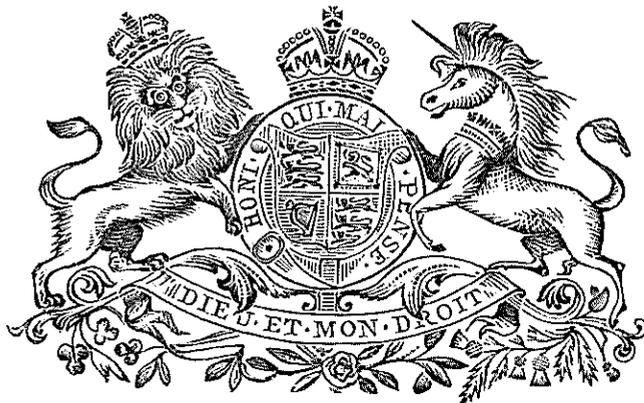


WESTERN AUSTRALIA.



ANNO SECUNDO

GEORGII QUINTI REGIS,

VI.

No. 50 of 1911.

AN ACT to amend the Goldfields Water Supply Act, 1902.

[Assented to 31st December, 1911.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Goldfields Water Supply Act* Short title. *Amendment Act*, 1911, and shall be read as one with the Goldfields Water Supply Act, 1902, hereinafter referred to as the principal Act.

2. In this Act—

“Country land” means any holdings within the boundaries of the Water Area, but not within a municipal district, townsite, or suburban area. Interpretation.

“Holding” means any piece or parcel of land held in fee simple, or on conditional purchase lease, pastoral lease, or otherwise under the Land Act, 1898, or any regulation thereunder, or thereby repealed, constituting, owned, or occupied, as one property.

“The Board” includes the Minister for Works exercising, for the time being, the powers conferred by the principal Act on the Board.

Power to rate
country land.
1st Schedule.

3. Notwithstanding anything contained in the principal Act to the contrary, the Board may make and levy, in respect of any holding of country land situate wholly or partly within ten chains of any pipe laid down by the Board, from which the Board is prepared to supply water, an annual rate not exceeding the scale set out in the first Schedule to this Act.

Provided that any such holding shall be rateable so far only as it extends to a distance not exceeding one mile and a-half from the pipe.

Provided also that if, pursuant to any application to the Board, in writing, signed by a two-thirds majority of the owners and occupiers of the holdings in an area defined in the application, the applicants being the owners or occupiers of not less than one-half of the total acreage of the holdings comprised in such area, a pipe is laid down by the Board, the annual rate, within such area, may exceed the prescribed scale within the limits of a higher scale to be specified in the application.

Provided also that no land rated under this section shall be rateable on the annual value thereof.

Parcels of land may
be rated separately.

4. Every piece or parcel of rateable land
(a) separately owned or occupied ; or
(b) used for the purposes of a separate farm, business, trade,
or residence

may be rated separately from any other land of the same ratepayer.

Rate Books of
country lands.
2nd Schedule.

5. (1.) The Board shall cause rate books of country lands to be kept in the form or to the effect of the second Schedule to this Act, and shall enter therein all rateable country lands to which the provisions of section three of this Act are applied, with the several particulars indicated in the said schedule.

(2.) The said rate books shall be made up as soon as may be after, and within three months of, the commencement of every year ; and the name of every person who, on the first day of January in such year, was the owner or occupier of rateable land within that part of the Water Area to which the rate book applies shall be entered therein.

(3.) All the provisions of the principal Act relating to the making and recovery of rates or to liability therefor, or apportionment thereof, shall, *mutatis mutandis*, apply to the rates made under the authority of this Act.

6. Whenever a pipe has been laid down or extended after any rate is ordered by the Board to be made and levied for the current year, and notice that such pipe has been laid down or extended is published in the *Government Gazette*, a proportional part of the rate shall be payable in respect thereof for the unexpired portion of such year from the date of such notice, and may be recovered by the Board from the owner or occupier of any land which shall have become rateable by reason of the construction of such pipe.

Rate for unexpired portion of year when new pipe is laid.

7. No owner or occupier of rateable country land shall be entitled to be supplied with water, or to have a service pipe laid from the main to the boundary of his land, until he applies to the Board for such supply, and an agreement is entered into by him with the Board to pay the cost of the service pipe, in advance or on such terms as may be arranged, and all rates due in respect of such land are paid.

Water not to be supplied until rate paid, etc.

8. (1.) The Board may by notice in writing require the owner or occupier of any rateable country land to provide, at his own cost and to the satisfaction of the Board, such tanks and other appliances for or in connection with the storage of water for his own use, as may, in the opinion of the Board, be necessary to facilitate the equitable distribution of the water available from the main between all consumers having the right to be served thereby.

Owners and occupiers to provide tanks and appliances. See Vic. No. 2016, s. 177.

(2.) If at the expiration of three months from the service of such notice, any owner or occupier shall have failed to make such provision as aforesaid, the Board may by its servants or workmen make such provision and charge the owner or occupier with the cost thereof, and such cost may be recovered from the owner or occupier in the same manner as water rates are recoverable.

(3.) In the event of the owner and occupier of land failing to agree between themselves in regard to such provision for the storage of water, or the payment of the cost thereof, such occupier may, if holding under a tenancy extending for more than one year from the date of such notice, construct such tanks or other appliances as aforesaid, and may deduct the cost thereof from any rent due or to become due under such tenancy: Provided that such cost, so deducted, shall not in any case exceed one year's net rent in respect of the land the subject of the tenancy.

9. Subsection seven of section eighty-three of the principal Act is amended by inserting after the word "shall," in line seven thereof, the words "notwithstanding that the certificate of title is not produced."

Amendment of sec. 83 (7).

THE FIRST SCHEDULE.

SCALE.

Sec. 3.

A fixed sum not exceeding five pounds, and, in addition thereto, a sum not exceeding five pence per acre.

THE SECOND SCHEDULE.

Rate Book (Country Lands.)

Sec. 5.

Assessment No.	Name of Person rated.	Name of Owner.	Description and Situation of Land.	Acreage.	Rate per acre.	Total Rate per acre.	Fixed Annual Rate.	Amount of Rate payable.