

COUNTRY TOWNS WATER
SUPPLY, SEWERAGE AND
DRAINAGE (REDUCTION OF
DEBTS) ACT.

Act No. 58, 1934.

An Act to reduce the rate of interest payable by the councils of certain municipalities and shires upon debts owing in respect of works of water supply, sewerage and drainage; to reduce certain of such debts; to suspend payment of certain sums due or becoming due to the Colonial Treasurer in respect of certain of such works; to alter the period fixed for the repayment of certain other sums; to amend the Local Government Act, 1919, the Junee Water Supply Administration Acts, 1915-1927, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 31st December, 1934.]

George V,
No. 58, 1934.

BE

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

No. 58, 1934.

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 :—

Short title.

1. (1) This Act may be cited as the "Country Towns Water Supply, Sewerage and Drainage (Reduction of Debts) Act, 1934."

(2) This Act, with the exception of section six, shall be deemed to have commenced upon the first day of January, one thousand nine hundred and thirty-four.

Reduction
and consoli-
dation of
capital
debts.
cf. Act No.
27, 1922.

2. (1) The debt to the Colonial Treasurer of the councils of the respective municipalities and shires named in the first column of the First Schedule in respect of the works constructed by the Minister for Public Works which are specified in the second column thereof is hereby declared to be the sum stated in the third column thereof. Such sum shall be the amount of the debt chargeable upon the revenues of the said councils respectively in respect of such part of the said works as is completed at the commencement of this Act, and shall for all purposes be deemed to be a capital debt notified by the Governor in terms of section three hundred and seventy-four of the Local Government Act, 1919.

Period of
liquidation
and instal-
ment.

(2) The respective periods for the repayment of the said debts shall be the periods stated in the fourth column of the First Schedule, and the sums payable half-yearly by the said councils respectively in liquidation of the said debts shall be the sums stated in the fifth column thereof.

Extinguish-
ment
of balance
of capital
debt.

(3) The liability, if any, of each of the said councils to the Colonial Treasurer in respect of the capital debt upon such part of the said works referred to in the First Schedule as is completed at the commencement of this Act, other than as stated in subsection one of this section, is hereby extinguished: Provided that this subsection shall not be construed so as to relieve a council of any liability to the Colonial Treasurer in respect of such arrears in instalments of repayment of a capital debt as were due and owing for interest at such commencement.

(4)

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

715

No. 58, 1934.

(4) For the purposes of this section the works known as Number 2 Bore, Municipality of Coonamble, shall be deemed to be works constructed by the Minister for Public Works and to be included in the second column of the First Schedule as works of water supply—Municipality of Coonamble.

3. (1) The liability, if any, to the Colonial Treasurer of each of the councils of the respective municipalities and shires named in the first column of the Second Schedule in respect of arrears in instalments of repayment of the capital debt upon the works constructed by the Minister for Public Works which are specified in the second column thereof, is hereby reduced by the amount mentioned in the third column thereof.

Extinguish-
ment of
arrears of
interest.

(2) During the respective periods mentioned in the fourth column of the Second Schedule the half-yearly instalments payable to the Colonial Treasurer by each of the said councils in respect of the said capital debts shall be reduced during the year one thousand nine hundred and thirty-four by the respective sums, if any, mentioned in the fifth column thereof, and thereafter during each year by the respective sums, if any, mentioned in the sixth column thereof.

Suspension
and remis-
sion of
instalments.

(3) The Colonial Treasurer may, after the expiration of the respective periods mentioned in the fourth column of the Second Schedule, recommend to the Governor a further suspension of liability of a council in respect of a capital debt or portion thereof during such period (not exceeding the period mentioned in the fourth column of the Second Schedule and applicable to such council), and subject to such terms and conditions as he may think fit, and upon approval thereof by the Governor and notification in the Gazette the said liability of the council shall be suspended accordingly.

(4) After the expiration of the respective periods mentioned in the fourth column of the Second Schedule each council shall pay to the Colonial Treasurer at the times and in the manner fixed by him the total amount by which the half-yearly instalments referred to in subsection two of this section payable by the council shall have been reduced as provided in that subsection.

Payment of
amount in
suspense.

This

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

This subsection shall not extend to the councils of the municipalities of Cobar or Peak Hill, or the council of the shire of Berrigan.

Junee Water Supply.

Amendment
of Act No.
59, 1915,
and Act No.
37, 1927.

4. (1) The Junee Water Supply Administration Acts, 1915-1927, are amended as follows:—

Sec. 7.

(a) by omitting the proviso to section seven;

Sec. 8.

(b) (i) by omitting subsection one of section eight and by inserting in lieu thereof the following new subsection:

(1) The Governor may from time to time by regulation fix the price per thousand gallons to be paid by the council, and the price per thousand gallons to be paid by the Commissioners for water supplied by the Administrator under the provisions of this Act.

Sec. 8.

New sub-
sec. (3).

(ii) by inserting after subsection two of section eight the following new subsection—

(3) Notwithstanding the provisions of this section the council shall each year pay to the Administrator a minimum sum of three thousand three hundred and seventy-five pounds irrespective of the quantity of water supplied.

Sec. 12.

New sub-
sec. (3).

(c) by inserting after subsection two of section twelve the following new subsection:—

(3) There shall be added to such capital cost the sum of two hundred and ninety-four pounds and sixpence (being the cost of certain works of water supply constructed by the Minister for Public Works on behalf of the council) and the amount as certified by the Minister expended by him upon the renewal repair or extension of any portion of the works between the date of commencement of this Act and the thirtieth day of December, one thousand nine hundred and thirty-five,

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

717

No. 58, 1934.

thirty-five, or such later date as may be approved by the Governor, including interest calculated in accordance with subsection two of this section.

- (d) (i) by inserting in paragraph (b) of subsection one of section thirteen after the word "two" the words "and three." Sec. 13.
- (ii) by omitting subsection (1A) of section thirteen.

(2) The Junee Water Supply Administration Acts, 1915-1927, as amended by this section may be cited as the Junee Water Supply Administration Act, 1915-1934.

5. (1) As soon as may be after the date upon which His Majesty's assent to this Act is signified the Minister for Public Works shall certify to the Governor the amount which in his opinion should be accepted from the council of the municipality of Junee in full settlement of any sums due and owing to the Administrator of the Junee Water Supply by the said council in respect of the supply of water by the Administrator, having regard to—

Arrears
owing by
Junee Muni-
cipal Coun-
cil.

- (i) the amounts owing to the said council for rates, charges and fees made, levied or imposed under the Local Government Act, 1919, in respect of the supply of water;
- (ii) the amounts held in the bank or otherwise by or on behalf of the said council to the credit of the Water Supply Local Rate Fund;
- (iii) the amounts payable out of the said fund to creditors of the said council;
- (iv) the proportion of the said rates charges and fees which in the said Minister's opinion will prove irrecoverable; and
- (v) any other matters which the said Minister may consider relevant.

(2) If the certificate is approved by the Governor, the said council shall pay to the Administrator at such times and in such manner as the Administrator may determine the amount so certified.

(3)

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

No. 58, 1934.

(3) Upon payment as aforesaid by the said council of the amount so approved, the liability of the said council to the Administrator in respect of the debt referred to in subsection one of this section shall be deemed to be extinguished.

Reduction
of interest
rate.

*amended by
Act 5 of 1932*

6. (1) In any case where the rate of interest determined under paragraph (d) of subsection eight of section three hundred and seventy-four of the Local Government Act, 1919, for the purposes of paragraph (c) of subsection seven of that section exceeds three and one-half per centum, the instalment payable by the council shall be the amount which would be payable if the rate of interest were three and one-half per centum.

(2) This section shall apply, mutatis mutandis, to rates of interest determined before or to be determined after the commencement of this Act.

(3) The Broken Hill Water Supply Administration Act, 1915, is amended by omitting from paragraph (c) of subsection two of section twenty-four the word "four" and inserting in lieu thereof the words "three and one-half."

(4) This section shall commence on the first day of January, one thousand nine hundred and thirty-five.

Discontinu-
ance of
payments
to Renewal
Fund.

7. In any case where the period fixed for the repayment of the capital debt of a council coincides with the average life of the works as estimated by the Minister for Public Works, he may authorise the council to discontinue payments to the renewal fund referred to in section three hundred and eighty-eight of the Local Government Act, 1919.

SCHEDULES

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

719

No. 58, 1934.

SCHEDULES.

FIRST SCHEDULE.

First Column.	Second Column.	Third Column.	Fourth Column.	Fifth Column.
Municipality or Shire.	Works.	Debt.	Period of Repayment from 1st January 1934.	Half-yearly Sums Payable.
		£ s. d.	Years.	£ s. d.
Ballina	Water Supply (1) ...	12,222 13 11	23	389 12 8
Ballina	" (2) ...	17,569 13 11	14½	804 6 3
Bathurst	" (3) ...	63,743 11 10	40	1,603 16 8
Berrigan	" (4) ...	17,425 18 0	41	434 2 0
Berrigan	" (5) ...	14,996 14 7	36	293 3 9
Blayney	"	13,180 6 0	30	361 12 4
Bourke	"	22,916 7 5	50	504 17 11
Bowral	" (6) ...	Nil.	...	Nil.
Casino	" (7) ...	23,657 3 11	31	660 5 4
Coonamble	"	14,869 19 9	17	596 3 4
Corowa	" (8) ...	30,307 17 6	39	770 12 0
Deniliquin	"	19,105 14 5	30	538 7 10
Erina	" (9) ...	18,801 17 6	46½	446 17 11
Glen Innes	"	60,038 16 3	40	1,510 12 5
Grenfell	"	36,806 11 2	50	854 0 3
Junee	"	Nil.	...	Nil.
Morree	"	26,975 19 0	38	676 2 11
Narromine	"	24,395 6 0	46	582 0 9
Nowra	" (10) ...	11,666 6 11	19	430 4 0
Picton	"	15,738 13 11	40	367 2 1
Singleton	" (11) ...	28,974 2 5	39	736 13 11
Tenterfield	"	44,000 0 0	50	1,020 18 5
Warren	"	5,434 3 5	25	163 19 5
Wentworth	"	5,033 7 0	40	117 7 8
Wilcannia	" (12) ...	Nil.	...	Nil.
Forbes	Sewerage	36,526 5 2	47½	861 17 6
Hay	"	11,836 0 0	73	225 0 0

- (1) Works referred to in Gazette No. 29, dated 1st March, 1929.
- (2) Works referred to in Gazette No. 79, dated 22nd June, 1928.
- (3) All works other than those referred to in Gazette No. 216, dated 22nd December, 1933.
- (4) Works in respect of Berrigan Water Supply.
- (5) Works in respect of Tocumwal Water Supply.
- (6) Works referred to in Gazette No. 184, dated 19th December, 1930.
- (7) Works referred to in Gazette No. 119, dated 6th September, 1929.
- (8) Works referred to in Gazette No. 33, dated 8th March, 1929.
- (9) Works in respect of Wyong Water Supply.
- (10) Works referred to in Gazette No. 72, dated 1st June, 1928.
- (11) Works referred to in Gazette No. 92, dated 17th July, 1931.
- (12) Works referred to in Gazette No. 216, dated 22nd December, 1933

SECOND

**Country Towns Water Supply, Sewerage and
Drainage (Reduction of Debts) Act.**

SECOND SCHEDULE.

First Column.	Second Column.	Third Column.	Fourth Column.	Fifth Column.	Sixth Column.
Municipality or Shire.	Works.	Amount by which Arrears in Instalment Reduced.	Period of Reduction of Payments from 1 Jan., 1934.	Half-yearly Amount of Reduction during 1934.	Half-yearly Amount of Reduction during 1935 and thereafter.
		£ s. d.	Years.	£ s. d.	£ s. d.
Berrigan	Water Supply (1).	320 17 3	10	221 11 9	189 6 4
Brewarrina ...	" ..	1,702 9 1	3	70 0 0	70 0 0
Cobar	" ..	13,724 19 3	3	227 7 8	226 4 9
Culcairn	" ..	942 10 5	...	...	...
Erina	" (2)	...	3	75 0 0	75 0 0
Glen Innes ...	" ..	1,926 14 8	...	...	...
Grenfell	" ..	1,946 3 9	...	...	...
Lachlan	" (3)	...	3	150 0 0	150 0 0
Lithgow .....	" ..	...	3	250 0 0	250 0 0
Moama	" ..	233 9 10	...	...	...
Molong	" ..	2,497 15 5	4	300 0 0	300 0 0
Orange .....	" ..	...	5	886 0 10	840 0 9
Peak Hill	" ..	2,100 4 6	...	...	...
Singleton .....	" ..	...	1	806 1 7	...
Tenterfield ...	" ..	1,992 11 1	...	...	...
Warren	" ..	570 12 10	...	...	...
Wentworth ...	" ..	888 10 6	...	...	...
Wilcannia	" ..	331 9 0	...	...	...
Hay	Sewerage	661 6 2	...	...	...
Lithgow .....	" ..	...	5	500 0 0	500 0 0

(1) Works in respect of Berrigan Water Supply.

(2) Works in respect of Wyong Water Supply.

(3) Works in respect of Cargellico Water Supply.

CHARITABLE