

8.2 – AMALGAMATION OF LOTS

1. POLICY PURPOSE

To ensure that buildings are constructed on one lot of land in accordance with the Building Codes of Australia, the *Planning and Development Act 2005*, Regulations and the Shire of Merredin's Local Planning Scheme No. 6 (as amended).

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2. POLICY SCOPE

Lots within the Shire of Merredin.

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3. LEGISLATIVE REQUIREMENTS

Shire of Merredin Local Planning Scheme No. 6

Planning and Development Act 2005 [WA]

Operation Policy 1.1 Sub-division of Land – General Principles (WAPC)

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4. POLICY STATEMENT

4.1 Authority for Assessment

Subdivisions are the process of dividing or merging existing parcels of land. Amalgamation is one of the methods for merging existing parcels and is legislated in Part 10 of the *Planning and Development Act 2005* (the Act). Section 135 of the Act dictates that amalgamation can only occur with approval from the Western Australian Planning Commission (WAPC). The Shire of Merredin cannot approve amalgamation; however, the Shire does report to the WAPC in the capacity of a referral agency.

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4.2 Conditional Approval for Construction

Where a proposed building extends over more than one surveyed allotment, and all other avenues of mitigation have been unsuccessful, as a condition of approval will be placed on the development to amalgamate the allotments. This will only be approved if the proponent owns both lots, to commence development under the Local Planning Scheme, such lots shall be amalgamated into one allotment.

The Executive Manager ~~Infrastructure Development~~ Services shall not issue a Building Permit or Building Approval Certificate until they are satisfied that an approved ~~D~~diagram of ~~S~~survey has been lodged with Landgate and an application for a Certificate of Title, for the amalgamated allotments, has been registered and accepted.

a) If conditional approval is provided, the proponent will have 12 months to amalgamate the allotments and provide a registered Certificate of Title to the Shire.

b) An Occupancy Permit will not be issued until a registered Certificate of Title is provided to the Shire.

In the case of exceptional circumstances, at the discretion of the Executive Manager ~~Development~~ Infrastructure Services, a Building Permit may be issued, prior to formal registration of the Certificate

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of Title, on receipt of an appropriate bank guarantee and a formal agreement prepared at the proponent’s cost. ~~These which~~ will be released upon formal registration of the amalgamated title.

5. KEY POLICY DEFINITIONS

Amalgamation: the merging of existing parcel lots.

Subdivision: the process of dividing a large parcel of land into smaller lots or merging existing parcels through amalgamation or boundary realignments. It typically involves establishing new boundaries, roads, and other necessary infrastructure to support development and land use. The two types of subdivision are: freehold (green-title) and Strat-title subdivision.

6. ROLES AND RESPONSIBILITIES

The Executive Manager Infrastructure Services is responsible for this Policy.

7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2x years.

The review will be undertaken by Executives and presented to Council biennially.

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