district from the first of the next following payment day mentioned in or prescribed pursuant to section 94 of this Act according to the scale which is in force at the time when such water rates respectively become due and payable.

**9. Section 94 of the principal Act is repealed and re-enacted as follows :—**

Repeal of s. 94 of principal Act—

94. (1) All water rates and minimum charges for water supplied by measure under agreement shall be payable in advance by equal payments on the first days of July, October, January and April in each year : Provided that the Governor may by proclamation vary the days on which such water rates and minimum charges for water shall be payable and in that event such rates and charges shall be so paid accordingly.

Time of payment of water rates.

(2) Nothing in this section shall be construed to prevent any owner or occupier of land or premises from paying his water rates and minimum charges for water by measure under agreement in full in advance upon receipt of a notice for any quarterly amount that is due and payable.

**10. Section 104 of the principal Act is repealed and re-enacted as follows :—**

Repeal of s. 104 of principal Act—

104. The construction rate mentioned under this Part shall become due and payable by, and may be recovered from, the owner or occupier of the land rated in the same manner as water rates are due, payable and recoverable under Part V of this Act.

Payment and recovery of construction rates.

PART II.

Amendment of principal Act, s. 121—  
Special provision for rating in Tod River water district and Coonalpyn Downs water district.

**11.** Section 121 of the principal Act is amended by inserting in subsection (1) thereof after the passage “The Tod River Waterworks Act, 1916”, the passage “and the Coonalpyn Downs water district”.

PART III.

## PART III.

## AMENDMENT OF SEWERAGE ACT, 1929-1962.

Short title and citation.

**12.** (1) The Sewerage Act, 1929-1962, as amended by this Act, may be cited as the “Sewerage Act, 1929-1966”.

(2) The Sewerage Act, 1929-1962, is in this Part referred to as “the principal Act”.

Repeal and re-enactment of s. 61 of principal Act—

**13.** Section 61 of the principal Act is repealed and re-enacted as follows :—

Minister to make annual assessments.

61. (1) Except as is otherwise provided by this section, the Minister shall, as of the first day of January, one thousand nine hundred and sixty-seven and as of the first day of January in each succeeding year, for the purposes of this Act, make such an assessment as is in this Act described : Provided that an assessment shall not be made of any land or premises in respect of which an assessment for water rates made under the Waterworks Act, 1932-1962, as amended, is in force.

(2) Notice of the making of the assessment shall be published by the Minister in the *Government Gazette* as soon as he conveniently can after it has been made.

(3) After such publication as aforesaid, the assessment so made, shall, unless lawfully altered, come into force on the first day of July, one thousand nine hundred and sixty-seven and on the first day of July in each succeeding year and shall continue and remain in force until the end of that financial year for which it was made ; but if the assessment is lawfully altered then the assessment as so altered shall be deemed to come into force from the commencement of that financial year and shall continue and remain in force until the end thereof.

(4) Notwithstanding anything in this section, the Minister may, if he thinks proper, direct by notice published in the *Government Gazette* before the first day of January in any year, that the assessment which is in force on the last day of any year shall continue and be in force during the whole of the next following financial year.

(5) Until such time as the assessment as made on the first day of January, one thousand nine hundred and sixty-seven comes into force the assessment in force at the commencement of the Sewerage Act Amendment Act, 1966, shall, subject to this Act, be the assessment for the purposes of this Act.

(6) For the purpose of making the assessment of the Corporation of the City of Adelaide the Minister may, if he thinks proper, make the assessment as of the first day of July in each year and may adopt, either wholly or in part, the assessment which has been made by, or by the authority of, the Corporation of the City of Adelaide.

(7) Notice of the making of the assessment of the Corporation of the City of Adelaide shall be published by the Minister in the *Government Gazette* as soon as he conveniently can after it has been made.

(8) Immediately upon such publication the assessment of the Corporation of the City of Adelaide, so made, shall be deemed to have been in force from the first day of July and shall, unless lawfully altered thereafter, continue and remain in force until the end of that financial year for which it was made ; but if the assessment is lawfully altered then the assessment as so altered shall be deemed to have been in force from the commencement of that financial year for which it was made and shall continue and remain in force until the end thereof.

14. Section 69 of the principal Act is amended—

- (a) by inserting after the word “assessed” where it secondly occurs in subsection (1) thereof the passage “or have been assessed but there has been a variation in any land or premises by reason of the erection, addition, alteration or demolition of any building, or part thereof, or the subdivision or re-subdivision of land, or for any other reason whatsoever” ;
- (b) by inserting after the word “force” in subsection (2) thereof the passage “or any subsequent assessment made pursuant to the provisions of section 61 of this Act”;

Amendment of  
principal Act,  
s. 69—  
Omissions in  
assessment  
may be  
corrected.

PART III.

and

- (c) by inserting before the word "assessable" where it first occurs in subsection (3) thereof the word "so".

Amendment of  
principal Act,  
s. 70—  
Power to  
inspect land  
and premises  
and assessment  
books.

**15.** Section 70 of the principal Act is amended—

- (a) by inserting after the word "inspect" in paragraph (a) of subsection (1) thereof the passage "land and premises and";
- (b) by striking out the word "any" where it first occurs in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the word "such";
- (c) by inserting after the word "person" where it first occurs in subsection (2) thereof the passage "being the owner or occupier of any land or premises or";
- (d) by striking out the passage "to inspect the same" in subsection (2) thereof and inserting in lieu thereof the passage "to have access to and inspect any such land or premises or any such book or document as aforesaid";
- (e) by striking out the passage "from the same" in subsection (2) thereof and inserting in lieu thereof the passage "from any such book or document";
- (f) by striking out the passage "twenty pounds" in subsection (2) thereof and inserting in lieu thereof the passage "forty dollars";

and

- (g) by inserting after subsection (2) thereof the following subsection :—

(3) Notwithstanding anything in this section the Minister or any person acting on an order under the Minister's hand shall not be entitled to enter and inspect any premises under this section unless the owner or occupier has been given reasonable notice of intention to enter the same.

Amendment of  
principal Act,  
s. 74—  
Scale of  
sewerage  
rates.

**16.** Section 74 of the principal Act is amended—

- (a) by striking out "The" at the beginning of subsection (1) thereof and inserting in lieu thereof the passage "Subject to section 74a of this Act, the";

and

- (b) by inserting after the word "assessment" in subsection (1) thereof the passage "made under this Act which is in force on the first day of July in each year".



PART III.

**17.** Section 78 of the principal Act is amended by striking out subsections (2) and (3) thereof and inserting in lieu thereof the following subsection :—

Amendment of principal Act, s. 78—  
Sewerage rates to be payable so soon as sewer laid down.

(2) After the expiration of seven days from such publication being made sewerage rates shall be payable in respect of all land and premises within such drainage area from the first of the next following payment day, as mentioned or prescribed pursuant to section 79 of this Act, according to the scale which is in force at the time when such sewerage rates respectively become due and payable.

**18.** Section 79 of the principal Act is repealed and re-enacted as follows :—

Repeal of s. 79 of principal Act—

79. (1) All sewerage rates in respect of land and premises within a drainage area or areas shall be payable in advance by equal payments on the first days of July, October, January and April in each year : Provided that the Governor may by proclamation vary the days on which such sewerage rates shall be payable and in that event such rates shall be so paid accordingly.

Power to make rates payable quarterly.

(2) Nothing in this section shall be construed to prevent any owner or occupier of land or premises from paying sewerage rates in full in advance upon receipt of a notice for any quarterly amount that is due and payable.

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

EDRIC BASTYAN, Governor.