

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).

2. POLICY SCOPE

Lots within the Shire of Merredin.

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)

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.

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, 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.

The Executive Manager Infrastructure Services shall not issue a Building Permit or Building Approval Certificate until they are satisfied that an approved Diagram of 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 exceptional circumstances, at the discretion of the Executive Manager Infrastructure Services, a Building Permit may be issued, prior to formal registration of the Certificate of Title, on receipt of an appropriate bank guarantee and a formal agreement prepared at the proponent's cost. These 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 2 years.

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

Document Control Box					
Document Responsibilities:					
Owner:	CEO	Decision Maker:	Council		
Reviewer:	Governance Officer				
Compliance Requirements					
Legislation	Planning and Development Act 2005[WA]				
Document Management					
Risk Rating	Medium	Review Frequency	Biennial	Next Due	August 2028
Version #	Action	Date	Records Reference		
1.	Adopted	5 September 2000	CMRef 27632		
2.	Reviewed	21 August 2012	CMRef 30940		
3.	Reviewed	17 July 2018	CMRef 82211		
4.	Reviewed	25 October 2022	CMRef 83026		
5.	Reviewed	XX August 2026	CMRef XXXXX		