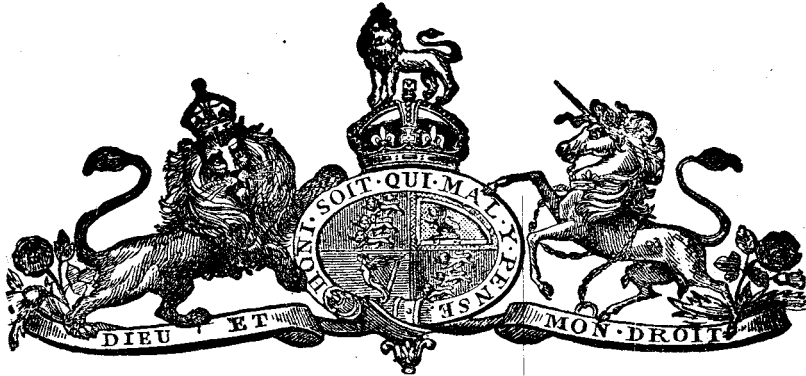


TASMANIA.



1923.

ANNO QUARTO DECIMO
 GEORGII V. REGIS.
 No. 6.

ANALYSIS.

1. Short title and incorporation with 9 Geo. V. No. 75.
2. Amendment of Section 5 of Principal Act.
3. By-laws to fix building lines.
4. By-laws to regulate flats and the size of building allotments.
5. Amendment of Section 77 of Principal Act.
6. Abolition of combustible material for roofing.
7. Provisions as to timber mills and petrol stores.
8. Verandahs.
9. Amendment of Section 131, Paragraph v., of Principal Act.
10. Amendment of Schedule (11) of Principal Act.

AN ACT to amend "The Hobart Building Act, 1918."

A.D.
 1923.

[14 July, 1923.]

WHEREAS it is expedient to amend "The Hobart Building Act, 1918," in the manner hereinafter appearing: Preamble.

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:—

- 1—(1) This Act may be cited as "The Hobart Building Act, 1923." Short title and incorporation with 9 Geo. V. No. 75
- (2) "The Hobart Building Act, 1918" is hereinafter referred to as "The Principal Act."
- (3) The Principal Act and this Act may together be cited as "The Hobart Building Acts, 1918-1923."

2 Section Five of the Principal Act is amended by omitting therefrom the definition of "Building line," and substituting therefor the Amendment of Section 5 of Principal Act.

Hobart Building Act Amendment.

A.D. 1923.

following :— ‘ Building line ’ means an imaginary line drawn through land fronting on, or in proximity to, any street parallel to the centre line of such street.”

By-laws to fix building lines.

3 After Section Eleven of the Principal Act the following section is inserted :—

“ **11a**—(1) It shall be lawful for the Council, by by-laws, to fix building lines, which may be fixed generally, or in respect to any portion of the City, or to any particular street or portion of a street.

“(2) In no case shall a building line be fixed at less than Twenty-five feet from the centre line of a street.

“(3) No person shall erect, re-erect, enlarge, or alter any building upon any land situate between the street and the building line fixed in relation to such street.

“(4) The provisions of Section One hundred and eighteen, and of Subsection (2) of Section One hundred and thirty of this Act, shall be applicable to any person who infringes the provisions of Subsection (3) of this section, and to any breach of such lastmentioned provisions.”

By-laws to regulate flats and the size of building allotments.

4 After Section Ninety-nine of the Principal Act the following section is inserted :—

“ **99a** It shall be lawful for the Council by by-laws—

- i. To regulate the use of buildings as or for flats or apartment dwellings :
- ii. To regulate the sanitary and lavatory accommodation and baths to be provided in each building, or with each flat or set of apartments in each building :
- iii. To prescribe the minimum size of building allotments upon which any dwelling-house may be erected, the open yard space which must be available for use and occupation by the occupier of a dwelling-house in connection therewith, and the area of such open yard space may be varied, having regard to the size and height of such dwelling-house: Provided that in no case shall such open yard space be of a less area than Six hundred square feet.”

Amendment of Section 77 of Principal Act.

5 Section Seventy-seven of the Principal Act is amended by inserting, after the word “ neighbourhood ” in the Fourth line thereof, the words “ or is, by reason of its age, condition, state of delapidation, or combustible material, likely in the event of fire to endanger or be prejudicial to the safety of other structures or property in the neighbourhood. ”

Abolition of combustible material for roofing.

6 The owners of all buildings or structures having roofs of combustible material shall, within the areas and times hereinafter specified, cause all such combustible materials to be removed from such roofs, and such roofs to be re-covered with fire-resisting material :—

- i. In the central city area bounded by Park-street, Brisbane-street, Harrington-street, Montpelier Road, and the River Derwent within Seven years from the First day of January, One thousand nine hundred and twenty-three :

Hobart Building Act Amendment.

- ii. In the middle zone, which shall be deemed to be the area described in Schedule (11) of "The Hobart Building Act, 1918," exclusive of the area mentioned in Paragraph i. of this section, within Ten years from the First day of January, One thousand nine hundred and twenty-three : A.D. 1923.
- iii. In the outer zone, which shall be deemed to be the area substituted by Section Ten hereof as Schedule (11) to "The Hobart Building Act, 1918," exclusive of the areas mentioned in Paragraphs i. and ii. of this section, within Fifteen years from the First day of January, One thousand nine hundred and twenty-three.

7—(1) Within a period of Ten years from the First day of January, One thousand nine hundred and twenty-three, all timber mills within the area described in Paragraph 1 of Section Six hereof shall be completely enclosed or surrounded by walls of fire-resisting material of such height as the Council shall determine. Provisions as to timber mills and petrol stores.

(2) From and after the First day of January, One thousand nine hundred and twenty-three, no timber mills or bulk stores for petrol or other inflammable oils shall be established within the area described in Paragraph 1. of Section Six hereof.

8 After Section One hundred and eighteen of the Principal Act, the following section is inserted :— Verandahs.

118a In addition to the powers given by Section One hundred and eighteen, the Council may require the owner of any building having a verandah, portico, awning shade, signboard, or other matter or thing over any footway or roadway in any street to remove or alter the same as the Council may require within One month after notice in writing under the hand of the Town Clerk to so remove or alter is served upon the owner or occupier, and in case the owner fails to remove or alter as required the Council may order the Surveyor to pull down such verandah, portico, awning shade, signboard, or other matter or thing, and the Surveyor on such order shall pull down and remove the same, and recover in a summary way all expenses incurred in such pulling down and removal.

Provided that in all such cases One month's notice shall be served by the Surveyor on the owner or occupier before he pulls down and removes as aforesaid."

9 Section One hundred and thirty-one of the Principal Act is hereby amended by substituting the words "Two hundred" for the words "One hundred and fifty," in the Third line of Paragraph v. thereof. Amendment of Section 131, Paragraph v. of Principal Act.

10 The Eleventh Schedule of the Principal Act is hereby repealed, and the following Schedule is substituted therefor :— Amendment of Schedule (11) of Principal Act.

" (11)

" All that area comprised within the following boundaries that is to say commencing at the outfall of the Hobart Rivulet diversion and following the course of the Hobart Rivulet diversion to the point where it intersects the centre line of Park-

Hobart Building Act Amendment.

A.D. 1923.

street thence along the centre line of Park-street to a point in line with the south-eastern boundary of land in the occupation of the University of Tasmania and thence along the south-eastern and north-eastern boundaries of the last-mentioned land to the centre line of Edward-street thence along the centre line of Edward-street to its intersection with the centre line of Park-street thence along the centre line of Park-street in a north-westerly direction to a point $2\frac{1}{2}$ chains beyond its intersection with the centre line of Warwick-street thence along a line parallel with the centre line of Warwick-street and $2\frac{1}{2}$ chains north-west of it to a point $2\frac{1}{2}$ chains from the centre line of Argyle-street and thence along a line parallel to Argyle-street and $2\frac{1}{2}$ chains from its centre line to a point on the centre line of Moore-street $2\frac{1}{2}$ chains north-east of its intersection with the centre line of Argyle-street thence in a north-easterly direction along the centre of Moore-street to its intersection with Letitia-street thence north-westerly along the centre of Letitia-street to its junction with Park-street thence north-westerly along the centre of Park-street to its intersection with Bishop-street thence south-westerly along the centre of Bishop-street to a point 100 feet distant from the north-eastern side of Swanston-street thence north-westerly in a parallel line to Swanston-street and 100 feet distant therefrom to the Main Line Railway fence thence following that fence in a general westerly direction to the New Town Rivulet thence along that rivulet in a south-westerly direction for a distance of 1100 feet or thereabouts thence in a south-easterly direction to the junction of Ross and Foster streets thence easterly along the centre of Ross-street to its intersection with Montagu-street thence in a general southerly direction along the centre of Montagu-street to its junction with Augusta Road thence in a southerly direction along the western boundary of land granted to Charles McLachlan to Elphinstone Road thence south-easterly along Elphinstone Road to a point of intersection with a line prolonged from the centre line of Ryde-street being the north-west corner of the land granted to Janet McTavish thence by a straight line in a south-easterly direction to a point in Providence Valley Creek 2 chains upstream from its intersection with Jordan Hill Road thence along this creek in a south-westerly direction to a point $2\frac{1}{2}$ chains south-west of the centre of Mellifont-street and in line with the centre line of Upper Queen-street thence in a south-easterly direction along a line parallel to the centre line of Mellifont-street to a point $2\frac{1}{2}$ chains beyond the centre line of Arthur-street thence along a line parallel to Arthur-street and $2\frac{1}{2}$ chains therefrom to the centre line of Hill-street thence in a south-easterly direction along the centre line of Hill-street to its point of intersection with the centre line of Augustus Terrace thence along the centre line of Augustus Terrace to its point of intersection with the centre line of Knocklofty Terrace thence in a south-easterly direction along the centre line of Knocklofty Terrace to its point of intersection with the centre line of Upper Goulburn-street thence in an easterly direction along the centre line of Upper Goulburn-street to a point $2\frac{1}{2}$ chains south-west of its point of intersection with the centre line of Molle-street and distant $2\frac{1}{2}$ chains therefrom to the Hobart Rivulet thence in a south-westerly direction along the Hobart Rivulet to a point in a straight line with the centre line of Glen-street thence along the centre lines of Glen-street D'Arcy-street Reform-street and Princes-street to the point of intersection of the centre line of Princes-street and the centre line of Regent-street thence in a south-easterly direction along the centre line of Regent-street and along this centre line produced to its intersection with an unnamed rivulet along the rifle range thence following down the course of this rivulet to a point in its course 10 chains south-westerly from Sandy Bay Road thence in a south-easterly direction along a line parallel to the centre line of Sandy Bay Road and 10 chains from it and on the southern side thereof to a point in line with the centre line of Beach Road thence in a north-easterly direction along the prolongation of the centre line of Beach Road and along the centre line of Beach Road to the River Derwent and thence by the River Derwent to the point of commencement."