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# Steps required to gain an approval for the subdivision of an existing attached dual occupancy

## Fact Sheet

## Steps required to gain an approval for the subdivision of an existing attached dual occupancy (development consents approved prior to 6 July 2018) in the R2 low density residential zone

### 1. Engage a surveyor to prepare either strata or deposited subdivision plans

Your surveyor will be able to provide guidance on the different types of subdivision. Typically, deposited plans are used for subdividing land, whereas strata plans are used for subdividing buildings.

### 2. Obtain development approval for the subdivision

Lodge a development application with Council for subdivision. The steps in preparing and lodging a development application for subdivision are provided below.

#### **Steps in preparing and lodging a development application for subdivision**

##### ***Step 1. Seek information.***

##### ***Randwick Local Environmental Plan 2012***

The Randwick Local Environmental Plan 2012 (RLEP) contains the key planning controls that you will need to consider when preparing your development application. Clause 4.1D details the provisions for subdivisions of dual occupancies (attached) in the R2 Low Density Residential zone.

##### ***Clause 4.6 Exceptions to Development Standards***

If you think that the development standards (contained in the RLEP) are unreasonable or unnecessary in your particular case, you may lodge a development application which does not comply with the development standards. However you will need to support the application with a written exception that demonstrates how compliance with that development standard is unreasonable or unnecessary in your case.

##### ***Step 2. Prepare plans and drawings***

The following plans are required:

- Survey Plan
- Subdivision plans

### ***Step 3. Prepare a Statement of Environmental Effects (SEE)***

Your SEE should clearly outline the details of your proposal. It should provide an assessment of your proposal against the relevant criteria in the Randwick Local Environmental Plan 2012. In particular your proposal should consider Clause 4.1D and, if relevant, Clause 4.6 Exceptions to development standards in the Randwick Local Environmental Plan.

As your proposal involves subdividing an existing dual occupancy, you will need to provide details of the building approval (i.e. development consent). You can obtain a copy of the development consent through filling out an [Access to Information Form](#) or through Council's [DA Tracking Tool](#).

You may also be required to submit a report from a suitably qualified and experienced Fire Safety Engineer or Accredited Building Surveyor that identifies those upgrading works and strategies that are considered necessary to provide adequate levels of building and fire safety.

### ***Step 4. Complete an application form***

You will need to complete a [Development Application Form and checklist](#). The application must be signed by all land owners and the applicant.

### ***Step 5. Lodge the development application with Council***

The development application must be lodged with the applicable fee. Please [contact us](#) to obtain a fee quote.

You may lodge your DA directly with Council at our administration building or by [online services](#). A Council Officer will use the Development Application Checklist form to check your application. Council will only accept a development application with **all** necessary information.

You are required to submit:

- 1 copy of the completed DA form and checklist
- 4 copies of the draft subdivision plans
- 4 copies of the SEE and other supporting documentation.
- USB or CD with all forms, plans and documents saved as PDFs

## 3. Obtain a subdivision certificate

### **A) Subdivision certificates for deposited plans of subdivision (Torrens title)**

Subdivision certificates (for deposited plans of subdivision) cannot be issued by an accredited certifier. To apply for a subdivision certificate from Council, you will need to complete the Application for a [Subdivision Certificate Form](#). You will also need to submit 5 copies of the subdivision plans and supporting documentations.

**B) Strata subdivision certificates**

Strata subdivision certificates may be issued by Council.

**Please note:** If you are seeking to subdivide an existing building that does not meet current fire safety/building requirements, you may be required to upgrade your building prior to receiving a subdivision certificate.

To apply for a strata subdivision certificate from Council, you will need to complete the [Application for a Subdivision Certificate Form](#). You will also need to submit the original plus four copies of both the subdivision plan and administration sheet (not folded or creased); and any supporting documentation.

4. Register the plan with NSW Land Registry Services.