

JUNEE WATER SUPPLY ADMINIS-
TRATION ACT.

Act No. 59, 1915.

An Act to make better provision for the maintenance, control, and administration of certain works of water supply for the town of Junee and for the Government Railways; to extinguish the debt of the Municipality of Junee in respect of certain works; to provide for the supply of water from the Bethüngra 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. [Assented to, 21st December, 1915.]

George V
No. 59.

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, 1915," and is divided into parts as follows :—

Short title.

PART I.—PRELIMINARY AND ADMINISTRATION—
ss. 1-6. Division into
Parts.

PART II.—THE SUPPLY OF WATER—ss. 7-10.

PART III.—FINANCIAL—ss. 11-15.

PART

Junee Water Supply Administration Act.George V,
No. 59.PART IV.—THE SUPPLY FROM BETHUNGRA
DAM—ss. 16-17.

PART V.—MISCELLANEOUS—ss. 18-22.

Definitions.

2. In this Act—

“Part” means Part of this Act.

“The Administrator” means the Administrator of the Junee Water Supply.

“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.

“The regulations” means the regulations made under this Act.

Administration.

The administrator.

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.

Deputy 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.

Works controlled by the Administrator.

Works which cease to be under control of council.

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)

- (c) The storage dam at Bethungra, and gravitation main thence to the aforesaid service reservoir at Junee. George V,
No. 59.

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 ;
- (g) the new service main 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) 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 service main constructed under the Junee Water Supply Act, 1893, 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 use the works above mentioned to supply the Commissioner with water in terms of this Act. Temporary use
of council's
main by
Administrator.

George V,
No. 59.

PART II.

THE SUPPLY OF WATER.

Supply to the council.

Supply to
council.

7. (1) The Administrator shall operate the pumps at the Tenandra pumping station, and shall supply to the council during every calendar year a quantity of water equal to an average supply of forty gallons per day for every person who on the day in that year to be fixed by the regulations resides in the municipality in premises ratable for water rates under the Country Towns Water and Sewerage Acts, 1880-1905.

(2) The council shall each calendar year, at the time or times prescribed by the regulations, pay into the Treasury, to be carried to the Junee Water Supply Account for water supplied as aforesaid, the sum of two thousand pounds where the number of persons who in such year reside as aforesaid does not exceed three thousand, and where such number exceeds three thousand shall so pay the said sum, and an additional sum amounting to two pounds for every three persons in excess of such number who reside as aforesaid :

Provided that, to meet the expenses of the council in the maintenance of the works under its control and in collecting rates and charges under the Country Towns Water and Sewerage Acts, 1880-1905, a deduction from the amount payable as aforesaid may be made of a percentage of such amount to be determined by the administrator.

(3) For the purposes of such supply and payment in the year one thousand nine hundred and sixteen the number of persons so residing shall be deemed to be three thousand.

The number for any subsequent year shall be as agreed upon by the Administrator, the council, and the Commissioner.

Further
supply at
option of Ad-
ministrator.

8. The Administrator may also, in addition to the supply of water as provided in the last preceding section, supply to the council at the rate of two shillings for every thousand gallons of water so supplied any water which may be available after having supplied to the Commissioner the quantities which he may require under
the

the next following section. Payment for such water shall be made as prescribed by the regulations, and the proceeds, after deducting the cost of collection, shall be paid into the Treasury to the credit of the Junee Water Supply Account. George V,
No. 59.

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
Commis-
sioner.

Supply outside the municipality.

10. The Administrator may supply any water not required by the council or the Commissioner to any person outside the municipality of Junee at a rate not less than two shillings for every thousand gallons so supplied, and shall pay the proceeds thereof, after deducting the cost of collection, into the Treasury to the credit of the Junee Water Supply Account. Supply
outside
Junee.

PART III.

FINANCIAL.

11. 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.

12. (1) The capital cost of the completed 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 Capital cost.
sum

George V, No. 59. sum of eighty-four thousand eight hundred and seventy-four pounds three shillings and ninepence, but may be added to as provided in the next subsection.

Additions to capital cost.

(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 average rate payable by the Government for loan moneys 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.

Treasurer to keep account.

13. (1) A special account shall be kept in the Special Deposits Account 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.
- (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 gravitation main from Bethungra, to the service reservoir at Junee), sufficient to replace the same within a period of twenty-five years from the commencement of this Act.

The amount so debited shall be carried to 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 Renewals Account on the amount to the credit of that account at such rate and subject to such conditions as the Colonial Treasurer may from time to time direct. (c)

(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 Bethungra dam and main. George V, No. 59.

(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. Inspection of books.

(3) The Colonial Treasurer shall annually prepare a statement of such account, and shall forward the same to the Commissioner. Annual statement.

14. (1) The Commissioner shall annually, on receipt of such statement of account, pay to the Treasurer the whole of the amount debited as aforesaid to the Junee Water Supply Account, less any amounts paid or which ought to have been paid into the Treasury by the council and the Administrator under this Act. Amount to be paid by Commissioner.

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

15. 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 arising from any cause whatsoever to supply water to council in pursuance of this Act. No compensation for failure of supply to council.

PART IV.

THE SUPPLY FROM BETHUNGRA DAM.

16. 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.

17.

**George V,
No. 59.** **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. The net proceeds of such charges shall be paid into the Treasury and carried to the Consolidated Revenue Account.

Charges for water.

PART V.

MISCELLANEOUS.

18. 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.

19. 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.

20. 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.

21. (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 any 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.

22.

22. The Governor may, if the council fails at any time to make any payments into the Treasury as required by or under this Act, 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 the council shall, with respect to such works, be divested of all powers and duties conferred and imposed on it by this Act or the Country Towns Water and Sewerage Acts, 1880-1905, and the powers and duties of the council under the last-mentioned Act 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. The Administrator may also sue for and recover any moneys due to the council.

George V,
No. 59.
Power to
take adminis-
tration away
from the
council.

The Governor may revoke any such proclamation, whereupon the said powers and duties shall be re-vested in the council.
