

LODGING A PLAN OF SUBDIVISION FOR APPROVAL

Planning Act 2016
Planning Regulation 2017



Under Schedule 18 of the *Planning Regulation 2017*, a person may request that local government approve a plan of subdivision for reconfiguring a lot. This process generally occurs following the issuing of a development permit for reconfiguring a lot and the completion and acceptance of any operational work required to be undertaken in order to comply with the conditions of the subdivision approval. In some circumstances, a plan of subdivision can be approved where the reconfiguring of a lot is not considered assessable development (i.e. through strata-titling, dual occupancies or multiple dwellings).

SCHEDULE 18.2 CRITERIA

Requests for approval of the plan of subdivision will be assessed against the relevant criteria stipulated under Schedule 18.2 of the *Planning Regulation*.

You **MUST** demonstrate that each of the criteria has been met. Council can only endorse a plan of subdivision for registration of the new titles with the Department of Natural Resources and Mining if all of the criteria listed under Schedule 18.2 have been complied with.

If any of the criteria stipulated under Schedule 18.2 are not complied with, Council officers may issue a further advice letter within 10 business days from receipt of the request. Even if a notice of compliance is subsequently provided, the criteria are not considered to be complied with until Council accepts that the criteria have been met.

Not assessable development

For a plan of subdivision for reconfiguring a lot that is not assessable development, the following criteria must be satisfied:

- a) The plan is consistent with any development permit relevant to the premises.
- b) All outstanding rates or charges levied by Townsville City Council or expenses that are a charge over the land under any Act have been paid.
- c) Payment of the application fee to approve the plan of subdivision.

Approved under a development permit or required under a development condition

For a plan of subdivision for reconfiguring a lot that is approved under a development permit, or a plan of subdivision required under a development condition of a development criteria/certificate, the following criteria must be satisfied:

- a) All of the development conditions of the development permits for reconfiguring a lot and operational work (if applicable) have been complied with. A statement addressing each condition of the relevant development permits must be provided with the plan of subdivision, with the relevant documentation included or referenced.

OR

- a) Early release of survey plan is requested and satisfactory security has been given to Townsville City Council to ensure compliance with the development conditions. A statement addressing each condition of the relevant development permits must be provided with the plan of subdivision, with the relevant documentation included or referenced.

AND

- b) All outstanding rates or charges levied by the local government or expenses that are a charge over the land under any Act have been paid.
- c) The plan has been prepared in accordance with the development permit.
- d) Payment of the application fee to approve the plan of subdivision.

INFRASTRUCTURE CHARGES

Where infrastructure charges are payable, check with Council to see if they need to be recalculated. The final charge may require adjustments to reflect inflation, and will include offsets for any trunk infrastructure you have provided.

TIMEFRAME

Council will give notice of the approval of the plan of subdivision to the person making the request within:

- » If the request complies with the criteria stated in Schedule 18, section 2 of the Regulation when it is received by the local government – 20 business days after it is received
- » If the request does not comply with the criteria stated in Schedule 18, section 2 of the Regulation when it is received by the local government – 20 business days after the person gives notice to the local government that the criteria stated in section 2 have been complied with
- » Another period agreed between the local government and the person making the request.

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Purpose	This application form must be completed and submitted with any plans of survey for approval under Schedule 18.2 of the <i>Planning Regulation 2017</i> .
Property details	Street address _____ Suburb _____ State _____ Post code _____ Cancelling lot/s on plan _____ New lot/s on plan _____ Number of lots created (if any) _____ Development name/Stage number (if applicable) _____
Applicant details Complete either individual or corporation as applicable	Individual Full name _____ Postal address _____ Suburb _____ State _____ Post code _____ Contact phone number _____ Email address _____ Corporation/ incorporated association Legal entity name _____ Postal address _____ Suburb _____ State _____ Post code _____ Contact name _____ Contact phone number _____ Email address _____
Schedule 18.2 criteria	Your application must meet all relevant criteria in Schedule 18.2 of the Planning Regulation. Indicate the reason for the application. <input type="checkbox"/> Approved under a development permit or required under a development condition <input type="checkbox"/> Not assessable development (e.g. strata titling, dual occupancy, or multiple dwelling)
Development permits	List ALL development permits that contain conditions relevant to the plan of subdivision for approval (e.g. reconfiguring a lot, material change of use, operational works approvals) _____ _____

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Early release of plan of survey	<p>Are there any uncompleted works?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>If yes, has Planning and Development Section agreed to an early release of the plan of survey?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>								
Original documentation required	<p>Please indicate if you are providing originals of the following:</p> <table border="0"> <tr> <td><input type="checkbox"/> Plan of subdivision</td><td><input type="checkbox"/> Transfer documents</td></tr> <tr> <td><input type="checkbox"/> Community management statement</td><td><input type="checkbox"/> Covenant documents</td></tr> <tr> <td><input type="checkbox"/> Easement documents</td><td><input type="checkbox"/> Building management statement</td></tr> <tr> <td><input type="checkbox"/> Lease documents</td><td></td></tr> </table>	<input type="checkbox"/> Plan of subdivision	<input type="checkbox"/> Transfer documents	<input type="checkbox"/> Community management statement	<input type="checkbox"/> Covenant documents	<input type="checkbox"/> Easement documents	<input type="checkbox"/> Building management statement	<input type="checkbox"/> Lease documents	
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Applicant declaration	<p>I declare that the information provided on this form and attachments is true and correct in every detail.</p> <p>Signature _____ Date _____</p>								
Payment Payment must be made prior to assessment being undertaken. For current fees, refer to the Planning and Development fee schedule on Council's website.	<p><input type="checkbox"/> In person</p> <p>» Planning Counter at 103 Walker Street, Townsville (Cash, cheque, EFTPOS and/or credit card (Mastercard or Visa – 0.5% surcharge))</p> <p>» CityLibraries Thuringowa, 86 Thuringowa Drive, Thuringowa Central (Card payments only).</p> <p><input type="checkbox"/> Cheque – <input type="checkbox"/> In person OR <input type="checkbox"/> Post</p> <p><input type="checkbox"/> Credit card by phone – Provide phone number to call _____ (Visa or MasterCard payments are subject to a 0.5% payment processing fee)</p> <p><input type="checkbox"/> Credit card by phone - Phone (07) 4417 5325 to pay the application fee (Visa or MasterCard payments are subject to a 0.5% payment processing fee)</p> <p><input type="checkbox"/> Email TCC banking details to me so I can pay by direct deposit into a TCC bank account</p> <p>Email address _____</p>								
Privacy collection statement	<p>Townsville City Council collects and manages personal information in the course of performing its activities, functions and duties. We respect the privacy of the personal information held by us. The way in which Council manages personal information is governed by the <i>Information Privacy Act 2009</i>. We are collecting your personal information in accordance with the <i>Planning Act 2016</i>. The information will be used to process this application for a plan of subdivision approval, update our records, and to inform any compliance activities as necessary. Generally, we will not disclose your personal information outside of Council unless we are required to do so by law, or unless you give your consent to this disclosure. For further information about how we manage your personal information please see our Information Privacy Policy.</p>								
Submit application	<p>Email: developmentassessment@townsville.qld.gov.au (all original documents need to be delivered to Council as soon as possible after the application has been emailed)</p> <p>Mail: Townsville City Council, PO Box 1268, TOWNSVILLE CITY QLD 4810.</p> <p>In person: Customer Service Centre located at 103 Walker Street, Townsville City</p>								