



The following guidelines outline the requirements for planning permission for the creation of subdivision layouts, with individual residential lots.

### 1. Requirement for Planning Permission

- The subdivision of any land is considered “development” under the Town and Country Planning Act Chap. 35:01, of 1960. Hence, the subdivision of land to create lots for residential, agricultural, or other uses requires planning permission.
- Plots which existed before August 1969 (i.e. date of proclamation of the Town and Country Planning Act Chap. 35:01) are considered to be “established” plots and do not require planning permission. They are therefore treated as bonafide plots.
- Plots which existed between 1969 and 1972 (i.e. the period historically used at the Town and Country Planning Division, as the grace period following the proclamation of the Act), will also be deemed to be established (hence bonafide), and would be treated similar to plots which existed prior to the proclamation of the Town and Country Planning Act. In these cases a deed, survey plan, and/or assessment roll history must be provided as evidence to support the status or age of the plot.
- Notwithstanding the possession of a Certificate of Title, deed, or survey plan related to a parcel of land, planning permission is required by law for the creation of a plot, unless the plot can be determined to be bonafide consistent with the criteria detailed above.

### 2. De-Facto Subdivisions

A plot that is the result of a de-facto physical subdivision, such as by the cutting of the plot by a roadway or major drainage channel, will normally be accepted. However, the creation of the plot still requires planning permission.

**Disclaimer:** These Spatial Planning Guidelines are intended to guide applicants for planning permission. They do not constitute legal advice. Persons are cautioned to seek professional advice and refer to the relevant planning legislation, where necessary, before taking action in relation to any of the issues addressed above.