

## WATER, SEWERAGE, AND DRAINAGE BOARD.

No. 42 of 1948.

AN ACT to amend the *Water, Sewerage, and  
Drainage Board Act 1944.*

[18 November, 1948.]

BE it 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**—(1) This Act may be cited as the *Water, Sewerage, and Drainage Board Act 1948.* Short title and citation.

(2) The *Water, Sewerage, and Drainage Board Act 1944\**, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section two of the Principal Act is amended by adding at the end of the definition of “works to which this Act applies” the words “, but does not include any kerbs or gutters constructed in connection with any drainage facilities.” Interpretation.

**3** Section six of the Principal Act is amended by omitting from paragraph (g) of subsection (2) the words, “with the consent of that local authority” and substituting therefor the words “(including the council of a city)”. Duties, powers, and functions of the board.

**4** Section eleven of the Principal Act is amended by inserting in subsection (1) after the word “by” the words “paragraph (g) of subsection (2) of section six and by”. Act not to apply to Hobart or Launceston.

**5** Section seventeen of the Principal Act is amended by inserting after subsection (6) the following subsections:— Power of board to recommend payment of subsidies to local authorities.

“(6A) In any case where a local authority has carried out any investigations or surveys for the purpose of enabling it to proceed with the preparation of a scheme for the construction of any works to which this Act applies, and, for any reason, has not proceeded with the preparation of that scheme, the board, if it thinks fit, may, on the application of the local authority, recommend to the Minister the payment to the local authority of a subsidy, of such amount as the board may determine, for the purpose of defraying the whole or any part of the expenses incurred by the local authority in or in connection with the carrying out of such investigations or surveys.

(6B) In making any recommendation under subsection (6A) the board shall have regard to—

- (a) the capacity of the ratepayers for the municipality or part thereof proposed to be served by the works to which the scheme relates to pay any additional rate which could be levied for the purpose of defraying the expenses incurred by the local authority in or in connection with the carrying out of the investigations or surveys referred to in that subsection; and
- (b) the financial position and circumstances of the local authority generally.”.

Expenses of  
local  
authorities.

**6** Section eighteen of the Principal Act is amended by inserting after subsection (1) the following subsections:—

“(1A) Any expenses incurred by a local authority in or in connection with the carrying out of any investigations or surveys referred to in subsection (6A) of section seventeen may be defrayed out of any special rate levied by the local authority for that purpose under the authority of subsection (1B) of this section.

(1B) Notwithstanding anything contained in the *Local Government Act 1906\**, a local authority shall, subject to subsection (1C) of this section, be deemed to have power to levy such special rates as it may consider necessary for the purpose of defraying any expenses incurred by it in or in connection with the carrying out of any investigations or surveys referred to in subsection (6A) of section seventeen; but no such special rate shall be re-imposed after the expiration of the seventh year after the first year in respect of which it is levied.

(1C) A special rate levied under the authority of subsection (1B) of this section shall not exceed—

- (a) fourpence in the pound of the annual value of the ratable property in the municipality or part thereof, as the case may be, in the case of proposed works for the supply of water; or
- (b) fivepence in the pound of the annual value of the ratable property in the municipality or part thereof, as the case may be, in the case of proposed works for the provision of sewerage facilities.”.

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\* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8, 33, and 51, 4 Geo. VI. No. 46, 4 & 5 Geo. VI. No. 85, 5 Geo. VI. Nos. 20 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, 9 Geo. VI. No. 12, and 11 & 12 Geo. VI. Nos. 5 and 61.