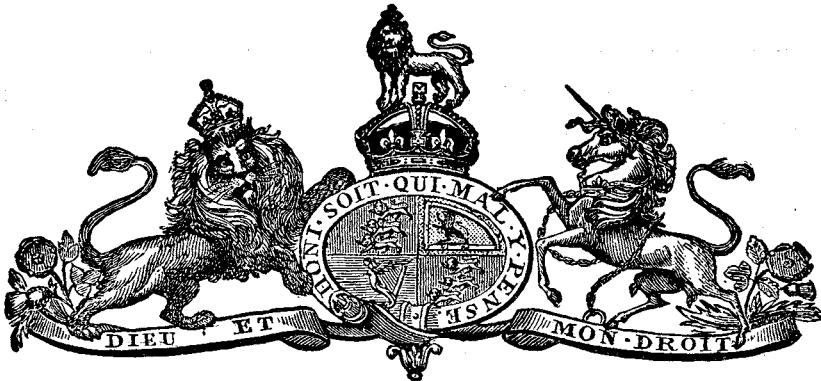


T A S I M A N I A.



1907.

ANNO SEPTIMO

EDWARDI VII. REGIS,

No. 21.

ANALYSIS.

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| <p>Preamble.</p> <p>1. Short title.</p> <p>2. Interpretation.</p> <p>3. Powers and authorities of Local Government Act to apply where not inconsistent.</p> <p>4. Power to borrow.</p> <p>5. Power to Governor in Council to grant loan of £12,000.<br/>Plans and specifications to be approved by Governor in Council.</p> <p>6. £12,000 to be advanced in instalments.<br/>Power to repay.</p> | <p>7. Poll of electors to be taken prior to borrowing.</p> <p>8. Manner of taking poll.</p> <p>9. Board may make private connections. Cost of private connections to be repaid, with interest.</p> <p>10. Powers of entry on private land.</p> <p>11. Power to levy rate.</p> <p>12. Mode of raising contributions from properties not liable for other rates or taxes.</p> |
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AN ACT to enable the Board of the Town of <sup>A.D.</sup> **1907.**

*Burnie* to borrow any Sum or Sums of Money, not exceeding Twelve thousand Pounds, for the purpose of providing a System of Drainage and Sewerage for the said Town.

[22 November, 1907.]

**W**HEREAS it is expedient to provide an efficient drainage and sewerage system for the Town of *Burnie*, and whereas the Town Board of *Burnie* is desirous of obtaining legislative authority to borrow the money necessary to carry out the said works under the provisions of "The Local Public Works Loans Act, 1890 :"

PREAMBLE.

6d.]

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Be it therefore 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 *Burnie Sewerage Act*, 1907."

Interpretation.

**2** In the construction of this Act and of all proceedings under the authority of this Act, the following terms and expressions shall have the respective meanings assigned to them by this section, unless there be something in the context of this Act extending or modifying such meaning :--

"The Town" shall mean the Town of *Burnie* as at present proclaimed under "The Town Boards Act, 1896," or as may hereafter be redefined :

"The Board" shall mean the Town Board of *Burnie* as constituted for the time being by virtue of "The Town Boards Act, 1896," and shall also include any body or local committee in which the functions and powers exercised by the said Town Board of *Burnie* may from time to time become vested.

Powers and authorities of Local Government Act to apply where not inconsistent.

**3** No part of "The Local Government Act, 1906," shall apply to the subject-matter of this Act, where inconsistent with this Act, or where provision is otherwise fully made in this Act for matters also provided for by "The Local Government Act, 1906," but except as aforesaid all powers and authorities conferred and all duties imposed on town boards or local authorities by the said Act, and by any other Act incorporated therewith, shall when applicable be exercised and performed by the Board for the purposes of this Act, and the provisions of the said Act, and of any other Act incorporated therewith, when applicable to the subject-matter of this Act, shall be deemed to be embodied in this Act for the purposes of this Act.

Power to borrow.

**4** It shall be lawful for the Board to borrow any sum or sums of money not exceeding Twelve thousand Pounds for the purpose of defraying the cost of such drainage and sewerage works as may be necessary, and of all costs, outgoings, charges, and expenses incidental thereto.

Power to Governor in Council to grant loan of £12,000.

**5** It shall be lawful for the Governor in Council to grant, in accordance with the provisions of "The Local Public Works Loans Act, 1890," the sum of Twelve thousand Pounds as a loan to the said Board for the purposes aforesaid, and such sum of money shall be defrayed out of moneys to be provided by Parliament for that purpose.

Plans and specifications to be approved by Governor in Council.

Provided that it shall not be necessary to lay before either House of Parliament plans and specifications of any such construction and works, nor the report of the Engineer-in-Chief thereon; but before any part of the said sum of Twelve thousand Pounds shall be advanced to the Board, plans and specifications of the proposed works shall be submitted to and approved by the Governor in Council.

*Burnie Sewerage.*

**6** The said sum of Twelve thousand Pounds shall be paid to the Board at such times and in such manner as the Governor shall determine. It shall be lawful for the said Board from time to time, as to the said Board may seem expedient, to pay off the said loan moneys instalments of One hundred Pounds, or multiples of One hundred Pounds.

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£12,000 to be  
advanced in  
instalments.

Power to repay.

**7** The Board shall not proceed in the matter of borrowing any sum of money under the authority of this Act until after a poll has been taken of the electors of the town for the purpose of ascertaining whether the Board shall be permitted to proceed in the matter of borrowing. If at the taking of such poll a less number than Two-thirds of the votes shall be in favour of the Board proceeding to borrow any sum of money under this Act, the Board shall not proceed to borrow any such money: Provided that in the event of there not being the necessary number of votes received at such poll in favour of the Board borrowing such money, the Board may at any time after the expiration of Three months cause another poll of the electors to be taken, and if at any such subsequent poll the necessary number of votes is obtained, the Board may proceed to borrow such money.

Poll of electors  
to be taken  
prior to  
borrowing.

**8** Every poll of electors taken under the provisions of this Act shall be taken in the same manner as a poll taken in the town for the election of members of the Board, and every elector shall be entitled to the same number of votes as the number which he is entitled to use at an election of a member of the Board, and the ballot-papers to be used shall be in the form set forth in the Schedule to this Act. When the said Board shall decide to take a poll of the electors as aforesaid, they shall cause an advertisement of such poll to be inserted Once in the *Government Gazette* not less than Three days before the taking of such poll, and Three times in a daily newspaper circulating in the Town of *Burnie*. The first of such advertisements shall appear not less than Seven days before the taking of such poll, and the last of such advertisements on the day preceding the taking of such poll. Such advertisements shall contain the following particulars:—

Manner of taking poll.

- i. The time and place of such poll:
- ii. The works proposed to be constructed or performed by the Board:
- iii. The estimated cost of such work.

**9** It shall be lawful for the Board out of the moneys to be borrowed under the provisions of this Act to make, perform, construct, and establish such drains, conveniences, connections, and other things connecting all private and other premises within the town with such main sewer as to the said Board may seem fit. The amount of money expended in respect of each particular premises, together with interest thereon at the rate of Six Pounds per centum per annum, shall be payable to the Board by the owner or owners of such premises in Ten

Board may make  
private  
connections.

*Burnie Sewerage.*

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Cost of private connections to be repaid, with interest.

equal yearly instalments. The first of such yearly instalments shall be payable on the First day of *January* next after the completion of the abovementioned works, and thereafter such instalments with interest shall be payable on the First day of *January* in every succeeding year until the whole of the instalments shall be paid. Provided always that it shall be lawful for such owner or owners as aforesaid on the said First day of *January*, or on any subsequent First day of *January*, to pay in cash the whole or such amount of such instalments as may from time to time be due. The amount of such instalments payable as aforesaid shall be deemed to be expenses within the meaning of "The Local Government Act, 1906," and be recoverable as therein provided.

Powers of entry on private land.

**10** For the purpose of making, performing, constructing, and establishing such drains, conveniences, connections, and things as aforesaid, or of cleansing, renewing, repairing, or amending the same (the cost of which shall be payable by such owner or owners as aforesaid, as expenses as aforesaid in like manner as the abovementioned yearly instalments) it shall be lawful for the Board, their inspectors, overseers, contractors, and workmen, to enter upon any land or premises at all reasonable hours during the daytime, and to do all things necessary or proper for the abovementioned purposes, or any of them: Provided that in every case such entry shall be so made as to interfere as little as possible with the occupier of such land or premises, or his business.

Power to levy rate.

**11** It shall be lawful for the Board to make and levy a separate local rate upon the annual value of all properties within the town for the purposes of carrying out the provisions of this Act and providing for the payment of interest borrowed thereunder. Such separate local rate shall be made and recoverable in the same manner and shall be payable by the like persons as any other rate made and imposed by the Board, but such such separate local rate shall not exceed the sum of One Shilling in the pound upon the annual value of all properties within the Town.

Mode of raising contributions from properties not liable for other rates or taxes.

**12**—(1.) Every property upon which any building is erected belonging to or used by or on behalf of the Crown, or any person or body of persons, corporate or unincorporate, notwithstanding that such property may be exempt from any tax or rate which may be imposed or levied by the Board, shall be subject to the separate local rate made and levied in pursuance of the next preceding section, the assessment being on the same principle as on other property within the town.

(2.) The Crown or any person or body of persons, corporate or unincorporate, may in every such case as is mentioned in the last preceding subsection commute its liability to pay any such rate by the contribution of an annual sum to be agreed upon by the Board and the Treasurer of the State or Commonwealth, or any person or body of persons, corporate or unincorporate, as the case may be.

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*Burnie Sewerage.*

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A.D. 1907.

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SCHEDULE.

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BALLOT-PAPER.

FOR.

AGAINST.

If you are in favour of the proposed Loan, you will strike out the word "Against," and if you are opposed to the proposed Loan, you will strike out the word "For."

