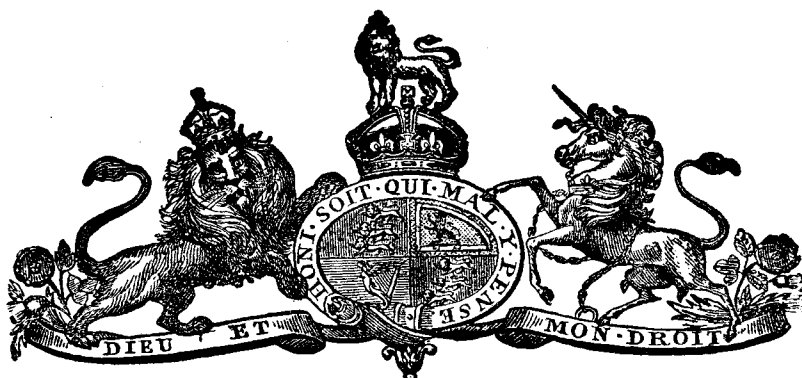


TASMANIA.



1912.

ANNO TERTIO GEORGII V. REGIS.

No. 31.

ANALYSIS.

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|---|---|
| 1. Short title. | 7. Poll of electors to be taken. |
| 2. Interpretation.
"The town."
"The Council." | 8. Manner of taking poll. |
| 3. Powers of "Local Government Act"
to apply where not inconsistent. | 9. Council may make private connections.
Cost of private connections to be repaid. |
| 4. Power to borrow. | 10. Power to enter upon private land. |
| 5. Power to Governor in Council to grant loan of £2000.
Sum of £2000 to be paid as Governor shall determine, and may be repaid in instalments. | 11. Power to levy rate. |
| | 12. Power to rate Crown and other properties. |

AN ACT to enable the Council of the Municipality of Table Cape to borrow a Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand Pounds, for the purpose of providing a System of Drainage and Sewerage for the Town of Wynyard.

[17 December, 1912.]

A.D.
1912.

WHEREAS it is expedient to provide an efficient drainage and sewerage system for the town of Wynyard, and whereas the Council of the Municipality of Table Cape is desirous of obtaining legislative

PREAMBLE.

Wynyard Sewerage.

A.D. 1912.

authority to borrow the money necessary to carry out the said works under the provisions of "The Local Public Works Loans Act, 1890":

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

Short title.

1 This Act may be cited as "The Wynyard Sewerage Act, 1912."

Interpretation
"The town."

2 "The town" shall mean and include all that part of the Municipality of Table Cape situate within the boundaries described as follows:—

Beginning at Bass Strait at a point opposite the Mount Hicks-road, from this point to the Mount Hicks-road, by that road to its intersection with the railway-line (now under construction and known as the Burnie-Flowerdale Railway extension), by the railway-line to its intersection with Dodgin-street, by Dodgin-street to Kingsmill-street, by Kingsmill-street to York-street, by York-street to the River Inglis, by the River Inglis to Bass Strait, along Bass Strait to the point of commencement.

And also includes—

All lands and dwellings and other properties having a frontage on either side of any of the said streets or railway-line.

"The Council."

"The Council" shall mean the Warden and other councillors of the Municipality of Table Cape.

Powers and
authorities of
"Local Govern-
ment Act, 1906,"
to apply where
not inconsistent.

3 All powers and authorities conferred and all duties imposed on councils of municipalities by "The Local Government Act, 1906," and by any other Act incorporated therewith, shall, where not inconsistent with this Act, and when applicable, be exercised and performed by the Council for the purposes of this Act; and the provisions of the said Act and of any other Act incorporated therewith, when applicable to the subject-matter of this Act, shall be deemed to be embodied in this Act for the purposes of this Act.

Power to borrow.

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

Power to Gover-
nor in Council to
grant loan of
£2000.

5 It shall be lawful for the Governor in Council to grant, in accordance with the provisions of "The Local Public Works Loans Act, 1890," a sum or sums of money, not exceeding in the whole Two thousand Pounds, as a loan to the Council upon the security of all its revenues for the purposes aforesaid; and such sum or sums of money shall be defrayed out of moneys to be provided by Parliament for that purpose: Provided that it shall not be necessary to lay before either House of Parliament plans and specifications of any such construction

Wynyard Sewerage.

A.D. 1912.

and works, nor the report of the Engineer-in-Chief thereon ; but before any part of the said sum of Two thousand Pounds shall be advanced to the Council, plans and specifications of the proposed works shall be submitted to and approved by the Governor in Council.

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

Sum of
£2000 to be
paid to Council
as Governor
shall determine,
and may be
repaid in instal-
ments.

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

Poll to be taken
prior to
borrowing.

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

Manner of taking
poll.

- I. The time and place of taking such poll:
- II. The works proposed to be constructed or performed by the Council: and
- III. The amount of money proposed to be borrowed for such works.

9 It shall be lawful for the Council out of the moneys to be borrowed under the provisions of this Act to make, perform, construct, and establish such drains, conveniences, connections, and other things

Council may
make private
connections.

Wynyard Sewerage.

A.D. 1912.

Cost of con-
nections to be
repaid.

connecting all private and other premises within the town with such main sewer as to the Council may seem fit. The amount of money expended in respect of each particular premises shall be payable to the Council by the owner or owners of such premises in such manner as the Council may decide. The amounts of money so expended shall be deemed to be expenses within the meaning of "The Local Government Act, 1906," and shall be recoverable as therein provided.

Powers of entry
on private land.

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

Power to levy
rate.

11 It shall be lawful for the Council to make and levy a rate (to be called a sewerage rate) upon the annual value of all properties within the town, for the purpose of carrying out the provisions of this Act and for providing for the payment of interest on moneys borrowed thereunder. Such rate shall be made and recoverable in the same manner and shall be payable by the like persons, as any other rate made and imposed by the Council; but such rate shall not exceed in any one year the sum of Sixpence in the Pound upon the annual value of all properties within the town.

Power to rate
Crown and other
properties.

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

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

Wynyard Sewerage.

A.D. 1912.

SCHEDULE.

BALLOT-PAPER.

FOR.

AGAINST.

If you are in favour of the proposed loan, you will strike out the word "AGAINST."
And if you are opposed to the proposed loan, you will strike out the word "FOR."

