TASMANIA.

LAUNCESTON CORPORATION ACT

(No. 3), 1924.

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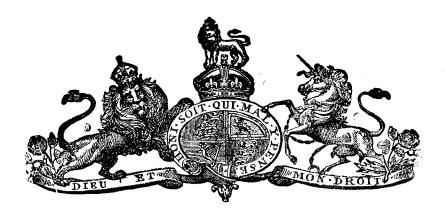
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1 9 2 4.

ANNO QUINTO DECIMO

GEORGII V. REGIS.

No. 59.

AN ACT to further amend "The Launceston 1924. Corporation Act, 1894." [13 January, 1925.]

WHEREAS it is expedient to further amend "The Launces-PREAMBLE. ton Corporation Act, 1894," and make other provision for the enlargement of the City of Launceston:

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. 3), 1924."
 - 2 In this Act, unless the context otherwise indicates— Interpretation.
 "The Principal Act" means "The Launceston Corporation 58 Vict. No. 30 Act, 1894":

"The City" means the City of Launceston:

A.D. 1924.

- "The Corporation" means the Mayor, aldermen, and citizens of the City of Launceston:
- "The Council" means the Municipal Council of the City of Launceston:

PART I.

LICENCES.

All licences may be granted by Town Clerk or City Treasurer. 58 Vict. No. 30. 58 Vict. No. 31. 5 Ed. VII. No. 30. 3 Ed. VII. No. 37. 8 Geo. V. No. 49. 1 Geo. V. No. 22.

3 Whenever under the provisions of the Principal Act or any amendment thereof, "The Launceston Water and Light Act, 1895," or any amendment thereof, "The Police Act, 1905," or any amendment thereof, "The Public Health Act, 1903," or any amendment thereof, "The Places of Public Entertainment Act, 1917," or any amendment thereof, "The Food and Drugs Act, 1910," or any amendment thereof, or any other Act now or hereafter to be in force, or under the provisions of any by-law made under the authority of any of such Acts, any licence or renewal of licence, or certificate of registration or inspection, may be granted, issued, or transferred by the Mayor, or with the approval or consent of the Mayor, or by the Council under the hand of the Mayor, or the signature of the Mayor is otherwise required, the Town Clerk or the City Treasurer may in every case act for the Mayor, and the signature of the Town Clerk or the City Treasurer shall in each case be sufficient and have the same effect as the signature of the Mayor.

PART II.

EXPENDITURE AND BORROWING.

Advertising the city.

4 It shall be lawful for the Council from time to time to appropriate out of the revenues of the Corporation such sum or sums of money as the Council may in its discretion deem desirable, and to expend the same in any way the Council may think fit for advertising or making known in any way the city and its surroundings, the means of access to the same, its commercial and industrial activities, its facilities and advantages for commerce and trade, residence, and holiday resort, its scenic, hygienic, climatic, social sporting, and other advantages, its means of transport, its water, electric, and other facilities, and such other information as may from time to time be thought advisable.

Provided that the total sums appropriated or expended in any A.D. 1924. one financial year shall not exceed the sum of Five hundred Pounds. Such sums may be charged to such account or accounts as the Council shall from time to time decide.

5 It shall be lawful for the Council from time to time to receive Fixed deposits.

moneys on deposit for fixed periods not exceeding Three years.

The total amount received on deposit, together with the amount of the overdraft obtained under Section 16 of "The Launceston 14 Geo. V. No. Corporation Act, 1924," shall not at any time under any circum- 60. stances exceed an amount equal to one-half of the prior year's revenues of the Corporation.

The amounts received on deposit, and the amount of overdraft obtained from time to time, are considered to be mainly for temporary accomodation, and may be wholly or partially in excess of, or in addition to, the sums of money which the Corporation is from time to time otherwise authorised to borrow.

The rate of interest payable, the times for payment of interest, and the period of deposit shall be as the Council shall from time to time decide, and shall be shown on the receipt given by the Corporation for the money received on deposit.

All such receipts shall be exempt from stamp duty.

6 The words "or on deposit for a fixed term" are hereby inserted Amendment of after the word "issue" in the seventh line of Section 19 of "The Section 19 of 14 Geo. V. No. Launceston Corporation Act, 1924.

PART III.

PRIVATE STREETS.

7 Notwithstanding anything contained in Section Eight of Third-class "The Launceston Corporation Act (No. 2), 1924," it shall be lawful streets. for the Council from time to time to define any area or areas within 14 Geo. V. No. the city in which it shall be lawful to construct third-class streets, and such area or areas from time to time to cancel or alter as the Council shall see fit.

Any new private street constructed in any such area may, if the Council consent, be considered to be properly constructed, notwithstanding that the whole of the carriage-way is not covered with bluestone: Provided that—

> I. At least sixteen feet of the centre of the carriage-way is made in accordance with the said Section Eight:

II. The portions of the carriage-way on each side of the portion so made as aforesaid to the channel are duly graded and laid down with grass to the satisfaction of the Council:

A.D. 1924.

See 58 Vict. No. 30. Sec. 272-XV.

III. The footways and gutters are duly constructed as required by the said Section Eight:

IV. And such other requirements as the Council shall, either generally by by-law or specifically in any particular case, determine are duly carried out.

Such a street so constructed as aforesaid shall be known as a third-class street, but all the provisions of "The Launceston Corporation Act (No. 2), 1924," shall, mutatis mutandis, apply to a third-class street.

Amendment of Section 15 of 14 Geo. V. No. 62. 8 The words "Nor shall any building be erected fronting on the same, or the entrance to which building is, will, or should be over the same" are hereby inserted after the word "same" in the third line of Section Fifteen of "The Launceston Corporation Act (No. 2), 1924."

Amendment of Section 6 of 5 Ed. VII, No. 46. **9** Section Six of "The Launceston Corporation Amendment Act, 1905," shall, in respect of those cases where the notice demanding payment of the first instalment is or shall be given after the First day of July, 1924, be read and construed as if the word "five" occurring at the end of the ninth line were expunged and the word "six" inserted in lieu thereof.

PART IV.

SEWERS AND DRAINS.

Agreement may be entered into for drainage connections. 8 Ed. VII. No. 15. 10 The owner of any allotment of land as is mentioned in Section Fifteen of "The Launceston Corporation Act Amendment Act, 1908," or (if the Council shall think fit) of any other allotment of land, may enter into an agreement or make an arrangement with the Corporation for the Council to cause a covered drain to be constructed and made from such allotment into a common sewer, and any expenses incurred by the Council in accordance with such agreement or arrangement may, notwithstanding that no notice was given as mentioned in the said Section Fifteen, be determined and recovered in the same manner and from the same persons as the expenses referred to in Section Sixteen of the same Act may be determined and recovered.

"Drainage charges" charged on property.

11 The expenses from time to time incurred by the Council in accordance with any agreement or arrangement as is mentioned in the preceding section, or in executing any and every work mentioned in Section Fifteen of "The Launceston Corporation Act Amendment Act, 1908," or in causing the same to be done, together with such interest as shall from time to time be chargeable thereon and all expenses incurred in attempts to collect the

same (all of which are hereinafter referred to as "drainage A.D. 1924. charges"), shall be a charge upon the allotment of land in respect of which such expenses are incurred in priority to all mortgages, charges, liens, and encumbrances whatsoever, and, Also 3 Ed. VII. notwithstanding such allotment of land may be sold and trans- No. 15, s. 36. ferred or conveyed, may be recovered at any time from the then owner of such allotment of land, whether he may have been the owner at the time the same became payable or not, at the suit of the Council, in any action in any court of competent jurisdiction as for a debt due by him. The amount of any such drainage charges may be paid by any mortgagee, and may be added to the principal sum secured by his mortgage, and shall be recoverable, with interest (at the rate chargeable under the mortgage upon the moneys thereby secured), as the same moneys are recoverable.

Cp. 9 Geo. V. No. 11, s. 42.

12 Section Forty-three of "The Launceston Corporation Act Amendment Act, 1918," is hereby amended as follows:—

Amendment of Section 43 of 9 Geo. V. No.

- I. The words "or what drainage charges are owing or 11. about to become owing or to be incurred" are hereby inserted after the word "due" in the fifth line:
- II. The words "or drainage charges are owing or about to become owing or to be incurred" are hereby inserted after the words "becoming due" in the ninth line:
- III. The words "or any drainage charges in respect of that property, except such as are shown in such certificate, and such as are not then being or about to be shown in such certificate, and such as are not then being or about to be incurred in respect thereof" are hereby inserted after the word "thereof" in the last line.

13 Subsection (1) of Section 44 of "The Launceston Corporation Act Amendment Act, 1918," is hereby repealed, and the following subsection is hereby inserted in lieu thereof:—

"(1) Whenever the amount charged upon any property shall total at least the amount of the rates payable during the last five years in respect of that property, the Council may apply by petition to the Supreme Court or a judge thereof for a sale of such property, or of such portion thereof as may be reasonably considered necessary to produce the amount due and accruing due to the Corporation.

The amount charged upon the property as aforesaid in respect of which the petition is presented may consist of all or any of the following items:—

> I. Unpaid instalments in respect of the construction of any private street or streets charged upon the property by Section Two hundred and forty-six of the 58 Vict. No. 30. Principal Act:

Amendment of Subsection (1) of Section 44 of 9 Geo. V. No. Enforcement of charges on land.

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9 Geo. V. No. 11.

- II. Unpaid rates, interest, and expenses charged upon the property by Section Forty-two of 'The Launceston Corporation Act Amendment Act, 1918':
- III. 'Drainage charges' charged upon the property by Section Eleven of this Act."

Amendment of Section 44 of 9 Geo. V. No. 11.

14 The words "of all further rates and expenses" occurring Subsection (3) of in the thirteenth line of Subsection (3) of Section 44 of "The Launceston Corporation Act Amendment Act, 1918," are hereby expunged, and the words—

> of all further instalments which have become due and payable at the date of the sale, or which are to come due after the sale (a deduction being allowed as in the case of payments under Section Two hundred and fifty of the Principal Act), and of all further rates, interest, and expenses "—

are hereby inserted in lieu thereof.

Council may permit expenses to be paid by instalments.

15 The Council may permit the payment of the expenses referred to in Section Eleven of this Act to be made by equal half-yearly instalments on the First day of July and the First day of January in each year during the times hereinafter mentioned; that is to say:—

Where such expenses do not exceed Thirty Pounds

Five years.

Where such expenses exceed Thirty Pounds and do not exceed Forty Pounds

Six years.

Where such expenses exceed Forty Pounds

Eight years.

But in such case—

I. Interest on the amount of the expenses from time to time remaining unpaid, at the rate of Seven Pounds per centum per annum calculated to the half-yearly day for payment, must be paid on each half-yearly day:

II. In case of default in payment for one calendar month of any instalment the whole of the amount of the expenses remaining unpaid and interest shall be immediately payable with interest at the rate of Ten Pounds per centum per annum from the date when such instalment should have been paid on the whole of the amount of the expenses remaining unpaid.

Notwithstanding that such permission has been given, the Council may avail themselves of the remedy to enforce the charges under Section Forty-four of "The Launceston Corporation Act Amendment Act, 1918," as hereby amended, and so

require payment of the drainage charges in full, with interest A.D. 1924. to that date, so cancelling such permission: Provided that no petition shall be presented under that section where drainage charges only are charged upon the property in respect of which such permission has been given, and there has been no default in payment of any instalment or interest.

PART V.

MISCELLANEOUS.

16 The word "and" occurring before the words "one thou- Extension of sand nine hundred and twenty-three" in the fifth line of Sec-soldiers' tion 13 of "The Launceston Corporation Act Amendment Act, Privileges. 1921," is hereby expunged, and the words—

"One thousand nine hundred and twenty-four, One thousand nine hundred and twenty-five, and One thousand nine hundred and twenty-six "—

are hereby inserted after the words "One thousand nine hundred and twenty-three" in the same line.

17 The following section is hereby inserted after Section Affixing of the Seventeen of the Principal Act, and shall be known as Section 17a :—

common seal.

Amendment of

12 Geo. V. No.

Section 13 of

20.

"17a The common seal shall not be affixed to any document unless the Mayor and Town Clerk be present, or in the case of absence, incapacity, or death of either, unless such persons be present as the Council shall appoint for the purpose."

PART VI. RESERVES.

18 It shall be lawful for the Council to establish and main- zoo. tain a zoological garden or gardens in the Punch Bowl Reserve, or such other place or places as the Council shall think fit, and annually to expend such sum or sums as the Council shall from time to time think fit for the construction thereof, and all houses, buildings, cages, tanks, and other things in connection with the same, and the obtaining of animals, birds, reptiles, and fish, for the same, and the maintenance, upkeep, repair, and care of the

And every person entering any such zoological gardens shall Cf. 63 Vict. pay a toll of not less than Threepence.

The Council may from time to time, by notice, fix and determine the amount of such toll.

No. 60, ss. 17, 18, and 19.

A.D. 1924.

Refreshment-rooms.

19 It shall be lawful for the Council to erect, establish, maintain, carry on, or lease such refreshment-rooms as the Council may from time to time think fit upon, near, or in connection with, any park, reserve, the Cliff grounds, or any other recreation ground, sports ground, or zoological gardens belonging to or under the control of the Corporation or the Council, and to purchase, provide, and sell equipment, materials, supplies, sweets, tobacco, and other provisions and non-intoxicating drinks, and to do all things necessary in connection with such refreshment-rooms, and to fix prices to be charged for refreshments supplied and for services rendered.

PART VII.

LICENSING OF STABLES, DAIRIES, MILKSHOPS, COWSHEDS, AND COWS; AND REGISTRATION OF COWKEEPERS, DAIRYMEN, AND PURVEYORS OF MILK.

Commencement. 3 Ed. VII. No. **20** This part of this Act shall come into force on the First day of January, One thousand nine hundred and twenty-five.

Interpretation of terms.

- 21 In this part of this Act (unless the context otherwise indicates or requires)—
 - "Cowkeeper" means a person who owns, rents, keeps, controls, or has possession of any cow or cows, the milk or cream from which is sold, or is intended or attempted to be sold, offered for sale, or exposed for sale, either by such person or by any other person:

"Dairyman" means a person who keeps, controls, or

manages a dairy:

"Purveyor of milk" means a person who sells, or attempts to sell, or offers or exposes for sale, milk or cream:

"Dairy" means a building, land, or place—

(a) Used for the keeping, stalling, milking, grazing, or feeding of any cow, the milk or cream from which cow is sold, or is intended or attempted to be sold, offered for sale, or exposed for sale: or

(b) Used for the keeping or storing or reception of milk or cream which is sold, or is intended or attempted to be sold, offered

for sale, or exposed for sale:

"Infectious disease" includes contagious disease:

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- "Milkshop" means a shop, shed, building, or place where milk or cream is stored or kept for sale, or is sold or intended or attempted to be sold, offered for sale, or exposed for sale:
- "Inspector" means the veterinary surgeon appointed by the Council and any one of such other officer or officers, inspector or inspectors, as the Council may, either in addition to or in substitution for him, from time to time appoint, whether under "The Launceston Corporation Act, 1894," or any amendment thereof, or "The Public Health Act, 1903," or any amendment thereof, or "The Food and Drugs Act, 1910," or any amendment thereof.

See Sec. 13 of 3 Ed. VII. No. 37. Sec. 8 of 1 Geo. V. No. 22.

22 No person shall use, or permit or suffer to be used, in the Licences. city any shop, shed, building, land, or place—

(a) As a stable, unless such person has a licence still in Stable. force permitting him to use the same as a stable;

(b) As a dairy, unless such person has a licence still in Dairy. force per mitting him to use the same as a dairy;

(c) As a mirshop, unless such person has a licence still Milkshop. in force permitting him to use the same as a milkshop; or

(d) As a cowshed, unless such person has a licence still Cowshed. in force permitting him to use the same as a cowshed (unless such person has a dairy licence in respect of the same):

Provided that any other person may use such shop, shed, building, land, or place as aforesaid with the consent of a person having the necessary licence, but the burden of proof of such consent shall lie on such other person.

The licence mentioned in Clause (a) of this section shall be known as a "stable licence."

The licence mentioned in Clause (b) of this section shall be known as a "dairy licence."

The licence mentioned in Clause (c) of this section shall be known as a "milkshop licence."

The licence mentioned in Clause (d) of this section shall be known as a "cowshed licence."

The provisions of this section shall apply in respect of a dairy, notwithstanding that the same is registered under "The 1 Geo. V. No 46. Dairy Produce Act, 1910," but shall not apply in respect of a factory registered in accordance with that Act.

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Keeping of horses.
See 3 Ed. VII.
No. 37, s. 87, as to stables.

23 No person shall keep, or permit or suffer to be kept, or to be at any place in the city, any horse, except in a building in respect of which there is a stable licence still in force, unless such person has permission in writing from the Council still in force to turn such horse out for grazing or exercise in some paddock or other enclosed piece of land, when such horse may be turned out in such paddock or piece of land.

This section shall not apply during such time as the horse is actually at work or at any bona fide agricultural or pastoral show.

Licence to keep, cow.

See 3 Ed. VII. No. 37, s. 87, as to cowsheds. 24 No person, other than a registered cowkeeper, shall keep, or permit or suffer to be kept, or to be at any place in the city, any cow, unless such person has a licence still in force permitting him to keep such cow.

This section shall not apply to cows which have not yet produced milk, or to cows $bon\hat{a}$ fide travelling through the city from one place without the city to another place without the city, or to cows at any $bon\hat{a}$ fide agricultural or pastoral show.

Persons to be in charge of—

Dairy.

25 No person shall permit or suffer to exist on any premises in the city of which he is the owner, tenant, or occupier—

(a) A dairy, unless a person who is registered as a cowkeeper, or dairyman in manner hereinafter provided shall be and remain in control of, and responsible for, the management of such dairy.

Milkshop.

(b) A milkshop, unless a person who is registered as a dairyman or purveyor of milk in manner hereinafter provided shall be and remain in control of, and be responsible for, the management of such milkshop.

Evidence.

For the purposes of this and the last three sections the fact that a stable, dairy, milkshop, or cowshed is or has been used, or exists or has existed, or a horse or cow is or has been on such premises, shall be conclusive evidence that the owner, the tenant, and the occupier has each (but in the case of an owner, only when he is himself the occupier or the premises are unoccupied) suffered such stable, dairy, milkshop, or cowshed to be used or to exist, or such horse or cow to be on such premises; and the burden of proof that a dairy or milkshop is and remains in control of the required person (registered cowkeeper, dairyman, or purveyor of milk, as the case may be), and that he is responsible for the management thereof, shall lie on such owner, tenant, and occupier.

26 No person shall sell, attempt to sell, offer for sale, expose A.D. 1924. for sale, supply, or distribute (whether regularly or in a casual way) milk or cream within the city, or carry on the trade or Sale of milk. business of cowkeeper, dairyman, or purveyor of milk, or control, manage, or be responsible for the management of a dairy or milkshop within the city, unless he or his employer is the holder of a certificate then current from the Council authorising him in that behalf.

Provided, however, that this section shall not apply to the $bon\hat{a}$ fide supply or distribution of milk to the members of such person's household, his lodgers, or guests, nor to pasteurised cream in hermetically sealed bottles.

The burden of proof as to the existence and currency of the employers' certificate, where the person claims that his employer has a certificate, shall lie on that person.

27 No cowkeeper, dairyman, or purveyor of milk shall pur- Purchase of chase, obtain, or receive from any person within the city milk. any milk or cream, and sell, attempt to sell, offer for sale, expose for sale, supply, or distribute the same within the city, whether separately or mixed with other milk or cream, unless the person from whom such milk or cream is purchased, obtained, or received is himself registered with the Council as a cowkeeper, dairyman, or purveyor of milk: Provided that this section shall not apply to the supply of pasteurised cream in hermetically sealed bottles.

28 All applicants for registration as cowkeeper, dairyman, Registration of or purveyor of milk shall submit with their applications the cowkeepers, names and addresses of all persons from whom they intend to purchase, obtain, or receive milk, and if during the currency of milk. such registration they should have occasion to purchase, obtain, See 1 Geo. V. or receive milk from any other person or persons, they must No. 22, s. 19. immediately forward to the Town Clerk the names and addresses of such other person or persons.

dairymen, or purveyors of

29 No person shall be registered as a cowkeeper, dairyman, Facilities and or purveyor of milk unless he shall undertake at all reasonable times to provide facilities for inspection by the inspector of his dairy herd, premises, fodder, machinery, utensils, cans, receptacles, vessels, plant, stock, equipment, milk, and cream, within the city, and to render to the inspector such reasonable assistance as may be required by him.

assistance to inspector.

30 If any cowkeeper, dairyman, or purveyor of milk shall Council may refuse to provide such facilities or to render such assistance as refuse to register. is or are referred to in the last section, or in the event of his registration. failing to comply with any of the provisions of this part of this Act or of "The Public Health Act, 1903," or of any by-law made

A.D. 1924.

under the provisions of this part of this Act, the said Act, or any Act enabling the Council or the Corporation or the Local Authority to make by-laws, or if for any other reason the Council shall deem it advisable so to do, the Council may refuse to register such person, or may cancel such registration, and forbid the person concerned to carry on the trade of cowkeeper, dairyman, or purveyor of milk within the city.

Inspection.

31 Within the city the inspector may at all reasonable times enter into and upon any premises used, or which the inspector believes to be used, as a stable, dairy, milkshop, or cowshed, or paddock or yard, or into and upon any land or premises in the occupation, or which the inspector believes to be in the occupation, of any person following the trade of a cowkeeper. dairyman, or purveyor of milk, or used by him in connection with such trade, or into or upon any premises or land on which any horse or cow is kept, or is found to be or is believed to be or to be kept, and may examine the condition thereof and of any horses, cattle, or other livestock, fodder, machinery, utensils, cans, receptacles, vessels, plant, stock, equipment, milk, or cream found thereon, for the purpose of reporting on the same to the Council, and may examine, wherever found, any milk or cream, or cans or vessels used for containing milk or cream, which is sold or is intended or attempted to be sold, offered for sale, or exposed for sale; and the Council, being satisfied that it is necessary or expedient, may give written notice requiring the occupier of any such premises or land to take such measures for the lighting, ventilation, cleansing, drainage, or supply of water of or for such premises or land. machinery, utensils, cans, receptacles, vessels, plant, stock, or equipment as the Council may direct, or requiring any cowkeeper, dairyman, or purveyor of milk to take any such measures as aforesaid, or to take such measures for cleansing the cans and vessels used for receiving, keeping, or containing milk or cream in such manner as the Council may direct, wherever the same may be.

And thereupon such occupier, cowkeeper, dairyman, or purveyor of milk shall comply with such requirements to the satisfaction of the Council.

Test for disease.

32 All cattle, wherever found, within the city (if in any way connected with or believed by the inspector to be connected with any milk or cream sold or intended or attempted to be sold, offered for sale, or exposed for sale, within the city) may be inspected by the inspector, and if the inspector shall deem it necessary or advisable, the tuberculin or other diagnostic test may be applied by the inspector or under his directions, to any such cattle.

33 Each cowkeeper or dairyman, or other person owning, A.D. 1924. renting, keeping, controlling, or having possession of any one or more cattle which shall be declared by an inspector—

Isolation of cattle.

- (a) To be suffering, or suspected to be suffering, from any disease; or
- (b) To be in such a condition that the milk derived therefrom will be likely, if dispensed, to endanger public health; or
- (c) To be unfit for dairy purposes or for supplying milk, from poverty, weakness, or otherwise; or
- (d) To be in such a condition that the milk derived therefrom is unlikely to reach the standard or quality from time to time required by law—

shall, on being required so to do by the inspector, isolate such one or more cattle from his other stock, and if in the opinion of the inspector adequate isolation cannot be obtained on the premises of such person, and if the inspector shall, for that or any other reason, think it advisable to require it, such person shall remove such one or more cattle from the confines of such dairy or premises, and in the case of a cow kept by a person who is not a registered cowkeeper, the licence issued in respect of such cow may be cancelled by the Council.

No cowkeeper or dairyman or other person shall mix the milk Disposal of or cream from such one or more cattle with that obtained from milk. his or any other stock, or sell, attempt to sell, offer or expose for sale, or otherwise offer the same for human consumption, but shall dispose of the same in such manner as the inspector shall from time to time direct.

34 Every cowkeeper, dairyman, or purveyor of milk shall Cleansing. do all things necessary, and take all reasonable precautions, for the cleansing of the cows, machinery, utensils, cans, receptacles, vessels, plant, stock, and equipment, and the premises and the vehicles used for the conveyance of milk or cream, and for the hygienic storage, handling, transport, and distribution of milk and cream, and shall comply with the orders of any inspector relating thereto, and shall keep all swine at a distance of more Swine to be than one hundred feet from every place where milk or cream kept away. is, or is likely to be, kept, stored, received, sold, or distributed.

35 Every cowkeeper, dairyman, or purveyor of milk, or other Infectious person keeping a cow, shall give immediate notice to the Town diseases to be Clerk of any person suffering from or having any infectious disease on or near the dairy, milkshop, building, or premises of which he is the owner, tenant, or occupier, or of which he is in control or responsible for the management.

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Protection from infectious diseases.

36 Every cowkeeper, dairyman, or purveyor of milk shall prevent every person suffering from or having an infectious disease, or who has recently been in contact with infectious disease, from taking any part in milking, tending the cattle, or otherwise in the production or storage, handling, transport, or distribution of milk or cream, and from coming, being, or remaining on, in, or about the dairy, milkshop, building, or premises of which he is the owner, tenant, or occupier, or of which he is in control or responsible for the management.

Order that milk not to be used.

37 Upon the certificate of the inspector that any milk is likely, if used, to endanger the public health, the Council may prohibit the sale or use, or order the destruction, of such milk for such period as may be thought expedient, or until evidence is produced to the satisfaction of the Council that such danger no longer exists.

No person shall sell, attempt to sell, offer or expose for sale, or otherwise offer for human consumption, use, or distribute any milk the sale or use of which has been prohibited (except as may be permitted by the Council); and every person ordered to destroy such milk shall comply with such order.

Customers. Cp. 1 Geo. V. No. 22, s. 19. **38** Every cowkeeper, dairyman, or purveyor of milk shall, on demand, furnish the inspector with a list of all his customers and their addresses.

Cesspools.
See 8 Ed. VII
No. 16, s. 11.

39 No licence referred to in Section Twenty-two shall be issued in respect of any shop, shed, building, land, or place if a cesspool exists within five hundred feet of the same, or unless the water-closets or earth-closets on or near the premises are to the satisfaction of the Council; and every earth-closet must at all times be supplied with a good supply of earth or ashes.

Conveyances to be clean.

40 No person shall convey any milk, cream, or dairy produce, or any can, receptacle, or vessel, used or likely to be used for milk, cream, or dairy produce, in any vehicle or conveyance which contains or has contained any refuse, rubbish, manure, dung, offal, or other offensive matter, unless such vehicle shall have been thoroughly cleansed to the satisfaction of the inspector.

Fresh milk not to be mixed with older milk. 41 No cowkeeper, dairyman, or purveyor of milk shall mix any milk obtained from a forenoon milking with that obtained from an afternoon milking, or milk obtained from a milking on one day with that obtained from a milking on another day; and no person shall sell, attempt to sell, offer for sale, expose for sale, supply, or distribute any milk so mixed by any person.

42 Every registered cowkeeper, dairyman, or purveyor of A.D. 1924. milk who ceases to trade, or who changes his address or place of business, shall, prior to so ceasing to trade or changing his address or place of business, give notice thereof to the Council. of address.

Notice to be given of change

43 No person shall conduct any other trade on or about a No other trade dairy premises, except that of cowkeeper, dairyman, or purveyor of milk, without the consent in writing of the Council.

on dairy premises without consent.

44 Every person guilty of any breach of the provisions of Penalties. this part of this Act shall, on conviction, be liable to a penalty not exceeding Ten Pounds, and a penalty not exceeding Five Pounds for each day such breach shall continue; but in no case shall the total penalty be less than Ten Shillings.

45 The provisions of this part of this Act shall be in addition to the provisions of "The Public Health Act, 1903," and "The For by-laws, see Food and Drugs Act, 1910," and all by-laws and regulations made thereunder, and in case of conflict the provisions of this Act and of all by-laws made thereunder shall prevail.

Provisions.

PART VIII.

BY-LAWS.

46 The Council may from time to time make by-laws—

By-laws.

I. For controlling or managing any zoological gardens: Zoological II. For regulating the payment of a toll of not less than

threepence for every person entering or using any zoological gardens, and for the good rule and government of the same:

III. For the issue of stable licences, dairy licences, milk- Issue of licences. shop licences, cowshed licences, and licences to keep

cowkeepers, &c.

IV. For registering cowkeepers, dairymen, and purveyors Registration of of milk:

v. For fixing the amount of fees payable for licences and Fees. registrations, which fees may be on a sliding scale, differing with the number of cows, size of business, or otherwise:

VI. For prescribing the inspection required and the infor- Application mation and particulars to be supplied; the form forms, &c. of application in respect of each class of licence and registration; the place where applications are to be lodged; the conditions on which same are to be

granted (but special conditions may be made without regard to the by-laws, where an inspector

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reports that they are advisable, in any particular case or cases coming within any class of licence or registration); the form of licence; the form of entry of registration; the period for which such licences and registrations may remain in force; the method of cancellation; and the inspection of premises:

Prohibiting stables, &c., in certain areas.

VII. For prohibiting stables, dairies, and cowsheds, or any of them, from being used as such in any defined portion or portions of the city, and defining such portion or portions, if thought by the Council advisable, requiring the removal or alteration of all or any buildings in such portion or portions which had been or were being used as a stable, dairy, or cowshed:

Cleansing.

VIII. For requiring and regulating the cleansing of cows, machinery, utensils, cans, receptacles, vessels, plant, stock, equipment, premises, vehicles, and conveyances used in connection with the working of any dairy or milkshop or the sale or distribution of milk or cream.

Cf. 58 Vict. No. 30, s. 185.

The power to make the above by-laws is in addition to all powers now vested in the Council, and such by-laws shall be subject to the provisions relating to general by-laws in the Principal Act contained.

PART IX.

GREATER LAUNCESTON.

Alterations of boundaries.

Date of same.

47 From and after the Thirtieth day of June, One thousand nine hundred and thirty-four, or in the event of the Corporation and the Warden, councillors, and electors of the Municipality of St. Leonards agreeing on an earlier year, then from and after the Thirtieth day of June in that year, there shall be included within the boundaries of the City of Launceston:—

See 53 Vict. No. 30, s. 18. 62 Vict. No. 60, s. 15. 7 Ed. VII. No. 12, s. 4, 7 Ed. VII. No. 46, s. 17. 9 Geo. V. No. 45, s. 3. 13 Geo. V. No. 51, s. 2.

All that piece of land situate in the Parish of Launceston County of Cornwall in Tasmania bounded as follows that is to say on the south-west south-easterly along the north-eastern side of Wellington-street (the main road leading to the City of Hobart) the present boundary of the city commencing at the south-eastern side of Melbourne-street and extending to a point opposite the city boundary in Peel-street thence on the north-west south-westerly along the city boundary in Peel-street to the centre of Merivale-street (91 links wide shown in the plan of subdivision of the Normanstone Estate) thence again on the south-

west south easterly along the centre of that street to the A.D. 1924. centre of Cleveland-road (100 links wide shown in the plan of subdivision of the Normanstone Estate) thence again on the north-west south-westerly along the centre of that road to its junction with the Westbury-road thence crossing half of Cleveland-road in a southerly direction to the most southerly point of the Normanstone Estate on the southeastern side of the Westbury-road thence again on the south-west south-easterly for 12 chains 60 links or thereabouts along the boundary between the Normanstone Estate and the Mount Pleasant Estate thence on the southeast north-easterly for 28 chains 40 links or thereabouts also along the boundary of the Normanstone Estate to a point distant 20 chains south-westerly along that boundary from the main Hobart-road thence again on the southwest south-easterly in an irregular line parallel to and at a distance of 20 chains from the south-western side of the main Hobart-road to a point opposite the north-western side of Quarantine-road thence again on the south-east north-easterly in a straight line to the main Hobart-road and in the same straight line crossing that road and along the north-western side of Quarantine-road to the Opossumroad thence on the north-east north-westerly along the south-western side of the Opossum-road thence again on the north-west south-westerly along the south-eastern side of the Opossum-road to the western corner of the Carr Villa Cemetery thence again on the north-east north-westerly in a straight line to the Punch Bowl-road at a distance of 10 chains north-easterly from the junction of that road and the main Hobart-road thence again on the north-east north-westerly in the same line to the centre of the Punch Bowl-road thence again on the north-west south-westerly along the centre of the Punch Bowl-road to a point opposite the centre line of High-street (sometimes called Talbot-road) thence again on the north-east north-westerly along the centre of High-street to a point opposite the centre line of Amy-road thence again on the south-east north-easterly in a straight line to and along and extending from the centre of Amy-road (crossing the Penquiteroad) to the North Esk River thence crossing that river to that portion of the city containing 232 acres 1 rood and half of a road which was included within the boundaries by Section Three of "The Launceston Corporation Act 9 Geo. V. No Amendment Act 1918 No. 2" thence along that portion of 45. the city in a general northerly direction to the centre of the lastmentioned road thence along the centre of that road crossing Hobbler's Bridge and extending in a south-westerly direction along the centre of that road (now known as

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Hobbler's Bridge-road) to a point opposite the south-western boundary of a location to Alexander Riley thence again on the north-east north-westerly crossing half of Hobbler's Bridge-road to the present boundary of the city thence again on the north-west south-westerly along the northwestern side of Hobbler's Bridge-road (also the present boundary of the city) to Patterson's Plains-road thence on the north-east north-westerly along the north-eastern side of Patterson's Plains-road (also the present boundary of the city) to a point opposite the south-eastern side of Saint David's-street thence on the north-west south-westerly along the south-eastern side of Saint David's-street (also the present boundary of the city) to the north-eastern side of High-street thence on the south-west south-easterly along the north-eastern side of High-street (also the present boundary of the city) to a point opposite the southeastern side of Melbourne-street thence again on the northwest south-westerly along the south-eastern side of Melbourne-street (also the present boundary of the city) to the north-eastern side of the main Hobart-road being the point of commencement.

And all such land shall for all purposes be deemed to be within the boundaries of the City of Launceston from and after such Thirtieth day of June as aforesaid.

13 Geo. V. No. 51 not to apply.

48 The provisions of "The Launceston Corporation Act Amendment Act, 1923," shall not apply to the piece of land described in the last section.

Interpretation.

49 The Thirtieth day of June, One thousand nine hundred and thirty-four, on which the piece of land described in Section Forty-seven shall be included within the boundaries of the city in accordance with that section, is hereinafter referred to as "the inclusion day," and the said piece of land is hereinafter referred to as "the new area," and the Municipality of St. Leonards is hereinafter referred to as "the Municipality," and the Warden, councillors, and electors of the Municipality of St. Leonards are hereinafter referred to as "the St. Leonards Council."

Adjustment of rights.

50 On and after the inclusion day:—

I. The assets, rights of property, and interests of St. Leonards Council in regard to the new area shall devolve upon and vest in the Corporation and the Council, as the case may be:

St. Leonards II. All rates made for the year be paid and

II. All rates made or levied by the St. Leonards Council for the year in which the inclusion day occurs shall be paid and apportioned between the St. Leonards Council and the Corporation as follows:—

- (a) If the rates made and levied by the St. A.D. 1924. Leonards Council are for the period from the First day of January to the Thirtyfirst day of December in that year, the St. Leonards Council and the Corporation shall each be entitled to one-half; and in so far as the same shall be collected by the St. Leonards Council the St. Leonards Council shall pay to the Corporation onehalf part of the amount so collected, less Five per cent. as the expenses of collection:
- (b) The St. Leonards Council may, however, if they so desire, at the time of making the rate for the year in which the inclusion day occurs, provide that in respect of all properties in the new area the rate shall be for the period from the First day of January to the Thirtieth day of June only, and shall be one-half of the rate which would have been otherwise pavable for the year:
- III. The rates made and levied by the Council in respect of Corporation the financial year commencing immediately after the inclusion day shall be paid in respect of all properties in the new area as if such properties were previously in the city and included in the assessment roll in force for the city:

Such properties may be assessed and included in Assessment. the assessment roll for the city notwithstanding that at the time of such assessment they are not yet included in the city, and no objection shall be taken on account of this.

But until such properties shall be included in the assessment roll for the city, those portions of the assessment roll for the Municipality which relate to the new area shall be deemed to be parts of the assessment roll for the time being of the city, but, so far as the same apply, the assessments made for the purposes of the suburban water rate of any property in the new area, or any of such assessments, may be substituted for assessments in such assessment roll for the Municipality.

Provided that the half part of the rates made or levied by the St. Leonards Council for the year in which the inclusion day occurs which shall be received by the Corporation (if such half part is actually received by the Corporation) shall be

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Old rates may be collected.

credited as part payment of the rates made and levied by the Council in respect of the financial year commencing immediately after the inclusion day:

IV. Notwithstanding that the new area is included in the city, the St. Leonards Council may collect all rates made or levied before the inclusion day, and take all proceedings in respect of the same, in the same manner as if the new area were still part of the Municipality.

Suburban water rates and water and electricity charges before inclusion.

- 51 Until the inclusion day the suburban water rates in the new area, and the charges for water and electricity (lighting, heating, and power) supplied or to be supplied within the new area, shall be as follows:—
 - I. If the water rates within the city, and the charges for water and electricity supplied within the city remain as the same are now, the suburban water rate in the new area, and the charges for water and light supplied within the new area, shall remain the same as they are now:
 - II. But in the event of the water rate within the city being increased or diminished, or the charges for water or electricity supplied within the city being increased or diminished, in every such case the suburban water rate, or the charges for water or electricity in the new area, shall be increased or decreased in the same proportion.

In the event of any existing water district being partly included in the new area, and partly outside the new area, the Corporation shall for the purposes of this section adjust the boundaries of such water district in such way as the Council shall think fit.

Sanitary charge.

52 After the inclusion day, during such time as the new area or any portion thereof remains without a sewerage system, and in so far as such, if made, shall not extend, there shall be made and levied on that part of the new area as shall from time to time remain without a sewerage system a charge in accordance with the provisions of Section Six of "The Health Rate Act, 1905," for every removal of nightsoil, garbage, offal, filth, ashes, rubbish, house refuse, or other putrescible or offensive matter.

Expenditure of general rate.

53 In the event of the inclusion day occurring before the year One thousand nine hundred and thirty-four the whole of the general rate levied and collected by the Corporation upon the assessed annual value of the lands and buildings in the new area, excepting 10 per cent. part thereof for and during the time beyond the inclusion day and the Thirtieth day of June, One thousand nine hundred and thirty-four, shall be expended in the new area.

54 For the purposes of the Principal Act and the Acts amend- A.D. 1924. ing the same, only those streets or portions of streets in the new. area as are mentioned in the schedule hereto shall be considered and taken to be public streets: Provided that any other streets in the new area which shall hereafter be constructed in accordance with the provisions of "The Launceston Corporation Act (No. 2), 1924," shall also be considered to be public streets; and the Corporation may from time to time, if the Council considers it advisable, agree to take over any other streets as public streets if the same, although not in a defined area, have been constructed as third-class streets in accordance with Section Seven of this Act to the satisfaction of the Corporation before the inclusion day.

Public streets.

55 All existing and future streets, roads, footpaths, kerbs, chan-St. Leonards to nels, sewers, drains, and water-mains, connections, appliances, and keep existing fittings within the new area shall be repaired, renewed, maintained, and kept in good order and condition by the St. Leonards Council until the inclusion day, and then handed over to the Corporation in such good order and condition.

streets, &c., in

56 The water mains of the approximate lengths and situated Certain wateras follows, namely:—

mains taken over immediately.

- I. Thirteen chains of three-inch wrought-iron, main Hobart-road between the Punch Bowl-road and the Cleveland-road:
- II. Twenty-six chains of three-inch and four chains of one-inch galvanized-iron, main, Cleveland-road:

III. Twelve chains of one-inch galvanized iron, main, Wellington-road:

IV. Seventeen chains of one-inch and five and a half chains of three-quarter-inch galvanized iron, main, Highstreet from Hobart-road north-westerly—

together with all connections, appliances, and fittings (including one valve and one fire-plug on Cleveland-road) now belonging to the St. Leonards Council, shall forthwith vest in and belong to the Corporation, and the Corporation may connect same to the waterpipes and other apparatus of the Corporation, and use the same accordingly.

And the Corporation shall pay to the St. Leonards Council the sum of Seven hundred Pounds, and the St. Leonards Council shall immediately pay the same in reduction of the loan authorised by "The St. Leonards Water Act, 1914," and the amendments 5 Geo. V. No. 28. thereof.

The pipes, appliances, and fittings hereby vested in the Corporation were part of the waterworks constructed under "The St. Leonards Water Act, 1914," by the St. Leonards Council, but the vesting of the same in the Corporation shall not relieve any person from liability to pay the water rate from time to time made under that Act, and all properties in the new area within the

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water district referred to in that Act shall still be liable for such rates as shall be made before the inclusion day, and all premises within the said water district actually supplied with water for domestic or other purposes by the Corporation before the inclusion day shall be considered to be supplied by the St. Leonards Council, and the mains or pipes of the Corporation shall be considered to be those of the St. Leonards Council for the purposes of Subsection (2) of Section Twenty-eight of that Act.

(2) The St. Leonards Council shall pay to the Corporation in respect of all premises in the said water district actually supplied with water by the Corporation for domestic or other purposes, or within Fifty feet from the outer boundary of which the mains or other pipes of the Corporation are laid down and properly supplied with water, Two Shillings in the Pound upon the annual value of each of such premises One month after the time for the payment of each such water rate as shall be made before the

inclusion day.

Other watermains, &c., to be taken over.

57 All water and sewerage mains belonging to the St. Leonards Council within the new area on the inclusion day shall vest in the Corporation, as provided in Section Fifty hereof, on and after the inclusion day; but the Corporation shall pay for all mains vested in the Corporation as aforesaid, other than those mentioned in Section Fifty-six hereof, such sum as shall be mutually agreed upon by the Corporation and the St. Leonards Council as a fair valuation of the same at the inclusion day.

In the event of no agreement being arrived at, the valuation shall be determined by arbitration, in accordance with the provisions of "The Arbitration Act, 1892," and as if this section were a submission to Two arbitrators, One to be appointed by either side, who may appoint an umpire, within the meaning of that Act: Provided that the Corporation shall not be required to pay for the value of any new water or sewerage mains unless the Corpora-

tion has approved of such new water or sewerage mains.

Amendment of Section 74 of Principal Act.

58 Section Seventy-four of the Principal Act is amended by deleting the word "male" occurring in the first line thereof.

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THE SCHEDULE ABOVE REFERRED TO.

Merivale-street	From Peel-street to Cleveland-road.	
Waveney-street	From Peel-street to Cleveland-road.	
Lithgow-street	From Hobart-road 630 links or thereabouts south-westerly in two bearings, and thence south-easterly 393 links and two-tenths of a link to Cleveland-road.	
Cleveland-road	From Hobart-road to Westbury-road.	
Gascoyne-street	From Hobart-road to land sold to R. C. Grubb.	
Euroa-street	From Gascoyne-street to Cleveland-road, along boundary of R. C. Grubb's land. (N.B.—Euroa-street and part of Gascoyne-street shown in original subdivision plan have been closed, as also has Queenhithe-road and part of Lithgow-street.)	
Mumford-street	From Hobart-road 12 chains 39 links or thereabouts south-westerly, then north-westerly to Gascoyne-street.	
Leslie-street	From Melbourne-street to Vernon-street.	
Vernon-street	From Hobart-road to Mulgrave-crescent.	
Mulgrave-street	From Melbourne-street to Legana-street.	
Legana-street	From Mulgrave-street to Reservoir-road.	
Curena-street	From Legana-street to Powena-street.	
Mulgrave-crescent	From Mulgrave-street to Hobart-road.	
Powena-street	From Mulgrave-crescent to Reservoir-road.	
Reservoir-street	From Melbourne-street to Hobart-road.	
Effingham-street	From High-street to Reservoir-road.	
High-street	From Melbourne-street to Hobart-road	
The Crescent	From High-street to St. David's-street.	
Wentworth-street (form- erly Gunn-street)	From the Crescent to Penquite-road.	
Junction-street	From Campbell-street, crossing Wentworth-street (formerly Gunn-street), and extending south-easterly $6\frac{1}{2}$ chains or thereabouts.	
Campbell-street	From Junction-street to Penquite-road.	
Ramsay-street	From St. David's-street to Wentworth-street (formerly Gunn-street), and thence to Strahan-road.	

	·	
A D. 1924.	Abbott-street	From St. David's-street to Wentworth-street (formerly Gunn-street).
	Douglas-street	From St. David's-street to Wentworth-street (formerly Gunn-street).
	Penquite-road (Patter- son's Plains-road)	From St. David's-street to Amy-road.
	Amy-road	From Penquite-road to Strahan-road.
	Strahan-road	From Amy-road to Ramsay-street.
	Punch Bowl-road	From Hobart-road north-easterly 10 chains.
	Avenue	From Hobart-road south-easterly 339 links, and thence southerly 137 links, thence easterly 1100 links.
	Brickworks-road	From Hobart-road 13 chains 20 links.
	Opossum-road	From Hobart-road to south-west boundary of Carr Villa Cemetery.