

# BUSSELTON WATER BOARD (SUPPLY OF WATER TO DUNSBOROUGH) BILL 2009

## EXPLANATORY MEMORANDUM

### Overview of the Bill

The purpose of the Busselton Water Board (Supply of Water to Dunsborough) Bill 2009 is to extend the operation of the *Water Boards Act 1904* to enable the Busselton Water Board (BWB) to enter into a water supply agreement with the Water Corporation for the supply of water to the Dunsborough area, as if this was a function of BWB and provided for in the *Water Boards Act 1904*.

Presently, the *Water Boards Act 1904* does not authorise the BWB to enter into water supply agreements to supply water outside its water area, as would be the case with the proposed water supply agreement.

The extension of the *Water Boards Act 1904* and the water supply agreement apply only to the sale and supply of water to the Dunsborough area.

### Clause Notes

#### Clause 1: Short title

Clause 1 provides that the title of the proposed Act is the Busselton Water Board (Supply of Water to Dunsborough) Act 2009.

#### Clause 2: Commencement

Clause 2 provides that sections 1 and 2 will come into effect on the day the Act receives Royal Assent. The remainder of the Act will come into effect on the following day.

#### Clause 3: Terms Used

Clause 3 provides a list of definitions of terms and words used in the Bill:

**Board** is defined as the Busselton Water Board.

**Busselton Water Area** is defined as the Busselton Water Area as constituted under the *Water Boards Act 1904*. Details of this area can be found in the 21 May 1982 Government Gazette at page 1546 and, as extended, in the 6 July 1984 Government Gazette at page 2021.

**Corporation** is defined as the Water Corporation established by the *Water Corporation Act 1995* section 4.

**Dunsborough Area** is defined as that part of the Dunsborough operating area (water supply services) of the Water Corporation's licence (under the *Water Services Licensing Act 1995*) shown on the map in Schedule 1.

**Clause 4: Busselton Water Board may supply water to the Water Corporation**

Clause 4 allows the BWB to sell water to the Water Corporation for the purpose of supplying water to the Dunsborough area. The clause also enables the BWB to do anything that is necessary or convenient in connection with supplying water to the Water Corporation under the water supply agreement.

**Clause 5: Application of the *Water Boards Act 1904***

Clause 5 provides that the *Water Boards Act 1904* will have effect as if the supply of water, and things done in connection with that supply (outlined in Clause 4), were done under and for the purposes of that Act. This has the effect that the water supply agreement under this Bill will be part of the business of the BWB and part of the BWB's operations for the purposes of the *Water Boards Act 1904*.

**Schedule 1: Map of the Dunsborough area of the Dunsborough operating area**

This Schedule provides a map that shows, for information purposes, the Dunsborough area as defined in Clause 3.

This map is taken from the operating licence issued to the Water Corporation under the *Water Services Licensing Act 1995*. The licence authorises the provision of water supply services by the Water Corporation to the area shown by the map. The area borders the Busselton Water Board's water area.