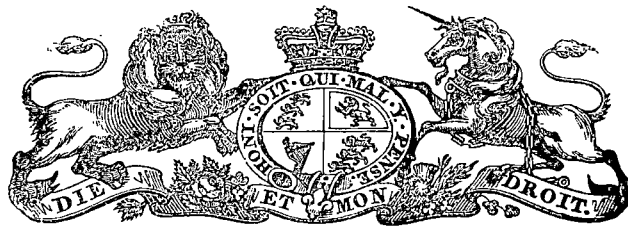


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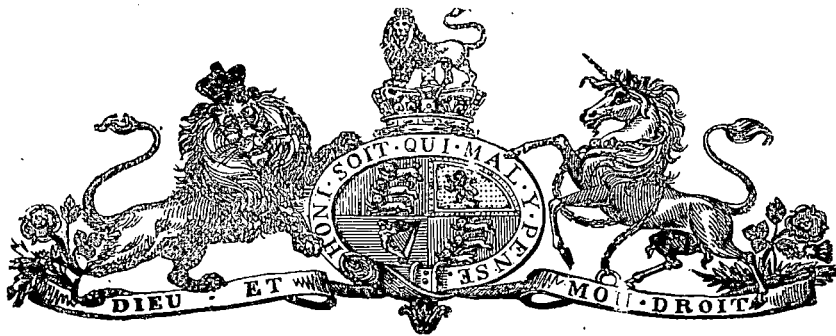
1889.

PARLIAMENT OF TASMANIA.

WILLIAM UPTON & SON:

PETITION AGAINST ACTION OF THE CENTRAL BOARD
OF HEALTH.

Presented by Mr. Scott, and ordered by the Legislative Council to be printed,
January 24, 1889.



*To the Honorable the Members of the Legislative Council of Tasmania,
in Parliament assembled.*

The humble Petition of WILLIAM UPTON and SON, carrying on business in Tasmania as Soap and Candle Manufacturers,

RESPECTFULLY SHOWETH :

THAT in December, 1887, we complied with Clause 96, Part 5, of the Health Act, 1885, and although a Petition, "signed by 80 persons, inhabitants of Invermay and Launceston," against the establishment of our factory, was sent in, the Local Board, consisting of the Rev. G. T. Heyward, Messrs. M'Kenzie, Room, Archer, and Lamont, after visiting the proposed works, situated nextdoor to Mr. Evans' factory of a similar nature, and carefully considering the said Petition, unanimously decided to give their consent to our business being carried on.

Immediately on receiving the said consent we commenced operations, and during the next few months laid out some £5000 in plant, raw material, &c., when, to our great surprise and astonishment, on the 19th March, 1888, after being fairly started, we were served with a notice from the Central Board of Health that the decision of the Local Board was reversed and annulled.

A counter Petition in favour of our works being established was got up, and within a fortnight some 600 names were attached thereto, more than half of which were those of residents of Invermay, which Petition was duly forwarded to the Central Board of Health, but has evidently had less weight than the previous Petition of 80 names, numbers of whom signed in our favour.

We have applied several times for definite information as to where such works may be carried on, but are invariably met with the answer, "Find another site, and ask for permission." We are faced with this difficulty, as by Clause 96 any person, whether *resident* or *not*, may petition against us; and also, that notwithstanding we might get the permission of the Local Board, any time thereafter the Central Board might reverse such permission.

We submit that the said action of the Central Board is a direct blow to the establishment of new industries, and shows the inconsistency of the clause under which the decision was given.

It seems to us the permission of the Central Board should first be obtained, subject to confirmation of the Local Board, who, being residents of the district, should surely be better judges of the case.

It will be said, Why have we not, during the past twelve months, sought a fresh site? We reply—

- 1st. We are sure no better site can possibly be obtained, as enclosed plan will show, being near the river, next door to a similar establishment, and in that portion of Invermay which is sparsely populated.
- 2nd. We are afraid that, in selecting another site, some one or more persons directly or indirectly interested in the non-establishment of our business would oppose us.
- 3rd. The Local Board of Health for Invermay having resigned, owing to the Central Board entirely ignoring their decision, we have no body in that district to apply to.
- 4th. The great expense we would be put to in removing our buildings and plant, and loss in stopping our business (which is now fairly established) for the time necessary for such removal; we have already often to work double shifts to keep up with the orders.

We respectfully submit that the closing of our establishment would be a considerable loss to the community, as the following figures will show :—

	£
Wages, coal, engineers, repairs, &c. for past 12 months	1000
Timber and labor for box-making, say.....	600
Advertising, printing, paper, &c., say	300
Water, rates, office expenditure, &c., say.....	200
Reduction in price of candles to the public since the establishment of works (candles which formerly cost 1s. to the consumer now being obtainable for 8d.), say.....	3000
	<hr/>
	£5100
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so that the community at large during the past twelve months has gained at least £5000 by the introduction of our business.

Should we be allowed the same facilities as other previously established businesses, there is no doubt that within the next few years we shall spend some thousands of pounds in fresh plant to establish branches of our business in Tasmania which have never before been thought of, we having now an order at Home for about £3000 worth of new machinery.

We are prepared, should a noxious trade area be proclaimed, to shift our works free of compensation, recognising that an old established business should receive a consideration which we, being only lately established, should waive, all we ask being that we be not unduly handicapped in having to seek another site, while those in the same business are allowed to remain in the same district.

In conclusion, we may state that we are not a nuisance, and are not likely to become a nuisance, as all our works are carried out on the latest scientific principles, which reduce all unpleasant odours to an absolute minimum ; and, further, your Act, if properly administered, should prevent any such works becoming a nuisance. *See* Clauses 97 to 101.

Your Petitioners therefore respectfully pray that your Honorable House will adopt such measures as may be necessary for suspending the order of the Central Board of Health until an area is proclaimed within which noxious or offensive trades, businesses, and manufactures may be carried on ; or will appoint a Select Committee, consisting of Members representing the Northern and Southern Divisions of the Island, to inquire into the merits of our case.

And your Petitioners, as in duty bound, will ever pray.

WILLIAM UPTON & SON.

Immediate action is necessary, as we have just been notified by the Central Board of Health that unless we stop all work at our factory by 1st May, 1889, they will take steps to recover the penalties as prescribed in Clause 96 of the Health Act.