

NORTHERN TERRITORY OF AUSTRALIA

WATER SUPPLY AND SEWERAGE AMENDMENT ACT 1998

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No. 26 of 1998

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# NORTHERN TERRITORY OF AUSTRALIA

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No. 26 of 1998

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## AN ACT

to amend the *Water Supply and Sewerage Act*

[Assented to 30 March 1998]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### 1. SHORT TITLE

This Act may be cited as the *Water Supply and Sewerage Amendment Act 1998*.

### 2. PRINCIPAL ACT

The *Water Supply and Sewerage Act* is in this Act referred to as the Principal Act.

### 3. INTERPRETATION

Section 6 of the Principal Act is amended —

- (a) by omitting paragraph (b) of the definition of "owner" in subsection (1) and substituting the following:

"(b) in relation to land to which the *Unit Titles Act* applies —

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- (i) if the land is common property — the body corporate referred to in section 27 of that Act; or
- (ii) if the land is a unit — the proprietor of the unit;"; and
- (b) by omitting from subsection (1) the definition of "parcel of land".

4. WATER SUPPLY EXTENSION AREAS

Section 13A of the Principal Act is amended —

- (a) by inserting in subsection (4) after "payable" the words ", subject to any agreement as to terms for payment or otherwise";

- (b) by omitting subsection (4)(b) and substituting the following:

"(b) subject to subsections (5) and (7), where no application for the supply of a water service to the land is made —

- (i) immediately before the first transfer of the land to another person after the declaration of the water supply extension area; or
- (ii) immediately before the next transfer of the land after an exemption under subsection (5) ceases to have effect,

despite that the owner or the person to whom the land is to be transferred does not elect to have water supplied by the Authority to the land."; and

- (c) by adding at the end the following:

"(7) An owner of land who is liable to pay an amount under subsection (3) is not entitled to transfer the land to another person unless the owner has paid to the Authority so much of the amount that is outstanding at the date of the transfer.

"(8) For the purpose of calculating the amount outstanding at the date of the transfer, any amount payable under the agreement or notice referred to in subsection (3) is to be taken to be due and payable immediately before that date, notwithstanding that but for this section it would not be due and payable until a later date.".

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### 5. NEW SECTION

The Principal Act is amended by inserting after section 19 the following:

#### "19A. SEWERAGE SERVICE AGREEMENTS

"(1) The Authority may, upon application being made to the Authority in the approved form accompanied by the prescribed fee, enter into an agreement to make available a sewerage service to a person whether or not —

- (a) the point at which the service is made available is within a sewered area; or
- (b) the person to whom the service is made available is an owner of land.

"(2) An agreement to make available a sewerage service under this section may provide for the service to be made available on terms and conditions other than those contained in this Act.

"(3) The availability of a sewerage service under this section is subject to the terms and conditions of the agreement."

### 6. CHARGES FOR SUPPLY

Section 33 of the Principal Act is amended —

- (a) by inserting after subsection (2) the following:

"(2A) Subject to section 19A, charges for making available a sewerage service to land in a sewered area are payable by the owner of the land and are as prescribed by the Regulations or determined by the Minister."; and

- (b) by omitting from subsection (3) "subsection (1) or (2)" and substituting "subsection "(1), (2) or (2A)".

### 7. FURTHER AMENDMENTS

The Principal Act is amended as set out in the Schedule.

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SCHEDULE

Section 7

Provision	Amendment	
	omit	substitute
Section 12A(1)	"a parcel of land"	"land"
Section 12A(1) (a), (b) and (c)	"parcel"	"land"
Section 12A(1)	"the parcel of land"	"the land"
Section 12A(2)	"a parcel of land"	"land"
Section 12A(2) (b)	"required;"	"required; and"
Section 12A(2) (c)	the whole paragraph	"(c) the land in relation to which it is required."
Section 12A(2) (d)	the whole paragraph	
Section 12A(3)	"the parcel of land"	"the land"
Section 13A(2)	"parcels of land"	"different parts of a water supply extension area"
Section 13A(3)	"a parcel of land"	"land"
Section 13A(3) (a) and (b)	"the parcel of land"	"the land"
Section 13A(4) (a)	"the parcel of land"	"the land"

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Section 13A(5)	"a parcel of land"	"land"
Section 13A(6)	"the parcel of land"	"the land"
Section 13B(1)	"a parcel of land"	"land"
Section 13B(1)	"the parcel of land"	"the land"
Section 13B(1)	"the owner of the parcel"	"the owner of the land"
Section 13B(2)	"a parcel of land"	"land"
Section 13B(2) (b)	"required;"	"required; and"
Section 13B(2) (c)	the whole paragraph	"(c) the land in relation to which it is required."
Section 13B(2) (d)	the whole paragraph	
Section 13B(3)	"the parcel of land"	"the land"

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