

NORTH BURNETT REGIONAL COUNCIL

Planning Scheme

Reconfiguring a lot

Info Sheet

This info sheet explains how to 'reconfigure a lot', whether a simple boundary realignment between two lots or a subdivision creating a new residential estate.

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RECONFIGURING A LOT—WHAT IS IT?

Definition

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—
 - a lease for a term, including renewal options, not exceeding 10 years; or
 - 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.

Confirm 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; then 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 the 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 NEED APPROVAL

Some reconfiguring does not need approval—

1. amalgamating two lots into one;
2. most easements (but not for access to a road);
3. lease of part of a building.



Encouraging economic development

The North Burnett Regional Council is a small rural local government but it is big on facilitating good economic development. That is why the planning scheme seeks to enable business growth and expansion while simultaneously creating and protecting the appeal of living in a *naturally beautiful* area. While the Council can encourage or enable good development projects it is up to locals to see opportunities and then to take the initiative.

Make contact with Council's Development Services staff to find out how to streamline your next development project.

TYPES OF RECONFIGURING

Examples

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

Still need help?

This information sheet summarises the key matters to consider for people considering carrying out development. The process and legal aspects relating to property and development can be complex and confusing. Council's development services staff may be able to help.

Sometimes however it may be advisable for you to obtain your own professional help from a qualified practitioner such as a Lawyer, Surveyor, Town Planner, Architect, Building Designer, or Engineer.

Contact Us

Give us a call for more information about the planning scheme and making an application.

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