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 GEORGII VI. REGIS.

No. 55.

ANALYSIS.

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AN ACT to amend the *Launceston Corporation Act* 1941. A.D. 1945.
[8 June, 1945.]

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 *Launceston Corporation Act* 1945. Short title and citation.

(2) The *Launceston Corporation Act* 1941*, as subsequently amended, is in this Act referred to as the Principal Act.

* 4 & 5 Geo. VI. No. 91, as amended by 6 Geo. VI. Nos. 52 and 69 and 7 Geo. VI. No. 14.

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A.D. 1945. **2** Section twenty-one of the Principal Act is amended by omitting the word "male".

Qualifications
of aldermen.
Nomination
of persons
for election
as aldermen.

3 Section forty-one of the Principal Act is amended by omitting the word "male" (wherever occurring) in subsection (2).

Special
expenditure.

4 Section ninety-two of the Principal Act is amended by omitting the words "three hundred" in paragraph v. and substituting therefor the words "six hundred".

Property
exempted
from rates.

5 Section one hundred and fifteen of the Principal Act is amended by inserting after paragraph XIV. of subsection (1) the following paragraphs:—

"XIVA. St. Vincent's Hospital, Frederick-street, which shall include the properties known as No. 159 St. John-street and No. 3 Frederick-street while such properties are being used as a home for nurses at St. Vincent's Hospital:

XIVB. The property now known as 'The Pines', being No. 34 George Street, while used exclusively for the purposes of a home or hostel for children."

6 Section two hundred and twenty-seven of the Principal Act is repealed and the following section substituted therefor:—

"227—(1) Whenever any land within the City—

I. abutting on any street in which there is a common sewer;

II. through which a common sewer runs; or

III. which is within one hundred feet of any common sewer—

is at any time found not to be drained by a sufficient drain communicating with such common sewer and emptying itself into the same to the satisfaction of the council, the council may give notice to the owner thereof requiring him, within a time to be specified in such notice, to construct and make, from any suitable points on such land, a covered drain into such sewer.

(2) Such drain shall be of such size and materials and with such fall and constructed in such manner as the council may direct.

(3) Whenever any drain draining any such land and communicating with a common sewer becomes blocked, broken, or out of repair the council may give notice to the owner of such land requiring him within a time to be specified in such notice to clear, mend, repair, or renew so much of the drain as is constructed on such land.

(4) Upon receipt of any notice under subsection (1) or subsection (3) hereof such owner shall comply with and carry out the requirements therein specified within the time allowed by the council.

Power of
council to
compel
owners to
drain into
common
sewers.

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(5) If such owner fails for any reason to comply with the requirements of such notice or any part thereof, the council may cause the same to be carried out or completed, and may recover from such owner the cost thereby incurred. A.D. 1945.

(6) The cost of clearing, mending, repairing, and renewing any drain from the boundary of any such land as is described in subsection (1) hereof to the common sewer shall be borne by the council.

(7) Where a separate common sewer is provided to carry the storm water or any part thereof the owner of such land as aforesaid may be required to provide an additional drain for storm water, communicating with such separate common sewer, and the foregoing provisions of this section shall apply to such storm water drain.

(8) No person, without the consent of the council, shall cause or permit any storm water from his land to flow into any sewer or drain other than a storm water drain provided.

Penalty: Five pounds and a daily penalty of two pounds.

(9) The provisions of this section shall bind the Crown.”.

7 Section two hundred and fifty-two of the Principal Act is amended by omitting the words “unless the same has been inspected in the municipality in which the said meat was slaughtered by a meat inspector approved by the Director of Public Health” in subsection (3). Restriction on bringing meat into the abattoir district.

8 Section two hundred and fifty-four of the Principal Act is amended— Inspection of premises where meat sold.

(a) by inserting after the words “is sold” in subsection (1) the words “kept, stored”; and

(b) by omitting the words “is kept therein for the purposes of sale and that the same” in paragraph II. of that subsection.

9 Section three hundred and one of the Principal Act is repealed and the following section substituted therefor:—

“301. The council may, by public notice in a newspaper, fix and determine— Charges for use, &c., of gardens, baths, reserves, and public halls.

I. the amount of the charge for entering or using any zoological gardens or baths, when such gardens or baths are not let or hired;

II. the days and the hours at which each reserve under the control of the council may be open for use and the persons who may use the same at such hours;

III. the charges, terms, and conditions of letting or hiring any public hall, building, or reserve under the control of the council or any portion thereof.”.

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General
power to
make by-laws.

10 Section three hundred and forty-six of the Principal Act is amended by adding at the end of paragraph I. of subsection (2) the following subparagraphs:—

“(j) the classes or species of trees which shall not be planted within prescribed distances of the boundary of any adjoining land within the City except in prescribed cases or circumstances; and prohibiting such planting;

(k) the—

- (i) maximum height; and
- (ii) minimum spacing—

which shall be allowed or required in the case of trees within prescribed distances of the boundary of any adjoining land within the City, with power to discriminate between different cases or classes of cases and different species of trees according to habit, density of foliage, or other circumstances;

(l) the cases and manner in which, and the conditions under which, trees within prescribed distances of any dwelling-house on or near the boundary of adjoining land shall be removed, lopped, or cut back;

(m) the cases and the manner in which, and the conditions under which the owner of any land shall be compelled to remove any tree, the roots of which in the opinion of the council are causing, or threaten to cause, damage to the property of any person other than such owner.”.

Fourth
schedule.

11 Forms II. and III. in the fourth schedule to the Principal Act are amended by omitting the word “male” (wherever occurring).

Sventh
schedule.

12 The seventh schedule to the Principal Act is amended by adding at the end thereof the following paragraph:—

“xiv. St. Vincent’s Hospital.”.