LEGISLATIVE ASSEMBLY

Read 1° 10th October, 1978

(*Brought in by Mr. Borthwick and Mr. Balfour.*)

A BILL

To authorize Expenditure on Works and Services and other Purposes relating to Irrigation Water Supply Drainage Sewerage Flood Protection and River Improvement, and other purposes.

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. This Act may be cited as the *Water Supply Works and Services Act* 1978.

Issue and application of money from Works and Services Account for purposes specified in the Tables to the sections.

2. From the Works and Services Account there may be issued and applied the several amounts specified in the Tables to the sections of this Act in the columns headed "Proposed Provision" for the respective works and purposes specified opposite thereto, not exceeding Sixty-eight million dollars in all.

No works expenditure for water supply, &c., except under this Act.

3. (1) Notwithstanding anything in the Water Supply Works and Services Act in force before the commencement of this Act no money shall by virtue of such Act be expended out of the Works

and

and Services Account for works and purposes relating to irrigation water supply drainage flood protection or river improvement except pursuant to and to the extent authorized by this Act.

No expenditure for country sewerage or under *Latrobe Valley Act* 1958 or *Dandenong Valley Authority Act* 1963 except under this Act.

(2) Notwithstanding anything in the Water Supply Works and Services Act in force before the commencement of this Act no money shall by virtue of such Act be expended under the *Sewerage Districts Act* 1958 for sewerage works in country districts or under the *Latrobe Valley Act* 1958 or the *Dandenong Valley Authority Act* 1963 except pursuant to and to the extent authorized by this Act.

State works.

4. (1) The sums specified in the Table to this section in the column headed "Proposed Provision" may be respectively expended by the State Rivers and Water Supply Commission for the purposes mentioned in the said Table.

(2) Any sum so expended shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly and shall not be deemed to be a liability of any authority.

(3) Notwithstanding anything in sub-section (2) the Governor in Council on the recommendation of the Minister of Water Supply may from time to time by Order adjust any expenditure made under sub-section (1) by transferring from the State to any district or authority concerned the liability for such amount of any such expenditure as the Governor in Council considers reasonable having regard to the development of such district or authority and thereupon the liability for any amount so transferred shall be transferred out of the Capital Expenditure Borne by the State Account and be charged in the books of the State Rivers and Water Supply Commission to such district or authority and be a liability of the appropriate district or authority accordingly.

Works declared to be State Works.

(4) The works specified in the Table to this section, other than those which have by some Act of Parliament passed before the commencement of this Act been declared to be National or State works of water supply drainage flood protection or river improvement, are hereby declared to be State works of water supply drainage flood protection or river improvement (as the case may be) within the meaning of the *Water Act* 1958; and the State Rivers and Water Supply Commission is hereby authorized and directed to construct and carry out all works specified in the said Table.

TABLE.

TABLE.

State Works.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
	For and towards construction, enlargement, extension, remodelling, renovation, renewal, replacement, and improvements of works in the following districts, and other works specified hereunder, including surveys, purchase of land and buildings, contingencies and expenditure incidental to these purposes—	
1	State Works—Storages and Headworks—	
	Sub-item. —	
	1 Mitchell River Project	3,000,000
	2 Lang Lang River Works	400,000
	3 Other Storages and Headworks (including recreational facilities on land owned or controlled by the State Rivers and Water Supply Commission and on the Victorian side of River Murray Commission headworks)	2,000,000
	4 Lake Merrimu Project	3,800,000
	Total Item 1	9,200,000
2	Other State Works—	
	Sub-item. —	*Proposed Provision.*
		$
	1 Irrigation Districts (including enlargement and extension of channels, structures, and distributary works) ..	9,800,000
	2 Coliban System	2,300,000
	3 Mornington Peninsula System	12,000,000
	4 Bellarine Peninsula System	1,600,000
	5 Otway System	500,000
	6 Waterworks Districts, Generally	1,200,000
	7 Flood Protection Districts	250,000
	8 Surveys, Investigations, Designs and Research ..	3,750,000
	9 Works Generally—Workshops, Storesheds, Administrative and Other Buildings	2,250,000
	10 Private Diversions—Meter Installations	100,000
	11 Computing Facilities	100,000
	12 Groundwater Meter Installations	50,000
	13 Water Supply Stores Suspense Account	300,000
	Total Item 2	34,200,000
	GRAND TOTAL	43,400,000

5. The

Plant and Machinery. No. 6413. Part III.

5. The sum specified in the Table to this section in the column headed "Proposed Provision" may be expended by the State Rivers and Water Supply Commission for the purposes mentioned in the said Table, pursuant to the provisions of Part III. of the *Water Act* 1958.

TABLE.

Plant and Machinery.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
1	The purchase or acquisition by the State Rivers and Water Supply Commission of movable plant and machinery to be engaged on the construction and maintenance of works by the Commission	200,000

Waterworks Trusts. No. 6413 Part VII.

6. (1) Pursuant to the provisions of Part VII. of the *Water Act* 1958 the Treasurer of Victoria may advance by way of loan from the Works and Services Account—

(*a*) to each waterworks trust named in the Table to this section any sum or sums not exceeding the amount specified in the said Table in the column headed "Proposed Provision" opposite to the name of such trust; and

(*b*) to any other waterworks trust (whether constituted before or after the commencement of this Act) any sum or sums amounting in all to $50,000 or less in the case of each such other trust but so that the total sum advanced to all such other trusts does not exceed the amount specified in the last item of the said Table in the said column.

(2) Notwithstanding anything in the last preceding sub-section the Governor in Council within six months after the date on which any such advance is made may on the recommendation of the Minister of Water Supply determine whether the whole or any and what part of such advance shall be charged to the Capital Expenditure Borne by the State Account and the liability for the whole or that part (as the case may be) of the capital loan liability represented by such advance shall be borne by the State accordingly and shall not be deemed to be advanced pursuant to the provisions of Part VII. of the *Water Act* 1958.

(3) Any determination made pursuant to the last preceding sub-section shall operate and have effect as from the making of the advance.

TABLE.

TABLE.

Waterworks Trusts.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	Bairnsdale Waterworks Trust	110,000
2	Bealiba Waterworks Trust	100,000
3	Euroa Waterworks Trust	320,000
4	Gembrook, Cockatoo and Emerald Waterworks Trust ..	150,000
5	Glenrowan Waterworks Trust	100,000
6	Heathcote Waterworks Trust	520,000
7	Horsham Waterworks Trust	200,000
8	Kilmore Waterworks Trust	60,000
9	Koo-wee-rup Waterworks Trust	100,000
10	Lakes Entrance Waterworks Trust	100,000
11	Leongatha Waterworks Trust	80,000
12	Macedon Waterworks Trust	80,000
13	Portland Waterworks Trust	70,000
14	Riddells Creek Waterworks Trust	120,000
15	Smythesdale–Scarsdale Waterworks Trust	80,000
16	Stratford Waterworks Trust	80,000
17	Violet Town Waterworks Trust	140,000
18	Wangaratta Waterworks Trust	180,000
19	Westernport Waterworks Trust	120,000
20	Yarram Waterworks Trust	80,000
21	Advances of $50,000 or Less to Other Existing or Proposed Waterworks Trusts	1,760,000
	Total	4,550,000

Mildura Trusts. No. 6316 Part III.

7. (1) Pursuant to the provisions of Part III. of the *Mildura Irrigation and Water Trusts Act* 1958 the Treasurer of Victoria may advance by way of loan from the Works and Services Account to each trust named in the Table to this section any sum or sums not exceeding the amount specified in the said Table in the column headed " Proposed Provision " opposite to the name of such trust.

(2) Notwithstanding anything in the last preceding sub-section the Governor in Council within six months after the date on which any such advance is made may on the recommendation of the Minister of Water Supply determine whether the whole or any and what part of such advance shall be charged to the Capital Expenditure Borne by the State Account and the liability for the whole or that part (as the case may be) of the capital loan liability represented by such advance shall be borne by the State accordingly and shall not be deemed to be advanced pursuant to the provisions of Part III. of the *Mildura Irrigation and Water Trusts Act* 1958.

(3) Any

(3) Any determination made pursuant to the last preceding sub-section shall operate and have effect as from the making of the advance.

TABLE.
Mildura Trusts.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	First Mildura Irrigation Trust	200,000
2	Mildura Urban Water Trust	500,000
	Total	700,000

Local Governing Bodies. No. 6413 Part VII.

8. (1) Pursuant to the provisions of Part VII. of the *Water Act* 1958 the Treasurer of Victoria may advance by way of loan from the Works and Services Account—

(*a*) to each local governing body named in the Table to this section any sum or sums not exceeding the amount specified in the said Table in the column headed "Proposed Provision" opposite to the name of such local governing body; and

(*b*) to any other local governing body (whether constituted before or after the commencement of this Act) any sum or sums amounting in all to $50,000 or less in the case of each such other body but so that the total sum advanced to all such other bodies does not exceed the amount specified in the last item of the said Table in the said column.

(2) Notwithstanding anything in sub-section (1) the Governor in Council within six months after the date on which any such advance is made may on the recommendation of the Minister of Water Supply determine whether the whole or any and what part of such advance shall be charged to the Capital Expenditure Borne by the State Account and the liability for the whole or that part (as the case may be) of the capital loan liability represented by such advance shall be borne by the State accordingly and shall not be deemed to be advanced pursuant to the provisions of Part VII. of the *Water Act* 1958.

(3) Any determination made pursuant to the last preceding sub-section shall operate and have effect as from the making of the advance.

TABLE.

TABLE.

Local Governing Bodies.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	Ballarat Water Commissioners	300,000
2	Creswick Shire Council	90,000
3	Warrnambool City Council	500,000
4	Advances of $50,000 or Less to Other Existing or Proposed Local Governing Bodies	160,000
	Total	1,050,000

Waterworks Trusts and Local Governing Bodies, New Town Supplies. No. 6413 Part VII.

9. (1) Pursuant to the provisions of Part VII. of the *Water Act* 1958 the Treasurer of Victoria may advance by way of loan from the Works and Services Account—

(*a*) to each waterworks trust named in the Table to this section any sum or sums not exceeding the amount specified in the said Table in the column headed "Proposed Provision" opposite to the name of such waterworks trust; and

(*b*) to any other waterworks trust or to any local governing body (whether such waterworks trust or local governing body was constituted before or after the commencement of this Act) any sum or sums amounting in all to $50,000 or less in the case of each such other trust or body but so that the total sum advanced to all such other trusts and bodies does not exceed the amount specified in the last item of the said Table in the said column.

(2) Notwithstanding anything in sub-section (1) the Governor in Council on the recommendation of the Minister of Water Supply may—

(*a*) within six months after the date on which any such advance is made determine whether the whole or any and what part of such advance shall be charged to the Capital Expenditure Borne by the State Account and the liability for the whole or that part (as the case may be) of the capital loan liability represented by such advance shall be borne by the State accordingly and shall not be deemed to be advanced pursuant to the provisions of Part VII. of the *Water Act* 1958; and

(*b*) from time to time after the making of such determination (but not more than once in any financial year) by Order adjust any liability borne by the State in

accordance

accordance with this sub-section by transferring back from the State to any waterworks trust or local governing body concerned the liability for such amount as the Governor in Council considers reasonable having regard to the development of the district served by the trust or body and thereupon the liability for any amount so transferred back shall be transferred out of the Capital Expenditure Borne by the State Account and be charged in the books of the Treasury to such trust or body and be a liability of the appropriate trust or body accordingly.

(3) Any determination made pursuant to sub-section (2) (*a*) shall operate and have effect as from the making of the advance and any adjustment made pursuant to sub-section (2) (*b*) shall operate and have effect as from the making of the advance or the commencement of the financial year in which the adjustment is made (whichever is the later).

TABLE.

Waterworks Trusts and Local Governing Bodies New Town Supplies.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	Aireys Inlet Waterworks Trust	80,000
2	Bacchus Marsh Shire Council (Myrniong)..	100,000
3	Bannockburn District Waterworks Trust	130,000
4	Bonnie Doon Waterworks Trust	60,000
5	Bright Waterworks Trust (Porepunkah)	160,000
6	Deakin, Shire of, Waterworks Trust (Girgarre)	70,000
7	Dundas, Shire of, Waterworks Trust	130,000
8	Korong Shire Council	100,000
9	Melton Waterworks Trust (Rockbank)	200,000
10	Mirboo North Waterworks Trust	60,000
11	Poowong, Loch and Nyora Waterworks Trust	120,000
12	Sunbury Waterworks Trust (Bulla and Diggers Rest) ..	110,000
13	Tyers and Glengarry Waterworks Trust (Cowwarr) ..	190,000
14	Wallan Waterworks Trust	60,000
15	Warrnambool, Shire of, Local Governing Body (Caramut) ..	160,000
16	Advances of $50,000 or Less to Other Existing or Proposed Waterworks Trusts or Local Governing Bodies	470,000
	Total	2,200,000

Geelong Waterworks and Sewerage Trust.

10. (1) The Treasurer of Victoria may advance out of the Works and Services Account to the Geelong Waterworks and Sewerage Trust any sum or sums not exceeding the amount specified in the Table to this section in the column headed "Proposed Provision" as if the Trust were an authority within the meaning of the *Water Act* 1958.

(2) Any

(2) Any sum advanced to the Geelong Waterworks and Sewerage Trust under sub-section (1) shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly and shall not be deemed to be a liability of the said Trust.

TABLE.

Urban Centres.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	For advances to the Geelong Waterworks and Sewerage Trust towards the cost of sewerage works at Leopold and Lara	100,000
2	For advances to the Geelong Waterworks and Sewerage Trust towards the cost of approved works of water supply ..	400,000
	Total	500,000

11. (1) Notwithstanding anything in section 73 (2) of the *Sewerage Districts Act* 1958 but save as aforesaid pursuant to the provisions of the *Sewerage Districts Act* 1958 the Treasurer of Victoria may advance by way of loan from the Works and Services Account— Country Sewerage Authorities. No. 6368 Part III.

(*a*) to any authority named in the Table to this section any sum or sums not exceeding the amount specified in the said Table in the column headed "Proposed Provision" opposite to the name of such authority; and

(*b*) to any other sewerage authority (whether constituted before or after the commencement of this Act) such sum or sums amounting in all to $100,000 or less in the case of each such other authority but so that the total sum advanced to all such other authorities does not exceed the amount specified in the last item of the said Table in the said column.

(2) Notwithstanding anything in sub-section (1) the Governor in Council within six months after the date on which any such advance is made to any sewerage authority may on the recommendation of the Minister of Water Supply determine whether the whole or any and what part of such advance shall be transferred and charged to the account kept in the books of the Treasury called the Capital Expenditure (Sewerage) Borne by the State Account and the liability for the whole or that part (as the case may be) of the capital loan liability represented by such advance shall be borne by the State accordingly and shall not be deemed to be a liability of that authority.

(3) Any

(3) Any determination made pursuant to sub-section (2) shall operate and have effect as from the making of the advance.

(4) The balance of principal owing to the Treasurer of Victoria by the Shire of Cranbourne Sewerage Authority shall be reduced by the amount of $100,000, such reduction to be effective from the seventeenth day of January One Thousand Nine Hundred and Seventy-seven, the date of the advance to the Authority.

TABLE.

Country Sewerage Authorities.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	Cobden Sewerage Authority	400,000
2	Cowes Sewerage Authority	200,000
3	Shire of Cranbourne Sewerage Authority	300,000
4	Creswick Sewerage Authority	400,000
5	Daylesford Sewerage Authority	350,000
6	Hastings Sewerage Authority	150,000
7	Heathcote Sewerage Authority	150,000
8	Heyfield Sewerage Authority	150,000
9	Inverloch Sewerage Authority	200,000
10	Mornington Sewerage Authority	700,000
11	Nagambie Sewerage Authority	200,000
12	Pakenham Sewerage Authority	400,000
13	Portarlington Sewerage Authority	200,000
14	Tongala Sewerage Authority	300,000
15	Yea Sewerage Authority..	300,000
16	Advances of $100,000 or Less to Other Existing or Proposed Sewerage Authorities	600,000
	Total	5,000,000

River Improvement Trusts, &c. No. 6358 Part IV.

12. (1) Pursuant to the provisions of Part IV. of the *River Improvement Act* 1958 or any subsequent Act relating to river improvement and land drainage the Treasurer of Victoria may advance by way of loan from the Works and Services Account—

(*a*) to any river improvement trust or other authority named in the Table to this section any sum or sums not exceeding the amount specified in the said Table in the column headed " Proposed Provision " opposite to the name of such trust or authority ; and

(*b*) to any other river improvement or drainage authority (whether constituted before or after the commencement of this Act) such sum or sums amounting in all to $50,000 or less in the case of each such other authority but so that the total sum advanced to all such other authorities does not exceed the amount specified in the last item of the said Table in the said column.

(2) A...

(2) Any sum so advanced shall be applied in accordance with any direction given pursuant to any statutory power to direct the application of such sum.

(3) Notwithstanding anything in sub-section (1) the Governor in Council within six months after the date on which any such advance is made to any such trust or authority may on the recommendation of the Minister of Water Supply determine whether the whole or any and what part of such advance shall be charged to the Capital Expenditure Borne by the State Account and the liability for the whole or that part (as the case may be) of the capital loan liability represented by such advance shall be borne by the State accordingly and shall not be deemed to be a liability of such trust or authority.

(4) Any determination made pursuant to sub-section (3) shall operate and have effect as from the making of the advance.

TABLE.

River Improvement Trusts, &c.

Item.	*Name of Authority.*	*Proposed Provision.*
		$
1	Broken River Improvement Trust	60,000
2	Longwarry Drainage Trust	80,000
3	Macalister River Improvement Trust	60,000
4	Mitchell River Improvement Trust	100,000
5	Ovens-King River Trust	250,000
6	Seymour River Improvement Trust	70,000
7	Snowy River Improvement Trust	80,000
8	Advances of $50,000 or Less to Other Existing or Proposed River Improvement or Drainage Trusts	1,050,000
	Total	1,750,000

13. (1) Pursuant to the provisions of the *Dandenong Valley Authority Act* 1963 the Treasurer of Victoria may advance from the Works and Services Account to the Dandenong Valley Authority any sum or sums not exceeding the amount specified in the Table to this section in the column headed " Proposed Provision ". Dandenong Valley Authority. No. 7060.

(2) Any sum so expended shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly and shall not be deemed to be a liability of the Authority.

TABLE.

Dandenong Valley Authority.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
1	For and towards river improvement and arterial drainage works pursuant to the provisions of the *Dandenong Valley Authority Act* 1963	1,500,000

14. (1) The

Waste Water Treatment Study.

14. (1) The sum specified in the Table to this section in the column headed " Proposed Provision ", may be expended by the State Rivers and Water Supply Commission for the purpose mentioned in the said Table.

(2) Any sum so expended shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly.

TABLE.

Waste Water Treatment Study.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
1	For expenditure incurred by the State Rivers and Water Supply Commission and other authorities on the development and comparison of methods of advanced waste water treatment	200,000

River Murray works. Nos. 2596, &c.

15. (1) The sum specified in the Table to this section in the column headed " Proposed Provision " may be expended under and pursuant to the River Murray Water Acts.

(2) Any sum so expended shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly.

TABLE.

River Murray Works.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
	Contribution by the State of Victoria towards the cost of works constructed under Agreements ratified by the River Murray Waters Acts.	
1	Dartmouth Dam Project	2,500,000
2	Other works and expenditure associated with such Agreements, including the purchase of equipment	2,000,000
	Total	4,500,000

16. (1) The

Melbourne and Metropolitan Board of Works.

16. (1) The Treasurer may advance from the Works and Services Account to the Melbourne and Metropolitan Board of Works any sum or sums not exceeding the amount specified in the Table to this section in the column headed " Proposed Provision " opposite to the name of the said Board.

(2) Notwithstanding anything in sub-section (1) any sum so advanced to the Melbourne and Metropolitan Board of Works shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly and shall not be deemed to be a liability of the said Board.

TABLE.

Melbourne and Metropolitan Board of Works.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
1	For advances to the Melbourne and Metropolitan Board of Works towards the cost of sewerage works required to serve the urban areas of Narre Warren, Berwick and Beaconsfield	600,000
2	For advances to the Melbourne and Metropolitan Board of Works towards the cost of approved works of water supply	600,000
	Total	1,200,000

Expenditure on Approved Works Pending Reimbursement by Landholders.

17. (1) The sum specified in the Table to this section in the column headed " Proposed Provision ", may be expended by the State Rivers and Water Supply Commission for the purpose mentioned in the said Table.

(2) Any sum so expended shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly.

TABLE.

Approved Works Pending Reimbursement by Landholders.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
1	For expenditure incurred by the State Rivers and Water Supply Commission on approved works, constructed pursuant to section 310A of the *Water Act* 1958, pending reimbursement by landholders	850,000

Latrobe Valley Water and Sewerage Board. No. 6290 Part II.

18. (1) Pursuant to the provisions of the *Latrobe Valley Act* 1958, the Treasurer of Victoria may advance from the Works and Services Account to the Latrobe Valley Water and Sewerage Board any sum or sums not exceeding the amount specified in the Table to this section in the column headed " Proposed Provision ". 5

(2) Any sum so expended shall be charged to the Capital Expenditure Borne by the State Account and the liability therefor shall be borne by the State accordingly and shall not be deemed to be a liability of the Board.

TABLE.

Latrobe Valley Works.

Item.	*Particulars of Application.*	*Proposed Provision.*
		$
1	Latrobe Valley Water and Sewerage Board—Works for the purpose of treatment and disposal of waste and sewage ..	400,000

By Authority: E. D. Atkinson, Government Printer, Melbourne.