

*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.*

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 February, 1915.*

New South Wales.



ANNO QUINTO

GEORGII V REGIS.

Act No. , 1915.

An Act to provide for the supply of water to and the administration of certain works of water supply for the city and district of Broken Hill, and certain mining and tramway companies; to provide for contributions by such companies, and for the levying of rates and charges in respect of such supply; to repeal the Broken Hill and Umberumberka Water Supply Act, 1906; to apply and amend certain Acts; and for purposes consequent thereon or incidental thereto.

Broken Hill Water Supply Administration.

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 :—

PART I.

PRELIMINARY AND ADMINISTRATION.

1. This Act may be cited as the "Broken Hill Water Short title
 Supply Administration Act, 1915," and is divided into
 10 Parts, as follows :—

PART I.—PRELIMINARY AND ADMINISTRATION—
 ss. 1-6.

PART II.—THE SUPPLY TO THE TOWN—ss. 7-11.

15 PART III.—THE SUPPLY TO THE MINES AND
 TRAMWAY COMPANY—ss. 12-15.

PART IV.—GENERAL AND SUPPLEMENTAL—ss.
 16-19.

2. In this Act,—

20 "The mining companies" means the companies and Definitions.
 corporations specified in Schedule One or their
 successors in title.

"Minister" means Minister for Public Works.

"Part" means Part of this Act.

25 "Prescribed" means prescribed by this Act or by
 regulations thereunder.

"The Administrator" means the Administrator of
 the Broken Hill Water Works.

30 "The Tramway company" means the Silverton
 Tramway Company, Limited, or its successors
 in title.

"The water district" means the water district
 defined in accordance with this Act.

35 "The works" means any work of water supply for
 the water district or the mining companies or
 the tramway company, and includes the work
 sanctioned by the Broken Hill (Umberumberka
 Creek) Water Supply Act, 1910.

3. The Broken Hill and Umberumberka Water Repeal
 Supply Act, 1906, is repealed. **4.**

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

The administrator.

For the purpose of this Act the administrator shall be a body corporate, having perpetual succession and a common seal, under the name of "the administrator of the Broken Hill Water Works," and in that name
10 may sue and be sued.

(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
15 perform the duties of the administrator.

Deputy administrator.

5. (1) For the purpose of the administration of this Act, the control and management of the works are hereby vested in the administrator.

Control of works.

(2) There shall be a manager and other officers to be appointed by the Governor, subject to the Public Service Act, 1902, and any Act amending it.

Manager, officers, and servants.

Servants and workmen shall be appointed by the administrator.

6. The administrator may, by writing under his hand, delegate to the manager any of the powers conferred upon him by any other provisions of this Act.

Delegation of powers of administrator.

PART II.

THE SUPPLY TO THE TOWN.

7. The Governor, by proclamation in the Gazette, shall define the boundaries of the water district within which the administrator shall supply water from the works, and within which the powers of the administrator hereinafter referred to may be exercised. The boundaries of the water district may at any time be
30 varied by a like proclamation.

Water district.

8.

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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, so far as they relate to water supply, shall apply to the water district, and in so applying such enactments "the administrator" shall be read for "the council", "the council of the municipality", "the mayor", or "the mayor of the municipality".

Incorporation
of certain
provisions of
C. T. W. and
S. Acts.

9. (1) The administrator shall each year make, levy, and collect upon the unimproved capital value of all lands within the district and which are liable to water rate such rate as is estimated by the certificate of the Government Statistician to yield at the date of the proclamation of the boundaries of the water district during the first year of its operation a revenue which is reasonably approximate to that which would be produced by levying a rate of two shillings in the pound upon the assessed annual value of all land liable to such rate in the water district. Provided that the water to be supplied in respect of such rate shall be used for domestic purposes only :

Rates.

Provided that the administrator may, at any time after the capital indebtedness, as hereinafter in this Act defined, has been discharged, reduce the amount of such water rate.

(2) The unimproved capital value of lands for the purpose of this section shall be the unimproved capital value of the lands as determined in accordance with the Local Government Act, 1906, or any Act amending the same.

(3) The administrator may require the mayor or the town clerk of the municipal council of Broken Hill to furnish, from time to time, any information he requires for the purposes of this section and to produce for his information such valuation and rate or other books and documents as he may require, and if the said mayor or town clerk fail to furnish or produce the required information within seven days after having been required so to do, the administrator may apply to any justice for an order directed to the mayor or the town

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town clerk to furnish or produce such information, and any mayor or town clerk failing to comply with any order so issued shall be liable to a penalty not exceeding fifty pounds.

5 **10.** The Administrator may in lieu of levying the rates referred to in the preceding section, agree with the City Council of the Municipality of Broken Hill to supply the said council with such volume of water, at such rates, and for such term as may be agreed upon, and may delegate to the said council all the powers of levying and recovering rates vested in the Administrator.

Administra-
tor to supply
water to
municipality
of Broken
Hill at certain
rates agreed
upon.

11. The administrator may, subject to the provisions of any regulations made by the Governor, supply water to any person at the charge to be prescribed, not being less than two shillings and sixpence per thousand gallons. Provided, however, that water may be supplied at less than that rate for charitable institutions, parks, street watering, or other public purposes, or for agricultural purposes, and in the case of water used by the Fire Brigade for fire extinguishing purposes it may be supplied free of charge.

Additional
supply.

PART III.

THE SUPPLY TO THE MINES AND TRAMWAY COMPANY.

12. (1) The mining companies named in Schedule One and their respective successors in title shall, subject to this Act, be supplied with water from the works, equal to a volume of not less than two hundred and fifty-six million gallons per annum; and such water shall be made available at places as near as practicable to the respective mines or works of the said companies.

Supply to
mining com-
panies.

(2) As soon as water is made available for the use of the said companies the administrator shall give notice thereof in the Gazette, and the companies shall thereupon be jointly and severally liable to pay to the administrator the sum of not less than thirty-two thousand pounds per annum by payments half-yearly in advance.

Liability of
mining com-
panies.

13.

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13. (1) The tramway company shall, subject to this Act, be supplied with water from the said works equal to a volume of not less than twenty million gallons per annum, but not exceeding fifty-four thousand eight hundred and five gallons per diem. Supply to tramway company.

(2) As soon as water is made available for the use of the said company the administrator shall give notice thereof in the Gazette, and the company shall thereupon be liable to pay to the administrator the sum of two thousand five hundred pounds per annum by payments half-yearly in advance. Liability of tramway company.

14. The administrator may, in respect of the recovery of any sum due by any of the mining companies or the tramway company under this Act, proceed for the recovery of the same as a debt in any court having competent jurisdiction as to the amount of the debt; and such proceedings may be taken in any district court held in Sydney. Recovery.

15. For the purposes of this Part, the enactments named in Schedule Two, so far as they relate to water supply and as applicable to municipalities, except sections thirteen, fourteen, sixty, sixty-one, and sixty-two of the Country Towns Water and Sewerage Act of 1880, and sections ten, eleven, and twenty-two, the whole of Part III, and section sixty-five of the Country Towns Water and Sewerage (Amendment) Act, 1905, shall apply to the mines, lands or properties of the mining companies, and of the tramway company, and in so applying such enactments, "the Administrator" shall be read for the "the Council" or "the Council of the Municipality". Incorporation of certain provisions of C. T. W. and S. Acts.

PART IV.

GENERAL AND SUPPLEMENTAL.

16. (1) The Governor may, by proclamation in the Gazette, determine the amount of the cost of any works constructed under the Broken Hill (Umberumberka) Water Supply Act, 1910. Such cost so determined is hereinafter referred to as "the capital indebtedness." Capital cost.

(2)

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(2) All revenue received by the administrator in pursuance of this Act shall be applied primarily in meeting the following annual charges, namely :—

- 5 (a) expenses of administration ;
- (b) the cost of the upkeep of the works, and their supervision, maintenance, repair, and renewal, including cost of wages, fuel, and stores in connection with pumping ;
- 10 (c) a sum sufficient to provide for payment of interest on the capital indebtedness at the rate of four and one-half per centum per annum ; and the balance shall be applied to the reduction of the capital indebtedness.

(3) When the capital indebtedness is extinguished, the rates and charges herein provided shall be reduced pro rata so as to provide sufficient revenue to cover the cost of operating, maintenance, management, and renewals.

17. An account shall be kept of receipts and payments until the capital indebtedness is discharged, and such account shall be subject to inspection by the city council of the municipality of Broken Hill, the mining companies and the tramway company, and a statement thereof shall be forwarded annually to the said council and to each of the said companies.

18. The Governor may make regulations for carrying into effect the provisions of this Act. 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 be then in session, or if not, then within seven days after the commencement of the next session.

19. The Governor may, by proclamation in the Gazette, suspend the operation of this Act or any part thereof for such time as the Governor may determine.

SCHEDULES.

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SCHEDULES.

SCHEDULE ONE.

Names of Mining Companies.

- Amalgamated Zinc (De Bavay's), Limited.
5 North Broken Hill, Limited.
Junction North Broken Hill Mine (no liability).
The Broken Hill Junction Lead Mining Company (no liability).
The British Broken Hill Proprietary Company, Limited.
The Broken Hill Proprietary Block 14 Company, Limited.
10 The Broken Hill Proprietary Block 10 Company, Limited.
The Broken Hill Proprietary Company, Limited.
Sulphide Corporation, Limited.
The Broken Hill South Silver Mining Company (no liability).
The Zinc Corporation, Limited.

SCHEDULE TWO

15

Country Towns Water and Sewerage Act of 1880.

- Part I, section 1.—Definitions of catchment area, conduit, justice, owner, and street, respectively. Sections 13 and 14, as amended by the Country Towns Water and Sewerage (Amendment) Act, 1905.
20 Part II.—The whole, subject to amendments and repeals made therein by the Country Towns Water and Sewerage (Amendment) Act, 1905.
Part V.—Sections 137, 138, and 139.

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

- 25 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.