



Subdivision / Amalgamation Information

INTRODUCTION

Subdivision is the process of splitting of a single land holding (title), or a number of titles, into several new lots. Conversely, **amalgamation** is the process of combining two or more lots into a single lot on one title.

The Shire of Brookton is not responsible for approving subdivision within the Shire Area. The **Western Australian Planning Commission (WAPC)** undertakes this task with input from relevant agencies and authorities, including Council. Although Council does not approve subdivisions, its Town Planning Scheme and Local Planning Strategy, together with relevant WAPC policies and strategies guide the Commission when assessing an application for the subdivision of land within the Shire.

Council's Shire Planner can assist you in advising on what form of subdivision is appropriate for your land.

APPLICATIONS

Applications for the subdivision of land are made on Form 1A – Application to Western Australian Planning Commission for Approval of Plan of Subdivision, Amalgamation or Survey-Strata. This form is available from the WAPC. A fee is payable based on the number of lots proposed. Details on fees are provided together with the application form.

Information that needs to accompany the application is available from the WAPC or online at www.planning.wa.gov.au

REFERRAL AND DETERMINATION

Once an application is lodged with the WAPC, the Commission has 90 days in which to determine the application. During this time, the Commission refers the application to a variety of authorities and agencies, including Council and service authorities for comment. When in receipt of a referral, Council considers the application at an Ordinary Meeting of Council, held on the third Thursday of each month. A recommendation is then forwarded to the Commission for its consideration.

In making a decision, the Commission has three available options:

- Approval of the application;
- Approval of the application with conditions; and
- Refusal of the application.

Once approval or conditional approval of the application is granted, the applicant has a certain time period in which to create the titles (4 years for more than 5 titles, 3 years for all others). The services of a licensed surveyor will assist in this process, including the clearance of any conditions imposed on the approval. Common conditions include ensuring all buildings have the necessary clearances from lot boundaries, all lots have direct frontage to a constructed public road and that water and power are provided to all lots to be created.

APPEALS / REQUESTS FOR RECONSIDERATION

In the event the applicant is aggrieved by the decision, such as the application being refused, or conditions considered unacceptable, there is a right under Section 144 of the *Planning and Development Act 2005* to seek the Commission's reconsideration of the decision or, to appeal against the decision under Part 14 of the Act. Please note that a fee is payable for an appeal.

Please Note: The information contained in this brochure is intended as a guide only. It is recommended that the advice and assistance of Council's Shire Planner be sought prior to lodgement of a subdivision application. The Shire of Brookton disclaims any liability for any damages sustained by a person acting on the basis of this information.

For more information contact: Shire Planner
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