

Summary of the Subdivision Process

Do I Have Subdivision Potential?

A lot must be large enough to be subdivided as defined by the Residential Design Codes (R-Codes) or the City's Local Planning Scheme No. 3 (the Scheme). The minimum size for lots depends on the density coding over the land, and the City's Scheme maps indicate the coding. Should you wish to determine the coding of your property please refer to the interactive mapping system available at www.kalamunda.wa.gov.au.

The City's Role in Subdivision

All subdivision or amalgamation proposals are initially lodged with the Department of Planning, Lands and Heritage (DOPLH). As part of the DOPLHs process the City of Kalamunda will be referred to as an advisory body. The City will have 42 days from the date of any referral to conduct an assessment of the proposal and to provide a recommendation regarding the proposal.

The City's interest in subdivision applications relates to town planning issues (i.e. consistency with the R-Codes, the Scheme or structure plans), vehicle access, drainage, provision of public open space (where applicable), effluent disposal and basic bushfire management requirements (where applicable).

Should the subdivision be approved by DOPLH the applicant will be issued with an 'Approval Subject to Conditions'. It is the applicant's responsibility to demonstrate that they have satisfied each of the conditions prior to the expiry date noted on the approval. Titles will not be issued until such a time that the conditions have been cleared by the relevant authorities.

Once the applicant believes that all conditions have been met they are to lodge a Subdivision Clearance application with the City of Kalamunda. Clearance will not be issued by the City until such a time that all conditions relevant to the City have been met to a satisfactory standard.

A Basic Outline of the Subdivision Process

Preparing a Subdivision Application

All subdivision applications made to the WAPC must include a plan of subdivision which has been prepared in accordance with the WAPC's guidelines. Alternatively, licensed land surveyors are able to survey your lot, provide advice on how best to subdivide the land, prepare subdivision plans and lodge subdivision applications with the WAPC on your behalf. **Please note that the City is unable to recommend any surveyors.**

Application to WAPC

Application for subdivision must be made directly to the WAPC who require the submission of:

- Application Form (Form 1A);
- Proposed subdivision plan; and
- The application fee

A copy of the Form 1A, checklist of submission requirements and a fee schedule can be obtained from the WAPC website under the 'Subdivision Guides, Forms and Fees' section.

Please refer to their website www.planning.wa.gov.au for the latest forms and guides

Referral to Relevant Authorities

Subdivision applications submitted to the WAPC are referred to the Local Government as well as other relevant authorities for comment. Once a subdivision application is referred to the City of Kalamunda, planning staff will assess the application and advise the WAPC as to whether it complies with the requirements of the City of Kalamunda LPS 3, and any relevant Local Policy. If the application complies with the relevant requirements, the City will recommend support subject to appropriate conditions

Preliminary Subdivision Approval

If the WAPC supports the application, the proponent will receive a conditional approval with a range of conditions that are required to be met prior to the issue of final endorsement by WAPC and new Titles by Landgate. Common conditions include:

- preparation of the lot for development (i.e.: clearing of land and construction of fences);
- connection to services such as water, sewer, gas, telecommunications; and
- any other requirements (i.e.: demolition, retention of vegetation etc.).

Conditions will be worded to indicate which agency is the clearing agency.

Reconsideration/Right of Appeal to Conditions

A request to reconsider the conditions of a subdivision approval may be made to the WAPC within 28 days of the approval. If the proponent is still not satisfied with the conditions or the decision after

reconsideration, the proponent may appeal the decision and/or the conditions to the State Administrative Tribunal within 28 days of the reconsidered decision

Carrying out of Works

The conditions imposed on the preliminary approval usually require a certain level of work to be undertaken prior to the clearance of the conditions. Once all necessary work is undertaken in accordance with the conditions, a clearance application must be lodged with the relevant authority. This can be undertaken by the land surveyor on behalf of the landowner if required/requested.

Clearance of Conditions

To gain clearance of Local Government conditions from the City of Kalamunda, the proponent is required to submit a clearance request after the required works have been undertaken. As at 6/12/2017 The proponent is required to:

- Lodge a clearance request with the City (including cover letter and signed checklist);
- Lodge two copies of the deposited plan or strata plan with the City of Kalamunda;
- Pay any relevant developer contributions, cash in lieu for open space; and
- Pay the associated clearance fee (including fee for common property and/or POS lots). Officers from the City of Kalamunda will then:
 - Inspect the property;
 - Check that all conditions have been met;
 - Issue a clearance letter provided that all relevant conditions have been met; and
 - If any conditions have not been met the City will inform the applicant in writing and a new clearance application will be required, with evidence of how the conditions have been met, once the works are complete.

Final Approval – Endorsement of Plan

Once all conditions have been cleared and the necessary clearance letters obtained from all of the relevant authorities, the proponent must apply (on a WAPC Form 1C with copies of all of the clearance letters attached) to the WAPC for endorsement of the Deposited Plan.

Lodge Plan for Registration

Following final approval from the WAPC, the proponent must lodge the endorsed Deposited Plan/Strata Plan at the Land Title Office of Landgate to obtain new Titles

Should you have any queries please contact the City's Approval services on 9257 9999