**WATER CONSERVATION ACT FURTHER AMENDMENT BILL1923**

**House of Assembly, 30 August 1923, pages 428-31**

Second reading

**The COMMISSIONER of CROWN LANDS (Hon. G. R. Laffer)—**I move the second reading

The purpose of the Water Conservation Act 1886 is to provide various modes whereby water supplies can be secured for outlying areas. Under that Act the Commissioner of Water Conservation has power to construct tanks and dams which he can then lease to various persons. These lessees are by the terms of their leases required to supply water to persons applying for the same. The usual procedure in these cases is as follows:—The Commissioner constructs a tank on the guarantee of some responsible person or persons that he or they will take a lease of the waterworks. Upon completion a lease of the waterworks is given at a nominal rental. The lessee then supplies water to neighboring settlers at a fixed rate, and the proceeds of the sales belong to the lessee. The waterworks and catchpit are required to be kept in good order by the lessee, while the Commissioner supplies renewals of and makes good any breakage to the machinery erected at the waterworks. This system has worked well in settled areas, where no difficulty has been encountered in securing reputable lessees for these waterworks. In some instances groups of farmers have joined in the leases, whilst other waterworks have been leased by single farmers. As a general rule the lessees have kept the waterworks leased to them in good repair and condition, and the cost of upkeep to the Commissioner has been comparatively slight. In the outback districts, however, the position has been otherwise. Settlers in these areas have neglected to take up leases of this kind, and there appears to be a prejudice against so doing. This is possibly due to the fact that the lessee must devote some time in keeping the waterworks in good order and in supplying water to neighbors and others who are willing to pay for it. Settlers appear to be willing to take the benefit of the water supplies, but are unwilling to incur trouble in looking after the tanks. The result of this is that tanks and reservoirs have been constructed but have not been leased, and are, therefore, not under the immediate control of any responsible person. As the tanks and reservoirs have been without proper supervision, there has been difficulty in securing that the necessary repairs and maintenance work are given proper attention, with the result that more has been spent on their upkeep than would otherwise be the case. Persons wanting water have taken it without paying for it, and there has consequently been no revenue derived from the tanks and reservoirs to contribute to the cost of their upkeep. Under these conditions, the Commissioner of Water Conservation hesitates before constructing any more of these tanks in the outback areas, where the need is perhaps the greatest, unless some method is provided whereby proper supervision can be given to the tanks. Clause 3 accordingly provides a method whereby tanks in the back country can be subjected to proper supervision and control. Subclause (1) provides that the Governor may by proclamation proclaim districts under which the scheme shall apply. After such a proclamation has been made the ratable land in the district is to be rated. Instead of the settlers buying the water from the lessee of the waterworks, they will be required to pay the necessary rates, and will then be entitled to take the water they require. The amount of rating is fixed by subclause (6), and ranges from l ½ d. per acre when the ratable property is less than one mile away from the waterworks, to ¼ d. per acre when the ratable property is six miles away from the waterworks. The distance for rating purposes will be measured from the nearest tank or dam. The minimum rating is 10s., and no property will be rated which is over six miles away from the waterworks. The rates may be declared and levied by any body having power in that behalf under the principal Act, that is, a Water Conservancy Board established under the principal Act or the Commissioner. It is expected, however, that the Commissioner will control the waterworks to which the clause will apply. The effect will be that the Commissioner will rate property within the water districts, and the settlers will thereby be entitled to a supply of water. The Commissioner will keep the water supplies in order, and will be provided with the necessary revenue to ensure that this will be done. If, through drought or some other cause, the supply of water is exhausted, and the ratepayers are unable to obtain water, then the Commissioner will be empowered under subclause (10) to remit, either wholly or in part, the payment of the rates. A provision of all leases of water conservation reserves given by the Commissioner is that no timber shall, except under certain special circumstances, be taken from or cut on the reserve. This covenant binds the lessee, but does not affect third persons. Clause 4 therefore makes provision for such a case by making it an offence punishable by a fine of £5 to cut or remove timber from any land leased by, under the control of, or vested in the Commissioner. In outside areas everyone who comes along takes out the water, and uses it, and does nothing to keep the tanks in proper repair. They are simply thrown on the Government’s hands, and they get no revenue from them, and have to meet all the cost of keeping them in proper repair. A few weeks ago I had a request for the construction of a dam near Fowler’s Bay, which would be of great advantage to the settlers. That dam has to be put down on a pastoral lease, and we refused to go on with its construction unless the lessee of that lease was prepared to pay what we considered a reasonable rent. That property will provide a fine supply of water, because the dam will cost £6,000 to £7,000, and will increase the carrying capacity very much. Before the Government construct dams of this description they should see that the taxpayer is safeguarded as far as possible.

Mr. Robinson—A man may take all the water, and leave the dam dry, as was done on the West Coast during a recent water shortage.

The COMMISSIONER of CROWN LANDS— I do not blame the people when that occurs in special circumstances, but we want the men for whom these dams are constructed to recognise their responsibility to the Government, and in the majority of instances we have no difficulty whatever. It is usually in the outlying places where the water is most urgently needed.

Mr. Reidy—In a dry year it will be necessary to see that the lessee does not use up the water first, and leave nothing for the people.

The COMMISSIONER of CROWN LANDS— I do not blame the men in such cases. If the honorable member or anyone else were there, and it were the last drop of water in the well, he would take it. They are the people under this Act whom we are going to call upon for proper supervision. This is a measure to rectify a wrong, and if the honorable members can make any suggestions which will accomplish that they will be welcome. I move the second reading.

Mr. BUTTERFIELD—In this Bill the Government are acting on sound lines. These waterworks on the West Coast and in the north of the State are of great value to the people in those districts, and also to the travelling public. In the district where I live I suggested to my neighbors that we should form a Trust, and pay the Government the necessary rent for these waterworks. My neighbors said, “No; why should we pay anything?”, and would not agree to my suggestion. I object to leasing of tanks; tanks should not be leased at all to private persons.

Mr. Butler—It is not reasonable to rate a man’s property 6 miles from the main, where it is impossible to use it.

Mr. BUTTERFIELD—A permanent water supply 6 miles from a man’s property adds a value to it. The Government are entitled to get some reasonable return from the provision of these waterworks in the district, and up to the present the difficulty with very many people is that these works have been let at a nominal rental to a lessee who has been able to sit on the tanks and levy on the settlers in the district to an undue extent. These rates will be infinitely better for a great many people than having the tanks leased to some settler or other person who will charge ½ d. per head for stock, and 10d. per l00 galls. for water, and do the pumping yourself. They give very little attention in the way of keeping the waterworks in repair. Seeing the amount of money that has been expended on these works in the back country, the Government are entitled to get a reasonable rental from them. The proper and just basis for that rental is a rate on the land benefited by the waterworks. We cannot go on building these works indefinitely, spending £4,000 or £5,000 every few miles for water, without getting something back. The Government have done the right thing, but whether the rate is a proper one to levy or not I do not know.

Mr. Butler—The Bill goes too far.

Mr. BUTTERFIELD — The Government should apply these rating provisions to our ordinary waterworks. When they run a main through a district it does bring value to the land within five or six miles of it. If Butler were living on the West Coast, and were endeavoring to sell his farm, which was within five or six miles of a water main, he would consider the farm had an added value on that account. The certainty of getting water, even by going for it, is an asset. This will probably lead to a different policy in regard to our rating system on other waterworks. The Government have been wise in listening to the recommendations of the Water Supply Commission, that there should be a rate on land within a reasonable distance of any main.

Mr. Butler—They said two miles.

Mr. BUTTERFIELD—It was further than that. In Victoria a district has to carry its own waterworks, and the whole of the land in the district is rated. That is reasonable. The pumping appliances at these waterworks are not always of the best. If the Government are to charge a rate the people are entitled to some more convenience than they have at present. In many instances it would be advisable to have windmills and receiving tanks above the ground, so that the farmers could draw up underneath and fill their tanks from a tap. The waterworks are used mostly by people who cart the water away, as the number who can drive their stock to water at them is very few. I have seen from 10 to 14 wagons waiting on a creaky old pump, with the drivers wasting their time waiting for one another, when they would be much more quickly served if they could draw up under an overhead tank and fill their tanks from a tap. The lift in most places is only from 15 to 20 feet, and a windmill and overhead receiving tank would be a great benefit, for which the people would not mind being rated a little more.

The Commissioner of Crown Lands—There would be no objection to that, provided that the people, agreed to the rate and saw that the appliances were kept in proper repair.

Mr. BUTTERFIELD—The saving of time to the people would be. considerable. I am pleased to support the motion because it is a sound one. It will give the people the right

to have waterworks if they are prepared to pay for them, and will be of benefit gener­ally.

Mr BUTLER—If the Bill will do what it is said it will do, there is very little to complain about. The Minister explained that it deals only with water districts served by dams, wells, &c. If the rate as set out in the Bill applies to those districts only it is quite all right, but it goes further, as clause 3 provides that the rate system could be adopted for any other district if the Minister thought fit. Subclause 6 of clause 3 sets out the rate which shall be adopted. That rate is 1 ½ d. per acre on the land up to one mile distance from the main, running back to ½ d. per acre on land six miles distant. If that applies to dams on the West Coast and in the north, of the State it would be all right, but I would be strongly opposed to reducing the rate on the first mile adjoining the main. That is the trouble with the present Act. In my district farmers using the main pay 4d. an acre, but farmers three or four miles away, who have to guarantee the cost of the smaller main, are paying 10d. per acre. On the Murray Flats the people asked for a water main, which was estimated to cost £7,000. One man alone will have to guarantee £90 a year, which works out at 21s. per acre, whereas the man adjoining the main only pays 4d. an acre. It would be grossly unfair to tax the man six miles away from the water main, where he has no opportunity of using the water. That is what I object to. I hope the Minister will consult the Hydraulic Engineer to see if the Bill applies to all districts or any district declared a water district under this Act. The position should be clearly defined, so that we may know where the rate will apply. In a district supplied by a dam or reservoir, like those on the West Coast, a man living alongside the waterworks should pay a higher rate than a man six miles away.

Mr. Reidy—The man who has the water on his property receives much greater benefit.

Mr. BUTLER—I agree with that. The only thing I object to is that the Bill goes too far in its application. The waterworks referred to by the Minister are not clearly defined in the Bill. I shall move, unless the Minister takes some action in the matter, to make the Measure apply to only certain water schemes. It would be absurd to make it apply to all the water schemes.

Mr. Reidy—It looks as if it does apply to them all.

Mr. BUTLER—That is so. If the Minister will limit the Bill to certain water schemes it will have my support.

Mr. GUNN secured the adjournment of the debate until September *4.*