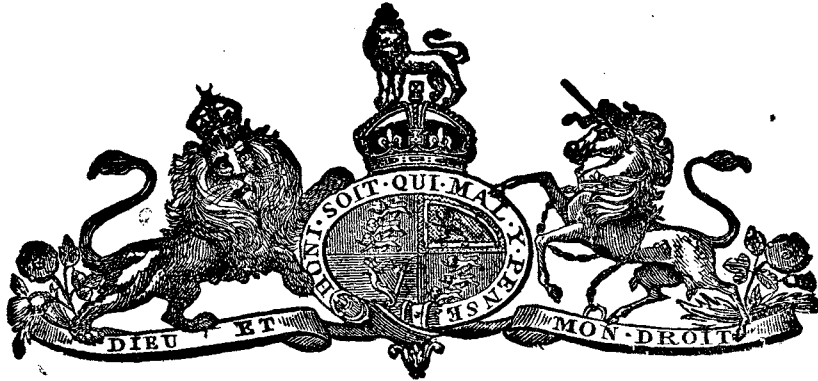


TASMANIA.



1927.

ANNO OCTAVO. DECIMO
GEORGII V. REGIS.
No. 31.

ANALYSIS.

- 1. Short title.
- 2. Interpretation.
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AN ACT to authorise the Council of the Municipality of Circular Head to borrow the Sum of One thousand five hundred Pounds under the provisions of the Local Bodies' Loans Act, and for other purposes.

A.D.
1927.

[21 October, 1927.]

WHEREAS a poll of electors of that portion of the Municipality of Circular Head described in Schedule (1) to this Act was taken on the Fifth day of March, One thousand nine hundred and twenty-six, for the purpose of deciding whether the Council of the said Municipality should borrow the sum of One thousand five hundred Pounds for the purpose of purchasing the piece of land described in Schedule (2) to this Act for a public recreation ground, and at such poll a majority of over two-thirds of the votes recorded was in favour of such borrowing:

PREAMBLE.

Smithton Recreation Ground Loan.

A.D. 1927.

And whereas the Council of the said Municipality of Circular Head is desirous of borrowing the said sum of One thousand five hundred Pounds to defray the cost of such purchase, and of improving the said piece of land as a public recreation ground:

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 Smithton Recreation Ground Loan Act, 1927.”

Interpretation.

2 In this Act—

“The said Municipality” means the Warden, Councillors and Electors of the Municipality of Circular Head:

“The Council” means the Council of the said Municipality:

“The prescribed area” means the area defined in Schedule (1) to this Act:

“The said piece of land” means the land defined in Schedule (2) to this Act.

Power to borrow.

45 Vict. No. 16.

3 It shall be lawful for the Council, on behalf of the said Municipality, without any further or other authority than this Act, to borrow under the provisions of the Local Bodies' Loans Act, but subject as hereinafter mentioned, the sum of One thousand five hundred Pounds, for the purpose of defraying the costs of, and incidental to, the purchase of the said piece of land for the purposes of a public recreation ground, and of improving the same and defraying the expenses of the preparation and passing of this Act.

Provided, however, that:—

Proviso.

I. In the application of the Local Bodies' Loans Act and its amendments to the loan hereby authorised, and to the proceedings to be taken by the Council in connection therewith, the following enactments shall not have effect—

(a) Sections Fourteen to Twenty-six inclusive, of the Local Bodies' Loans Act;

(b) The Local Bodies' Loans Amendment Act; and

(c) The Local Bodies' Loans Act, 1896:

45 Vict. No. 16.

46 Vict. No. 14.

60 Vict. No. 4.

II. The form of debenture prescribed by the Local Bodies' Loans Act, may in case of any debenture issued in pursuance of this Act, be varied as may

Smithton Recreation Ground Loan.

be necessitated by the provisions of this Act, and it shall not be necessary in any debenture so issued to refer to the publication of any notice in the Gazette: A.D. 1927.

III. Notwithstanding anything contained in the Local Bodies' Loans Act, any debentures issued in respect of the loan authorised by this Act shall be secured upon the general revenues of the Council including the recreation ground rate referred to in Section Five of this Act:

IV. Notwithstanding anything contained in Section Thirty-five of the Local Bodies' Loans Act, the holders of any debentures issued in respect of the loan authorised by this Act shall have priority over the holders of any debentures to be issued in respect of any loan to be subsequently raised on the security of the general revenues of the Council.

4 The amount payable by the Council as an annual contribution towards a sinking fund in respect of any moneys borrowed under this Act shall be a sum equal to Two Pounds per centum of the moneys so borrowed. Sinking fund.

5—(1) It shall be lawful for the Council on behalf of the said Municipality, without any further or other authority than this Act, to make and levy once in every year, or oftener if the Council thinks fit, a recreation ground rate upon the annual value of all properties within the prescribed area, as shown in the Assessment Roll for the time being in force in the said Municipality under the Annual Values Assessment Act, 1911: Provided that such rate shall not in any one year exceed the sum of Sixpence in the pound on such annual value as aforesaid. Power to levy recreation ground rate.

(2) Such rate as aforesaid shall be payable by all persons who would be liable to be rated in respect of properties in the prescribed area, if such rate had been a general rate under the Local Government Act, 1906, and shall be made, levied, and recoverable in the same manner as any such general rate. 2 Geo. V. No. 61. 6 Edw. VII. No. 31.

6 The said piece of land shall be a public recreation ground within the meaning and for the purposes of the Public Recreation Grounds Act, 1888, and the provisions of that Act shall apply to and in respect thereof: Land described to be a public ground. 52 Vict. No. 17.

Provided, however, that it shall be lawful for the Council, with the consent of the Governor to demise or let any portion of the said piece of land which is not for the time being required for recreation purposes, or any building or accommodation thereon, or any right or privilege in relation thereto, for such period not exceeding Seven years, and on such terms as the Council shall think fit. Proviso— Power to lease unused portion of land.

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SCHEDULES.

(1)

Starting at a point on the north-east corner of W. L. Ollington's 418a 3r. 30p. thence by the western boundary of Deep Creek to the intersection of the Stanley-Smithton main road thence westerly by that road to the north-east corner of E. B. Fenton's 516a. 3r. 21p. thence southerly to the south-east corner of the said block thence westerly and southerly to the south-east corner of T. W. Mathick's 191a. 2r. 3p. thence westerly southerly and westerly to Duck River thence westerly along the southern boundary of P. Stearne's 25a. thence northerly and westerly along the southern boundary of W. C. Wells' 52a. 0r. 37p. thence southerly to the south-east corner of D. J. Murray's 49a. 3r. 14p. thence westerly to the south-west corner of the said block thence northerly to the south-east corner of C. Maluga's 30a. 0r. 12p. thence westerly southerly and westerly to the south-west corner of S. N. Burggess' 103a. 3r. 13p. thence northerly westerly and northerly to the north-east corner of W. Geale's 317a. 2r. 31p. thence westerly northerly and westerly to the south-west corner of B. Burnley's 140a. 2r. 7p. thence northerly easterly and northerly to the north-west corner of H. G. Padman's 100a. 2r. 4p. thence south-westerly to the south-east corner of the Closer Settlement Department's 49a. 1r. 9p. thence northerly to the south-west corner of J. S. Lee and Sons' lease of 664 acres thence by the western boundary of the said lease to Duck Bay thence easterly by Duck Bay to the point of commencement.

(2)

TOWN OF SMITHTON.

24A. 2R. 13P.

Recreation Reserve.

Bounded on the north by 15 chains westerly along Havelock-street commencing at the intersection of Nelson and Havelock streets thence on the west by 17 chains 53 links southerly along Crown land to Grant-street thence on the south-east by 15 chains 19½ links south-easterly along Grant-street to Nelson-street and thence on the east by 15 chains 22 links northerly along Nelson-street aforesaid to the point of commencement.