

TASMANIA.



1945.

ANNO OCTAVO ET NONO
 GEORGII VI. REGIS.

No. 54.

ANALYSIS.

1. Short title.
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3. Water rights.
4. Rights as to effluent.

AN ACT to grant certain rights to water and certain other rights to *Australian Titan Products Proprietary Limited* and its assigns. [8 June, 1945.]

A.D.
 1945.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as the *Australian Titan Products Act* 1945. Short title.

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Interpre-
tation.**2** In this Act, unless the contrary intention appears—“the Company” means *Australian Titan Products Proprietary Limited* and its assigns;

“the industry” means the manufacture, on any part of the lands delineated in the plans contained in the first and second schedules, of titanium pigments, and other pigments and chemicals, and includes the carrying on of any processes and businesses incidental or subsidiary thereto.

Water rights.

3—(1) The Company shall, for the purposes of the industry and not otherwise, and so long as the industry is carried on, have the right—

(a) to take and divert water from Chasm Creek at any point on the land delineated in the plan contained in the first schedule, or on any other land adjacent to Chasm Creek which may be acquired by the Company, and may for that purpose erect on that land dams for the impounding and storage of water;

(b) subject to such terms and conditions as may be approved by the Minister, to construct, lay down, and maintain upon, over, through, or under any road, or any Crown land, or land vested in the Minister for Railways, such pipes, channels, or other works as may be required for the purpose of conveying water taken from Chasm Creek in accordance with paragraph (a) of this subsection to the land delineated in the plan contained in the second schedule;

(c) to take and divert from the Blythe River, at a point or points approved by the Minister, such quantity of water (not exceeding at any time two million gallons in any one day) as may be required for the purposes of the industry, in addition to the water taken in accordance with paragraph (a), and may, subject to such terms and conditions as may be approved by the Minister, construct, lay down, and maintain upon, over, through, or under any Crown land, or land vested in the Minister for Railways, such dams, walls, weirs, pumping stations, pipes, channels, or other works as may be necessary for the purpose of conveying the water so taken from the Blythe River to the land delineated in the plan contained in the second schedule.

(2) No person, other than the Company, shall take or divert water from Chasm Creek for industrial purposes, but this section shall not affect the right of any person to take and divert water from that stream for domestic purposes or watering stock.

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(3) The waters taken and diverted by the Company under the authority of this section shall not be used for the generation of electrical energy. A.D. 1945.

(4) This section shall not affect the operation of the *Rivers Pollution Act 1887**, the *Water, Sewerage, and Drainage Board Act 1944†*, the *Hydro-Electric Commission Act 1944‡*, or the *Associated Pulp and Paper Mills Act 1936§*.

4—(1) The Company may construct, and so long as the industry is carried on, maintain, an effluent drain, of such type and material as the Minister approves, for the purpose of discharging any effluent resulting from the carrying on of the industry on the land delineated on the plan contained in the second schedule into Bass Strait below low water mark. Rights as to effluent.

(2) The drain shall be located as nearly as possible as indicated in the plan in the second schedule, and the Company may construct and lay down the drain upon, through, or under the railway, road, and reservation shown on that plan.

(3) In the construction and maintenance of the drain, the Company—

(a) shall not interfere with any traffic on the said road or railway; and

(b) shall, after the completion of the construction of the drain, or of any works in connection with the construction or maintenance thereof, fill up and reinstate the surface of the ground disturbed by the work and make good the surface, and replace, reinstate, and make good all drains or other works opened by it, to the satisfaction of the Transport Commission or local authority having control thereof.

* 45 Vict. No. 17 (see Reprint of Statutes, Vol. VI., page 454).

† 7 & 8 Geo. VI. No. 96.

‡ 8 & 9 Geo. VI. No. 22.

§ 1 Edw. VIII. No. 35, as amended by 1 Geo. VI. No. 8.

