

New South Wales.



ANNO SEPTIMO DECIMO

GEORGI V REGIS.

Act No. 37, 1927.

An Act 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. [Assented to, 6th April, 1927.]

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:—

1. This Act may be cited as the "Junee Water Short title Supply Administration (Amendment) Act, 1927," and shall be read and construed with the Junee Water Supply Administration Act, 1915, which in this Act is referred to as the Principal Act.

Junee Water Supply Administration (Amendment).

The Principal Act as amended by this Act may be cited as the "Junee Water Supply Administration Acts, 1915-1927."

Commence-
ment.

2. This Act shall commence and come into operation on a date to be proclaimed.

Amendment
of Act No. 59,
1915.
Sec. 2.

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

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

Conse-
quential
amendments,
ss. 5, 6, 9, 10,
13.

(2) The Principal Act is further amended—

(a) by omitting from sections five, six, nine, ten, and thirteen the word "Commissioner" wherever therein occurring and by inserting in lieu thereof the word "Commissioners";

Sec. 9.

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

Secs. 7, 9.

(c) by omitting the short headings to sections seven and nine.

Further
amendment of
Act No. 59, 9
Sec. 3.

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

Delegation

(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.

incorpora-
tion.

(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 Junee Water Supply," and in that name may sue and be sued.

Devolution of
property.

(5) Where any property real or personal or interest therein or charge thereon is vested in or is acquired by the corporation sole the same shall, unless otherwise disposed of by the corporation sole, pass and devolve to and vest in its successors.

June Water Supply Administration (Amendment).

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

- Further amendment of Act No. 59, 1915.
Sec. 5.
- (j) the boosting plant on the gravitation main ;
 - (k) the additional service reservoir ;
 - (l) 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.

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

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

6A. The Administrator may at the request of the council construct any extensions of the works named in section six, and in respect of such extensions the provisions of Part XIV of the Local Government Act, 1919, shall apply.

6B. In respect of any works referred to in sections six and 6A, the Administrator may direct what annual 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 thereof.

Such sum shall be paid into a separate banking 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 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 of the said works.

Any

Junee Water Supply Administration (Amendment).

Any doubt arising as to the necessity for renewals shall be decided by the Administrator, whose decision shall be final.

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.

Further amendment of Act No. 59, 1915. New secs. 7 and 8.

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

Supply to council.

7. The Administrator shall supply to the council every calendar year water required by the council at the rate per thousand gallons fixed by regulations as hereinafter mentioned:

Provided that a minimum payment of Two thousand five hundred pounds per annum shall be paid by the council in every year irrespective of the quantity of water supplied.

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 regard to the amount necessary to provide—

- (a) the cost of operating the works for the time being under the administration of the Administrator;
- (b) the cost of maintenance, repair, and renewal of the works;
- (c) instalments in repayment of the capital cost of the works together with interest on the said capital cost.

Payments by council and Commissioners.

(2) The Administrator shall as soon as may be after the first day of each month render to the council and the Commissioners an account of the quantity of water supplied during the next preceding month and the council and the Commissioners shall pay half yearly to the Administrator the sum which the quantity so supplied would equal at the price per thousand gallons fixed by regulation.

9.

Junee Water Supply Administration (Amendment).

9. Section nine of the Principal Act is amended by Sec. . omitting the words "over and above the quantity to be supplied to the council under section seven."

10. Section ten of the Principal Act is amended by Sec. 10. adding the words "the council may supply water to any person outside the municipality of Junee."

11. Section twelve of the Principal Act is amended— Further amendment of Act No. 59, 1915. Sec. 12.

(a) in subsection one—

(i) by omitting the words "and by the council";

(ii) by omitting the words "eighty-four thousand eight hundred and seventy-four pounds three shillings and ninepence" and by inserting in lieu thereof the words "one hundred and four thousand six hundred and thirty-three pounds and eightpence";

(iii) by omitting the word "subsection" and by inserting in lieu thereof the words "following subsections";

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

(1A) Upon ascertainment of the amount of Inclusion of outstanding accounts. liabilities incurred in providing any works referred to in subsection one of this section, 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 subsection two of this section, shall be added to and become part of the capital cost, and shall be repayable over such period or periods as the Minister shall fix, having due regard to the nature and durability of such works;

(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," and adding the words "and shall be repayable over such period or periods as the Minister shall fix, having due regard to the nature and durability of such works."

Junee Water Supply Administration (Amendment).

Further
amendment
of Act No. 59,
1915.
Sec. 13.

12. Section thirteen of the Principal Act is amended—

(a) by repealing subsection one and substituting the following new subsection:—

(1) A special account shall be kept in the Special Deposits Account in the Treasury, to be called the "Junee Water Supply Administration Account," and there shall be credited to such account any payments made to the Administrator in pursuance of this Act and there shall be annually debited to that account the charges following:—

- (a) The cost of the administration, operation, maintenance, repair, and renewal of the works the control of which is by the Principal Act or this Act vested in the Administrator, exclusive of the Bethungra Dam and Gravitation Main.
- (b) A sum sufficient to discharge to the Treasury the capital cost of the works referred to in subsection one of section twelve of the Principal Act, exclusive of the Bethungra Dam and Gravitation Main, within a period to be fixed by the Governor, not being more than fifty years from the commencement of this Act, by equal half-yearly instalments of principal and interest combined, interest being at the rate of three and one-half per centum per annum; and such further sums as may be necessary to discharge to the Treasury the capital cost of any additional works, referred to in subsections 1A and two of section twelve of the Act, by equal half-yearly instalments of principal and interest combined, interest being at the average rate payable by the Governor for loan moneys. All payments of principal made under this section shall be paid to the General Sinking Fund constituted under

Junee Water Supply Administration (Amendment).

under the State Debt and Sinking Fund Act, 1904, and all payments of interest on such principal shall be carried to the Consolidated Revenue Fund.

- (c) A sum to provide for the renewal of any part of the works which in the opinion of the Administrator will require replacement during the period in which the capital cost of the said part of the works is being repaid. The amount so debited shall be paid into an account in the Special Deposits Account in the Treasury, to be called the "Junee Water Supply Renewal Account." Interest may be paid from the Consolidated Revenue Fund to such Renewal Account on the amount to the credit of that account at such rate or rates and subject to such conditions as the Colonial Treasurer may from time to time direct.

- (b) 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 deem necessary and proper;

- (c) in subsection three by deleting the words "Colonial Treasurer" and substituting therefor the word "Administrator."

13. Section fourteen is amended by omitting sub-sections one and two and substituting the following:—
 "Neither the council nor the Commissioners shall be entitled to any deduction or credit in respect of any failure
 failure

Sec. 14.

Junee Water Supply Administration (Amendment).

failure of the Administrator from whatever cause arising to supply water, nor shall they have any claim for compensation or damages for any loss arising from any such failure."

Further amendment of Act No. 59, 1915. New s. 17.

Charges.

14. The Principal Act is further amended—

(a) by repealing section seventeen and inserting new section seventeen as follows:—

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

All receipts from such charges shall be carried into a special account to be kept in the Special Deposits Account in the Treasury to be called the "Bethungra Water Supply Account."

Any expense incurred in the administration, operation, maintenance, and repair of the service shall be debited to the account and the nett proceeds shall be carried to the Consolidated Revenue Fund.

(b) by omitting section nineteen and by inserting the following section in lieu thereof:—

19. For the purpose of the construction or maintenance of any works referred to in sections five or 6A 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.

(c) by omitting section twenty;

(d) by omitting from section twenty-two the words and figures "Country, Towns Water and Sewerage Acts, 1880-1905," and by inserting in lieu thereof the words and figures "Local Government Act, 1919, or any Acts amending that Act";

(e)

New s. 19

Powers of Administrator.

Sec. 20.

Sec. 22.

Juneo Water Supply Administration (Amendment).

- (e) by inserting the following section next after New s. 23. section twenty-two of the Principal Act :—

23. (1) Notwithstanding the terms of any Application of Local Government Act to certain works. 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.

(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.

- (f) by omitting the words “into the Treasury” in section twenty-two and inserting the words “to the Administrator” in lieu thereof.

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.

16. The carrying out of the said works described in the Schedule, exclusive of land resumptions, is estimated Estimated cost. 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.

Junee Water Supply Administration (Amendment).

Plan.

17. The plan of the works set out in the Schedule is the plan marked "Junee 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.

SCHEDULE.

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

INDEX.

| | Section. | Page. |
|---|--------------|-------|
| Junee Water Supply Administration (Amendment) Act, 1927, No. 37. | | |
| Administrator— | | |
| delegation of powers by, 1915 No. 59, s. 3 (3), added | 4 | 2 |
| powers of, 1915 No. 59, s. 19, repealed and substituted | 14 (b) | 8 |
| Amendments and Repeals— | | |
| Junee Water Supply Administration Act, 1915, No. 59— | | |
| s. 2, definition "The Commissioner," re- pealed | 3 (1) | 2 |
| s. 2, definition "Commissioners," substituted | 3 (1) | 2 |
| s. 3 (3) (4) (5), added | 3 (2) (a) | 2 |
| s. 5 (g), amended | 5 | 3 |
| s. 5 (j), repealed and substituted | 5 | 3 |
| s. 5 (k) (l), added | 3 (2) (a), 6 | 2, 3 |
| s. 6, amended | 7 | 3 |

*Junee Water Supply Administration (Amendment).*INDEX—*continued.*

| | Section. | Page. |
|---|-----------------------|-------|
| Junee Water Supply Administration (Amendment) | | |
| Act, 1927, No. 37—<i>continued.</i> | | |
| Amendments and Repeals— <i>continued.</i> | | |
| Junee Water Supply Administration Act, 1915, No. 59— <i>continued.</i> | | |
| s. 6A, 6B, 6C, added | 3 (2) (c) | 2 |
| s. 7, short heading to, repealed | 3 (2) (c) | 2 |
| ss. 7, 8, repealed and substituted | 8 | 4 |
| s. 9, short heading to, repealed | 3 (2) (a) (b), 9 | 2, 5 |
| s. 9, amended | 3 (2) (a) | 2 |
| s. 10, amended | 10 | 5 |
| s. 12 (1), amended | 11 (a) (i) (ii) (iii) | 5 |
| s. 12 (1A), added | 11 (b) | 5 |
| s. 12 (2), amended | 11 (a) | 5 |
| s. 13 (1), repealed and substituted | 12 (a) | 6 |
| s. 13 (1A), added | 12 (b) | 6 |
| s. 13 (2), amended | 3 (2) (a) | 2 |
| s. 13 (3), amended | 3 (2) (a), 12 (c) | 2, 6 |
| s. 14 (1) (2), repealed | 13 | 7 |
| s. 14, substituted | 13 | 7 |
| s. 17, repealed and substituted | 14 (a) | 8 |
| s. 19, repealed and substituted | 14 (b) | 8 |
| s. 20, repealed | 14 (c) | 8 |
| s. 22, amended | 14 (d) (f) | 8, 9 |
| s. 23, added | 14 (e) | 9 |
| Bethungra Water Supply Account, 1915 No. 59, s. 17, repealed and substituted... .. | 14 (a) | 8 |
| Boosting plant, works controlled by administration, 1915 No. 59, s. 5 (j), repealed and substituted... | 5 | 3 |
| Capital cost of works— | | |
| 1915 No. 59, s. 12 (1), amended | 11 (a) (b) (c) | 5 |
| additions to, 1915 No. 59, s. 12 (2), amended... | 11 (c) | 5 |
| how ascertained, 1915 No. 59, s. 12 (1A), added | 11 (b) | 5 |
| Citation of Acts | 1 | 2 |
| Commencement of Act | 2 | 2 |
| Commissioners substituted for Commissioner, 1915 No. 69, ss. 5 (g), 6, 9, 10, 13 (2) (3) | 3 (2) (a) | 2 |
| Construction of Act | 1 | 1 |
| Council, supply of water to, 1915 No. 59, s. 7, repealed and substituted | 8 | 4 |
| Definitions, Commissioner repealed, Commissioners substituted | 3 (1) | 2 |
| Incorporation, Administrator to be body corporate, 1915 No. 59, s. 3 (4), added | 4 | 2 |

Junee Water Supply Administration (Amendment).

INDEX—continued.

| | Section. | Page. |
|---|--------------|-------|
| Junee Water Supply Administration (Amendment) | | |
| Act, 1927, No. 37—continued. | | |
| Junee Water Supply Administration Account— | | |
| keeping and particulars of, 1915 No. 59, s. 13 | | |
| (1), repealed and substituted | 12 (a) | 6 |
| surplus and deficiency of, 1915 No. 59, s. 13 | | |
| (1A), added | 12 (b) | 7 |
| Local Government Act, 1919, No. 41— | | |
| application of to works already carried out, | | |
| 1915 No. 59, s. 23, added | 14 (e) | 9 |
| works controlled by council under, 1915 No. 59, | | |
| s. 6, amended | 6 | 3 |
| Principal Act, Junee Water Supply Administration | | |
| Act, 1915, No. 59 | 1 | 1 |
| Property, devolution of, 1915 No. 59, s. 3 (5), added | 4 | 2 |
| Railway lands exempt from water rate, 1915 | | |
| No. 59, s. 6c, added | 7 | 4 |
| Reservoir, additional service, works controlled by | | |
| administration, 1915 No. 59, s. 5 (k), added... | 5 | 3 |
| Title, short | 1 | 1 |
| Water— | | |
| charges for, 1915 No. 59, s. 17, repealed and | | |
| substituted | 14 (a) | 8 |
| failure to supply, no deduction or right of | | |
| damages, 1915 No. 59, s. 14, amended ... | 13 | 8 |
| price of, to Council and Commissioners, and | | |
| payment, 1915 No. 59, s. 8, repealed and | | |
| substituted | 8 | 4 |
| supply of, to Commissioners, 1915 No. 59, s. 9, | | |
| amended | 9 | 5 |
| , to persons outside municipality of | | |
| Junee, 1915 No. 59, s. 10, | | |
| amended | 10 | 5 |
| Works— | | |
| additions, amplifications, improvements or | | |
| extensions, 1915 No. 59, s. 5 (l), added ... | 5 | 3 |
| additional, sanctioning of | 15 (1), Sch. | 9, 10 |
| cost of | 16 | 9 |
| extensions of, 1915 No. 59, s. 6A, added ... | 7 | 3 |
| , renewals of, 1915 No. 59, s. 6B, | | |
| added | 7 | 3 |
| plan of | 17 | 10 |

By Authority : ALFRED JAMES KENT, Government Printer, Sydney, 1927.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

S. G. BOYDELL,
Acting Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 24 March, 1927.

New South Wales.



ANNO SEPTIMO DECIMO

GEORGI V REGIS.

Act No. 37, 1927.

An Act 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. [Assented to, 6th April, 1927.]

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:—

1. This Act may be cited as the "Junee Water Supply Administration (Amendment) Act, 1927," and shall be read and construed with the Junee Water Supply Administration Act, 1915, which in this Act is referred to as the Principal Act. Short title.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. GREIG,
Chairman of Committees of the Legislative Assembly.

Junee Water Supply Administration (Amendment).

The Principal Act as amended by this Act may be cited as the "Junee Water Supply Administration Acts, 1915-1927."

- 2.** This Act shall commence and come into operation on a date to be proclaimed.
- 3.** (1) Section two of the Principal Act is amended by omitting the definition of "The Commissioner" and inserting in place thereof—
 "Commissioners" means the Railway Commissioners for New South Wales.
- (2) The Principal Act is further amended—
- (a) by omitting from sections five, six, nine, ten, and thirteen the word "Commissioner" wherever therein occurring and by inserting in lieu thereof the word "Commissioners";
- (b) by omitting from section nine the words "he" and "his" and by inserting the words "they" and "their" in lieu thereof respectively;
- (c) by omitting the short headings to sections seven and nine.
- 4.** Section three of the Principal Act is amended by inserting new subsections as follow:—
- (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.
- (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 Junee Water Supply," and in that name may sue and be sued.
- (5) Where any property real or personal or interest therein or charge thereon is vested in or is acquired by the corporation sole the same shall, unless otherwise disposed of by the corporation sole, pass and devolve to and vest in its successors.

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of Act No. 59,
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June Water Supply Administration (Amendment).

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- (j) the boosting plant on the gravitation main ;
- (k) the additional service reservoir ;
- (l) 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.

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

Ibid.

Sec. 6.

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

Ibid.

New secs. 6A, 6B, 6C.

Extension of works for council.

6A. The Administrator may at the request of the council construct any extensions of the works named in section six, and in respect of such extensions the provisions of Part XIV of the Local Government Act, 1919, shall apply.

6B. In respect of any works referred to in sections six and 6A, the Administrator may direct what annual 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 thereof.

Renewals.

Such sum shall be paid into a separate banking 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 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 of the said works.

Any

June Water Supply Administration (Amendment).

Any doubt arising as to the necessity for renewals shall be decided by the Administrator, whose decision shall be final.

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.

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

7. The Administrator shall supply to the council every calendar year water required by the council at the rate per thousand gallons fixed by regulations as hereinafter mentioned:

Provided that a minimum payment of Two thousand five hundred pounds per annum shall be paid by the council in every year irrespective of the quantity of water supplied.

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 regard to the amount necessary to provide—

- (a) the cost of operating the works for the time being under the administration of the Administrator;
- (b) the cost of maintenance, repair, and renewal of the works;
- (c) instalments in repayment of the capital cost of the works together with interest on the said capital cost.

Payments by
council and
Commis-
sioners.

(2) The Administrator shall as soon as may be after the first day of each month render to the council and the Commissioners an account of the quantity of water supplied during the next preceding month and the council and the Commissioners shall pay half yearly to the Administrator the sum which the quantity so supplied would equal at the price per thousand gallons fixed by regulation.

9.

Junee Water Supply Administration (Amendment).

9. Section nine of the Principal Act is amended by ^{Sec 9} omitting the words "over and above the quantity to be supplied to the council under section seven."

10. Section ten of the Principal Act is amended by ^{Sec. 10} adding the words "the council may supply water to any person outside the municipality of Junee."

11. Section twelve of the Principal Act is amended— ^{Further amendment of Act No. 59 1915. Sec. 12.}

(a) in subsection one—

(i) by omitting the words "and by the council";

(ii) by omitting the words "eighty-four thousand eight hundred and seventy-four pounds three shillings and ninepence" and by inserting in lieu thereof the words "one hundred and four thousand six hundred and thirty-three pounds and eightpence";

(iii) by omitting the word "subsection" and by inserting in lieu thereof the words "following subsections";

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

(1A) Upon ascertainment of the amount of ^{Inclusion of outstanding accounts} liabilities incurred in providing any works referred to in subsection one of this section, 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 subsection two of this section, shall be added to and become part of the capital cost, and shall be repayable over such period or periods as the Minister shall fix, having due regard to the nature and durability of such works;

(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," and adding the words "and shall be repayable over such period or periods as the Minister shall fix, having due regard to the nature and durability of such works."

Junee Water Supply Administration (Amendment).

Further
amendment
of Act No. 59,
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Sec. 13.

12. Section thirteen of the Principal Act is amended—

(a) by repealing subsection one and substituting the following new subsection:—

(1) A special account shall be kept in the Special Deposits Account in the Treasury, to be called the "Junee Water Supply Administration Account," and there shall be credited to such account any payments made to the Administrator in pursuance of this Act and there shall be annually debited to that account the charges following:—

(a) The cost of the administration, operation, maintenance, repair, and renewal of the works the control of which is by the Principal Act or this Act vested in the Administrator, exclusive of the Bethungra Dam and Gravitation Main.

(b) A sum sufficient to discharge to the Treasury the capital cost of the works referred to in subsection one of section twelve of the Principal Act, exclusive of the Bethungra Dam and Gravitation Main, within a period to be fixed by the Governor, not being more than fifty years from the commencement of this Act, by equal half-yearly instalments of principal and interest combined, interest being at the rate of three and one-half per centum per annum; and such further sums as may be necessary to discharge to the Treasury the capital cost of any additional works, referred to in subsections 1A and two of section twelve of the Act, by equal half-yearly instalments of principal and interest combined, interest being at the average rate payable by the Governor for loan moneys. All payments of principal made under this section shall be paid to the General Sinking Fund constituted under

Junee Water Supply Administration (Amendment).

under the State Debt and Sinking Fund Act, 1904, and all payments of interest on such principal shall be carried to the Consolidated Revenue Fund.

- (c) A sum to provide for the renewal of any part of the works which in the opinion of the Administrator will require replacement during the period in which the capital cost of the said part of the works is being repaid. The amount so debited shall be paid into an account in the Special Deposits Account in the Treasury, to be called the "Junee Water Supply Renewal Account." Interest may be paid from the Consolidated Revenue Fund to such Renewal Account on the amount to the credit of that account at such rate or rates and subject to such conditions as the Colonial Treasurer may from time to time direct.

- (b) 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 deem necessary and proper;

- (c) in subsection three by deleting the words "Colonial Treasurer" and substituting therefor the word "Administrator."

13. Section fourteen is amended by omitting sub-sections one and two and substituting the following:—
 "Neither the council nor the Commissioners shall be entitled to any deduction or credit in respect of any failure

Junee Water Supply Administration (Amendment).

failure of the Administrator from whatever cause arising to supply water, nor shall they have any claim for compensation or damages for any loss arising from any such failure."

Further
amendment of
Act No. 59,
New s. 17.

14. The Principal Act is further amended—

(a) by repealing section seventeen and inserting new section seventeen as follows:—

Charges.

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

All receipts from such charges shall be carried into a special account to be kept in the Special Deposits Account in the Treasury to be called the "Bethungra Water Supply Account."

Any expense incurred in the administration, operation, maintenance, and repair of the service shall be debited to the account and the nett proceeds shall be carried to the Consolidated Revenue Fund.

New s. 19.

(b) by omitting section nineteen and by inserting the following section in lieu thereof:—

Powers of
Adminis-
trator.

19. For the purpose of the construction or maintenance of any works referred to in sections five or 6A 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.

Sec. 20.

(c) by omitting section twenty;

Sec. 22.

(d) by omitting from section twenty-two the words and figures "Country Towns Water and Sewerage Acts, 1880-1905," and by inserting in lieu thereof the words and figures "Local Government Act, 1919, or any Acts amending that Act";

(e)

Junee Water Supply Administration (Amendment).

- (e) by inserting the following section next after New s. 23.
section twenty-two of the Principal Act:—

23. (1) Notwithstanding the terms of any Application of Local Government Act to certain works.
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.

(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.

- (f) by omitting the words "into the Treasury" in section twenty-two and inserting the words "to the Administrator" in lieu thereof.

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.

16. The carrying out of the said works described in the Schedule, exclusive of land resumptions, is estimated Estimated cost.
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.

17.

Junee Water Supply Administration (Amendment).

Plan.

17. The plan of the works set out in the Schedule is the plan marked "Junee 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.

SCHEDULE.

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

In the name and on behalf of His Majesty I assent to this Act.

D. R. S. DE CHAIR,
Governor.

*Government House,
Sydney, 6th April, 1927.*

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

S. G. BOYDELL,
Acting Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 10 March, 1927.

New South Wales.



ANNO SEPTIMO DECIMO

GEORGII V REGIS.

Act No. , 1927.

An Act 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 Supply Administration (Amendment) Act, 1927," and shall be read and construed with the Junee Water Supply Administration Act, 1915, which in this Act is
10 referred to as the Principal Act.

Junee Water Supply Administration (Amendment).

The Principal Act as amended by this Act may be cited as the "Junee Water Supply Administration Acts, 1915-1927."

2. This Act shall commence and come into operation on a date to be proclaimed. Commencement.

3. (1) Section two of the Principal Act is amended by omitting the definition of "The Commissioner" and inserting in place thereof— Amendment of Act No. 59, 1915. Sec. 2.

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

(2) The Principal Act is further amended—

(a) by omitting from sections five, six, nine, ten, and thirteen the word "Commissioner" wherever therein occurring and by inserting in lieu thereof the word "Commissioners"; Consequential amendments, ss. 5, 6, 9, 10, 13.

(b) by omitting from section nine the words "he" and "his" and by inserting the words "they" and "their" in lieu thereof respectively; Sec. 9.

(c) by omitting the short headings to sections seven and nine. Secs. 7, 9.

4. Section three of the Principal Act is amended by inserting new subsections as follow :— Further amendment of Act No. 59, 1915. Sec. 8.

(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. Delegation.

(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 Junee Water Supply," and in that name may sue and be sued. Incorporation.

(5) Where any property real or personal or interest therein or charge thereon is vested in or is acquired by the corporation sole the same shall, unless otherwise disposed of by the corporation sole, pass and devolve to and vest in its successors. Devolution of property.

5.

June Water Supply Administration (Amendment).

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

Further amendment of Act No. 59, 1915.

- 5 (j) the boosting plant on the gravitation main ; Sec. 5.
 (k) the additional service reservoir ;
 (l) 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.

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

Ibid.
Sec. 6.

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

Ibid.

20 6A. The Administrator may at the request of the council construct any extensions of the works named in section six, and in respect of such extensions the provisions of Part XIV of the Local Government Act, 1919, shall apply.

New secs. 6A, 6B, 6C.
Extension of works for council.

25 6B. In respect of any works referred to in sections six and 6A, the Administrator may direct what annual 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 thereof.

Renewals.

30 Such sum shall be paid into a separate banking 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.

35 Interest accruing from such investments shall be regularly added to the account and invested in like manner.

40 The reserve so created shall not be drawn upon except with the approval of the Administrator, and for the purpose of effecting renewals of the said works.

Any

Junee Water Supply Administration (Amendment).

Any doubt arising as to the necessity for renewals shall be decided by the Administrator, whose decision shall be final.

5 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.

Certain railway lands exempt from rates.

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

Further amendment of Act No. 59, 1915. New secs. 7 and 8.

15 7. The Administrator shall supply to the council every calendar year water required by the council at the rate per thousand gallons fixed by regulations as hereinafter mentioned:

Supply to council.

20 Provided that a minimum payment of Two thousand five hundred pounds per annum shall be paid by the council in every year irrespective of the quantity of water supplied.

25 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 regard to the amount necessary to provide—

Fixing price of water.

(a) the cost of operating the works for the time being under the administration of the Administrator;

(b) the cost of maintenance, repair, and renewal of the works;

30 (c) instalments in repayment of the capital cost of the works together with interest on the said capital cost.

35 (2) The Administrator shall as soon as may be after the first day of each month render to the council and the Commissioners an account of the quantity of water supplied during the next preceding month and the council and the Commissioners shall pay half yearly to the Administrator the sum which the quantity so supplied would equal at the price per thousand gallons fixed by regulation.

Payments by council and Commissioners.

Junee Water Supply Administration (Amendment).

9. Section nine of the Principal Act is amended by Sec. 9.
omitting the words "over and above the quantity to be
supplied to the council under section seven."

10. Section ten of the Principal Act is amended by Sec. 10.
5 adding the words "the council may supply water to
any person outside the municipality of Junee."

11. Section twelve of the Principal Act is amended— Further
amendment
of Act No. 59,
1915.
Sec. 12.

(a) in subsection one—

10 (i) by omitting the words "and by the
council";

(ii) by omitting the words "eighty-four
thousand eight hundred and seventy-
four pounds three shillings and nine-
pence" and by inserting in lieu thereof
15 the words "one hundred and four
thousand six hundred and thirty-three
pounds and eightpence";

(iii) by omitting the word "subsection" and
by inserting in lieu thereof the words
20 "following subsections";

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

(1A) Upon ascertainment of the amount of Inclusion of
outstanding
accounts.
liabilities incurred in providing any works
referred to in subsection one of this section,
25 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 subsection two of this
30 section, shall be added to and become part of
the capital cost, and shall be repayable over
such period or periods as the Minister shall
fix, having due regard to the nature and
durability of such works;

35 (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," and adding the words "and shall be
40 repayable over such period or periods as the
Minister shall fix, having due regard to the
nature and durability of such works."

12.

Junee Water Supply Administration (Amendment).

12. Section thirteen of the Principal Act is amended—

Further
amendment
of Act No. 59,
1915.
Sec. 13.

(a) by repealing subsection one and substituting the following new subsection:—

5 (1) A special account shall be kept in the Special Deposits Account in the Treasury, to be called the "Junee Water Supply Administration Account," and there shall be credited to such account any payments made to the Administrator in pursuance of this Act and there shall
10 be annually debited to that account the charges following:—

15 (a) The cost of the administration, operation, maintenance, repair, and renewal of the works the control of which is by the Principal Act or this Act vested in the Administrator, exclusive of the Bethungra Dam and Gravitation Main.

20 (b) A sum sufficient to discharge to the Treasury the capital cost of the works referred to in subsection one of section twelve of the Principal Act, exclusive of the Bethungra Dam and Gravitation Main, within a period to be fixed by
25 the Governor, not being more than fifty years from the commencement of this Act, by equal half-yearly instalments of principal and interest combined, interest being at the rate of three and
30 one-half per centum per annum; and such further sums as may be necessary to discharge to the Treasury the capital cost of any additional works, referred to in subsections 1A and two of section
35 twelve of the Act, by equal half-yearly instalments of principal and interest combined, interest being at the average rate payable by the Governor for loan moneys. All payments of principal
40 made under this section shall be paid to the General Sinking Fund constituted

under

Junee Water Supply Administration (Amendment).

under the State Debt and Sinking Fund Act, 1904, and all payments of interest on such principal shall be carried to the Consolidated Revenue Fund.

5 (c) A sum to provide for the renewal of any part of the works which in the opinion of the Administrator will require replacement during the period in which the capital cost of the said part of the works is being repaid. The amount so debited shall be paid into an account in the Special Deposits Account in the Treasury, to be called the "Junee Water Supply Renewal Account." Interest may be paid from the Consolidated Revenue Fund to such Renewal Account on the amount to the credit of that account at such rate or rates and subject to such conditions as the Colonial Treasurer may from time to time direct.

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

25 (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 deem necessary and proper;

30 (c) in subsection three by deleting the words "Colonial Treasurer" and substituting therefor the word "Administrator."

13. Section fourteen is amended by omitting sub-sections one and two and substituting the following:—

40 "Neither the council nor the Commissioners shall be entitled to any deduction or credit in respect of any failure

June Water Supply Administration (Amendment).

failure of the Administrator from whatever cause arising to supply water, nor shall they have any claim for compensation or damages for any loss arising from any such failure."

5 **14.** The Principal Act is further amended—

(a) by repealing section seventeen and inserting new section seventeen as follows:—

Further
amendment of
Act No. 59, 1915.
New s. 17.

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

Charges.

15 All receipts from such charges shall be carried into a special account to be kept in the Special Deposits Account in the Treasury to be called the "Bethungra Water Supply Account."

20 Any expense incurred in the administration, operation, maintenance, and repair of the service shall be debited to the account and the nett proceeds shall be carried to the Consolidated Revenue Fund.

(b) by omitting section nineteen and by inserting the following section in lieu thereof:—

New s. 19.

25 19. For the purpose of the construction or maintenance of any works referred to in sections five or 6A 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.

Powers of
Adminis-
trator.

35 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.

(c) by omitting section twenty;

Sec. 20.

(d) by omitting from section twenty-two the words and figures "Country Towns Water and Sewerage Acts, 1880-1905," and by inserting in lieu thereof the words and figures "Local Government Act, 1919, or any Acts amending that Act";

Sec. 22.

(e)

40

Junee Water Supply Administration (Amendment).

(e) by inserting the following section next after New s. 23.
section twenty-two of the Principal Act :—

5 23. (1) Notwithstanding the terms of any Application
agreement heretofore made, the provisions of of Local
Part XIV of the Local Government Act, 1919, Government
shall be deemed to apply and to have applied Act to certain
to any works or services relating to water works.
supply carried out by the Minister or the
10 Administrator prior to the passing of this Act
at the request of or for and on behalf of the
council.

15 (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.

20 (f) by omitting the words "into the Treasury" in
section twenty-two and inserting the words
"to the Administrator" in lieu thereof.

25 **15.** (1) The carrying out of the works described in Additional
the Schedule of this Act is hereby sanctioned, and the works
Secretary for Public Works is empowered to carry out sanctioned.
the said works under the provisions of the Public Works
Act, 1912.

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

35 **16.** The carrying out of the said works described in Estimated
the Schedule, exclusive of land resumptions, is estimated cost.
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.

June Water Supply Administration (Amendment).

17. The plan of the works set out in the Schedule ^{Plan.} 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.

SCHEDULE.

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