Chapter 5: Subdivision

maitland CITY COUNCIL

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5.1. Introduction

5.1.1. Application

This chapter applies to the design and construction of new subdivisions on land to which the Maitland LEP 2011 applies.

5.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
    - Where there are inconsistencies between this chapter and Chapter 2: Section 2.4, Chapter 2: Section 2.4 will prevail to the extent of any inconsistency.
- Chapter 3: Site Requirements
- Chapter 4: Heritage
    - Where there are inconsistencies between this chapter and Chapter 4, Chapter 4 will prevail to the extent of any inconsistency.
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix D: Canopy Cover Guidelines.
- Appendix E: Flooding Guidelines
- Appendix F: Crime Prevention Through Environmental Design (CPTED) Guidelines
- Chapter 10: Precincts, Locality Plans and Urban Release Areas
    - Where there are inconsistencies between this chapter and Chapter 10, Chapter 10 will prevail to the extent of any inconsistency.
- Maitland Manual of Engineering Standards (MoES)

Note: Where no site-specific Chapter or Locality Plan applies to a development site, or the site falls within land marked as an Urban Release Area under the MLEP 2011, Council may require one to be prepared prior to lodgement of development applications in the following cases:

a. If the land is subject to Clause 6.3 of the MLEP 2011, OR
b. where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.

5.1.3. Scale of Subdivisions

This section of the DCP introduces three scales of subdivision development. Depending on these scales and/or complexities involved, development applications for which this chapter applies require submission of different level of detail. This is provided in the Application Requirements in Appendix A for Medium and Major, and Appendix B for Minor subdivision. The following scales of subdivision are employed throughout this Chapter:

CLASSIFICATION	DEFINITION
Minor Subdivision	The creation of 1 – 9 new lots, where no new roads are required.
Medium Subdivision	The creation of 10 – 49 new lots. OR The creation of 1 – 9 new lots, where a new road is required.
Major Subdivision	The creation of 50 or more new lots.

5.1.4. Intent of this Chapter

The intent of this Chapter is:

- To promote the efficient use of developable land resources in the Maitland LGA.
- To ensure that subdivision occurring within the Maitland LGA gives due regard to site constraints and opportunities.
- To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of subdivisions and subsequent housing.
- To ensure that all new lots can support the intended development outcomes for which it is proposed, and have appropriate levels of amenity, services and access.

5.2. General Subdivision Design

Except where otherwise stated, this section applies to all subdivision development within the Maitland LGA. Other Chapters that must be considered for subdivision development are:

- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage and Cultural Conservation

5.2.1. Services and Utilities

5.2.1.1. General

Objectives

O.1 To ensure major utility items, including electrical kiosks, substations, pump stations, and community batteries are appropriately located for utility providers, the landowner, and Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	Electrical substations and pump stations are to be positioned on their own lot, with ownership to be conferred to the relevant utility provider.
PC.2 • O.1	Other major utility items such as electrical kiosks, community batteries and other neighbourhood scale items must not be located in road reserves or drainage reserves. *Note: Details of any neighbourhood scale utility infrastructure is to be provided as part of a Development Application, including proposed locations of major utility items (multiple locations may be proposed for potential sites).*
PC.3 • O.1	If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to: a. Electrical kiosks are to adhere to the *Ausgrid Network Standard 141*, b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than $1m^3$, c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed, **Example C:** A requirement for a public park of $5000m^2$ that includes a community battery with a required space of $25m^2$ is to provide a total of $5025m^2$ of community land as part of that public park. d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans.

5.2.1.2. Street Lighting

Objectives

O.2 To assist pedestrians to orientate themselves and detect potential hazards.

O.3 To provide lighting of public spaces for the safety of pedestrians and road users in line with Council's MoES.

O.4 To provide street lighting where contextually and environmentally appropriate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.2 • O.3 • O.4	Street lighting must be provided for all new subdivisions for urban residential, business and industrial developments in line with Technical Document – Street Lighting of Council's MoES.
PC.2 • O.4	Regularly spaced street lighting is not to be provided for rural subdivisions. Minor intersection flag lights will be considered on a merit basis. **Note:** This control applies to the following land zones under the MLEP 2011: • R5 – Large Lot Residential • C4 – Environmental Living • RU1 – Primary Production • RU2 – Rural Landscape

5.2.1.3. Essential Services (Water, Sewer, Electricity, and Telecommunications)

Objectives

O.5 To provide appropriate utility services to all new lots in an efficient, coordinated and cost-effective manner.

O.6 Restrict subdivisions that create unreasonable or untimely demand for the provision or extension of services.

O.7 Ensure subdivisions have regard to Ecologically Sustainable Development principles and to ensure minimal environmental impact.

O.8 To ensure that the location of essential infrastructure is integrated within the development and minimises visual impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Water and Sewer	
Note: Applicants are to additionally refer to the Maitland On-Site Sewage Management Policy, which takes precedent in the event of any inconsistency with this section.	
PC.1 • O.5	Reticulated water and sewer supply must be provided for all new urban lots (residential, commercial and industrial). **Note:** This applies to the following land zones under the MLEP 2011: • R1 – General Residential • R5 – Large Lot Residential • E1 – Local Centre • E2 – Commercial Centre • E3 – Productivity Support • E4 – General Industrial • MU1 – Mixed Use
AS.1 • O.5 • O.6	Where access to the reticulated sewerage system is not achievable, subdivision applications must include a feasibility assessment for an alternative centralised sewerage system. The use of an alternative centralised sewerage system is subject to agreement by Council. Where access to the reticulated sewerage system is not available and an alternative centralised solution is unfeasible, lots must be of sufficient size and contain suitable land to dispose of wastewater on-site.
PC.2 • O.5 • O.6	Where areas of a site are unsuitable for on-site effluent disposal, lots must be provided with a common effluent system on a suitable area under community title.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.7	Pump out systems must not be included within developments in the following land zones: • R1 – General Residential • R5 – Large Lot Residential • E1 – Local Centre • E2 – Commercial Centre • E3 – Productivity Support • E4 – General Industrial • MU1 – Mixed Use
PC.4 • O.5 • O.7 • O.8	Where an onsite sewer management system is required, a nominated disposal area envelope is to be include for waste disposal in an appropriate location
Electricity	
PC.5 • O.5 • O.6	Underground low voltage electricity supply must occur for all new residential lots to the requirements of the electricity provider. Exceptions to this control may occur where Council and an electricity provider determine that overhead electricity supply is necessary due to flood liability of the land, or in cases where the land fronts a road supplied by existing overhead electricity distribution. **Note:** This control applies to the following land zonings under the MLEP 2011: • R1 – General Residential • R5 – Large Lot Residential • C4 – Environmental Living
PC.6 • O.5 • O.6 • O.8	For lots proposed for commercial and/or industrial uses, underground electricity supply must be provided to all new lots to the requirement of the electricity provider.
PC.7 • O.5 • O.6	Low voltage electricity supply must be available to the boundary of all new rural lots. **Note:** This control applies to the following land zonings under the MLEP 2011: • RU1 – Primary Production • RU2 – Rural Landscape
PC.8 • O.7 • O.8	In instances where they are required as part of a development, pad-mounted kiosk substations must be placed within private lot boundaries, behind landscaped screens, or otherwise sympathetically treated to reduce visual impact.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.7 • O.8	The location, design and proposed screening of electrical kiosk substations must be shown in the development application.
Telecommunications	
PC.10 • O.5 • O.6	All new lots must have available connection to either: • the National Broadband Network (NBN); OR • an alternative Statutory Infrastructure Providers (SIPs) network.

5.2.2. Infrastructure and Network Delivery

Objectives

O.9 To ensure the staging of development and infrastructure delivery are aligned spatially and temporally.

O.10 To ensure utilities and services are planned and delivered to meet demand from development.

O.11 To deliver utilities, road infrastructure, drainage and services in a manner that is safe, efficient and cost effective, and meets Council's MoES.

O.12 To ensure design and locations of utilities infrastructure allows space for planting, water sensitive urban design and footpaths.

O.13 To ensure that where subdivision development is staged, the proposed staging allows for ongoing circulation of traffic and waste services without damaging to public land or inconveniencing road users and asset owners.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.9 • O.11	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011), b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and d. Where applicable a Flood Impact Assessment, in accordance with Appendix E: Flooding Guidelines **Note:** This control does not apply in the following circumstances: • Where the infrastructure is proposed within the same zone as the lots the infrastructure is being provided for, OR • Where the infrastructure is proposed within SP2 zoned land that has been identified as part of the subdivision, and that is for the named purpose according to the Land Zoning Map under Clause 1.7 of the MLEP 2011.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.10 • O.11	In cases where subdivision is intended to be released in stages, all applications for subdivision must include a Staging Plan, prepared in accordance with Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable. Provision of public services such as sports fields, public parks, off road and on road links must be commensurate with the release of lots under the staging.
PC.3 • O.9 • O.10	An overall transport movement hierarchy is to be provided for any subdivision that creates new roads. The hierarchy is to be in accordance with Document D-Design Council's MoES and must illustrate: a. Major circulation routes and connections b. Proposed bus routes and its pedestrian connectivity c. On & off-road cycling and pedestrian networks d. Strategic access points e. Intersection hierarchy
PC.4 • O.10 • O.11	Services and infrastructure must be made available to the development where additional servicing is required. Essential services and infrastructure include road access, water supply, sewer, electricity, telecommunications, and stormwater infrastructure.
PC.5 • O.10 • O.11 • O.12	Public infrastructure must be upgraded where the development will increase demand for, or require, connectivity to said infrastructure (i.e. footpaths, roads and drainage infrastructure, pedestrian and bus stop facilities).
PC.6 • O.10 • O.11	Where a staged development site adjoins a future development site, the construction and dedication of roads, drainage reserves, easements and other essential infrastructure must be incorporated by a reasonable and early stage, generally being ready for connection to a neighbouring future development site once 50-70% of lots have been released. The ability for the extension of essential infrastructure to a future development site must also be provided.
PC.7 • O.9 • O.12	The delivery of road networks, stormwater detention areas and active and passive areas must be incorporated into the overall Staging Plan.
PC.8 • O.11	Appropriate road hierarchy, road widths and road design standards must be provided in accordance with Document D-Design Council's MoES and is to be based on number of lots served, projected dwelling densities, design traffic speeds, vehicle sizes, and parking requirements including footpaths and cycleways.
PC.9 • O.11	Roads must be designed to provide a clear road hierarchy in which the size, width and appearance matches its function.
PC.10 • O.10	Public transport infrastructure must comply with Transport for NSW's 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites', particularly regarding bus stop design, including but not limited to:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.11	• Opposing bus stops must be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters, • Bus stops must be placed on departure side of refuge/crossings, and from intersections, • Located against parks and public land where possible, • Vehicle access to lots must be demonstrated in accordance with the relevant requirements within this DCP and Council's MoES. In some cases, driveway construction and Section 88b restrictions may be warranted, • Provide public stops with centre refuge and concrete blisters in parking lanes. Locate on lot boundaries but preference is against parks and public land where possible. **Note:** the above must be shown on any submitted subdivision plans, where applicable.
AS.1 • O.9 • O.13	Staging of subdivisions should avoid the use of temporary turning heads, including by locating stage boundaries where roads terminate with loops or at a permanent T intersection. Use of temporary turning heads may be considered in extraordinary circumstances subject to the criteria detailed in Council's MoES.

5.2.3. Corner Lots

Objectives

O.14 To ensure corner lots are of sufficient dimensions and size to contribute positively to the streetscape and residential amenity.

O.15 To ensure corner lots can accommodate minimum setback requirements from both the primary and secondary frontages.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.14 • O.15	Corner lots are to be designed to allow future dwellings to have the ability to have vehicle access to both street frontages.
PC.2 • O.14 • O.15	Corner splays must be provided, with minimum dimensions of: a. 4.0m x 4.0m for road types classed as 'Local' under Council's MoES in residential zones, b. 2.0 m x 2.0m for road types classed as 'Residential Laneway' under Council's MoES, and c. A merit-based assessment (generally 6.0m x 6.0m) for non-residential zones and/or higher order roads. Consideration must be given to the kerb return and minimum verge requirements under Council's MoES.

5.2.4. Lots on Existing Laneways

Objectives

O.16 To ensure infill development occurs in a coordinated manner.

O.17 To ensure vehicle and pedestrian safety and residential amenity is maintained or enhanced.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16 • O.17	Excluding corner lots, legal pedestrian access must be provided back to the primary street frontage by way of a Right of Foot Way and an Easement for Services. The access is to be a minimum 1.5m wide, with fencing provided between the dwellings with street frontage and the access.

5.2.5. Lots on New Laneways

Objectives

O.18 To provide sufficient space to accommodate waste collection, vehicular access, and utility services without impeding the laneway's primary function.

O.19 To improve permeability and access.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.18	The design of the lots fronting a new laneway must facilitate safe and efficient access for service vehicles, including waste collection trucks and emergency services.
PC.2 • O.18	Building envelopes for lots on new laneways are to have garages positioned at the rear of the lot, fronting the laneway.
PC.3 • O.19	Lots with rear access from a laneway must be designed to ensure a clear and legible front street address for the dwelling.
PC.4 • O.18 • O.19	Laneway design must accommodate all required underground and above-ground services, including space for utilities, lighting, and drainage infrastructure, without impacting vehicular or waste service functions.

5.2.6. Community Title Subdivision

This Section specifically applies to subdivision utilising Community Title and is to be read in conjunction with the rest of this Chapter and Clause 4.1AA of the MLEP 2011.

Objectives

O.20 To ensure community title subdivisions appropriately provision for proposed open space common facilities.

O.21 To assist in managing the interface between community title subdivisions and neighbouring land uses.

O.22 To ensure that community title subdivisions meet the needs of future residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.20 • O.22	Provided open communal areas are to be designed to meet user's needs, being determined by: a. Dwelling density, b. Equitable access and use, and c. The extent, quality and capacity of surrounding open space proximate to the development.
PC.1 • O.22	Essential services and utilities are to be provided to all proposed residential plots, including separate meters. This includes, but is not limited to: • Water, • Sewer, • Electricity, • Gas (where proposed), and • Telecommunications.
AS.2 • O.20 • O.22	Essential services and utilities are to be connected to common areas where necessary.
AS.3 • O.21	Consideration is to be given to the provision of landscape buffering of the outer perimeter of the community title, with possible treatments including tree lines, planted habitat, and vegetation corridors. Fencing treatment is to be aligned with the relevant land zoning of the subdivision.

5.2.7. Subdivision Landscaping

Objectives

O.23 To maintain and enhance the existing character, landscape and scenic qualities of the Maitland LGA.

O.24 To create, maintain and enhance streetscape and minimise visual impact of subdivision development.

O.25 To ensure that new and existing streets have street trees and sufficient canopy cover to reduce the urban heat island effect.

O.26 To assist in achieving the objectives of the Maitland Environmental Sustainability Strategy 2030 in relation to improving canopy cover and reinforcing the blue-green grid.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.26	Deep soil areas are to be provided on all resulting lots in accordance with Chapter 2, Section 2.3.2 Street Trees and Canopy Cover and Appendix D: Canopy Cover Guidelines.
AS.1 • O.23 • O.24 • O.26	Where established streetscapes are present, enhancement is encouraged through provision of additional landscaping (including street trees) and selection of other streetscape items including surface treatments and street furniture.
AS.2 • O.23 • O.24	Landscape buffers may be required where there is an interface issue with the existing context, if deemed necessary from the findings of a Visual Impact Assessment.
AS.3 • O.23 • O.24 • O.25 • O.26	Tree retention is encouraged at the subdivision stage, with mature trees to be retained and integrated into the subdivision layout and public domain design. Retained trees should contribute to neighbourhood canopy cover, enhance streetscape character, and improve public amenity.
AS.4 • O.23 • O.25	Mature trees should be retained and incorporated through appropriate public domain design in order to contribute to the mature tree canopy cover in the neighbourhood. In cases where a mature tree is dying or is not well positioned, an Arborist Report is to be prepared that satisfies, at a minimum, the details provided in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.

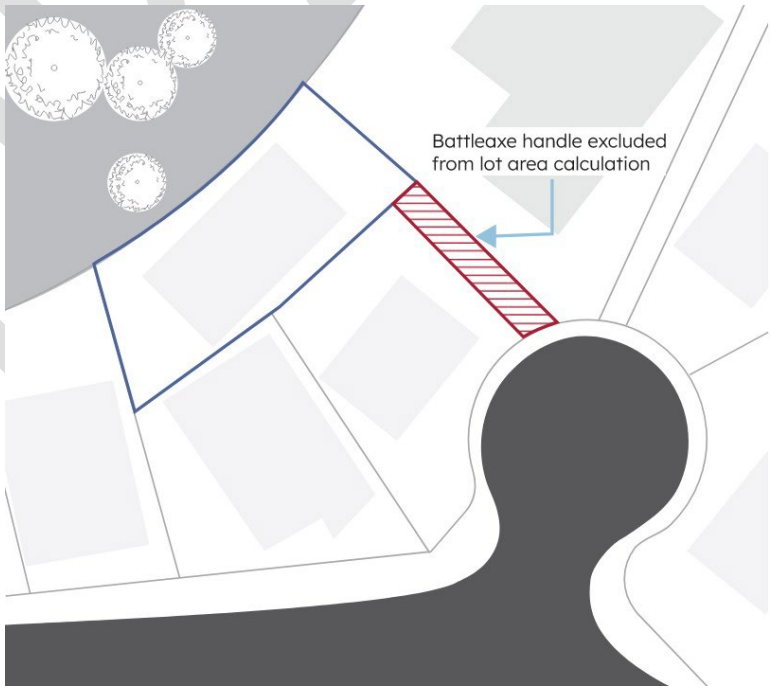
5.2.8. Battle-axe Lots

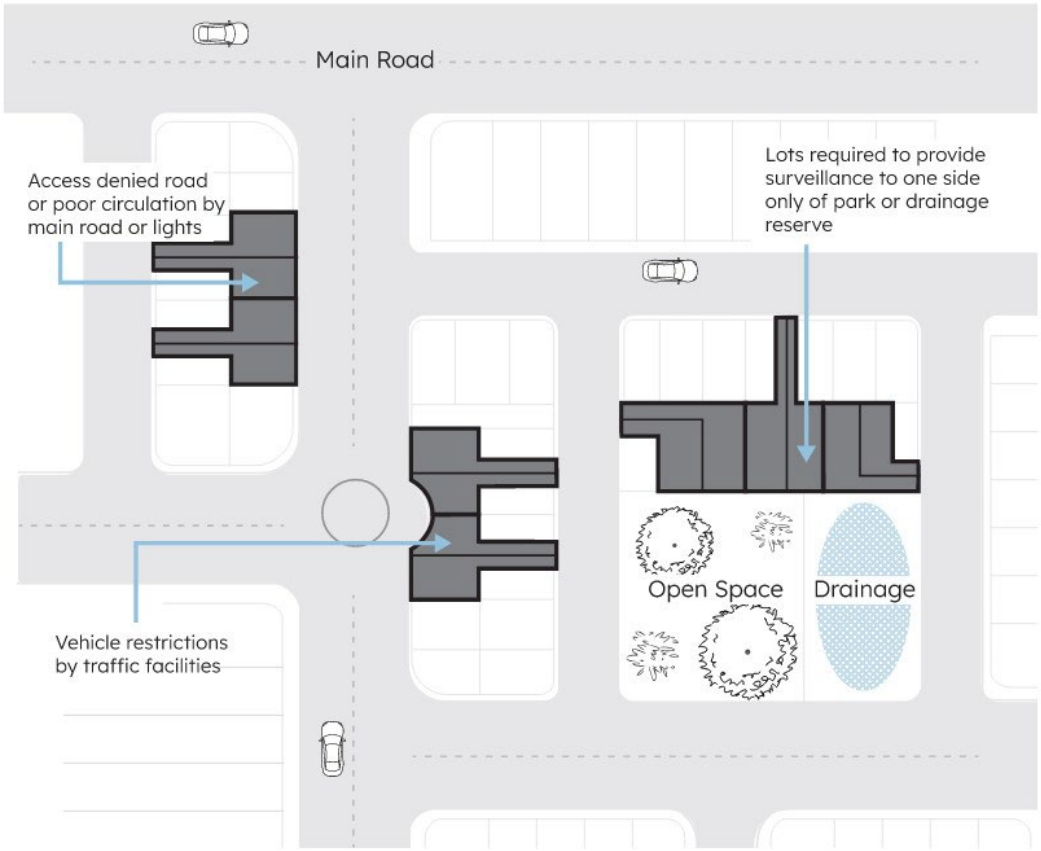
Objectives

O.27 To ensure that battle axe lots do not result in impacts greater than would be expected from a single dwelling in terms of traffic generation, noise, privacy, utilities, landscaping, street address (way finding), crime prevention, waste management, and amenity.

O.28 To ensure clear ownership and easements are established for battle axe handles and stormwater drainage.

O.29 To ensure battle-axe lots are only utilised and effectively developed where no other lot type can be achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.27 • O.29	Battle-axe lots must not be located on cul-de-sac heads, corners and tight bends. **Note:** Tight bend is defined as a bend lower than the design speed of the road, generally being a 15m kerb radius or below.
PC.2 • O.29	When calculating lot size area where battle-axe shaped allotments are permitted, the area of the access handle must be excluded from the area calculation.  **Figure 5-1: Battle-axe handle calculation exclusion**

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.27	Developments must not incorporate more than 2 lots serviced by a battle-axe, easement for access, right of carriageway. Reciprocal easements should be centrally placed.  **Figure 5-2: Examples of battle-axe lot arrangements**
PC.4 • O.29	Subdivisions of battle-axe lots without public frontage (i.e., road, park, reserve) must be within an integrated approval (subdivision and dwelling design).
PC.5 • O.27	Utility connections to service all lots benefitted by the access corridor must be provided for the length of the access corridor.
PC.6 • O.27	Battle-axe lots must be designed so that a vehicle can enter and exit the site in a forward direction.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.7

- O.27

Battle-axes must be designed and constructed in accordance with **Table 5.1** below.

Table 5.1: Minimum development standards for battle-axe lots

ZONING[1]	SINGLE HANDLE[2] (M)	DUAL HANDLES[3] (I.E. 2X) (M)	PAVEMENT WIDTH[4] (M)
Residential (R1)	4.0[6]	(2x) 3.0[5] or (2x) 3.5 [6]	3.0[7]
Residential (R5-V & X)	4.0	(2x) 3.0	3.0
Residential (R5-Y)	4.5	(2x) 3.0	3.0
Residential (R5-Z)	6.0	(2x) 3.0	3.0
Business & Industrial (E1, E2, E3, E4, MU1))	6.0 or 8.0[8]	(2x) 4.0	3.3 min or 6.0[9]
Rural (RU1, RU2)	6.0	(2x) 4.0	3.5

Notes:

1. For minimum lot size: V=2,000m2, X=5,000m2, Y=10,000m2, Z=20,000m2 and above
2. For a single allotment. Long (over 30m) or bent handles may require greater widths for passing
3. Each handle width for two adjoining lot handles, with a single driveway covered by a full-width reciprocal ROC.
4. For single lane. Note: concrete wheel strips can be provided for residential
5. Three metres (x2) permits vehicle passing within a combined 6m width.
6. Where lots are >600m2 (excluding handle), OR having potential for further subdivision or additional dwellings, adopt 3.5m each. For single handle widen to 6m if 600m2 or greater
7. Where lots have potential for high density development with regular traffic movements, adopt 5.5m, preferably as two carriageways with a 400mm grassed separation.
8. Increase to 8m where regular two-way conflict is likely.
9. Generally for one-way or minor two-way movements with “give-way”. For two-way movements with regular traffic conflict 6.0m min should be provided.

5.3. Residential Subdivision

Except where otherwise stated, this section applies to the following land zonings under the MLEP2011:

- R1 – General Residential
- R5 – Large Lot Residential

5.3.1. Lot Size and Dimensions

Objectives

O.30 To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.

O.31 To ensure that lot shape, orientation and dimensions provide for adequate separation between adjoining residential developments for privacy and to maximise solar access for future dwellings.

O.32 To encourage a variety of lot sizes, types and design to promote housing choice, create compact settlements, attractive streetscapes, enhanced walkability and distinctive character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.30 • O.31	All lots must provide a sufficient area and suitable shape for its future use, and is to consider: • solar access, • access and parking, • location of ancillary buildings such as garages and sheds, • vegetation retention, • APZ's, and • soil conditions.
PC.2 • O.30 • O.31 • O.32	New residential lots are to comply with **Table 5.2** below.

Table 5.2: Minimum Lot Dimensions

MINIMUM LOT SIZE (UNDER MLEP 2011)	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH
450m² or greater	12.5m	25m
300m² and less than 450m² (Clause 4.1A)	8m	25m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Notwithstanding the minimum dimensions specified in **Table 5.2**, the minimum lot size under the MLEP 2011 must be achieved. **Note:** For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation.
AS.1 • O.30 • O.31 • O.32	Lots should be rectangular in shape and should generally have a width to depth ratio aligning with **Table 5.3** below. Generally accepted variations on a rectangular shape are parallelogram, trapezoidal and rhombus configurations. **Table 5.3: Lot Width to Depth Ratios** **MINIMUM LOT SIZE (UNDER MLEP 2011)** / **LOT WIDTH TO DEPTH RATIO** **450m² or greater** / 1:2 to 1:3 **300m² and less than 450m² (Clause 4.1A)** / 1:3 to 1:5 Notwithstanding the minimum dimensions specified in **Table 5.3**, the minimum lot size under the MLEP 2011 must be achieved. **Note:** For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation. For the purpose of lots that include on site effluent disposal, a separate disposal area envelope is to be provided in addition to the building envelope.
PC.3 • O.31 • O.32	All lots must include a minimum building envelope that complies with **Table 5.4** below: **Table 5.4: Minimum Building Envelope** **MINIMUM LOT SIZE (UNDER MLEP 2011)** / **MINIMUM BUILDING ENVELOPE** **450m² or greater** / 10m x 15m **300m² and less than 450m² (Clause 4.1A)** / 6.5m x 15m
AS.2 • O.30 • O.31	The building envelope provided under **PC.3** of this section should be located outside of, or in addition to, any constraints and impediments such as front, side and rear setback, easements, buffers, utilities, effluent disposal areas and any required vehicles manoeuvring areas (such as battle axe lots needing to enter and leave in a forward direction).
PC.4 • O.30	Lots must demonstrate adequate vehicle access can be achieved to the lot, in accordance with Council's MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.5

- O.30
- O.31

Development on bends and cul-de-sacs must have a minimum chord length of 10 metres.

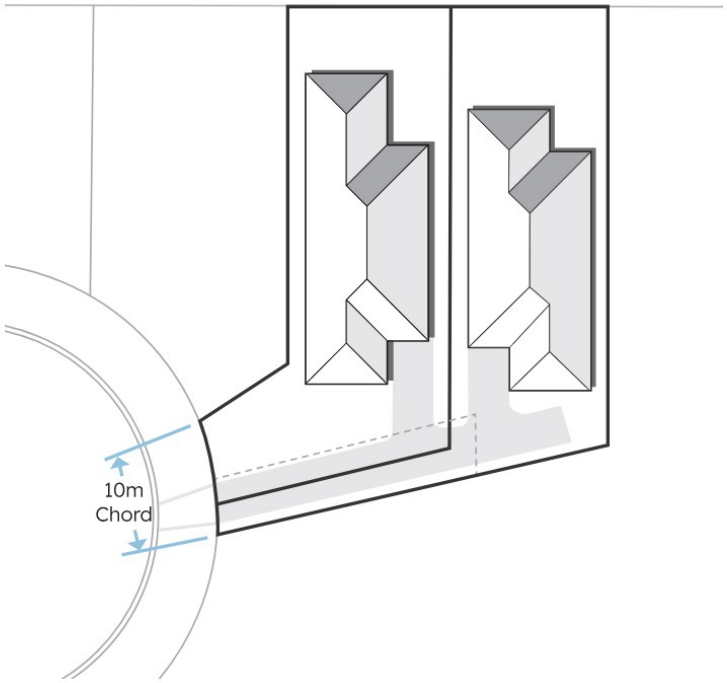


Figure 5-3: Chord length

5.3.2. Solar Access and Energy Efficiency

Objectives

O.33 To encourage the design of residential subdivisions which maximise solar access, allow flexibility in the siting of future buildings to take advantage of a northern orientation.

O.34 To enable lot shape and orientation which facilitates the design and construction of development that is energy efficient, attractive and functional, and environmentally sustainable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.33 • O.34	Where possible, lots should be orientated to provide one axis within 20 degrees east and 10 degrees west of true north. Where a northern orientation of the long axis is not possible, lots must be wider to allow for private open space on the northern side of future dwellings.
PC.1 • O.34	75% of lots in medium and major subdivision are to be aligned with Figure 5-4.

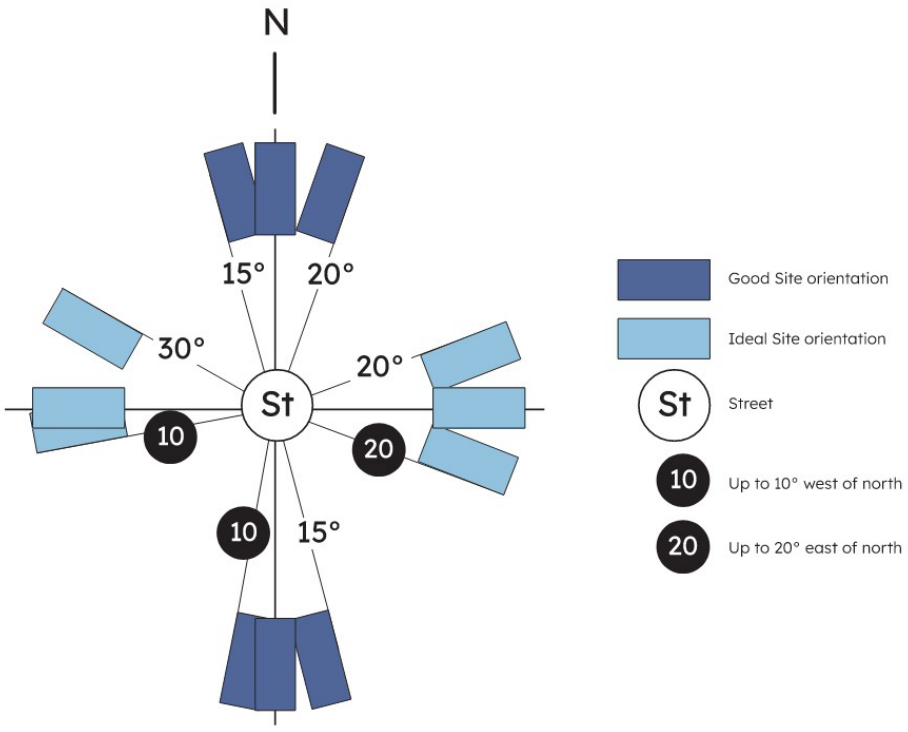


Figure 5-4: Lot Orientation for Optimal Solar Access

Source: https://www.yourhome.gov.au/passive-design/orientation

5.3.3. Street Layout and Block Length

This section only applies to Medium and Major Subdivision in cases where new roads are proposed as part of a subdivision, as defined in **Section 5.1.3**.

Objectives

O.35 To provide diversity of allotments within the streetscape of each street block by dispersing different lot widths to achieve variety and avoid large concentrations of similar housing types in any one area.

O.36 To ensure the design of any proposed residential subdivision considers natural landform features, including outlook and slopes.

O.37 To align street layouts to provide optimised access to public and community facilities, parks and public transport.

O.38 To ensure public infrastructure meets the adopted technical requirements as set out in MoES and other adopted Council policies/plans etc.

O.39 To retain and expand areas of natural habitat, and direct development away from environmentally sensitive areas.

O.40 To provide a simple and safe movement system for private vehicles, public transport, pedestrians and on-road and off-road cyclists.

O.41 To ensure adequate arrangements have been made for suitable vehicular access.

O.42 To improve residential amenity and safety for active transport users, where neighbourhood streets do not operate as through traffic routes for external traffic.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.35 • O.36 • O.37 • O.40 • O.41 • O.42	A proposed street layout must be consistent with any relevant site-specific DCP chapters, structure plans, or area plans.
PC.2 • O.35	The proportion of residential lots in a Medium or Major subdivision of the same lot type width must not exceed 40%. For the purposes of this control, a lot type is primarily determined by the lot frontage, but other variables considered are access and

configuration. Subdivision plans must be accompanied by a lot width table for each street block, which is to include:

- lot type calculations, and
- percentages and numbers within the +/- range of each lot (see note).

Integrated Development Applications for residential subdivisions are exempt from this control. An example of what such a split could look like is provided in **Table 5.5** below.

Table 5.5: Example of Potential Lot Width Split

LOT WIDTH (+/- 1M)	NUMBER OF LOTS	% OF LOTS
22m (21m – 23m)	20	40%
18m (17m – 19m)	16	32%
10m (9m – 11m)	14	28%
Total Lots	50	100%

***Note**: Lot width categories are determined by a range of plus or minus of 1.0m from each and every other lot width. For example, a 15.2m wide lot would count all lots between 14.2m and 16.2m as a same lot type for the purpose of this control.*

PC.3

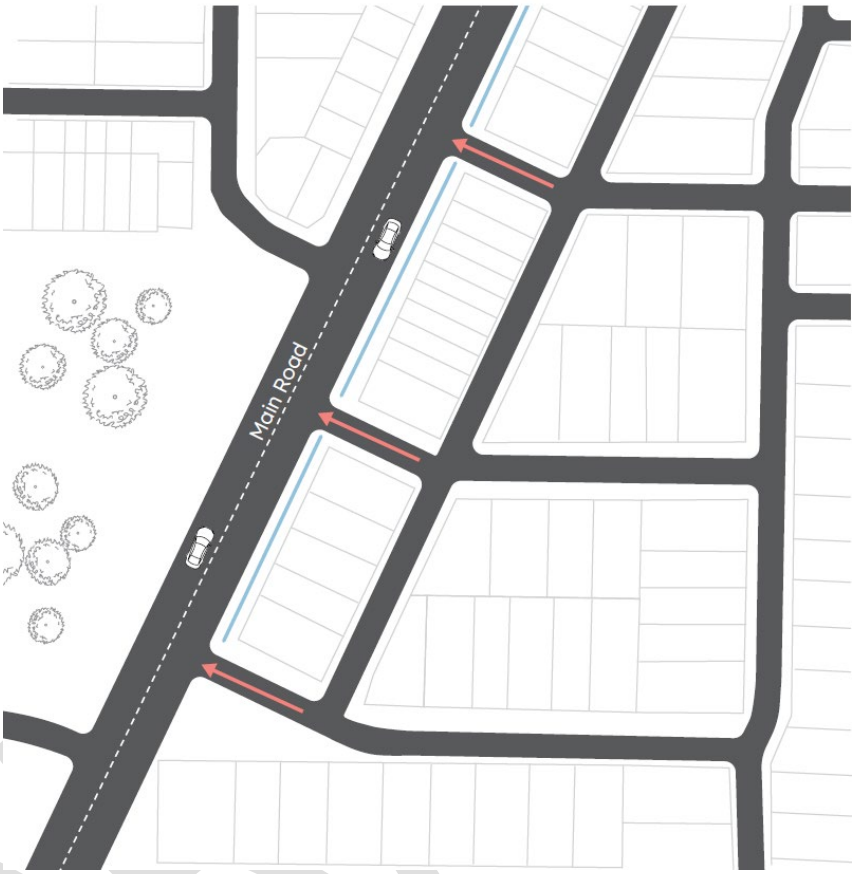
- O.37
- O.38
- O.40
- O.41
- O.42

A trunk road network diagram must be provided which includes a minor and major grid layout in accordance with Council's MoES.

PC.4

- O.38
- O.40
- O.41
- O.42

Roads with 6,000 or greater vehicles per day (vpd) must have denied access for driveways to individual property.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.37 • O.38 • O.40 • O.41	The length of access-denied lot frontages in a subdivision must be limited by providing perpendicular connections to Arterial and Sub-Arterial roads.  **Figure 5-5: Provide perpendicular connections to main roads**
PC.6 • O.36 • O.38 • O.40	**Trunk roads**, including **local collector roads**, must provide direct routes with only minor deflections and curves. Bends, large deflections and significant intersection manoeuvring are not supported. Further information is provided in Document D-Design of Council's MoES.
PC.7 • O.38 • O.39 • O.40	Local collector road connections, including to bushfire and flood perimeter roads, must incorporate **emergency wayfinding** elements (such as signage) and be more conveniently located and driveable than local street connections. **Note:** Examples of emergency wayfinding elements are provided within the glossary.
PC.8 • O.38 • O.40	New residential street blocks are to have a range of block lengths from a 100m minimum to a 240m maximum and must have a maximum **walkable perimeter** of 600m. New residential street blocks must range in length from a minimum of 100 metres to a maximum of 240 metres and have a walkable perimeter not exceeding 600 metres. A

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	walkable or drivable connection—such as a street, laneway, or shared path—must be provided at intervals of no more than 300 metres to support permeability and connectivity
AS.1 • O.37 • O.38 • O.42	Street block lengths should decrease when close to public transport, around activity centres, and nodes of interest, such as open space and recreation areas.
AS.2 • O.42	A walkable or drivable connection is to be provided every 300m.
PC.9 • O.37 • O.38 • O.40 • O.41	Excluding cul-de-sacs, street networks are to have a minimum of two vehicle route options to enter and exit into the wider road network. 

Figure 5-6: Street networks and route options

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.36 • O.39	Residential subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries 'Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)' applies. **Note:** Depending on a site's specific context and environmental constraints, a series of other state government buffers may apply to a site.
PC.11 • O.36 • O.37 • O.38 • O.41	Roads are to be orientated as follows: a. **Trunk roads** must create direct and convenient routes along **desire lines** and optimised public transport network creation, b. **Local streets** that are of a slope gradient 6% or greater are to run perpendicular to the slope contour. c. All other local streets are to be orientated in accordance with the remainder of this Section.
PC.14 • O.37 • O.38 • O.41	Subdivisions must not include more than 700m vehicle travel distance on the low-speed (≤50 km/h) local street network between any lot and a trunk road. **Note:** A **trunk road** is classified as a **Local-Collector** or higher order road under Council's MoES.
AS.3 • O.37 • O.38 • O.41	To improve wayfinding and legibility alongside reducing speeding, the road network of a subdivision should employ no more than 3 turns or 3 different local streets between any lot and a trunk road.
PC.15 • O.42	Shortcutting or rat running through local street is to be minimised by: a. Identifying likely rat-running routes and keep convenient through-connections at right angles rather than parallel to the rat run, and b. Using alternating intersection priorities and/or off-set intersections

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.4

- O.36
- O.37
- O.38
- O.41

Cul-de-sacs should be avoided. Where it is clearly demonstrated that no alternative option exists to integrate the road into a connected loop, cul-de-sacs must:

a. Incorporate a minimum lot frontage of 10m on the cul-de-sac head/chord and insure adequate space for driveways, utilities and bin collection,
b. Be limited to a maximum length of 80m, OR terminate at a full bulb width on an adjoining road and satisfy the walkable perimeter distance,
c. Not create a need for narrow pathways (pedestrian/stormwater alley),
d. Include the minimum building envelope dimensions plus the appropriate zone setbacks, and
e. Include wayfinding measures (such as signage) and direct sightlines from the intersection to bulb.

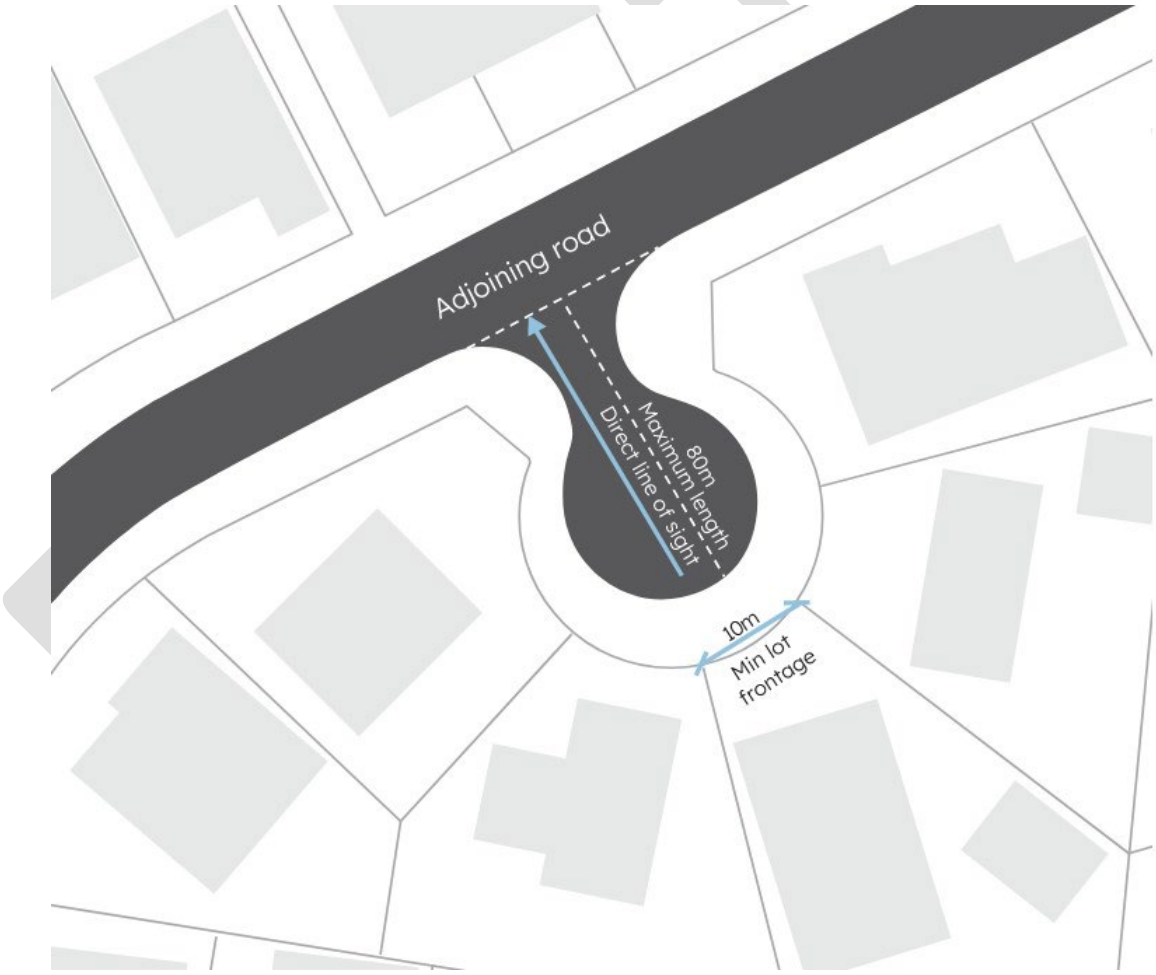


Figure 5-7: Cul-de-sac design criteria

5.3.4. Active Transport Networks

Except where otherwise stated, this section only applies to Medium and Major Subdivision, as defined in **Section 5.1.3**.

Objectives

O.43 To provide acceptable levels of access, safety and convenience for all active transport, such as pedestrians and cyclists.

O.44 To ensure local streets are well-connected to an active transport network.

O.45 To ensure residential street and path design creates safe pedestrian and cyclist routes that connect to adjoining streets, schools, open spaces and activity centres in accordance with MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.43 • O.44 • O.45	Footpaths and cycleways are to be located, designed and constructed in accordance with Council's MoES, Urban Release Area Structure Plans, and any other adopted Council plans/policies, and in view of streets wherever possible to allow surveillance.
PC.2 • O.43 • O.44 • O.45	Footpath and cycleway networks must create permeable connected systems to provide links to schools, community facilities, public transport, and other **activity centres**.
PC.3 • O.45	**Shared pathways** must provide direct linkages to public areas of interest, particularly recreation areas, activity centres, schools, commercial areas, and movement networks.

5.3.5. Open Space and Recreation

Objectives

O.46 To provide sufficient local open space that is primarily for the active and passive recreational needs of residents.

O.47 To enhance the appearance and amenity of urban development through integrated open space.

O.48 To encourage the use of drought resilient practices in open space maintenance, such as recycled water networks.

O.49 To ensure that public open space of appropriate quantity and quality is provided in order to meet the recreational and social needs of the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.46 • O.49	The number, size and location of open space, local parks and recreation facilities must be consistent with Council's requirements, Council's *Community Infrastructure Strategy* and the relevant Section 7.11 Contributions Plan. **Note:** Sites which are developed outside of an applicable s7.11 Contributions Plan that does not provides size, location, and costing for recreational open space shall be assessed on a case-by-case basis.
AS.1 • O.47	Public open space within a subdivision should form part of a pedestrian/cycleway network that connects residential areas and other facilities.
AS.2 • O.46 • O.48 • O.49	Public open space areas should be functional, well-located and distributed appropriately throughout the subdivision to maximise accessibility and provide for passive and active recreational opportunities. Generally, at least 80% of residential lots should be within 400m of the nearest public open space area.
PC.2 • O.48	Residential subdivision within 3km of a Water Treatment Plant are to connect open space and recreation facilities to recycled water networks to improve drought resilience and limit the use of drinking water for care and maintenance purposes.
AS.3 • O.47	All open space should be edged with a public street or public footpath with dwellings addressing the space.
PC.3 • O.47	Public open space must be designed with consideration given to Crime Prevention Through Environmental Design (**CPTED**) principles. **Note:** Controls for CPTED consideration are provided under Section 3.7 of Chapter 3: Site Requirements.
PC.4 • O.47	Fencing must be provided for residential lots where the lot adjoins public reserves or infrastructure. Council may require that the fencing be of open style/pool style depending on the topography and landscape character of the adjoining reserve. Where open style fencing is provided, the landscape design will need to demonstrate that the location of plantings is adequate to ensure a suitable level of privacy for the adjoining residential lots, reduce the visual impact of the fencing and improve the landscape quality of the reserve.

5.3.6. Entry Features

Excepting PC.1 in this section, the following controls only apply to Major residential subdivisions, as defined in **Section 5.1.3**.

Objectives

O.50 To consider the potential cumulative visual impacts of entry features.

O.51 To regulate entry feature locations, sizes, and life spans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51	Entry features must only be provided in conjunction with Major residential subdivisions i.e. 50 lots or more.
PC.2 • O.51	Entry feature locations must be identified within the Development Application for a subdivision.
AS.1 • O.50 • O.51	Entry features without additional assessment are limited to a size of 20m^2, with a maximum height of 4m. If the proposed entry feature is in exceedance of these dimensions, a Visual Impact Assessment must be prepared which includes a **view analysis** and assessment of the entry feature.
PC.3 • O.51	Entry features must only be located on private land.
PC.4 • O.50 • O.51	Entry features must not impede on vehicle sight lines.

5.4. Rural Subdivision

This section specifically applies to the following land zonings under the MLEP 2011:

- RU1 – Primary Production
- RU2 – Rural Landscape
- C3 – Environmental Management
- C4 – Environmental Living

Objectives

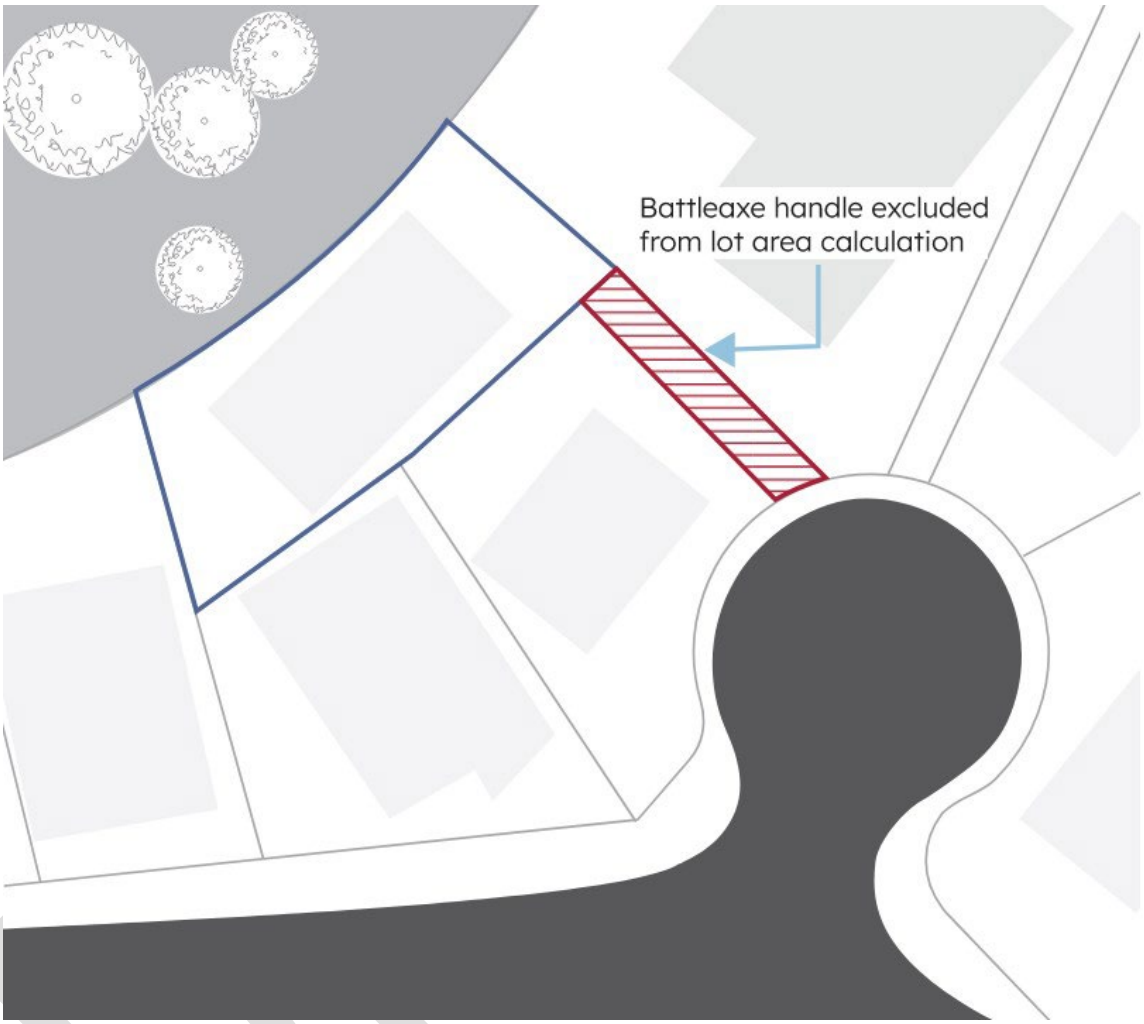
O.52 To protect productive agricultural land and avoid fragmentation of rural land.

O.53 To ensure subdivisions are designed to maintain and enhance the rural character and scenic landscape of the Maitland LGA, particularly in low lying areas and valleys which may be viewed from above.

O.54 To limit the extent and intensity of rural subdivision within hazardous flood areas, including floodways.

O.55 To ensure rural allotments are of sufficient size, shape, and servicing to cater for a range of rural land uses and to minimise potential land use conflicts within rural / non-urban zones or other adjoining zones.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTION	
PC.1 • O.52 • O.53 • O.54 • O.55	Where a rural subdivision is proposed with part of the existing lot affected by flood prone land, all proposed lots must have a suitable building envelope. This envelope must: a. Be above the 1% AEP flood standards, b. Be of sufficient size to allow development of improvements, with any required effluent disposal area, c. Have a minimum boundary length of 20m on each side, d. Be free of **environmentally significant features,** e. Provide an area for flood refuge of livestock and agricultural plant and equipment, and f. Have flood safe access to a public road.
PC.2 • O.53	Any Medium or Major subdivision on rural or environmentally zoned land must be designed to avoid clearing of vegetation and is to provide a VIA to assess impact on views and vistas from areas external to the site.
PC.3 • O.55	An adequate level and type of utility service is to be provided and identified on the subdivision plan, with details of how those services will be provided to each lot.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTION	
PC.4 • O.55	When calculating the area of battle-axe allotments, the area of the access handle must be excluded from the area calculation.  **Figure 5-8: Battle-axe handle calculation exclusion**
AS.1 • O.53	Fencing should make a positive contribution to the visual appearance of the development. Fencing must be unobtrusive with the rural character and of a rural post and rail.
PC.5 • O.55	The subdivision design must provide a safe vehicle access to each proposed allotment, with adequate sight distances in both directions, as according to Council's MoES.
AS.2 • O.55	Street layout should be consistent with any relevant site-specific DCP chapters, structure plans, and area plans.

5.5. Industrial and Commercial Subdivision

This section specifically applies to the following land zonings under the MLEP 2011:

- E1 – Local Centre
- E2 – Commercial Centre
- E3 – Productivity Support
- E4 – General Industrial
- MU1 – Mixed Use

Objectives

O.56 To encourage industrial and business development for employment generating zones by providing a variety of lot sizes for development opportunities.

O.57 To ensure that development sites have sufficient area and dimensions to provide adequately for access, landscaping and building separation.

O.58 To provide for infrastructure and services in a cost effective and efficient manner, consistent with the operational needs of industrial and commercial users.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.57	Industrial and commercial lots should generally be of rectangular shape, with a depth to frontage ratio between 2:1 and 3:1.
AS.2 • O.56 • O.57	Street block lengths should be a maximum of: a. 100m for commercial subdivisions in E1, E2, and MU1 zones. b. 230m for commercial subdivisions in E3 and E4 zones, and c. 250m for industrial subdivisions. Block lengths in excess of the above may be considered where pedestrian connectivity, desire lines, and traffic calming objectives are achieved.
PC.1 • O.57 • O.58	The design of the subdivision must allow for the largest vehicles anticipated to have access to the subdivision, including forward entry and exit.
PC.2 • O.57	Corner lots must have 8.0m x 8.0m splays.
PC.4 • O.58	Footpaths and cycleways are to be located, designed and constructed in accordance with Council's MoES, Urban Release Area Structure Plans, and any other adopted Council plans/policies, and in view of streets wherever possible to allow surveillance.