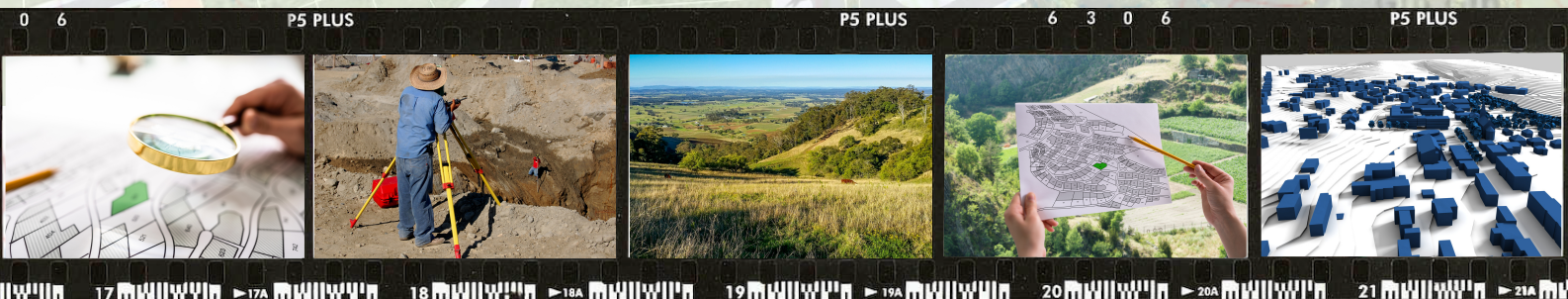


Reconfiguring a lot

North Burnett Regional Council
Planning Scheme



WHAT IT MEANS TO RECONFIGURE A LOT

Reconfiguring a lot is a form of development defined by the *Planning Act 2016*. It is often referred to as a 'subdivision' but does not always involve subdividing land.

The *Act* defines 'reconfiguring a lot' as:

- 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.

DEFINITION IN PLANNING ACT 2017

This Information Sheet explains the term 'reconfiguring a lot' and how to make an application, either a simple boundary realignment or subdivision to create new residential lots.

LOOK AT WHAT'S INSIDE:

What it means to reconfigure a lot

Determining the type of application

Assessing the application

Minimum lot sizes

Reconfiguring that does not require approval

Examples

The process





DETERMINING THE TYPE OF APPLICATION

Council staff can help you determine the 'category of assessment' from the planning scheme. Most reconfiguring applications are code assessable except in the Rural zone if additional lots are smaller than the minimum dimensions. In that case, impact assessment is required.

ASSESSING THE APPLICATION

The planning scheme contains three codes used for assessing reconfiguring applications:

1. for creating one additional lot in the General residential or Industry zone and schedule 12 of the Regulation applies - section 9.2.2
Reconfiguring a lot (subdividing 1 lot, other than a rear lot, into 2 lots) code;
2. for boundary realignments - section 9.4.4
Reconfiguring a lot (boundary realignment) and associated operational work code; and
3. for other reconfiguring - section 9.4.5
Reconfiguring a lot (except excluded reconfiguration) code.

MINIMUM LOT SIZES

Table 9.4.10 of the *North Burnett Regional Council Planning Scheme* sets out minimum areas and frontages for new lots. Council may approve applications in circumstances where there are grounds for narrower frontages or smaller lots.

RECONFIGURING THAT DOES NOT REQUIRE APPROVAL

Some reconfiguring does not need approval:

1. amalgamating two lots into one;
2. most easements (except for vehicular access to a constructed road);
3. lease of part of a building.

EXAMPLES OF RECONFIGURING

1. realigning the boundary between two lots
2. subdividing one lot into two lots
3. creating an easement for vehicular access
4. creating a 20 year lease for part of a farm
5. dedicating part of a lot as new road



CHECK THE ZONE

Work out what the minimum lot size is for your property by first of all checking the zoning. You can view the zoning through Council's interactive mapping at

<https://northburnett.qld.gov.au/interactive-mapping/>

CHECK FOR ANY OVERLAYS

Check the planning scheme mapping for any overlays. The planning scheme uses both Council interactive mapping (link above) and four overlays in the State's SPP interactive mapping at <https://spp.dsdip.esriaustraliaonline.com.au/geoviewer/map/planmaking>.

The four overlays are Agricultural land classification - class A and B (under Economic Growth, Agriculture), Stock route network (also under Economic Growth, Agriculture), MSES (under Environment and Heritage, Biodiversity), Bushfire prone area (under Safety and Resilience to Hazards, Natural Hazards Risk and Resilience).

Overlays add further assessment criteria for the applicant and Council to consider.

Note that the scheme overlays do not use the State's Development Assessment Mapping.

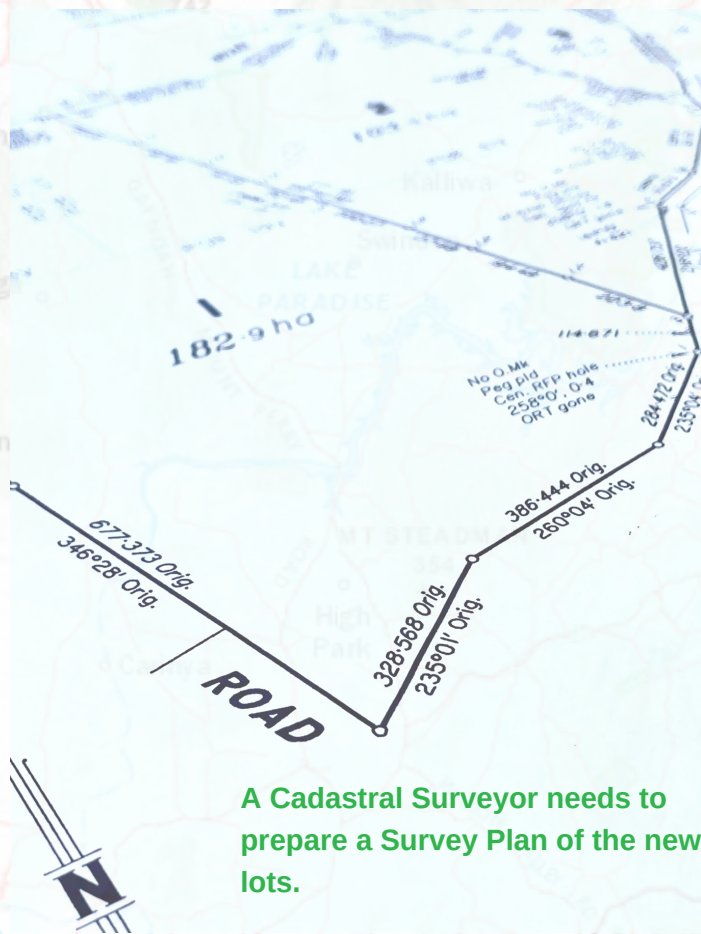
PROFESSIONAL ASSISTANCE

Unlike some other types of applications that may not require professional assistance, reconfiguring a lot needs a Surveyor (plan, pegging corners etc) and a Solicitor (for any easements and conveying).

OVERVIEW OF THE PROCESS

Reconfiguring proposals typically follow this process:

1. pre-lodgement discussions with Council officers;
2. engage a Cadastral Surveyor to prepare the proposal plan and development application;
3. lodge the development application;
4. follow the relevant application process;
5. Council assesses and decides the application, usually subject to conditions;
6. Comply with the approval conditions (like carrying out works or paying charges like outstanding rates);
7. Request the council to 'endorse' the survey plan;
8. Solicitor lodges the survey plan in Queensland Titles Office.



A Cadastral Surveyor needs to prepare a Survey Plan of the new lots.



OTHER INFORMATION SHEETS

- assessable development
- making an application
- application process
- overlays



FACILITATING GOOD ECONOMIC DEVELOPMENT

We have a long and proud history of development, prosperity and resilience. With readiness we also face challenges including distance, drought, flood and connectivity. Always receptive to new technology and new ideas, as the digital revolution continues to disrupt and expand economies around the world, North Burnett is gearing up to make the most of emerging opportunities. The Council is committed to drive ongoing economic growth and innovation in the North Burnett.

North Burnett Regional Council aims to be an innovation leader – a destination for business, investment and skills.

Contact Us

Call us for more information about the planning scheme and making an application.



North Burnett Regional Council
PO Box 390 Gayndah QLD 4625



(1300 696 272) (1300 MY NBRC)



admin@northburnett.qld.gov.au



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