

the time being of the Launceston Sub-branch of the Returned Sailors', Soldiers', and Airmen's Imperial League of Australia providing for the variation of the above recited declaration of trust by the omission therefrom of any provisions prohibiting the taking into, or consumption or sale upon, the above-mentioned property, or any part thereof, of any liquors.

(2) No agreement entered into pursuant to subsection (1) of this section shall have any force or effect unless and until it has been confirmed by the votes of a majority of the members of the Launceston Sub-branch of the Sailors', Soldiers', and Airmen's Imperial League of Australia present and voting at a special general meeting of the members thereof called for the purpose.

(3) Upon the confirmation pursuant to subsection (2) of this section of an agreement under subsection (1) of this section, any provision of the above recited declaration of trust prohibiting the taking into, or the consumption or sale upon, the abovementioned property, or any part thereof, of liquors (whether intoxicating liquors or not) shall cease to have any force or effect."

HOBART CORPORATION.

No. 24 of 1954.

AN ACT to amend the *Hobart Corporation Act 1947*.
[28 April, 1954.]

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:—

Short title and
citation.

1—(1) This Act may be cited as the *Hobart Corporation Act 1954*.

(2) The *Hobart Corporation Act 1947*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section sixteen of the Principal Act is amended by omitting the numeral "(3)" and substituting therefor the numeral "(2)".

Qualifications of Lord Mayor.

3 Section eighteen of the Principal Act is amended by adding at the end thereof the following subsection:—

Deputy Lord Mayor to be elected.

"(9) The Deputy Lord Mayor may be paid such allowance to cover his special expenses as the council may determine but not exceeding one hundred pounds in any year."

4 Section thirty-one of the Principal Act is amended—

Trustees, corporate bodies, &c.

(a) by omitting from subsection (1) the words "administrators or members of an unincorporate body" and substituting therefor the words "or administrators"; and

(b) by omitting from paragraph I of that subsection the words "administrators, or members" and substituting therefor the words "or administrators".

5 Section one hundred and thirty of the Principal Act is amended by omitting paragraph I of subsection (1) thereof.

Terms and conditions relating to debentures, &c.

6 Section one hundred and eighty-five of the Principal Act is amended by omitting from paragraph I of subsection (1B) thereof the word "Since" and substituting therefor the word "On", and by omitting from that paragraph the word "have".

Subdivision of land.

7 After section two hundred and one of the Principal Act the following section is inserted:—

"201A—(1) Notwithstanding anything contained in the *Traffic Act 1925* the council may—

Power of council to erect and maintain parking meters.

I Erect and maintain parking meters in streets within the City:

II Prescribe metered zones in those streets:

III Mark out metered spaces in those metered zones except in such portions thereof as are set aside under the *Traffic Act 1925* for the use of public vehicles or commercial vehicles or in which vehicles are not permitted to stand under that Act, or in which, in the opinion of the Transport Commission, a stationary vehicle would constitute a traffic hazard: and

IV Make by-laws—

(a) Prescribing the conditions under which vehicles may be left in metered zones:

(b) Prescribing the fees which shall be paid for the use of a metered space and which shall not exceed sixpence for one half-hour or part thereof, with pro rata maximum charges for periods exceeding one half-hour: and

(c) Imposing penalties for offences against the by-laws, not exceeding—

- (i) Fifty pounds for damage to, or misuse of, parking meters: and
- (ii) Twenty-five pounds for other offences against the by-laws.

(2) If it is reported to the council that a person is alleged to have committed an offence against any of the provisions of the by-laws made under this section, the council may give to that person, by post, notice to the effect that he may expiate the offence by the payment to the council, within the time specified in that behalf in the notice, of the amount specified in the notice, not exceeding the penalty fixed by the by-laws with respect to that offence, and if that person, within the time so specified, pays to the council the amount so specified he shall not be liable to any proceedings in respect of that offence.

(3) Notwithstanding that such notice may not have been given, the council may, in its discretion, accept a prescribed amount not exceeding the penalty fixed by the by-laws, and acceptance of such amount by the council shall be deemed to be in expiation of such offence.

(4) All fees received by the council for the use of metered spaces shall, after deducting therefrom all expenses of providing, maintaining, and operating parking meters, and marking out and maintaining metered spaces, be applied by the council towards the provision of off-street parking areas or buildings.

(5) Where the registered owner of a motor vehicle or the owner of any vehicle other than a motor vehicle is charged with an offence against any provision of a by-law under this section on the ground that the vehicle was left in a metered zone in contravention of the provisions of the by-law, he shall be entitled, upon complaint laid by him, to have any other person whom he charges as the actual offender brought before the court on the hearing of the charge, and if, after the offence has been proved, the registered owner or owner, as the case may be, proves to the satisfaction of the court that—

- I He used due diligence to enforce the observance of the provisions of the by-law: and
- II The other person contravened those provisions without the knowledge, consent, or connivance, or in contravention of the orders, of the registered owner or owner,

the other person shall be convicted of the offence and the registered owner, or owner, as the case may be, shall be exempt from any penalty, and the other person shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings.

(6) Where it is made to appear to the satisfaction of a person (in this subsection referred to as 'the complainant') instituting proceedings in respect of an offence against a provision of a by-law under this section, at the time of discovering the offence—

I That the registered owner or owner of a vehicle has used all due diligence to enforce the observance of the provisions of the by-law:

II By what person the offence was committed: and

III That it has been committed without the knowledge, consent, or connivance of the registered owner or owner or in contravention of his orders,

the complainant shall proceed against the person whom he believes to be the actual offender without first proceeding against the registered owner or owner, as the case may be.

(7) In this section 'registered owner' means the person registered in the record of motor vehicles kept in accordance with section eleven of the *Traffic Act 1925*."

8 Section two hundred and twenty-seven of the Principal Act is amended by inserting after paragraph III thereof the following paragraph:—

" IIIA Prescribing the testing, stamping, and marking of pipes, fittings, and other apparatus intended for use in connection with the water system and the fees to be paid in respect thereof:"

9 Section three hundred and nineteen of the Principal Act is amended—

(a) by omitting from paragraph II of subsection (1) the word " and ";

(b) by inserting after paragraph III of that subsection the following paragraph:—

": and

" IV With the consent of the Marine Board of Hobart (which consent may be made subject to conditions) the whole or any portion of that part of the River Derwent within three hundred feet of the south-eastern boundary of the area described in Part XXIII of the seventh schedule.";

(c) by adding at the end thereof the following subsections:—

"(7) Notwithstanding anything contained in this Part, the council shall use the area referred to in paragraph IV of subsection (1) of this section for children's playgrounds, gardens, and aquatic purposes only or may lease for such period, not exceeding ninety-nine years, any

By-laws.

Power to
reclaim
certain
areas.

portion of the **Marievile Esplanade Reclamation** to any aquatic club or organization on such terms as with the approval of the Marine Board of Hobart it may think fit.

“(8) With the consent of the Marine Board of Hobart (which consent may be made subject to conditions) the council may fill up and raise above the level of high water, and so reclaim, that portion of New Town Bay south-west of a line drawn from the western corner of the land coloured green on plan No. 162, Hobart, lodged in the office of the Surveyor-General to the centre of the north-western boundary of the New Town Bay Reclamation as described in Part XXII of the seventh schedule, and may use that portion for the purpose of municipal sewage disposal works.”

General powers to make by-laws.

10 Section three hundred and ninety-three of the Principal Act is amended by adding at the end of sub-paragraph (e) of paragraph 1 of subsection (2) thereof the following division:—

“(xii) The testing, stamping, and marking of pipes, fittings, and other apparatus intended for use in connection with the sewerage system and the fees to be paid in respect thereof:”

Fifth schedule.

11 The fifth schedule to the Principal Act is amended by adding at the end thereof the following items:—

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“(s) The purchase of land, erection of buildings, and provision of equipment for youth centres, community centres, kindergartens, child welfare clinics, day nurseries and other like social amenities	20,000
(t) Constructing, reconstructing, improving, extending, realigning and widening the streets of the city and purchasing or acquiring land therefor	300,000
(u) The improvement and extension of the tramway service in the city and suburbs, the establishment, acquisition and equipment of trams, motor omnibuses, tramway works, and other transport services, the provision of tracks and roadways and generally for the purposes of Part XIII	200,000
(v) The acquisition of plant, machinery and equipment	50,000
(w) Augmenting, improving and extending the sewerage system of the city and generally for the purposes of Part XII	50,000
(x) Financing the purchase of stores	120,000.”