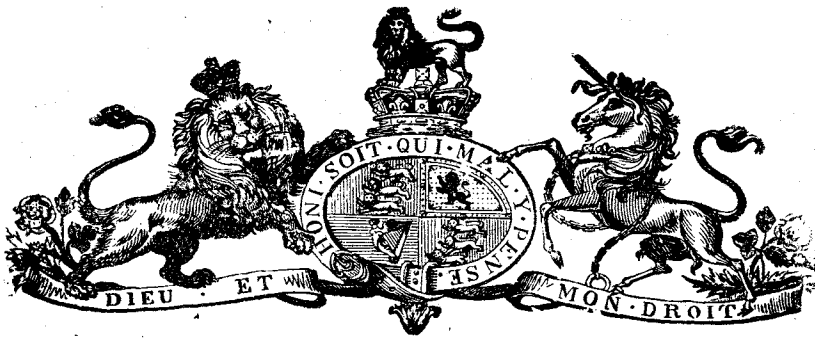


TASMANIA

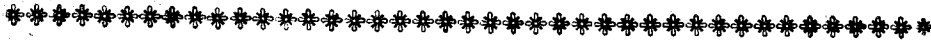


1901.

ANNO PRIMO

EDWARDI VII. REGIS,

No. 53.



AN ACT to provide for the Conservation of A.D. 1901.
the Waters of Lakes *Sorell* and *Crescent*,
and for the distribution of such Water.

[8 January, 1902.]

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 Lakes *Sorell* and *Crescent* Short title. Conservation Act, 1901.”

2 The Acts set forth in the Schedule hereto, to the extent therein Repeal. mentioned, are hereby repealed.

3 In this Act, unless the context otherwise determines, “The Interpretation. Minister” means the Minister of Lands and Works of *Tasmania* for the time being, and includes any person appointed by him or acting under his orders.

“The Trustees of the River *Clyde*” shall mean the Trustees for the time being appointed or elected under “The *Clyde* Water Act, 1898.” 62 Vict. No. 62.

“The Trustees of the Midland Water District” shall mean the Trustees for the time being appointed or elected under “The Midland 62 Vict. No. 63. Water Act, 1898.”

4d.]

Lakes Sorell and Crescent Conservation.

A.D. 1901.

Power to erect works and divert waters of Lake *Sorell*.

Powers of Minister.

Conditions under which water of Lake *Sorell* may be diverted.

When Minister may conserve water at Lakes,

Owners of land to be paid compensation.

4—(1.) It shall be lawful for the Minister to enter upon Lake *Sorell*, Lake *Crescent*, and the Rivers *Interlaken* and *Clyde*, and the beds and shores thereof, and to cause such works to be erected or established in the beds of such Lakes and Rivers, and on the shores or banks thereof, as shall be necessary from time to time to conserve or divert the waters thereof, and to divert and appropriate such quantity of the water of the said Lakes and Rivers, not exceeding Ninety thousand cubic yards every Twenty-four hours, as shall be required for the purposes of “The Midland Water Act, 1898,” and to deliver such water to the Trustees of the Midland Water District at such point as the Minister may determine :

(2.) It shall be lawful for the Minister to construct, repair, alter, and remove such channels, sluices, and other works as may be required to convey water directly from Lake *Sorell* or Lake *Crescent* to the River *Clyde*, as the Minister may deem necessary.

(3.) The Minister shall not be entitled to divert and appropriate any water from Lake *Sorell* or Lake *Crescent*, except as hereinafter provided, before the Trustees of the River *Clyde* shall have taken or have available to them a daily supply of One hundred thousand cubic yards of water from the waters in Lake *Sorell* or Lake *Crescent*, for the purposes of “The *Clyde* Water Act, 1898,” such supply to pass through a meter or other contrivance for the measurement of the flow of water fixed at the outlet from Lake *Sorell*.

If the Minister at any time excavates or constructs any channel, sluice, or other works to convey water directly from Lake *Sorell* or Lake *Crescent* to the River *Clyde*, he shall erect another meter or other contrivance for the measurement of the flow of water at the intake of such channel, sluice, or other works from Lake *Sorell* or Lake *Crescent*; but the Minister shall not take from Lake *Sorell* or Lake *Crescent*, along such channel, sluice, or other work as aforesaid, a quantity exceeding One hundred thousand cubic yards every Twenty-four hours, for the purposes of “The *Clyde* Water Act, 1898.”

5—(1.) The Minister shall construct a permanent gauge at a suitable place in the River *Clyde* at or near *Bothwell*.

(2.) Whenever the flow of water passing through the gauge at or near *Bothwell* exceeds One hundred thousand cubic yards in Twenty-four hours, it shall be lawful for the Minister to conserve the water of Lakes *Sorell* and *Crescent*, and to continue to so conserve such water so long as such flow of water passing through such gauge exceeds One hundred thousand cubic yards every Twenty-four hours.

6 The owner of any land shall be entitled to compensation for all loss or injury he may sustain by reason of the construction of any dam, channel, sluice, embankment, or work, and also for any other injury he may sustain by reason of the exercise by the Minister of any of the powers vested in him by virtue of this Act; and such compensation shall be ascertained and determined in the mode prescribed by *The Lands Clauses Act*, in cases of disputed compensation.

Lakes Sorell and Crescent Conservation.

7 For the purpose of executing any works under the provisions of this Act, the Minister may have and exercise all or any of the powers vested in and be subject to all the liabilities imposed upon the Trustees of the River *Clyde* by "The *Clyde* Water Act, 1898," or in and upon the Trustees of the Midland Water District by "The Midland Water Act, 1898," or any amendment of the same.

A.D. 1901.

Minister to have certain powers.

8 The cost of any works to be constructed under the provisions of this Act shall be defrayed out of moneys to be provided by Parliament for that purpose.

Cost of works.

9—(1.) The Trustees of the River *Clyde* shall, out of the moneys at the disposal of such Trustees, pay annually to the Consolidated Revenue Fund a sum equal to Five Pounds per centum on One-half of the cost of all works erected or established for conserving the water in Lake *Sorell* or Lake *Crescent* under the provisions of this Act, and a sum equal to Five Pounds per centum on the cost of any works constructed for the purpose of conveying water directly from Lake *Sorell* to the River *Clyde*.

Trustees to pay interest.

(2.) The Trustees of the Midland Water District shall, out of the moneys at the disposal of such Trustees, pay annually to the Consolidated Revenue Fund a sum equal to Five Pounds per centum on One-half of the cost of all works erected or established for conserving the water in Lake *Sorell* and Lake *Crescent*, under the provisions of this Act, and on the whole cost of all works erected or established for the purpose of diverting water from Lake *Sorell* or Lake *Crescent* to the point at which it shall be delivered by the Minister to the said Trustees, for the purposes of "The Midland Water Act, 1898."

(3.) For the purposes of this Section the Auditor-General shall certify under his hand the capital cost of the several works herein mentioned, and the proportionate amount of such cost in respect of which the Trustees of the River *Clyde* and of the Midland Water District respectively have to pay interest as hereinbefore provided, and such Certificate shall be final and binding upon all parties.

10 The Minister shall maintain all works constructed by him under the provisions of this Act in a proper state of repair, and shall provide for the proper supervision and management of the same.

Minister to keep works in repair.

The expenses incurred by the Minister under this Section shall be borne by the Trustees of the River *Clyde* and of the Midland Water District respectively in the same proportion, and shall be recoverable in the same manner as the interest payable under the last preceding Section.

11 If default is made by the Trustees of the River *Clyde* or the Trustees of the Midland Water District in payment of any interest or other sum or sums of money payable under the provisions of this Act when the same shall become due, the Minister may, by writing under his hand, appoint, at such salary as he thinks fit, a Receiver of the

Remedy for non-payment of interest, &c.

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rates of such District so making default as aforesaid, and may from time to time remove such Receiver.

Any Receiver appointed under this Section shall be entitled to receive all rates payable to such Trustees, and to make and levy rates for the purpose of paying the amounts due together with all costs, and for the purposes aforesaid the Receiver shall be deemed to be the Trustees, and may exercise all the powers thereof. And such Receiver shall continue to act until payment has been made to the Minister of the amount in default, together with payment of costs and expenses of his salary.

SCHEDULE

<i>Date and Number of Act.</i>	<i>Title of Act.</i>	<i>Extent of Repeal.</i>
62 Vict. No. 62	"The Clyde Water Act, 1898"	Section 9 (II.) and so much of Section 9 as empowers the Trustees of the River <i>Clyde</i> to construct, repair, alter, and remove any dams, sluices, or other works on the River <i>Interlaken</i> , or on the banks of Lake <i>Sorell</i> , or to enter or cause their servants to enter upon any land on either side of the said river or lake.
62 Vict. No. 63	"The Midland Water Act, 1898"	Sub-section (1.) of Section 30, Section 31.
64 Vict. No. 46	"The Midland Water Act, 1900"	The whole Act.