

8.13 – HOMESTEAD SUB-DIVISION

1. POLICY PURPOSE

To provide the requirements and characteristics of Homestead lot sub-division within the Shire of Merredin (the Shire).

2. POLICY SCOPE

The sub-division of land in the General Farming Zone to change the use to rural residential.

The assessment and approval of sub-division is the job of the Western Australian Planning Commission (WAPC). The Shire will provide assistance to the WAPC in its assessment.

3. LEGISLATIVE REQUIREMENTS

Planning and Development Act 2005 [WA]

State Planning Policy 2.5 – Rural planning [WA]

Development Control Policy 3.4 – Subdivision of Rural Land [WA]

4. POLICY STATEMENT

4.1 Circumstances for rural sub-division

To provide guidance on the circumstances the WAPC will approve a homestead lot sub-division.

Guidelines

Sub-division of rural land is only approved in exceptional circumstances. The following are the exceptions relevant to the creation of homestead lots:

- a) To realign lot boundaries with no increase in the number of lots, where there will be no adversely affected rural land uses.
- b) To allow for the continued occupation of existing homesteads when they are no longer used as a part of a farming operation.

4.2 Lot Realignment

To provide guidance for the requirements of realignment of existing plots.

Guidelines

For some residential properties, a homestead plot exists on the property but does not include the homestead. When no changes in land use and/or landforms are proposed, applications for property **rationalisation** may be unconditionally approved.

The requirements for the rationalisation of lots include the following:

- a) There is no increase in lot numbers;
- b) The new boundaries improve environmental and land management practices and minimise adverse impacts on rural land use;
- c) No new roads are created, unless supported by the Shire;
- d) New vehicle access points to state roads are minimised;
- e) That an appropriate buffer from adjoining farming uses and water is provided; and
- f) May have notifications placed on title advising that the lot is in a rural area, and may be impacted by primary production

4.3 Lot Requirements

To provide guidance on the requirements for the creation of a homestead lot sub-

division.

Guidelines

For a homestead lot to be approved by the WAPC, the following requirements must be met:

- a) Area size of 1 to 20ha.
- b) Adequate water supply for domestic, land management and fire management purposes.
- c) The homestead lot has access to a constructed public road
- d) The homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses
- e) A homestead lot has not been excised/removed from the farm in the past
- f) The **balance lot** is suitable for the continuation of rural land use, and generally with prevailing lot sizes, where it can be shown that this is consistent with the current farming practices at the property
- g) The dwelling must be of a habitable standard, certified as habitable by the local government.

Where there are several existing and approved dwellings on the rural lot, more than one homestead lot may be considered.

Additional requirements for the approval of homestead lots are set by the Shire of Merredin Local Planning Scheme, which require that:

- a) The dwelling on the rural lot has been established for at least 15 years;
- b) The lot has access, or provides and maintains access, to an existing Shire road;
- c) The homestead is connected to electricity and has reliable water supply; and
- d) The disposal of putrescible waste from the homestead lot can be serviced to the satisfaction of the Shire.

4.4 Consultation

The WAPC has discretionary authority to require consultation for a proposed sub-division from a local government, public authority or a utility service provider. If consultation is requested, the authority has 42 days to provide a memorandum containing objections or recommendations in respect of the whole or part of the proposed sub-divisions plan. If no memorandum is received, the WAPC will take this as no objections or recommendations to make or advice to give.

5. KEY POLICY DEFINITIONS

Balance Lot is the residual land created from the reclassification of the lot, if the lot is divided in two by a new sub-division or road going through the lot.

Homestead Lot is defined as a small lot generally ranging from one to four hectares, but may be up to 20 hectares in size depending on site specific circumstances, which is excised from a larger farm holding for separate occupation, such as by a retiring farmer wishing to remain in an approved existing dwelling,

Rationalisation is the realignment of lot boundaries.

6. ROLES AND RESPONSIBILITIES

The Development Services Officer 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.

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