



CAIRNS PLAN 2016

Reconfiguring a lot

What is Reconfiguring a Lot?

The *Sustainable Planning Act 2009* defines

Reconfiguring a lot as:

- creating lots by subdividing another lot;
- amalgamating 2 or more lots;
- rearranging the boundaries of a lot by registering a plan of subdivision;
- 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*);
- creating an easement giving access to a lot from a constructed road.

Is my lot big enough to subdivide?

The Reconfiguring a lot code in Part 9 of the CairnsPlan 2016 contains specific assessment criteria for Reconfiguring a lot. This includes, but is not limited to, minimum lot sizes and minimum widths and dimensions for new lots categorised by zone.

For example, the minimum lot size within the Low density residential zone is 600m² and the minimum width and dimension is 15m.

Refer to the Reconfiguring a lot code in Part 9 for minimum requirements in all zones.

What is a small residential lot?

Schedule 1.1 of the CairnsPlan 2016 defines a small residential lot, as a lot in a residential zone or created for a residential or accommodation purpose that has an area of 450m² or less. The Reconfiguring a lot code in Part 9 of the CairnsPlan 2016 contains specific requirements for proposed development involving small residential lots.

The Low-medium density zone is the only zone in the CairnsPlan 2016 that has an identified minimum lot size of less than 450m². The minimum lot size within the Low-medium density residential zone is 450m² or

350m² where the development complies with the small lot provisions within the remainder of the code.

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

Reconfiguring a lot that is identified as Code assessable or Impact assessable within Part 5 of the CairnsPlan 2016, requires an application to be lodged with Council for a development permit. Part 5 of the CairnsPlan 2016 also identifies the applicable assessment criteria.

Compliance assessment is available for Reconfiguring a lot for subdividing one lot into two lots in accordance with Schedule 18 of the *Sustainable Planning Regulation 2009*. This is only available to development proposals that comply with the criteria identified in Schedule 18 for Compliance assessment. To be eligible for Compliance assessment, the proposed development must:

- be for subdividing one lot into two lots only;
- relate to land within a residential zone or industrial zone;
- relate to land that is not affected by any overlays in the CairnsPlan 2016; and
- comply with the minimum lot sizes identified in the CairnsPlan 2016.

How do I make a development application for Reconfiguring a Lot?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at <http://www.cairns.qld.gov.au/payments/da-online>
- By mail to:
Attention: Manager, Strategic Planning & Approvals
Cairns Regional Council
PO Box 359
Cairns Qld 4870



For more information contact
townplanner@ Cairns.qld.gov.au or 4044 3044

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What is the application fee?

The application fee for reconfiguring a lot is \$1247.40 plus an additional \$469.20 per lot (this is applied to the number of lots resulting from the reconfiguration, excluding lots for parks). This fee also applies to Compliance assessable applications for Reconfiguring a lot.

Different application fees apply for boundary realignment, creation of an access easement and reconfiguring by lease agreement. Refer to the fees and charges schedule on Council's website for application fees for these types of Reconfiguring a lot.

If approved, what conditions are generally applied to Reconfiguring a Lot?

Any conditions of approval for Reconfiguring a lot will depend on the scale, nature and location of the development. However, conditions may relate to matters including, but not limited to:

- Providing access to lots;
- Establishing building envelopes;
- Geotechnical matters;
- Connections to services;
- Infrastructure works;
- Staging of development;
- Additional technical studies.

Will I have to pay infrastructure charges for Reconfiguring a Lot?

Infrastructure charges are applicable to Reconfiguring a lot.

Do I need any other approvals?

Development permits for Material change of use, Building works and Operational works may be required, depending on the nature of the proposed development.

What else do I need to know?

CairnsPlan 2016 contains all the planning requirements for Reconfiguring a lot. However, there may be other matters that need to be considered, including but not limited to:

- Requirements for connections to Council's infrastructure (e.g. water, sewer etc.)
- Requirements of the telecommunications provider

- Requirements of the electricity provider

Check with Council to see what other requirements may apply to your proposed development.

For more information

Phone: (07) 4044 3044

Visit: www.cairns.qld.gov.au

Email: townplanner@cairns.qld.gov.au

Last updated: 28 November 2016
#5031037