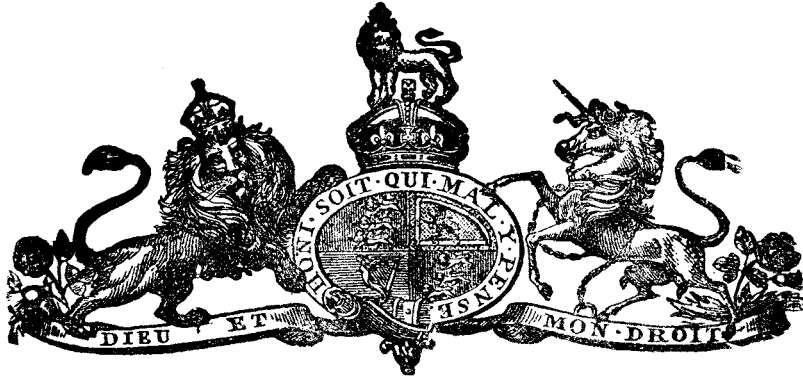


T A S M A N I A.



1926.

ANNO SEPTIMO DECIMO
 GEORGI V. REGIS,
 No. 65.

ANALYSIS.

1. Short title.
2. Application of Act.
3. Councils may define brick areas.
Class of building that may be commenced thereon.
4. Consent of council to be obtained before building commenced.
5. Subdivision plans to be submitted to Council for consent.
6. Penalty.
7. By-laws.
8. Expiry of Act.

AN ACT to amend the Local Government Act, 1906. A.D.
1926.
 [21 December, 1926.]

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 This Act may be cited as "The Local Government Act (No. 2), 1926." Short title.

2—(1) The provisions of this Act shall apply only—

- i. To that part of the Municipality of Emu Bay which is particularly described in the schedule hereto : and
- ii. To any other part or parts of the said Municipality, or of any other municipality which the Governor may by proclamation under Subsection (2) of this section specify and direct.

Application of
Act.

Local Government (No. 2).

A.D. 1926.

(2) The Governor, upon petition by the council of any municipality, may by proclamation direct that the provisions of this Act shall apply to any part or parts of such municipality specified in such proclamation ; and at any time, and from time to time, upon petition, as aforesaid, may add to or enlarge any part so specified.

(3) The area described in the said schedule, and any areas proclaimed as aforesaid, shall be designated in the case of each municipality affected as "the building area" of such municipality.

(4) This Act shall not apply to any building the construction of which was commenced before the building area wherein the same is situated was defined.

Councils may
define brick areas.

3—(1) The council of a municipality from time to time by resolution may define such part or parts of the building area of the municipality as it may think fit to be a brick area.

(2) A copy of every such resolution, setting forth the boundaries of such area, shall be published in the Gazette, and upon such publication such area shall be duly constituted as a brick area for the purposes of this Act.

Class of building
that may be con-
structed thereon.

(3) All building operations commenced or carried out within a brick area shall be constructed of stone, brick, or concrete, or of such materials as may be prescribed for buildings in such area, unless the consent in writing of the council is first obtained for the use of other materials therein.

Consent of
council to be
obtained before
building com-
menced.

4—(1) No person shall commence any building operations within a building area without the consent in writing of the council.

(2) Application for such consent shall be in writing, and shall be accompanied by—

- i. Plans and specifications, in duplicate, of the proposed building : and
- ii. A plan, in duplicate, of the land on which it is proposed to build the same.

(3) The council may require such alteration of any such plans or specifications as it thinks fit, and may refuse such consent as aforesaid on any of the following grounds :—

- i. That any such plans or specifications have not been altered in accordance with the council's requirements :
- ii. That the structure or design proposed for such building or the materials to be used in its construction are unsuitable :
- iii. That the council disapproves of the purpose to which such building is intended to be put :
- iv. That the site proposed for such building, by reason of its nature or locality, is unsuitable for such purpose : or
- v. That the requirements of any Act affecting such plans or specifications have not been complied with.

Local Government (No. 2).

5—(1) Whenever any area of land within a building area is subdivided for the purpose of offering for sale, selling, transferring, or conveying to any person, other than the owner thereof, the whole or part of such area, and such subdivision involves the reservation of proposed new streets, a proper subdivision plan thereof shall first be submitted in duplicate to the council for its approval.

A.D. 1926.

Subdivision plans to be submitted to council for consent.

(2) The council may require such alterations of such subdivision plan as it thinks fit, and may approve the same subject to such conditions as it thinks necessary by reason of any of the following considerations :—

- i. That the proposed new streets are not laid out in relation to existing streets or to other areas adaptable in the council's opinion for subdivision, to the satisfaction of the council:
- ii. That the requirements of any Act affecting such subdivision have not been complied with :
- iii. That the gradients or levels proposed for such new streets as aforesaid are not approved by the council :
- iv. That provision satisfactory to the council has not been made for the construction of such new streets.

(3) No person shall offer for sale, sell, transfer, or convey such land or any part thereof until the council's approval to such plan has been obtained as aforesaid, and all such conditions as the council may have imposed in respect thereof have been fulfilled but no purchaser of any such land shall be prejudiced or affected by this provision.

(4) The council's approval of any such plan together with any conditions which the council may impose in respect thereof shall be endorsed on each of the said duplicates thereof, and one of such duplicate plans shall be retained by the council and the other returned to the applicant.

6 Any person who by any act or omission contravenes any of the provisions of this Act shall be liable on conviction in a summary way to a penalty not exceeding One hundred Pounds. Penalty.

7 A council may make by-laws under this Act for giving effect to the provisions thereof, and for prescribing all matters and things which may be necessary or desirable for that purpose, and in particular may prescribe— By-laws.

- i. The minimum proportion of any allotment or block of land in relation to the area thereof, upon which buildings are erected which must be free from buildings and available for use and enjoyment therewith, with power to discriminate between different classes of buildings and between different parts of a building area :
- ii. The minimum width of all new streets :
- iii. The minimum frontage which every allotment or block of land upon which a new building is to be erected shall have upon a street, with power to discriminate between different classes of buildings and different localities or parts of a building area :

Local Government (No. 2).

A.D. 1926.

- iv. The minimum area upon which a dwelling-house may be built:
- v. The class or classes of materials that may be used in the construction of buildings within a brick area, and the extent to which, and the purposes for which, any other materials may be used therein, with power to discriminate between different classes of buildings.

Expiry of Act.

8 This Act shall expire on the thirty-first day of December, one thousand nine hundred and twenty-seven.

SCHEDULE.

Bounded on the south-western and southern sides commencing at the intersection of the Main Road from Burnie to Wynyard with the River Cam in a south-easterly and easterly direction by the East Cam Road to its intersection with the Mooreville Road thence on the west southerly by the Mooreville Road to its intersection with the Three Mile Road thence on the south-easterly by the Three Mile Road and a straight line from the eastern end of the Three Mile Road easterly parallel to the southern boundary of allotment No. 76 to Chasm Creek thence on the east in a general southerly direction by Chasm Creek to Bass Strait and thence on the north in a general westerly direction by Bass Strait the River Cam and the said Main Road to the point of commencement.