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[1966

LOCAL GOVERNMENT ACT, 1960-1965.

Local Government Department,
Perth, 8th March, 1966.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Local Government Act, 1960-1965, has been pleased to make the uniform general by-laws set out in the schedule hereunder.

R. C. PAUST,
Secretary for Local Government.

Schedule.

UNIFORM GENERAL BY-LAWS.

1. In these by-laws the Uniform Building By-laws, 1965, published in the *Government Gazette* on the 15th October, 1965, are referred to as the principal by-laws.

2. By-law 103 of the principal by-laws is amended—

(a) by adding, after the interpretation, "frontage", the following interpretation:—

"general residential zone" means a portion of a municipal district within the metropolitan region that is defined as such a zone and classified by the Council, as of Class 4 (GR4), Class 5 (GR5) or Class 6 (GR6), under a town planning scheme prepared or adopted by it and approved by the Minister, or under an amendment to such a scheme so prepared or adopted, and approved, by virtue of the Town Planning and Development Act, 1928, subsequent to the 30th October, 1963, and, in the absence of any such scheme or amendment, means a portion of a municipal district within the metropolitan region that is defined as such a zone and classified by the Metropolitan Region Planning Authority, under the Metropolitan Region Town Planning Scheme Act, 1959;

and

(b) by adding, after the interpretation, "masonry", the following interpretation:—

"metropolitan region" has the same meaning as it has in, and for the purposes of, the Town Planning and Development Act, 1928;

3. The principal by-laws are amended by adding, after by-law 212, the following by-laws:—

213. **Site Requirements for General Residential Zones.** (1) In this by-law—

"GR Duplex" means a building comprising two complete and self-contained dwellings;

"GR Quadruplex" means a building comprising four complete and self-contained dwellings.

(2) Nothing in this by-law operates so as to prevent the erection, occupancy or use of a single family detached unit on a lot created by a subdivision approved under the Town Planning and Development Act, 1928, prior to the definition and classification of the general residential zone in which the lot is comprised.

(3) Notwithstanding anything to the contrary in this Part but subject to this by-law, a person shall not construct or erect a building on a lot in a general residential zone, except in conformity with Tables 213A, 213B or 213C to this by-law, as the class of the general residential zone may require.

TABLE 213A
GENERAL RESIDENTIAL ZONE—CLASS 4 (GR-4)

GR-4

Minimum Lot Area Perches	Sq. Ft.	Minimum Effective Frontage		Maximum No. of Dwelling Units D.U.	Maximum Plot Ratio P.R.	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side(s)	Rear
27	7,350.75	90	59.4	1 (Single-family detached unit)	0.30	2 per D.U.	25 feet	Minimum 8 ft. on one side and 5 ft. on the other or, where a garage is incorporated in the side of the structure, 5 ft. on each side	25 feet
40 ($\frac{1}{4}$ acre)	10,890	100	66.0	2 (GR. Duplex)	0.30	2 per D.U.	25 feet	10 feet per storey each side	25 feet
60	16,335	125	82.5	4 (GR. Quadruplex)	0.30	2 per D.U.	30 feet	10 feet per storey each side	25 feet
80 ($\frac{1}{2}$ acre)	21,780	150	99.0	Multiple	0.30	5 D.U. or less—8 spaces 6-20 D.U.—1.5 spaces for each D.U.	30 feet	10 feet per storey each side	30 feet
100	27,225	175	115.5	„	P.R. increases 0.000625 for each Perch increase in Lot Area between 80 Perches and 400 Perches	Over 20 D.U.—30 spaces plus 1.25 spaces for each D.U. in excess of 20	„	„ „ „	„
120 ($\frac{3}{4}$ acre)	32,670	200	132.0	„			„	„ „ „	„
160 (1 acre)	43,560	250	165.0	„			„	„ „ „	„
400 (2 $\frac{1}{2}$ acres)	108,900	300	198.0	„	0.50	„ „ „ „	„	„ „ „	„
Where comprehensive architectural plans and designs of houses, such as are commonly known as "patio houses", are submitted for a minimum group of 4 dwelling units, the Council has, with the consent of the Town Planning Board, a discretion to modify standards as follows:—									
12	3,267	60	39.6	1 (single-family patio house)	0.35	1 per D.U.	20 feet	Nil between patio houses 10 feet at ends of each row	20 feet

Where comprehensive architectural plans and designs are submitted for multi-unit development with a lot area exceeding 2 $\frac{1}{2}$ acres, the Minister may, after considering reports from the Council and the Town Planning Board, modify any standard, other than the plot ratio, if he is satisfied that the modifications are both socially and aesthetically desirable.

Where comprehensive subdivision plans and development designs are submitted for precincts or neighbourhoods with a minimum area of 20 acres, the Minister may, after considering reports from the Council and the Town Planning Board, modify any standard, if he is satisfied that the modifications are both socially and aesthetically desirable.

TABLE 213B
GENERAL RESIDENTIAL ZONE—CLASS 5 (GR-5)

GR-5

Minimum Lot Area Perches	Sq. Ft.	Minimum Effective Frontage		Maximum No. of Dwelling Units D.U.	Maximum Plot Ratio P.R.	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries			
		Links	Feet				Front	Side(s)	Rear	
18	4,900·5	80	52·8	1 (Single-family detached unit)	0·35	2 per D.U.	25 feet	5 feet per storey each side	25 feet	
36	9,801	100	66·0	2 (G.R. Duplex)	0·35	2 per D.U.	25 feet	5 feet per storey each side	25 feet	
60	16,335	125	82·5	4 (G.R. Quadruplex)	0·35	2 per D.U.	30 feet	5 feet per storey each side	25 feet	
80	21,780	150	99·0	Multiple	0·35	30 feet	5 feet per storey each side	30 feet	
($\frac{1}{2}$ acre)	100	27,225	175	115·5	P. R. increases 0·00375 for each Perch increase in Lot Area between 80 Perches and 360 Perches	5 D.U. or less—8 spaces.	"	" " "	"	
120	32,670	200	132·0	"		5-20 D.U.—1·5 spaces for each D.U.	"	" " "	"	
($\frac{3}{4}$ acre)	160	43,560	200	132·0		"	Over 20 D.U.—30 spaces plus 1·25 spaces for each D.U. in excess of 20	"	" " "	"
(1 acre)	240	65,340	200	132·0		"	"	" " "	"	
($1\frac{1}{2}$ acres)	320	87,120	200	132·0	"	"	" " "	"		
(2 acres)	360	98,010	200	132·0	"	1·4	"	" " "	"	
($2\frac{1}{2}$ acres)										
Where comprehensive architectural plans and designs of houses, such as are commonly known as "row houses", are submitted for a minimum group of 4 dwelling units, the Council has, with the consent of the Town Planning Board, a discretion to modify standards as follows:—										
9	2,450·25	50	33·0	1 (Single-family row house)	0·50	1 per D.U.	20 feet	Nil between row houses; 5 feet at ends of each row	20 feet	

Where comprehensive architectural plans and designs are submitted for multi-unit development with a lot area exceeding $2\frac{1}{2}$ acres, the Minister may, after considering reports from the Council and the Town Planning Board, modify any standard, other than plot ratio, if he is satisfied that the modifications are both socially and aesthetically desirable.

Where comprehensive subdivision plans and development designs for precincts or neighbourhoods are submitted for a minimum area of 10 acres, the Minister may, after considering reports from the Council and the Town Planning Board, modify any standard, if he is satisfied that the modifications are both socially and aesthetically desirable.

TABLE 213C
GENERAL RESIDENTIAL ZONE—CLASS 6 (GR-6)

GR-6

Minimum Lot Area Perches	Sq. Ft.	Minimum Effective Frontage		Maximum No. of Dwelling Units D.U.	Maximum Plot Ratio P.R.	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side(s)	Rear
18	4,900.5	80	52.8	1 (Single-family detached unit)	0.35	2 per D.U.	20 feet	5 feet per storey each side	20 feet
28	7,623	90	59.4	2 (G. R. Duplex)....	0.35	2 per D.U.	"	" " "	"
36	9,801	95	62.7	4 (G. R. Quadruplex)	0.35	2 per D.U.	25 feet	" " "	"
40 ($\frac{1}{4}$ acre)	10,890	100	66.0	Multiple	0.35	5 D.U. or less—8 spaces.	30 feet	5 feet per storey each side, up to a maximum of 30 feet	25 feet
60	16,335	125	82.5	"	P. R. increases	5-20 D.U.—1.5 spaces for each D.U.	"	" " "	"
80 ($\frac{1}{2}$ acre)	21,780	150	99.0	"	0.00625 for each Perch increase in Lot Area between 40 Perches and 320 Perches	20-50 D.U.—30 spaces plus 1.25 spaces for each D.U. in excess of 20.	"	" " "	"
100	27,225	175	115.5	"		Over 50 D.U.—68 spaces plus 1 space for each D.U. in excess of 50	"	" " "	"
120 ($\frac{3}{4}$ acre)	32,670	200	132.0	"			"	" " "	"
280 ($1\frac{3}{4}$ acres)	76,230	200	132.0	"			"	" " "	"
320 (2 acres)	87,120	200	132.0	"	2.1		"	" " "	"
Where comprehensive architectural plans and designs of houses, such as are commonly known as "town houses", are submitted for a minimum group of 4 dwelling units, the Council has, with the consent of the Town Planning Board, a discretion to modify standards as follows:—									
6	1,633.5	30	19.8	1 (Single-family town house)	0.70	1 per D.U.	20 feet	Nil	20 feet

Where comprehensive architectural plans and designs are submitted for multi-unit development with a lot area exceeding 2 acres, the Minister may, after considering reports from the Council and the Town Planning Board, modify any standard, other than plot ratio, if he is satisfied that the modifications are both socially and aesthetically desirable.

(4) Subject to the particular provisions of the Table 213A, 213B or 213C, the following provisions apply to all residential buildings, in every general residential zone.

(A) Let coverage by buildings.

A residential building or buildings shall not occupy a greater percentage of a lot than is shown in the following table:—

On lots subject to a maximum plot ratio of—	Maximum percentage of lot which may be covered by buildings—
up to and including 0.7	35
from 0.7 up to and including 0.9	20
from 0.9 up to and including 1.1	16 $\frac{2}{3}$
over 1.1	15

In calculating plot ratio, floor space in basements, lift shafts and machinery rooms, air conditioning equipment rooms, garages and roofed parking spaces shall not be included in the gross floor area figure, but stairs, lobbies and amenity areas shall be included in that figure.

Garages and roofed parking spaces that are not placed above or below the floor included in the gross covered area shall not be taken into account, in calculating lot coverage by buildings.

(B) Distances between buildings on the same lot.

Where more than one building is erected on a lot, all standards shall be observed, as though the development were a single structure. In addition, the minimum distance between any two buildings shall be 30 feet or the minimum distance required under the formula set out below, whichever is the greater.

The formula regulating the minimum distance between any two buildings (referred to as 'Building A' and 'Building B') is as follows:—

$$D = \frac{L^A + L^B + 2(H^A + H^B)}{6}$$

where

D is the required minimum horizontal distance between any wall of Building A and any wall of Building B or the vertical prolongation of either.

L^A is the total length of Building A.

The total length of Building A is the length of that portion or portions of a wall or walls of Building A from which, when viewed from directly above, lines drawn perpendicular to Building A will intersect any wall of Building B.

L^B is the total length of Building B.

The total length of Building B is the length of that portion or portions of a wall or walls of Building B from which, when viewed from directly above, lines drawn perpendicular to Building B will intersect any wall of Building A.

H^A is the height of Building A.

The height of Building A is the height above natural ground level of any portion or portions of a wall or walls along the length of Building A. Natural ground level is the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

H^B is the height of Building B.

The height of Building B is the height above natural ground level of any portion or portions of a wall or walls along the length of Building B. Natural ground level is the mean level of the ground immediately adjoining the portion or portions of the wall or walls, along the total length of the building.

The minimum required distance between two buildings as derived from the formula set out above may be reduced by 15 per cent. if—

- (a) any one of the two buildings has a height of two storeys or less and the other has a height of six storeys or more; and
- (b) the difference in the height of the two buildings is 60 feet or more.

(C) Setbacks for lots with multiple street frontages.

Setbacks from all effective street frontages shall conform to the standards for front boundaries, except in the case of a lot at a corner of intersecting streets, where the minimum setback from not more than one secondary street is reduced to one-half the minimum setback from the effective frontage to the primary street or streets.

(D) Size, location and design of car parking, natural planting and pedestrian spaces on lots.

The minimum dimensions of every required car parking space shall be 18 feet, by 8 feet, excluding all access drives.

A minimum of fifty per centum of the area of every lot shall be designed, developed and maintained as natural planting and pedestrian space (access driveways between street alignment and setback line may be included in the 50 per cent. of the area maintained as natural planting).

When considering any development application, the Council shall have regard to, and may impose conditions on, the details of locating and designing the required car parking spaces, natural planting and pedestrian spaces on the lot. In particular, the Council shall take into account, and may impose conditions concerning—

- (i) the proportion of car spaces to be roofed or covered;
- (ii) the proportion of car spaces to be below natural ground level;
- (iii) the means of access to each car space and the adequacy of any vehicular manoeuvring area;
- (iv) the location of the car spaces on the site and their effect on the amenity of adjoining development, including the potential effect, if those spaces should later be roofed or covered;
- (v) the extent to which car spaces are located within required building set-back areas;
- (vi) the locations of proposed public footpath, vehicular crossings, of private footpaths within the lot, and the effect on both pedestrian and vehicular traffic movement and safety;
- (vii) the suitability and adequacy of proposed screening or natural planting; and
- (viii) the suitability and adequacy of elevated structural decks for development and service as a proportion of the required area for natural planting and pedestrian space.

214. Powers Reserved to Minister. (1) Notwithstanding the provisions of by-law 213 of these by-laws, where the Minister determines that the public interest is better served by not requiring strict adherence to the standards imposed by that by-law, he may, on the recommendation of the Council or of the Town Planning Board, in a particular case, vary a provision relating to a general residential zone.

(2) The Minister shall cause a notice of his intention to vary a provision under sub-by-law (1) of this by-law to be published in the *Government Gazette* and a newspaper circulating in the general residential zone, notifying persons interested that they may, by notice in writing to an address stipulated, object to the variation, within a period of 28 days from the date of the last publication of the notice.

(3) The Minister may, after considering any objections he may receive to the variation of a provision under sub-by-law (1) of this by-law,—

- (a) proceed to vary the provision, in the manner notified;
- (b) proceed to vary the provision, subject to modifications of the manner notified; or
- (c) elect not to proceed with the variation;

and notice of the Minister's decision shall be published in the *Government Gazette* and be sent to every person who objected to the variation.

By-law 505 amended. 4. By-law 505 of the principal by-laws is amended by deleting the passage, "II.", in the first item of Table 505 to that by-law.

By-law 909 amended. 5. By-law 909 of the principal by-laws is amended by deleting the passage, "other than such as is mentioned in sub-by-law (3) of this by-law," in lines one and two of sub-by-law (4).

By-law 3302 amended. 6. By-law 3302 of the principal by-laws is amended by substituting for the scale of fees to that by-law the following scale of fees:—

SCALE OF FEES.

	\$
1. For application form in every case	0.10
2. For a license for a new building and additions to an existing building—	
(a) For each square or portion of a square up to 50 squares (with a minimum fee of \$2)	0.60
(b) For each additional square or portion of a square up to 100 squares	0.50
(c) For each additional square or portion of a square in excess of 100 squares	0.40
3. For a license for alterations to an existing building—	
(a) For each square or portion of a square up to 100 squares (with a minimum fee of \$2)	0.40
(b) For each additional square or portion of a square in excess of 100 squares	0.25
(c) For cutting an opening in an external, internal or party wall when no other work is undertaken at the same time	1.50
4. For a license for the construction of a furnace, chimney shaft, or shaft for ventilation or for any other purpose (in addition to the fee for any other work undertaken at the same time)—	
(a) If the height does not exceed 75 ft.	6.00
(b) If the height exceeds 75 ft. but does not exceed 100 ft.	8.00
(c) If the height exceeds 100 ft. for every additional 10 ft. or portion of 10 ft.	1.20
5. For a license to carry a flue from an oven, stove, steamboiler, furnace or close fire into an existing flue	2.00
6. For examination and report on preliminary plans— 25 per cent. of the fee for a license to carry out the work described in such plans.	
7. For a license to install a new shop front—	
(a) If no structural alteration is required	3.00
(b) If new girders or columns are required for each foot thereof (with a minimum fee of \$6)	0.15
8. For a license to erect a transmitting wireless mast attached to a building, for each foot	0.10

SCALE OF FEES—*continued.*

\$

9. For survey and report on a dangerous structure ... 6.00
10. Computation Fees—
- (a) In the case of buildings of reinforced concrete or steel framed construction:—
- (i) 60c per square for the first 50 squares or part thereof with a minimum of \$2.
- (ii) The fee per square shall be reduced by 2c per square for each additional 50 squares by which the area of the building exceeds 50 squares in area with a minimum charge of 35c per square.
- (b) In the case of buildings of brick or stone in which the floors are carried by internal pillars or columns, the fee shall be two-thirds the amount of the fee calculated under paragraph (a) of this item.
- (c) For the purposes of calculating computation fees, a square means 100 square feet measured over the outside of external walls at each floor level.
- (d) In the case of alterations to existing buildings, the fee shall be assessed over the area covered by such alterations.
- (e) For reinforced concrete or fire-resisting floors including girders and beams ... 4.00
- (f) For reinforced concrete or fire-resisting floors, without girders or beams ... 2.00
11. For a license for deposit of building material on a street, five cents for each month or part of a month, for each superficial yard of the area of the street enclosed by any boarding or fence as required by by-law 1602 of these by-laws and three cents for each superficial yard for each week of any renewal of such a license.

By-law 3303
amended.

7. By-law 3303 of the principal by-laws is amended by substituting for the words, "one hundred pounds", in the last line of sub-by-law (2), the words, "two hundred dollars".