



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 68 of 1986

An Act to amend the Irrigation Act, 1930.

[Assented to 20 November 1986]

The Parliament of South Australia enacts as follows:

Short title.

1. (1) This Act may be cited as the "Irrigation Act Amendment Act, 1986".

(2) The Irrigation Act, 1930, is in this Act referred to as "the principal Act".

Commencement.

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

Amendment of
s. 6—
Interpretation.

3. Section 6 of the principal Act is amended by inserting after the definition of "Commission" the following definition:

"the consumption year" means a period of approximately 12 months in respect of which the volume of water supplied to, or in relation to, any land is assessed or measured:.

Amendment of
s. 74—
Rates.

4. Section 74 of the principal Act is amended—

(a) by striking out subsections (1), (2), (3) and (4) and substituting the following subsections:

(1) In respect of each financial year the Minister—

(a) shall declare rates based on the volume of water supplied to ratable land in the consumption year that ends during the financial year to which the declaration applies;

(b) may declare a base rate in respect of land comprising a block or blocks—

- (i) based on the number or area of the blocks;
 - (ii) based on the number of meters belonging to, and installed by, the Minister to measure the volume of water supplied to the land for domestic purposes;
- or
- (iii) based on both of the criteria set out in subparagraphs (i) and (ii);
- (c) may declare a base rate in respect of land comprising township allotments, factory sites or other lands (not being blocks) within an irrigation area, based on the unimproved value (as defined in the Valuation of Land Act, 1971) of the land concerned as at the date of the declaration.
- (2) When declaring rates based on the volume of water supplied the Minister may—
- (a) declare different rates in respect of water supplied—
 - (i) to blocks for irrigation purposes;
 - (ii) to blocks for domestic purposes;
 - (iii) to township allotments, factory sites and other lands (not being blocks) within an irrigation area;
 - (b) in respect of water supplied for irrigation purposes—declare different rates based on—
 - (i) the quantity of water used and on the use made of the land to which the water is supplied;
 - (ii) any factor affecting the cost of supplying the water.
- (3) The amount payable by way of rates shall be based on the volume of water supplied or on the base rate (if any), whichever produces the larger amount.
- (4) Where—
- (a) the base rate in respect of a particular financial year is based wholly or in part on the number of meters installed to measure the volume of water supplied to the land;
- and
- (b) one or more of the meters was installed after the commencement of the financial year,

there shall be a proportionate reduction in the amount payable by way of base rate for that financial year in respect of the meter or meters installed after the commencement of the financial year.

(4a) Upon payment of the base rate declared in respect of a particular year the owner, lessee or occupier of land is, subject to this Division, entitled to the supply by the Minister, in that year, of the quantity of water that would, at the rate declared under subsection (1) (a) in respect of that year, cost an amount equal to the amount paid by way of the base rate.;

(b) by striking out from paragraph (a) of subsection (5) "the rate fixed under subsection (2) hereof" and substituting "the rates fixed under this section in respect of that block";

(c) by striking out from paragraphs (b) and (c) of subsection (5) "rate" and substituting, in each case, "rates";

and

(d) by striking out from subsections (6) and (7) "the rate fixed under subsection (4) hereof" and substituting, in each case, "the rates fixed under this section in respect of that block".

Amendment of
s. 75—
Provision for
recovery of rates.

5. Section 75 of the principal Act is amended by striking out from subsection (1) "the amount in the dollar, or the amount per hectare or per block or per cubic metre of water supplied (as the case may be), of the rate, the period for which the rate is declared" and substituting "the amount of the rate".

Amendment of
s. 76—
Rate Assessment
Book.

6. Section 76 of the principal Act is amended by striking out "and" between paragraphs III and IV of subsection (1) and inserting after paragraph IV the following word and paragraph:

and

V. the number of meters belonging to, and installed by, the Minister to measure the volume of water supplied to land for domestic purposes.

Repeal of s. 77.

7. Section 77 of the principal Act is repealed.

Amendment of
s. 78—
Supply of water
by measure.

8. Section 78 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

(1) The Minister may, on such terms and conditions as the Minister determines, supply water by measure to land that is not ratable land whether that land is situated in an irrigation area or not.

9. Section 114 of the principal Act is amended by striking out paragraph XIII and substituting the following paragraph:

Amendment of
s. 114—
Regulations.

XIII. the imposition and recovery of fees and charges and interest on those fees and charges:.

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

D. B. DUNSTAN, Governor