



Western Australia

## **Town Planning and Development By-laws — By-law 3**

Compare between:

[11 Nov 1998, 00-a0-05] and [09 Apr 2006, 00-b0-08]



Western Australia

~~TOWN PLANNING AND DEVELOPMENT ACT 1928~~

[Planning and Development Act 2005](#) <sup>2</sup>

## **Town Planning and Development By-laws — By-law 3**

~~Section 30 (1), Second Schedule, Clause 2~~

~~T.P.B. 485/34 ————— Perth, 6th June, 1935~~

~~His Excellency the Lieutenant Governor in Executive Council has been pleased to approve of By-laws for securing proper Sanitary and Hygienic conditions in connection with Buildings erected on lands liable to inundation, under Section 30 (1) of "The Town Planning and Development Act 1928," as hereunder.~~

~~DAVID L. DAVIDSON  
Town Planning Commissioner~~

- 3. By-laws for securing proper Sanitary and Hygienic conditions in connection with Buildings erected on lands liable to inundation.**
- (1) From and after the commencement of this By-law, no building intended for use as a dwelling-house, or for occupation by persons for any purpose whatsoever, shall be constructed upon any land which adjoins or is adjacent to any river, lake, or watercourse, unless such building is so constructed that the level of the lowest floor in such building is at least four feet above the highest recorded flood level of the waters of such river, lake, or watercourse at or near the locality of such building, so far as the

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same can be ascertained from the records of the Meteorological Bureau at Perth or from any other official records.

- (2) This By-law shall apply and have effect throughout the State.
- (3) The authority responsible for the carrying out of the preceding By-law shall be the Town Clerk or Secretary (as the case may be) to the local authority concerned, and also the Town Planning Commissioner.
- (4) Any person who by act or omission commits a breach of the preceding By-law No. 3 commits an offence and shall be liable to a penalty not exceeding £20.

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**Notes**

<sup>1</sup>- This is a compilation of the *Town Planning and Development By-laws — By-law 3* and includes the amendments referred to in the [Table](#) following [Table of By-](#)table contains information about those by-laws.

**[Compilation table](#)**

<a href="#">By-law</a> <a href="#">Citation</a>	<a href="#">Gazettal</a>	<a href="#">Commencement</a>	<a href="#">Miscell</a>
<i>Town Planning and Development By-laws — By-law 3</i>	14 <a href="#">June</a> <a href="#">Jun</a> 1935 p.1201	14 <a href="#">June</a> <a href="#">Jun</a> 1935	<b>Deleted Cells</b>
<sup>2</sup> <a href="#">Formerly made under s. 30(1) of the <i>Town Planning and Development Act 1928</i>, continued under s. 262 of the <i>Planning and Development Act 2005</i>.</a>			