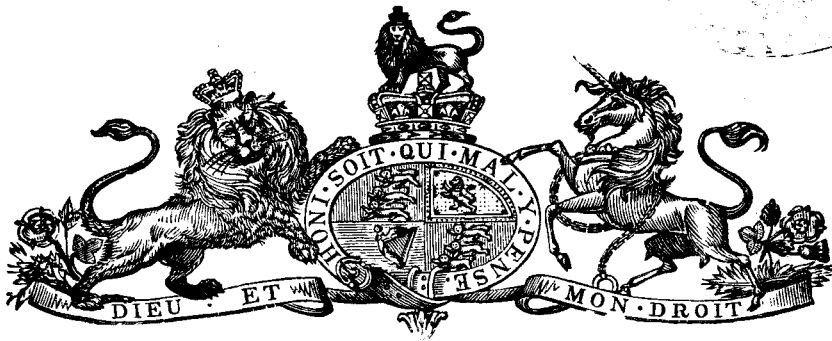


TASMANIA



1903.

ANNO TERTIO

EDWARDI VII. REGIS,

No. 33.



AN ACT to further amend "The *Hobart* A.D. 1903  
Water Act, 1893." [23 December, 1903.]

**W**HEREAS it is expedient to further amend "The *Hobart* Water PREAMBLE.  
Act, 1893," in the manner hereinafter appearing:

Be it therefore 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 for all purposes as "The *Hobart* Water Short title.  
Act, 1903."

**2** Every person who, without the sanction in writing of the Minister of Lands and Works, and the Corporation erects any stable, building, hut, tent, or other structure for any purpose on any portion of any Crown land reserved for the purposes of a water-supply for the City of *Hobart*, either by Proclamation or otherwise, shall for every such offence incur a penalty not exceeding Twenty Pounds, and every such person shall incur a further penalty not exceeding Two Pounds for each day during which such offence is committed after the expiration of Twenty-four hours from the time when notice of the offence has been served on such person by the Minister of Lands and Works or the Corporation.

Penalty for erecting buildings, &c., on water reserve.

*Hobart Water.*

A.D. 1903.

Continuation of  
present rights.

**3**—(1.) It shall be lawful for the Corporation, until the Thirtieth day of *September*, One thousand nine hundred and five, to take, divert, and impound one-half of the water flowing at any time until such date in the said river at the point where the present intake constructed under the provisions of “The *Hobart Water Act, 1900*,” is situate, such point being about Two thousand feet above sea-level, and about Two miles and Fourteen chains distant from *St. Crispin’s Well*, and to make, construct, lay down, maintain, alter, and discontinue such waterworks upon any land as the Council thinks necessary to carry such water to the waterworks authorised by the said Act.

(2.) Upon the Thirtieth day of *September*, One thousand nine hundred and five, the right of the Corporation to take, or divert, or impound any of the said water flowing in the said river shall absolutely cease and be determined, and the Corporation shall forthwith thereafter disconnect and remove the intake.

Compensation  
for taking water,  
&c.

**4**—(1.) The Corporation shall make full compensation to all persons lawfully interested in the water of the said river for all damage or injury sustained by them, or any of them, by reason of the taking of any water or doing any act by the Corporation which may in any way diminish the quantity of water flowing in the said river.

(2.) The amount to be paid by the Corporation to each of such persons by way of compensation shall be such sum as may be mutually agreed upon, or failing agreement the amount shall be ascertained in the manner hereinafter provided.

(3.) It shall be lawful for the said persons, or any of them, to at any time make a claim for compensation in respect of all damages sustained by reason of the exercise of any powers given to the Corporation under this Act, and any such claims for compensation by such persons, or any of them, may be made by an application to a Judge of the Supreme Court in Chambers, who shall have full power to hear such application and the evidence tendered in respect thereof, and generally to give directions, award damages, and make and enforce any order made in respect of such application, in the same manner as a Judge’s order may be enforced.

(4.) The provisions of the said Act relating to compensation and compensation works, and the mode and time of recovery of such compensation, shall not apply to any claims arising by reason of execution of the powers conferred on the Corporation by this Act.

Acts to be read  
together.

**5** This Act and the *Hobart Water Act, 1893*, and every Act amending the said Act shall be read and construed together as one Act.