



Western Australia.

ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

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No. XIX.

AN ACT to authorise the Construction of Works for the supply of Water to the Coolgardie Goldfields.

[Assented to, 28th October, 1898.]

BE it enacted by the Queen'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 Coolgardie Goldfields Water Supply Construction Act, 1898.

Short title.

2. THE Director of Public Works may, out of any moneys voted by Parliament for the purpose, construct and maintain such reservoirs, water works, pipes, aqueducts, and all other works as may be found necessary for the purpose of providing a Water Supply to the Coolgardie Goldfields.

Power to construct and maintain reservoirs, etc.

3. THE Director of Public Works may for such purpose from time to time divert, intercept, and store all or any of the water coming from the rivers, watercourses, streams, and other sources within the area of land described in the plan deposited in the Office

Power to divert, intercept, and store water within catchment area.

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of the Director of Public Works, and coloured pink, and marked "Plan of the Catchment Area of the Coolgardie Goldfields Water Supply" (P.W.D., W.A., 6535), hereinafter referred to as the catchment area; and alter the course of any such river, watercourse, or stream, and may take any water found on or under the said land.

Unalienated land within catchment area to vest in Director of Public Works.

4. ALL Crown lands, saving and excepting all existing poison or timber leases, within the area delineated in the plan referred to in section three, and the fee simple and inheritance thereof, together with all rights or easements in or over the same, shall, immediately on the passing of this Act, become vested in the Director of Public Works, for and on behalf of Her Majesty, for the purposes of this Act.

Power to take lands under Lands Resumption Act, 1894.

5. THE Governor in Council may take any alienated lands which may be required for the said purpose, under the powers contained in the Lands Resumption Act, 1894, or any amendment thereof.

Powers of Local Board of Health.

6. THE Director of Public Works shall have all the power and authority of a Local Board of Health, for the purpose of making and enforcing By-laws for preventing pollution of the waters within the catchment area.

Powers of Director of Public Works.

7. FOR the purpose of constructing the works authorised by this Act, or extending or maintaining the same, the Director of Public Works may:—

- (1.) Open and break up the soil and pavement of any road or street;
- (2.) Lay down, and place in, on, or under any road, street, or thoroughfare, or on private land, pipes, conduits, service pipes, and other fittings, and from time to time repair, alter, or move any of them;
- (3.) For the purposes aforesaid remove or use any earth or other materials; and
- (4.) Do any other acts which the Director of Public Works from time to time may deem expedient for constructing and maintaining the works.

Compensation, how determined.

8. COMPENSATION shall be paid to any person for all damage that may be sustained by him, by reason of the execution of the works, or the exercise of the powers authorised or conferred by this Act, and such compensation, unless settled by agreement, shall be assessed by three Judges of the Supreme Court, sitting without a

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jury, in the full Court, with the same power to receive evidence upon oath, and to hear and decide such claim for compensation, as a Judge of the Supreme Court, sitting without a jury, in Civil cases, at *nisi prius*, and, subject to such mode of assessment, any such claim for compensation may be brought as a claim against the Crown in accordance with the law for the time being relating to suits against the Crown.

9. A COPY of the plan referred to in section three shall be signed by the Clerk of the Parliaments for the purpose of identification, and shall be lodged by him for record and public inspection, free of charge, at the Office of the Supreme Court; and such copy shall be thereafter admitted in all Courts of Law and elsewhere as evidence of the boundaries of the said catchment area; and the original of such plan deposited in the Office of the Director of Public Works shall also be available for public inspection, free of charge, at all reasonable times.

Copy plan to be signed by Clerk of Parliaments, and deposited in Supreme Court.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Governor's Deputy.