

Subdivision Code

Effective Date:	8 June 2004
Contact Officer:	Manager Strategic Planning
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Objective

To establish guidelines for the subdivision of land for the guidance of Council employees and the public so as to achieve consistency in, and a specific level of, standards to be provided in association with the subdivision of land.

Policy Statement

A. Subdivisions in Land Zoned 2(A1), 2(A2), 2(B1), 2(B2), 2(C1) and 2(D)

1. That a subdivision of land shall not be approved in respect of an allotment of land:-
 - (a) within Zone No. 2(a1), 2(b1), 2(b2) or 2(c1) unless each separately created new allotment:
 - (i) has an area of not less than 325 square metres; and
 - (ii) is not less than 9 metres wide at the front alignment of the allotment; or
 - (b) within Zone No. 2(a2) or 2(d) unless each separately created new allotment:
 - (i) has an area of not less than 460 square metres; and
 - (ii) is not less than 15 metres wide at the front alignment of the allotment.
2. Notwithstanding subclause (1)(a), the Council may consent to the subdivision of land creating an allotment of land within Zone No. 2(a1), 2(b1), 2(b2) or 2(c1) if the area, or the width at the front alignment of the allotment, departs to only a minor extent from the area or width prescribed in subclause (1)(a).
3. For the purposes of subclause (1), the area of an access corridor shall not be taken into account in computing the area of a hatchet-shaped allotment.

B. Section 94

Residential subdivision contributes to increased population and additional demand for public amenities and services. Accordingly, Council contribution levies for both open space and community facilities are required to serve the new population generated by residential subdivision. Applicants should refer to Council's Section 94 Contribution Plan for details.

(H.B. & P. C'ttee - 9.11.93)

C. Subdivisions to Lanes 6.096m Wide

That the Council favourably consider proposals submitted for the subdivision of land with frontages to roads 6.09m in width, under the following conditions.

1. The applicant must agree to dedicate, for road widening purposes, a strip of land 4.57m in depth along the frontage of the lane;
2. The applicant must pay to Council a contribution in an amount determined by the following formula:

Formula for Calculation of Contribution for Road Widening.

$$\text{Contribution in \$/metre} = 303(0.6\text{Mn} + 0.4\text{Ln})$$

where:

- (a) 303 is the adjusted contribution in \$/metre for 1989 based on the amended Labour Index for June, 1985.
- (b) 0.6 and 0.4 are the proportions of the total anticipated cost of materials and labour respectively.
- (c) Mn is the Materials Index Number, which shall be the Price Index (Cat 6407 for ready mix concrete) as published by the Australian Bureau of Statistics applicable to November of the preceding year.
- (d) Mo is the Base Materials Index Number (Cat 6407 for ready mix concrete) and shall be taken as 198.7 being the index number for November, 1988.
- (e) Ln is the Labour Index Number, which shall be the Hourly Wage Rebate Adult Male Index Number for the Construction Industry Group for New South Wales males as published by the Australian Bureau of Statistics applicable to November of the preceding year.

- (f) Lo is the Base Labour Index Number and shall be taken as 118.6 being the index number for November, 1989, based on June, 1985 = 100. (12/1990-20/2)

The contribution for road widening shall be held in the Trust Fund for construction of the roadway, footpath, kerb and gutter and drainage. These improvements will not be commenced until all properties except the corner lots on one side of the lane, at least for one block, have been subdivided.

3. The purpose of the proposed subdivision must be permissible under the Council's Planning Scheme Ordinance and the frontages and areas shall comply with Clause 53 of the Planning Scheme Ordinance.
4. The land in the proposed subdivision fronts one of the following streets:
- (a) Ferguson Street, Maroubra, between Maroubra Road and Beauchamp Road with the exception of properties No. 124 and 126 Fitzgerald Avenue with side alignments to Ferguson Street and No. 873 Anzac Parade with its rear alignment to Ferguson Street, (492/1986 - 14/10) and also with the exception of properties No. 181 - No. 191 Maroubra Road and No. 193 - No. 199 Maroubra Road with side frontages to Ferguson Street. (Del. Authority 16th April, 1987 - Sub 1, H.B. & T.P. Committee) and 139-145 Ferguson Street. (184/1991 - 18/6) and 4 Wise Street, with side alignment to Ferguson Street, Maroubra (171/1992 - 26/5) and No. 6 Wise Street with side alignment to Ferguson Street, Maroubra (it should be noted that Council will require 2m x 2m splay corners on the south eastern and north eastern corners of this allotment) (H152/2000 - 5/12)
- (b) Glanfield Street, Maroubra, between Bunnerong Road and Bruce Bennetts Place, with the exception of the property at 79 Hannan Street, which requires a road widening of 2 metres along its entire Glanfield Street frontage and, in addition, 2m x 2m splay corners on the north eastern and north western sides of the allotment. (H30/2004-8/6)
- (c) Green Street, Maroubra, between Anzac Parade and Cooper Street, with the exception of property No. 119 Garden Street with side alignment to Green Street, this property to be subjected to 2m x

2m splay corners of the south-eastern and south-western corners of the allotment in the event of any redevelopment of the site. (H.B.& P. C'ttee - 6/9/94)

- (d) Galvin Street, Maroubra, between Cooper Street and Mulgray Avenue, with the exception of property No. 12 Mulgray Avenue with side alignment to Galvin Street, this property to be subjected to 2m x 2m splay corners on the south-eastern and south-western corners of this allotment in the event of any redevelopment of the site. (H.B.& P. C'ttee - 4/10/94)
- (e) Mason Street, Maroubra, between Bunnerong Road and Anzac Parade.
- (f) Alma Road, Maroubra, between Anzac Parade and Cooper Street.
- (g) Metcalfe Street, Maroubra, between Garden Street and Flower Street, with the exception of properties No. 217 to No. 237 Storey Street, Maroubra, inclusive, with rear alignments to Metcalfe Street, and property No. 40 Cooper Street, Maroubra, with side alignment to Metcalfe Street. (347/1986-22/7) (H.B.& P. C'ttee - 3/5/94) and property No. 6 Flower Street, Maroubra which has frontage to Metcalfe Street. (H36/2001 - 13/3)
- (h) Nevorie Crescent, Maroubra, between Royal Street and Hannan Street.
- (i) Marjorie Crescent, Maroubra, between Storey Street and Royal Street.
- (j) Eastmore Place, Maroubra, between Bunnerong Road and Marjorie Crescent.
- (k) Bundock Lane, Randwick, between Avoca Street and Canberra Street.

D. "Battle Axe" Subdivision

That the Council favourably consider subdivisions creating what are commonly termed "battle axe, hatchet shaped or pan-handled shaped" allotments, under the following conditions:

1. The areas of the proposed new allotments shall comply with Clauses 55(1) and 55(3) of the Planning Scheme Ordinance.

2. The frontage of the lots fronting the road shall comply with Clause 55(1) of the Planning Scheme Ordinance.
3. The length of road frontage and width of the access corridor shall be a minimum of 3.60m except in cases creating two (2) or more contiguous hatchet shaped allotments where the minimum may be reduced to 2.50m for each access corridor provided reciprocal rights of way are created over the total access corridor width and length.
4. All subdivisions creating hatchet shaped allotments which do not comply with the above conditions, shall be referred to Council for consideration.

E. Dual Occupancy and Semi-Detached Dwellings. (H223/1996-20/8)

Council may permit the Torrens title subdivision of development in accordance with lines of occupation without regard to the minimum allotment sizes required by clause A (1) if:-

- (a) The building(s) was lawfully erected prior to 28 April, 1978;
- (b) The application to erect a dual occupancy was approved prior to 8 May 1995; or
- (c) The application to erect a dual occupancy was lodged prior to 8 May 1995; and subsequently approved.

F. Shops and Dwellings

That the Council will favourably consider the land subdivision of a shop and dwelling only when:

1. the newly created allotments have minimum areas as required by Clause 55 of the Planning Scheme Ordinance for a single dwelling, if located in a residential zone;
2. the proposed subdivision does not contravene provisions of Clause 11.2 of Ordinance 70, if located in any zone other than a residential zone;

but that, in any case, Council would consider an application for the issue of a Certificate for a Strata Plan for the premises.

G. Creation of Residue Land after Dedication of Land for Public Purposes (Roads, Reserves, Etc.)

That each application be treated on its merits with due regard to the adopted subdivision policies of the Council and provisions of the Planning Scheme Ordinance.

H. Subdivision by the Crown and Public Utility Undertakings and the Totalisator Agency Board

That Council consider each subdivision proposal by the Crown, Public Utility Undertaking and the Totalisator Agency Board, on its merits, with regard being had to the provisions of the Planning Scheme Ordinance and Council's subdivision policies.

I. Undergrounding Of Electricity Mains. (S-16-5)

That the Council require all subdividers, including the Crown and Department of Housing, in respect of subdivisions involving the opening of a new road with ten (10) or more Lots, to arrange with Sydney Electricity to provide underground electricity mains, on the understanding that Council would agree to accept the resulting increased lighting charges imposed by Sydney Electricity.

Minute No:	/ ___	Meeting Date:
Items A, B, C, D, E, F, G, H, I:		
Item J:	34/1978	14 February, 1978
Amended:		
Minute No:	439/1978	13 June, 1978
Minute No:	606/1981	10 November, 1981
Amended:		
Minute No:	492/1986	14 October, 1986
Amended:		
Minute No:	347/1986	22 July, 1986
Amended:		
Delegated Authority - Sub. 1, Health, Building and Planning Committee:		16 April, 1987
Amended:		
Minute No:	342/1989	17 October, 1989
Amended:		
Minute No:	12/1990	20 February, 1990
Minute No:	184/1991	18 June, 1991
	266/1991	20 August, 1991
	171/1992	26 May, 1992
Health, Building and Planning Committee:		9 November, 1993
Health, Building and Planning Committee:		3 May, 1994
Health, Building and Planning Committee:		6 September, 1994
Health, Building and Planning Committee:		4 October, 1994
Minute No:	H223/1996	20 August, 1996
	H152/2000	5 December, 2000
	H36/2001	13 March, 2001