

## THE SCHEDULE.

(Section 2.)

All that piece of land bounded as follows that is to say by a line commencing at the junction of Pearson-street and Charles-street thence in a north-easterly direction along the eastern boundary of 3a. 3r. 28p. of land now or formerly owned by Violet Maude Bertram to the northern side of Arthur-street thence westerly along the northern side of Arthur-street for a distance of 6 chains or thereabouts thence 8 chains 7 links in a northerly direction thence easterly to the centre of Main-street thence south-westerly 7 chains or thereabout along the centre of Main-street thence easterly along the southern boundary of 4a. 3r. 35p. of land now or formerly owned by the Trustees of the Church of England to the centre of Thomas-street thence along the centre of that street in a south-easterly direction and southerly along the western boundary of 99a. 1r. 4p. now or formerly owned by H. S. Sizer to the southern side of Edward-street thence along the southern side of that street in a general south-westerly direction to the western boundary of Lot 18,332 now or formerly leased by the Crown to A. H. J. Thompson thence by the Currie town boundary to the southern side of Beach-road thence northerly 19 chains or thereabouts thence in a south-easterly direction  $13\frac{1}{2}$  chains along the southern boundary of Lot 44A to a point 2 chains or thereabouts south-westerly from Edward-street thence in a north-easterly direction by a line at right angles to Edward-street to the centre of that street thence south-easterly along the centre of that street to a point opposite the western boundary of the post-office reservation of 0a. 3r. 27p. thence northerly along the eastern boundary of the recreation reserve of 12a. 3r. 32p. and north-westerly along the eastern boundary of land occupied by the Municipality of King Island under an occupation licence dated the sixth day of December one thousand nine hundred and twenty-seven to the south-western corner of 0a. 3r. 20p. gazetted as a tennis-court on the twenty-fifth day of May one thousand nine hundred and fifteen thence north-westerly to the south-eastern angle on Henry-street of 22a. 2r. 0p. or thereabouts of land leased to the Marine Board of King Island thence 4 chains 31 links or thereabouts northerly along the eastern boundary of such land to a reservation thence easterly 4 chains 78 links or thereabouts to William-street thence along the north-western side of William-street  $4\frac{1}{2}$  chains or thereabouts thence northerly to the centre of Charles-street thence in a general easterly direction along the centre of Charles-street to the point of commencement.

## LAUNCESTON CORPORATION.

No. 76 of 1950.

AN ACT to amend the *Launceston Corporation Act 1941*. [14 December, 1950.]

BE 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—(1) This Act may be cited as the *Launceston Corporation Act 1950*.

(2) The *Launceston Corporation Act 1941\**, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section fifty-four of the Principal Act is amended by inserting in paragraph I. of subsection (3), after the word "post", the words "or deliver". Application for a postal ballot-paper.

**3** Section fifty-five of the Principal Act is amended— Postal votes, how recorded.

(a) by inserting in paragraph v. of subsection (1), after the word "witness", the words "and, unless the authorised witness will deliver the vote personally,"; and

(b) by inserting at the end of paragraph III. of subsection (2) the words "or hand the same personally to the returning officer or to the presiding officer at any polling-place".

**4** Section fifty-eight of the Principal Act is amended by inserting after the words "returning officer" the words "or by the presiding officer at one of the polling-places". Certain ballot-papers not to be counted.

**5** Section one hundred and seventy-seven of the Principal Act is repealed and the following section is substituted therefor:—

" 177.—(1) Except as herein otherwise provided, no land within the city shall be subdivided into allotments for the purposes of sale, or which are capable of being sold as separate allotments, or shall be sold as, or offered for sale in, allotments, and no building shall be erected on any allotment, unless every such allotment— Requirements for subdivision of land.

i. Being in an area prescribed by the regulations made under the *Building Act 1937*† as—

(a) A central area, comprises an area of not less than two thousand square feet with a frontage upon a street of not less than twenty feet and width of at least twenty feet throughout its depth, and a depth of at least seventy feet:

(b) An inner area, comprises an area of not less than four thousand square feet with a frontage to such street of not less than forty feet and a depth of not less than eighty feet, and such allotment maintains a width of not less than forty feet for a distance of at least fifty feet from such street: or

(c) An outer area, comprises an area of not less than five thousand square feet and has a frontage to such street of at least fifty feet and depth of at least ninety

\* 4 & 5 Geo. VI. No. 91, as amended by 6 Geo. VI. Nos. 52 and 69, 7 Geo. VI. No. 14, 8 & 9 Geo. VI. No. 55, 10 Geo. VI. No. 50, 11 & 12 Geo. VI. No. 89, No. 22 of 1948, and No. 63 of 1949.

† 1 Geo. VI. No. 73, as amended by 4 Geo. VI. No. 13 and 7 Geo. VI. No. 39.

feet and there is within such allotment an open space within which can be described a circle having a diameter of fifty feet, or, being on the corner of two streets, has a frontage on each of those streets of not less than fifty-five feet:

- II. Has reasonable vehicular access to such street or some other street:
- III. Is capable of being sufficiently drained into a public channel or drain: and
- IV. Is shown on a survey plan of the subdivision, sealed by the council as provided by this section.

(2) The provisions of subsection (1) of this section shall not prevent the sale of any allotment or piece of land, or the inclusion thereof in any plan of subdivision if the council is satisfied that—

- I. The sale will not so affect any allotment on which an existing or proposed dwelling is placed, or is to be placed, that it will not comply with the requirements of subsection (1) of this section: or
- II. Subject to the requirements of paragraph I. of this subsection, the land to be sold is for the purposes of business only and not to be dwelt upon.

(3) In any case where an allotment comprises an area of not less than five thousand square feet but a frontage of fifty feet or a depth of ninety feet is not obtainable, the council, with the approval of the Director of Public Health and with the consent of the Governor, may permit the allotment to be sold or built upon, providing the allotment has a frontage of not less than twenty feet and there is an open space within the allotment within which can be drawn a circle having a diameter of not less than sixty feet; and where the allotment is partly at the rear of other allotments and access to it is provided by strip of land or right-of-way forming part of that allotment, the right-of-way or strip of land shall be not less than twenty feet wide for the whole of its length and the area of the right-of-way shall not be included as part of the total area required, but the right-of-way shall not be the sole or principal means of access to any other allotments.

(4) No person shall, without the written consent of the council first obtained, reduce the frontage, depth, or area of any allotment of land within the city.

(5) Before subdividing any land or offering the same or any part thereof for sale in allotments, or erecting or allowing to be erected any buildings on those allotments, the owner shall make application to the council for approval of the proposed subdivision and shall submit with the application a plan drawn to scale showing—

- I. The size and measurement of the proposed allotments:

- II. The general levels and contours of the land:
- III. Any street proposed to be constructed on the land:
- IV. The proposed drainage for each allotment: and
- V. Such other particulars, if any, as may be prescribed.

(6) The council shall refer the application and plan to its engineer, who shall report to the council recommending the acceptance or rejection of the application, or the acceptance thereof, with such alterations as may be specified in the recommendation, and the reasons for the rejection or alteration, as the case may be.

(7) The council, upon consideration of the report mentioned in subsection (6) of this section, may grant or refuse the application or may grant the same with such alterations as it may specify, and shall notify the owner in writing of its decision thereon.

(8) The owner, on receipt of the council's approval, shall, before proceeding with the subdivision, procure a plan to be prepared by an authorised surveyor, showing—

- I. The measurements and boundaries of all the proposed allotments:
- II. The position and measurements of all new streets, if any:
- III. All such levels as may be necessary to satisfy the council that all statutory requirements are fulfilled: and
- IV. The position, length, direction, and outlet of all proposed drains,

and that plan shall be in conformity with such alterations, if any, as the council may have required.

(9) The owner shall furnish to the council five copies of the plan mentioned in subsection (8) of this section, and the council, upon being satisfied that it complies with all statutory requirements, shall cause its seal to be affixed to one of the copies, and shall return the copy so sealed to the owner.

(10) The owner, before completing the sale of any such allotment shall—

- I. If any land comprised therein is subject to the *Real Property Act 1862\**, lodge the plan or a certified copy thereof, sealed by the council, in the office of the Recorder of Titles: and
- II. If the land is not subject to that Act, register the plan as provided by the *Registration of Deeds Act 1935†*,

and the Recorder of Titles or the Registrar of Deeds as the case may be may refuse to accept any plans to which, in his opinion, the provisions of this section apply, unless the plan is sealed as provided by this section or the council has certified that its approval is not required.

25 Vict. No. 16. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 1002. Subsequently amended by 11 & 12 Geo. VI. No. 83.  
 † 26 Geo. V. No. 24. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 97.

(11) The council, in considering any application under this section, shall have regard to—

- I. The situation and planning of streets in relation to public convenience, present and prospective, and to inter-communication with neighbouring localities, within or without the area included in any subdivision:
- II. The method of draining allotments and streets necessary in the circumstances, present and prospective, and the disposal of such drainage:
- III. Whether the owner will transfer or convey to the council, in fee simple for a nominal consideration, any necessary drainage reserves:
- IV. The character and construction of the streets necessary in the circumstances, present and prospective:
- V. Whether splaying or rounding of corners of junctioning streets is necessary:
- VI. Whether or not blind streets are desirable in the circumstances:
- VII. Whether or not lanes or rights-of-way to give access to the rear of allotments are necessary: and
- VIII. Whether or not public garden or recreation space is desirable.

(12) All allotments in a subdivision shall be numbered consecutively in such manner as the council may approve.”

Purposes for, and limits within, which moneys may be borrowed.

**6** The Principal Act is amended by omitting from the third column of the fifth schedule thereto the numerals “£185,000” (opposite the words “General purposes” in the first column thereof) and substituting therefor the numerals “£500,000”.

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## BURNIE MARINE BOARD ENABLING.

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No. 77 of 1950.

AN ACT to confer certain powers and authorities upon the Marine Board of Burnie.

[14 December, 1950.]

**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:—

Short title, citation, and incorporation.

**1**—(1) This Act may be cited as the *Burnie Marine Board Enabling Act 1950*.