

## WATER SUPPLY.

5 Edw. VII.  
No. 23.THE  
BRISBANE  
WATER  
SUPPLY  
AMENDMENT  
ACT OF 1905.**An Act to Amend "The Brisbane Water Supply Acts, 1889-1902," in certain particulars.**

[ASSENTED TO 20TH DECEMBER, 1905.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title  
and  
construction.

1. This Act shall be read as one with "*The Brisbane Water Supply Acts, 1889-1902*,"\* and may be cited therewith as "*The Brisbane Water Supply Acts, 1889 to 1905*," or separately as "*The Brisbane Water Supply Amendment Act of 1905*." "*The Brisbane Water Supply Act of 1889*" † is hereinafter referred to as the Principal Act.

2. The following section is inserted after section twenty-five of the Principal Act:—

Supply to  
Botanic  
Gardens.

[25A.] The Board shall provide, without any payment, for use in the Botanic Gardens, Brisbane, a supply of water not exceeding five million gallons in quantity in any year.

Supply to  
hospitals.

The Board shall also provide, without any payment, to each of the hospitals hereunder mentioned, a supply of water not exceeding in any year the quantity mentioned respectively in connection with each such hospital, that is to say,—

- Brisbane General Hospital, five million gallons ;
- Sick Children's Hospital, five hundred thousand gallons ;
- Lady Bowen Lying-in Hospital, four hundred thousand gallons ;
- Lady Lamington Hospital for Women, three hundred thousand gallons.

Basis of  
rating.

3. Section fifty-three of the Principal Act is repealed, and the following section is inserted in lieu thereof:—

The Board shall define, by By-laws, the basis upon which water rates shall be assessed, which basis may be—

- (a) The annual value of the land as determined by the last preceding valuation made by the Local Authority within whose Area the land is

\* 53 Vic. No. 9, *supra*, page 3818, and 2 Edw. VII. No. 14, *supra*, page 8586.  
† 53 Vic. No. 9, *supra*, page 3818.

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- situated, for which purpose the Local Authorities shall furnish to the Board copies of the valuation lists in force for the time being in their Areas ; or
- (b) The total superficial area of the floors measured externally in the buildings, if any, erected on the land ; or
  - (c) The uses to which the land or such buildings are put ; or
  - (d) The mean height of the land above sea level ; or
  - (e) Any basis arrived at by taking into consideration any two or more of the above-mentioned bases ; or
  - (f) Any other basis fixed by the Board :

Provided that—

- (i.) One basis may be fixed in respect of some lands, and another basis may be fixed in respect of other lands ;
- (ii.) In respect of land which is not rateable for the purposes of the Local Government Acts, the basis shall always be the total superficial area of the floors measured as aforesaid in the buildings erected thereon ; the rate may nevertheless vary in respect of different classes of such lands, and the proportion of the rate to such superficial area need not be the same as in the case of lands which are rateable under the Local Government Acts and are assessed on that basis ;
- (iii.) The By-laws may fix a minimum amount of rate which shall be payable in respect of any land, irrespective of the basis on which the rate is assessed ;
- (iv.) Where a rate is assessed on the basis of the total superficial area of the floors measured as aforesaid in the buildings erected on the land, the By-laws may provide for a reduction of the rate in respect of any excess beyond certain specified areas.

4. The following paragraph is added to section sixty of the Principal Act :—

“ Provided that the By-laws may—

- (a) Fix a minimum amount which shall be payable Minimum payment. in respect of water supplied to any consumer during any year or part of a year ;

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Reduction of price.

(b) Provide for a reduction in the price of water supplied in excess of a specified quantity."

Amendment of s. 75 of Principal Act.

5. In section seventy-five of the Principal Act, after the word "meter," the words "or under any agreement or otherwise howsoever, or in respect of any pipes or fittings or other chattels supplied by the Board" are inserted.

6. The following subsection is added to section eighty-five of the Principal Act:—

Charge for water supplied to lands not rateable.

(16) Fixing scales of charges for water supplied to lands which are not rateable for the purposes of the Local Government Acts, which charges, in the discretion of the Board, may be determined by rate assessed in accordance with the provisions of section fifty-three of this Act or by measurement of the water supplied, and may vary from the charges made for water supplied to other lands and determined in a similar manner, and may also vary in respect of the different classes of lands not so rateable.

7. After section eighty-two of the Principal Act, the following sections are inserted:—

Discount for prompt payment of rates, &c

[82A.] The Board may, if it sees fit, allow to any person liable to pay any rates or any sum due in respect of water supplied by meter or under agreement or otherwise, who pays the whole of such amount within thirty days after notice given to him of such liability, a percentage by way of discount.

Power to vary amounts of charges.

[82B.] Notwithstanding anything contained in this Act, whether water is charged for by way of rating or by measurement of the quantity supplied or otherwise, the By-laws may provide for an increase or reduction of the price in accordance with the purpose for which lands or any buildings erected thereon are used.

Validation of By-laws.

8. All By-laws heretofore made and still remaining unrepealed by the Board, and which would have been valid if made under the powers conferred by "*The Brisbane Water Supply Acts, 1889 to 1905*," shall be and be deemed to have been as valid as if they had been made under the said Acts, and shall be and remain in force until they are repealed or amended by other By-laws or otherwise under the said Acts.