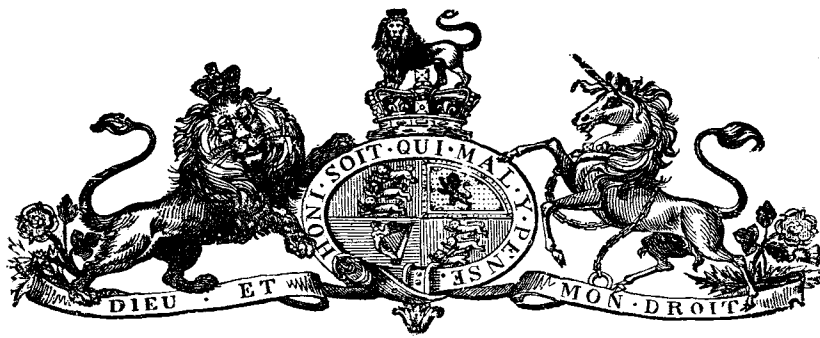


TASMANIA



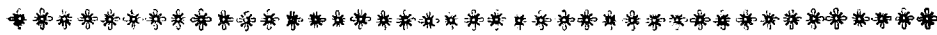
1892.

ANNO QUINQUAGESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 27.

Repealed by 62 Vict. No. 47



AN ACT to amend "The Metropolitan Drainage Act, 1891." [21 December, 1892.] A.D. 1892.

WHEREAS it is expedient to amend "The Metropolitan Drainage Act, 1891," in the manner hereafter appearing: PREAMBLE.

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 Metropolitan Drainage Act, 1892." Short title.

2 This Act shall commence and come into operation on the First day of *January*, one thousand eight hundred and ninety-three. Commencement of Act.

Metropolitan Drainage Board.

3 Section Four of "The Metropolitan Drainage Act, 1891" is hereby repealed, and in lieu thereof the following Section may and shall hereafter be read and cited as Section Four of the said Act:— Constitution of Metropolitan Drainage Board.

"For the purpose of the execution of this Act, and of any enactment passed or hereafter to be passed authorising or referring to the sewerage or drainage of the Metropolitan Drainage Area as hereinafter defined, or any portion thereof, there shall be a Board called "The Metropolitan Drainage Board" (in this Act referred to as "the Board") constituted in manner following; that is to say—

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- I. The Governor in Council shall appoint Five Members of the Board, and shall appoint one of such Five Members to be the Chairman of the Board; and the Governor in Council may from time to time at his pleasure remove all or any of the persons so appointed, and appoint others in their stead; and may appoint persons to fill up any vacancy caused by death or other cause among such Five Members; and
- II. The Mayor of *Hobart* for the time being, and the Officer of Health of the City of *Hobart* for the time being shall be *ex officio* Members of the Board; and the Local Board of Health of the City of *Hobart* shall within Two months of the passing of this Act elect Five of its Members to be Members of the Board; and
- III. The Local Board of Health of the Rural Municipality of *Glenorchy* shall within the like period elect One of its Members to be a Member of the Board; and
- IV. The Local Board of Health of the Town of *Glebe Town* shall within the like period elect One of its Members to be a Member of the Board; and
- V. The Local Board of Health of the Town of *Mount Stuart* shall, within the like period, elect One of its Members to be a Member of the Board; and
- VI. The Local Board of Health of the Town of *New Town* shall within a like period elect One of its Members to be a Member of the Board; and
- VII. The Local Board of Health of the Town of *Queenborough* shall within a like period, elect One of its Members to be a Member of the Board; and
- VIII. The Trustees of the *Leslie Road* District shall, within the like period, elect One of the said Trustees to be a Member of the Board; and
- IX. The Trustees of the *Queenborough Road* District shall, within the like period, elect One of the said Trustees to be a Member of the Board; and
- X. The Trustees of the *Wellesley Road* District shall, within the like period, elect One of the said Trustees to be a Member of the Board.

When the Chairman of the Board shall have received from the Chairman or Secretary of any of the above-mentioned Local Boards or Trustees a notification in writing of the election of any person hereinbefore authorised to be elected, such person shall be deemed to be a Member of the Board, and shall continue to be a Member for Three years from the date of his election.

If the Chairman of the Board shall not have received within One week after the expiration of the above-mentioned period of Two months after the passing of this Act a written notification from the Chairman or Secretary of any of the above-mentioned Local Boards or Trustees of the election of a person hereinbefore authorised to be elected as a Member of the Board, it shall be lawful for the Governor in Council to appoint a person being a Member of the defaulting Local Board or Trustees to be a Member of the Board, and such person so appointed shall be in the same position as if he had been elected by such Local Board or Trustees.

If any Member of the Board elected by any of the above-mentioned

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Local Boards or Trustees cease by effluxion of time or otherwise to be a Member of the Local Board or Trustees that elected him, he shall also cease to be a Member of this Board, and such Local Board or Trustees shall from their own body elect another person to be a Member of this Board, and such person so elected shall be a Member of this Board for the unexpired portion of the time during which the person in whose place he has been elected would have been a Member. A.D. 1892.

At the expiry of the time for which any Member of the Board has been elected, or on the death, resignation, or disqualification of any Member, the Local Board or Trustees that elected him shall proceed to a fresh election, and if such election be not notified as before provided to the Chairman of the Board within Two months of the said expiry, death, resignation, or disqualification, it shall be lawful for the Governor in Council to appoint a person as above provided.

If at any time after the passing of this Act any of the above-mentioned Road Districts, or any portion or portions of any of them, shall be united with any other Road District, or shall be proclaimed a Town under "The Town Boards Act, 1890," or shall be included in any Town proclaimed under that Act, it shall be lawful for the Governor in Council to notify by proclamation published in the *Gazette* the Local Authority that shall make the election of a Member of the Board to represent any portion of the Metropolitan Drainage Area which has been effected by any such change as aforesaid, and such Local Authority shall elect one of its Members to be a Member of the Board, or in default the Governor in Council may appoint the Member as before provided.

Every Member of the Board may continue to hold office until his successor is appointed or elected, except in case of disqualification as hereinafter provided.

Any Member of the Board shall be disqualified and shall cease to be a Member of the Board if he receive any fee, salary, or emolument in respect of services rendered in execution of this Act, or if he undertake or be pecuniarily interested in any contract for works to be executed under this Act, or if he compounds with his creditors, or takes advantage of any Act for the relief of insolvents, or if he be absent from all the Meetings of the Board during Two consecutive months without the consent of the Board previously obtained."

4 The Board shall be a body corporate, by the name of "The Metropolitan Drainage Board," and by that name shall have perpetual succession, and be capable of suing and being sued, and of taking, purchasing, and holding land and personal estate, and of alienating and conveying the same for any estate or interest, and shall have a common seal. Board to be a Corporation.

5 The Members of the Board constituted under "The Metropolitan Drainage Act, 1891," who are in office on the day on which this Act comes into operation shall constitute the Board for all purposes of that Act until a Board is constituted under this Act as hereinbefore provided; and the Board constituted under this Act may and shall do all things necessary for continuing and giving effect to everything duly done under "The Metropolitan Drainage Act, 1891," and in force on the day on which this Act comes into operation, and for enforcing payment of all debts and liabilities accrued or accruing under the said Act. Present Board continued.

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A.D. 1892.

Metropolitan
Drainage Area.

Schedule (1.).

6 Section Five of "The Metropolitan Drainage Act, 1891," is hereby repealed, and in lieu thereof the following Section may and shall hereafter be read and cited as Section Five of the said Act:—

"The jurisdiction of the Board, for the purpose of the execution of this Act, shall extend over the whole of the District within the limits defined in the Schedule (1.), such District being referred to in this Act as "the Metropolitan Drainage Area" or "the said Area." The Governor in Council, on the recommendation of the Board, may from time to time, by proclamation in the *Gazette*, alter and redefine the limits of the said District, and such redefined District shall then be held to be the Metropolitan Drainage Area as referred to in this Act."

SCHEDULE.

(1.)

BOUNDARIES OF METROPOLITAN DRAINAGE AREA.

Commencing near Stanhope Point on the River Derwent in the Rural Municipality of Glenorchy at a point where the boundary between lands granted to or acquired by E. Abbott and G. W. Evans reaches the river, along the said boundary and the northern boundary of land located to — Pitt to the western boundary thereof, thence southwards along the said western boundary to a point thereon thirty chains from the public road sometimes called Read's or Fletcher's Lane, thence from the said point by a line drawn due west till it meets the centre of the road leading from the said Read's or Fletcher's Lane to Derwent Park, thence southwards along the centre of the said road to a point in it ten chains from the said Read's or Fletcher's Lane, thence westwards along a line drawn parallel to and ten chains from the centre of the said lane until such line meets the north-eastern fence of the Main Line Railway, thence south-eastwards along the said fence to the middle of the said Read's or Fletcher's Lane, thence westwards along the centre of the said lane to the centre of the Main Road leading from Hobart to Launceston, thence along the centre of a lane commonly called Scott's Lane to the north-eastern end of the boundary between land purchased by T. Giblin and W. Giblin and land granted to or acquired by T. Giblin, thence south-westwards along the said boundary to the end where it meets land granted to Henry Hopkins, thence by a line trending generally south-westwards along the ridges of the hills and saddles forming the dividing line between the watershed of the New Town Rivulet and its branches and the watershed of the Humphrey Rivulet and its branches, and running through lands granted to or acquired by Henry Hopkins, Robert Pitcairn, and E. P. Butler, George Hull, and — Scott to a point on the land marked on the maps of the Lands Department as Lot 675, which point is two miles to the north west of the Trigonometrical Station on Mount Wellington, thence by a line trending generally south-eastwards along the ridge dividing the watershed of the New Town Rivulet and its branches from the watershed of the North West Bay River and its branches through the said lot of land and land granted to Joseph Allport and Thomas Young to the said Trigonometrical Station, thence along the western boundary of the said last-mentioned land to a point due west of the place known as the "Ice House," thence by a line trending generally westwards along the ridges dividing the watershed of the Hobart and Wellington Rivulets and their branches from the watershed of Brown's River and its branches through lands reserved in connection with the water supply of the City of Hobart and lands purchased by E. J. Baynton and Wm. Lindsay to a point on the Huon Road near the Sluice-house on the Waterworks Pipe-track, thence by a line also trending generally westwards along the ridges separating the watershed of the Wellington and other Rivulets flowing into Sandy Bay from the watershed of Brown's River and Vincent's Rivulet through lands granted to R. L. Murray to the Signal Station on Mount Nelson, thence by a line north-eastwards to the southern end of the eastern boundary of land now or recently held by — Edwards, thence along the said boundary to the River Derwent, and thence along the shore of the said river to the point of commencement.