



ANNO VICESIMO PRIMO

GEORGII V REGIS.

A.D. 1930.

No. 1993.

An Act to empower the Governor to place certain Water Conservation Reserves under the Care, Control, and Management of District Councils, and for other purposes.

[Assented to, November 20th, 1930.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as the "District Water Supply Act, 1930". Short title.

2. In this Act—

"Commissioner" means the Commissioner of Water Conservation : Interpretation.

"Council" means a District Council :

"District" means a District Council District :

"Water conservation reserve" means any Crown lands which have been dedicated or reserved for the purpose of the creation or preservation of any water supply.

3. (1) The Governor may by proclamation declare that the care, control, and management of any water conservation reserve within any District shall be vested in the Council of the District, and upon the making of any such proclamation the care, control, and management of the water conservation reserve shall be vested in the Council.

Power to place control of water conservation reserves in Councils.

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(2) The Commissioner may at any time give notice in writing to the Council of the intention of the Governor to revoke any such proclamation and the Governor may, at any time not less than six months after the giving of notice as aforesaid, by proclamation revoke any such proclamation made as aforesaid.

Duty of Council to maintain water conservation reserve.

4. (1) The Council shall efficiently maintain in good order and condition the water conservation reserve and all works thereon for or in connection with the conservation or supply of water.

(2) Any expenditure required for the purposes of subsection (1) hereof shall be provided for by all or any of the following means:—

- i. By payment from the general revenue of the Council, which payment the Council is hereby authorised to make :
- ii. By the imposition of a special rate pursuant to section 5 :
- iii. By the sale of water pursuant to section 6.

Power to impose special rate.

5. (1) The Council may, for the purpose of providing for the whole or any portion of the amount of the cost of maintenance which in any year the Council is required to expend pursuant to section 4, make and levy a differential separate rate upon the ratable property within the District which the Council by resolution declares to be benefited by the existence of the water conservation reserve in question.

(2) No such rate shall be made or levied unless the consent in writing of the Commissioner is obtained thereto.

(3) The said rate shall be deemed to be a rate made and levied pursuant to the provisions of the District Councils Act, 1929, and the provisions of that Act shall apply accordingly, but it shall not be necessary to obtain any consent of ratepayers to any such rate.

(4) No rate under this section shall be made or levied upon any land upon which any rate is declared pursuant to the Waterworks Act, 1882.

Power to sell water.

6. The Council may sell any water in or upon the water conservation reserve at such rates as the Council may think fit and are approved in writing by the Commissioner.

Water conservation reserve subject to lease.

7. If at the time any water conservation reserve is placed under the care, control, and management of a Council, any portion of the water conservation reserve is subject to any lease, the Council shall be deemed to be for all purposes the lessor under the lease, and the lease shall be read and construed accordingly.

Power for Council to lease water conservation reserve.

8. (1) The Council may lease for any term not exceeding twenty-one years the whole or any portion of any portion of any water conservation reserve placed under the care, control, and management of the Council.

(2) No

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(2) No lease as aforesaid for cultivation purposes shall be granted by the Council without the consent in writing of the Commissioner of Water Conservation.

9. The Council may, at any time not less than six months after giving notice in writing to the Commissioner of Water Conservation of its intention so to do, surrender the whole or any portion of a water conservation reserve placed under the care, control, and management of the Council.

Power of Council to surrender water conservation reserve.

10. The Council shall not be liable to any penalty or damage for not supplying water, if the want of such supply arises from unusual drought or other unavoidable cause or accident.

Not liable for accidental failure of supply.

11. Every person who unlawfully and maliciously destroys or damages, or attempts to destroy or damage, any part of any waterworks under the care, control, and management of a Council shall be guilty of a misdemeanour and liable on conviction to imprisonment for any term not exceeding ten years.

Penalty for destroying waterworks.

12. Every person who unlawfully diverts or takes the waters supplying any river, stream, creek, or watercourse connected with any waterworks under the care, control, and management of a Council, or who shall do any unlawful act whereby the water therein may be diverted or diminished in quantity, shall be liable, on conviction for every such offence, to a penalty not exceeding Five Pounds for every day during which the water shall be diverted, taken, or diminished.

Penalty for unlawfully taking or diverting water from any river, creek, &c.

13. Every person who unlawfully takes or uses any water from any waterworks under the care, control, and management of a Council shall for every such offence be liable, on conviction, to a penalty not exceeding Five Pounds.

Penalty for unlawfully taking water from any waterworks.

14. Every person who throws or conveys, or causes or permits to be thrown or conveyed, any rubbish, dirt, live or dead animal, or any noisome thing, into any waterworks under the care, control, and management of the Council, or who bathes therein, or washes or cleanses therein any clothing, utensil, instrument, or other thing, shall for every such offence be liable, on conviction, to a penalty not exceeding Twenty Pounds.

Penalty for polluting water.

15. All proceedings for offences against any provision of this Act, other than section 11, shall be disposed of summarily.

Summary procedure.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.