

Reconfiguration of a Lot

6 JANUARY 2020



DEVELOPMENT ASSESSMENT INFORMATION

What is Reconfiguring a Lot?

Under the *Planning Act 2016* reconfiguring a lot means—

- a) Creating lots by subdividing another lot; or
- b) Amalgamating 2 or more lots; or
- c) Rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or
- d) Dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—
 - i. a lease for a term, including renewal options, not exceeding 10 years; or
 - ii. an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or
- e) Creating an easement giving access to a lot from a constructed road.

Do I need planning approval?

Yes, Reconfiguring a Lot is assessable development and will be subject to either code assessment or impact assessment.

An impact assessment (requires public notification) is applicable if your property is located in the Laidley Shire Planning Scheme Area, AND your property is located within an area identified as being of Very High Ecological Significance.

Council's [ePlan](#) can be used to determine the zone of your land and identify any overlays applicable to your property. You will need to know your zone to determine minimum lot size and if you are able to subdivide.

It is recommended you engage an appropriately qualified town planning consultant with knowledge of the *Planning Act 2016* to assist you to prepare your application.

Can I subdivide? What is the minimum lot size I can subdivide to?

The minimum lot sizes can be found in the tables at the end of this fact sheet. If you cannot meet the minimum lot size for all lots within the proposal it is unlikely Council will support an application for subdivision.

What happens if my property is divided by a road and in the Regional Landscape and Rural Production Area?

Under the *Planning Regulation 2017* there are exempt subdivision provisions, which means you may be able to subdivide into 2 lots if:

- Your property is located within the Regional Landscape & Rural Production Area of the SEQ Regional Plan; and
- Your property is divided by a road gazetted before 2 March 2006 or a State-Controlled Road; and
- The road forms the whole of the boundary between the proposed lots.

How do I make an application?

For information please read Council's [Application](#) webpage. A fact sheet on Application Requirements & Processing is available.

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Fees & Charges

Refer to Council's website for the current Fees & Charges.

Need further information?

This fact sheet is designed to be a guide to the planning scheme and application process. Additional information can be obtained from the applicable planning scheme. If you require further specific information please contact Council's Customer Service on 1300 00 5872.

Please note this fact sheet may be updated by Council at any time with the most recent version available on Council's website. If you have a printed copy please see Council's website to ensure you have the latest version. ■

How will my application be assessed?

A Code assessable application for Reconfiguring a Lot will be assessed against the following codes of the applicable Planning Scheme:

Planning Scheme	Codes
Laidley Shire	<ul style="list-style-type: none">• Reconfiguring a Lot Code• Area code applicable to your property• Any applicable overlay code
Gatton Shire	<ul style="list-style-type: none">• Reconfiguration of a Lot Code• Any applicable overlay code

In your code assessable application to Council you must address the above codes that are applicable to your development and property.

An Impact Assessable Application will be assessed against the applicable Planning Scheme in its entirety, and should address the above codes.

What other approvals do I need?

Once you obtain a Reconfiguration of a Lot development permit you may need additional development permits. Typically the following further development permits may include:

- Development Permit for Operational Works (e.g. Earthworks, Roads, Stormwater & Drainage)
- Development Permit for [Building Work](#)
- Development Permit for [Plumbing and Drainage](#)

There may be additional approvals required beyond what is listed above.

Are Infrastructure Charges Payable for Reconfiguring a Lot?

For any additional lots created [Infrastructure Charges](#) are payable. These must be paid before your Plan of Subdivision is signed.

Do I need to have my Plan of Subdivision signed?

Yes, after you receive your Notice of Decision and you have complied with all the conditions of the approval you need to lodge a [Plan of Subdivision](#) to Council. This process is necessary to formally change the boundaries of the land. There are fees payable to Council for a Plan of Subdivision.

What happens once the plan is signed by Council?

Once the Plan of Subdivision is signed by Council it must be registered with the Titles Office of DNRM within 6 months. There is a fee payable to DNRM to register the plans.

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MINIMUM LOT SIZES

Use Council's [ePlan](#) to determine your properties applicable

Laidley Planning Scheme Area

Zone	Minimum Lot Size
Urban Residential	600m ²
Urban Residential (Small Lots)	Min: 400m ² Max 600m ²
Residential Expansion	60ha
Rural Residential	Min: 4000m ² Max: 7900m ² Average: 6000m ²
Rural Agricultural Land	60ha*
Rural Upland	100ha
Rural Landscape	60ha*
Business	400m ²
Village	400m ²
Industrial	Allotment dimensions dependant on type of industry proposed

***Note:** Under Schedule 10 Part 16 Division 1 of the *Planning Regulation 2017* for properties in the Regional Landscape and Rural Production Area the minimum lot size is 100ha and overrides the minimum lot sizes of the Planning Scheme. Please consult [DSDMIP Maps](#) to determine your SEQ Regional Plan designation for your property.

Gatton Planning Scheme Area

Zone/Locality	Minimum Lot Size
Urban Residential - Gatton Town	600m ²
Withcott	3000m ²
Helidon	800m ²
Village	3000m ²
Park Residential	3000m ²
Rural Residential - No town water	8000m ²
Rural Residential - With town water	6000m ²
Existing Rural Residential Area - Adare	1.5ha
Woodlands	2.0ha
Placid Hills	2.0ha
Winwill	2.0ha
Veradilla	3.0ha
Helidon	2.0ha
Helendale Drive	1.0ha
Postmans Ridge	3.5ha
Blanchview	4.0ha
Diana Crescent	1.0ha
Park Ridge Drive	0.6ha
Table Top	0.5ha
Withcott West	2.5ha
Murphys Creek	2.0ha
Homestead Precinct - Reticulated water available	8000m ² 1.2ha
Homestead Precinct - Reticulated water not available	
Commercial	400m ²
Industry	2000m ²
Open Space and Recreation	Not specified
Community Facilities	Not specified
Rural Uplands, Rural General, Rural Agriculture, Emerging Communities	100ha