

Subdivision and Subdivision Clearance

Dividing your land into smaller lots is called subdivision. Combining multiple lots into one is called amalgamation.

All applications for subdivision, amalgamation and most strata title applications are determined by the Western Australian Planning Commission (WAPC). The Town of Bassendean's role in this process is as a referral body and provides comments on subdivision applications to the WAPC.

Approval of subdivision is usually granted subject to conditions. These conditions are required to be met prior to lodging for new titles. The Town of Bassendean is one of the agencies responsible for ensuring that the conditions have been satisfied (this process is known as clearance).

1. Subdivision Process

The process of subdividing or amalgamating land can be lengthy, ranging from a few months, to several years in some cases. A number of different agencies and contractors may be required to have input. A licensed Land Surveyor is integral to the process and should be engaged as early as possible.

- **Step 1: Check your property**

Using the Town's [mapping system](#) look up the zoning and any planning rules that apply to your land. This helps you understand what is possible.

The zoning, density coding, and area of your property will dictate whether you can subdivide the land.

The minimum and average lot size requirements for each density coding are set out in Table B of the [Residential Design Codes Volume 1 \(R-Codes\)](#).

If you need any help in interpreting this information, contact the Town's Planning Team.

- **Step 2: Prepare your plan & application**

Your subdivision application will need to include a Plan of Subdivision prepared in accordance with WAPC guidelines. You'll need a licensed land surveyor to prepare this for you. They will also be able to survey your land and provide advice on how best to subdivide the land and lodge the application.

Please note that the Town is unable to recommend any surveyors.

Depending on factors that affect your land, you may also need specialist reports. These may relate to drainage, geotechnical matters or bushfire.

- **Step 3: Apply to the WAPC**

Lodge your application with the WAPC through their online system.

- **Step 4: WAPC assesses your plan**

WAPC will assess your application. As part of this process, they will refer it to the Town and other agencies for comment.

If the application is supported, you will receive an approval subject to conditions. These conditions will need to be satisfied prior to final endorsement of the subdivision.

- **Step 5: Complete the works**

To satisfy the conditions of approval, you will need to undertake works on the land and may need to have specialist reports prepared.

These works are likely to include:

- Identifying any significant vegetation that needs to be retained.
- Clearing (excluding trees) and leveling the land to prepare for development. This might include removing any existing buildings or making amendments to dwellings being retained.
- Installing new services like water, power and drainage.
- Constructing driveways.

These works will need to be completed before you apply for clearance with the relevant agency.

Information on what is required for the most common subdivision conditions is included in the pages below. Please use this as a guide when completing works.

- **Step 6: Get the conditions cleared**

Once you have completed the work required by the conditions of approval, you will need to apply to the relevant agencies to 'clear' conditions.

The Town of Bassendean will be one of those agencies. We will check that each condition has been satisfied. To do this, you will need to provide evidence that the works have been undertaken – this could be through provision of plans and reports, or photos of the site.

Once the Town is satisfied that works have been adequately undertaken, a clearance letter will be issued with a stamped Plan of Survey.

To apply for clearance, you will need to submit:

- A completed [Subdivision/Amalgamation Condition Clearance Sheet](#).
- A copy of the WAPC's subdivision approval.
- Evidence showing that each condition has been met (like photos, certificates, reports or plans).

- Payment of the clearance fee (see the [Town's fee schedule](#)).

You can submit your clearance request via:

- Email: mail@bassendean.wa.gov.au
- In person: Town of Bassendean Customer Services, Old Perth Road, Bassendean (Mon to Fri, 9am to 4:30pm)
- Post: PO Box 87, Bassendean WA 6934

- **Step 7: Final approval and titles**

Once all conditions are cleared, and you have received your clearance letter, you can lodge this with the WAPC for final endorsement. Your clearance letter will need to be accompanied by Form 1c and the stamped Plan of Survey.

Following receipt of final endorsement from WAPC, you can then apply to Landgate for new titles.

Common Subdivision Conditions and What You Need to Do

This guide explains common conditions placed on subdivision approvals by the Western Australian Planning Commission (WAPC) and what you, as the landowner or developer, are generally expected to do to clear each one.

The clearance process is designed to be a final check to ensure the new lots are suitable and ready for development and habitation. This process allows the Town to assess that this is the case. The onus is on the current landowner/applicant to ensure the lot is ready for new landowners to build on straight away.

This information sheet should be read alongside your WAPC subdivision approval. Conditions imposed and subsequent requirements may vary based on site conditions or changes to state/local policies. Always check with the Town of Bassendean before carrying out works.

	Subdivision Condition	Works
B1	All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme, Building Act 2011, and National Construction Code Series/Building Code of Australia (as amended). (Local Government)	<p>This condition is imposed when an existing building and, where applicable, an effluent disposal system is retained.</p> <p>We need to assess if all structures will have suitable setbacks from the new boundaries in accordance with the Town's Local Planning Scheme, the Residential Design Code and the Building Code of Australia (BCA).</p> <p>In some cases, buildings or structures need modification to meet these requirements. For example, fire separation under the BCA. Development Approval or a Building Permit may be required before modifications can occur.</p> <p>To clear this condition, you will need to provide:</p> <ul style="list-style-type: none"> - Plans of the site and structures (to scale). - If works are required, i.e. structures need to be removed or modified, provide evidence of this work being completed, such as photos. - The Town may also require you to provide independent certification from a registered Building Surveyor that structures satisfy relevant requirements of the Building Act 2011 and National Construction Code/Building Code of Australia.

		<p>It is noted that under the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>, the following requirements apply to effluent disposal systems;</p> <p>For large lot subdivision (no less than 1000m²) where Water Corporation Sewer is not available:</p> <ol style="list-style-type: none"> 1. A septic tank cannot be closer than 1.2m to the foundations of a building, or the boundary of a lot, unless otherwise approved. 2. A drain cannot be closer than 1.8m from any septic tank, building or lot boundary, unless otherwise approved. <p>In other situations where sewer is available and connected, the removal of the onsite effluent disposal system may be required.</p>
B5	<p>Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on the proposed lot at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)</p>	<p>Where structures are demolished, we want to ensure that this is done in consideration of any regulated trees on the lot, and that all debris is suitably cleared from the site.</p> <p>To clear this condition, you will need to:</p> <ul style="list-style-type: none"> - Apply to the Town's Building Team for a demolition permit. As part of this process, you need to identify any trees that require retention and protection in accordance with Local Planning Policy No.13 - Tree Retention and Provision. - Once you receive your demolition permit, undertake the required works. Any trees being retained need to be protected in accordance with AS4970-2009 Protection of Trees on Development Sites. - Provide evidence (usually photos) of these works being completed to the Town with your request for clearance.
B7	<p>The existing dwelling being retained is to comply with the requirements of the Residential Design Codes. (Local Government)</p>	<p>For any retained or proposed dwelling, the Town will check that key Residential Design Code (R-Codes) standards have been met. These commonly include but are not limited to:</p> <ul style="list-style-type: none"> • Minimum setbacks need to be met – this may require modification to existing structures on site. • At least two on-site car bays per dwelling, which must be paved and sealed. • A paved, sealed and drained driveway that provides safe vehicle access to the car bays.

		<ul style="list-style-type: none">• Downpipes must be connected to a suitable stormwater disposal system (e.g. soak wells).• Outdoor living areas must meet the minimum size and dimension requirements under the R-Codes.• Visual privacy must be addressed where a habitable room or outdoor area is more than 500mm above natural ground level — screening or setbacks may be required.• Suitable space for vehicle manoeuvring will need to be provided.• Crossovers which meet the requirements of the Town’s Crossover Policy will need to be provided. This may require removal, upgrade or reinstatement. <p>To clear this condition, provide:</p> <ul style="list-style-type: none">• Site photos showing completed driveways, car bays, and drainage infrastructure.• Plans (to scale) confirming R-Code compliance for retained dwellings and other applicable structures (carport, outbuildings etc)• Any required engineering or certification documentation.
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<p>D4</p>	<p>The land being filled, stabilised, drained and/or graded as required to ensure that:</p> <ol style="list-style-type: none"> 1. lots can accommodate their intended development; and 2. finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and 3. stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government) 	<p>If your subdivision approval includes this condition, it means the Town needs to be satisfied that your site is safe, stable, and ready to support future development. This is especially important for sloping or uneven sites.</p> <p>You will need to provide a geotechnical report which identifies:</p> <ol style="list-style-type: none"> 1. The soil classification for your site, 2. Its suitability for development, 3. Any earthworks required; and 4. Its capability for capturing stormwater. <p>The report will provide soil classification for your site. Depending on this classification, works may be recommended to remediate the site to enable it to accommodate the intended development. Works may include removal of fill, import of fill or compaction specifications.</p> <p>Typical soil classifications in WA are:</p> <ul style="list-style-type: none"> A – sand and rock S – slightly cohesive (some clay) M or H – medium and heavy clays P – problematic, indeterminate bearing capacity, contaminated <p>The Town accepts soil classifications of A and S for the clearance of subdivision conditions. Where remediation works are required, we note that significant increases in Natural Ground Level as a result of fill will not be accepted by the Town.</p> <p>If your site is deemed unsuitable for stormwater capture onsite, you will likely need a connection to Town’s stormwater/drainage system. You will need to apply for this connection and pay the associated costs.</p> <p>If the land is sloped and retaining is required, you will need to provide details to the Town. Development approval may also be needed in some cases.</p> <p>To clear this condition, you may be required to provide:</p> <ul style="list-style-type: none"> - A geotechnical report. - Stormwater calculations and a plan of soak wells or connections for the site. These need to demonstrate that adequate capacity is provided.
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- Plans (to scale) showing any proposed earthworks and retaining.

We note that land south of Guildford Road and east of Lord Street within the Town of Bassendean usually have clay-type soils and that this condition is generally applied across this area.

For additional information, you can refer to the Town's [Geotechnical Reports Information Sheet](#).

EN2	<p>Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government)</p>	<p>This condition is imposed where there appear to be regulated trees (as defined in the Town's Local Planning Policy No.13 - Tree Retention and Provision (LPP13)) on the site.</p> <p>If you are unsure whether a tree meets the definition of a regulated tree, the Town offers a 'Tree Inquiry' service free of charge, where the Town's Arborist will be able to advise you on this.</p> <p>If a tree meets the definition of a regulated tree, it will need to be identified on a site plan provided to the Town. Trees to be retained need to be protected during subdivision works in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites.</p> <p>To clear this condition, you will need to provide site photos which document the trees on site prior to subdivision works being undertaken and their retention at completion.</p> <p>Please note that under LPP13 it is an offense to remove a regulated tree without development approval.</p> <p>If a regulated tree is proposed to be removed or for significant works to be undertaken on that tree, Development Approval will be required prior to this work being undertaken. An arborist report will need to be provided by the applicant in support of this application.</p>
W6	<p>All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of</p>	<p>This condition is applied to all subdivisions where a dwelling may have been connected to a septic tank system. In complying with this condition, the required 'proof of decommissioning' can be provided in either of two ways:</p> <ol style="list-style-type: none"> 1) Certification from a licensed plumber; or 2) Statutory declaration from the landowner/applicant. <p>Option 1 is self-explanatory and requires certification from a licensed plumber attesting to the completion of the works.</p> <p>Option 2 allows for a statutory declaration to be provided by the land owner/applicant.</p>

	decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/ applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed. (Local Government)	For both instances the certification/statutory declaration is to be worded as follows: <i>“All septic sewer systems including all tanks and pipes and associated drainage systems (soakwells or leach drains) and any stormwater disposal systems have been decommissioned, removed, filled with clean sand and compacted at (INSERT ADDRESS).”</i>
	Arrangements being made for the filling and/or capping of any bores and/or wells, or the identification of any bore and/or well to be retained on the land. (Local Government)	This condition is applied to all subdivisions where there is a possibility of a bore and/or well located on the subject lot. In complying with this condition, if the bore is to be removed and capped the Town will require ‘proof of decommissioning’, which can be done through provision of a statutory declaration from the landowner/applicant confirming the works have been completed. The statutory declaration is to be worded as follows: <i>“All bores and/or wells have been decommissioned, removed, filled with clean sand and compacted at (INSERT ADDRESS).”</i>
	Any redundant vehicle crossover is to be removed and the kerbing, verge, and footpath reinstated with grass or landscaping to the specifications of the local government. (Local Government).	This condition is imposed where the subdivision results in a redundant crossover. The crossover is required to be removed and the verge made good. Please liaise with the Town’s Engineering team for specifications and approval of drawings. Please note that the Town no longer offers bonds for these works. All works are to be completed prior to lodging for subdivision clearance with site photos documenting the completed works being provided for the Town’s assessment.
T16	The proposed access way(s) being constructed and drained at the landowner/applicant cost to the specifications of the local government. (Local Government)	This condition is usually applied where a common property or battle-axe leg is proposed. Where common property will serve as access to an existing dwelling which is proposed to be retained, the driveway must be fully constructed to clear this condition, and Condition B7.

		<p>It is also important to note that where common property is proposed, an existing dwelling is to also have vehicular access from this. Additional crossovers are generally not supported by the Town.</p> <p>A crossover application permit will be required for the construction of a new crossover. Please liaise with the Town's Engineering team for specifications, approval of drawings and inspection of works.</p> <p>Works are required to be completed prior to clearance. You will need to provide site photos documenting the completed works for the Town's assessment.</p> <p>To clear this condition, you will need to:</p> <ul style="list-style-type: none"> • Apply for a crossover permit from the Town before starting works. • Build a new crossover and driveway from the road to each new lot. Construct it to the Town's specifications (material, width, location). • Provide photos and a contractor's invoice or completion letter to the Town.
T20	<p>Suitable arrangements being made with the local government for the provision and/or upgrading of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)</p>	<p>This condition is imposed where the subdivision results in a new vehicle access point or driveway which requires a new or upgraded crossover to the street.</p> <p>A crossover application permit will be required for the construction of a new crossover. Please liaise with the Town's Engineering team for specifications, approval of drawings and inspection of works.</p> <p>All works are to be completed prior to lodging for subdivision clearance with site photos documenting the completed works being provided for the Town's assessment.</p>