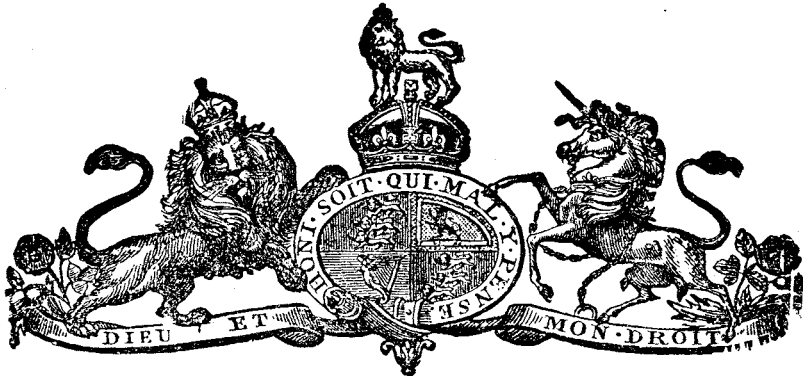


T A S M A N I A.



1924.

ANNO QUARTO DECIMO
 GEORGII V. REGIS.
 No. 62.

ANALYSIS.

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|---|---|
| <ol style="list-style-type: none"> 1. Short title. 2. Interpretation. 3. Repeals. 4. Plans of new streets to be submitted to the Council. 5. Streets to be 60ft. in width, and to be carriage ways.
Forty feet outside first area.
Definition of First area. 6. All buildings to be at least 25ft. from the centre of a street. 7. If approval given, surveys and specifications to be deposited in duplicate. 8. Manner of construction of carriage roads. | <ol style="list-style-type: none"> 9. Specifications to set out requirements. 10. Council to approve or alter proposed specifications. 11. If street constructed in accordance with specifications. 12. Corporation to construct or supervise. 13. Corporation may quote price and construct. 14. Construction under supervision. 15. Street not to be opened or land thereon sold until street constructed or provision made for construction. 16. Corporation not liable for fencing. 17. Penalties. |
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AN ACT to further amend "The Launceston Corporation Act, 1894." [31 March, 1924.] A.D. 1924.

WHEREAS it is expedient to further amend "The Launceston Corporation Act, 1894" : PREAMBLE.
58 Vict. No. 30.

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 :—

1 This Act may be cited as "The Launceston Corporation Act Short title. (No. 2), 1924."

Launceston Corporation (No. 2).

A.D. 1924.

Interpretation.

2 In this Act, unless the context otherwise indicates—

“The City” means the City of Launceston:

“The Corporation” means the Corporation and body politic of the Mayor, aldermen, and citizens of the City of Launceston:

“The Council” means the Municipal Council of the City of Launceston:

“The Principal Act” means “The Launceston Corporation Act, 1894”:

“Private street” shall have the same meaning as in the Principal Act.

Repeals.

59 Vict. No. 49.

5 Ed. VII. No. 46.

3 Sections Two hundred and fifty-one, Two hundred and fifty-two, Two hundred and fifty-three, Two hundred and fifty-four, Two hundred and fifty-five, and Two hundred and fifty-eight of the Principal Act, Section Twelve of “The Launceston Corporation Act, 1895,” and Sections Three, Four, Five, and Eight, and the words “‘laid out’ means surveyed, pegged off, or shown upon a subdivision plan,” in Section Two of “The Launceston Corporation Amendment Act, 1905” are hereby repealed, but such repeal shall not affect anything lawfully done under such repealed sections, or any liability or penalty incurred in respect thereof.

Plans of new streets to be submitted to the Council.

Cf. Section 251 of 58 Vict. No. 30, and Section 3 of 5 Ed. VII. No. 46.

4 No new private street shall be surveyed, pegged off, shown upon a subdivision plan, laid out, opened, or used as a street in the City, nor shall any land be subdivided or disposed of on which it is proposed to open a new private street until a sketch showing the proposed new private street, the width and direction of the same, and a sketch showing the proposed drainage of such street, shall be submitted to the Council and the approval of the Council obtained thereto.

Streets to be 60 feet in width and to be carriage ways.

Cf. Section 252 of 58 Vict. No. 30. Forty feet outside First area.

Cf. Section 4 of 5 Ed. VII. No. 46. Definition of First area.

5 Every new private street shall be the width of Sixty feet at the least whatever its length and shall be constructed for use as a carriage way.

Provided that the Council may permit the construction of private streets beyond the First area in the City of such width not less than Forty feet as the Council shall from time to time see fit.

The First area hereinbefore mentioned is that part of the City bounded by Tamar, Welman, Canning, and Margaret streets and the Rivers Tamar and North Esk.

All buildings to be at least 25 feet from the centre of a street.

Cf. Section 4 of 5 Ed. VII. No. 46.

6 No building shall hereafter be erected within a distance of Twenty-five feet from the centre of any street of a width under Fifty feet whether a new private street or otherwise.

Provided that the Council may in the case of streets constructed before the Twentieth day of November, One thousand nine hundred and five, permit buildings to be erected nearer to the centre of the street.

If approval given survey and specifications to be deposited in duplicate.

7 If and when the approval of the Council has been given to the sketches mentioned in Section Four the person submitting the same shall forthwith have a proper survey made and shall deposit the survey

Launceston Corporation (No. 2).

plan and a duplicate of the same with the Council and shall also deposit with the Council in duplicate the proposed specifications for the construction of such new private street and the drainage of the same.

A.D. 1924.

8 Every new private street shall be constructed so as to comply with the following requirements :—

- I. The carriageway shall be Forty-two feet wide, except in the case of streets less than Sixty feet wide, when the width of the carriageway shall be as required by the Council :
- II. The surface of the carriageway shall have a curve or fall from the crown to the channel at the sides thereof of not more than Twelve inches, and not less than Six inches :
- III. The whole of the carriageway shall be covered with not less than Six inches of good bluestone metal broken to a Two-inch ring gauge :
- IV. The carriageway shall be well and properly consolidated and rolled as required by the Council :
- V. The metal shall be properly blinded with at least Two inches of good gravel or other material approved by the Council, and properly swept in, watered, and rolled :
- VI. Footways shall be constructed on each side of the carriageway of a width of not less than Nine feet, except in the case of streets less than Sixty feet wide, when the width of the footway shall be as required by the Council, but shall not be less than Five feet :
- VII. Each footway shall have a cross fall of One half-inch per foot to the channel :
- VIII. The surface of the footways shall be coated with asphalt not less than Two inches thick, or good gravel not less than Three inches thick, if allowed by the Council, well laid and rolled smooth to the satisfaction of the Council :
- IX. Each footway shall have a stone or concrete kerbing not less than Four and one half inches thick and Twelve inches deep, laid solidly and parallel to the centre line of the street and with the same gradient as the road, and so as to show Six inches of a dressed face above the channel : Provided that the Council may, in the case of fairly level streets, permit or require the kerbing to vary and show from Four to Eight inches of a dressed face to enable a necessary or advisable fall in the level of the gutter :
- X. A gutter of stone or cement concrete, Twenty-two inches in width and Six inches in thickness, shall be constructed along the kerbing of each footway at such levels as the Council shall require :
- XI. And such other requirements as the Council shall, either generally by by-law, or specifically in any particular case, determine.

Manner of construction of carriage roads. Cf. Section 255 of 58 Vict. No. 30, Section 12 of 59 Vict. No. 49, Sections 4 and 5 of 5 Ed. VII. No. 46.

9 The specifications for the construction of a new private street shall set out all necessary requirements for the new private street in question.

Specifications to set out requirements.

Launceston Corporation (No. 2).

A.D. 1924.

Council to
approve or alter
proposed speci-
fications.

10 The Council shall, upon the receipt of such survey and duplicate and proposed specifications in duplicate, consider the same and express their approval of the same, or make such necessary alterations as they shall see fit, and thereupon give notice to the person submitting the same of such approval or alteration, returning the survey and One copy of the specifications.

If street con-
structed in
accordance with
specifications.

11 If such new private street be constructed within Twelve months after the notice mentioned in Section Ten in accordance with such survey and specifications as approved or altered, and on the terms contained in Section Twelve hereof, the Corporation shall, on the completion of such construction to the satisfaction of the City Engineer or other person appointed for the purpose, thereafter take over the said street and maintain the same as one of the streets of the city. Provided such street is transferred to the Corporation or dedicated as a public highway to the satisfaction of the Council.

Corporation to
construct or
supervise.

12 Every such new private street shall be constructed either—

- I. By the Corporation ; or
- II. Under the supervision of the City Engineer and to his satisfaction.

Corporation may
quote price and
construct.

13 The Corporation may, if asked to do so, quote a sum for such construction, and shall thereupon be taken to have agreed to construct such street for the sum so quoted. Provided that such sum is paid to the Corporation or security given for the payment of the same to the satisfaction of the Council within One calendar month from such quotation.

Construction
under supervision

14 If the new street is constructed under the supervision of the City Engineer the following provisions shall apply—

1. All contracts and other papers in connection with the construction of the street shall be shown to the City Engineer whenever required, and he shall be at liberty to take extracts therefrom and make copies thereof :
- II. Full particulars of all arrangements made from time to time as to the construction shall be furnished to the City Engineer :
- III. All persons concerned in the construction shall obey the reasonable orders of the City Engineer :
- IV. The owner of the land on which the street is to be constructed shall pay to the Corporation a fee equal to Five per cent. of the cost of construction.

Street not to be
opened, or land
thereon sold,
until street con-
structed or
provision made
for construction.

15 No new private street shall be opened or used as a street in the city, nor shall any land be disposed of fronting on or adjoining the same until—

- I. The street shall have been constructed in accordance with the requirements of this Act, and the supervision fee, if any, paid to the Corporation : or

Launceston Corporation (No. 2).

- ii. The sum quoted by the Corporation has been paid, or security given for the payment of the same, in accordance with Section Thirteen : or A.D. 1924.
- iii. There has been paid or secured to the Corporation such sum as the Council shall deem sufficient to secure the proper construction of the street.

16 The Corporation shall not be liable under the Boundary Fences Act or otherwise to join in fencing or contribute to the cost of any fencing because the Corporation is the owner of any street, highway, road, or right of way. Corporation not liable for fencing.

17 Every person who shall—

- i. Do or cause to be done any act or thing in contravention of any of the provisions of this Act ; or
- ii. Fail to comply with any of the provisions of this Act in the laying out, or construction of, any new private street, or in connection with the sketches, plans, or specifications of the same—

Penalties.

and also each owner of any land over which, or adjoining which, any new private street is proposed to be shown or opened, and in respect of which new private street—

- i. Any act or thing is done in contravention of any of the provisions of this Act ; or
- ii. There is failure to comply with any of the provisions of this Act—

shall be guilty of an offence under this Act, and shall upon conviction forfeit and pay a penalty not exceeding Ten Pounds, and a penalty not exceeding Five Pounds for every day during which such offence shall be repeated or continued.

And Section Thirty-two of “The Justices Procedure Act, 1919,” 10 Geo. V. No. 55. and any other limitations of time now or hereafter enforced shall not apply to proceedings hereunder which may be taken at any time as if such limitations did not exist.

And each owner of any such land shall from time to time be liable notwithstanding that such owner has ceased to be the owner of such land, and notwithstanding that the offence was committed prior to such owner becoming the owner of such land.

