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[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1914.

A BILL

To provide for the maintenance, control, and administration of certain works of water supply for the town of Junee and for the Government Railways; for the payment of the cost of such works; to extinguish the debt of the Municipality of Junee in respect of certain works; to provide for the supply of water from the Bethungra dam; to amend the Country Towns Water and Sewerage Acts, 1880-1905, and the Local Government Act, 1906; and for purposes consequent thereon or incidental thereto.

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 the same, as follows :—

PART I.

PRELIMINARY AND ADMINISTRATION.

Preliminary.

1. This Act may be cited as the "Junee Water Supply Administration Act, 1914," and is divided into parts as follows :—

PART I.—PRELIMINARY AND ADMINISTRATION— Division into Parts.

PART II.—THE SUPPLY OF WATER—

PART III.—FINANCIAL—

PART IV.—THE SUPPLY FROM BETHUNGRA DAM—

PART V.—MISCELLANEOUS—

2. In this Act— Definitions.

"The Administrator" means the Administrator of the Junee Water Supply.

"Part" means Part of this Act.

"The Commissioner" means the Chief Commissioner for Railways and Tramways.

"The Council" means the council of the municipality of Junee.

"The Minister" means the Minister for Public Works.

Administration.

3. (1) This Act shall be administered for and on behalf of the Crown by the Administrator, who shall be the permanent head of the Department of Public Works, and who shall have the powers and duties hereinafter conferred and imposed on the Administrator. The administrator.

(2) In case of the illness, suspension, or absence of the Administrator, the person for the time being acting in the office of the permanent head of the Department of Public Works shall have all the powers and may perform the duties of the Administrator.

Deputy Administrator,

Works controlled by the Administrator.

4. The undermentioned works constructed under the Junee Water Supply Act, 1893, and which passed into the control of the council by virtue of a notification published in the Gazette of the twelfth day of March, one thousand eight hundred and ninety seven, shall upon the passing of this Act cease to be within the control of the council, and the said notification is to the extent of the works herein referred to annulled, that is to say :—

- (a) The service reservoir at Junee.
- (b) So much of the service main as lies between that reservoir and the boundary of the municipality of Junee.
- (c) The storage dam at Bethungra, and gravitation main thence to the aforesaid service reservoir at Junee.

5. The following works shall be maintained, and administered by the Administrator, that is to say :—

Works controlled by Administrator.

- (a) the works mentioned in the last preceding section ;
- (b) the pumping station and machinery at Tenandra on the Murrumbidgee River and buildings connected therewith ;
- (c) the rising main from the said pumping station to the storage reservoirs on Mount Tenandra ;
- (d) the said storage reservoirs on Mount Tenandra ;
- (e) the gravitation main from the said storage reservoirs to Junee ;
- (f) the new service reservoir at Junee now in course of construction ;
- (g) the new service main to be constructed from the last mentioned reservoir to the premises of the Commissioner at Junee Junction ;
- (h) the buildings at Tenandra constructed or to be constructed for the accommodation of members of the administration staff ;

(i)

Junee Water Supply Administration.

- (i) the telephone lines in connection with the works ;
- (j) any extension of the works above referred to which are situate outside the boundaries of the municipality of Junee.

Works controlled by the council.

6. Subject to this Act any reticulation works, and so much of the existing service main as is within the boundaries of the municipality of Junee, and any extension of such works within such municipality, shall be maintained and administered by the council, under the Country Towns Water and Sewerage Acts, 1880-1905, and any Acts amending them :

Works controlled by Council.

Provided that the Administrator may, until the new service main, referred to in paragraph (g) of the last preceding section is laid to the premises of the Commissioner, use the works above mentioned to supply the Commissioner with water in terms of this Act.

Temporary use of Council's main by Administrator.

PART II.

THE SUPPLY OF WATER.

Supply to the council.

7. The Administrator shall operate the pumps at the Tenandra pumping station, and shall supply to the council at the boundary of the municipality of Junee, through a meter to be supplied and maintained at the cost of the Crown, a quantity of water equal to a supply of thirty gallons per day per head of population residing in the municipality in premises ratable for water rates under the Country Towns Water and Sewerage Acts, 1880-1905.

Supply to Council.

8. The Administrator may also, in addition to the supply of water as provided in the last preceding section, supply to the council, at a rate to be fixed by him, any water which may be available after having supplied to the Commissioner the quantities provided in this Act.

Further supply at option of Administrator.

Supply

Supply to the Commissioner.

9. The Administrator shall supply to the Commissioner, in such quantities as he may require, on his premises at Junee Junction any water available from the works administered by him under this Act (other than the storage reservoir at Bethungra), over and above the quantity to be supplied to the council under section seven.

Supply to Commissioner.

PART III.

FINANCIAL.

10. The council shall, and it is hereby empowered to make and levy each year, until the capital cost is discharged as hereinafter provided, the maximum water rate which may lawfully be levied upon all lands within the municipality of Junee liable to water rates under the provisions of the Country Towns Water and Sewerage Acts 1880-1905 and any Acts amending them, and shall under the said Acts make charges for water supplied.

Rate to be levied by council.

11. The council shall be entitled to retain out of the moneys received from such rates and charges as aforesaid such amount as the Administrator may approve for the maintenance of the works under its control, and for the expenses incurred in collecting such rates and charges, and shall pay the balance of such moneys into the Treasury on the first day of January and the first day of July in each year.

Council to pay proceeds to Treasurer, less cost of maintenance.

12. The debt owing by the council in respect of the cost of the works of water supply constructed under the provisions of the Junee Water Supply Act, 1893, is hereby extinguished.

Council's debt under Junee Water Supply Act, 1893, extinguished.

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13. (1) The capital cost of the works which by this Act are administered by the Administrator and by the council, except the storage dam at Bethungra and the gravitation main thence to the service reservoir at Junee, is hereby declared to be the sum of eighty-four thousand six hundred and twenty-eight pounds, but may be added to as provided in the next subsection.

(2) Upon completion of any extension of the said works, whether within or without the boundaries of the municipality of Junee, and whether made solely for the benefit of the council or of the Commissioner or for the benefit of both, the amount expended on such extension, subject to such partial remission as the Governor may think just under any special circumstances, together with interest at the rate of four per centum per annum on the sums making up such amount, calculated from the time such sums were expended, shall be certified as soon as practicable under the hand of the Minister, and the total amount so certified from time to time shall be added to and become part of such capital cost.

14. (1) Until such capital cost is discharged in manner hereinafter provided, an account shall be kept in the Treasury, to be called the "Junee Water Supply Account," and there shall be annually credited to such account any payments made into the Treasury in pursuance of this Act and shall be debited to that account the charges following:—

- (a) Interest at the rate of three and one-half per centum per annum on the amount of such capital cost, and payments to a sinking fund at a rate sufficient to provide for repayment of such capital cost within fifty years from the commencement of this Act.
- (b) A sum for renewal of the steel mains, pumping machinery, and buildings the control of which is by this Act vested in the Administrator (exclusive of the storage dam at Bethungra, and the gravitation main thence to the service reservoir at Junee), sufficient to replace the same within a period of twenty-five years from the commencement of this Act.
- (c)

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(c) The cost of the upkeep and administration of the works the control of which is by this Act vested in the Administrator exclusive of the said dam and main.

(d) The cost of wages, fuel, and all stores in connection with pumping.

(2) The books kept in connection with such account shall upon reasonable notice be produced for the inspection of any officer appointed by the Commissioner. Books may be inspected by Com-missioner.

(3) The Administrator shall annually prepare a statement of such account, and shall forward the same to the Commissioner. Annual statement by Administra-tor.

15. (1) The Commissioner shall annually, on receipt of such statement of account, pay to the Colonial Treasurer the whole of the amount debited to the June Water Supply Account kept in accordance with the last preceding section, less any amounts paid or which ought to have been paid into the Treasury by the council under this Act. Amount to be paid by Com-missioner.

(2) The Commissioner shall not be entitled to any deduction from such amount as aforesaid in respect of any failure of supply from whatever cause arising, nor shall he have any claim for damages or compensation for any loss arising from any such failure of supply. No deduction for failure of supply.

16. The Administrator shall not under any circumstances be liable to make any payments in compensation or for damages should the water supplied to the council be at any time unfit for dietetic purposes, or for failure to supply water arising from any cause whatsoever. No compen-sation for failure of supply.

PART

PART IV.

SUPPLY FROM BETHUNGRA DAM.

17. (1) The Administrator may supply water from the storage dam at Bethungra to such towns, persons, municipalities, and shires as he may think fit, and for that purpose may use the gravitation main from the said dam to the storage reservoir at Junee, or any part thereof. Supply from Bethungra dam.

(2) For the purpose of such supply the Minister may, subject to the provisions of the Public Works Act, 1912, construct such new works and such additions to or extensions of the said dam and gravitation main, and make such renewals and repairs thereto as he may think fit. Extensions of certain works.

18. The Administrator may make such charges for water supplied under the last preceding section as he may think proper, and may enter into such contracts and agreements for that purpose, and for securing the payment of such charges. Charges for water.

PART V.

MISCELLANEOUS.

19. All works, which by this Act are maintained and administered by the Administrator, shall be deemed to be the property and in the possession of His Majesty the King. Vesting of works.

20. For the purpose of carrying out the maintenance and administration of such works, and of any extension thereof, the Administrator shall have all the powers of a constructing authority under the Public Works Act, 1912. Powers of Administrator.

21.

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21. The provisions of subsection two of section seventy-five of the Local Government Act, 1906, so far as the construction, maintenance, and administration of the works referred to in this Act are concerned, shall not bind the Crown.

Sec. 75 (2),
Local
Government
Act, 1906,
not to bind
the Crown.

22. (1) The Governor may make regulations for carrying out the provisions of this Act and for the control and administration of the catchment area of the Bethungra dam, consisting of an area of nine hundred and fifty acres, more or less, vested in the Minister by virtue of a notification in the Gazette of the fifteenth day of June, one thousand eight hundred and ninety-four, and for preventing the pollution of the water flowing into such dam, and may impose a penalty not exceeding *fifty* pounds for a breach thereof.

Regulations.

(2) Such regulations shall be laid before both Houses of Parliament within fourteen days from the making thereof, if Parliament is then in session, and if not, then within fourteen days of the commencement of the next ensuing session.

23. The Governor may, by proclamation in the Gazette, declare that the administration of the works mentioned in section six of this Act shall be vested in the Administrator, and thereupon, notwithstanding the provisions of this Act, the council shall be divested of all powers and duties conferred and imposed on it by this Act, and such powers and duties shall be vested in the Administrator, who shall maintain and administer the said works and levy water rates and collect charges for the supply of water, and pay the moneys so received, less the cost of such maintenance and the expenses incurred in collecting such rates and charges, into the Treasury.

Power to
take adminis-
tration away
from the
council.

The Governor may revoke any such proclamation, whereupon the said powers and duties shall be reversed in the Council.

