



D12 Land Division

Is Development Approval required to undertake a land division?

Yes, Development Approval is required to divide land into separate blocks or allotments or move boundaries. If you are looking to amalgamate titles this does not require approval.

Possible options for titles are:

- **Torrens Title**
Torrens title land division is the division of land into at least two allotments, which are held independently of one another. There are no shared facilities or infrastructure.
- **Community Title**
A community title is the division of land into at least two allotments and an area of common property. Common property relates to those parts that do not form part of an allotment and typically includes the service infrastructure and driveways that are shared.
- **Community Strata Titles**
In a community strata scheme there must be at least one allotment that exists above another and the allotment boundaries must be defined by reference to parts of the building. The structure itself forms part of the common property and it is therefore the responsibility of the corporation to maintain and insure it.
- **Strata Title**
It is no longer possible to create new strata divisions but existing strata schemes can continue and are regulated under the Strata Titles Act.

What is the process of lodging a Land Division?

Applications for land division are ***not lodged with Council***.

1. The Development Plan outlines minimum allotment sizes - area and dimensions for the different zones in the Council area.

Council may require that an indicative plan for the proposed dwelling/s to be erected on the site be submitted if allotments are of either a small size or irregular configuration. This information will be requested at the same time as the land division application is submitted to the State Commission Assessment Panel (SCAP).

2. Employ a Land Surveyor to prepare and lodge your application with the SCAP. The Land Surveyor will also be able to advise of the Lands Titles Office requirements and fee associated with the application.
3. Once lodged, the SCAP will refer the application to various agencies including power, water and transport. The application will then be forwarded to Council to assess.

4. Council will assess each land division application against the relevant provisions of the Development Plan and ensure that the allotments proposed allow for functional development that is consistent with the desired character of the Zone.
5. If the application is supported by Council conditions will be applied including those required by the other agencies.
6. Once all conditions and requirements are met, council will advise the SCAP (known as 'Clearance') who will then issue a Certificate of Approval.
7. Once the Certificate of Approval is issued by the SCAP, an application to the Lands Title Office can be made for the new Certificate of Titles to be issued.

Fire Safety Requirements

Where land division is proposed and there are existing buildings on the land, those buildings must meet the fire separation requirements of the Building Code of Australia. A development authorisation cannot be issued unless or until such compliance exists.

Where do I lodge my Land Division application?

Applications for land division must be lodged with the State Commission Assessment Panel (SCAP) at level 5, 136 North Terrace, Adelaide SA 5000. In most cases your surveyor will organise the lodgement of your application.

State Commission Assessment Panel

Web: www.sa.gov.au

Phone: 8303 0601

Email: dpti.pdplanningservices@sa.gov.au