

- upon any other land comprised in the same Crown grant or certificate of title; or
- (iii) an allotment on the last approved plan of subdivision; or
- (b) in the case of land not under the *Transfer of Land Act* 1958—
 - (i) a parcel of land granted by conveyance which effected a subdivision and that subdivision, whether before or after the commencement of this Act, was lawfully effected:

Provided that after the expiration of fifteen years from the date of any conveyance effecting a subdivision shall be deemed to have been lawfully effected; or
 - (ii) a part of any parcel of land within the class described in sub-paragraph (i) of this paragraph if such part does not touch upon any other part of such parcel; or
 - (iii) a parcel of land on the last approved plan of subdivision.

Council may seal plan of consolidation.
S. 569AB
 inserted by No. 7814 s. 8,
 amended by No. 7968 s. 15 (e) (i).

569AB. (1) Where in the case of land under the *Transfer of Land Act* 1958 the sale or transfer of any one of two or more abutting or adjacent allotments or pieces of land or the issue of a certificate of title with respect to any such allotment or piece or land would not constitute a subdivision within the meaning of this Act a council may, upon application made to it in that behalf, cause to be sealed with the seal of the municipality and endorsed with a statement that it has been sealed pursuant to the provisions of this section a plan (hereafter in this Division called a "plan of consolidation") delineating the boundaries of the area formed by the two or more allotments or pieces of land.

Ss. (2) inserted
 by No. 7968 s. 15
 (e) (ii).

(2) The municipal clerk shall demand and receive from every person making an application under this section such fees as are prescribed by regulations made by the Governor in Council.

Notice by person proposing to lay out street, &c., on or to subdivide private property.

S. 569
 substituted by
 No. 6975 s. 2

Non-application of subdivision to sales to Crown, &c.

Para. (b)
 substituted by
 No. 7495 s. 33
 (a).

569. (1) Where in the case of any land to which this subdivision applies any person intends—

- (a) to make or lay out on such land any new street road lane or passage whether the same respectively is to be dedicated to the public as a highway or not; or
- (b) to subdivide such land into two or more parts otherwise than by the sale transfer or conveyance of one or more parts of the land to the Crown or to any person on behalf of the Crown or to any public statutory body constituted under any law of the State or the Commonwealth—

such person shall—

Thirtieth Schedule.

- (c) give notice of his intention to the council in writing in the form of the Thirtieth Schedule; and

Plan.

- (d) submit to the council a plan and a copy thereof which copy

shall be retained by the council and also as many additional copies thereof as for the purposes of reference to statutory authorities the council thinks necessary.

(2) For the purposes of this section intention to subdivide shall be deemed to include any case where a person intends to make any separate disposition in fee-simple of any part of such land notwithstanding that such part is or has at any time previously been leased or held for any estate or interest or occupied separately from the remainder of such land, but such a case shall not be deemed to be included if it is one in respect of which—

(a) a disposition in fee-simple was made; or

(b) a plan of subdivision was lodged at the Office of Titles—

before the commencement of the *Local Government (Amendment) Act 1954*.

(2A) This subdivision does not apply to a subdivision of land effected by the sale transfer or conveyance of a part of any land to the Crown or to any person on behalf of the Crown or to any public statutory body constituted under any law of the State or the Commonwealth.

Ss. (2A) inserted by No. 7495 s. 33 (b).

(3) For the purposes of this subdivision a Notice of Intention in the form of the Thirtieth Schedule and any plan and any copy of a plan shall be deemed to have been submitted to the council when it has been lodged with the municipal clerk.

(4) For the purposes of this subdivision where a plan of consolidation sealed with the seal of the municipality pursuant to the provisions of section 569AB has been approved by the Registrar of Titles pursuant to the provisions of section 97A of the *Transfer of Land Act 1958* any person intending to sell or transfer or to obtain the issue of a separate certificate of title with respect to part only of the land delineated on that plan shall unless he is the registered proprietor of that part and no other part of the land so delineated be deemed to intend to subdivide land into two or more parts.

Presumption of intention to subdivide.

Ss. (4) inserted by No. 7814 s. 9.

(5) For the purposes of this subdivision where there is shown on any plan—

Further presumption of intention to subdivide.

Ss. (5) inserted by No. 7814 s. 9.

(a) sealed with the seal of the municipality pursuant to the provisions of section 569B at any time after the commencement of the *Transfer of Land (Subdivision of Allotments) Act 1969*; or

(b) confirmed by the Planning Appeals Board pursuant to the provisions of section 570 at any time after the said commencement—

Para. (b) amended by No. 9512 s. 2 (1).

or in any Crown grant made after the said commencement an allotment comprised of two or more pieces or parcels of land any person intending to sell convey or transfer or to obtain the issue of a separate certificate