

Western Australia

Planning and Development Act 2005 <sup>2</sup>

**Uniform General By-laws —  
(Section 30 Subsection 1) New Subdivisions and  
Re-subdivisions**

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Western Australia

**Uniform General By-laws —  
(Section 30 Subsection 1) New Subdivisions and  
Re-subdivisions**

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TOWN PLANNING AND DEVELOPMENT ACT 1928

**Uniform General By-laws —  
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Re-subdivisions**

THE by-laws gazetted on 7th February, 1930, and amendments gazetted 11th October, 1935, are hereby repealed and the following by-law substituted.

Uniform General By-laws — (Section 30, Subsection 1), New Subdivisions and Re-subdivisions.

**1. Application**

- (a) Applications for approval of new subdivisions and re-subdivisions of existing lots shall be made to the Board in writing on Form No. 1 in the Appendix to these by-laws, and shall be accompanied by two copies of a plan of the proposed new subdivision or re-subdivision.
- (b) Where a parcel of land which it is proposed to subdivide or re-subdivide is situated within an irrigation district constituted under the *Rights in Water and Irrigation Act 1914*, or within a drainage district constituted under the *Land Drainage Act 1925*, a further copy of the plan of the proposal shall be submitted (3 in all), in accordance with section 22A, subsection (a) of the *Town Planning and Development Act 1928*.
- (c) When, in the opinion of the Town Planning Board, it is necessary to consult with a local authority, public body or other Government Department in accordance with section 24 (1) of

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the Act, a copy of the plan supplied by the applicant shall be forwarded by the Board to the authority concerned, accompanied by a copy of Form 2 in the appendix hereof.

**2. Plans**

Plans which accompany applications in accordance with the next preceding by-law shall be drawn on a white background and coloured to illustrate the proposal. Plans shall be drawn to a scale not smaller than five chains to an inch and shall show therein: —

- (a) The dimensions and areas of the lot or lots which it is proposed to re-subdivide.
- (b) The dimensions and areas of the lot or lots which it is proposed to establish.
- (c) The position, type, use and condition of all or any buildings on the subject land.
- (d) Contours at intervals of not more than five feet for any area or areas to be subdivided greater than three acres; provided that intervals of less than five feet, or levels showing heights in special cases, where they may be required by the Board, or greater contour intervals may be permitted should the topography of the land warrant it and the Board approve;
- (e) At least 100 feet reservation fronting seashore, lake sides, or banks of streams (exclusive of any road width), and to rear of any lot or lots shall abut such reservation unless expressly approved by the Board;
- (f) Flood levels, land liable to inundation, swamps, streams, and any land not naturally drained or having a natural outlet on the surface of the land;
- (g) Location, name, widths of adjoining streets and roads, together with size and shape of adjoining lots or portions.

**3. Matters to be provided for**

In all new subdivisions and re-subdivisions, provision shall be made for the following matters: —

- (a) New roads in relation to public convenience, present and prospective, and to intercommunication with neighbouring localities within and without the area;
- (b) The draining of the roads and the lands necessary in the circumstances, present and prospective, and the disposal of such drainage;
- (c) The treatment of junctions or intersections of roads, the minimum cut-off for a right-angle corner to be 30 links, or 50 links radius; provided that, for intersections or less than a right-angle, the resultant boundary from truncation shall not be less than 42,4 links, or that resulting from a 50-links radius, tangential or truncated boundaries;
- (d) The location of existing public works, and whether the district is residential, or other zoned area;
- (e) At least 100 feet reservation fronting seashore, lake sides, or banks of streams (exclusive of any road width), and no rear of any lot or lots shall abut such reservation unless expressly approved by the Board;
- (f) The size and shape of the lot in relation to the topographical features of the land (e.g., boundaries of lots at right angles or parallel to contours, and generally at right angles or radial to road frontages);
- (g) Spaces and sites for dedication to the local or other authorities for parks, recreation grounds, playgrounds, public buildings, schools, churches, memorials, or public services;
- (h) When fronting main roads, no block shall be longer than 15 chains, and where more than 10 chains in length provisions shall be made for access by pedestrians, by direct line to the nearest road or street;

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- (i) The minimum of frontage for residential lots shall be 50 feet and the minimum area 6,000 square feet;
- (j) Turning space in laneways at rear of shop sites or industrial sites;
- (k) The due compliance with the lawful requirements of the Local Authority in whose district the land is situate, apart from the design of the proposed new subdivision or re-subdivision and other requirements of the Board.

**4. General penalty**

Any person who furnishes any false information on the form of application or any false particulars in any plans submitted for the purpose of any application, or who omits to supply to the Board any relevant information or particulars under these By-laws, commits an offence. Penalty: £20.



**Appendix**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**Form No. 1**

Municipality Road District of .....

**APPLICATION FOR APPROVAL OF PLAN OF  
SUBDIVISION OR RE-SUBDIVISION**

Owner's Name — ....Surname .....  
Christian Names .....

Address in full. ....

Submitted by .....

Address for correspondence .....

Locality of Subdivision .....

Particulars of Title: Vol ..... Fol .....

State which Public Services are available: —

Sewerage ..... Pan Service .....

Electricity ..... Drainage .....

Gas ..... Water .....

Transport .....

State whether roads are constructed in front of proposed Lots .....

State type of construction .....

State whether land is in a gazetted Drainage District .....

Given name of District .....

State whether land is in a gazetted Irrigation District .....

Give name of District .....

State type, condition and use of buildings on the land, and show their position  
on sketches .....

State:

Area and Dimensions of Allotments on Original Subdivisions now  
proposed to be subdivided:

Area and Dimensions of Proposed Allotments shown on Plan: .....

This application is signed by the Owner of the land.

The Chairman,  
Town Planning Board,

.....  
Owner.

**Uniform General By-laws —  
(Section 30 Subsection 1) New Subdivisions and Re-subdivisions**

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Cathedral Avenue,  
Perth.

Date .....

**Form No. 2.**

Municipality Road District of .....

**PROPOSED SUBDIVISION OF LAND**

Owner's Address and Name .....

Agent or Surveyor (if any) .....

Particulars of Title: Vol ..... Fol .....

Particulars of Land .....

.....  
To be answered on behalf of the Local Authority.

1. Are the powers or functions of your Authority affected by the above  
Subdivision (Sec. 24) (1) *Town Planning and Development Act 1928*.  
.....

2. What objections or recommendations does your Authority make in regard to  
the subdivision shown on the sketch herewith:  
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.....  
Town Clerk or Secretary.

**Uniform General By-laws —  
(Section 30 Subsection 1) New Subdivisions and Re-subdivisions**

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**Notes**

- <sup>1.</sup> This is a compilation of the *Uniform General By-laws — (Section 30 Subsection 1) New Subdivisions and Re-subdivisions* and includes the amendments referred to in the following Table.

**Table of By-laws**

| By-law  | Gazettal                     | Commencement    | Miscellaneous |
|---|------------------------------|-----------------|---------------|
| <i>Uniform General By-laws — (Section 30 Subsection 1) New Subdivisions and Re-subdivisions</i> | 14 October 1949<br>pp.2478-9 | 14 October 1949 |               |

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