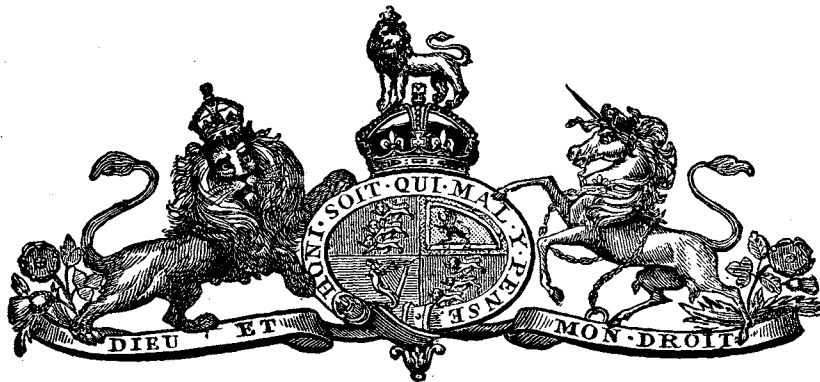


TASMANIA.



1907.

ANNO SEPTIMO

EDWARDI VII. REGIS,

No. 19.

ANALYSIS.

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| <p>Preamble.</p> <ol style="list-style-type: none">1. Short title.2. Commencement of Act.3. Interpretation.4. <i>Glebe Town, Wellington, and Mount Stuart</i> to be included within boundaries of <i>Hobart</i>.5. Unpaid rates recoverable.6. Special provisions relating to <i>Glebe Town</i>.7. Special provisions relating to the <i>Town of Wellington</i>.8. Special provisions relating to the <i>Town of Mount Stuart</i>. | <ol style="list-style-type: none">9. Assessment roll to be applicable.10. New areas may be included in city.11. Power to purchase recreation ground at <i>Long Point</i>.12. Power to maintain said recreation ground.13. Provisions of Sections 253 and 257 of 57 Vict. No. 11 may be modified under certain circumstances.14. Repeal of Section 256 of 57 Vict. No. 11.15. Manner in which private streets shall be constructed.16. Acts to be read together. |
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AN ACT to further amend "The *Hobart* Corporation Act, 1893." [22 November, 1907.] A.D. 1907.

WHEREAS it is expedient to further amend "The *Hobart* Corporation Act, 1893," in the manner hereinafter appearing: PREAMBLE.
57 Vict. No. 11.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and the House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The *Hobart* Corporation Act, 1907." Short title.
10d.]

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Commencement
of Act.

Interpretation.

See *Gazette*, 9th
June, 1885, page
836.See *Gazette*, 14th
July, 1885, page
996.6 Ed. VII. No.
31.See *Gazette*, 27th
Aug., 1907, page
905.See *Gazette*, 12th
May, 1903, page
537.See *Gazette*, 14th
April, 1891, page
787.See *Gazette*, 7th
July, 1891, page
1241.

2 This Act shall come into operation and take effect on the Seventh day after the passing thereof.

3 In this Act, unless the context otherwise indicates—

“The First area” shall mean the portion of *Tasmania* described in the First Schedule hereto, which said portion of *Tasmania* was constituted and appointed to be a town, under the name of “*Glebe Town*,” by Two proclamations, dated respectively the Eighth day of *June*, One thousand eight hundred and eighty-five, and the Thirteenth day of *July*, One thousand eight hundred and eighty-five, under the hand of His Excellency Sir *George Cumine Strahan*, the then Governor of *Tasmania*, and is included in the *New Town* Municipality, and in the *Glebe* Ward of such municipality, for the purposes of “The Local Government Act, 1906,” by a proclamation dated the Twentieth day of *August*, One thousand nine hundred and seven, under the hand of His Excellency Sir *Gerald Strickland*, the present Governor of *Tasmania* :

“The Second area” shall mean the portion of *Tasmania* described in the Second Schedule hereto, which said portion of *Tasmania* was constituted and appointed to be a town, under the name of “*Wellington*,” by a proclamation dated the Seventh day of *May*, One thousand nine hundred and three, under the hand of His Excellency Sir *Arthur Elibank Havelock*, the then Governor of *Tasmania*, and is included in the *Queenborough* Municipality, and in the *Wellington* Ward of such municipality, for the purposes of “The Local Government Act, 1906,” by the said proclamation dated the Twentieth day of *August*, One thousand nine hundred and seven, under the hand of His Excellency the said Sir *Gerald Strickland* :

“The Third area” shall mean the portion of *Tasmania* described in the Third Schedule hereto, which said portion of *Tasmania* was constituted and appointed to be a town, under the name of “*Mount Stuart*,” by Two proclamations, dated respectively the Thirteenth day of *April*, One thousand eight hundred and ninety-one, and the Thirtieth day of *June*, One thousand eight hundred and ninety-one, under the hand of His Excellency Sir *Robert George Crookshank Hamilton*, the then Governor of *Tasmania*, and is included in the *New Town* Municipality, and in the *Stuart* Ward of such municipality, for the purposes of “The Local Government Act, 1906,” by the said proclamation dated the Twentieth day of *August*, One thousand nine hundred and seven, under the hand of His Excellency the said Sir *Gerald Strickland* :

“The Fourth area” shall mean the area of land described in the Fifth Schedule hereto :

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- “The said Areas” shall mean and include the First Area, the Second Area, the Third Area, and the Fourth Area, as hereinbefore defined : A.D. 1907.
- “The said city” shall mean the City of *Hobart* :
- “The Corporation” shall mean the Corporation of the Mayor, Aldermen, and Citizens of the City of *Hobart* :
- “The Council” shall mean the Municipal Council of the City of *Hobart* :
- “Property” shall include land or buildings and land and buildings :
- “The said Act” shall mean “The *Hobart* Corporation Act, 1893” : 57 Vict. No. 11.
- “The Principal Acts” shall mean “The *Hobart* Corporation Acts, 1893 to 1906” :
- “The said town boards” shall mean and include the Town Board of *Glebe Town*, the Town Board of *Wellington*, and the Town Board of *Mount Stuart*, which said town boards were duly established under the provisions of “The Town Boards Act, 1896,” and the Acts amending such Act, and have the control and management of the First Area, the Second Area, and the Third Area respectively, under the provisions of such Acts, and became the local authorities for such respective areas under “The Public Health Act, 1903.” 60 Vict. No. 31. 3 Ed. VII. No. 37.

Union of the Towns of Glebe Town, Wellington, and Mount Stuart with Hobart.

- 4 On and after the day on which this Act comes into operation the following provisions shall apply to the said areas, so far as their nature permits—
- Glebe Town, Wellington, and Mount Stuart to be included within boundaries of Hobart.*
- i. The said areas shall cease to be separate towns for the purposes of “The Police Act, 1905,” and shall thenceforth form portion of the said city for the purposes of such Act :
 - ii. The said areas shall cease to be towns for the purposes of “The Town Boards Act, 1896,” and shall cease to be separate districts for the purposes of “The Public Health Act, 1903,” and shall thenceforth form portion of the said city for the purposes of the lastmentioned Act : 5 Ed. VII. No. 30. 60 Vict. No. 31. 3 Ed. VII. No. 37.
 - iii. The said areas shall cease to form parts of any municipality constituted under “The Local Government Act, 1906” : 6 Ed. VII. No. 31.
 - iv. The said town boards shall cease to exist, and shall cease to be the local authorities for the purposes of “The Public Health Act, 1903,” in respect of the said areas respectively :
 - v. The said areas shall for all purposes be included in and shall thenceforth form part of the said city, and the boundaries of the said city as described in Schedule (I.) to “The *Hobart* Corporation Act, 1898,” shall be altered and extended to include the said areas : 62 Vict. No. 14.

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vi. All assets, rights of property, interests, and liabilities of the said town boards shall be vested in and devolve upon the Corporation and the Council, as the case may be, but subject as to any property held upon trust or for any special purpose to the like trusts and purposes, or as near thereto as the circumstances shall admit.

Unpaid rates recoverable.

5 All rates which have accrued due in respect of property within the said areas, and which remain unpaid on the day on which this Act comes into operation, shall remain due, payable, and leviable, and may be paid to and received, levied, and recovered by the Council, and the Council may levy and enforce payment of the same in the same manner as city rates, and no other rates shall be levied or imposed on any property within the said areas before the First day of *January*, One thousand nine hundred and eight.

Special provisions relating to *Glebe Town*.

6—(1.) Notwithstanding anything contained in the Principal Acts, the Council shall not for a period of Five years, commencing on the First day of *January*, One thousand nine hundred and eight, make or levy for the purposes of such Acts any rate or rates exceeding the sum of One Shilling in the Pound in any One year upon the assessed annual value of the property within the First area.

(2.) During the said period of Five years the Council shall expend within the First area for the purposes of the Principal Acts, or any of them, a sum not less than the amount of rates collected within the First area after deducting any sums payable by the Council in respect of interest or sinking fund upon any loan or loans taken over by the Council from the said Town Board of *Glebe Town*.

Special provisions relating to the Town of *Wilmington*.

7—(1.) Notwithstanding anything contained in the Principal Acts, the Council shall not, during the year One thousand nine hundred and eight, make or levy for the purposes of such Acts any rate or rates exceeding the sum of One Shilling and Threepence in the Pound in such year upon the assessed annual value of the property within the Second area.

(2.) The Council shall forthwith expend out of moneys at its disposal the sum of Two thousand Pounds upon improvements within the Second area, in such manner and for such purposes as to the Council may seem proper.

(3.) During the year One thousand nine hundred and eight the Council shall, in addition to the expenditure of the whole or any part of the said sum of Two thousand Pounds, expend within the Second area for the purposes of the Principal Acts, or any of them, a sum not less than the amount of rates which may have been paid or may be payable in respect of properties within the Second area under "The Town Boards Act, 1896," or any amendment thereof, and which remain unexpended at the date when this Act comes into operation, and also a sum not less than the amount of rates which may be collected under the Principal Acts within the Second area during the year One thousand nine hundred and eight, after deducting any sums payable by the

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Council in respect of interest and sinking fund upon any loan raised by the Council for the purpose of providing for the expenditure authorised by this section, and after deducting a proper proportion of the salaries and wages of the officers, workmen, and servants of the Corporation during such time as they may be engaged or employed in connection with the expenditure of the moneys referred to in this section. A.D. 1907.

8 The Council shall forthwith expend out of moneys at its disposal the sum of Eight hundred Pounds upon the construction, improvement, and extension of the streets within the Third area; and such sum shall be expended upon the streets, and in the respective amounts set forth in an agreement entered into between the Council and the Town Board of *Mount Stuart* prior to the passing of this Act. Special provisions relating to the Town of *Mount Stuart*.

9 Until the property within the said areas shall be included in the assessment roll for the said city, those portions of the assessment roll for the Municipal District of *New Town* for One thousand nine hundred and seven which relate to the Towns of *Glebe Town*, *Wellington*, and *Mount Stuart* respectively, shall be deemed to be part of the assessment roll for the time being of the said city. Assessment roll to be applicable. See *Gazette*, 17th December, 1906, p. 2202.

Power to unite other Suburbs to Hobart.

10—(1.) If the Governor shall, by virtue of the provisions of "The Local Government Act, 1906," alter the boundaries of any municipality or ward by exclusion of any lands, or abolish any municipality, the Governor may by proclamation unite such lands or municipality with the said city. New areas may be included in city. 6 Ed. VII. No. 31.

(2.) No proclamation shall be made under this section unless the Council shall, by writing under its common seal, request the Governor to issue such proclamation

(3.) All the provisions of "The Local Government Act, 1906," relating to the alteration of the boundaries of any municipality or ward, and the severance of a portion of one municipality and the inclusion of such portion in another municipality, and the abolition of any municipality, and the inclusion and absorption thereof in another municipality, shall be applicable to any alteration, severance, inclusion, abolition, and absorption made under this Act; and any such alteration, severance, inclusion, abolition, and absorption shall have the same effect and consequences as if the said city had been constituted a municipality, and the Council had been constituted a municipal council under and for the purposes of such Act.

(4.) Upon a date to be fixed in such proclamation such lands shall for all purposes be included in and shall thenceforth form part of the said city, and the boundaries of the said city shall be altered and extended accordingly.

(5.) The absorption into the said city of the whole or any portion of any municipality constituted and established under "The Local Government Act, 1906," may be subject to such terms, conditions, and

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exceptions as may be set forth in any such petition as is referred to in Part III. of such Act, and as may be agreed to by the Council and approved by the Governor.

Long Point Recreation Ground.

Power to purchase recreation ground at *Long Point*.

11 It shall be lawful for the Corporation—

- i. To purchase all that piece of land situate at *Long Point, Sandy Bay*, and described in the Fourth Schedule hereto, which said piece of land is hereinafter referred to as “the said recreation ground,” or any other piece of land upon the said point, and upon the completion of any such purchase the land purchased shall be vested in the Corporation, and shall be under the control of the Council as a public recreation ground :
- ii. At any time to grant, sell, alienate, assign, demise, assure, and convey the said recreation ground subject to the provisions of the said Act.

Power to maintain said recreation ground.

12 It shall be lawful for the Council from time to time—

- i. To appropriate out of the revenues of the Corporation such sum or sums of money as the Council shall think proper for or towards the improvement, maintenance, management, and upkeep of the said recreation ground, which sums shall be in addition to any sum or sums which the Council is authorised to expend under Section Eighteen of “The *Hobart Corporation Act, 1901*,” and under “The *Mountain Park Act, 1906*” :
- ii. To let or hire the said recreation ground or any portion thereof, together with any building or buildings that may be erected thereon ; and any person so hiring may make a charge to the public for admission to the whole of the said recreation ground or the portion thereof of which he is the hirer.

1 Ed. VII. No. 56, s. 18.

6 Ed. VII. No. 11

Private Streets.

Provisions of Sections 253 and 257 of 57 Vict. No. 11 may be modified under certain circumstances.

13 Notwithstanding anything contained in Sections Two hundred and fifty-three and Two hundred and fifty-seven of the said Act or in any other Act, it shall be lawful for any person to lay out a private street for use as a carriage road so that the width thereof shall be Forty feet at the least, and so that there shall be provided at least at one end of such street an entrance of a width equal to the width of such street and open from the ground upwards ; but before any person shall lay out a private street for use as a carriage road of a less width than Sixty feet he shall first obtain the approval in writing of the Council thereto, and such approval shall only be given upon the recommendation of the City Surveyor and of the Health Officer of the said city.

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14 Section Two hundred and fifty-six of the said Act is hereby repealed. A.D. 1907.

15 Every person who shall construct a private street for use as a carriage road shall comply with the following requirements :—

- i. If the width of the private street is not less than Sixty feet—
 - (a) He shall construct the carriage-way of such street so that the whole width thereof shall be Forty-two feet wide at the least ;
 - (b) He shall construct on each side of such street a foot-way of not less than Nine feet in width :
- ii. If the width of the private street shall be less than Sixty feet, but not less than Forty feet—
 - (a) He shall construct the carriage-way of such street of such width as the Council may in each case determine ;
 - (b) He shall construct on one or on each side of such street, as the Council may direct, a foot-way of such width as the Council may in each case determine :

iii. In both cases—

- (a) The surface of the carriage-way shall have a curve or fall from the crown to the channel at the sides thereof of not more than Twelve inches ;
- (b) The whole of the carriage-way or such portion thereof as the Council may in each case determine, shall be covered with not less than Six inches of rubble and Six inches of good bluestone metal broken to a Two-inch-ring gauge, or good ironstone gravel, and thoroughly consolidated ;
- (c) Every footway shall have a cross fall of One-half inch per foot to the channel, and the surface thereof shall be coated with asphalt or good ironstone gravel not less than Two inches thick, well laid, and rolled smooth ;
- (d) Every footway shall be kerbed with such kerbing and of such materials and description as the Council may in each case determine, laid solidly and parallel to the centre line of the road, and with the same gradient as the road ;
- (e) Channels shall be formed on both sides of the carriage-way of such width and depth and of such materials and description as the Council may in each case determine.

Repeal of Section 256 of 57 Vict. No. 11.

Manner in which private streets shall be constructed.

16 This Act and the Principal Acts shall, save as altered and amended by this Act, be read and construed together as one and the same Act; and the Principal Acts and this Act may be referred to and be cited for all purposes as "The *Hobart Corporation Acts*, 1893 to 1907." Acts to be read together.

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FIRST SCHEDULE.**TOWN OF GLEBE TOWN.**

Commencing at the west angle of land granted to the Trustees of the High School on Park-street and bounded by the present north-east boundary of the City of Hobart to the west angle of the Roman Catholic Glebe thence north-easterly and south-easterly by the boundaries of the Queen's Domain to the south-east angle of Lot 14 purchased by Richard Walsh thence by a south-westerly line to the north angle of the beforementioned land granted to the Trustees of the High School and thence by the north-west boundary of that land to the point of commencement.

SECOND SCHEDULE.**TOWN OF WELLINGTON.**

Commencing at the intersection of Forest-road with the present boundary of the City of Hobart thence by a line to the south-east angle of 317½ acres of land granted to Susan Ross and Valentine Griffiths by the south boundary of that land and by part of the east boundary of 2660 acres of land granted to Joseph Allport and Thomas Young by part of the south-east boundary of that land for a distance of 8 chains or thereabouts to a rivulet by that rivulet south-easterly thence by a south-easterly line which will include the house now or lately occupied by Mr. James Gould within the boundaries of this town such line to extend to and across the Huon-road by that road north-easterly thence by the south-west boundary of J. Livingston's property to the Sandy Bay Rivulet by that rivulet to the City of Hobart aforesaid thence by the present south south-west and north-west boundaries of that city to the point of commencement.

THIRD SCHEDULE.**TOWN OF MOUNT STUART.**

Commencing at a point on the present north-west boundary of the City of Hobart being the centre of the Main-road from Hobart to Launceston and bounded by the centre of that road to a point in line with the south-east boundary of land granted to George Bilton thence to and along that boundary thence by the south-east and south boundaries of land granted to William Bunster to the south-west angle thereof from thence by a westerly line to the east boundary of land granted to Charles McLachlan by that boundary to Elphinstone-road by the northern side of that road to the east boundary of other land granted to the said Charles McLachlan thence southerly by that boundary (crossing Elphinstone-road aforesaid) to the northern boundary of land granted to Susan Ross and Valentine Griffiths thence westerly by that boundary and by the west boundary thereof by part of the north and by the west and south boundaries of other land granted to the said Susan Ross and Valentine Griffiths to the south-east angle thereof from thence by a line to the intersection of Forest-road with the present boundary of the City of Hobart aforesaid and thence by the present south-west and north-west boundaries of that city to the point of commencement.

FOURTH SCHEDULE.**LONG POINT RECREATION GROUND.**

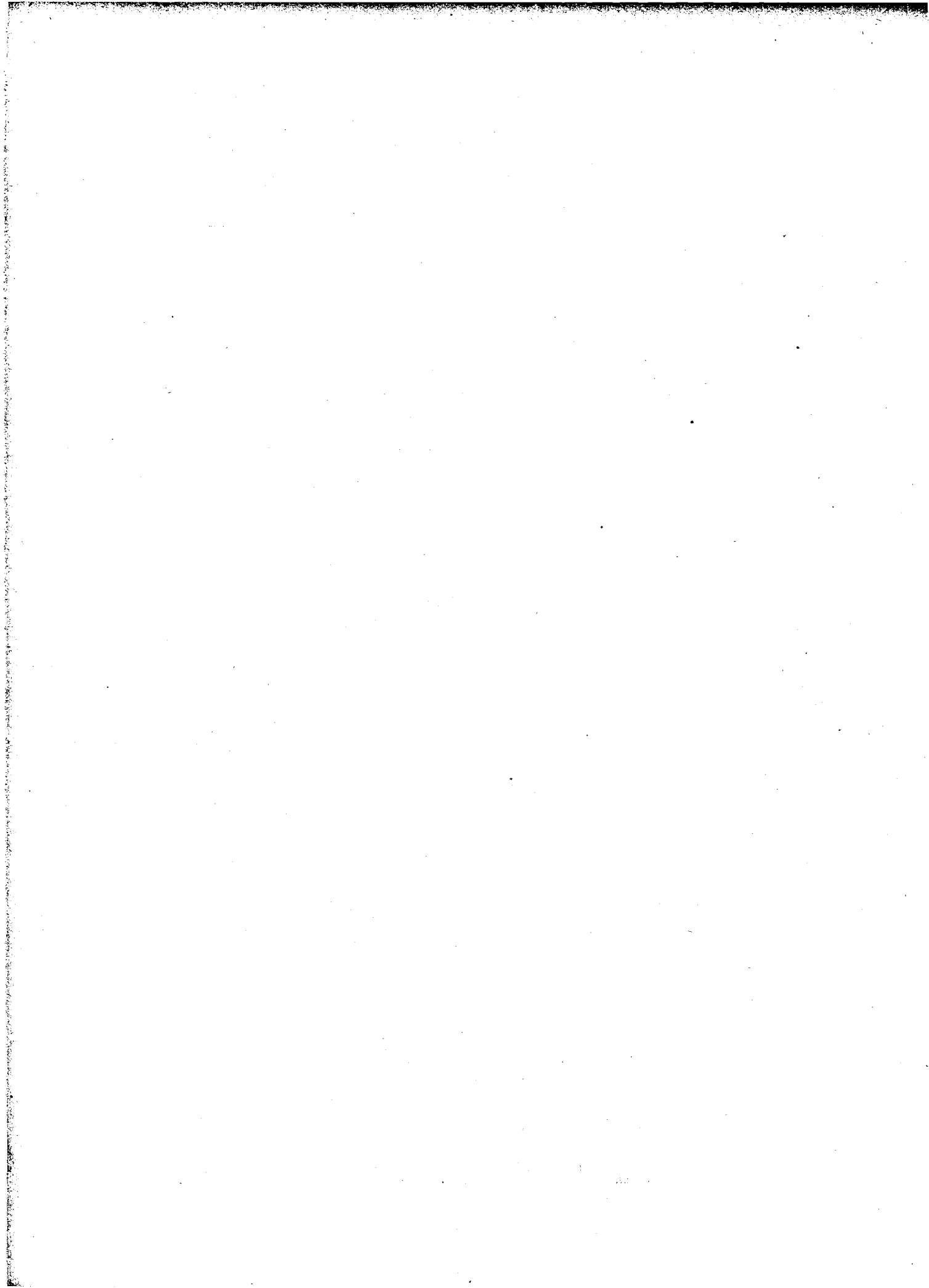
All that piece of land containing 2 acres 1 rood 32 perches or thereabouts situated in the Parish of Queenborough and bounded as follows:—Commencing at a point distant 969 feet 10 inches from the north-east junction of the Brown's River-road and a new road known as Long Point-road measured northerly along

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the lastnamed road thence on the western boundary for a distance of 396 feet 2 inches in a northerly direction along the eastern side of the said Long Point-road to Beach-road thence on the north-eastern boundary in several bearings along the said Beach-road in a south-easterly direction for distances of 258 feet 7 inches 139 feet 3 inches 182 feet 10 inches and 9 feet 2 inches respectively thence on the southern boundary in one bearing for a distance of 387 feet 8 inches in a westerly direction to the point of commencement. A.D. 1907.

FIFTH SCHEDULE.**UNIVERSITY AND RAILWAY.**

Commencing at a point on the boundary of the City of Hobart at the south-eastern angle of Park-street and Edward-street thence by the boundaries of that city to the Hobart Rivulet thence easterly and northerly along the line of piles enclosing the area now in course of reclamation for distances of 3 chains and 18 chains or thereabouts respectively to the point where the said piles meet the shore thence by a westerly line at right angles to the line of the said piles and crossing the Main Line Railway Reserve to the western boundary thereof adjoining the Queen's Domain thence south-westerly and westerly along the boundary-line between the said Railway Reserve and the Queen's Domain to the extension of Macquarie-street thence across such extension at right angles thereto to the eastern boundary of the other portion of the said Railway Reserve thence north-westerly westerly and south-westerly along the boundary of the said reserve to a point distant 8 chains or thereabouts from the junction of Park-street and Liverpool-street thence in a north-westerly direction crossing the extension of Liverpool-street to the north-eastern corner of the Public Reserve in front of the University of Tasmania thence north-westerly south-westerly and again north-westerly along the northern boundaries of the said Public Reserve and of land in the occupation of the University of Tasmania to Edward-street thence along that street in a south-westerly direction to the point of commencement.



THE STATE ADVANCES ACT, 1907.

ANALYSIS

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