



Department of
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DC Policy

2.2

– Residential Subdivision

Development Control Policy 2.2

– Residential Subdivision

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Background notes

1. *Development Control Policy 2.2 – Residential Subdivision* establishes the Western Australian Planning Commission (WAPC) position on residential subdivision. The policy considers *State Planning Policy 3.1 – Residential Design Codes (R-Codes)* and other relevant WAPC policies.
2. This policy complements the following and should be read in conjunction with these relevant policies and planning instruments.

State Planning Policy 3.1 – Residential Design Codes (R-Codes)

Development Control Policy 1.1 – Subdivision of Land - General Principles

Development Control Policy 1.3 – Strata Titles

Development Control Policy 2.3 – Public Open Space in Residential Areas

Development Control Policy 2.4 – School Sites

Development Control Policy 2.5 – Special Residential Zones

Development Control Policy 2.6 – Residential Road Planning

Liveable Neighbourhoods

Government Sewerage Policy – Perth Metropolitan Region

1. Citation

This is a Development Control policy prepared under Section 14(b)(ii) of the *Planning and Development Act 2005*.

This policy may be cited as *Development Control Policy 2.2 – Residential Subdivision (DC 2.2)*.

2. Introduction

This policy sets out the Western Australian Planning Commission's requirements for the subdivision of land into residential lots. It is related to the site area per dwelling standards contained in the R-Codes; and to other WAPC policies outlined in **Background notes**. It is intended that, when read together, these policies create a flexible framework for the use of statutory planning powers within which the creation of a wide range of lot and housing types is possible.

3. Policy objectives

- To establish a consistent and coordinated approach to the creation of residential lots throughout the Western Australia.
- To adopt criteria for residential lots that will ensure each lot has a suitable level of amenity, services and access.

- To facilitate the supply of residential lots in a range of shapes and sizes that reflect the statutory provisions of local planning schemes – including the R-Codes, the availability of reticulated sewerage, and the need for frontage to public roads.

4. Policy measures

4.1 General requirements

4.1.1 Applications for the subdivision of land into residential lots will be assessed against:

- the relevant criteria set out in clause 4.1.3
- the context of the general subdivision requirements of *Development Control Policy 1.1 – Subdivision of Land – General Principles*
- any relevant endorsed local structure plan
- other matters that may apply to the circumstances of the proposal.

Conditions of approval may also be imposed to ensure compliance with the criteria.

4.1.2 If the WAPC considers that a plan for subdivision may affect a local government, a public authority or utility service provider,



it is required under the *Planning and Development Act 2005* (as amended) to consult with, and consider the advice of the local government and any relevant public bodies and government departments before making a decision on the application for subdivision.

4.1.3 All new residential lots will be:

- capable of development in accordance with the R-Code density assigned under the relevant local planning scheme, and any local variations that may apply
- located in an area with physical characteristics suitable for subdivision (such as topography, soils, drainage, vegetation and natural features); and in accordance with an approved structure plan (where applicable) or for infill sites, which reflects those characteristics
- located within a system of vehicle and pedestrian movement consistent with the principles of *Development Control Policy 2.6 – Residential Road Planning*, in terms of roads hierarchy, road safety, lot access and provision of cycleways and pedestrian walkways
- convenient to areas of passive and active open space in accordance with *Development Control Policy 2.3 – Public Open Space*, in terms of

appropriate location and configuration, and having regard for the existing and proposed distribution of open space in the immediate locality

- served by a suitable level of community services, schools, retail and other facilities and services as determined under other relevant WAPC policies
- screened or otherwise protected from the effects of adjacent land uses that may affect the amenity of the occupants of the lot.

4.2 Lot sizes

4.2.1 The minimum lot size and frontage requirements of the relevant R-Code form the basis for the subdivision of residential land. Lot sizes greater than the specified minimum will be considered, unless the WAPC, having regard for the reasons for the selection of the particular R-Code and any commitments made to service infrastructure, considers the uneconomic use of services would result.

4.2.2 In greenfield subdivisions, the WAPC may consider subdivision applications with lot sizes for single houses below the minimum for the relevant R-Code, provided the subdivision complies with the average for the relevant R-Code.

4.2.3 In existing residential areas, the WAPC will only consider subdivision or survey-strata applications proposing variations to lot sizes for single houses and grouped dwellings below the minimum site area requirements (meaning below the minimum and below the average lot sizes) specified in *Table 1* or elsewhere in the R-Codes, where it determines it will have a beneficial outcome for the community; and where the following criteria is met.

Variations to average lot size

- All lots in the subdivision meet the minimum lot size specified in *Table 1* or elsewhere in the R-Codes.
- The variation reduces the average lot size of the subdivision by no more than five per cent of the average lot size specified in *Table 1* or elsewhere in the R-Codes. Any average lot size variation greater than five per cent meets the following criteria:
 - a residential coding of R10 to R30 applies to the land
 - the site is a corner lot with frontage to more than one road (excluding a regional road) or has dedicated road access or right-of-way access to both front and rear boundaries
 - the proposed lots comply with the minimum frontage requirements



specified in *Table 1* of the R-Codes and are regular in shape

- crossovers and driveways to the proposed lots are provided in accordance with Australian Standard (AS) 2890 and the R-Codes
- any corner truncation is excluded from the calculation of the average lot size.
- The applicant provides information that demonstrates the variation will have a beneficial outcome for the community.

Variations to minimum and average lot size

- The minimum lot size variation only applies to one lot in the subdivision.
- The variation reduces the area of that one lot by no more than five per cent of the minimum lot size specified in *Table 1* or elsewhere in the R-Codes.
- The variation in the area of that one lot reduces the average lot size of the overall subdivision by no more than five per cent of the average lot size specified in *Table 1* or elsewhere in the R-Codes.
- The applicant has provided information that demonstrates the variation will have a beneficial outcome for the

community, which could include one or more of the following:

- protection of an environmental or heritage feature
- retention of a significant element that contributes toward the amenity of an existing streetscape
- development of lots with separate and sufficient frontage to more than one public street (for example, corner lots or lots with two or more street frontages)
- overcoming a special or unusual limitation imposed on the development of the land by its size, shape or other feature (for example, past or proposed excision for an electrical sub-station or service easement, irregular boundary or change in existing ground levels)
- allowing land to be developed with housing of the same type and form as land in the vicinity, which would not otherwise be able to be developed
- achieving specific objectives of the local government's local planning framework.

- In considering variations, the WAPC will give regard to the recommendations of the local government.
- Where a local government objects to a variation, the objection should be supported by reasons, with reference to the criteria set out above.
- Where a local government objects to a variation and the WAPC is of the view the application should be supported, further consultation will be undertaken with the local government before the application is determined by the WAPC.

4.2.4 In the interests of variety and choice, there is merit in the provision of a range of lot sizes, where possible, in residential subdivisions. The provisions of the R-Codes provide some opportunity for diverse lot sizes and to a lesser extent, lot shapes – giving greater choice to the community.

4.2.5 For the purpose of calculating average lot size specified in *Table 1* or elsewhere in the R-Codes, the WAPC accepts that with many large-scale projects, subdivisions will proceed in stages, following an overall structure plan for the locality or district, and that component stages may not separately comply with the average lot size requirement. In such cases, the WAPC may choose to base the required calculation



upon subdivision of the entire project area provided that where a particular stage does not comply, it can be assured that subsequent stages will restore compliance, and that those stages will be completed within a reasonable period of time.

4.3 Connection to sewerage

- 4.3.1 The WAPC will apply the *Government Sewerage Policy – Perth Metropolitan Region 1995* (as amended) in its consideration of applications for the creation of residential lots in unsewered areas of the metropolitan region. The basis of that policy is the provision of reticulated sewerage to all new residential subdivisions is mandatory, unless the exemptions as specified in that policy apply.
- 4.3.4 Similarly, outside the metropolitan region, the WAPC will give regard to the Water Corporation of WA's *Country Towns Sewerage – Subdivision Policy*, which specifies those towns or parts of towns where the provision of sewerage is mandatory for new subdivisions, together with exceptions.
- 4.3.5 Where the WAPC is prepared to approve new residential lots without sewerage, it will need to be satisfied that an on-site effluent disposal system is provided in accordance with current policy requirements and practice.

4.4 Single residential lots

- 4.4.1 Single residential lots should be rectangular in shape to accommodate project housing, with preferably a greater depth than width to maximise private space, privacy and amenity; and with an economy of street frontage. Frontage to depth ratios of between 1:1.5 and 1:2 have been common in practice and proved effective.
- 4.4.2 The shape of a lot becomes more critical for those with an area less than 260 square metres, since the proportion covered by a building tends to increase with reductions in area. Accordingly, the WAPC will pay closer attention to this aspect of subdivision proposals and, where irregularly shaped lots are proposed, may seek illustration of the manner in which such lots can be developed effectively in accordance with R-Code requirements before making a decision on an application.

4.5 Small residential lots

- 4.5.1 Proposals to subdivide land to create two or more lots of less than 260 square metres should be submitted with information regarding the arrangement of proposed buildings, fences, driveways and other development on the land to enable the relationship between the subdivision and the development to be assessed.

- 4.5.2 Where proposed lots of less than 260 square metres are narrow, irregularly shaped, present vehicular access difficulties or involve the development to proceed with boundary walls, the WAPC may require, having regard to the views of the local government, that deposited plans of survey or vacant/survey-strata plans not be endorsed until the buildings are constructed to plate height, unless there is a detailed area plan/local development plan adopted under an operative local planning scheme.

4.6 Battle-axe subdivision

- 4.6.1 For the purpose of this section, a battle-axe lot means a lot to which access is provided by a distinct access leg of sufficient width to accommodate a driveway and the necessary public utility services, which is attached to and forms part of the lot. Effective lot area means that part of the battle-axe lot that is capable of development, and excludes the access leg and associated truncations.
- 4.6.2 Extensive use of the battle-axe configuration in the subdivision of new greenfields areas is not favoured. Exceptions may be permitted where:
- battle-axe legs can be used to provide an alternative access for lots fronting major roads with access controls, or public open space



- full advantage can be taken of the views out of the site or where vegetation can be protected through reduced road construction requirements.
- 4.6.3 In existing areas, the WAPC recognises battle-axe subdivisions can provide housing choice and make effective use of land where no other access is practicable. The WAPC, however, considers that where opportunities are provided by dedicating existing laneways and rights-of-way as public roads – both as a means of providing alternative access and a street aspect, this is a preferred outcome to the provision of battle-axe lots.
- 4.6.4 Where local governments consider that battle-axe subdivisions are likely to seriously threaten the character of an established residential area that ought to be protected (for example, heritage precincts or special design control areas) density controls and other provisions may be included in local planning schemes to limit or otherwise ensure that battle-axe subdivisions are in keeping with their surroundings. Provisions should take into account the character and built form outcome of the area.
- 4.6.5 In locations subject to the provisions of the R-Codes, the minimum lot area will be as set out in clause 5.1.1 and column 4 of *Table 1* of the R-Codes. The WAPC will not permit
- reductions in the minimum or average lot sizes set by the R-Codes for battle-axe subdivisions.
- 4.6.6 In locations not subject to the provisions of the R-Codes, the WAPC will normally require residential battle-axe lots to have an effective lot area of at least 850 square metres to overcome the sense of confinement from lack of street frontage. In areas characterised by small lots, the WAPC may, with the advice of the relevant local government, reduce that basic requirement when it is satisfied that the lot is capable of development without undue effect on adjacent properties. The WAPC may wish to view development plans before making its decision.
- 4.6.7 Access legs to battle-axe lots should be a minimum of 4 metres in width to allow for a constructed driveway and the necessary public utility services. Where the lot is to be created for grouped or multiple dwelling development, the WAPC may require the width of the leg to be increased. Driveways are required to be constructed and drained as a condition of subdivision approval in accordance with the specification of the local government.
- 4.6.8 In rural, rural-residential and low-density subdivisions requiring long battle-axe legs, and locations where there are particular physical or topographical constraints,
- the WAPC, on the advice of the local government, may require a battle-axe leg wider than 4 metres.
- 4.6.9 In cases where access legs to battle-axe lots are adjoining, the WAPC may accept a reduced width of 3 metres for each leg, subject to the subdivider entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe legs. The reciprocal rights should also extend into the effective lot areas to allow for a shared turning area.
- 4.6.10 Battle-axe arrangements involving more than two access legs will not normally be accepted unless there are exceptional circumstances to justify such an arrangement. Where more than two adjoining battle-axe legs are proposed, access should be provided by way of a constructed road.
- 4.6.11 The WAPC will not normally accept undersized battle-axe legs as a means of obtaining alternative road frontage and to avoid the costs of extending a water main or sewer in accordance with normal requirements.
- 4.6.12 A truncation of 4.24 metres may be required at the point where the access leg joins the effective area of the lot, to improve vehicular access into the lot. A further truncation, generally of 2.12 metres may be required at the point where the access leg



meets the road reserve, to improve visibility for vehicles entering or leaving the lot. The WAPC will give particular regard to the advice of the local government on these requirements.

4.6.13 The WAPC will normally require proposals for the creation of battle-axe lots for residential purposes to comply with the design standards set out in this policy. The WAPC may permit variations to the policy upon the advice of the relevant local government, public bodies and government departments, and where it is satisfied that such variations would be consistent with orderly and proper planning.

4.7 Access to residential lots

4.7.1 The creation of lots having road access to both front and rear boundaries is not generally favoured, although exceptions may be made if the proposed lot is specifically designed for multiple or grouped dwellings and the proposal is consistent with the operational and safety requirements of the abutting streets and relevant R-Code provisions.

4.7.2 For lots without street frontage, vehicular access should be provided in accordance with the following:

- Battle-axe lots (including survey-stratas with no common property) to

be provided with an access leg of 4 metres in width, with a reduced width of 3 metres, for each access leg when they adjoin.

- The R-Code requirements for strata lots (including survey-stratas with access via common property) to be provided with driveways of 4 metres width, or 3 metres width where necessary to retain an existing dwelling. Driveways should be designed to allow vehicles to pass in opposite directions at one or more points where six or more dwellings are served by the driveway.
- Where it is proposed to retain an existing dwelling and access is not by common property, the WAPC, in considering any strata subdivision will generally require that:
 - there should be no eaves overhangs or other protrusions into the driveway space and no major opening in the wall adjacent to the driveway
 - there will be adequate space for the car parking required by the R-Codes, and sufficient space for safe vehicle manoeuvring.

4.8 Provision of screen fencing

4.8.1 Where lots are being created with rear or side boundaries that abut public reserves – particularly major roads to which the lots have no access – the amenity and safety of those reserves is often best protected by the provision of uniform fencing along the common boundary. Arrangements for such fencing should be made at the time of subdivision. Accordingly, a condition of subdivision may require the subdivider to reach agreement with the local government on fencing to include such matters as specification, complementary landscaping and the timing of its provision.

4.8.2 The suitability of fences for given locations will depend on function and setting, but the fences will be:

- substantially of solid construction and of sufficient height (normally between 1.8 metres and 2.4 metres) to provide privacy and screening
- of materials or finished treatment to give a long-lasting, aesthetic appearance, preferably with a low maintenance factor and complemented with landscaping where appropriate
- of uniform height, design and materials with adjacent lots and of compatible design and/or materials



where changes in design or height are justified due to the requirements of topography or to relieve monotony

- of sufficient height and strength and of appropriate design where it is necessary to produce a barrier in the interests of safety.

4.8.3 Where residential subdivisions include or adjoin public uses such as schools and open spaces, it is preferable to separate the residential lots and public uses by the road system. Arranging parklands and schools to front streets contributes to the local streetscape, creates a safer and more secure environment and avoids the unattractive appearance of extensive back fences.

4.9 Underground power

4.9.1 The WAPC recognises that considerable advantages are gained in the provision of reticulated underground power in residential subdivision, including improved aesthetics, safer and more reliable power supply, greater flexibility in road design and lower maintenance costs. Therefore, as part of its consideration of applications for subdivision, the WAPC will normally require the provision of underground power to residential lots, with regard to the advice of the relevant licensed service provider.