

HUNTER DISTRICT WATER AND SEWERAGE (AMENDMENT) ACT.

Act No. 6, 1924.

An Act to make further provision for water supply, sewerage, and drainage for the Hunter District; to amend the Hunter District Water and Sewerage Acts, 1892-1906; and for purposes consequent thereon or incidental thereto. [Assented to, 17th September, 1924.]

George V,
No. 6.

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Hunter District Short Title Water and Sewerage (Amendment) Act, 1924."

2.

14 **Hunter District Water and Sewerage (Amendment) Act.**

**George V,
No. 6.** **2.** The Hunter District Water Supply and Sewerage
Definition, Act of 1892 (hereinafter referred to as “the Principal
Act”), as amended or extended by the Hunter District
Water Supply (Partial Duplication) Act, 1895, the
Hunter District Water and Sewerage Act Amendment
Act, 1897, the Newcastle Sewerage Act, 1902, and the
Hunter District Water and Sewerage (Amendment)
Act, 1906, are in this Act referred to, and may in any
Act, regulations, or by-laws, or any instrument made
under the authority of any such Act, regulations or
by-laws, be cited as the “Hunter District Water and
Sewerage Acts, 1892-1924.”

visions of **3.** This Act is divided into Parts, as follows :—

PART I.—PRELIMINARY—ss. 1-4.

PART II.—CONSTITUTION OF THE BOARD—REGU-
LATIONS—BY-LAWS—ss. 5-13.

PART III.—VALUATIONS AND RATES—DEFERRED
PAYMENTS—ss. 14, 15.

PART IV.—STORMWATER DRAINS—FINANCE, &C.
—ss. 16-19.

Amendment **4.** Section two of the Principal Act is amended by
of Act 55 the insertion in appropriate alphabetical order of
Vic. No. 17, definitions as follows :—
s. 2.

“Assessed annual value” shall have the meaning
defined in section seven of the Valuation of
Land Act, 1916, and shall in all cases be read
in place of the expression “net annual value”
wherever occurring in this Act or any Act
amending or extending its provisions.

“Catchment area” means any area as defined from
time to time by proclamation from which the
supply of water is drawn.

“Domestic purposes” does not include a supply
of water for stables, for manufacturing, trade,
or business purposes, for irrigation, for water
power, for fountains, for watering cattle or
horses, for watering gardens, or for washing
motor or other vehicles.

“Stormwater

“Stormwater drain” means any channel, natural or artificial, whereby any surface water, liquid refuse, or polluted waters, other than those containing faecal matter, is carried off.

George V,
No. 6.

PART II.

CONSTITUTION OF THE BOARD—REGULATIONS— BY-LAWS.

5. (1) This Part shall come into force on the first day of December, one thousand nine hundred and twenty-four.

Date of commencement of Part.

(2) Members of the Board in office at the date of the passing of this Act shall continue to hold office until the thirty-first day of December, one thousand nine hundred and twenty-four. They shall thereupon cease to hold office, and shall not be entitled to compensation by reason of their removal from office. They shall, if otherwise qualified, be eligible for election or appointment under this Act.

Members at present in office.

(3) If an extraordinary vacancy occurs in the Board prior to the thirty-first day of December, one thousand nine hundred and twenty-four, the Governor may appoint some person to fill the vacancy until the said date.

6. (1) Section five of the Principal Act is omitted and the following section is inserted in lieu thereof:—

Repeal of s. 5 and 1 Sch. I of H.D. Act of 1892. Insertion of new s. 5.

5. (1) The authority empowered to carry out the provisions of this Act, except such parts thereof as empower the Minister to complete, construct, or maintain works for water supply, sewerage, or drainage, shall be the “Hunter District Water Supply and Sewerage Board.” The Board shall be composed of nine persons.

Constitution of Board.

(2) The Governor shall appoint one member of the Board, who shall be the president of the Board.

President.

(3)

George V.
No. 6.

Elected
members—
Electorates.
Future
electorates.

(3) There shall be eight elected members of the Board.

(4) The constituencies for elections shall include the areas as set out in the First Schedule to this Act. Each constituency shall return the number of members indicated in the said Schedule: Provided that the Governor may by proclamation in the Gazette add the names of other municipalities or shires which he is of opinion should be represented on the Board, to the names of the areas mentioned in the said Schedule, and may include such area in any of the constituencies named, and may re-group the areas included in the constituencies by including or excluding areas from such constituencies, and may alter the number of members to be returned for each constituency.

(5) The member or members for a constituency shall be elected by the aldermen and councillors of the areas grouped therein.

(6) For the purposes of this section area shall have the meaning ascribed thereto in the Local Government Act, 1919.

(2) The First Schedule to the Principal Act is omitted and the following Schedule is inserted in lieu thereof :—

Ses. 5 (4).

FIRST SCHEDULE.

Constituencies.	Areas.	No. of Members to be returned.
First ...	City of Newcastle ..	One.
Second ...	Stockton, Carrington, Wickham, Waratah.	Two.
Third ...	Merewether, Hamilton, Adams town, New Lambton, Lambton.	Two.
Fourth ...	Wallsend, Lake Macquarie, Tarro	One.
Fifth ...	West Maitland, East Maitland, Morpeth, and Bolwarra.	One.
Sixth ...	Cessnock ...	One.

7. Section seven of the Principal Act is amended by George V,
omitting all the words after "years" where first occurring No. 6.
and inserting in substitution therefor " Provided that of Amendment
the members elected in December, one thousand nine of s. 7 of
hundred and twenty-four, four shall hold office for two Principal
years only. The determination as to which members Act.
are to hold office for two years only shall be made by
lot in the manner prescribed. Any member retiring
in accordance with this provision shall, if otherwise
qualified, be eligible for re-election.

8. Section eight of the Principal Act is amended by *Ibid.* s. 8.
omitting the words " the Governor shall appoint some
member of the Board to be their president and."

9. Section nine of the Principal Act is amended by *Ibid.* s. 9.
omitting " one hundred " and inserting " one hundred
and fifty."

10. Sections thirteen, fourteen, sixteen, and seven- *Ibid.* ss. 13,
teen of the Principal Act are repealed, and the following 14, 16, and 17.
sections are inserted in the place of those sections :—

14. (1) Elections to fill other than extraordinary Date of
vacancies shall be held in the month of December in elections.
the year one thousand nine hundred and twenty-
four, and in the same month in every second year
thereafter.

(2) Members elected at the periodical
elections in December shall assume office as from
the first day of January following.

16. Every person shall be eligible for election as Qualification
a member of the Board if at the time of the holding of candidates
of any election he possesses in and for any muni-
cipality or shire named in the First Schedule or in
any proclamation made in pursuance of section five
of this Act, the qualification, and is not within any
disqualification, prescribed and imposed in respect
of the office of alderman or councillor by the Local
Government Act, 1919, or any Act amending or
consolidating the same.

17. All elections shall be conducted in the manner Conduct of
prescribed by regulations made by the Governor, elections—
which shall also prescribe the notice to be given regulations.
of

18 **Hunter District Water and Sewerage (Amendment) Act.**

**George V,
No. 6.** of such elections, the method of nominating candidates, the appointment and duties of returning officers and other electoral officers, and such other matters as may require to be prescribed.

Repeal of ss. 28 and 29 of Principal Act. **11** Sections twenty-eight and twenty-nine of the Principal Act are repealed.

Repeal of s. 35 of Principal Act, ss. 15, 18, 19, 48 of Act No. 14 of 1897, s. 17 of Act No. 33 of 1906. **12.** (1) Sections thirty-five of the Principal Act, thirteen, fifteen, eighteen, nineteen, and forty-eight of the Hunter District Water Supply and Sewerage Act Amendment Act, 1897, and seventeen of the Hunter District Water and Sewerage (Amendment) Act, 1906, are hereby repealed.

Insertion of new ss. 35, 36 in Principal Act. (2) The following sections are inserted in the Principal Act:—

Board may make by-laws. **35.** (1) Subject to the provisions of this Act the Board may from time to time make, alter, and repeal by-laws in relation to—

Catchment area.

- | | |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Boundaries. | (i) the marking of the boundaries of any catchment area; |
| Protection from pollution. | (ii) the protection of any catchment area or any watercourse or reservoir therein from pollution, and the protection of any property of the Board on any catchment area; |
| Inspection of land and buildings. | (iii) the inspection of land and buildings upon any catchment area; |
| Prohibition of burials. | (iv) the regulation or the prohibition of burials on any catchment area; |
| Structural alterations to prevent pollution. | (v) the authorising of the carrying out by the Board of structural alteration of buildings or other works to prevent or minimise danger of pollution of any catchment area; |
| Removal of buildings or works. | (vi) requiring the removal of buildings or works on any catchment area; |
| Diversion of water. | (vii) preventing the diversion of or taking of water from any natural or artificial watercourse, the water of which flows into the Board's works, except by or under the authority of the Board or of any statute; |

(viii)

- (viii) the prevention of the destruction of trees or shrubs, and the authorising of measures necessary to preserve or provide arboreal cover; George V, No. 6. Preservation of arboreal cover.
- (ix) any matter which by this Act the Board is authorised to control, regulate, or prohibit.

Water supply.

- (x) the determining, making, and levying the water rate to be paid in respect of property ratable for water supply. No such rate shall exceed the amount of seven and one-half pounds per centum on the assessed annual value: Provided that a minimum rate on each property of fifteen shillings may be imposed; Water rate.
- (xi) the appointment of a scale of charges for water supplied by measure, and the minimum charge in any such case; Charge by measure.
- (xii) the determining, making, and levying of the charges to be paid in addition to the rate, in respect of any property where water is used for other than domestic purposes and the supply is not through a meter; Special fees.
- (xiii) the determining of the time when rates and charges for water shall be payable, and whether in advance or otherwise; Payment of rates and charges.
- (xiv) the regulation of water service pipes and fittings between the water main and the outlets of such pipes, the construction, alteration, extension, disconnection, removal, maintenance, repair, renewal, or clearing of any water service pipes and fittings, the performance by the Board of any work required to be performed as a result of default of the person concerned, and the recovery of any expense so incurred; Water service pipes.
- (xv) the direction and regulation as to the use, supply, fixing, maintenance, repair, removal, and inspection of meters; Water meters.
- (xvi) the prevention of the waste or misuse or the unlawful taking of water; Waste or misuse.

(xvii)

George V.
No. 6.
Leakages.

(xvii) the assessment of the volume of water lost by leakages upon any property, the determination of the volume to be paid for by the consumer, and the recovery of payment therefor ;

Methods of
supply.

(xviii) the regulation of the method by which water shall be supplied to ratable properties or to any consumer.

Sewerage.

Sewerage
rates.

(xix) The determining, making, and levying the rate to be paid in respect of each property ratable for sewerage. No such rate shall exceed seven and one-half pounds per centum on the assessed annual value of the property ratable : Provided that a minimum rate on each property of fifteen shillings may be imposed ;

Construction
of drains.

(xx) the regulation of sewerage service pipes and fittings, the construction, alteration, extension, disconnection, removal, maintenance, repair, renewal, ventilation, flushing, and cleansing of any such service pipes and fittings, the performance by the Board of any work required to be performed as a result of default of the person concerned, and the recovery of any expense so incurred ;

Surface
waters.

(xxi) the regulation or prevention of the discharge into any sewer of the Board of roof waters and other surface waters, and for preventing the admission of any dust, soil, rubbish, filth, or garbage ;

Liquid
wastes.

(xxii) the regulation of the conditions to be observed with regard to liquid trade or factory wastes, or chemical or other impurities before they are discharged into the Board's sewers, and the prevention of such discharge ;

W.C.'s and
urinals.

(xxiii) prescribing the extent of water closet and urinal accommodation to be provided for premises, and for the alteration of existing premises to conform to the requirements of the Board in such matters.

Stormwater

Stormwater drainage.

George V,
No. 6.

- (xxiv) the determining, making, and levying the drainage rate to be paid in respect of each property in a drainage area according to the benefit which, in the opinion of the Board, accrues to such property from the construction of stormwater drainage works. No such rate shall exceed the amount of three pounds per centum per annum on the assessed annual value: Provided that a minimum rate on each property of two shillings and sixpence may be imposed ;
- (xxv) regulating and preventing the discharge of urine, faecal matter, liquid wastes, and polluted waters into stormwater drains, and preventing obstruction to the free flow of waters in such drains.

General.

- (xxvi) the regulation of the number, design, dimension, level, materials, and form of all pipes and fittings which the Board may require to be provided and used in connection with any water supply, sewerage, or stormwater drainage service ;
- (xxvii) the regulation of the testing, stamping, and marking of fittings intended for use in connection with any of the Board's water, sewerage, or drainage services ;
- (xxviii) the conditions upon which licenses or certificates of competency shall be issued to persons applying therefor, and the amount of fees to be charged ;
- (xxix) the prescribing of the fees to be paid for the connection of any premises with the Board's water or sewerage services, for examining and preparing drainage plans and estimates, and such other fees as may lawfully be imposed ;

(xxx)

George V, No. 6.	(xxx) the prescribing of the form of any notice or other document to be prepared, issued, or received in accordance with this Act and any by-laws thereunder ;
Notices.	
Damage to property.	(xxxi) the protection of the property of the Board from damage and trespass, and the water supply from pollution ;
Officers and servants.	(xxxii) for the governance of the officers and servants of the Board, the regulation of their conditions of employment, and for their guidance in the execution of their duties ;
Conduct of business.	(xxxiii) the conduct of the business of the Board ;
General.	(xxxiv) the carrying into effect the several provisions, intentions, and objects of this Act.
Provision as to rates.	(2) In any by-laws made by the Board rates and charges may be uniform or on a differential basis or sliding scale as the Board may determine. (3) No by-law or proceedings taken thereunder shall be deemed to be invalid by reason only that the estimates made by the Board of expenditure or revenue were inaccurate. (4) Where any owner or occupier of land within a catchment area is prejudicially affected by the operation of any by-laws made respecting that catchment area, he shall be entitled to be paid compensation by the Board in respect of the damage sustained by him.
Publication of by-laws and regulations.	36. By-laws and regulations made under the provisions of this Act shall— (a) be published in the Gazette ; (b) take effect from the date of publication provided that by-laws determining, making, or levying rates shall upon publication, unless the contrary intention appears, be deemed to have been in force from the commencement of the then current rating year ; (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not then within

within fourteen sitting days after the commencement of the next session. If either House of Parliament pass a resolution of which notice has been given at any time within fifteen sitting days after such by-law has been laid before such House disallowing any by-law or part thereof, such by-law or part shall thereupon cease to have effect.

George V,
No. 6.

13. (1) Section forty-two of the Principal Act is amended by omitting all words after "Act" where the second time occurring, and inserting in substitution therefor the words "or any Act amending or extending its provisions, and for prescribing the form of any notice or other document under this Act or any Act amending or extending its provisions, and requirements to be observed in the payment of expenditure incurred by the Board."

Sec. 42 of
Principal
Act.

(2) Section six of the Hunter District Water and Sewerage Act Amendment Act, 1897, is amended by omitting the words "Four hundred and forty" wherever occurring and inserting in lieu thereof the words "Two hundred and fifty."

PART III.

VALUATIONS AND RATES—DEFERRED PAYMENTS.

14. (1) Section nine of the Hunter District Water and Sewerage Act Amendment Act, 1897, is amended—

Amendment
of s. 9 of
H.D. Act,
1897.

- (a) in subsection one by omitting the words "by two competent valuers, of whom the assessor to the Board for the time being shall be one, in the form or to the effect of Schedule A hereto" and inserting in substitution therefor the words "in the prescribed form"; and by omitting Schedule A to that Act;
- (b) by omitting subsections two and four;
- (c) in subsection six by omitting "in the form or to the effect of Schedule A hereto."

(2)

**George V,
No. 6.**

Amendment
of ss. 9 and
10 of H.D.
Act, 1897.

Ibid. s. 10 of
H.D. Act,
1897.

Insertion of
new s. 14 of
H.D. Act,
1897.

Water and
sewerage
rates.

(2) Sections nine and ten of the same Act are amended by inserting before "municipal council" in the expression "valuation then in force of any municipal council," wherever occurring, the words "shire or."

(3) Section ten of the same Act is amended in paragraph (I) by inserting after "may" the words "in each year"; and in paragraph (III) by omitting "municipal" where secondly occurring.

(4) Section fourteen of the same Act is repealed and the following section is inserted in substitution therefor:—

14. The Board shall levy and collect such rates, charges, and sums of money as shall be sufficient to cover the annual sums required for carrying out the provisions of the Hunter District Water and Sewerage Acts, 1892-1924, in respect of the water supply, sewerage, and stormwater drainage services, including the payment of the salaries and remuneration of the president, vice-president, and other members of the Board:

Provided that in respect of each such service the deficit or surplus on the preceding year's operations shall be brought forward and added to or deducted from the estimated annual sum required for the carrying out of each such respective service for the next following year.

Insertion of
new section
19A.

Rating.

(5) A new section is inserted in the same Act next after section nineteen:—

19A. (1) The Board may determine whether for any year the rates to be levied, or any of them, shall be levied—

- (a) upon the assessed annual value of the ratable property; or
- (b) upon the unimproved value of the ratable property; or
- (c) partly upon the assessed annual value and partly upon the unimproved value of the ratable property.

(2) For the purpose of securing compliance with the provisions of this Act, as to the limitation of rates, the Board shall before levying a rate in pursuance

pursuance of paragraph (b) or (c) of the last preceding subsection, furnish the Government Statistician with the details of the proposed rate. George V,
No. 6.

(3) No rates shall be levied in pursuance of paragraph (b) or paragraph (c) of subsection one of this section unless and until the Government Statistician furnishes a certificate to the Governor (which shall be published in the Gazette) that the revenue from any such proposed rate will not exceed an amount approximately equal to—

- (a) in the case of a water rate or a sewerage rate seven and one-half per centum of the assessed annual value of the property ratable;
- (b) in the case of a stormwater drainage rate three per centum of the assessed annual value of the property ratable.

(1) No rates shall be levied in pursuance of paragraph (b) or paragraph (c) of subsection one of this section unless and until the Government Statistician furnishes a certificate to the Governor (which shall be published in the Gazette) that the revenue from such proposed rates, so far as the same are to be levied upon unimproved value, will not exceed the amount of the capital expenses.

(5) For the purposes of this section the capital expenses shall mean the aggregate of the following sums:—

- (a) the interest charged for the preceding financial year on the total sum debited in the Treasury against the Board as at the end of that year in respect of capital expenditure;
- (b) one per centum on such capital expenditure.

(6) Any revenue raised from rates levied upon unimproved value shall, so far as that revenue exceeds such interest, be applied in reduction of any sum debited against the Board in respect of capital expenditure.

(7) In levying any rate under this section it shall be lawful for the Board to levy in respect of any property ratable,—

- (a) for water supply—a minimum water rate of fifteen shillings per annum;
- (b)

George V,
No. 6.

- (b) for sewerage—a minimum sewerage rate of fifteen shillings per annum ;
- (c) for stormwater drainage—a minimum stormwater drainage rate of two shillings and sixpence per annum.

(8) “Unimproved value” shall in this section mean the unimproved value of the land as stated in a valuation list issued under the Valuation of Land Act, 1916, or in the case of land not included in any valuation list the unimproved value as ascertained in accordance with the Local Government Act, 1919, or any Act amending the same.

(9) The valuation in force on the thirty-first day of December immediately preceding the giving of a certificate by the Government Statistician or the making of a rate shall be the valuation to be adopted for the purpose of such certificate or rate.

Repeal of s. 35
of H.D. Act,
1897.

Amendment
of s. 45 of
H.D. Act,
1897.

New s. 45A.

Board may
carry out
improvements or
extensions.

Amendment
of s. 12 of
H.D. Act,
1906.

(6) Section thirty-five of the same Act is repealed.

(7) Section forty-five of the same Act is amended by omitting the words “passed before the commencement of this Act” and the words “and sewers.”

(8) A new section is inserted in the same Act next after section forty-five as follows :—

45A. The Board may, subject to the provisions of Public Works Act, 1912, carry out any extensions or improvements of any works vested in it, and in such case all powers and liabilities exercisable by and attaching to the Constructing Authority shall be exercisable by and attach to the Board.

15. Section twelve of the Hunter District Water and Sewerage (Amendment) Act, 1906, is amended in subsection two by omitting the words “twenty pounds” and inserting in substitution therefor the words “thirty pounds.”

PART IV.

George V,
No. 6.

STORMWATER DRAINS—FINANCE.

16. (1) Part IV of the Principal Act and Part IV of the Hunter District Water Supply and Sewerage Act Amendment Act, 1897, are hereby repealed.

Repeal of
Part IV of
Principal
Act and
Part IV of
H.D. Act,
1897.

(2) The following new Parts are inserted in the Principal Act :—

PART IV.

STORMWATER DRAINS.

129. The Governor may, by proclamation in the Gazette, direct that any stormwater drains now or hereafter constructed therein described be vested in the Board.

Stormwater
drains here-
after vested
in Board.

130. In respect of any drains vested in the Board in pursuance of the next preceding section, the control and management of the drains shall be absolutely transferred to the Board, and all lands, buildings, works, material, plant, plans, documents, and all other property whatsoever connected therewith shall be vested in the Board for an estate in fee-simple without any further conveyance or transfer.

Property in
stormwater
drains.

131. As soon as practicable after any such transfer to the Board of any stormwater drain—

Drainage
areas.

- (a) the Board shall define the boundaries of the drainage area in respect of any such drain, and shall cause notice thereof to be published in the Gazette, and at least twice in some newspaper or newspapers circulating in such area, and to be given to the council of any municipality or shire constituting or forming part of such area. Such notices shall state that an appeal against such definition of the boundaries may be made within thirty days from the date of the last of such publications ;

(b)

**George V,
No. 6.**

- (b) within such thirty days any person interested may appeal against such definition of boundaries to a stipendiary or police magistrate, appointed by the Governor in that behalf, and sitting in open court within such area or convenient thereto ;
- (c) notice of the day and place of hearing of appeals shall be published by the Board by advertisement in the Gazette and in one or more newspapers circulating in such area ;
- (d) such magistrate shall hear such appeal, and for that purpose shall have the powers of a court of petty sessions, and may confirm or make such alterations in the boundaries of the area as he may think just, having regard to the benefit derived, or to be derived, by the owners or occupiers of properties within such drainage area from the construction of such works or the actual use thereof, or the right to the use thereof ;
- (e) where the boundaries of such area are confirmed, such magistrate shall attest by his signature the Gazette notice of such boundaries, and where such boundaries are altered the magistrate shall there and then amend and alter such notice accordingly, and attest the same as so altered ;
- (f) the boundaries as defined by the Board, with such alterations (if any) as may be made therein on appeal as aforesaid, shall be the boundaries of such drainage area for the purposes of this Act.

**Drainage
rates.**

132. Subject to the provisions of this Act, drainage rates may be enforced and recovered in respect of each and every property situated within the boundaries of any drainage area. Differential rates may be levied in respect of different zones as defined by by-law. Any drainage rate imposed on property may be in addition to any sewerage rate imposed thereon.

133. Subject to the provisions of this Act the Minister may from time to time construct storm-water drains or alter or extend any stormwater drains vested in the Board.

George V,
No. 6.
Construction
and alteration
of drains.

133A. The Board shall maintain, repair, and cleanse all stormwater drains transferred to and vested in or constructed or acquired by it, and shall keep the same so as not to be a nuisance or injurious to health.

Maintenance
of drains.

PART IVA.

FINANCE.

133B. (1) As soon as practicable after the thirtieth day of June in each year the Minister shall cause statements to be prepared and furnished to the Board showing the respective amounts expended up to that day on all works constructed by or vested in the Board—

Yearly
statement of
expenditure.

- (a) in the purchase or acquisition of land and on permanent or other works which do not require maintenance or reconstruction;
- (b) on works which may require maintenance or reconstruction.

(2) On receipt of any such statements the Board may report to the Minister, making such recommendations as may be thought fit.

(3) The Minister shall consider the said report, and shall finally determine the respective amounts and the classification of the expenditure, and shall notify the same in the Gazette.

(4) The Governor may make such partial remissions of or deductions from the amounts expended as he may think just.

133C. All revenue of the Board shall be paid into the Treasury, or into the bank keeping the public account, and all necessary expenditure in management and all working expenses shall be advanced to the Board out of the Consolidated Revenue Fund.

Revenue and
expenditure.

133D. The provisions of the Audit Act, 1902, shall apply to the Board, and to all officers acting under its authority and control.

Application
of Audit Act,
1902.

George V,
No. 6.
Amendment
of 55 Vic.
No. 27, s. 91.

17. The Principal Act is further amended by omitting from section ninety-one all words after the words "the same" and by adding the following new subsections :—

(2) No water rates shall be leviable upon land vested in the Railway Commissioners for New South Wales in use for railway or tramway purposes and not let to any other person.

(3) The Board may supply the Railway Commissioners for New South Wales with water by measure at a charge to be fixed by the by-laws.

(4) Sewerage rates may be levied upon land which is vested in the Railway Commissioners for New South Wales if—

- (a) the land is let to any other person ; or
- (b) there are buildings on such land, and the sewage from such buildings is drained into a sewer of the Board ; or
- (c) there is a sewer of the Board in a road to which such land has frontage, or in the land, and there are buildings on such land, the sewage from which could be drained into such sewer, and such sewer is not distant more than one hundred and fifty feet from such buildings.

The land upon which the rates may be levied, if in use for railway or tramway purposes, is the land in connection with which the buildings aforesaid are used, and such land shall be deemed to be the mean width of frontage of platforms or buildings in the case of railway stations, tramway depots, workshops, offices, or other similar buildings used in connection with the operations of the railway or tramway systems, excepting any buildings separately enclosed by fences, which shall be assessed on the mean frontage of the enclosed area.

Catchment
areas.

18. (1) The Governor may, by proclamation published in the Gazette, proclaim any lands to be a catchment area in connection with the supply of water by the Board.

(2)

(2) The Governor may, by like proclamation, at any time revoke and cancel the proclamation of any catchment area and re proclaim the boundaries thereof, and may by like proclamation amend the boundaries of any catchment area previously thereto proclaimed under this Act or any Act repealed thereby.

**George V,
No. 6.**

(3) After the passing of this Act it shall not be lawful to make any conditional or other sales or to grant any lease or license under the Crown Lands Consolidation Act, 1913, of any Crown lands within any catchment area.

(4) A license granted under section twenty-six of the Forestry Act, 1912, shall not, unless with the consent of the Board, apply to land within a catchment area.

(5) The Board may undertake or arrange for the plantation of and the provision of arboreal cover for any catchment area, and may undertake or arrange for the cutting and marketing of timber of commercial value cut upon any catchment area.

19. (1) The Board may in the manner prescribed by the by-laws control and regulate the sanitation of any catchment area, and the sanitation, use, and occupation of premises thereon so as to avoid any insanitary condition thereon or any interference therefrom with the purity of the water supply.

Prevention of
pollution of
water supply.

(2) In particular and without limiting the foregoing power the Board may with respect to any catchment area, and for the purposes of the preservation of the purity of the water supply and the prevention of the pollution of the catchment area—

- (a) control, regulate, and require privy accommodation in premises and require special treatment or disposal of any faecal or excrementitious matter ;
- (b) require premises to be kept free from rubbish or offensive or unwholesome matter ;
- (c) require premises to be cleansed, disinfected, and limewashed ;
- (d) control and regulate the drains of premises including the alteration of any drain ;

(e)

George V.
No. 6.

- (e) control and regulate the erection of pigsties, cow-yards, poultry-houses, or yards, stock-yards, or stables, and prescribe the distance from any watercourse or reservoir within which no such structure shall be erected or continued, and require methods to be adopted, by the cultivation of land or otherwise, whereby the drainage or stormwater from the land occupied by such structures shall be prevented from polluting the water supply ;
- (f) control and regulate the disposal of trade refuse from tanneries, breweries, chemical works, butter, cheese, or bacon factories, creameries, wool scours, or other industrial operations so that any pollution of the water supply may be avoided ;
- (g) control and regulate and, within limits defined in the by-laws, prevent picnicking, camping, shooting, fishing, flower gathering, or the parking of motor or other vehicles ;
- (h) control and regulate the methods to be adopted for the destruction of rabbits or other vermin and the disposal of their bodies ;
- (i) control and regulate the slaughtering of beasts and the disposal of offal ;
- (j) control and regulate the sanitation of camps of workmen engaged in construction of public or other works ;
- (k) control and regulate the sanitation of areas specially set apart for picnicking, camping, or the parking of motor or other vehicles ;
- (l) require the notification to the board by householder or occupier of any premises within the catchment area of the occurrence of any case of typhoid, paratyphoid, dysentery, cholera, or epidemic diarrhoea on his premises, and the notification to the board by any medical practitioner in attendance on any such case ;
- (m) and generally to control and regulate or prohibit the doing or continuance of anything likely to cause the pollution of a catchment area or the water supply.