

# CITY OF PERTH ENDOWMENT LANDS.

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No. 2 of 1980.

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## AN ACT to amend the City of Perth Endowment Lands Act 1920-1978.

[Assented to 25 August 1980.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *City of Perth Endowment Lands Amendment Act 1980*.

Short title  
and citation.

(2) In this Act the City of Perth Endowment Lands Act 1920-1978 is referred to as the principal Act.

Reprinted as  
approved  
7 April  
1971, and  
amended by  
Acts Nos. 76  
of 1978 and  
111 of 1979.

(3) The principal Act as amended by this Act may be cited as the City of Perth Endowment Lands Act 1920-1980.

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Section 3  
amended.

2. Section 3 of the principal Act is amended by inserting, after the definition of "District" or "municipal district", the following definition—

“ “Financial year” has the meaning given by section six of the Local Government Act 1960; ” .

Section 7  
amended.

3. Section 7 of the principal Act is amended by inserting—

(a) after the section designation "7.", the subsection designation "(1)";

(b) after "Rates for any", the following—  
“ financial ” ; and

(c) after the existing section, the following subsection—

“ (2) Subject to this section and to section seven A of this Act, the Local Government Act 1960 applies to the rating of land in the said lands. ” .

Section 7A  
inserted.

4. The principal Act is amended by inserting, after section 7, the following section—

Apportion-  
ment of  
rates burden  
between said  
lands and  
remainder of  
municipal  
district in  
respect of  
financial  
years  
commencing  
on 1 July  
1979 and  
1 July 1980.

“ 7A. (1) The general rates determined in respect of the financial year commencing on 1 July 1979 by the council in relation to the said lands and to the remainder of the district having been quashed by an order of a Land Valuation Tribunal, the council shall, subject to subsection (2) of this section, as soon as practicable after the coming into operation of the City of Perth Endowment Lands Amendment Act 1980, comply with the requirements of section five hundred and thirty-three E of the Local Government Act 1960 in respect of that financial year.

(2) The general rate to be imposed in respect of the financial year commencing on 1 July 1979 under section five hundred and thirty-three E of the Local Government Act 1960 in relation to—

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- (a) the said lands shall yield an amount equal to 8.8 per cent of the amount of the budget deficiency of the council in respect of that financial year (in this subsection called "the 1979 endowment lands assessment"); and
- (b) the remainder of the district shall yield the amount remaining after subtracting the 1979 endowment lands assessment from the amount of the budget deficiency of the council in respect of that financial year.

(3) The council shall in respect of the financial year commencing on 1 July 1980 determine the general rate to be imposed in relation to—

- (a) the said lands, which general rate shall yield an amount (in this subsection called "the 1980 endowment lands assessment") equal to the same percentage proportion (calculated to the nearest first decimal place) of the budget deficiency of the council in respect of that financial year as the percentage proportion which the aggregate of the gross rental values of all land in the said lands bears to the aggregate of the gross rental values of all land in the district; and
- (b) the remainder of the district, which general rate shall yield the amount remaining after subtracting the 1980 endowment lands assessment from the amount of the budget deficiency of the council in respect of that financial year.

(4) The council may, in respect of the financial years commencing on 1 July 1979 and 1 July 1980, respectively, serve combined notices of valuation and rate under section five hundred and forty-two of the Local Government Act 1960 in respect of those two financial years.

(5) In this section—

“budget deficiency” has the meaning given by section five hundred and forty-eight of the Local Government Act 1960;

“first decimal place” means first decimal place after the decimal point in the number concerned;

“general valuation” has the meaning given by section four of the Valuation of Land Act 1978;

“gross rental values”, in relation to land in the said lands or in the district, means the gross rental values set out in the general valuation of land in the district determined by the Valuer-General to come into force in respect of the financial year commencing on 1 July 1980;

“the remainder of the district” means that portion of the district remaining after subtracting the area of the said lands from the district. ” .

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