

TASMANIA.



1943.

ANNO SEPTIMO

GEORGII VI. REGIS

No. 67.

ANALYSIS.

- 1. Short title.
- 2. Amendment of 20 Geo. V. No. 44.  
Section 124.
- 3. Amendment of 21 Geo. V. No. 64.  
New section 56B.  
Council may permit building in certain cases.  
Section 72A.  
Section 105.  
Section 111.  
Section 116A.  
Section 260.



AN ACT to amend the *Hobart Corporation Act* 1929. [25 November, 1943.] A.D. 1943

**B**E it 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 *Hobart Corporation Act* Short title. (No. 2) 1943.

6d.]

*Hobart Corporation (No. 2).*

A.D. 1943.

Amendment  
of 20 Geo. V.  
No. 44.  
Section 124.

**2** The Principal Act is hereby amended by substituting for paragraph II. of subsection (1) of section one hundred and twenty-four thereof (expunged by the *Hobart Corporation Act 1940*) the following new paragraph II.:-

“ II. The payment is to be made in respect of a dwelling-house occupied by a returned soldier, sailor, or airman who is certified by a responsible officer of the Department of Repatriation to be totally and permanently incapacitated, such dwelling-house being owned by such soldier, sailor, or airman, or by his wife; and that such person is wholly dependant on his war pension.”

Amendment  
of 21 Geo. V.  
No. 64.  
New section  
56B.Council  
may permit  
building in  
certain cases.

**3** The *Hobart Corporation Act 1930* is hereby amended—

I. By inserting after section fifty-six A the following new section fifty-six B:—

“ **56B** Notwithstanding anything to the contrary contained in section one hundred and twenty-two of the *Public Health Act 1935*, the Council may permit a dwelling-house to be erected on an allotment of land having a direct frontage of not less than twenty feet on any private street which existed as such prior to the first day of January, one thousand nine hundred and twenty-eight if such allotment complies with the requirements of—

I. Part III. of the regulations under the *Building Act 1937*: or

II. Part VI.A of this Act.”

Section 72A.

II. As to section seventy-two A thereof by inserting the word “ and ” after the word “ hundred ” in division (b) of paragraph II. of subsection (2) thereof:

Section 105.

III. By expunging paragraph I. of section one hundred and five thereof:

Section 111.

IV. By deleting the words “ The Barrack Square Reserve or of the ” in subsection (2) and “ The Barrack Square Reserve . . . Five years ” in subsection (3) of section one hundred and eleven thereof:

Section 116A.

V. By deleting the words “ signed ” to “ boundary lines ” in the concluding seven lines of section one hundred and sixteen A thereof and substituting the words and numerals—

“ deposited in the office of the Surveyor-General and signed by—

I. The Lord Mayor: and

II. The Master Warden of the Marine Board of Hobart—

and surrounded in such plan by red boundary lines ”:

*Hobart Corporation (No. 2).*

- VI. By expunging schedule (4) thereto: and A.D. 1943.
- VII. By inserting at the end of section two hundred and Section 260.  
 sixty thereof the following new paragraphs XLV.  
 to XLVIII.—

“ XLV. Prescribing classes or species of trees which shall not be planted within prescribed distances of the boundary of any adjoining land within the city except in prescribed cases or circumstances; and prohibiting such planting:

XLVI. Prescribing the—

(a) Maximum height: and

(b) Minimum spacing—

which shall be allowed or required in the case of trees within prescribed distances of the boundary of any adjoining land within the city, with power to discriminate between different cases or classes of cases and different species of trees according to habit, density of foliage, or other circumstances:

XLVII. Prescribing the cases and the manner in which, and the conditions under which, trees within prescribed distances of any dwelling-house on or near the boundary of adjoining land shall be removed, lopped, or cut back:

XLVIII. Prescribing the cases and the manner in which, and the conditions under which, the owner of any land shall be compelled to remove any tree, the roots of which, in the opinion of the council, are causing, or threaten to cause, damage to the property of any person other than such owner.”

