



Western Australia

Planning and Development Act 2005 2

**Town Planning and Development By-Laws —  
By-laws in Respect of Excavations in Subdivided  
Areas**

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## **Town Planning and Development By-Laws — By-laws in Respect of Excavations in Subdivided Areas**

### **1. Quarrying and excavations in Metropolitan Area**

Subject as hereinafter provided no person shall carry on or cause or permit or suffer to be carried on any quarrying or excavating for stone, sand, or other material upon land situate within the Metropolitan Area as defined by “The *Traffic Act 1919*,” or the regulations thereunder, or within any municipality or townsite: Provided that this By-law shall not apply to —

- (a) quarrying or excavating as aforesaid upon land comprised in a surveyed lot or parcel of land having an area exceeding one-half acre;
- (b) excavations for foundations, footings, basements, water supplies or sanitary services made necessary by or in respect of any building or structure authorised by a local authority in accordance with its By-laws;
- (c) excavations for or in connection with any public work undertaken by a local authority or any Government department.

### **2. Offence**

If any person shall either by act or omission contravene By-law 1 of these By-laws he shall be guilty of an offence.

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Penalty: Twenty pounds, and in addition a daily penalty of  
Two pounds for every day or part of a day where the  
offence is in its nature a continuing offence.

**3. Application**

These By-laws shall have effect and be in operation within the Metropolitan Area as defined in “The *Traffic Act 1919*,” or the regulations thereunder, and in every municipality and townsite within the State.

**Notes**

- <sup>1</sup> This is a compilation of the *Town Planning and Development By-Laws — By-laws in respect of Excavations in Subdivided Areas*. The following table contains information about those by-laws.

**Compilation table**

By-law	Gazettal	Commencement	Miscellaneous
<i>Town Planning and Development By-Laws — By-laws in respect of Excavations in Subdivided Areas</i>	23 July 1937 p.1198	23 July 1937	

- <sup>2</sup> Formerly made under s. 30 of the *Town Planning and Development Act 1928*, continued under s. 262 of the *Planning and Development Act 2005*.