GOVERNMENT OF WESTERN AUSTRALIA

WAPC Western Australian Planning Commission

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Explanatory Note

Operational Policy 2.2 Residential Subdivision - Repeal

October 2026

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Acknowledgement of Country

The Department of Planning, Lands and Heritage acknowledges Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people.

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This document shows the content proposed to be transferred from Operational Policy 2.2 Residential Subdivision into the Residential Design Codes (R-Codes) review, the draft Operational Policy Subdivision or is proposed to be deleted.

Upon completion of the R-Codes review project, Operational Policy 2.2 Residential Subdivision is proposed to be repealed.

As shown in the following pages, the track changes highlight the content being transferred from Operational Policy 2.2 Residential Subdivision and consolidated into draft Operational Policy Subdivision (formerly Operational Policy 1.1 Subdivision of Land (general principles) and the Residential Design Codes.

This will consolidate the subdivision requirements for residential lots within the broader subdivision policy and enable Operational Policy 2.2 Residential Subdivision to be repealed.

Marking	Action
~~All new residential lots~~	Recommended for deletion as it is either content that is no longer required, or duplicates text in other policy documents.
	Recommended text to be moved to R-Codes. Visit the Have Your Say page to find out more.
	Recommended text to be relocated to draft OP Subdivision (formerly Operational Policy 1.1 Subdivision of Land (general principles).

Department of **Planning, Lands and Heritage**

GOVERNMENT OF WESTERN AUSTRALIA

Western Australian Planning Commission

Annotated policy provided for consultation purpose to demonstrate outcomes of the review and potential repeal of Operational Policy 2.2 Residential Subdivision.

Operational Policy 2.2

Residential Subdivision

May 2024

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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Operational Policy 2.2

Residential Subdivision

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Background notes

1. Operational Policy 2.2 – Residential Subdivision establishes the Western Australian Planning Commission (WAPC) position on residential subdivision. The policy considers the Residential Design Codes (R-Codes) and other relevant WAPC policiess.

2. This policy complements and is to be read in conjunction with the following relevant policies and planning instruments:

   State Planning Policy 2.6 – State Coastal Planning

   State Planning Policy 3.6 – Infrastructure Contributions

   State Planning Policy 3.7 – Planning in Bushfire Prone Areas

   State Planning Policy 4.2 – Activity Centres

   State Planning Policy 5.4 – Road and Rail Noise

   Liveable Neighbourhoods (to be replaced by State Planning Policy 7.1 – Neighbourhood Design)

   State Planning Policy 7.2 – Precinct Design

   Residential Design Codes (R-Codes) Volumes 1 and 2

   Operational Policy 1.1 – Subdivision of Land General Principles

   Development Control Policy 1.3 – Strata Titles

   Development Control Policy 1.7 – General Road Planning

   Development Control Policy 2.3 – Public Open Space in Residential Areas

   Development Control Policy 2.4 – School Sites

   Development Control Policy 2.6 – Residential Road Planning

   Position Statement – Special Residential Zone

   Government Sewerage Policy

1. Citation

This is an Operational Policy prepared under Section 14(b)(ii) of the *Planning and Development Act 2005*.

This policy is cited as Operational Policy 2.2 Residential Subdivision (OP 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 Volume 1; 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.

R-Codes Volume 1 Part D Clause 1.1 C1.1.1 to C1.1.6 and Table D outlines minimum and average site area provisions and adjustments applied to determine the number of dwellings on a site for development proposals and are not able to be varied except for aged and dependent persons dwellings, single bedroom dwellings, accessible dwellings and small dwellings.

Minimum, average and battle-axe lot sizes and frontages outlined in R-Codes Table D are applied to determine number of lots on a site for subdivision proposals and may be varied only by the WAPC as outlined under R-Codes Volume 1 Part D Clause 1.1 P1.1.2 and/or in this policy.

Historical lot size differences and application of contemporary R-Codings results in some lots not aligning with allocated R-Code minimum and average lot sizes. Lot size variation under this

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~~policy is intended to facilitate flexibility to complete subdivision of these lots as intended under the local planning framework.~~

~~This policy is not to be used to circumvent the R-Coding of land to facilitate subdivision and increased density not intended under local planning frameworks.~~

Nested subdivision proposals involve the inclusion of two or more original/parent lots and/or minor boundary adjustments between them to achieve the average lot size requirement.

Staged or successive subdivision proposals involve the creation of one minimum sized lot under separate subdivision applications in order to obtain increased lot yield. For example, a 1,000m^2 site coded R40 (minimum 180m^2 and average 220m^2 lot size) yields 4 lots. Staged or successive subdivision could yield 5 lots through individual separate subdivision applications of the original lot through creation of minimum 180m^2 lots. 1000m^2 - 180sqm (lot 1) = 820sqm. 820m^2 -180m^2 (lot 2) = 640m^2. 640m^2 - 180m^2 (lot 3) = 460m^2. 460m^2 divided by 220m^2 - (lot 4 & 5).

Nested and staged/successive subdivision proposals are not generally supported. Where proposed, the applicant must provide justification and information to demonstrate legitimacy.
A determinable difference between existing and proposed new lots must be demonstrated and the proposal must not compromise the R-Coding. Inclusion of lot/s not resulting in substantial change, to satisfy policy criteria and/or to increase the total lot size/subdivision application area to comply with the required average lot size is not a legitimate purpose.

3. Policy objectives

3.1. ~~To establish a consistent and coordinated approach to the creation of residential lots throughout Western Australia.~~

3.2. ~~To adopt criteria for residential lots that will ensure each lot has a suitable level of amenity, services and access.~~

3.3. To facilitate the supply of residential lots in regular shapes and size ranges that reflect the statutory provisions of local planning schemes – including the R-Codes, the availability of reticulated sewerage, electricity and water and the need for frontage to public streets for access.

4. Policy measures

4.1 General requirements

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

- ~~criteria set out in clause 4.1.3~~
- ~~the context of the general subdivision the context of the general subdivision requirements of Operational Policy 1.1 - Subdivision of Land - General Principles~~
- ~~state and local planning frameworks, including (but not limited to):~~
  - ~~Liveable Neighbourhoods (to be replaced by State Planning Policy 7.1 – Neighbourhood Design)~~
  - ~~State Planning Policy 7.2 – Precinct Design~~
  - ~~Residential Design Codes – Volumes 1 and 2~~
- ~~water sensitive urban design (WSUD) principles.~~

~~Conditions of approval may also be imposed to ensure compliance with this policy.~~

4.1.2 ~~If the WAPC considers that a subdivision application 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 subdivision application.~~

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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 under the local planning framework~~
- ~~located in an area with physical characteristics suitable for subdivision (such as topography, soils, drainage, vegetation and natural features)~~
- ~~located within a system of vehicle and pedestrian movement consistent with the principles of Liveable Neighbourhoods (to be replaced by State Planning Policy 7.1 – Neighbourhood Design), State Planning Policy 7.2 – Precinct Design and Development Control Policy 2.6 – Residential Road Planning, in terms of street hierarchy, safety, lot access and provision of cycleways and pedestrian walkways~~
- ~~convenient to areas of passive and active open space in accordance with Liveable Neighbourhoods (to be replaced by State Planning Policy 7.1 – Neighbourhood Design), State Planning Policy 7.2 – Precinct Design and 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 Liveable Neighbourhoods (to be replaced by State Planning Policy 7.1 – Neighbourhood Design) and other relevant WAPC policies~~
- The WAPC may require lot reconfiguration to facilitate retention of significant trees and mature vegetation.
- ~~Subdivision proposals proximate to specified road and rail transport corridors are to address the requirements in SPP 5.4 Road and Rail Noise.~~

4.2 Lot sizes

4.2.1 The minimum and average 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, having regard for the reasons for the selection of the particular R-Code and any commitments made to service infrastructure, the uneconomic use of services or under achievement of WAPC density targets would result.

4.2.2. In areas subject to a Precinct or Standard Structure Plan, the WAPC may consider subdivision applications with lot sizes for single houses below the minimum for the relevant R-Code, provided the subdivision achieves the average for the relevant R-Code.

4.2.3. For the purpose of calculating average lot size specified in Table D or elsewhere in the R-Codes Volume 1, the WAPC accepts that with many large-scale projects, subdivisions will proceed in stages, following a 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.

4.2.4. In existing residential areas, the WAPC will only consider subdivision or survey-strata applications proposing variations to lot sizes below the minimum and average site area requirements specified in R-Codes Volume 1 Table D or elsewhere in the R-Codes for non-battleaxe configured lots, where the following criteria are met:

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a) Variations to minimum and average lot size up to five per cent criteria

- the proposal satisfies the relevant design principles of the R-Codes Volume 1 Part D, clause 1.1 Site Area.
- 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 R-Codes Volume 1 Table D 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 the R-Codes Volume 1 Table D or elsewhere in the R-Codes.
- in considering lot size and frontage 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 provisions in this policy.
- where a local government objects to a variation and the WAPC is of the view the application should be supported, further consultation may be undertaken with the local government before the application is determined by the WAPC.

b) Variations to average lot size greater than five per cent criteria

- In addition to the criteria at 4.2.4(a), any average lot size variation greater than five per cent meets all of the following criteria:
  - a single residential coding of R10 to R35 applies to the land.

    Note: For dual coded land, the variation is only applicable to the base coding.
  - the site is a corner lot with frontage to two different streets or any other lot with frontage to more than one dedicated street (excluding a primary (red), other regional (blue) or any other major road, including state and federal highways, with access restrictions).
  - all proposed lots comply with the minimum lot size and frontage requirements specified in the R-Codes Volume 1 Table D.
  - the width and frontage of the new lots will enable dwellings to have their primary frontage to the different streets.
  - crossovers and driveways to proposed lots are provided in accordance with Australian Standard (AS) 2890 and the R-Codes Volume 1.
  - any corner truncation, pedestrian access way, vehicle right of way or laneway widening is excluded from the calculation of the minimum lot size.

4.3 Single residential lots

4.3.1 ~~Single residential lots are square or rectangular in shape, with preferably a greater depth than width to maximise space for outdoor living, gardens and trees, privacy, amenity and street frontage.~~ WAPC will consider lot shapes, having regard to effective lot area, existing and prevailing lot configurations, site circumstances, solar access, streetscape, retention of existing dwellings and retention of existing mature trees.

4.4 Small residential lots

4.4.1 ~~Deleted by amendment dated 10 April 2024.~~

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4.5 Battleaxe subdivision criteria

4.5.1 ~~'Battleaxe lot' and 'effective lot area' are defined in the R Codes as follows:~~

- ~~*Battleaxe lot – a single house lot that has a frontage for purposes of servicing and access to a public road only through a strip of connecting land containing a pedestrian access leg and/ or vehicular access way that is part of the lot. The term excludes a site that has vehicle access from a private or communal street or right of way connected to a public road.*~~
- ~~*Effective lot area – that part of the lot that is capable of development and excludes any vehicle or pedestrian access legs and associated truncations.*~~

4.5.2 Use of battleaxe lot configuration is not favoured. Direct street frontage or dual street and rear laneway access is the preferred configuration. Exceptions may be considered in the following circumstances:

- battleaxe legs used to provide alternative access for lots fronting major roads with access controls or public open space.
- to facilitate vehicular access to significantly sloping sites where acceptable street gradient can not be achieved.
- retention of existing heritage or character development.
- retention of verge trees where recommended by the local government.

4.5.3 Where opportunities exist to dedicate existing laneways and rights-of-way as public streets – both as a means of providing alternative access and a street aspect, this is a preferred lot configuration outcome.

4.5.4. Where local government considers battleaxe 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 may be included in local planning schemes, or development controls introduced through local planning policy or local development plans to ensure that battleaxe subdivisions and development is in keeping with their surroundings. Provisions should take into account the character and built form outcome of the area.

4.5.5. The minimum battleaxe lot area will be as set out in the R-Codes Volume 1 Part D clause 1.1 and Table D. The WAPC will not permit reductions in the minimum or average lot sizes for battleaxe lots.

4.5.6. In locations not subject to the provisions of the R-Codes, the WAPC will normally require residential battleaxe lots to have an effective lot area of at least 850m^2 to overcome the sense of confinement from lack of street frontage.

4.5.7. A battleaxe leg should be a minimum of:

- 4 metres in width (R2-R40); or,
- 3.6 metres in width (R50 and higher);

to allow for a 3m constructed driveway, landscaping space and the necessary public utility services. Where a battleaxe lot is to be created for or is of a size capable of further subdivision for five or more grouped or multiple dwellings, the WAPC may require the width of the leg to be increased to provide for passing points. Driveways may be required to be constructed and drained as a condition of subdivision approval in accordance with the specification of the local government and may be bonded to facilitate future construction post dwelling construction.

4.5.8. In rural, rural-residential and low-density (R2-R25) subdivisions requiring long battleaxe legs, and locations where there are particular physical or topographical constraints, the WAPC, on the advice of the local government, may require a battleaxe

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leg wider than 4 metres. The SPP 3.7 Planning in Bushfire Prone Areas specifies where battleaxe lots should be avoided.

4.5.9. In cases where battleaxe legs are adjoining, the WAPC may accept a reduced width 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.

4.5.10. Battleaxe arrangements involving more than two access legs will not 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 street.

4.5.11. The WAPC will not accept undersized battleaxe legs as a means of obtaining alternative street frontage and to avoid the costs of extending a water main or sewer in accordance with normal requirements.

4.5.12. A 3 x 3 metre truncation of 4.24 metres may be required at the point where the access leg joins the effective area of the lot, for vehicular access and manoeuvrability. A 1.5 x 1.5 metre truncation of 2.12 metres may be required at the point where the access leg meets the street reserve, particularly on major roads and where non visually permeable street walls and fences exist, to improve visibility for vehicles, cyclists and pedestrians. The WAPC will give particular regard to the advice of the local government on these requirements.

4.5.13. The WAPC requires proposals for the creation of battle-axe lots for residential purposes to comply with this policy. The WAPC may permit variations 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.

4.6 Vehicle access to residential lots

4.6.1 The creation of lots having dual street vehicle access and frontage is not generally favoured, although exceptions may be made if the proposed lot is specifically designed for multiple or grouped dwelling development and the proposal is consistent with the operational and safety requirements of the abutting streets and relevant R-Code provisions.

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

- ~~Battleaxe lots to be provided with an access leg in accordance with sections 4.5.7–4.5.12 of this policy.~~
- ~~Non-battleaxe lots provided with access in accordance with the R-Codes Volume 1 Part B Clause 5.3.5 or Part C Clause 3.7 depending on R-Coding and dwelling type.~~
- For survey strata lots proposing a shared access, the communal street is shown as common property and includes the driveway, side lot boundary landscaping and all lot truncations for vehicle manoeuvring and sight lines in accordance with the R-Codes Volume 1. The communal street must be designed to allow vehicles to pass in opposite directions at one or more points where five or more dwellings are served by the driveway in accordance with the R-Codes Volume 1.
- Where it is proposed to retain an existing dwelling and access is by communal street or battleaxe leg, the WAPC, in considering any subdivision will generally require that:

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- there should be no eaves overhangs or other protrusions into the driveway (although there may be overhang or protrusions into the landscaping areas).
- there will be adequate space for the car parking required by the R-Codes Volume 1, and sufficient space for safe vehicle manoeuvring.

4.7 Provision of screen fencing

4.7.1 Where lots are being created with rear or side boundaries that abut public reserves – particularly major streets to which the lots have no access – passive surveillance, amenity and user safety of those reserves is best protected by the provision of uniform visually permeable fencing along the common boundary. Arrangements for such fencing should be made at the time of subdivision. 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.

4.7.2. ~~The suitability of fences for given locations will depend on function, setting and any local planning framework requirements. If the local planning framework does not outline specific standards, the fences will be:~~

- ~~substantially of solid construction to 1.2 metres in height and visually permeable to a maximum height (between 1.8 metres and 2.4 metres)~~
- ~~of materials or finished treatment to give a long lasting, aesthetic appearance, preferably with a low maintenance and graffiti reduction factor complemented with landscaping~~
- ~~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 for safety and security.~~

4.7.3 ~~Deleted by amendment dated 10 April 2024~~

4.8 Utility service provision

4.8.1 ~~The WAPC will apply the Government Sewerage Policy in its consideration of applications for the creation of residential lots in unsewered areas.~~ The basis of that policy is the mandatory provision of reticulated sewerage to all new residential subdivisions, including strata titled, unless the exemptions as specified in that policy apply.

4.8.2. 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.

4.8.3. 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.