



**LOCAL GOVERNMENT (CONSEQUENTIAL  
AMENDMENTS) ACT 1995**

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**No. 30 of 1995**

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**AN ACT to amend certain enactments consequential upon the enactment of the *Local Government Act 1993* and the *Local Government (Building and Miscellaneous Provisions) Act 1993***

**[Royal Assent 1 September 1995]**

**B**E 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**

**1**—This Act may be cited as the *Local Government (Consequential Amendments) Act 1995*.

**Commencement**

2—This Act commences on the day on which it receives the Royal Assent.

**Consequential amendments of Acts**

3—The Acts specified in Schedule 1 are amended as specified in that Schedule.

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## SCHEDULE 1

## Section 3

## CONSEQUENTIAL AMENDMENTS TO ACTS

*Aboriginal Relics Act 1975*

1. Section 24 is amended by omitting “section 526 of the *Local Government Act 1962*,” and substituting “section 157 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

*Acts Interpretation Act 1931*

1. Section 42 is repealed.
2. Section 43 is amended by omitting subsections (2) and (3) and substituting the following subsection:—

(2) In any Act—

“**northern area**” or “**northern region**” means that part of the State comprising the city of Launceston and the municipal areas of Break O’Day, Dorset, Flinders, George Town, Meander Valley, Northern Midlands and West Tamar;

“**north-western area**” or “**north-western region**” means that part of the State comprising the cities of Burnie and Devonport and the municipal areas of Central Coast, Circular Head, Kentish, King Island, Latrobe, Waratah-Wynyard and West Coast;

“**southern area**” or “**southern region**” means that part of the State comprising the cities of Hobart, Clarence and Glenorchy and the municipal areas of Brighton, Central Highlands, Glamorgan-Spring Bay, Huon Valley, Kingborough, New Norfolk, Sorell, Southern Midlands and Tasman.

3. Section 46 is amended as follows:—
  - (a) by inserting the following definitions before the definition of “crime”:—

“**Building Regulations**” means Building Regulations made under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

“**council**” means a council within the meaning of the *Local Government Act 1993*;

- (b) by omitting the definition of “local authority” and substituting the following definition:—

“**local authority**” means the council exercising jurisdiction in the locality to which the context relates;

- (c) by omitting the definition of “municipality” and substituting the following definition:—

“**municipal area**” means a municipal area within the meaning of the *Local Government Act 1993*;

- (d) by inserting the following definition after the definition of “offence”:—

“**Plumbing Regulations**” means Plumbing Regulations made under the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

***Anglican Church of Australia (All Saints Church) Act 1989***

1. Omit section 5 and substitute the following section:—

***Application of Local Government (Building and Miscellaneous Provisions) Act 1993***

5—(1) Notwithstanding section 4 and the trusts contained in the Indenture, the *Local Government (Building and Miscellaneous Provisions) Act 1993* applies to all land in the plan.

(2) For the purposes of giving effect to section 4, the Corporate Trustee, notwithstanding the trusts contained in the Indenture, may—

- (a) grant an easement for drainage to the council of the municipal area of Hobart; and
- (b) comply with any other requirement made by that council as a condition of granting approval of a subdivision under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

***Anglican Church of Australia Constitution Act 1973***

1. Section 11 (6) is amended by omitting “section 506 of the *Local Government Act 1962*” and substituting “section 147 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

**Archives Act 1983**

1. Section 3 (1) is amended by omitting paragraph (a) from the definition of "local authority" and substituting the following paragraph:—  
(a) the council; or

**Arnold's Lane Enabling Act 1926**

1. Section 10 is amended by omitting "section 335 of the *Hobart Corporation Act 1947*" and substituting "Division 9 of Part 12 of the *Local Government Act 1993*".

**Associated Pulp and Paper Mills Act 1936**

1. Section 8 (3) is amended by omitting "Marine Board of Burnie or the council of the municipality of Burnie, the consent of such Marine Board or council" and substituting "the Burnie Port Authority or the council of the municipal area of Burnie, the consent of that Authority or council".

**Beauty Point Landslip Act 1970**

1. Section 2 is amended by omitting the definition of "corporation" and substituting the following definition:—  
"corporation" means the council of the municipal area of West Tamar;
2. Section 15 (1) is amended by omitting "section 765 of the *Local Government Act 1962*" and substituting "*Local Government Act 1993*".

**Building and Construction Industry Training Fund Act 1990**

1. Section 3 (1) is amended by omitting the definition of "building surveyor" and substituting the following definition:—  
"building surveyor" means a building surveyor within the meaning of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;
2. Section 23 (b) is amended by omitting "city or municipal district" and substituting "council of the municipal area".
3. Section 26 is amended by omitting paragraph (b) and substituting the following paragraph:—  
(b) for a council by an employee of that council.

4. Schedule 2 is amended as follows:—
- (a) by omitting from clause 1 (a) “*Building Regulations 1978*” and substituting “Building Regulations within the meaning of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from clause 7 (a) “municipality” and substituting “council”;
  - (c) by omitting from clause 7 (b) “to a building surveyor pursuant to the *Building Regulations 1978*” and substituting “under the Building Regulations within the meaning of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

#### *Clyde Water Act 1898*

1. Section 1 is amended by omitting subsection (2).
2. Section 3 is repealed and the following section is substituted:—

#### **Trustees**

3—(1) For the purposes of this Act, there are 4 trustees appointed by the Governor of whom—

- (a) one is the mayor of the council of the municipal area of Central Highlands; and
- (b) 2 are councillors of that council recommended by that council; and
- (c) one is another suitable person.

(2) A trustee holds office—

- (a) in the case of a trustee referred to in subsection (1) (a) so long as the trustee remains the mayor of the council of the municipal area of Central Highlands; and
- (b) in the case of a trustee referred to in subsection (1) (b), so long as the trustee remains a councillor of that council; and
- (c) in the case of a trustee referred to in subsection (1) (c), during the Governor’s pleasure.

(3) If a trustee ceases to hold office by virtue of subsection (2) (b), the council of the municipal area of Central Highlands is to recommend another councillor as trustee.

3. Section 12 is amended by omitting “Municipalities of Bothwell and Hamilton” and substituting “municipal area of Central Highlands”.

### **Constitution Act 1934**

1. Section 3 is amended as follows:—
- (a) by inserting after the definition of “House” the following definition:—
- “municipality”** means a municipal area;
- (b) by omitting “Act.” from the definition of “Parliament” and substituting “Act;”;
- (c) by inserting after the definition of “Parliament” the following definition:—
- “ward”** means an electoral district within the meaning of the *Local Government Act 1993*.
2. Section 45C is repealed and the following section is substituted:—

### **Municipal areas**

45C—Any division of Tasmania into municipal areas is not to be altered without the recommendation of the Local Government Board established under the *Local Government Act 1993*.

### **Conveyancing and Law of Property Act 1884**

1. Section 2 is amended by omitting “section 464 of the *Local Government Act 1962*” from the definition of “instrument” and substituting “the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
2. Section 34B is amended by omitting paragraph (b).
3. Section 75CB is amended as follows:—
- (a) by omitting the definition of “corporation” and substituting the following definition:—
- “corporation”** means the Hobart City Council;
- (b) by omitting “section 198 of the *Hobart Corporation Act 1963*” from the definition of “rivulet” and substituting “the *Local Government Act 1993*”.

- (c) by inserting after the definition of “supporting works” the following definition:—
- “town clerk” means a general manager within the meaning of the *Local Government Act 1993*;
4. Section 75D is amended as follows:—
- (a) by inserting before the definition of “building” the following definition:—
- “authority” means a council;
- (b) by inserting after the definition of “company” the following definitions:—
- “corporation” means a council;
- “council clerk” means a general manager within the meaning of the *Local Government Act 1993*;
- (c) by inserting after the definition of “stratum plan” the following definition:—
- “town clerk” means a general manager within the meaning of the *Local Government Act 1993*;
5. Section 75E is amended as follows:—
- (a) by omitting from subsection (2) “section 678 of the *Local Government Act 1962*” and substituting “section 119 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
- (b) by omitting from subsection (3) “Division 2 of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
6. Section 75F (3) is amended by omitting paragraph (c).
7. Section 84A is amended as follows:—
- (a) by inserting after the definition of “appropriate tribunal” the following definitions:—
- “corporation” means a council;
- “municipality” means a municipal area;
- (b) by omitting “Division II of Part XVI of the *Local Government Act 1962*” from the definition of “plan of subdivision” and substituting “Division 1 of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.



8. Section 84D is amended as follows:—
- (a) by omitting from subsection (4) (a) “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from subsection (4) (b) “of sections 463, 469, or 471”;
  - (c) by omitting from subsection (14) “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”.
9. Section 90B (1) is amended by omitting “Division 2 of Part XVI of the *Local Government Act 1962*” and substituting “Division 1 of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

#### ***Crown Lands Act 1976***

1. Section 48B (3) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”.
2. Section 62 is amended as follows:—
- (a) by omitting from subsection (2) “Division XII of Part XVI of the *Local Government Act 1962* excepting section 567 (3), (4) and (5), section 577, and section 582 of that Act” and substituting “Division 5 of Part 12 of the *Local Government Act 1993*”;
  - (b) by omitting from subsection (5) “Division XII of Part XVI of the *Local Government Act 1962*” and substituting “Division 5 of Part 12 of the *Local Government Act 1993*”.

#### ***Crown Lands (Miscellaneous Provisions) Act 1985***

1. Section 4 (1) (b) is amended by omitting “Lord Mayor, Aldermen, and Citizens of the City of Hobart” and substituting “Hobart City Council”.
2. Section 5 (1) (b) is amended by omitting “Lord Mayor, Aldermen, and Citizens of the City of Hobart” and substituting “Hobart City Council”.
3. Section 7 is amended by omitting “Lord Mayor, Aldermen, and Citizens of the City of Hobart” and substituting “Hobart City Council”.

***Defacement of Property Act 1898***

1. Section 1 is amended by omitting “municipality” and substituting “council”.
2. Section 5 (1) is amended by omitting “of any municipality”.

***Derwent Entertainment Centre Management Authority Act 1988***

1. Section 3 (1) is amended as follows:—
  - (a) by omitting the definition of “City” and substituting the following definition:—

**“City”** means the Glenorchy City Council;
  - (b) by omitting paragraph (a) of subsection (3) and substituting the following paragraph:—
    - (a) the Building Regulations, the building is classified exclusively as a Class 9b building;

***Dog Control Act 1987***

1. Section 3 (1) is amended as follows:—
  - (a) by omitting the definition of “clerk” and substituting the following definition:—

**“clerk”** means a general manager within the meaning of the *Local Government Act 1993*;
  - (b) by omitting the definition of “corporation” and substituting the following definition:—

**“corporation”** means a council;
  - (c) by omitting the definition of “council”;
  - (d) by omitting the definition of “municipal office” and substituting the following definition:—

**“municipal office”** means a public office within the meaning of the *Local Government Act 1993*;
  - (e) by omitting the definition of “municipality” and substituting the following definition:—

**“municipality”** means a municipal area;
  - (f) by omitting “*Local Government Act 1962*” from the definition of “pound” and substituting “*Local Government Act 1993*”;
  - (g) by omitting the definition of “registrar” and substituting the following definition:—

**“registrar”** means a registrar of dogs appointed under section 8 (1) or acting as such under section 8 (2).

2. Section 8 is amended by omitting subsection (2) and substituting the following subsection:—

(2) If a council does not appoint a registrar, its general manager is to be the registrar until another person is appointed as registrar.

3. Section 21 (1) is amended by omitting “of the municipality maintained in accordance with section 179 of the *Local Government Act 1962*”.
4. Section 52 (1) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”.
5. Section 56 (4) is amended by omitting “municipal” and substituting “council”.
6. Section 86 is amended by omitting “The corporation of a municipality” and substituting “A council”.
7. Section 87 is amended by omitting “The corporation of a municipality shall” and substituting “A council is to”.

***Elderly Citizens’ Clubs and Youth Centres Act 1966***

1. Section 2 (1) is amended as follows:—
- (a) by inserting after the definition of “approved building” the following definition:—
- “corporation” means a council;
- (b) by inserting after the definition of “Minister for Health” the following definition:—
- “municipality” means a municipal area;
2. Section 5 (1) is amended by omitting “the district of”.
3. Section 7A (2) (b) is amended as follows:—
- (a) by omitting “section 134 of the *Local Government Act 1962*” and substituting “Division 2 of Part 3 of the *Local Government Act 1993*”;
- (b) by omitting “the council of”.

***Emergency Services Act 1976***

1. Section 2 is amended as follows:—
- (a) by omitting “municipality” from the definition of “Local Co-ordinator” and substituting “municipal area”;

(b) by inserting after the definition of “Ministerial Liaison Officer, Emergency Services” the following definition:—

“**municipality**” means a council;

2. Section 33 (2) (c) is amended by omitting “municipality” and substituting “municipal area”.

***Environment Protection (Sea Dumping) Act 1987***

1. Section 15 (9) (c) is amended by omitting “municipal councils within the meaning of the *Local Government Act 1962*” and substituting “councils”.

***Evidence Act 1910***

1. Section 27 is amended by inserting after paragraph (b) the following paragraphs:—
  - (c) “**municipal corporation**” means a council;
  - (d) “**municipal council**” means a council;
  - (e) “**municipality**” means a municipal area;
  - (f) “**town clerk**” means a general manager within the meaning of the *Local Government Act 1993*.
2. Section 29 (2) is amended by omitting “, or warden and council clerk,”.
3. Section 31 (1) is amended by omitting “or warden of a municipality” and substituting “of a municipal council”.
4. Section 73 is amended by omitting subsection (2).
5. Section 131B (2) (a) is amended by omitting “town clerk or council clerk” and substituting “general manager within the meaning of the *Local Government Act 1993*”.
6. Part II of Schedule 4 is amended by omitting the item relating to “Municipal” and substituting the following:—
 

Municipal—

Mayor of a municipal council

***Fire Damage Relief Act 1967***

1. Section 2 is amended as follows:—
  - (a) by inserting before the definition of “distressed person” the following definition:—
 

“**corporation of a municipality**” means a council;
  - (b) by inserting after the definition of “fires” the following definition:—
 

“**municipal district**” means a municipal area;

**Fluoridation Act 1968**

1. Section 2 is amended by omitting “municipality” from the definition of “water supply authority” and substituting “council”.
2. Section 13 is repealed and the following section is substituted:—

**Elector polls relating to works**

13—A council must not hold an elector poll under Part 6 of the *Local Government Act 1993* in relation to any fluoridation works it is required to construct or install under this Act in respect of the addition of fluoride to a public water supply under its control.

**Forestry Rights Registration Act 1990**

1. Section 9 is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”.

**Freedom of Information Act 1991**

1. Section 58 is amended as follows:—
  - (a) by omitting from subsection (1) “municipality” (twice occurring) and substituting “council”;
  - (b) by omitting from subsection (2) “municipality” (wherever occurring) and substituting “council”;
  - (c) by omitting from subsection (3) “municipalities” and substituting “councils”.

**Friendly Societies Act 1888**

1. Section 16 (a) (iii) is amended by omitting “Corporation of the City of Hobart or the City of Launceston, or any loans raised under the *Local Government Act 1962*” and substituting “Hobart City Council or the Launceston City Council or any loans raised under the *Local Government Act 1993*”.

**Gas Franchises Act 1973**

1. Section 6 is repealed.

**Health (Regional Boards) Act 1991**

1. Section 3 (1) is amended by omitting “Southern Region, Northern Region and North-Western Region” from the definition of “region” and substituting “southern area, northern area and north-western area”.

**Hobart Bridge Act 1958**

1. Section 5 (1) (a) is amended by omitting “notwithstanding anything in the *Hobart Corporation Act 1947*, purchase or take such portions of the Queen’s Domain (being the area described in Part XII of the seventh schedule to that Act” and substituting “purchase or take any portion of the Queen’s Domain”.
2. Section 17 (1) (a) is amended by omitting “of a city or municipality” and substituting “municipal area”.

**Hobart Regional Water Act 1984**

1. Section 3 (1) is amended as follows:—
  - (a) by omitting the definition of “constituent municipality” and substituting the following definition:—
 

“**constituent municipality**” means—

    - (a) the councils of the municipal areas of Clarence, Hobart, Glenorchy, Kingborough, New Norfolk, Brighton, Southern Midlands and Sorell; and
    - (b) the council of a municipal area declared to be a constituent municipality by notice published in the *Gazette* under section 12 (2);
  - (b) by omitting the definition of “municipality” and substituting the following definition:—
 

“**municipality**” means a council;
  - (c) by omitting the definition of “water district” and substituting the following definition:—
 

“**water district**” means a water district within the meaning of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;
2. Section 5 is amended as follows:—
  - (a) by omitting from subsection (2) (a) “city” and substituting “council of the municipal area”;
  - (b) by omitting paragraphs (b), (c) and (d) of subsection (2) and substituting the following paragraphs:—

- (b) one is a person nominated by the council of the municipal area of Glenorchy who is also to represent the interests of the municipal areas of New Norfolk, Brighton and Southern Midlands;
- (c) one is a person nominated by the council of the municipal area of Clarence who is also to represent the interests of the municipal area of Sorell; and
- (d) one is a person nominated by the council of the municipal area of Kingborough.

(c) by omitting from subsection (3) (a) “cities of Hobart and Glenorchy and the municipalities of Clarence” and substituting “councils of the municipal areas of Clarence, Hobart, Glenorchy”.

3. Section 13 (1) (a) is amended by omitting “corporation of the city” and substituting “council of the municipal area”.

#### ***Homes Act 1935***

1. Section 15 (1) (a) is amended by omitting “the council of any city or municipality” and substituting “a council”.
2. Section 15A (3) (c) is amended by omitting “the corporation of a city or municipality” and substituting “a council”.
3. Section 37B (4) is amended by omitting “corporation of the municipality” and substituting “council of the municipal area”.

#### ***Huon Valley Pulp and Paper Industry Act 1959***

1. Section 2 (1) is amended by omitting the definition of “council” and substituting the following definition:—  
“**council**” means the council of the municipal area of Huon Valley;
2. Section 14 (1) is amended by omitting “Municipality of Esperance” and substituting “municipal area of Huon Valley”.

#### ***Hydro-Electric Commission Act 1944***

1. Section 21 (1) is amended by omitting “the city or municipality of the council” and substituting “its municipal area”.

**Industrial Housing Guarantees Act 1971**

1. Section 5 (c) is amended by omitting “building estate within the meaning of Division 2 of Part XVI of the *Local Government Act 1962*” and substituting “subdivision within the meaning of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

**Irrigation Clauses Act 1973**

1. Section 2 (1) is amended as follows:—
  - (a) by inserting after the definition of “channel” the following definitions:—
    - “**clerk**” means a general manager within the meaning of the *Local Government Act 1993*;
    - “**corporation**” means a council;
  - (b) by inserting the following definition after the definition of “lake”:—
    - “**municipality**” means a council;
  - (c) by omitting “*Local Government Act 1962*, of which “the Special Act” means Division 24 of Part XVI” from the definition of “the Special Act” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*, of which “the Special Act” means Divisions 1 and 2 of Part 6”.
2. Section 46 is amended as follows:—
  - (a) by omitting from subsection (1) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;
  - (b) by omitting from subsection (3) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
3. Section 47 (1) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
4. Section 48 (4) (c) is amended by omitting “section 765 of the *Local Government Act 1962*” and substituting “Division 9 of Part 9 of the *Local Government Act 1993*”.
5. Section 49 (2) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
6. Section 51 (2) is amended by omitting “section 765 of the *Local Government Act 1962*” and substituting “Division 9 of Part 9 of the *Local Government Act 1993*”.



7. Section 55 (2) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

#### ***Jury Act 1894***

1. Section 3 is amended by omitting the definition of “municipal district” and substituting the following definition:—

“**municipal district**” means a municipal area;

#### ***Justices Act 1959***

1. Section 6 is repealed and the following section is substituted:—

#### **Mayors as justices**

6—The mayor of a council within the meaning of the *Local Government Act 1993* is a justice by virtue of that office during the term of that office.

#### ***Land Acquisition Act 1993***

1. Section 3 (1) is amended as follows:—
- (a) by omitting paragraphs (a) and (b) from the definition of “clerk” and substituting the following paragraph:—
    - (a) a general manager within the meaning of the *Local Government Act 1993*;
  - (b) by omitting “municipal corporation” from the definition of “local authority” and substituting “council”.
2. Section 55 (3) (c) (i) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
3. Section 55 (3) (c) (ii) is amended by omitting “as a city or other municipality”.
4. Section 56 (3) (c) (i) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
5. Section 56 (3) (c) (ii) is amended by omitting “as a city or other municipality”.

#### ***Land and Income Taxation Act 1910***

1. Section 2 (1) is amended by inserting after the definition of “mortgage” the following definitions:—

“**municipal corporation**” means a council;

“**municipal district**” means a municipal area;

2. Section 11B is amended as follows:—
  - (a) by omitting from subsection (1) “municipality” (twice occurring) and substituting “council”;
  - (b) by omitting from subsection (2) “municipality” and substituting “council”;
  - (c) by omitting from subsection (4) (a) “municipality” and substituting “council”.
3. Section 207 is amended by omitting “municipal”.

***Land Titles Act 1980***

1. Section 18 is amended by omitting “any provision of Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
2. Section 33 (14) (a) is amended by omitting “*Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
3. Section 55 is amended by omitting “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
4. Section 78 (2) (d) is amended by omitting “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
5. Section 102 is amended as follows:—
  - (a) by omitting from subsection (2) (b) “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
  - (b) by omitting from subsection (12) “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
6. Section 103 is amended by omitting subsection (3) and substituting the following subsection:—

(3) A covenant comprised in a sealed plan lodged under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* is to be dealt with under Division 5 of that Part.

7. Section 108 (4) is amended by omitting “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
8. Section 109 is amended by omitting subsection (3) and substituting the following subsection:—

(3) An easement or *profit à prendre* comprised in a sealed plan lodged under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* is to be dealt with under Division 5 of that Part.
9. Section 110 is amended as follows:—
  - (a) by omitting from subsection (1) (a) “section 462 of the *Local Government Act 1962*” and substituting “section 80 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from subsection (6) (c) “corporation of the municipality” and substituting “the council of the municipal area”.
10. Section 119 (1) (c) is amended by omitting “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
11. Section 137 (3) (a) is amended by omitting “section 770 of the *Local Government Act 1962*” and substituting “Division 11 of Part 9 of the *Local Government Act 1993*”.
12. Section 142 is amended as follows:—
  - (a) by omitting from subsection (4) “corporation of the city or municipality” and “corporation” and substituting “council of the municipal area” and “council” respectively;
  - (b) by omitting from subsection (9) “section 481 of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
13. Section 143 is amended by omitting “section 481 or 651 of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
14. Section 143G (3) is amended by omitting “municipal corporation” and substituting “council”.

**Land Use Planning and Approvals Act 1993**

1. Section 3 (1) is amended as follows:—
  - (a) by inserting the following definitions after the definition of “marine board”:—
    - “municipality” means a council;
    - “municipal district” means a municipal area;
  - (b) by omitting “municipality” from the definition of “planning authority” and substituting “council”.
2. Section 7 is amended as follows:—
  - (a) by omitting from paragraph (a) “that municipality” and substituting “its municipal district”;
  - (b) by omitting from paragraph (b) “that municipality” and substituting “its municipal district”.
3. Section 85 is amended by omitting “Local Government Act 1962” and substituting “Local Government Act 1993”.

**Land Valuation Act 1971**

1. Section 3 is amended as follows:—
  - (a) by omitting the definition of “district” and substituting the following definition:—
    - “district” means a municipal area;
  - (b) by inserting after the definition of “lease” the following definition:—
    - “municipal district” means a municipal area;
  - (c) by omitting “municipality” from the definition of “rating authority” and substituting “council”;
  - (d) by omitting “Local Government Act 1962” from the definition of “subdivide” and substituting “Local Government (Building and Miscellaneous Provisions) Act 1993”;
  - (e) by inserting after the definition of “subdivide” the following definition:—
    - “town clerk” means a general manager within the meaning of the *Local Government Act 1993*;
2. Section 12 (5) (d) is amended as follows:—
  - (a) by omitting from subparagraph (i) “subsection (1) of section 462 of the *Local Government Act 1962*” and substituting “section 80 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from subparagraph (ii) “subsection,” and substituting “section—”;

(c) by omitting “section 467 (3)” and substituting “section 86”.

3. Section 40 (1) (b) (i) is amended by omitting “of that municipality”.

#### ***Launceston Flood Protection Act 1977***

1. Section 3 is amended by omitting “body corporate under the name of the Mayor, Aldermen, and Citizens of the City of Launceston” and substituting “Launceston City Council”.

#### ***Launceston Gas Company Act 1982***

1. Section 15(1) is amended as follows:—

(a) by inserting the following definitions before the definition of “gas apparatus”:—

“**corporation of a municipality**” means a council;

“**council of a municipality**” means a council;

(b) by omitting the definition of “municipality” and substituting the following definition:—

“**municipality**” means—

(a) the municipal area of Launceston; or

(b) the council of the municipal area of Meander Valley;

(c) by omitting from the definition of “road” “4 (1) of the *Local Government Act 1962*” and substituting “3 (1) of the *Local Government Act 1993*”.

2. Section 17 is amended as follows:—

(a) by omitting from subsection (1) “of that municipality”;

(b) by omitting from subsection (3) “of that municipality”.

3. Section 19 is amended by omitting “corporation of that municipality” and substituting “that council”.

4. Section 20 is amended by omitting “corporation of that municipality” and substituting “that council”.

#### ***Law of Animals Act 1962***

1. Section 2 is amended by omitting “*Local Government Act 1962*” from the definition of “pound” and substituting “*Local Government Act 1993*”.

2. Section 5 (1) (c) is amended by omitting “section 576 of the *Local Government Act 1962*” and substituting “the *Local Government Act 1993*”.
3. Section 7 (1) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
4. Section 10 is amended by omitting subsection (2).

#### ***Lawrence Vale Landslip Act 1961***

1. Section 2 is amended by omitting the definition of “corporation” and substituting the following definition:—  
    “**corporation**” means the Launceston City Council;
2. Section 13 (3) is amended by omitting “shall be deemed to be a reserve within the meaning of Part XIX of the *Launceston Corporation Act 1941* and shall be deemed to be so” and substituting “is”.

#### ***Libraries Act 1984***

1. Section 3 is amended by inserting after the definition of “book” the following definition:—  
    “**corporation of a municipality**” means a council;
2. Regulation 7 (3) (c) is amended by omitting “government”.
3. Section 10 is amended as follows:—
  - (a) by omitting from subsection (5) (a) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;
  - (b) by omitting from subsection (5) (a) “notice under section 257” and substituting “rates notice under section 122”;
  - (c) by omitting from the definition of “adjusted assessed annual value of leviable land” in subsection (8) “Part XIXA of the *Local Government Act 1962*” and substituting “Part 10 of the *Local Government Act 1993*”;
  - (d) by omitting the definition of “leviable land” in subsection (8) and substituting the following definition:—  
    “**leviable land**” means all land in a municipal area other than land referred to in section 87 (1) of that Act;

**Limitation Act 1974**

1. Section 10 (7) is amended as follows:—
  - (a) by omitting “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting “Division 2 of Part XVI” and substituting “Division 1 of Part 3”.

**Litter Act 1973**

1. Section 2 is amended as follows:—
  - (a) by inserting before the definition of “land” the following definition:—  
     “**district**” means a municipal area;
  - (b) by inserting after the definition of “litter” the following definitions:—  
     “**municipal district**” means a municipal area;  
     “**municipality**” means a council.
2. Section 3 (2) is amended by omitting “, warden, or town clerk”.

**Local Government (Highways) Act 1982**

1. Section 3 (1) is amended as follows:—
  - (a) by omitting “section 427 of the *Local Government Act 1962*” from the definition of “changing building area” and substituting “Division 6 of Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting the definition of “corporation” and substituting the following definitions:—  
     “**corporation**” and “**corporation of a municipality**” means a council and, in relation to any land, or a building, structure or other thing on any land, or a highway, means the council of the municipal area in which the land or highway is situated;  
     “**council clerk**” means a general manager within the meaning of the *Local Government Act 1993*;
  - (c) by inserting the following definition after the definition of “**Crown land**”:—  
     “**district**” means a municipal area;

(d) by inserting after the definition of “Minister for State Highways” the following definitions:—

“**municipal district**” means a municipal area;

“**municipal office**” means a public office within the meaning of the *Local Government Act 1993*;

“**municipality**” means a municipal area;

2. Section 5 (4) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
3. Section 7 (5) is amended by omitting “under section 468 of the *Local Government Act 1962* or” and substituting “or under any other Act”.
4. Section 9 is amended by omitting subsection (1) and substituting the following subsection:—
  - (1) Section 10 applies in respect of dedicated highways over land in a sealed plan which takes effect under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
5. Section 11 is amended as follows:—
  - (a) by omitting from subsection (3) (c) “section 464 (21) of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from subsection (6) “467 of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (c) by omitting from subsection (11) “467 (5) of the *Local Government Act 1962*” and substituting “86 (5) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
6. Section 12 (3) is amended by omitting “of a corporation”.
7. Section 19 is amended as follows:—
  - (a) by omitting from subsection (1) “or warden”;
  - (b) by omitting from subsection (2) “or warden”;
  - (c) by omitting from subsection (3) “or warden”;
  - (d) by omitting from subsection (4) “or warden”.
8. The heading to Division 1 of Part III is amended by omitting “*municipalities*” and substituting “*corporations*”.



9. Section 36 (1) (a) is amended by omitting “Division 2 of Part XVIII of the *Local Government Act 1962*” and substituting “the *Land Use Planning and Approvals Act 1993*”.
10. Section 45 (1) is amended by omitting “section 536A of the *Local Government Act 1962*” and substituting “Division 3 of Part 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
11. Section 46 (2) is amended by omitting “or warden”.
12. Section 52 (2) is amended by omitting “and section 388 of the *Local Government Act 1962*”.
13. Section 74 is amended as follows:—
  - (a) by omitting from subsection (2) “town clerk or”;
  - (b) by omitting from subsection (3) (b) “town clerk or”.
14. Section 76 is amended as follows:—
  - (a) by omitting from subsection (2) “town clerk or”;
  - (b) by omitting from subsection (4) “768 of the *Local Government Act 1962*” and substituting “124 of the *Local Government Act 1993*”.
15. Section 77 is amended as follows:—
  - (a) by omitting from subsection (4) “town clerk or”;
  - (b) by omitting from subsection (5) “town clerk or” (twice occurring).
16. Section 78 (5) is amended by omitting “municipality” (first occurring) and substituting “council”.
17. Section 92 (4) is amended by omitting “section 191 of the *Local Government Act 1962*” and substituting “Part 11 of the *Local Government Act 1993*”.
18. Section 99 (7) is amended by omitting “town clerk or”.
19. Section 113 (1) is amended by omitting “municipality” and substituting “council”.
20. Section 122 (2) is amended by omitting “town clerk or”.
21. Section 123 is amended by omitting “pursuant to section 802 (1) of the *Local Government Act 1962*”.
22. Section 127 is repealed.
23. Schedule 1 is amended by omitting from clause 20 “or warden”.
24. Schedule 2 is repealed.

***Local Government (Rates and Charges Remissions) Act 1991***

1. Section 3 is amended as follows:—

(a) by inserting after the definition of “eligible pensioner” the following definition:—

“municipality” means a council;

(b) by omitting the definition of “rates and charges” and substituting the following definition:—

“rates and charges” means rates and charges payable under Part 9 of the *Local Government Act 1993* and, if a discount has been given, means the amount of rates and charges actually paid, but does not include any penalty or interest charges imposed under that Act;

2. Section 8 is repealed.

***Long Service Leave Act 1976***

1. Section 3 is amended as follows:—

(a) by omitting from paragraph (a) “*State Employees (Long-Service Leave) Act 1950*” and substituting “*Long Service Leave (State Employees) Act 1995*”;

(b) by omitting from paragraph (c) “Division 3 of Part VI of the *Local Government Act 1962*” and substituting “Division 1 of Part 7 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

***Long Service Leave (Construction Industry) Act 1971***

1. Section 3 (7) is amended by omitting “municipality” and substituting “council”.

2. Section 22 (1) is amended as follows:—

(a) by omitting paragraph (b) and substituting the following paragraph:—

(b) the *Long Service Leave (State Employees) Act 1995*;

(b) by omitting paragraph (c) and substituting the following paragraph:—

(c) Division 1 of Part 7 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*; and

**Marine Act 1976**

1. Section 89 (2) is amended by omitting “*Local Government Act 1962*, in respect of a municipal rate” and substituting “*Local Government Act 1993*, in respect of a general rate,”.
2. Section 200 (4) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

**Metropolitan Transport Act 1954**

1. Section 2 (1) is amended by omitting the definition of “Launceston metropolitan area” and substituting the following definition:—

“**Launceston metropolitan area**” means—

- (a) the city of Launceston as existing on 7 May 1985; and
  - (b) any parts of the municipal areas of St Leonards and Lilydale as existing on 7 May 1985 and being within 12 kilometres from the principal post office at Launceston; and
  - (c) any parts of the municipal areas of West Tamar, Meander Valley and Northern Midlands within 12 kilometres from that post office;
2. Section 12 is amended by omitting subsection (3).
  3. Section 25 (5) is amended by omitting “town clerk” and substituting “general manager”.
  4. The Second Schedule is amended as follows:—
    - (a) by omitting paragraphs (a), (b) and (c) of clause 1 and substituting the following paragraphs:—
      - (a) any places within the municipal area of Burnie; and
      - (b) the city of Burnie and the town of Wynyard; and
      - (c) the city of Burnie and the town of Ulverstone.
    - (b) by omitting from clause 2 “municipality” and substituting “municipal area”.

***Midway Point Improvement Act 1975***

1. Section 2 is amended as follows:—

(a) by omitting the definition of “corporation” and substituting the following definition:—

“**corporation**” means the council of the municipal area of Sorell;

(b) by omitting “Municipality” and substituting “municipal area”.

2. Section 3 (3) (a) is amended by omitting “Part XIII of the *Local Government Act 1962*” and substituting “Part 8 of the *Local Government Act 1993*”.

3. Section 4 (4) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

***Midway Point Improvement (Doubts Removal) Act 1983***

1. Section 8 (5) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

***Museums (Aboriginal Remains) Act 1984***

1. Section 3 is amended as follows:—

(a) by omitting the definition of “corporation” and substituting the following definition:—

“**corporation**” means the Launceston City Council;

(b) by omitting “Part XIII of the *Launceston Corporation Act 1963*” from the definition of “Queen Victoria Museum” and substituting “Part 16 of the *Local Government Act 1993*”.

2. Section 6 (4) is amended by omitting “town clerk of the city of Launceston” and substituting “general manager of the corporation”.

***National Parks and Wildlife Act 1970***

1. Section 26 is amended by omitting subsection (7).

***North Esk Regional Water Act 1960***

1. Section 3 is amended as follows:—

(a) by inserting the following definition after the definition of “Commission”:—

“**corporation of the city of Launceston**” means the Launceston City Council;

(b) by omitting the definition of “municipality” and substituting the following definitions:—

“**municipality**” means—

- (a) the Launceston City Council; and
- (b) the council of the municipal area of George Town; and
- (c) the council of the municipal area of Meander Valley;

“**municipality of Evandale**” means the municipal area of Northern Midlands;

“**municipal district**” means a municipal area;

2. Section 11 (1) is amended by omitting “the *Local Government Act 1962*” and substituting “Part 6 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
3. Schedule II is amended by omitting “municipality of Saint Leonards at the boundary of that municipality and the municipality of Westbury and such other works as may be necessary for water to be interchanged between the reticulation systems of the municipalities of Saint Leonards and Westbury” and substituting “municipal area of Launceston at the boundary of that municipal area and the municipal area of Meander Valley and any other works necessary to interchange water between the reticulation systems of those municipal areas”.

***North West Regional Water Act 1987***

1. Section 3 (1) is amended as follows:—

(a) by omitting the definition of “constituent municipality” and substituting the following definition:—

“**constituent municipality**” means—

- (a) the councils of the municipal areas of Devonport, Latrobe, Kentish, Central Coast, Circular Head or Waratah-Wynyard; or
- (b) a council declared to be a constituent municipality by notice published in the *Gazette* under section 15 (3).

- (b) by omitting the definition of “municipality” and substituting the following definition:—

“**municipality**” means a council;

- (c) by omitting the definition of “water district” and substituting the following definition:—

“**water district**” means a water district constituted under Part 6 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

2. Section 6 (2) is amended as follows:—

- (a) by omitting from paragraph (a) “corporation of the city of Devonport and being a member of the council of that city” and substituting “council of the municipal area of Devonport who is a member of that council”;
- (b) by omitting from paragraph (b) “municipalities of Ulverstone and Penguin and being a member of the council of one of those municipalities” and substituting “council of the municipal area of Central Coast who is a member of that council”;
- (c) by omitting from paragraph (c) “municipalities of Kentish and Latrobe and being a member of the council of one of those municipalities” and substituting “councils of the municipal areas of Kentish and Latrobe who is a member of one of those councils”;
- (d) by omitting from paragraph (d) “municipalities of Wynyard and Circular Head and being a member of the council of one of those municipalities” and substituting “councils of Waratah-Wynyard and Circular Head who is a member of one of those councils”.

3. Schedule 3 is repealed and the following Schedule is substituted:—

### SCHEDULE 3

Section 15 (1)

#### NORTH WEST REGIONAL WATER DISTRICT

Council	Water district
Circular Head .....	Smithton Stanley
Devonport .....	Devonport
Kentish .....	Railton Sheffield
Latrobe .....	Latrobe
Central Coast .....	Penguin Ulverstone
Waratah-Wynyard .....	Somerset Wynyard

#### *Notification of Births Act 1966*

1. Section 3 is amended as follows:—

- (a) by omitting from paragraph (a) “districts comprised within the boundaries of the municipalities specified in Part I of the Schedule—” and substituting “southern area,”;
- (b) by omitting from paragraph (b) “districts comprised within the boundaries of the municipalities specified in Part II of the Schedule” and substituting “northern area,”;
- (c) by omitting from paragraph (c) “districts within the boundaries of the municipalities specified in Part III of the Schedule” and substituting “north-western region,”.

2. The Schedule is repealed.

#### *Ombudsman Act 1978*

1. Schedule 1 is amended as follows:—

- (a) by omitting paragraphs (a) and (b) of item 2 and substituting the following paragraphs:—
  - (a) a council or a committee of a council; and
  - (b) a controlling authority or joint authority established under Part 3 of the *Local Government Act 1993*;

(b) by omitting item 35 and substituting the following item:—

35. Planning authorities established under any Act.

***Pay-roll Tax Act 1971***

1. Section 2 (1) is amended by omitting the definition of “municipal corporation” and substituting the following definition:—

“**municipal corporation**” means a council;

2. Section 10 (e) is amended by omitting subparagraph (i).

***Plumbers and Gas-fitters Registration Act 1951***

1. Section 2 (1) is amended by omitting the definition of “building area” and substituting the following definition:—

“**building area**” means a building area within the meaning of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

2. Section 21A is amended by omitting subsection (6).

***Police Offences Act 1935***

1. Section 13 (5) (a) is amended by omitting “*Local Government Act 1962*” and substituting “a health officer under the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

2. Section 13 (5A) is amended by omitting “within the meaning of the *Local Government Act 1962*”.

3. Section 15 (2) (d) is amended by omitting “626 of the *Local Government Act 1962*” and substituting “185 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

4. Section 15A (1) (fa) is amended by omitting “an urban building area as defined in the *Local Government Act 1962*” and substituting “a building area within the meaning of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

5. Section 15E (2) (a) (i) is amended by omitting “613 of the *Local Government Act 1962*” and substituting “184 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.



***Port Arthur Historic Site Management Authority Act 1987***

1. Section 3 (1) is amended by omitting the definition of “municipality” and substituting the following definition:—

**“municipality”** means the council of the municipal area of Tasman;

2. Section 13 is amended by omitting “within the municipality” and substituting “within the municipal area”.

***Public Bodies Assistance Act 1971***

1. Section 2 (1) is amended by inserting after the definition of “Minister for Health” the following definition:—

**“municipality”** means a council;

2. Section 8 is repealed.

***Public Health Act 1962***

1. Section 3 is amended as follows:—

- (a) by omitting the definition of “clerk” and substituting the following definitions:—

**“clerk”** means a general manager within the meaning of the *Local Government Act 1993*;

**“corporation”** means a council;

- (b) by omitting the definition of “district” and substituting the following definition:—

**“district”** means a municipal area;

- (c) by inserting after the definition of “Minister” the following definitions:—

**“municipal district”** means a municipal area;

**“municipal health surveyor”** means a health surveyor appointed by a council;

**“municipal medical officer of health”** means a medical officer of health appointed by a council;

**“municipality”** means a council;

2. Section 6 is amended as follows:—
  - (a) by omitting from subsection (5A) “municipality by which the surveyor was appointed pursuant to section 140 (1) (k) or 142 (3A) of the *Local Government Act 1962* or for which the inspector was appointed pursuant to section 142 (4) of that Act,” and substituting “council which appointed the surveyor under Part 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting paragraph (e) of subsection (8) and substituting the following paragraph:—
    - (e) the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
3. Section 8 is amended as follows:—
  - (a) by omitting from subsection (1) “municipal”;
  - (b) by omitting from subsection (3) “or its council”;
  - (c) by omitting from subsection (4) “, its council,”.
4. Section 16 is amended by omitting “municipal”.
5. Section 27A is amended as follows:—
  - (a) by omitting from subsection (1) “municipality” (twice occurring) and substituting “municipal area”;
  - (b) by omitting from subsection (2) “municipality” (twice occurring) and substituting “municipal area”;
  - (c) by omitting from subsection (3) “municipality” (twice occurring) and substituting “municipal area”;
6. Section 120A (3) (a) is amended by omitting “under the *Local Government Act 1962*”.
7. Section 129 (1) is amended by omitting paragraph (b) and substituting the following paragraph:—
  - (b) Part 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*; or
8. Section 138 (1) is amended by omitting “Division II of Part XIX of the *Local Government Act 1962* as if charged on land by section seven hundred and sixty-five of that Act” and substituting “Part 9 of the *Local Government Act 1993*”.
9. Section 142 is amended as follows:—
  - (a) by omitting from subsection (8) (b) “made under the *Local Government Act 1962*”;

- (b) by omitting from subsection (9A) (d) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

### ***Registration of Births and Deaths Act 1895***

1. Section 4 is amended as follows:—

(a) by omitting from subsection (1A) “one city or municipality (other than the city of Hobart or the city of Launceston), the town clerk of that city or the council clerk of that municipality, as the case may be, shall be” and substituting “municipal area, other than the municipal area of Hobart or Launceston, the general manager of the council in that municipal area is”;

(b) by omitting from subsection (1B) “town clerk of a city or the council clerk of a municipality” and substituting “general manager of a council in a municipal area”.

### ***Registration of Deeds Act 1935***

1. Section 12 (1) (a) (ii) is amended by omitting “Division II of Part XVI of the *Local Government Act 1962*” and substituting “Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

### ***Roads and Jetties Act 1935***

1. Section 3 (1) is amended as follows:—

(a) by inserting after the definition of “motor taxes” the following definitions:—

“municipal district” means a municipal area;

“municipality” means a municipal area;

(b) by omitting “municipality” from paragraph (i) of the definition of “road” and substituting “council”.

2. Section 5 is amended as follows:—
  - (a) by omitting subsection (2) and substituting the following subsection:—
    - (2) The Minister, out of the Fund, is to pay for a financial year to each of the councils of the municipal areas of Kingborough, (in respect of Bruny Island) Flinders and King Island a sum equivalent to 98% of whichever of the following amounts is the lesser:—
      - (a) the amount expended by the council from its own resources during that financial year on roads within its municipal area or, in the case of Kingborough, within Bruny Island; or
      - (b) the amount of motor taxes collected during that financial year within the municipal area or, in the case of Kingborough, within Bruny Island.
  - (b) by omitting from subsection (2A) “a municipality” and substituting “a council”.
3. Section 48A is amended by omitting subsection (11) and substituting the following subsection:—
  - (11) This section does not apply to a carcase that a council must remove from a highway under section 171 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
4. Section 52D (1) (a) is amended by omitting “432 of the *Local Government Act 1962*” and substituting “41 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
5. Section 54A is amended as follows:—
  - (a) by omitting from subsection (1) “the corporation of a municipality pursuant to section 585 of the *Local Government Act 1962*” and substituting “a council”;
  - (b) by omitting subsection (2) and substituting the following subsection:—
    - (2) A proclamation under subsection (1) is only to be made with the consent of the council of the municipal area in which the jetty is situated.

**Rosetta Landslip Act 1992**

1. Section 3 is amended as follows:—

(a) by omitting “order-in-council made under section 431A of the *Local Government Act 1962*” from the definition of “affected property” and substituting “order made under Division 6 of Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;

(b) by omitting the definition of “the council” and substituting the following definition:—

“**Council**” means the Glenorchy City Council;

2. Section 12 (4) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

3. Part 1 of Schedule 1 is amended by omitting “*Building Regulations 1978*” from the definition of “building regulations” and substituting “*Building Regulations 1994*”.

**Rossarden Water Act 1954**

1. Section 1 (2) is amended by omitting “*Local Government Act 1906*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”.

2. Section 2 is amended by omitting “municipality of Fingal” and substituting “Break O’Day Council”.

3. Section 3 is amended by omitting “Part XV” and substituting “Part 6”.

4. Section 5 is amended by omitting “corporation” and substituting “council”.

**Sewers and Drains Act 1954**

1. Section 2 (1) is amended as follows:—

(a) by omitting the definition of “Building Appeal Board” and substituting the following definition:—

“**Building Appeal Board**” means the board established under Division 10 of Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

(b) by omitting the definition of “Building Regulations” and substituting the following definition:—

“**Building Regulations**” means regulations made under Division 3 of Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

- (c) by omitting the definition of “municipality” and substituting the following definition:—  
    “**municipality**” means a municipal area;
- (d) by omitting the definition of “septic tank” and substituting the following definition:—  
    “**septic tank**” means an installation for disposing of nightsoil in accordance with Division 4 of Part 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*;
2. Section 4 (3) (a) is amended by omitting “mentioned in the eighth schedule to the *Hobart Corporation Act 1947*” and substituting “referred to in Division 9 of Part 12 of the *Local Government Act 1993*”.
3. Section 29 is amended as follows:—  
    (a) by omitting from subsection (1) “subsection (1) of section 234 of the *Local Government Act 1906*” and substituting “Division 5 of Part 9 of the *Local Government Act 1993*”;
- (b) by omitting from subsection (9) “in accordance with the *Local Government Act 1962*” and substituting “under the *Local Government Act 1993*”.
4. Section 39 (4) is amended by omitting “a building appeal board under the *Building Act 1937*” and substituting “the Building Appeal Board”.
5. Section 51A (2) is amended by omitting “by public notice under the *Local Government Act 1962*”.
6. Section 62 is amended by omitting “five hundred and fifty-eight of the *Local Government Act 1962*” and substituting “174 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
7. Section 64 (1) is amended by omitting “the relevant provisions of the *Local Government Act 1962*” and substituting “Division 4 of Part 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
8. Section 67 (4) is amended as follows:—  
    (a) by omitting from paragraph (a) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;
- (b) by omitting paragraph (b) and substituting the following paragraph:—  
        (b) service rates and charges under Division 3 of Part 9 of that Act.

9. Section 72 is amended by omitting subsections (1) and (3) and substituting the following subsection:—

(1) A council may borrow money by the issue of instalment debentures under Division 2 of Part 8 of the *Local Government Act 1993* to defray the cost of works it carries out under section 51 or 61.

10. Section 76 is amended by omitting “in accordance with the *Local Government Act 1962*” and substituting “under the *Local Government Act 1993*”.
11. Section 78 (1) (d) (ii) is amended by omitting “*Local Government Act 1962*” and substituting “Part 5 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
12. Section 81 (1) is amended as follows:—  
(a) by omitting from paragraph (a) “or warden”;  
(b) by omitting from paragraph (b) “clerk” and substituting “general manager”.
13. Section 83 (4) is amended by omitting “clerk” and substituting “general manager”.
14. Section 85 (2) (d) is amended by omitting “by virtue of paragraph (c) of subsection (4) of section four hundred and twenty-five of the *Local Government Act 1962*”.
15. Section 86 (5) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
16. Section 87 (2) is amended by omitting “section one hundred and ninety-eight of the *Local Government Act 1962*” and substituting “Division 4 of Part 11 of the *Local Government Act 1993*”.

#### ***Shop Trading Hours Act 1984***

1. Section 3 is amended by inserting after the definition of “major retailer” the following definition:—

“municipality” means a municipal area;

***Southern Regional Cemetery Act 1981***

1. Section 3 is amended by omitting the definition of “southern area” and substituting the following definitions:—

“southern area” means the area comprising the municipal areas of Hobart, Glenorchy, Clarence and Kingborough;

“southern area council” means the council of each of the municipal areas of Hobart, Glenorchy, Clarence and Kingborough;

2. Section 39 is amended as follows:—

(a) by omitting from subsection (1) “corporation of the city of Hobart” and substituting “Hobart City Council”;

(b) by omitting from subsection (2) (a) (i) “corporation of the city of Hobart” and substituting “Hobart City Council”;

(c) by omitting from subsection (2) (b) (i) “corporation has entered into an agreement with the Trust that the corporation shall” and substituting “Hobart City Council enters into an agreement with the Trust to”.

***State Grants Commission Act 1976***

1. Section 2 is amended by inserting after the definition of “member” the following definition:—

“municipality” means a council;

2. Section 4 is amended as follows:—

(a) by omitting from subsection (1) (b) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;

(b) by omitting from subsection (2) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;

(c) by omitting from subsection (5A) (a) “of a municipality”.

3. Section 5 (3) (f) is amended by omitting “of a municipality”.



**State Loans to Local Bodies Act 1929**

1. Section 3 is amended by omitting paragraph (a) of the definition of “local body” and substituting the following paragraph:—
  - (a) a council;
2. The second schedule is amended as follows:—
  - (a) by omitting subparagraphs (i) and (ii) of paragraph (a) and substituting the following subparagraph:—
    - (i) a council, the mayor;
  - (b) by omitting from paragraph (b) “city, municipality” and substituting “municipal area”;
  - (c) by omitting paragraphs (i) and (ii) of paragraph (cc) and substituting the following subparagraph:—
    - (i) in the case of a council, the persons entitled to vote at an election of councillors for the council;
  - (d) by omitting from paragraph (d) “divisions (i), (ii), (iii) and (iv) of paragraph (c) shall have such a number of votes as he would be entitled to at an election of aldermen, councillors, wardens, or trustees for the city, municipality” and substituting “paragraph (c) (i), (iii) and (iv) has the same number of votes as he or she has at an election of councillors for the council”;
  - (e) by omitting from paragraph (e) “*Local Government Act 1906*” and substituting “*Local Government Act 1993*”.

**Statutory Authorities Act 1962**

1. Section 2 is amended by omitting “county council, municipality, or local committee of a municipal council” and substituting “a council or a local committee of a council”.
2. Section 11 is amended by omitting “municipality and subject to all the provisions of Part XIII of the *Local Government Act 1962*” and substituting “council and subject to Division 2 of Part 8 of the *Local Government Act 1993*”.
3. Section 13 is amended by omitting subsections (1), (2) and (3) and substituting the following subsections:—
  - (1) An authority must not make or levy a rate or tax on land which is exempted from rates under section 87 of the *Local Government Act 1993*.

(2) Land exempted from rates under section 87 of the *Local Government Act 1993* is exempted from rates and taxes made or levied by an authority.

4. Section 14 (2) is amended as follows:—
  - (a) by omitting from paragraph (b) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;
  - (b) by omitting paragraph (c) and substituting the following paragraph:—
    - (c) may be recovered by the authority under Divisions 10 and 11 of Part 9 of the *Local Government Act 1993* as if it were a council.
5. Section 15 is repealed.

#### ***Supreme Court Civil Procedure Act 1932***

1. Section 3 (1) is amended by omitting paragraph (a) from the definition of “public authority” and substituting the following paragraph:—
  - (a) any local authority; and

#### ***Survey Co-ordination Act 1944***

1. Section 2 is amended as follows:—
  - (a) by omitting the definition of “municipality”;
  - (b) by omitting “of any municipality” from the definition of “public authority”.
2. Section 14 is amended as follows:—
  - (a) by omitting from subsection (2) (c) “municipality concerned” and substituting “relevant council”;
  - (b) by omitting paragraph (d) of subsection (3) and substituting the following paragraph:—
    - (d) in any other case, by the council of the municipal area in which the marks are established.
3. Section 20E (1) is amended as follows:—
  - (a) by omitting from subsection (1) “paragraph (a)”;
  - (b) by omitting from subsection (2) “Where the corporation in the exercise of the powers conferred on it by or under an Act assigns a name to, or alters the name of, a way, as defined in the *Local Government Act 1962*,” and substituting “If a council assigns a name to, or alters the name of, a way”.

4. Section 20J (1) (b) (vi) is amended by omitting “corporation” and substituting “council”.
5. Section 20K (1) is amended by omitting “council of the relevant city or municipality” and substituting “relevant council”.

***Tasmanian Public Finance Corporation Act 1985***

1. Section 3 is amended by omitting the definition of “local government authority” and substituting the following definition:—

“local government authority” means a council;

***Tasmanian Symphony Orchestra (Financial Assistance) Act 1987***

1. Section 5 is repealed and the following section is substituted:—

**Contributions by councils**

5—A council may make contributions towards the support of the orchestra.

***The Hellyer Mine Agreement Ratification Act 1987***

1. Section 11 is amended by omitting “Division 1 of Part XVI of the *Local Government Act 1962*” and substituting “Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

***Town Building Act 1962***

1. Section 2 is amended by omitting “urban building areas under the *Local Government Act 1962*” and substituting “building areas under the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
2. Section 5 is amended as follows:—
  - (a) by omitting from subsection (1) (c) “*Local Government Act 1962*” and substituting “Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from subsection (2) “section four hundred and thirty of the *Local Government Act 1962*” and substituting “Division 5 of Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

3. Section 7 (1) is amended by omitting “Division XVII of Part XVI of the *Local Government Act 1962*” and substituting “Division 6 of Part 12 of the *Local Government Act 1993*”.
4. Section 12 (1) is amended as follows:—
  - (a) by omitting from paragraph (d) “*Local Government Act 1962*” and substituting “Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”;
  - (b) by omitting from paragraph (e) “*Local Government Act 1962*” and substituting “Part 2 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
5. Section 17 (2) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government (Building and Miscellaneous Provisions) Act 1993*”.

#### *Traffic Act 1925*

1. Section 3(1) is amended as follows:—
  - (a) by omitting the definition of “council” and substituting the following definition:—

“**council clerk**” means a general manager within the meaning of the *Local Government Act 1993*;
  - (b) by omitting the definition of “mayor”.
2. Section 14AB (1) is amended by omitting “Municipality of Burnie” from the definition of “excluded roads” and substituting “municipal area of Burnie”.
3. Section 31 (6) (b) is amended by omitting “city or municipality” and substituting “council of the municipal area”.

#### *Vermin Destruction Act 1950*

1. Section 4 (1) is amended by omitting the definition of “local authority”.

**War Service Land Settlement Act 1950**

1. Section 10AA is amended by omitting subsection (5) and substituting the following subsection:—

(5) To secure payment of money given under a guarantee under subsection (3) or lent under subsection (4), a board of trustees may give a charge over its revenue.

**Water Act 1957**

1. Section 3 is amended by omitting the definition of “municipality” and substituting the following definition:—

“**municipality**” means a council.

2. Section 17 is amended as follows:—

(a) by omitting paragraphs (a) and (b) of subsection (1) and substituting the following paragraphs:—

(a) it may make rates and charges at any time in respect of its works as if it were a municipality; and

(b) the provisions of Part 9 of the *Local Government Act 1993* and Part 6 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* apply as if—

(i) the “council” means the Commission; and

(ii) the “municipal area” means the water district; and

(iii) the “mayor” means the chairman of the Commission; and

(iv) the “general manager” means the secretary of the Commission.

(b) by omitting from subsection (1A) “the *Local Government Act 1962*” and substituting “Part 6 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.

3. Section 27 (5) is amended by omitting “on a proposal of the kind mentioned under section 186 (1) (e) of the *Local Government Act 1962*” and substituting “under section 60 of the *Local Government Act 1993*”.
4. Section 41 (3) is amended by omitting “*Local Government Act 1906*” and substituting “*Local Government Act 1993*”.

5. Section 58 is amended by omitting subsection (1) and substituting the following subsection:—
  - (1) The execution of a scheme under this Division may be an undertaking carried out by a joint authority or controlling authority under Division 5 of Part 3 of the *Local Government Act 1993*.
6. Section 76 (4) is amended by omitting “Part XIV of the *Hobart Corporation Act 1963*” and substituting “Division 9 of Part 12 of the *Local Government Act 1993*”.
7. Section 83 (2) (e) is amended by inserting “Part 6 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*” after “1962,”.
8. Section 144 (2) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.

#### ***Waterworks Clauses Act 1952***

1. Section 2 is amended by omitting “except in the case of the *Local Government Act 1962*, of which ‘the Special Act’ means Division XXIV of Part XVI” from the definition of “the Special Act” and substituting “including Part 6 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
2. Section 32C (2) (b) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
3. Section 36A (1B) is amended by omitting “expenses charged on land under section 765 of the *Local Government Act 1962*” and substituting “rates are enforceable under Part 9 of the *Local Government Act 1993*”.
4. Section 53 is amended as follows:—
  - (a) by omitting from subsection (1) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;
  - (b) by omitting from subsection (3) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
5. Section 55 (2) is amended by omitting “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”.
6. Section 56 (2) is amended by omitting “expenses charged on land under section 765 of the *Local Government Act 1962*” and substituting “rates are enforceable under Part 9 of the *Local Government Act 1993*”.

7. Section 61 (1) is amended as follows:—
- (a) by omitting “clerk or engineer of the city or municipality according as the council may decide” and substituting “general manager of the municipal area”;
  - (b) by omitting “that city or municipality” and substituting “municipal area”.

***Wellington Park Act 1993***

1. Section 3 (1) is amended by inserting the following definition after the definition of “management plan”:—  
“**municipality**” means a council;
2. Section 10 (1) is amended as follows:—
  - (a) by omitting from paragraph (e) “council of the city of Hobart” and substituting “Hobart City Council”;
  - (b) by omitting from paragraph (f) “council of the city of Glenorchy” and substituting “Glenorchy City Council”.
3. Schedule 2 is amended by omitting from clause 3 “section 477A of the *Local Government Act 1962*” and substituting “section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
4. Schedule 3 is amended as follows:—
  - (a) by omitting from clause 5 (2) (d) “Council of the city of Hobart” and substituting “Hobart City Council”;
  - (b) by omitting from clause 5 (2) (e) “Council of the city of Glenorchy” and substituting “Glenorchy City Council”.

***Wesley Vale Pulp and Paper Industry Act 1961***

1. Section 1 is amended by inserting the following definition after the definition of “milling timber”:—  
“**municipality**” means a municipal area;

***West Tamar Water Act 1960***

1. Section 3 is amended by omitting the definition of “corporation” and substituting the following definition:—  
“**corporation**” means the council of the municipal area of West Tamar;
2. Section 8 (3) is amended by omitting “under section one hundred and ninety-seven of the *Local Government Act 1906*”.

3. Section 11 (1) is amended by omitting “council clerk” and substituting “general manager”.
4. Section 21A is amended by omitting “subsection (2) of section four hundred and sixty-seven of the *Local Government Act 1962*” and substituting “sections 85 and 86 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*”.
5. Section 21B is amended by omitting “corporation of that city” and substituting “Launceston City Council”.

***Wynyard Airport (Special Provisions) Act 1982***

1. Section 3 is amended by inserting after the definition of “Authority” the following definition:—

**“municipality”** means a council;

2. Section 11A is amended as follows:—
  - (a) by omitting from subsection (3) (a) “warden or the council clerk or by sending it by post, as certified mail, to the council clerk at the municipal office” and substituting “, or sending it by certified mail, to the general manager of the municipality”;
  - (b) by omitting from subsection (5) “*Local Government Act 1962*” and substituting “*Local Government Act 1993*”;
  - (c) by omitting from subsection (6) “of the council”.
3. Schedule 2 is repealed and the following Schedule is substituted:—



**SCHEDULE 2**

Section 11A (1)

**CONTRIBUTING MUNICIPALITIES**

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Municipality	Contribution
Burnie City Council	45.13%
Central Coast Council	8.41%
Circular Head Council	17.38%
Waratah-Wynyard Council	22.88%
West Coast Council	6.20%

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*[Second reading presentation speech made in:—  
House of Assembly on 30 June 1995  
Legislative Council on 9 August 1995]*

