

THE ACTS
OF
THE PARLIAMENT
OF
TASMANIA
1950.

TOWN AND COUNTRY PLANNING.

No. 1 of 1950.

AN ACT to amend the *Town and Country Planning Act 1944*. [9 January, 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 *Town and Country Planning Act 1950*. Short title and citation.

(2) The *Town and Country Planning Act 1944** is in this Act referred to as the Principal Act.

Pending approval of scheme local authority may prohibit erection of buildings, &c., which would contravene scheme.

2 Section twenty-four of the Principal Act is amended—

- (a) by omitting from subsection (1) the words “absolutely or conditionally refuse” and substituting therefor the words “refuse, or grant conditionally”;
- (b) by inserting after subsection (2) the following subsections:—
 - “(2A) Where the appellant is not the person directly affected by the determination, the person who is directly affected thereby shall be made a respondent to the appeal.
 - (2B) All other persons who may be injuriously affected by the upholding or quashing of the same determination may be added either as appellants or as respondents.”;
- (c) by inserting at the beginning of subsection (3) the words “Save as aforesaid,”; and
- (d) by omitting from subsection (4) the words “the appellant” and substituting therefor “all other parties to the appeal”.

Persons injuriously affected may claim compensation.

3 Section twenty-five of the Principal Act is amended—

- (a) by omitting paragraphs (a), (b) and (c) of subsection (1) and substituting therefor the following paragraphs:—
 - “(a) having any land injuriously affected by the operation of any planning scheme or of section twenty-four; or
 - (b) who for the purpose of complying with any provision in a planning scheme or with any determination under section twenty-four has incurred an expenditure which is rendered unnecessary by a subsequent variation or revocation of the scheme”;
- (b) by inserting in paragraph (b) of subsection (2), after the words “character of buildings”, the words “or the use of land”;
- (c) by omitting from subsection (2) the word “or” after paragraph (e); and
- (d) by omitting paragraph (f) of subsection (2) and substituting therefor the following paragraphs:—
 - “(f) any determination made under section twenty-four so far as it is based on any plan or proposal for regulating the space about buildings or limiting the number that may be erected within

any area, or regulating the bulk, floor space, height, coverage, use or design, external appearance or character of buildings or the use of land; or

- (g) any buildings erected or any contract made or other thing done in contravention of any determination made under section twenty-four.”.

FIRE BRIGADES.

No. 2 of 1950.

AN ACT to amend the *Fire Brigades Act 1945*. [9 January, 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 *Fire Brigades Act 1950*. Short title and citation.

(2) The *Fire Brigades Act 1945** is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended by inserting at the end of the definition of “owner” the words “and includes any person constituted by any Act, or appointed by the Governor under the authority of any Act, to administer or control any business or undertaking on behalf of the State”. Interpretation.

3 Section thirteen of the Principal Act is amended by inserting in subsection (1) after the word “municipality” (second occurring) the words “and of the Commission”. Enlargement or diminution of districts.