

FACT SHEET

Reconfiguring a lot

What is Reconfiguring a lot?

'Reconfiguring a lot' is the term given to making changes to land title. This can include moving lot boundaries, amalgamating, or creating new lots.

The term also applies to the creation of easements, the establishment of a community title scheme, or a long-term lease (greater than 10 years).

This fact sheet focuses on small-scale reconfiguration, not including the creation of new streets.

'Reconfiguring a lot' is defined in the **Planning Act 2016** as:

- creating lots by subdividing another lot; or
- amalgamating 2 or more lots; or
- rearranging the boundaries of a lot by registering a plan of subdivision; or
- dividing land into parts by agreement (other than 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
- creating an easement giving access to a lot from a constructed road.

Reconfiguring a lot can take place at any scale, from a minor realignment to correct a lot boundary, to the subdivision of large areas of 'greenfield' land creating many new suburban lots.

Planning applications are usually required for these changes.

Why do we assess lot reconfiguration?

The arrangement of lots will have significant consequences for the development that occurs on that lot and the services provided to that lot. The assessment of lot reconfiguration is intended to promote functional, serviceable lots, suitable for their intended purpose. The **planning scheme** seeks a range of desired outcomes from the reconfiguring a lot process, including:

- a well-integrated, compact, and sustainable urban form;
- the creation of attractive, safe, healthy, and accessible neighbourhoods;
- reconfigurations that:
 - allow for buildings and development that respond to climate;
 - avoid or mitigate the potential impacts of natural hazards;
 - are integrated with the natural features of the landscape;
 - provide a diversity of lot sizes; and
 - are provided with services and infrastructure to accommodate their intended use.

Lot size makes an important contribution to the character of an area. The draft planning scheme **Building Height and Density Overlay** identifies the average lot size in existing suburban areas, and it is expected that reconfigurations will result in lots that achieve an average size similar to those in the surrounding area.

If approved, what conditions are generally applied to lot reconfigurations?

Development conditions will be tailored to specific issues related to the proposed reconfiguration, however approval for reconfiguring a lot will almost always include conditions and requirements that ensure that:

- infrastructure is provided to service the proposed lots, and that this infrastructure is provided by the person seeking to develop the land;
- upgrades to existing roads and footpaths are undertaken; and
- lots are created and surveyed prior to their sale.

There may also be restrictions on how lots can be further developed, and infrastructure charges that must be paid prior to the finished lots being sold or further developed.

There are generally three core processes required for undertaking the subdivision of land:

1. Obtain a reconfiguring a lot approval;
2. Undertake necessary works, including obtaining approval for those works (requiring an Operational Works application); and
3. Once the works are complete, have a plan of subdivision prepared for submission to the council, and later the state government for finalisation.

Do I need to make an application for a Development Permit?

All subdivisions and boundary realignments (apart from a one into two lot subdivision meeting the requirements of Schedule 12 of the Planning Regulation 2017*) require an application for a development permit.

*In accordance with [Schedule 12 of the Planning Regulation](#), one lot can be divided into two lots without application in a residential or industrial area, if the lots meet the minimum size requirements of the scheme, are not hatchet lots, and are not subject to overlays.

It is common for planning scheme overlays to affect lot reconfigurations, and where there is an overlay over the original lot, the related [overlay code](#) must also be addressed in the application.

See the factsheet [Planning Scheme User Guide](#) and [Part 5.3 Categories of Development and Assessment](#) of the planning scheme for a complete list of assessment requirements when applying for a lot reconfiguration.

What are the desired outcomes to be achieved?

Lot reconfigurations should support the goals of the planning scheme for the location in which they occur. Lot reconfigurations can facilitate desirable development by:

- improving the structure of existing residential neighbourhoods, including providing improved access to centres;
- providing an opportunity for an increased range of housing choices; and
- ensuring the provision of appropriate infrastructure and effective management of stormwater.

For further information on addressing the assessment requirements for Reconfiguring a lot, see the [Planning Scheme Overview, Planning Scheme User Guide and Overlays](#) Factsheets.

This fact sheet provides general information and is provided as a guide only to assist the community to understand the draft planning scheme and its mapping. It is encouraged to view the relevant sections of the draft planning scheme and talk to a planner.