

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1910.

A BILL

To sanction the construction of works of Water Supply for the City and District of Broken Hill; to vest the administration of such works, and the supplying of water therefrom, in the Secretary for Public Works; and for purposes consequent thereon or incidental thereto.

[MR. LEE;— August, 1910.]

WHEREAS, in accordance with the provisions of the Public Works Act, 1900, the Legislative Assembly did, by resolution, declare that it was expedient to carry out a certain work, namely, the construction of a scheme of Water Supply from Umberumberka Creek for the City and District of Broken Hill: And whereas, on the passing of the said resolution, a statutory duty was by the said Act imposed on the Secretary for Public Works to introduce a Bill into the said Assembly to sanction the carrying out of the said work: And whereas it is desirable to make provision for the supply of water from

from the said work: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Broken Hill (Umberumberka Creek) Water Supply Act, 1910," and is divided into Parts, as follows:—

PART I.—PRELIMINARY.

PART II.—SANCTION OF CONSTRUCTION.

PART III.—THE SUPPLY TO THE TOWN OF BROKEN HILL.

PART IV.—THE SUPPLY TO THE MINES.

PART V.—GENERAL AND SUPPLEMENTAL.

2. In this Act,—

"Minister" means Secretary for Public Works.

"Part" means Part of this Act.

"Work" means work of water supply, and includes the work sanctioned by this Act.

3. The Broken Hill and Umberumberka Water Supply Act, 1906, is repealed.

PART II.

SANCTION OF CONSTRUCTION.

4. The carrying out of the said work (more particularly described in Schedule One to this Act) is hereby sanctioned, and the Minister for Public Works, or the member of the Executive Council for the time being performing the duties of the Minister, is hereby authorised to undertake and carry out the said work, subject to the provisions of this Act, and for that purpose shall be, and shall have the powers and duties of a "Constructing Authority" within the meaning of the Public Works Act, 1910.

5. The plan of the said works is the plan marked "

signed by the Minister, and countersigned by the Chief Engineer for Harbours and Water Supply, and deposited in the public office of the said Secretary.

6.

6. The cost of carrying out the said work, estimated at three hundred and fifty-nine thousand pounds (which excludes the cost of resumption), shall be defrayed from such Loan Votes as are now or may hereafter be applicable to that purpose, or from appropriations from the Public Works Fund, or partly from such votes and partly from such appropriations, and shall not under any circumstances exceed the estimated cost by more than ten per centum.

PART III.

THE SUPPLY TO THE TOWN OF BROKEN HILL.

7. The Governor, by proclamation in the Gazette, may define a water district within which the Minister may supply water from the said work to the owners or occupiers of all land and premises (except the mines and mining properties of the companies referred to in Schedule Two to this Act), and within which the powers of the Minister hereinafter referred to may be exercised.

8. For the purposes of supplying water under this Part, and for determining, levying, and collecting rates and charges thereunder, and making by-laws; and generally for the administration of this Part, the enactments set out in Schedule Two to this Act, so far as they relate to water supply, shall apply to this Part, and in so applying such enactments "the Minister" shall be read for "the Council":

Provided that the rates under this Part shall at the option of the Minister be levied on the improved or on the unimproved capital value of ratable land in the municipality as defined in the Local Government Act, 1906; and the valuation of lands and tenements for the purpose of such rates shall not exceed the valuation of such lands and tenements last made under the said Act.

9. A rate levied under this Part shall be such as in the opinion of the Minister will produce sufficient with the contributions from the mining companies mentioned in Part IV, to provide for—

- (a) the maintenance of the said works in an efficient condition, including necessary renewals;
- (b) the costs and expenses of supplying water under this Act;
- (c) a sinking fund calculated to repay the capital moneys from time to time expended in the construction and equipment of the said work within twenty years from the date when water is first supplied from the work; and
- (d) other costs and expenses to be incurred in the administration of this Act.

PART IV.

THE SUPPLY TO THE MINES.

10. The several companies referred to in Schedule Three to this Act and their respective successors in title shall, subject to this Act, be supplied with water from the said work, and such water shall be made available at places within the water district as near as possible to the respective mines or works of the said companies.

11. As soon as water is made available for the said mines and works the Minister shall, by notice in the Gazette, certify that fact; and the said companies and their respective successors in title shall thereupon respectively become liable to pay in each year to the said Minister the respective sums set out in the said Schedule. Such sums shall be paid in half-yearly instalments on or before the dates prescribed by regulations under this Part, and may be recovered as a Crown debt.

12. Such payments shall, subject to this Act, entitle the said companies to receive the minimum quantities of water set out in the said Schedule: Provided that no reduction in the amount payable by the said companies respectively shall be made if less than the minimum quantities of water referred to in the said Schedule be required by the said companies or any of them.

13. For the purposes of this Part, the enactments of Schedule Two to this Act, so far as they relate to water supply, except sections thirteen and fourteen of the Country Towns Water and Sewerage Act of 1880, and sections ten, eleven, twenty-two, the whole of Part III, and section sixty-five of the Country Towns Water and Sewerage (Amendment) Act, 1905, shall apply to this Part, and in so applying such enactments "the Minister" shall be read for "the Council".

14. The Minister may supply to the said companies, or any of them, such further quantities of water as he thinks fit, and as may be required, at a charge of two shillings and sixpence per thousand gallons.

15. The Governor may make regulations for carrying into effect the provisions of this Part. Such regulations, when published in the Gazette, shall have the force of law, and shall be laid before both Houses of Parliament within seven days after publication if Parliament is in session, or if not, then within seven days after the commencement of the next session.

PART V.

GENERAL AND SUPPLEMENTAL.

16. For the purposes of the administration of this Act, the control and management of the said work are hereby vested in the Minister.

17. Nothing in this Act shall make it obligatory on the Minister to supply water to any person or company; and if, through drought or other unforeseen causes, the supply of water from the said work is stopped for a greater period than _____, then the rate or contribution payable under this Act shall be abated proportionately.

18. As soon as possible after the completion of the work sanctioned by this Act the Minister shall certify the cost thereof, together with interest at the rate of three and a half per centum per annum on the sums expended on such work from the respective times of such expenditure, and shall publish such certificate in the Gazette.

19. The Minister at any time after the capital sums expended in the construction and equipment of the said work have been repaid out of the sinking fund established in pursuance of this Act, may reduce the rates and charges to be paid by the owners and occupiers of land and premises, and the contributions payable by mining companies under this Act.

20. All sums of money payable by any of the said mining companies under the provisions of this Act shall be a first charge on the land of the company.

SCHEDULES.

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SCHEDULE ONE.

THE scheme comprises :—

- (1) A storage dam on Umberumberka Creek and within the holding of Mundi Mundi. The dam will be constructed of concrete or Cyclopean rubble masonry with a crest of about 680 feet long and having a top water level of R. L. 839. The height of crest above the creek will be 84 feet. The dam will have a catchment area of 150 square miles, and includes the Umberumberka, Black Hill, and Lake's Grave Creeks. The capacity of the storage, when filled, is estimated to be 2,903 million gallons of water, the whole being situated within the parishes of Bomangaldy and Umberumberka.
- (2) Outlet works below the dam consist of a pump well, engine and boiler house, duplicate pumping machinery, a short suction pipe, and about 2 miles of steel rising main.
- (3) A concrete service reservoir with reinforced concrete roof, capacity 2 million gallons.
- (4) Gravitation main into Broken Hill, having a length of about 16·8 miles.
- (5) Reticulation pipes within the municipal area and also to the mines.
- (6) A tramway from near Silverton to the site of dam, length about 6 miles, and connecting with the Silverton Tramway Company's system.
- (7) The resumption of land for the service reservoir and the submerged area at the storage dam. Also easements for the rising and gravitation mains.
- (8) Offices, engineer's cottage, and telephone line.

The whole to be subject to such alterations and modifications as the Constructing Authority may think necessary.

SCHEDULE TWO.

Country Towns Water and Sewerage Act of 1880.

Part I, section 1.—Definitions of catchment area, conduit, justice, owner, street, and water district respectively. Sections 13 and 14.

Part II.—The whole, subject to amendments and repeals made therein by the Country Towns Water Supply (Amendment) Act, 1905.

Part V.—Sections 137, 138, and 139.

Country Towns Water and Sewerage (Amendment) Act, 1905.

Part I.—Sections 3 and 4.

Part II.—Sections 5, 6, 7, 8, 9, 10, 11, and sections 13 to 22 inclusive.

Part III.—Sections 30, 31, 32, 33, 34, 35, 36, 37, and sections 39 to 49 inclusive.

Part V.—Sections 62, 64, 65, 66, 68, 69, 70.

Broken Hill (Umberumberka Creek) Water Supply.

SCHEDULE THREE.

Name of company.	Amount payable to the Minister yearly.	Minimum quantity of water to be supplied if required.
	£	Gallons.
Proprietary	1,375	11,000,000
Central	4,250	34,000,000
South	1,750	14,000,000
Block 10	1,500	12,000,000
North	1,000	8,000,000
British	1,000	8,000,000
Block 14	250	2,000,000
South Blocks	625	5,000,000
Junction North	375	3,000,000
Junction	750	6,000,000
Zinc Corporation	1,500	12,000,000
De Bavay	1,625	13,000,000
	£16,000	128,000,000