

INFORMATION SHEET: LAND DIVISION/BOUNDARY REALIGNMENT

Can I subdivide my land?

Whether your land can be divided is reliant on a number of factors. A list of some of these factors is provided below. You can find the relevant policies applicable to dividing your land by typing the property address and selecting “land division” at the link below:

https://code.plan.sa.gov.au/home/what_is_the_property_address?code=apply2dev

What needs to be considered before applying to divide land?

Following is a list of matters that should be explored/investigated prior to lodging a land division application:

- Minimum allotment sizes and frontage width prescribed for the land (by following the steps above).
- If the proposed allotments are of a suitable size and shape to support the future intended development.
- The proposed use of the allotments and the site contamination criteria if the land use of the allotments is proposing to change to a more sensitive land use. Practice Direction 14: Site Contamination Assessment 2021 that guides the assessment of site contamination can be accessed at this link https://plan.sa.gov.au/resources/planning/practice_directions/practice_direction_14_site_contamination_assessment_2021.
- The gradient/slope of the land, including if proposed allotments will require earthworks to support future development.
- Stormwater or surface flows through the site.
- Existing buildings on the site and if they are proposed to be retained (Note: existing buildings may affect future allotment boundaries).
- That safe and convenient access to all allotments can be provided.
- Location of existing services (e.g. water, sewer and electricity) and if there is a need to relocate/upgrade services for the land division.
- Existing easements, rights of way or other registered interest (encumbrance or land management agreement) that may affect future development on the land.
- Existing water courses and/or water bodies.
- Hazards such as bushfire or flood risk.
- Existing vegetation and/or native vegetation.
- In some instances where connection to SA Water mains sewer and water is not available, the relevant authority may request evidence of an approved wastewater application with accompanying engineering documentation that demonstrates all future allotments are capable of achieving connection to an on-site wastewater system.

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What information needs to be provided with an application?

When lodging an application for land division, a plan of division will need to be provided and must also include the following (where relevant):

- any existing structures on the site;
- topographical features;
- existing registered easements; and
- the location of regulated or significant trees, including trunk circumference.

In some instances where connection to SA Water mains sewer and water is not available, the relevant authority may request evidence of an approved wastewater application with accompanying engineering documentation that demonstrates all future allotments are capable of achieving connection to an on-site wastewater system.

It is recommended that a surveyor be engaged to prepare the plan of division. Please note, that after a preliminary assessment of the application has been undertaken by the relevant authority, additional information may be requested to ensure that the relevant policies in the Planning and Design Code are addressed.

Who can help me with a land division?

It is recommended that a surveyor be engaged due to the complex drafting requirements associated with legal identification of land and associated easements or encumbrances.

If your land division is complex, we recommend also engaging a planning consultant. In some instances, an engineer may also be required at the planning stage to inform the design of infrastructure.

Contact details for your local Council:



Wudinna District Council

(08) 8680 2002

admin@wudinna.sa.gov.au



(08) 8676 0400

development@dclep.sa.gov.au



(08) 8626 2026

dcstreaky@streakybay.sa.gov.au



DISTRICT COUNCIL OF TUMBY BAY

(08) 8688 2101

dctumby@tumbybay.sa.gov.au



(08) 8627 2026

council@kimba.sa.gov.au



DISTRICT COUNCIL
OF CLEVE

(08) 8628 2004

council@cleve.sa.gov.au



(08) 8687 9177

dce@elliston.sa.gov.au



(08) 8629 2019

council@franklinharbour.sa.gov.au



(08) 8625 3407

council@ceduna.sa.gov.au



(08) 8621 2300

plcc@plcc.sa.gov.au

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What is the process for dividing land?

2

The relevant authority will undertake a planning assessment which may require public notification or a referral to other government agencies. A planning decision will be made following this.

4

If approval is given, it may include conditions / requirements of consent. These generally relate to infrastructure and service requirements. It is the applicants responsibility to comply with these conditions/requirements. Through the PlanSA Portal (or in writing to Council), you must confirm once all conditions/ requirements have been met. If achieved, Council will issue clearance to the Commission.

6

After receiving the final documents, you may then lodge the application with the Lands Titles Office to obtain the new Certificates of Title.

1

Lodge application on the PlanSA Portal (https://plan.sa.gov.au/development_applications/lodge_an_application/lodge_online) and payment of relevant application fees.

3

Land division consent will involve referral to the relevant agencies (ie. SA Water, Commission) and a land division decision will be made.

5

The Commission will check to confirm its conditions have been satisfied and issue a Land Division Certificate.