

PART D

Section 7 Subdivision

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About Section 7

Section 7 contains the controls for the subdivision of land. The controls of this section do not apply to the release areas that are subject to Part E of the DCP

Where there is an inconsistency between the LEP and the DCP 2005 Chapters, the LEP shall prevail.

The LEP sets minimum lot sizes for rural, rural small holdings and large lot residential land, and specifies the residual development potential of certain sites. Where no minimum lot size applies proposals for subdivision will be assessed on their merits against the Guiding Principles of the DCP, the subdivision design principles set out below, and the Objectives and Controls of this section.

The core concepts for the merit assessment of subdivision proposals are reflected in the basic design principles set out below. These are:

- ✓ Achieving site and environmentally responsive subdivision
- ✓ Ensuring that the size, shape and environmental characteristics of future lots will support appropriate development and maximise the potential for reasonable solar access to future dwellings
- ✓ Achieving good public domain outcomes.

Subdivision design principles

- P1 Subdivision design should provide a foundation for good urban form in terms of environmental responsiveness, legibility, accessibility and the ability to support quality development.
- P2 Subdivision design should be responsive to orientation, topography, natural features, catchments, and the established subdivision pattern.
- P3 The size and shape of lots must be able to support sustainable development. Lot sizes may need to be increased where there are unusual physical, visual or environmental constraints. For example lots on steeper sites may need to be larger to provide flexibility for siting future buildings.

Explanatory Note(s):

Complying with this DCP

The controls in the DCP support the Guiding Principles and Section Objectives. A Development Application should aim to satisfy the Guiding Principles, and the Objectives of the relevant sections. Equal emphasis must be given to both "numeric" and non-numeric controls relevant to a particular development. Compliance with controls will not necessarily guarantee approval of an application in the event that a proposed development has an unacceptable impact on neighbours or surrounding environment.

Where a variation is sought to controls, the application must document the reasons and extent of the variation, and how the variation meets the Guiding Principles and Section Objectives for the consideration of the Council.

A development application to subdivide should be accompanied by written confirmation or otherwise for an Aboriginal Cultural Heritage Assessment.

Subdivision in **bushfire prone areas** is subject to particular requirements under Planning for Bushfire Protection. Refer to Section 4.1 of Part B for relevant controls. Note some applications are required to be referred to the NSW Rural Fire Service.

Subdivision in **flood prone areas** is subject to particular requirements and restrictions. Refer to Section 4.2 of Part B for relevant controls

7.1 Rural subdivision

This section applies to land in the RU1 and the RU2 Zones in the LEP. For subdivision requirements in relation to the RU5 Village zone refer to Section 6 of this DCP.

Objectives

- O1 Protect the landscape character of rural areas of the Wagga Wagga local government area.
- O2 Encourage best practice farm management and allow for some flexibility for adaptation in the rural sector.
- O3 Avoid conflicts between land uses.

Controls

- C1 Lots in the RU1 and the RU2 Zones are to have all weather two wheel drive access to a public road using existing access points where possible.
- C2 Reflect existing fence lines and/or natural features (as appropriate).
- C3 A building envelope is to be nominated where a dwelling is to be constructed. The envelope is to satisfy the requirements at Section 8.1 of the DCP and provide satisfactory setbacks to creek lines, minimise cut and fill and visual interference to rural landscapes.
- C4 Minor boundary adjustments that reinforce the subdivision design principles and facilitate the economic and efficient use of land are generally supported.
- C5 Farm adjustments that consolidate land locked sites and achieve access to a public road are generally supported.

Explanatory Note(s):

Section 9 contains requirements for "land area per dwelling".

Specialist studies may already have been undertaken at the "masterplanning" stage.

7.2 Residential and large lot residential subdivision

This section contains the controls for residential subdivision, including rural residential/ large lot residential developments. The section applies to all land in the RU4, R1, R3 and R5 Zones.

Any building that is proposed for strata subdivision is required to comply with relevant fire safety provisions. Council may require associated fire upgrading works as part of an application for strata subdivision.

Depending on the environmental conditions specialist studies may be required to address Salinity Sensitive Urban Design (SSUD), tree cover and native vegetation and other similar issues.

7.2.1 Topography, views and setting

The natural landform and setting contribute to a sense of place.

Subdivision should be responsive to the setting and natural site features, and established subdivision patterns.

Pre-determined subdivisions are generally not supported as they fail to consider particular characteristics of location.

Objectives

- O1 Encourage site specific solutions and site responsive development.
- O2 Discourage predetermined layouts that may not suit local topography, subdivision pattern and the like.
- O3 Design to maximise the natural features of the land.

Controls

- C1 Avoid street layouts that result in lots being considerably higher or lower than the street level.
- C2 New roads are to respond to topographical features. Where land slopes at a grade of 10 percent or more the predominant street alignment should be perpendicular to contours. In other cases streets should be parallel to the contours.
- C3 Maintain existing mature trees where possible or provide a reasonable strategy for replanting mature specimens in the subdivision.
- C4 Subdivisions are to be designed such that lots intended for residential development shall have a "street address" to an existing or proposed public road. That is, subdivision is to avoid the creation of allotments, the rear of which "front" or "address" a public road resulting in the erection of rear fences along public road boundaries.

7.2.2 Design for use and accessibility

Good subdivision offers connectivity and has a legible hierarchy of streets and through routes. Roads should offer a choice of routes for pedestrian and vehicles, and integrate to adjoining streets, neighbourhoods and local facilities or shops with minimal use of dead-end and cul-de-sac roads.

Objectives

- O1 Ensure a logical street hierarchy and logical services design.
- O2 Design streets to respond to their role and function and ensure good connections to adjoining neighbourhoods.
- O3 Ensure access and facilities for pedestrians and cyclists.

Controls

Explanatory Note(s):

A landscape design may be required to integrate with water sensitive urban design systems for the subdivision.

Controls on changes to the natural landform, including cut and fill are included in Section 2.7 of the DCP.

Footpaths are generally required on both sides of the street in the case of collector roads.

Explanatory Note(s):

- C1 Neighbourhood road networks are to maximise connectivity within the development, and to the existing street network and adjoining neighbourhoods. Avoid long roads with few connecting side streets that reduce the ability to readily access the area.
- C2 Footpaths or shared paths may be required for pedestrians and cyclists, to link local facilities, services and open space areas, especially where identified in any access strategy.
- C3 Minimum dimensions for footpaths:
Generally - at least 1.5m in width (unless there are only a small number of houses where footpaths can be reduced to 1.2m)
Shared paths - at least 2.5m in width
- C4 Avoid cul-de-sac roads in locations where the dead end would limit links through the neighbourhood, and where more than 15 houses are likely to have access from the cul-de-sac.

Note: Refer to Council's *Engineering Guidelines for Subdivision and Developments* for detailed design requirements.

7.2.3 Solar access, energy efficiency, size and shape of lots

Subdivision design can influence the ability of future development to achieve good solar access. The controls of this section aim to link the orientation of lots to the preferred location of future buildings in order to maximise solar access and liveability of dwellings constructed on the lots.

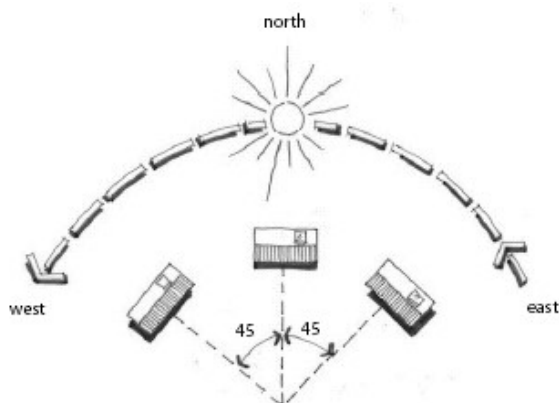
The orientation of roads is also an important factor influencing an energy efficient subdivision. Roads having an alignment east-west facilitate good orientation for solar access to dwellings and private open space, especially where the lots have a narrow lot frontage and longer length. Lots on roads running north-south typically need to be wider and shorter.

Objectives

- O1 Encourage development that delivers good outcomes for orientation and solar efficiency.
- O2 Ensure that lots are appropriate for development considering the scale, character and form of existing housing in the locality and environmental conditions and constraints including topography.
- O3 Ensure residential subdivisions allow sufficient area for private open space, landscaping and amenity for future residents.

Controls

- C1 In any subdivision at least 70 percent of the total number of lots should have their long axis oriented within 45 degrees of north so that the long axis of each dwelling is generally oriented east-west.



Explanatory Note(s):

- C2 Lots on roads running east-west should be deeper and have narrower frontages than lots on roads running north-south where the lots should be wider and can be shorter.
- C3 Rectangular shaped lots are preferred. Hatchet shaped lots will be considered where it can be demonstrated that site conditions and context limit the ability to achieve a regular shaped lot.
- C4 The proposed lots must be capable of meeting the development standards set out in Section 9 of the DCP including minimum development area, site cover, landscaped area and private open space.
- C5 Increase lot sizes where site conditions could constrain future development, such as sloping sites.

Refer to Section 9 for controls on site layout, solar access and private open space for residential development.

To achieve optimum solar access potential lot dimensions will vary with orientation.

Refer to the Guide (including Appendices 2, 3 & 5) and Checklist for subdivision for further details in relation to required information for the landscaping of communal (public) open space areas.

7.2.4 Open space, parks and the public domain

Parks and open space areas should be integral to neighbourhood design, providing a range of recreational and environmental settings, corridors and focal points. They should a response to the opportunities and constraints of the physical characteristics of the land, proposed uses and facilities.

An open space master plan including detailed information about the treatment and/or embellishment of open space is to be submitted with a development application for a subdivision to create 10 additional allotments.

Objectives

- O1 Ensure quality public open space and parks.
- O2 Design and locate open space and recreation areas to maximise connections to adjoining land uses and local roads.
- O3 Ensure that public open space areas are suitable for the required use and not affected by fragmentation.

Documentation that should accompany a construction certificate for a subdivision to create 10 additional allotments should include plans, materials and finishes etc for public open space.

The required plans and detailing may already have been addressed at the time of masterplan approval.

Controls

- C1 Locate open space and recreation areas to maximise connections to adjoining land uses and local roads.
- C2 Open space areas and parks are generally not to be located under major power lines or in detention basins.
- C3 Drainage areas can only be included in the calculation of area required for local open space if all slopes are at a maximum grade of 1:5. This will create useable, quality open space as identified in the WWDCCP.

Set requirements are to be obtained from Council's Engineering and Environment sections.

- C4 If control C3 cannot be met then drainage areas must be calculated separately from all open space.
- C5 To avoid lines of back fences open space areas are to have frontage to at least one road.
- C6 To lessen their visual impact electrical boxes and other infrastructure are to be strategically incorporated into areas of open space.

7.2.5 Water Sensitive Urban Design

The impervious surface of roads significantly increases the stormwater flows of urban areas. Road surfaces are also a source of water borne pollutants such as sediments, metals and hydrocarbons.

Water Sensitive Urban Design (WSUD) strategies use vegetation and bio-retention swales, and other stormwater treatments to reduce stormwater flows, and to collect and treat runoff prior to discharge.

A WSUD strategy is required where more than 10 lots are proposed, or where the land to be subdivided is greater than 5ha in area, and in cases where there are opportunities for mutual environmental or public benefits. WSUD measures should integrate with the stormwater systems for adjoining areas.

Objectives

- O1 Require water sensitive urban design strategies to reduce stormwater flows and improve the quality of runoff from urban areas.
- O2 Minimise drainage impacts on the Murrumbidgee River.
- O3 Encourage stormwater treatments that maximise the visual and recreational amenity of developments.
- O4 Consider future operation and maintenance requirements at the design stage.

Controls

- C1 A water sensitive design strategy is required for subdivisions that result in more than 10 residential lots, or where the land to be subdivided is greater than 5ha in area.
- C2 Water quality control devices may be required where there is potential for drainage to impact on the Murrumbidgee River.
- C3 Design WSUD measures to minimise future operation and maintenance costs.

7.2.6 Services

Objectives

- O1 Ensure the efficient and cost-effective provision of services.
- O2 Share services trenching wherever possible for current and future provision of services and telecommunications.

Controls

- C1 Subdivision can only be considered where there are appropriate arrangements for servicing (electricity, gas, water, sewer and communications).

Explanatory Note(s):

For larger neighbourhoods the WSUD strategy should cover the whole area (including future subdivision stages). Refer to Councils Water Sensitive Guidelines.

For all 'greenfield' sites including urban release areas, shared services trenching (of compatible services or utilities such as power and telecommunications) is preferred where such services are to be provided.

Refer to Council's *Engineering Guidelines for Subdivision and Developments* for additional detailed requirements.

7.3 Industrial (Zone E4) Subdivisions

New developments

Industrial development proposals including subdivision should be designed after thorough consideration has been given to the environment and context within which the proposals are to be located. The design and layout of industrial development is to be such that the development does not have an inappropriate impact on the site or the amenity of the locality.

Objectives

- O1 To ensure that development sites have sufficient area and dimensions to provide adequately for access, landscaping, and building separation.
- O2 To ensure the efficient use of urban land by maximising development potential of new and existing land and infrastructure.

Controls

Minimum Subdivision Size

- C1 An acceptable minimum lot size for industrial development is considered to be 2000m² with a minimum frontage of 30m.
- C2 For industrial lots in excess of 3000m² with a single street frontage a minimum frontage of 40m is required. Where larger lots are located on a dual street frontage a minimum frontage is required to both streets.
- C3 Variations can be considered to the minimum lot size and frontage requirement where it can be demonstrated that the resulting development achieves a reasonable impact on the site and can satisfy the site and amenity considerations of this Section.

Explanatory Note(s):

For the subdivision of larger parcels of industrial land, it may be desirable to open a public access way through land in order to minimise the number of means of ingress and egress, particularly those having frontage to busy public roads.

This could be done either by the creation of community title "access ways" to serve rear blocks, or through the creation of dedicated public roads.