

## TASMANIA.



1940.

ANNO QUARTO

GEORGII VI. REGIS.

No. 27.

## ANALYSIS.

1. Short title and incorporation with the *Local Government Act 1906*.
2. Interpretation.
3. Water district.
4. Powers of the Council.
5. Power to borrow £7000.
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7. By-laws.

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AN ACT to make provision for a Supply of Water for the Town of Stanley and elsewhere within the Municipality of Circular Head. [27 June, 1940.] A.D.  
1940

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**—(1) This Act may be cited as the *Stanley Water Act* 1940.

(2) This Act shall be incorporated and read as one with the *Local Government Act 1906*.

Short title  
and incor-  
poration  
with the  
*Local Gov-  
ernment Act*  
1906.

6d.]

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A.D. 1940. **2** In this Act unless the contrary intention appears—

Interpreta-  
tion.

“Water District” means the water district defined by this Act, and includes any water district within the Municipality which may be hereafter proclaimed under the provisions of the *Local Government Act 1906*:

“Waterworks” or “Works” extends to and includes all wells, reservoirs, cisterns, tanks, aqueducts, watercourses, tunnels, feeders, drains, channels, cuts, floodgates, sluices, conduits, filters, troughs, dams, weirs, embankments, pumps, culverts, pipes, pipebreaks, engines, buildings, piers, supports, and all other works of what nature and kind soever which are from time to time necessary or used for effecting the purposes of this Act.

Water dis-  
trict.

**3—**(1) That part of the Municipality comprised and described in the schedule shall form the water district for the purposes of this Act.

6 Edw. VII.  
No. 31.

(2) The Council, pursuant to Part XV. of the *Local Government Act 1906*, may procure other water districts to be proclaimed within the Municipality, and, upon the proclamation thereof, the provisions of this Act shall apply to any such water district.

Powers of  
the Council.

**4—**(1) For the purposes of this Act, the Council may—

- I. Take and divert such water as may be reasonably necessary for such purposes from any source within the Municipality which is within five miles from the water district, or from any lake, river, creek, or stream which the Governor, by order-in-council, may approve;
- II. Purchase, lease, and acquire such land, within or without the Municipality, as it may think necessary for such purposes;
- III. Where the Council has given notice of intention to acquire land, and the compensation in respect thereof is determined as in cases of disputed compensations, if the Council deems it inexpedient to pay the amount of compensation so determined, it may, within twenty-one days after notice of such determination, withdraw the firstmentioned notice on payment of all costs of the reference and award, and thereupon the Council shall cease to be liable for the amount of compensation so determined.

(2) If any person shall fail when required by the Council to keep all pipes and apparatus by which his premises are supplied with water in good and sufficient repair the Council may disconnect such premises or cut off the supply of water until such pipes and apparatus are sufficiently repaired.

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(3) For the prevention of waste of water the Council may effect any repairs which may be necessary and for that purpose may enter on any premises supplied by it with water; and the cost of such repairs may be recovered by the Council from the person to whom such water is supplied or from the owner of the premises on which such repairs are effected. A.D. 1940.

(4) The powers conferred upon the Council by the *Towns Act* 1934 shall, in relation to the purposes of this Act, extend to, and be exercisable in respect of, any part of the Municipality in like manner as if such part were within a town. 25 Geo. V.  
No. 47.

**5** The Council, in pursuance of the provisions of the *Local Government Act* 1906, may raise, borrow, and receive, in accordance with the relevant provisions of the *Local Bodies' Loans Act* 1881, any sums of money not exceeding in the whole the sum of seven thousand pounds for the purposes of this Act and for defraying the costs of, and incidental to, the establishment and construction of the waterworks, and the passing and carrying out the provisions of this Act. Power to borrow  
£7000.  
6 Edw. VII.  
No. 31.  
45 Vict. No.  
16.

**6**—(1) The Council may make and levy annually a special rate not exceeding two shillings in the pound on the annual value of all property within the water district for the purposes of the maintenance and management of the waterworks and for the payment of all interest and other moneys payable in respect of the moneys borrowed by the Council for the purposes of this Act. Power to  
levy water  
rate.

(2) The provisions of section one hundred and seventy-two of the *Local Government Act* 1906 shall not apply to any rate levied under this section. 6 Edw. VII.  
No. 31

**7** The Council may make by-laws for the purposes of this Act, and in addition to any other matters may prescribe— By-laws

- I. The methods by which water may be supplied, the charges therefor, and for any apparatus supplied or hired by the Council;
- II. The form, material, dimensions, descriptions and construction, and arrangement of pipes, service, and other apparatus by means of which water shall be distributed or supplied by the Council;
- III. The prevention of waste or misuse of water;
- IV. The prevention of damage or injury to, or interference with, the water-supply or any works or machinery or apparatus erected by, or belonging to, the Council for the distribution and supply of water;
- V. The inspection of premises to which water is supplied;
- VI. The installation and the regulation of the use of water meters and other apparatus and the charges to be paid in relation thereto—

and generally in relation to the purposes of this Act.

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A.D. 1940.

## THE SCHEDULE.

## THE WATER DISTRICT.

All that tract of land in the Parish of Ford and the Town of Stanley in the County of Wellington commencing at the south-east angle of 162a. 2r. 21p. in the name of J. S. Trethewie on East Bay and bounded by part of the southern boundary of that land to the western side of the State Highway thence by the western boundary of that Highway to the south-east angle of 259a. 2r. 0p. in the name of A. C. Smith by the east by the south-east and by the north-east boundaries of that land to the north-east angle thereof thence by part of the south boundary of 256 acres in the name of A. C. Smith to the foreshore on Bass Strait thence by that foreshore in a south-easterly direction for a distance of 60 chains or thereabouts thence by a south-westerly line for a distance of 44 chains or thereabouts through the Town of Stanley to another point on the foreshore on Bass Strait aforesaid thence by that foreshore to the point of commencement.