EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT BILL 1965

House of Assembly, 16 November 1965, page 2812

Second reading

**The Hon. J. D. CORCORAN (Minister of Lands)** moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Eight Mile Creek Settlement (Drainage Maintenance) Act, 1959.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. J. D. CORCORAN: I move:

*That this Bill be now read a second time.*

In consequence of proposals put forward to the former Minister of Lands by a deputation on behalf of the settlers in the Eight Mile Creek settlement, the Government has agreed to introduce this Bill to amend the basis of valuation for the purposes of assessing the drainage maintenance rates in the settlement so as to provide that the valuation is to be based on the unimproved value of each holding rather than on its market value as now applying. This action is proposed, as the proposed basis of valuation is considered more equitable as between individual settlers.

The principal Act provides for a quinquennial valuation to be made in respect of each five-year rating period, the last of which expired on April 30, 1965. A valuation in respect of the five-year rating period which commenced on May 1, 1965, has already been made on the basis of market value and notified to settlers under the existing provisions of the Act but, in view of the proposals contained in this Bill, an assessment of drainage rates for that five-year rating period will not be made on the basis of that valuation. It is, however, proposed that the annual drainage rate declared and levied on each of the holdings in respect of the rating period which ended on April 30, 1965, shall be the drainage rate on that holding for the year ending on April 30, 1966, and a quinquennial valuation on the new basis of unimproved value will be made for each five-year rating period commencing on or after May 1, 1966.

Clause 3 alters the definition of “rating period” to accord with the new proposals. Clause 4 enacts a new section 4a which provides that the annual drainage rate declared and levied on each holding in respect of the five-year rating period which ended on April 30, 1965, shall be the drainage rate on that holding for the year ending on April 30, 1966. This has the effect of extending that rating period by one year until April 30, 1966. The new section also provides for the recovery of rates and of interest at 5 per cent per annum on unpaid rates but empowers the Minister to remit the whole or any part of the interest on grounds of hardship or for any other sufficient reason.

Clause 5 replaces subsection (1) of section 5 of the principal Act. The new subsection requires the Director to determine the average annual expenditure for each future five-year rating period after estimating the expenditure that would be incurred during that period in connection with the maintenance, care, control and management of the drains and drainage works in the settlement, and also requires the Land Board to make a valuation of the unimproved value of the land in each holding. The clause enacts a new subsection (1a) which defines “unimproved value” of land as defined in the Land Tax Act. The clause also enacts a new subsection (3), which provides that the valuation made on the basis of market value of land in respect of the rating period that, but for this Bill, would have commenced on May 1, 1965, is cancelled and shall have no force or effect. Clause 6 amends section 12 of the principal Act by allowing the Director power to extend the time for payment of rates in respect of any year of a rating period other than the first year.

The Hon. Sir THOMAS PLAYFORD secured the adjournment of the debate.