

June Water Supply Administration (Amendment) Bill.

EXPLANATORY MEMORANDUM.

THE Bill is designed to make a more equitable arrangement for the payment for water supplied to the Council and the Railway Commissioners by the Administrator.

Under the Principal Act of 1915 the Council is at present paying per annum a sum of £2,000 minus an allowance of £200 for administrative expenses. On the volume supplied in 1924 the Council is required to pay for water at the rate of 11·61d. per 1,000 gallons.

The Principal Act requires that the balance of the expenditure incurred should be paid by the Railway Commissioners. The liability of the Commissioners for 1924 was £7,966 1s. 2d., and the volume of water supplied was 52,220,546 gallons. The price payable by the Commissioners for water was therefore 36·61d. per 1,000 gallons.

It is proposed to fix from time to time the actual price of delivery per 1,000 gallons, and require the Council and the Commissioners to pay accordingly.

Parliament is also asked to authorise the construction of certain augmentation works described in the Schedule.

The remainder of the Bill deals with consequential amendments of the Principal Act or alterations of the machinery of administration, which, although in some cases not unimportant, do not disturb in any essential the principles of the Principal Act.

No. , 1925.

A BILL

To make provision for the future administration of the water supply at Junee; to authorise the construction of certain additional works; to amend the Junee Water Supply Administration Act, 1915, and certain other Acts; and for purposes connected therewith.

BE it 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
5 the same, as follows:—

1. This Act may be cited as the "Junee Water Short title.
Supply Administration (Amendment) Act, 1925," and shall be read and construed with the Junee Water Supply Administration Act, 1915, hereinafter called the
10 Principal Act.

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The Principal Act and this Act may be referred to in any Act, proclamation, by-law, or regulation, or in any proceedings in any court as the "June Water Supply Administration Acts, 1915-1925."

2. This Act shall commence and come into operation on the first day of January, one thousand nine hundred and twenty-six. 5

3. (1) Section two of the Principal Act is amended by omitting the definition of "The Commissioner" and inserting in place thereof— 10

"Commissioners" means the Railway Commissioners for New South Wales.

(2) The Principal Act is further amended—

(a) by omitting from sections seven, eight, nine, twelve, thirteen, and fourteen the word "Commissioner" wherever therein occurring and by inserting in lieu thereof the word "Commissioners"; 15

(b) by omitting from sections eight and fourteen the word "he" and by inserting the word "they" in lieu thereof; 20

(c) by omitting from section nine the words "he" and "his" and by inserting the words "they" and "their" in lieu thereof respectively.

4. Section three of the Principal Act is amended by inserting new subsections as follow :— 25

(3) The Administrator may with the consent of the Minister by writing under his hand delegate to any officer in the Public Service any of the powers, authorities, duties, or functions conferred or imposed upon him by this Act other than the power of delegation. 30

(4) The Administrator shall for the purposes of this Act be a corporation sole with perpetual succession and a seal of office, under the name of "the Administrator of the June Water Supply," and in that name may sue and be sued. 35

5. Section five of the Principal Act is amended by omitting paragraph (j) and inserting the following :—

(j) the boosting plant on the gravitation main ; 40
(k) the additional service reservoir ;

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(1) any additions, amplifications, improvements, or extensions of works (other than those vested or which may hereafter be vested in the council) for supplying the council or the Commissioners with water.

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6. Section six of the Principal Act is amended by omitting "Country Towns Water and Sewerage Acts, 1880-1905, and any Acts amending them," and inserting in place thereof "Local Government Act, 1919, and any
10 Acts amending that Act." Sec. 6 of Principal Act.

7. The following sections are inserted next after section six of the Principal Act:— New sections.

15 6A. The Administrator may at the request of the council construct any extensions of the works named in the next preceding section, and in respect of such extensions the provisions of Part XIV of the Local Government Act, 1919, shall apply. The provisions of that Part shall also apply to certain extensions laid in accordance
20 with an agreement between the Minister and the council, dated the tenth day of January, one thousand nine hundred and nineteen, which is hereby annulled. Extension of works for council.

25 6B. In respect of any works referred to in the two next preceding sections, the Administrator may direct what sum shall be set aside by the council out of the revenue derived from such works as a reserve for the purpose of effecting renewals thereto. Such sum shall be paid into a separate banking
30 account of the council, and as soon as may be after such payment, the amount thereof shall be invested in Commonwealth or State Government loans or securities, or placed on fixed deposit with the council's bank. Interest accruing from such
35 investments shall be regularly added to the account and invested in like manner. The reserve so created shall not be drawn upon except with the approval of the Administrator, and for the purpose of effecting renewals to the said works. In case any doubt arises as to the necessity for such renewals, the question shall be decided by the Administrator, whose decision shall be final. Renewals and repairs.

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6c.

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Certain railway lands exempt from rates.

6c. Notwithstanding the provisions of the Local Government Act, 1919, lands the property of the Commissioners which are supplied with water by the Administrator through the Commissioners' metered supply, shall not be ratable to a water supply local rate levied by the council.

Sections 7 and 8 of Principal Act. Supply to council.

8. Sections seven and eight of the Principal Act are repealed, and the following are inserted in place thereof:—

7. (1) The Administrator shall supply to the 10 council every calendar year a volume of water equal to the volume which would be purchased by the sum of two thousand five hundred pounds at the rate per thousand gallons fixed by regulations in force on the first day of January in the 15 year in which water is supplied.

(2) The Administrator may in addition to the volume as provided in subsection one of this section supply to the council any water which may be available after having supplied to the Commis- 20 sioners the quantities which they may require under section nine.

Fixing price of water.

8. (1) The Governor shall from time to time by regulation fix the price per thousand gallons to be paid by the council and the Commissioners having 25 regard to—

- (a) interest on the capital cost of the works referred to in section five, and a sinking fund to redeem such cost as elsewhere provided in this Act; 30
- (b) the cost of operating such works;
- (c) the cost of maintenance and the renewal and repair of such works.

Payments by council.

(2) The council shall on or before the thirty- 35 first day of July and December in each year pay to the Administrator the sum of one thousand two hundred and fifty pounds, and in addition on demand of the Administrator any amount in excess of two thousand five hundred pounds for water supplied in any year in excess of the volume which 40 that amount would purchase at the rate fixed by regulation per thousand gallons. 9.

9. Section twelve of the Principal Act is amended—

Amendment of s. 12 of Principal Act.

(a) in subsection one—

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(i) by omitting the words “eighty-four thousand eight hundred and seventy-four pounds three shillings and nine-pence” and by inserting in lieu thereof the words “one hundred and four thousand six hundred and thirty-three pounds”;

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(ii) by omitting the word “subsection” and by inserting in lieu thereof the words “following subsections”;

(b) by inserting a new subsection as follows:—

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(1A) Upon ascertainment of the amount of liabilities incurred in providing any works referred to in the next preceding subsection, the cost of which has not been included in the declared capital cost, such amount shall be certified by the Minister, and the total amount, together with interest at the rate determined in accordance with the next succeeding subsection, shall be added to and become part of the capital cost;

Inclusion of outstanding accounts.

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(c) in subsection two by omitting the words “and whether” and by inserting in lieu thereof the word “unless”; and by omitting the words “or of the Commissioner, or for the benefit of both.”

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10. Section thirteen of the Principal Act is amended—

Amendment of s. 13 of Principal Act.

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(a) in subsection one by adding at the end of paragraph (a) the words “as declared by the Junee Water Supply Administration (Amendment) Act, 1925, and the average rate of interest paid by the Colonial Treasurer on loan moneys by the Government of New South Wales on any amount added to the capital cost after the commencement of that Act”;

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(b)

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(b) in subsection one by inserting a new paragraph as follows :—

(aa) A sum by way of sinking fund to discharge the capital cost of the Commissioners and the council together with interest thereon at the rate determined as aforesaid within fifty years from the date of the fixation of any such capital cost ;

(c) by inserting a new subsection as follows :—

(1A) Where in any year as a result of the price per thousand gallons having been fixed too high or too low there is a surplus or a deficiency of revenue, such surplus or deficiency shall be credited or debited as the case may be to the council and the Commissioners in proportion to the payments made by each respectively in such year, and the Administrator may, where in his opinion the circumstances so warrant, make such adjustments as he may determine ;

(d) subsection three is amended by inserting after the word "account" the words "adjusted in accordance with the provisions of subsection (1A) of this section."

Surplus and deficiency.

Section 19 of Principal Act.

Powers of Administrator.

Repeal, s. 20.

Amendment of s. 22 of Principal Act.

11. Section nineteen of the Principal Act is omitted, and the following inserted in lieu thereof :—

19. For the purpose of the construction or maintenance of any works referred to in section five of this Act, the Administrator shall have all the powers of a constructing authority under the Public Works Act, 1912, and of a council under the Local Government Act, 1919. The council shall not in respect of such works exercise any of the powers or functions which are by this Act conferred or imposed on the Administrator.

12. Section twenty of the Principal Act is repealed.

13. Section twenty-two of the Principal Act is amended by omitting the words "Country Towns Water and Sewerage Acts, 1880-1905," and by inserting in lieu thereof the words "Local Government Act, 1919, or any Acts amending that Act."

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14. The following section is inserted next after section twenty-two of the Principal Act :—

Application of Local Government Act to certain works.

5 (1) Notwithstanding the terms of any agreement heretofore made, the provisions of Part XIV of the Local Government Act, 1919, shall be deemed to apply and to have applied to any works or services relating to water supply carried out by the Minister or the Administrator prior to the passing of this Act at the request of or for and on behalf of the council.

10 (2) For the purpose of giving effect to the last preceding subsection all necessary steps may be taken after the passing of this Act in relation to any such work or service including certifying the cost, and notifying the capital debt, the period for repayment, and the instalments and rate of interest payable by the council.

15. (1) The carrying out of the works described in the Schedule of this Act is hereby sanctioned, and the Secretary for Public Works is empowered to carry out the said works under the provisions of the Public Works Act, 1912.

Additional works sanctioned.

(2) The said works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912.

25 **16.** The carrying out of the said works described in the Schedule, exclusive of land resumptions, is estimated at one hundred and eighty-seven thousand pounds (£187,000), and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

30 **17.** The plan of the works set out in the Schedule is the plan marked "June Water Supply" signed by the Secretary for Public Works and countersigned by the Chief Engineer for Water Supply and Sewerage and deposited in the office of the said Secretary.

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SCHEDULE.

1. New pumping station with electrically-driven pumps ;
 2. New rising main ;
 3. Additional gravitation main ;
 - 5 4. Additional service reservoir ;
 - 5 5. Alumino-ferric treatment plant,
- and all works incidental thereto.
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