

## CHAPTER 2.4 SUBDIVISION

### 2.4.1 INTRODUCTION

#### 2.4.1.1 Land to which this Chapter applies

This chapter applies to subdivision of land or buildings within the Central Coast Local Government Area.

#### 2.4.1.2 Relationship to other Chapters

This part is to be read in conjunction with other relevant chapters of this Development Control Plan, including, but not limited to:

- Chapter 2.9 – Industrial Development
- Chapter 2.13 - Parking and Access
- Chapter 3.1 - Floodplain Management
- Chapter 3.5 - Tree and Vegetation Management
- Chapter 3.6 - Heritage Conservation
- Chapter 3.3 - On-Site Sewer Management
- Part 4 and 5 - Location Specific Development Controls (where relevant)
- Council's Civil Works Specification.

### 2.4.2 GENERAL DESIGN PRINCIPLES

#### 2.4.2.1 Stormwater Management and Flooding

##### OBJECTIVES

- To ensure that land can be adequately drained of storm water so as not to impact on adjacent sites and that the development does not contribute to drainage or flooding problems.
- To provide direction with regard to Council's requirements for the management with regard to both the quality and quantity of stormwater runoff.
- To provide a stormwater system that can be economically maintained and managed.

##### REQUIREMENTS

- a All development must comply with the requirements of Council's Civil Works Specification.
- b Development works are not to obstruct or divert overland flows from upstream properties.
- c Adequate provision for gravitating storm water drainage is to be demonstrated for each of the proposed lots. Subdivisions may require inter-allotment drainage provision, with appropriate easements to be created.
- d Subdivision proposal will generally be required to provide storm water detention to limit post development flow to predevelopment flow conditions.

- e Where easements to drain storm water over downstream properties are required for the storm water drainage system, evidence of agreement with the relevant property owners must be submitted with the development application.
- f A storm water drainage management concept plan and report accompanied by water quality modelling and runoff routing modelling will be required to accompany a development application for subdivision. The plan, report and modelling shall demonstrate that the requirements of Council's Civil Works Specification will be achieved by the subdivision Development.
- g The Subdivision of land on the floodplain is unlikely to be supported. In general, the filling of land to permit the subdivision of land on the floodplain will not be accepted. All subdivision proposals must consider Chapter 3.1 – Floodplain Management.

*Note: The level of information to be submitted with a development application to demonstrate suitable stormwater management will depend on the size of the subdivision and the sensitivity of downstream environments.*

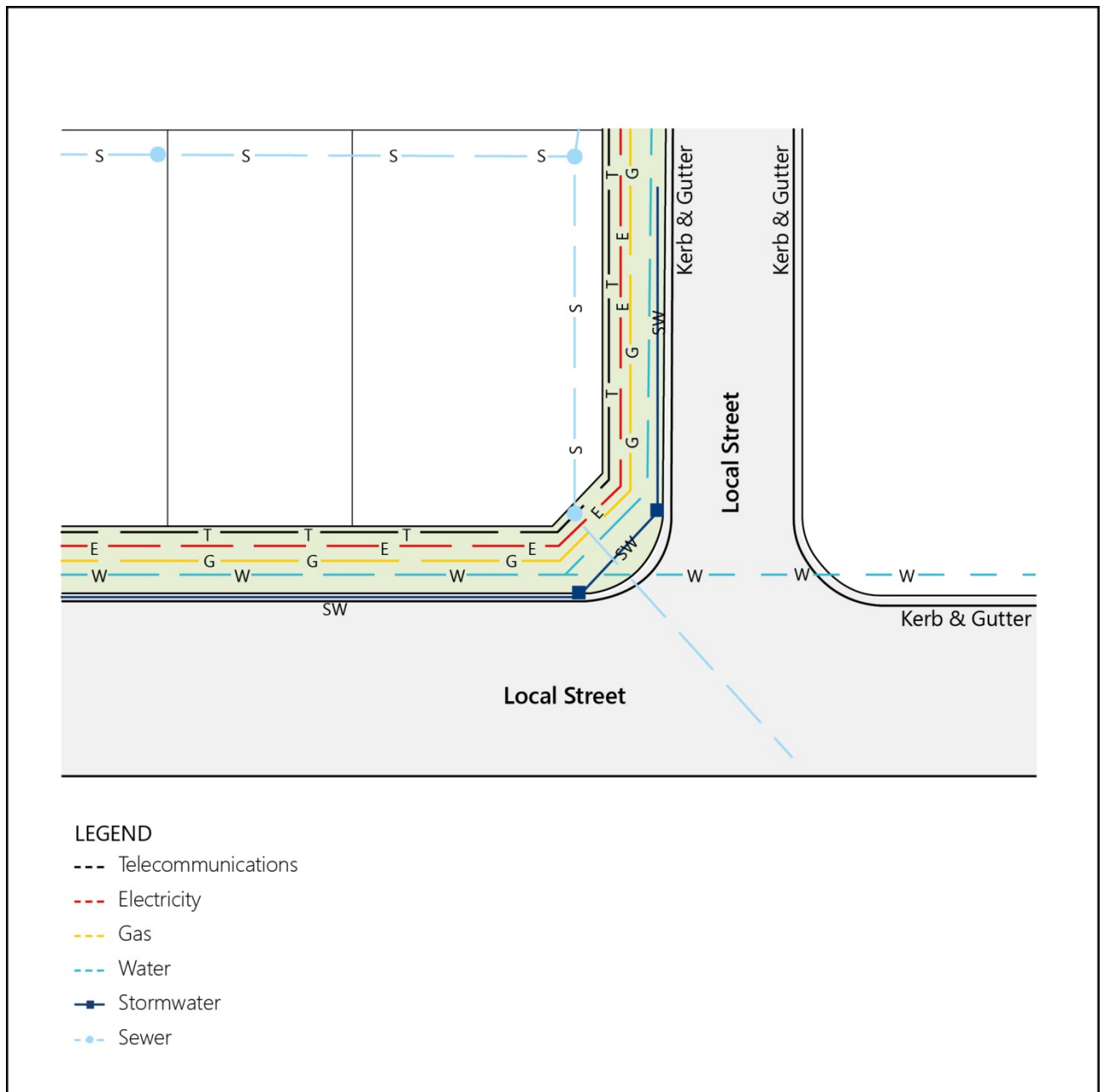
### 2.4.2.2 Services

#### OBJECTIVES

- To ensure that all subdivision development sites have adequate services for water supply, sewerage systems, telecommunications, electricity supply and gas supply (where available) to cater for future developments on the subdivided property and their occupants
- To provide lighting of public spaces for the safety of pedestrians and road users

#### REQUIREMENTS

- a Services must be provided in accordance with Council's Civil Works Specification, the Service Authority's requirements, and the *Guide to Codes and Practices for Street Openings (SOC) 2009*.
- b In urban release areas and subdivisions proposed at the end of existing service lines, provision of services in a shared (common) trench is to be achieved.
- c In established areas, where services are in place, new service provision is to have regard to the existing mode of installation.
- d All services must be provided underground. Where overhead electricity wiring exists in established areas, Council may vary this standard to provide for reasonable connection to the existing system.
- e Telecommunications and National Broadband Network (NBN) infrastructure are to be provided underground for all new subdivisions.
- f The location of utility services must not adversely affect the viability of significant vegetation and waterways.
- g Appropriately located lighting is required to be installed in streets and proposed public spaces.
- h The provision of service for subdivisions shall be demonstrated by a preliminary services plan prepared following consultation with each Service Authority. This plan and supporting documentation from Service Authorities shall be provided as part of the development application.



**Figure 1 Typical Service Plan**

### 2.4.2.3 Cut, Fill and Earthworks

#### OBJECTIVES

- To minimise earthworks in order to preserve, where practicable, the existing topography, drainage and catchment areas, trees and amenity of the site
- To protect the stability and amenity of adjoining lots
- To ensure cut and fill requirements do not compromise a high standard of development

#### REQUIREMENTS

- a Earthworks for subdivisions are to be designed and constructed in accordance with Council's Civil Works Specification.

- b Disturbance to natural drainage patterns must be avoided where possible.
- c Boundary retaining walls for cut or fill must not exceed 900mm in height for residential zones and not extend for more than 2 lots.
- d All fill is to be contained within the boundaries of the subdivision development site.
- e Proposed lots, following subdivision construction, must be suitable for construction of building types and any ancillary development permitted within the zone.
- f Where vehicular access to proposed lots requires cut and fill, terracing of sites or construction of retaining walls, sufficient vehicular access design shall be provided with the development application to demonstrate the suitability of the access associated elements. Difficult vehicle accesses to proposed lots may be required to be constructed as part of the subdivision works,
- g Retaining walls must be designed and constructed using a high quality decorative concrete or masonry product.
- h A plan showing the extents of proposed earthworks and retaining walls shall be provided as part of the development application. This plan shall show proposed finished surface levels, batter slopes and retaining walls.
- i A Geotechnical Investigation and Assessment report shall be prepared and submitted as part of the development application for subdivision. The Geotechnical Investigation and assessment shall provide:
  - i. A description of the assessment process and the work undertaken to provide the assessment
  - ii. A description of the site including but not limited to vegetation, rock outcrops, water courses, existing development, slope and general topography etc.
  - iii. A description of the site sub-strata and identification of the geological formations
  - iv. Test hole / bore hole at sufficient spacing to generally establish soil profile, depth to rock and depth to ground water
  - v. Assessment of the stability of the site and surround land and any stability issues with the proposed development
  - vi. Assessment of the proposed site earthworks and the likely site classification(AS2870) where residential lots are proposed or the likely suitability for building other structure allowable in the zoning following completion of subdivision works
  - vii. Recommendations for the design and construction of proposed earthworks(cut and fill), proposed retaining walls, batter stabilisation and civil engineering structures proposed,
  - viii. Recommendations for further investigation, testing and assessment prior to completion of designs and during construction of the subdivision works.

*Note: This report may not be required for small infill subdivision and proposed subdivision within recently completed subdivisions where site disturbance for the subdivision works are minor. If considered relevant, this should be discussed with Council's Development Engineering Staff.*

## 2.4.2.4 Street Trees and Landscaping

### OBJECTIVES

- To encourage a streetscape that provides amenity, shade and environmental benefits to the community without compromising the street's function or maintenance
- To preserve mature trees and significant landscape elements and contribute to the urban canopy of the Central Coast

### REQUIREMENTS

- a Subdivisions are to incorporate street tree plantings at a minimum rate of one (1) semi-advanced tree per 15 metres of frontage.
- b A street tree planting plan is to be included in the development application and is to be prepared by a suitably qualified landscape professional.
- c Street trees are to be maintained and nurtured for 12 months by the developer. A maintenance inspection report prepared by a qualified landscape professional is to be submitted to Council at six months and at the end of the maintenance period.
- d Where infill subdivision is proposed, existing street trees must remain.
- e Trees are to be appropriate size and form for the streetscape and suitable for the environmental conditions of the area. Council aims to get 'the right tree in the right place' When selecting street trees, the following functional issues must be considered:
  - i. safe pedestrian use and movement within the street;
  - ii. safe traffic movement;
  - iii. intersection sight lines;
  - iv. micro climate amenity;
  - v. likely scale of adjacent structures; and
  - vi. selection of trees with a growth habit appropriate to the overhead and below ground services, potential driveway locations and the selected road pavement.

## 2.4.2.5 Local Open Space and Parks

### OBJECTIVES

- To provide sufficient local open space primarily suitable or adaptable for the active recreational needs of residents
- To enhance the appearance, amenity and energy efficiency of urban development through integrated open space and landscape design
- To ensure adequate provision and distribution of public open space in convenient locations and of a quality to meet the recreation needs of the community
- To encourage dual use of open space for recreation and major drainage networks, where appropriate and provided the land is suitable for both purposes

## REQUIREMENTS

- a Subdivisions shall provide Open Space in accordance with the requirements of the applicable Contributions Plan, Location Specific DCP or Council adopted Masterplan.

### 2.4.2.6 Land Clearing, Vegetation Management and Threatened Species

#### OBJECTIVES

- To incorporate existing vegetation on site into the subdivision landscape design
- To retain natural vegetation where possible, to maintain the level of biodiversity of native flora and fauna
- To have regard to the likely impacts of urban development and to incorporate buffer requirements to remnant vegetation on adjacent land

#### REQUIREMENTS

- a If the subdivision requires the removal of trees or native vegetation in excess of the relevant Biodiversity Offset Scheme Threshold, it is recommended that the NSW Local Land Service (LLS) is contacted to determine if consent is required under the Biodiversity Conservation Act (2016) prior to lodging a development application with Council. The proposal to clear land in excess of the relevant Biodiversity Offset Scheme Threshold will require an ecological assessment, referred to as a Biodiversity Development Assessment Report (BDAR), pursuant to Section 1.7 of the Environmental Planning and Assessment Act, 1979 which is to be prepared by an accredited person. Further information regarding clearing and approval can be obtained from the LLS's website.
- b Should consent for clearing not be required from the LLS consent for clearing is still required from Council. Information to be submitted with the application is contained Chapter 3.5 - Tree and Vegetation Management.
- c Some sites are potential locations for threatened species, or threatened ecological communities, or habitats to occur on site or adjacent areas. In these cases an assessment under section 1.7 of the Environmental Planning and Assessment Act, 1979 is required to be submitted, to determine whether there will be a significant effect on the threatened species, ecological communities or their habitats.
- d Subdivisions are to be designed appropriately so as not to affect any threatened species or ecological communities on site or on adjoining land.

### 2.4.2.7 Urban Interface Area (UIA) Requirements

The UIA is a generic model which is to be applied site specifically to all development across the Central Coast where future urban development interfaces with significant vegetation.

#### OBJECTIVES

- To manage edge effects on retained vegetation
- To suitably locate bushfire protection and water sensitive urban design (WSUD) infrastructure
- To provide appropriate access to public lands
- To provide suitable buffers to retained natural watercourses
- To streamline the requirements of diverse regulatory regimes and expedite NSW State Government approvals

- To provide assistance to developers in estimating lot yield and purchase of land for subdivision
- To improve and simplify ongoing management of retained native vegetation and related maintenance costs

## REQUIREMENTS

- a An Urban Interface Area (UIA) will be required for each subdivision on land that contains and/or adjoins significant vegetation.
- b The UIA model is only applicable where development is proposed that directly contains and/or adjoins significant vegetation. In many cases this will be National Parks, State Forests and Council reserves but in some cases will include private land with particular elements of environmental value such as Endangered Ecological Communities, natural watercourses or native vegetation that is of landscape significance.
- c The UIA model must be applied with particular reference to the specific characteristics of the site, type of development proposed, type of adjoining vegetation and the ultimate tenure and purpose of retained vegetation (e.g. National Park, Community Land – Bushland, Operational Land – Drainage, or private land).
- d The UIA model is primarily designed to be applied on greenfield site land subdivisions for residential, industrial and commercial purposes, but may also provide a solution for the redevelopment of larger sites.
- e The detailed application of the UIA model is not generally suitable for small scale infill subdivision or boundary adjustments, unless that land forms part of a wider bushland corridor strategy. The objectives detailed above however, are to be applied as appropriate.
- f Correct application of the UIA model will generally satisfy all relevant legislative and regulatory requirements, and will streamline obtaining the various approvals required by State government departments.
- g The UIA consists of three components:
  - i access: 5-20 metres width - from the proposed lot boundary to be cleared and utilised for access for a range of purposes (public access, maintenance, bushfire protection etc.). This area generally consists of a formed road or trail and permanently cleared verges, and forms part of the Asset Protection Zone (APZ) required for most development;

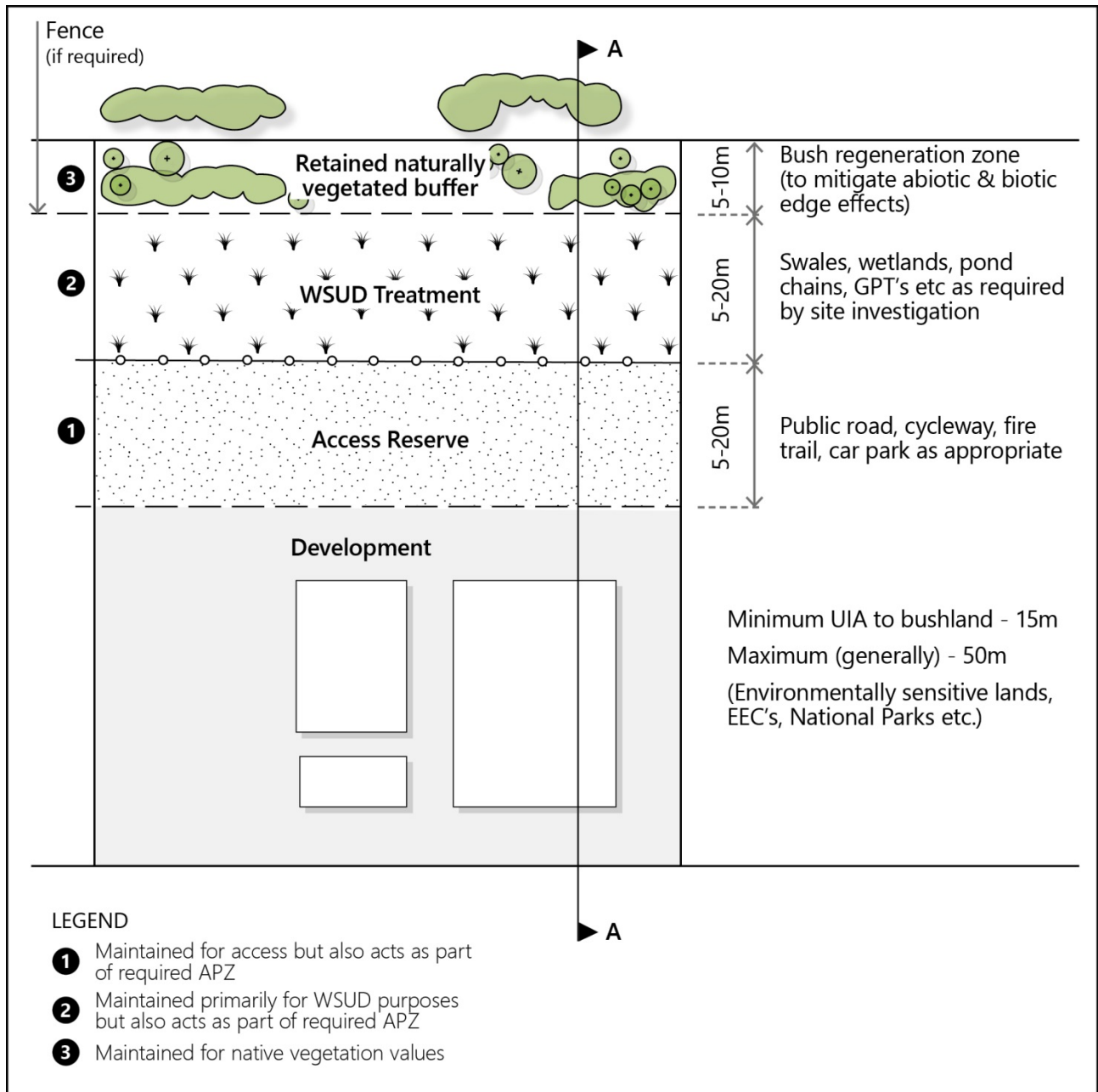
*Note: Where the Access does not form part of a dedicated road, suitable connections will be required to the public road system. Where community title or other arrangements are used to manage the UIA the Access may be utilised for car parking. This is generally defined by a suitable kerb and/or bollards.*

- ii WSUD infrastructure: 5-20 metres width - from the Access to the retained bushland used for WSUD treatment including swales, wetlands, pond chains, gross pollutant traps, etc., as required by onsite investigation and Council's Civil Works Specification. This forms part of any required APZ;

*Note: Where WSUD is not required a minimum width of 5m will be required, forming part of any required APZ and acting as an additional buffer to the retained significant vegetation to reduce edge effects. This is generally defined by a fence or bollards to delineate the APZ maintenance area if WSUD measures are not required.*

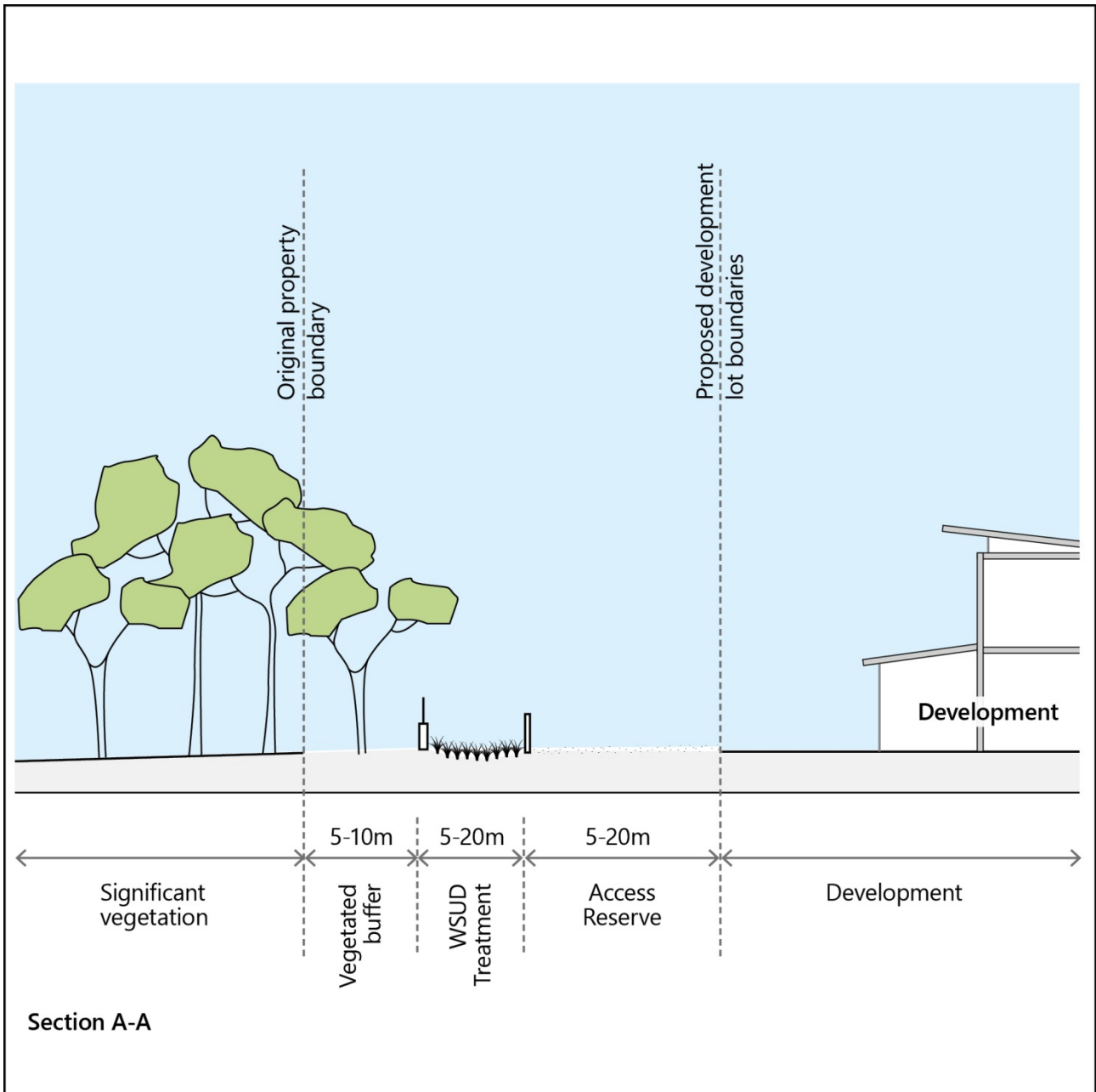
- iii retained naturally vegetated buffer: 5-10 metres minimum width from the WSUD infrastructure to the boundary of the lot containing significant vegetation to be retained (or the natural watercourse) is to be retained as a naturally vegetated buffer zone. No vegetation removal or modification apart from bush regeneration will be permitted within this area.

*Note: This buffer exists to minimise both biotic (impacts of drainage infrastructure, weed invasion, nutrient increase etc.) and abiotic (noise, wind, dust, light, litter etc.) edge effects on land adjoining the proposed development site, thereby mitigating environmental impacts.*



**Figure 2 Plan View of UIA Model for subdivision abutting significant vegetation**





**Figure 3 Section view of UIA Model for residential subdivision abutting significant vegetation**

## 2.4.3 RESIDENTIAL SUBDIVISION

### 2.4.3.1 Lot Size

#### OBJECTIVES

- To encourage a variety of allotments to cater for the different housing needs within the community
- To ensure that elements of the site including size, slope, orientation, etc. provide maximum opportunities for future building design, privacy, orientation, solar access and useable outdoor living space on site
- To ensure that lot size takes account of the natural features of a site and locality
- To ensure that geotechnical constraints are taken into consideration

- To minimise the adverse impacts of subdivision on the environment

## REQUIREMENTS

- a Central Coast LEP 2018 contains a Minimum Lot Size Map for land within the Central Coast Local Government Area. For the residential subdivision of land where the minimum lot size is not mapped the appropriate minimum lot size is considered to be 450m<sup>2</sup>. Any proposals that involve residential lots with an area of less than 450m<sup>2</sup> are to consider Clause 4.1 to 4.1F of Central Coast LEP 2018 and where relevant s.2.4.4 Small Lot Housing Development below.
- b The minimum lot size is to be increased in response to environmental constraints and topography, in particular the slope provisions as stated under s2.4.3.2 below.
- c Lots adjoining a Public Reserve, where a side or rear boundary abuts an existing or proposed public open space reserve, foreshore, lagoon or waterway, are to have a lot size of at least 100m<sup>2</sup> greater than the recommended or required minimum lot size.
- d Corner lots are to have a lot size of at least 150m<sup>2</sup> greater than the recommended or required minimum lot size.

### 2.4.3.2 Slope

#### OBJECTIVES

- To ensure that lot size takes account of the natural features of a site and locality
- To ensure that geotechnical constraints are taken into consideration
- To minimise the adverse impacts of subdivision on the environment

#### REQUIREMENTS

- a Lot sizes should be increased as slope increases in accordance with the standards specified below in Table 2. Table 2 refers to land subdivision (Deposited Plan) and Community Plan subdivision. It does not relate to Strata Plan subdivision.
- b The slope of the land is measured as the average slope perpendicular to the contours.
- c Levels shown on plans are to be relative to Australian Height Datum.
- d The subdivision of lands with slopes exceeding 25% is generally discouraged. Where subdivision is proposed, lots need to be of sufficient size to accommodate a building platform, appropriate access and servicing with minimal site and vegetation disturbance.
- e There are additional requirements for corner and battle-axe allotments which must be considered and may exceed the minimum requirements detailed below.
- f Table 3 identifies additional information requirements to be submitted in accordance with the different slope categories identified in Table 2.

Zone	Slope %	Slope Category (refer to Table 3)	Minimum Area per Lot Created	Minimum Width in any Direction
All Residential Zones for single dwelling lots	0-10%	A	450m <sup>2</sup>	15m
	11% -15%	B	600m <sup>2</sup>	18m
For small lot housing – refer to s 2.4.4	16% - 20%	C	1,000m <sup>2</sup>	20m
Battle axe and shared access handles are excluded from the minimum lot area	21% -25%	D	1,200m <sup>2</sup>	25m
	> 25%		Generally discouraged (refer to point e. above)	

**Table 2 Recommended lot size requirements for various slopes and lot types**

Slope Category	Requirements
Category A	<ul style="list-style-type: none"> <li>▪ Details of any retaining walls (including height, location and extent of cut and/or fill) required to permit construction of a dwelling.</li> </ul>
Category B	<ul style="list-style-type: none"> <li>▪ Matters required under Category A</li> <li>▪ Identification of a building footprint satisfying the objectives and requirements of the design element</li> <li>▪ Vehicular access details and accommodation for 2 cars satisfying the objectives and performance requirements of residential subdivision.</li> </ul>
Category C & D	<ul style="list-style-type: none"> <li>▪ Matters required under Category B</li> <li>▪ Demonstrate driveway details to the building line from property boundary if fill is to be greater than 300 millimetres.</li> <li>▪ On-site drainage details</li> </ul>

**Table 3 Required information to be submitted for the various slope categories**

### 2.4.3.3 Corner Lots

#### REQUIREMENTS

- Safe intersection sight distance and essential sight distance are to be provided in accordance with Austroads Part 5 and 6 for conventional intersections and roundabouts respectively.
- A 5 metres x 5 metres corner boundary splay must be provided on every corner lot to improve sight lines for vehicles and pedestrians in accordance with AS2890 Parking Facilities.
- Driveways for corner lots at non-signalised intersections are to be set back as far as possible from the intersection, and must be a minimum of 6 metres from the tangent point of the kerb return.
- Driveways for corner lots at signalised intersections are to be generally set further back to beyond the influence of queue lengths or are required to be serviced by alternate means, e.g. an access handle or right of carriageway from another street.

- e Driveways for corner lots adjacent to roundabouts or channelled intersections are to be generally clear of the intersection islands and pavement marking unless the intersection can be safely designed to accommodate access to the lots. Alternatively an access handle or right of carriageway from another street will be required.
- f Corner lots are to have a lot size of at least 150m<sup>2</sup> greater than the recommended or required minimum lot size.

### 2.4.3.4 Battle Axe Lots

Battle Axe or Hatchet shaped allotments are those which are located at the rear of street frontage lots and which obtain or share street access via an access corridor.

#### REQUIREMENTS

- a For the purpose of calculating the minimum lot area the area of any access corridor is to be excluded.
- b Access corridors shall be created in the plan of subdivision as a “Right of Access” and “Easement for services” in favour of the benefitted lots where the access corridor services more than one lot.
- c Minimum access width is specified in Table 4 below.

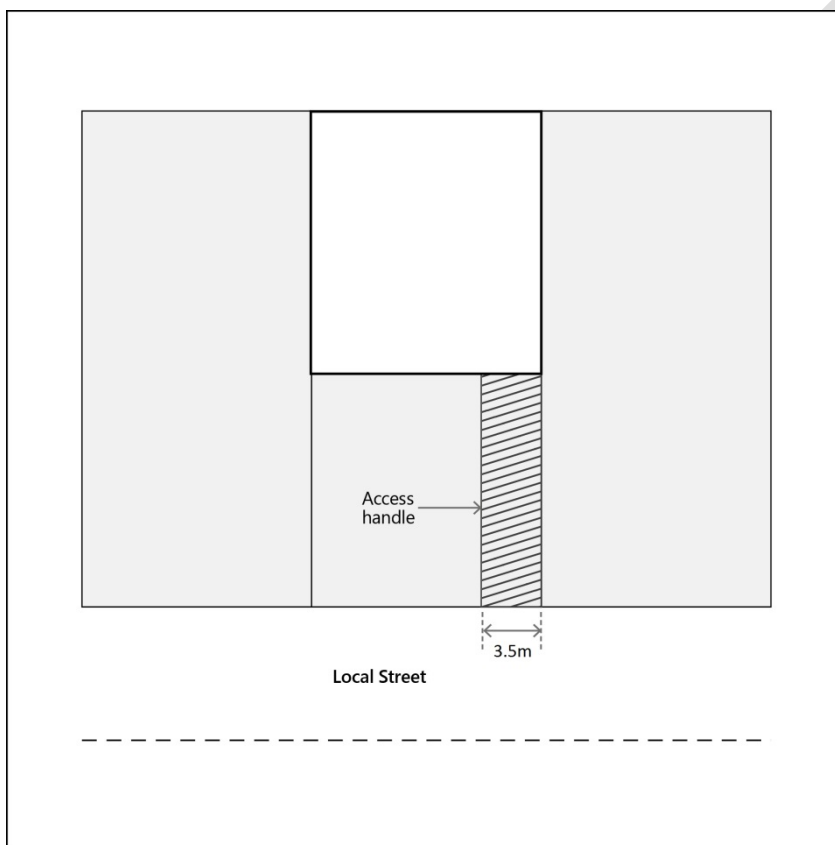
No. of Dwellings Served	Minimum 1 Constructed Width (m)	Minimum Corridor Width Including Services (m)	Width Reducing With No. of Dwellings Served	Turning Area at End 2
1	3.0	3.5	N/A	No
2	3.0	4.0	Yes	No
3	4.0	5.5	Yes	No
4	4.0	6.0	Yes	No
5	4.0	6.5	Yes	No
6 to 15	6.0	8.0	No	Yes

**Table 4 - Access Requirements for Battle-Axe Lots**

*Notes:*

- *provision of passing bays at regular intervals may be required*
  - *where no end turning area is provided, then each lot must accommodate its own turning area; and*
  - *subject to satisfactory arrangements being made with service authorities, e.g. Waste Management and Rural Fire Services*
  - *the access corridor shall be unencumbered no building encroachments (including eaves) with a minimum height clearance of 4.5 metres*
- d Service conduits to service all lots benefitted by the access corridor are to be provided by the developer for the length of the access corridor.
  - e Passing bays may be required where an access handle contains a bend.

- f Where the access corridor is to a collector road or where it serves more than 3 lots, pavement and access handle widening will be required to provide for vehicle swept paths for the queuing and the simultaneous entry of vehicles.
- g Where the handle serves three or more dwellings or is greater than 50m in length, vehicles must be able to enter and exit the access handle in a forward direction. Turning heads must be provided at the end of the handle. The turning head must be supported by a right of access.
- h The egress point from the access corridor to the road must provide adequate sight distance in accordance with the relevant standard for vehicles and pedestrians on the frontage road.
- i Blind bends are not permitted for new subdivisions. Consideration may be given to these for infill development provided a suitable traffic control treatment is provided.



**Figure 4 Battle axe lot with a right of access**

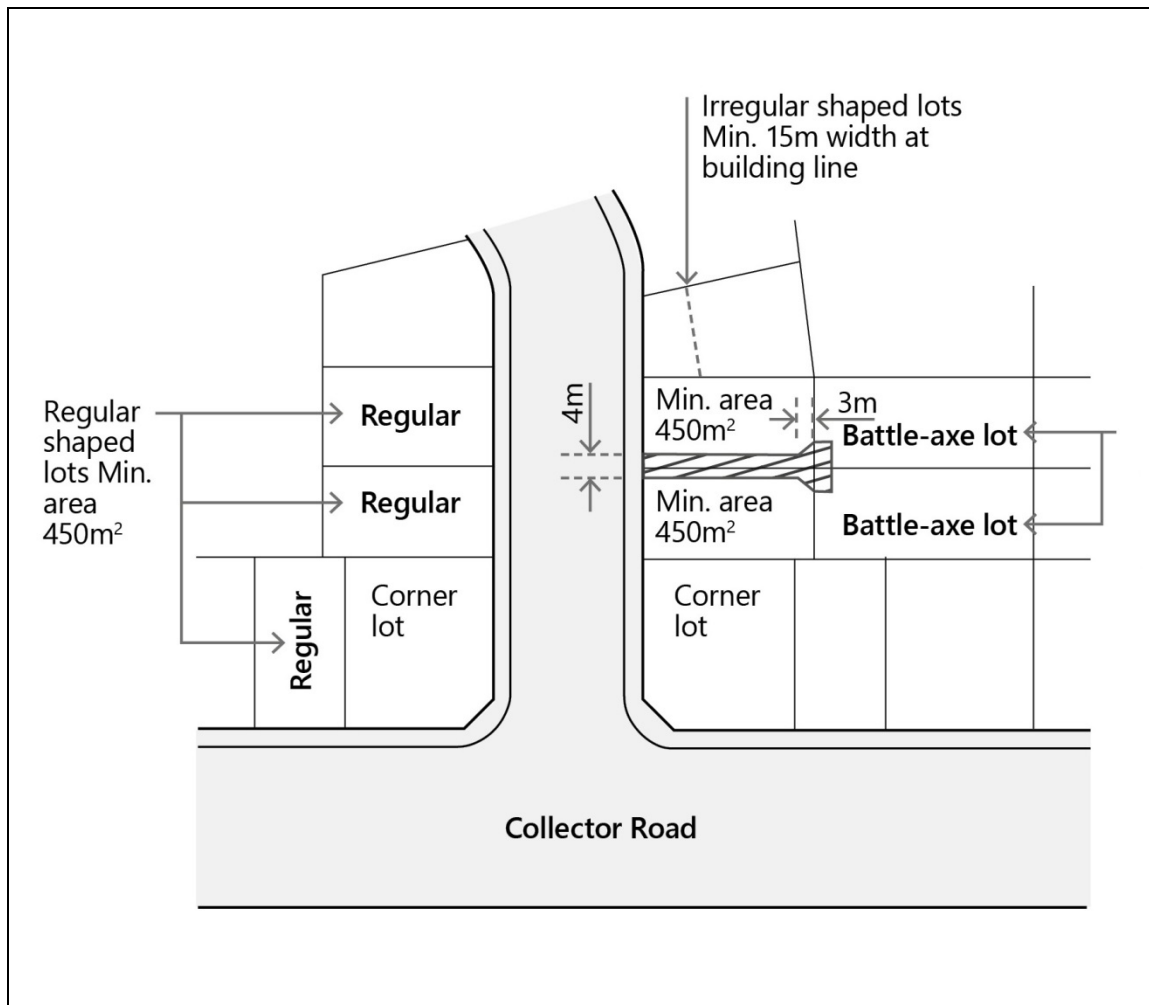
### 2.4.3.5 Lot Layout Plan

#### OBJECTIVE

- To ensure the Lot Layout Plan reflects the site's opportunities and constraints as well as identifying service requirements and vegetation retention for the site

## REQUIREMENTS

- Access Corridors (battle-axe handles) are not permitted to be located within the restricted areas to intersections as defined in AS/NZS 2890, Parts 1 and 2.
- Vehicle Access crossing/driveways must not be located over or in the vicinity of Pedestrian or School Crossings or other traffic management facilities.
- The street design and lot layout is to consider the likely location of lot accesses, with regards to the provision of adequate sight distances in accordance with AS/NZS 2890 and the Austroads Guidelines, Part 5.



**Figure 5** Variety of lot sizes - Category A slope

### 2.4.3.6 Street Orientation and Lot Design for Solar Access

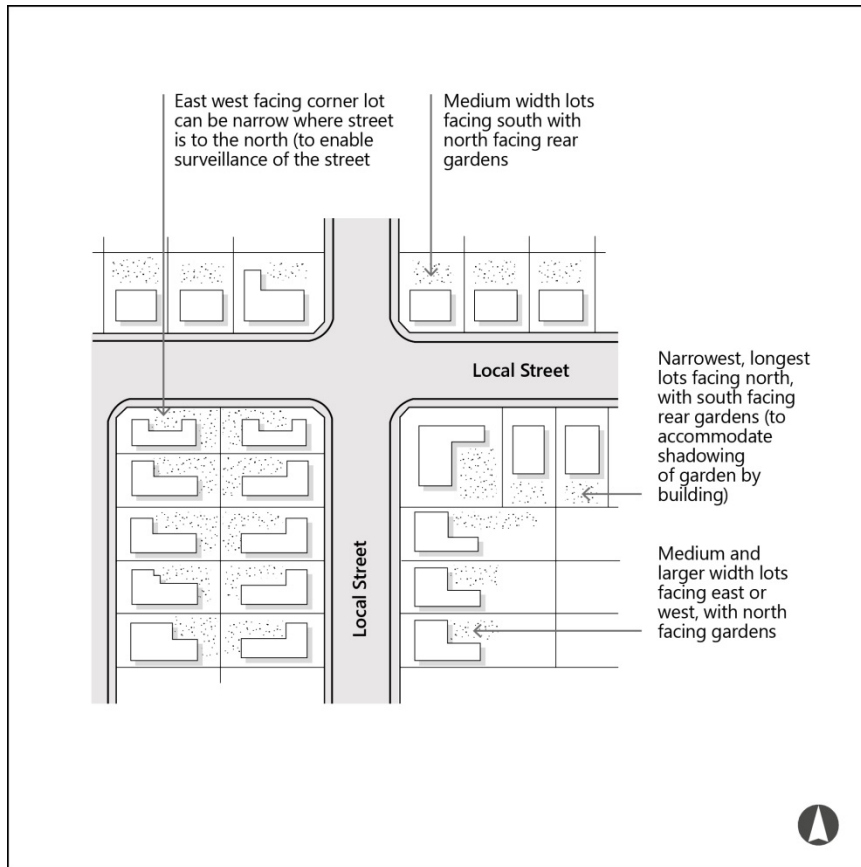
#### OBJECTIVES

- To promote energy conservation principles
- To ensure lots are oriented to maximise their potential to receive solar access
- To enable lot shape and orientation which facilitates the design and construction of development which is:
  - energy efficient;

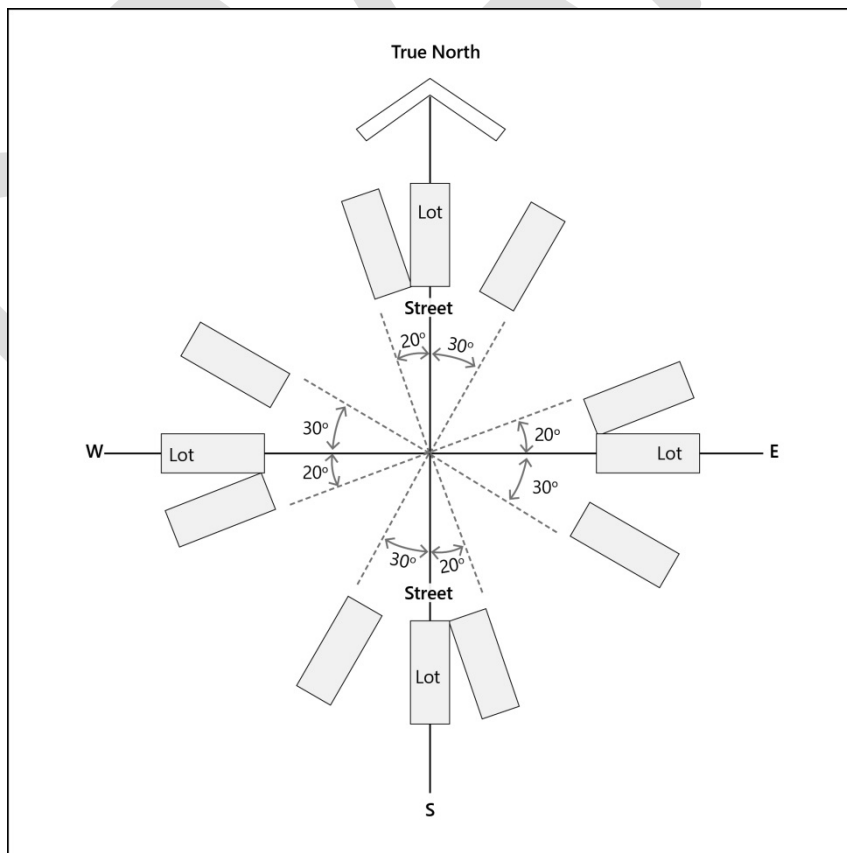
- attractive and functional;
- environmentally sustainable; and
- has capacity to provide a quality lifestyle which encourages community interaction

## REQUIREMENTS

- a     Streets are to be aligned generally east-west and north-south where possible. Refer to Figures 6 and 7.
- b     The design shall provide for lot orientation which maximises solar access by providing:
  - i     lots with a north - south orientation (within the range of 30 degrees east of north and 20 degrees west of north), enabling the provision of north facing living areas within the dwelling and north facing private open space;
  - ii    lots on the south side of east - west running streets shall have increased width to prevent overshadowing, and to provide for north-east and north-west facing private open space;
  - iii   narrower and smaller lots are best suited on the northern side of east-west running streets, with north facing private open space; and
  - iv    the midpoint of each lot shall have access to a minimum of 3 hours sunshine between 9 am and 3 pm on June 21 (the winter solstice).
- c     Where streets are not orientated N-S and E-W, lots shall be angled to achieve better solar access and achieve maximum exposure to cooling breezes in summer.
- d     Where possible, driveways should be on the western or southern side of any future dwelling, in areas less suitable for recreation spaces.



**Figure 6** Lot orientation and design for solar access



**Figure 7** Solar access wheel



### 2.4.3.7 Urban Design

#### OBJECTIVES

- To ensure quality design is achieved through subdivision ensuring allotments promote attractive amenity and visual privacy
- To ensure subdivision design is consistent with any established streetscape and the desired future character of the precinct / area

#### REQUIREMENTS

- a The subdivision shall demonstrate best practice design in terms of individual elements including lot orientation, street scape and landscape design.
- b The design is to encourage and enable the development of a community focus through the design of public places and public art projects to generate community interest.
- c The design is to achieve public and private landscaped areas which are reflective of the character of the area.
- d The design promotes ordered but varied development.
- e In new areas, the design allows for a mix of housing opportunities within a locality.
- f In established areas, the design preserves the essential character of the locality while providing for contemporary housing needs in keeping with community expectations.

## 2.4.4 SMALL LOT HOUSING DEVELOPMENT

#### OBJECTIVES

- To encourage diversity in lot size and opportunities for housing choice
- To ensure that lot size takes account the natural features of the site and the locality
- To encourage development which takes account of the constraints and challenges presented by small lot housing and maximises opportunities for quality development
- To facilitate affordable housing opportunities within a locality
- To preserve the essential character of the locality while providing for contemporary housing needs in keeping with community expectations in established areas

### 2.4.4.1 Small Lot Housing in the R1 General Residential Zone

#### REQUIREMENTS

- a Development consent may be granted to a single development application in the R1 General Residential Zone for development that is both subdivision of land into 5 or more lots and the erection of a dwelling house on each lot resulting from the subdivision where the resulting lots are:
  - i. Below the minimum lot size identified on the Minimum Lot Size Map within Central Coast LEP 2018. Such applications must address the requirements of Clause 4.1F of Central Coast LEP 2018., and the provisions of this section (as follows) and the other relevant provisions of this DCP; or

- ii. Less than 450m<sup>2</sup> where the minimum lot size is not identified in Central Coast LEP 2018. Such applications must address the provisions of this section (as follows) and other relevant provisions of Central Coast DCP 2018.
- b     Building Design:
- i.    small lot housing development proposals must include the submission of individual dwelling designs for each lot;
  - ii.   applications are to demonstrate regard for the principles within Chapter 2.1 Housing and Ancillary Development
  - iii.  dwelling designs must provide for variation and architectural interest.
- c     Lot Size and Design:
- i.    small lot housing development is to be confined to areas where the natural slope of the land is no greater than 15%;
  - ii.   lots should have a minimum lot area of 200m<sup>2</sup> and a minimum width of 7.5m frontage to a public road;
  - iii.  lots are to be generally rectangular in shape;
  - iv.   lots are to have sufficient area to enable the construction of an energy and water efficient dwelling house with adequate services, vehicle access and parking;
  - v.    proposals for achievement of the maximum potential lot yield are required to satisfy Council that an acceptable level of privacy and solar access will be available for residents of the site and for neighbouring sites.
- d     Setbacks:
- i.    a zero side or rear boundary setback will not be permitted where the land adjoins a conventional housing lot;
  - ii.   where the development proposes (and justifies) a zero side boundary setback to an allotment within the development, no windows or openings will be permitted in that part of the wall standing on the boundary. In this circumstance, a 1.0m wide maintenance easement is to be created on the adjoining title. No gutter, downpipe, eave or the like will project onto the adjoining lot.

*Note: A subdivision certificate will not be issued until all works required under the relevant development consent are completed, unless outstanding works are bonded appropriately.*

## 2.4.5 RURAL, SCENIC PROTECTION AND CONSERVATION SUBDIVISION

### OBJECTIVES

- To ensure that the lots created provide for a scale of development which will not compromise the scenic, ecological or conservation values of the environment
- To ensure the subdivision design is in character with the locality, is consistent with the natural landform and vegetation and is designed to minimise environmental impacts
- To ensure future development is not located in hazardous areas, including flood prone, bushfire prone and potentially unstable land
- To ensure that the size, shape, and characteristics of new lots are appropriate to the zoning and the possible range of uses
- To ensure the provision of an adequate building area, vehicular access and services on the site

### 2.4.5.1 Lot Size and Design

#### REQUIREMENTS

- a Minimum lot sizes by zone are identified under Central Coast LEP 2018. For land where the minimum lots size is not identified in Central Coast LEP 2018, a merit based assessment will be undertaken based on the requirements of this chapter.
- b The minimum lot size may need to be increased to ensure there is adequate provision made for water supply, effluent and waste disposal and bushfire protection, as well as responding to the topography of the site and possible environmental constraints.
- c The requirements for corner lots outlined elsewhere in this chapter apply to rural subdivision.
- d Where battle-axe lots are proposed, the access corridor shall be designed in accordance with Section 2.4.3.4.
- e Where the access corridor for a battle-axe lot is to be serviced by heavy vehicles then the corridor must be widened to cater for heavy vehicle swept paths.
- f Generally vehicle access crossings/driveways are not to be located within a road intersection and restricted areas as identified within AS/NZS 2890 and adequate sight distance is to be provided for vehicles and pedestrians.

### 2.4.5.2 Road Layout and Orientation

#### REQUIREMENTS

- a The design of the road network is to be in response to topographical features of the site and avoid low lying land that may be prone to flooding.
- b All lots are to have legal and physical access with adequate provision for two (2) wheel drive road access.
- c Design and construction of road geometry and road components is to be in accordance with Council's Civil Works Specification.

### 2.4.5.3 Scenic Quality and Physical Constraints

#### REQUIREMENTS

During the subdivision planning and design, physical constraints of a site must be identified and mapped on the subdivision plan.

- a Subdivision design is to reflect all natural features or constraints on site and these features are not to be adversely impacted with development. These features may include:
  - i watercourses, drainage features and flood prone areas;
  - ii threatened species and their habitats;
  - iii significant ridgelines and rock outcrops;
  - iv slopes;
  - v on-site effluent disposal areas;
  - vi aboriginal sites/relics;
  - vii vegetation.
- b The proposed plan of subdivision must identify all vegetation on site including any threatened or endangered flora and fauna in accordance with Section 1.7 of the *Environmental Planning and Assessment Act, 1979*. Where disturbance of native vegetation, wetlands, waterways or other sensitive environments is proposed, an ecological assessment and management plan is to be prepared in accordance with the Central Coast Council Flora and Fauna Guidelines.
- c Subdivision applications are to indicate an appropriate building envelope for each lot and must be designed around natural features and physical constraints of the site.
- d The subdivision design must recognise that dwellings are not to be sited so as not to occupy dominant ridgelines and prominent locations.
- e Other relevant legislation may require additional approvals/permits for the retention of sensitive sites. Legislation may include the *Biodiversity Conservation Act 2016* (refer to Section 2.6 above).
- f Trees are to be retained on site where possible. All trees that are proposed to be removed are to be clearly identified on the VMP and Site Plan, with justification for their removal. An Arborists Report is required and must be prepared in accordance with Chapter 3.5 - Tree and Vegetation Management.
- g Bushfire protection provisions are to comply with the document *Planning for Bushfire Protection 2006*, produced by the Rural Fire Service. Adequate Asset Protection Zones and safe perimeter roads are required for subdivision of rural and conservation areas.
- h Onsite effluent disposal will need to be catered for in rural areas not connected to the sewer mains. An increase in the area of an allotment, in addition to the buffer distance to watercourses, dams and vegetation will need to be considered. Applications must identify suitable areas on each allotment for effluent disposal appropriately located to service the identified building envelope, and include a preliminary geotechnical assessment identifying the suitability of the site for a future on site effluent disposal system.

## 2.4.6 INDUSTRIAL AND BUSINESS ZONES SUBDIVISION

### OBJECTIVES

- To ensure that development sites have sufficient area and dimensions to provide adequately for access, landscaping, and building separation
- To encourage industrial and business development for employment generating zones by providing a variety of lot sizes for development opportunities
- To ensure lot sizes are created with the capacity to also accommodate:
  - waste minimisation, energy and water efficiency
  - effective stormwater management
  - appropriate buffer space, and
  - heavy vehicle access where appropriate

### 2.4.6.1 Dimensions of New Allotments

#### REQUIREMENTS

- a New lots are to be generally of rectangular shape with a depth to frontage section between 2:1 and 3:1.
- b Where the shape of the existing lot(s) or character of the land dictates new lots of irregular shape, it must be demonstrated that there is sufficient building area having the minimum width dimension.
- c The minimum allotment size for industrial subdivisions is 4,000m<sup>2</sup> with a minimum width of 36 metres unless otherwise specified in the minimum lot size maps under Central Coast LEP 2018 or elsewhere within this DCP Chapter.
- d To maintain appropriately sited lots (on established b-double routes) for developments requiring heavy vehicle access, the minimum size for industrial development lots within Warnervale Business Park and Berkeley Vale West Industrial Estate is 5,000m<sup>2</sup>.
- e Corner lots for industrial subdivision require a minimum allotment size of 4,000m<sup>2</sup> with a minimum width of 45 metres unless otherwise specified in the minimum lot size maps under Central Coast LEP 2018.
- f Corner lot requirements (corner splays, sight distances and driveway locations) detailed in section 2.4.3.3 b to f, are required for industrial subdivision.
- g Unless otherwise specified in this DCP, lot design is to accommodate setbacks for proposed future buildings of 15 metres from collector roads and 10 metres from minor roads.
- h Industrial and non-specific subdivision within business zones will not be approved on land with slope greater than 15%.
- i Lots are to be planned in order to accommodate functionality of the site. Chapter 2.9 – Industrial Development, is to be read in conjunction with this Part for the provision of industrial design standards.
- j Industrial subdivisions which generate battle-axe allotments are unlikely to be supported.