

(No. 64.)



1900.

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PARLIAMENT OF TASMANIA.

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THE MIDLAND WATER BILL, 1900, (No. 53):

PETITION OF THE TRUSTEES OF THE RIVER CLYDE.

*(Mr. Patterson, for Mr. Speaker, October 9, 1900.)*

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## THE MIDLAND WATER BILL, 1900, (No. 53):

### PETITION OF THE TRUSTEES OF THE RIVER CLYDE.

*To the Honourable the Members of the House of Assembly  
of the Colony of Tasmania.*

The Petition of the undersigned Trustees of the River Clyde,

HUMBLY SHEWETH:

THAT a Bill is now before your Honourable House to amend "The Midland Water Act, 1898," the 4th Clause of which provides that the Trustees of the River Clyde shall not take from Lake Sorell water exceeding in quantity 90,000 cubic yards every 24 hours.

That neither the "Clyde Water Act, 1898," nor the "Midland Water Act, 1898," imposes restrictions upon the Trustees of the River Clyde as to the quantity of water which they may take from Lake Sorell; all that the latter Act does being to authorise Trustees of the Midland Water District to divert water from Lake Sorell not exceeding 90,000 cubic yards every 24 hours, if, in the opinion of the Trustees of the River Clyde, the water in Lake Sorell be sufficient to maintain a supply of 90,000 cubic yards of water every 24 hours.

That the Legislature, therefore, as lately as the 29th day of October, 1898, recognised the right of the Trustees of the River Clyde to share the water of the lake in excess of 90,000 cubic yards; but of this vested and recognised right they will be deprived if the Bill should become law.

That the water in Lake Sorell might at certain times be sufficient in quantity to admit of 90,000 cubic yards flowing for two or three days into the River Clyde every 24 hours, but if it were clear that if the water were allowed to flow into that river, it would in a few days be insufficient to yield a supply at that rate.

Then the Trustees of the River Clyde would be justified, under Sub-section 2 of the 30th Section of the "Midland Water Act, 1898," in objecting to the Trustees of the Midland Water District diverting water from the lake, and it would be judicious in the Trustees of the River Clyde to conserve and retain the water in Lake Sorell and Lake Crescent until the water in those lakes should be sufficient in quantity to maintain a supply of water in the Clyde at the rate above mentioned for a reasonable period; but if the Bill should become law, the Trustees of the Midland Water District would be entitled to insist that the Trustees of the River Clyde should allow water to flow into the Clyde if it were sufficient in quantity to furnish a supply of 90,000 cubic yards for a single day of 24 hours, and as soon as that quantity had flowed into the Clyde the Trustees of the Midland Water District would be entitled to divert water from Lake Sorell into the Midland District.

That the effect of the Bill would, therefore, be to interfere with the wise and proper course of storing and conserving water in the lakes until a sufficient quantity had accumulated to permit the flow of water into the Clyde for a reasonable period at the rate of 90,000 cubic yards for every 24 hours.

That the 6th Clause of the Bill provides that the Trustees of the Midland Water District may receive from the Trustees of the River Clyde a proportion of the cost and expense of constructing works on the shores of Lake Sorell, but it does not give the lastnamed Trustees the right to join with the firstnamed Trustees in constructing such works, or any voice in the matter; that it is reasonable that if the Trustees of the River Clyde are to bear a proportion of the cost and expense, they should be given the option of joining with the Trustees of the Midland Water District in the construction of the works; and that the 6th Clause, as it stands, is as unreasonable as would be a provision in a Boundary Fences Bill—that one alone of the owners of adjoining lands should determine the character of the fence to be erected, and should yet have the right of receiving from the other owner a proportion of the cost of erecting it.

That the 7th Clause of the Bill would authorise an interference by the Trustees of the Midland Water District in a matter which does not concern them; and it is unnecessary, inasmuch as the Trustees of the River Clyde had, before the introduction of the Bill, taken steps with a view to have the dam and sluice-gate, at the point where the River Clyde flows from Lake Crescent, put into proper repair.

That the Trustees of the River Clyde in the year 1899 expended a considerable sum of money in the erection of a dam and sluice-gate at the point where the Interlaken River flows out of Lake Sorell, and your Petitioners submit that the fact of their having done so is some evidence that they are not likely to neglect the dam and sluice-gate erected at the point where the River Clyde flows out of Lake Crescent.

That no new state of circumstances has arisen since the 29th day of October, 1898, the date on which the "Midland Water Act, 1898," became law, justifying the Trustees of the Midland Water District in seeking for greater privileges than were conferred upon them by that Act, or in interfering with the vested rights of the inhabitants and riparian proprietors of the Districts of Bothwell and Hamilton.

Your Petitioners, therefore, pray that your Honourable House will reject the said Bill.

J. D. WOOD, *Chairman of the Trustees.*

A. A. REID,

ALFRED IBBOTT,

W. H. SEALY,

J. F. WALKER,

J. W. DOWNIE,

J. T. MADDEN,

JAMES TOLLAND,

} *Trustees.*