

Land Division

OBJECTIVES

- 1 Land division that occurs in an orderly sequence allowing efficient provision of new infrastructure and facilities and making optimum use of existing under utilised infrastructure and facilities.
- 2 Land division that creates allotments appropriate for the intended use.
- 3 Land division layout that is optimal for energy efficient building orientation.
- 4 Land division that is integrated with site features, including landscape and environmental features, adjacent land uses, the existing transport network and the availability of infrastructure.
- 5 Land division restricted in rural areas to ensure the efficient use of rural land for primary production and avoidance of uneconomic infrastructure provision.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 When land is divided:
 - (a) stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in an environmentally sensitive manner
 - (b) a sufficient water supply should be made available for each allotment
 - (c) provision should be made for the disposal of wastewater, sewage and other effluent from each allotment without risk to health
 - (d) proposed roads should be graded, or be capable of being graded to connect safely and conveniently with an existing road or thoroughfare.
- 2 Land should not be divided if any of the following apply:
 - (a) the size, shape, location, slope or nature of the land makes any of the allotments unsuitable for the intended use
 - (b) any allotment will not have a frontage to one of the following:
 - (i) an existing road
 - (ii) a proposed public road
 - (iii) access to a public road via an internal roadway in a plan of community division
 - (c) the intended use of the land is likely to require excessive cut and/or fill
 - (d) it is likely to lead to undue erosion of the subject land or land within the locality
 - (e) the wastewater treatment plant to which subsequent development will be connected does not have sufficient capacity to handle the additional wastewater volumes and pollutant loads generated by such development
 - (f) the area is unsewered and cannot accommodate an appropriate on-site wastewater disposal system within the allotment that complies with (or can comply with) the relevant public and environmental health legislation applying to the intended use(s)
 - (g) any allotments will straddle more than one zone, policy area or precinct

- (h) the allotments unreasonably restrict access to publicly owned land such as recreation areas.

Design and Layout

- 3 Land divisions should be designed to ensure that areas of native vegetation and wetlands:
 - (a) are not fragmented or reduced in size
 - (b) do not need to be cleared as a consequence of subsequent development.
- 4 The design of a land division should incorporate:
 - (a) roads, thoroughfares and open space that result in safe and convenient linkages with the surrounding environment, including public and community transport facilities, and which, where necessary, facilitate the satisfactory future division of land and the inter-communication with neighbouring localities
 - (b) new road and allotment access points providing appropriate separation distances from existing road junctions or level crossings
 - (c) safe and convenient access from each allotment to an existing or proposed road or thoroughfare
 - (d) areas to provide appropriate separation distances between potentially conflicting land uses and/or zones
 - (e) suitable land set aside for useable local open space
 - (f) public utility services within road reserves and where necessary within dedicated easements
 - (g) the preservation of significant natural, cultural or landscape features including State and local heritage places
 - (h) protection for existing vegetation and drainage lines
 - (i) where appropriate, the amalgamation of smaller allotments to ensure co-ordinated and efficient site development.
- 5 Land division should result in allotments of a size suitable for their intended use.
- 6 Land division should facilitate optimum solar access for energy efficiency.
- 7 Land division within an area identified as being an 'Excluded Area from Bushfire Protection Planning Provisions' as shown on *Bushfire Protection Area BPA Maps – Bushfire Risk* should be designed to make provisions for:
 - (a) emergency vehicle access through to the Bushfire Protection Area and other areas of open space connected to it
 - (b) a mainly continuous street pattern serving new allotments that eliminates the use of cul-de-sacs or dead end roads
 - (c) a fire hazard separation zone isolating residential allotments from areas that pose an unacceptable bushfire risk by containing the allotments within a perimeter road or through other means that achieve an adequate separation.
- 8 Allotments in the form of a battleaxe configuration should:
 - (a) have an area of at least **the minimum allotment area for the zone in which the land is situated** (excluding the area of the 'handle' of such an allotment)
 - (b) provide for an access onto a public road, with the driveway 'handle' being not less than **5 metres** in width nor more than **30 metres** in length

- (c) contain sufficient area on the allotment for a vehicle to turn around to enable it to egress the allotment in a forward direction
 - (d) not be created where it would lead to multiple access points onto a road which would dominate or adversely affect the amenity of the streetscape
 - (e) be avoided where their creation would be incompatible with the prevailing pattern of development.
- 9 Allotments should have an orientation, size and configuration to encourage development that:
- (a) minimises the need for earthworks and retaining walls
 - (b) maintains natural drainage systems
 - (c) faces abutting streets and open spaces
 - (d) does not require the removal of native vegetation to facilitate that development
 - (e) will not overshadow, dominate, encroach on or otherwise detrimentally affect the setting of the surrounding locality.
- 10 Within defined townships and where the land to be divided borders a river, lake, wetland or creek, the land adjoining the bank should become public open space and linked with an existing or proposed pedestrian or transport network.
- 11 Within defined townships and land division should make provision for a reserve or an area of open space that is at least 25 metres wide from the top of the bank of a watercourse and that incorporates land within the 1-in-100 year average return interval flood event area.
- 12 The layout of a land division should keep flood-prone land free from development.
- 13 The arrangement of roads, allotments, reserves and open space should enable the provision of a stormwater management drainage system that:
- (a) contains and retains all watercourses, drainage lines and native vegetation
 - (b) enhances amenity
 - (c) integrates with the open space system and surrounding area.

Roads and Access

- 14 Road reserves should be of a width and alignment that can:
- (a) provide for safe and convenient movement and parking of projected volumes of vehicles and other users
 - (b) provide for footpaths, cycle lanes and shared-use paths for the safety and convenience of residents and visitors
 - (c) allow vehicles to enter or reverse from an allotment or site in a single movement allowing for a car parked on the opposite side of the street
 - (d) accommodate street tree planting, landscaping and street furniture
 - (e) accommodate the location, construction and maintenance of stormwater drainage and public utilities
 - (f) provide unobstructed, safe and efficient vehicular access to individual allotments and sites
 - (g) allow for the efficient movement of service and emergency vehicles.

- 15 The design of the land division should facilitate the most direct route to local facilities for pedestrians and cyclists and enable footpaths, cycle lanes and shared-use paths to be provided of a safe and suitable width and reasonable longitudinal gradient.
- 16 The layout of land divisions should result in roads designed and constructed to ensure:
 - (a) that traffic speeds and volumes are restricted where appropriate by limiting street length and/or the distance between bends and slow points
 - (b) there are adequate sight distances for motorists at intersections, junctions, pedestrian and cyclist crossings, and crossovers to allotments to ensure the safety of all road users and pedestrians
 - (c) that existing dedicated cycling and walking routes are not compromised.
- 17 The design of the land division should provide space sufficient for on-street visitor car parking for the number and size of allotments, taking account of:
 - (a) the size of proposed allotments and sites and opportunities for on-site parking
 - (b) the availability and frequency of public and community transport
 - (c) on-street parking demand likely to be generated by nearby uses.
- 18 The layout of land divisions should incorporate street patterns designed to enhance the efficient movement of traffic and minimise trip lengths.

Land Division in Rural Areas

- 19 Rural land should not be divided if the resulting allotments would be of a size and configuration likely to impede the efficient use of rural land for any of the following:
 - (a) primary production
 - (b) value adding industries related to primary production
 - (c) protection of natural resources.
- 20 Rural land should not be divided where new allotments would result in any of the following:
 - (a) fragmentation of productive primary production land
 - (b) strip development along roads or water mains
 - (c) prejudice against the proper and orderly development of townships
 - (d) removal of native vegetation for allotment boundaries, access roads, infrastructure, dwellings and other buildings or firebreaks
 - (e) uneconomic costs to the community for the provision of services.
- 21 Land division creating an allotment of less than 40 hectares for agricultural use should demonstrate that:
 - (a) water, of sufficient quality and quantity, is available to sustain the proposed use
 - (b) the land is appropriate for the proposed use
 - (c) adverse impacts on downstream property owners, in terms of water flow and discharge of pollutants, can be avoided
 - (d) there will not be a risk to the water table falling significantly.