



## Part 3 Subdivision

### Explanatory outline

Part 3 specifies outcomes, design guidelines and other requirements for the subdivision of land in both urban and rural areas.

Note: this Part does **not** apply where approval is sought by way of a complying development certificate (under *SEPP (Exempt and Complying Development) Codes 2008*). In such cases, the criteria under that SEPP will apply instead.

### 3a Subdivision

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#### 3a.1 Application of this Part

This Part applies to development described in Column 1 when carried out on land described in Column 2.

Column 1:	Type of development	Column 2:	Applicable land
	Subdivision of land		Any land

#### 3a.2 Relevant planning instruments, legislation, policies & strategies

The following environmental planning instruments or other legislation are relevant to development to which this Part applies:

- *Upper Hunter Local Environmental Plan 2013*
- *Local Government Act 1993*
- *Rural Fires Act 1997*
- *Roads Act 1993*
- *Conveyancing Act 1919*
- *Crown Land Management Act 2016*
- *Strata Schemes Development Act 2015*
- *Community Land Development Act 1989*

Further planning instruments and legislation may also be relevant. In the event of any inconsistency, the above listed instruments will prevail over requirements or criteria contained in this Part.

### 3a.3 Definitions

There may be words used in this Part that are defined in the *Environmental Planning and Assessment Act, 1979*, as amended, or within *Upper Hunter Local Environmental Plan 2013*, as amended. The Dictionary to this DCP provides additional definitions that are relevant to this Part.

### 3a.4 Objectives

The objectives of this Part are to:

1. establish a consistent and coordinated approach to the creation of residential, rural residential, rural, commercial and industrial lots throughout the Upper Hunter LGA;
2. ensure that all subdivisions and the potential impacts of such subdivisions and subsequent development take account of the principles of environmental sustainability;
3. encourage solar efficient subdivision designs that will assist in ensuring that subsequent development is significantly more energy efficient than conventional development;
4. ensure that rural subdivision reinforces the rural character of the Upper Hunter LGA;
5. facilitate subdivision forms which have the effect of minimising environmental degradation;
6. ensure that subdivision and housing take account of physical constraints relating to flooding, landslip, bush fire, contaminated land, salinity etc;
7. ensure all proposed lots are physically capable of suitable development;
8. ensure that each lot is provided with an appropriate level of amenity, service and access;
9. ensure logical, efficient and orderly development of infrastructure;
10. ensure subdivision proposals integrate with other adjoining and nearby existing and planned land uses; and
11. discourage the removal of prime agricultural land from agricultural production and to prevent adverse impacts upon the viability of established or potential agricultural activities.
12. facilitate the supply of residential and industrial lots of a wide range of sizes and shapes; and
13. provide for effective and efficient management of common or shared facilities.

### 3a.5 Developer Contributions

Sections 7.11 and 7.12 of the *EP&A Act* permits Council to levy certain developer contributions towards the cost of facilities and amenities in the LGA. These are applicable to most types of subdivision.

This contribution may be a financial contribution, dedication of land and/or provision of a material public benefit made by a developer to provide for or upgrade public services or facilities for which the development is likely to create a demand.

Details relating to the amount of a monetary contribution, other forms it may take and when the contribution is required are contained in:

- *Upper Hunter Shire Council Section 94 Contributions Plan 2017*



- *Upper Hunter Shire Council Section 94A Contributions Plan*

Depending upon the likely demand for public services or facilities that a development proposal is likely to generate, Council may also require preparation of a specific Contributions Plan, or may enter into a Voluntary Planning Agreement with the developer prior to determining a particular development proposal.

Similar contributions for water and sewer services are collected under *Section 64* of the *Local Government Act* and are detailed in Council’s *Development Servicing Plan for Water Supply & Sewerage 2016*.

### 3a.6 Relationship to engineering specifications

The *Upper Hunter Engineering Guidelines for Subdivisions and Developments*, as amended, may be relevant to the development, depending on its circumstances.

Some specifications are referenced throughout this part and may be relevant to the development, depending on its circumstances.

Where there is an inconsistency between the DCP and the *Guidelines*, the provisions of this DCP will prevail.

### 3a.7 Supporting plans & documentation

Development applications that are subject to this Part should be supported by the following plans and documentation.

Sufficient engineering analysis and design shall be required by Council at the development application stage to demonstrate the feasibility of the development. More detailed engineering designs will be required at the Subdivision Works Certificate stage.

Item	When required	Plans or information to be provided
<b>A. General requirements</b>	All applications	Refer to Part 2 <b>Preparing &amp; lodging a development application</b> .
<b>B. Subdivision plan</b>	All applications	Plan prepared by a suitably qualified professional showing: <ul style="list-style-type: none"> <li>• land title details</li> <li>• configuration, boundary dimensions and site area of all proposed allotments</li> <li>• water, sewage, electricity and telephone services</li> <li>• points of entry and exit for each lot</li> <li>• proposed method of stormwater disposal</li> <li>• Proposed new roads (if any) where site gradients are greater than 15%, provide details of gradients of any new roads</li> <li>• site analysis including environmental constraint areas, zone boundaries, usable land area (if applicable) and extent of existing vegetation</li> <li>• proposed development and indicative 'building envelope' on each new lots, showing that there is a sufficient area to place a future dwelling and its associated infrastructure (such as on-site effluent disposal area)</li> </ul>



Item	When required	Plans or information to be provided
<b>C. Zone MU1 Mixed Use Masterplan</b>	All applications within or partly within Zone MU1 Mixed Use	<ul style="list-style-type: none"> <li>• location and current use of existing buildings</li> <li>• contour information and relative levels for both the subject site (and in urban areas, adjacent streets and footpaths)</li> <li>• location and current use of buildings on adjoining sites that are likely to be affected by the development</li> <li>• arrangements for provision or amplification of utility services</li> <li>• conceptual drawings indicating proposed infrastructure including roads, drainage, water, sewage and earthworks (sufficient to allow assessment of the practicality of these works).</li> </ul> <p>An indicative plan must be prepared for the site, and any adjoining land in the same ownership, showing:</p> <ul style="list-style-type: none"> <li>• likely future uses</li> <li>• location of future buildings and structures</li> <li>• proposed vehicular access</li> </ul> <p>on each lot.</p> <p>Depending on the site, Council may require other information to be provided in this Masterplan. This should be discussed early with Council officers.</p>
<b>D. Zone E1 Local Centre Masterplan</b>	Applications within or partly within Zone E1 Local Centre, as required by Council	<p>An indicative plan must be prepared for the site, and any adjoining land in the same ownership, showing:</p> <ul style="list-style-type: none"> <li>• likely future uses</li> <li>• location of future buildings and structures</li> <li>• proposed vehicular access</li> </ul> <p>on each lot.</p> <p>Depending on the site, Council may require other information to be provided in this Masterplan. This should be discussed early with Council officers.</p>
<b>E. Draft 88B instrument</b>	All subdivisions (where relevant)	Must include the terms of the 88B instrument (including maintenance responsibilities) and restrictions as to user in relation to any proposed right of carriageway.
<b>F. Community title subdivision</b>	All applications for community title subdivision	Draft Management Statement
<b>G. Engineering drawings</b>	As required by Council	<p>Preliminary engineering drawings of the work to be carried out, indicating general compliance with the relevant provisions of Council's current <i>Upper Hunter Engineering Guidelines for Subdivisions and Developments</i>, as amended. Design details for access roads may be required during DA assessment.</p> <p>Council will require design documentation to be certified by a suitably qualified person as being in accordance with relevant provisions within <i>Upper Hunter Engineering Guidelines for Subdivisions and Developments</i>, as amended.</p>

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Item	When required	Plans or information to be provided
<b>H. Sustainability assessment</b>	All applications to subdivide land into 3 or more lots	Report, prepared by a suitably qualified professional, addressing the requirements of Part 1f <b>Sustainability</b> .
<b>I. Servicing strategy</b>	All applications Required prior to the release of the subdivision certificate	Provide evidence of satisfactory arrangements for the provision of the following services to the development: <ul style="list-style-type: none"> <li>reticulated water or on-site water supply</li> <li>reticulated sewerage or on-site waste water management. (see the provisions of Part 11g <b>On-site waste water management</b>).</li> <li>electricity</li> <li>telecommunications</li> </ul> Please discuss site-specific requirements with council officers.
<b>J. Visual impact assessment</b>	Applications for subdivision of visually sensitive or prominent areas, in the opinion of Council	Plan and report, prepared by a suitably qualified professional, showing how the proposal responds to the ' <b>Outcomes to be achieved</b> ' for <b>Visual Amenity</b> in this section.
<b>K. Due Diligence Assessment Report</b>	Subdivision of land where subdivision work is required.	In accordance with the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> (NSW Department of Environment, Climate Change and Water, 2010) or relevant updated version.
<b>L. Heritage, aboriginal cultural heritage or archaeological plans &amp; reports</b>	Applications that will potentially impact on land that is listed as or contains: <ul style="list-style-type: none"> <li>a heritage item</li> <li>a heritage conservation area</li> <li>an archaeological site</li> <li>an Aboriginal object</li> <li>an Aboriginal place of heritage significance</li> </ul> As required under part 9 <b>Heritage</b>	Include the matters required under part 9 <b>Heritage</b>
	In addition, for applications for subdivision of, or adjacent to, a heritage item	A Curtilage Study, prepared by a professional heritage consultant listed on the Heritage NSW website, including: <p>Maps showing:</p> <ul style="list-style-type: none"> <li>the location(s) of the heritage item(s)</li> <li>the curtilage(s) of the heritage item(s)</li> <li>the existing and proposed property boundaries and any easements</li> </ul> A report including: <ul style="list-style-type: none"> <li>the significance of the item(s)</li> <li>the implications of the current and proposed curtilage(s)</li> </ul>



Item	When required	Plans or information to be provided
<b>M. Soil &amp; water management reports</b>	Applications for which soil and water management plans or reports are required (refer to section <b>11f Soil &amp; water management</b> )	Applicable soil and water management plans or reports, as specified in section <b>11f Soil &amp; water management</b> . These could include: <ul style="list-style-type: none"> <li>• cut and fill details.</li> <li>• erosion and sediment control plan (ESCP)</li> <li>• erosion and sediment control strategy (ESCS)</li> <li>• soil and water management plan (SWMP)</li> <li>• comprehensive water cycle strategy (CWCS).</li> </ul>
<b>N. Geotechnical hazard &amp; salinity assessment</b>	Applications potentially subject to geotechnical hazards (refer to section <b>10c Geotechnical hazard</b> )	Include the matters required under section <b>10c Geotechnical hazard</b> .
	Applications on land mapped or otherwise identified as of Very High/High to Moderate salinity risk in Hydrogeological Landscapes (HGL) mapping by the NSW Department of Planning, Industry & Environment (Nicholson 2021)	Provide a salinity investigation report and other relevant requirements as specified in section <b>10c Geotechnical hazard</b> .
<b>O. Mine subsidence</b>	Applications within a proclaimed Mine Subsidence District	Include the matters required under part <b>10d Mine subsidence</b>
<b>P. Flooding information</b>	Applications that relate to flood prone land	Include the matters required under section <b>10a Floodplain management</b> .
<b>Q. Bushfire assessment report</b>	Applications that relate to Bush Fire Prone Land	Prepare a Bushfire Assessment Report in accordance with the current version of <i>Planning for Bush Fire Protection</i> , as specified in section <b>10b Bushfire risk</b> .
<b>R. Vegetation (including trees) reports</b>	Applications affecting vegetation (including trees), as specified in section <b>11a Vegetation (including trees)</b> .	Applicable reports or plans, prepared by a suitably qualified person, as specified in section <b>11a Vegetation (including trees)</b> . These must be consistent with other elements of the development application, including Site plans, Bushfire assessment report and Landscaping plans. Depending on the site circumstances, these may include: <ul style="list-style-type: none"> <li>• written description and plans</li> <li>• arborist's report</li> <li>• ecological report</li> <li>• heritage report</li> <li>• safety or biosecurity risk report</li> </ul>



Item	When required	Plans or information to be provided
<b>S. Biodiversity and native vegetation reports, plans or assessments</b>	<p>Applications for which biodiversity and/or native vegetation reports, plans or assessments are required (refer to section <b>11b Biodiversity conservation</b>)</p> <p>These will be required for development on land with high biodiversity values, or proposals that require significant disturbance to, or clearing of, native vegetation or potential habitat for native species.</p>	<p>Applicable reports, plans or assessments, prepared by a suitably qualified person, as specified in section <b>11b Biodiversity conservation</b>. These may include:</p> <ul style="list-style-type: none"> <li>• Native vegetation clearing threshold report, and/or</li> <li>• Biodiversity (flora &amp; fauna) assessment report, and/or</li> <li>• Biodiversity development assessment report (BDAR), and/or</li> <li>• Biodiversity management plan, and/or</li> <li>• Biodiversity offset information, strategy or plan</li> </ul>
<b>T. Landscape plan</b>	<p>Applications that include new public roads or public open space</p>	<p>Plan and report, prepared by a suitably qualified professional, showing:</p> <ul style="list-style-type: none"> <li>• description of ground preparation and on-going maintenance of landscaping</li> <li>• location and species of trees and shrubs to be retained or removed.</li> <li>• schedule of plantings, cross-referenced to the site plan indicating species, massing and mature height.</li> <li>• details of restoration and treatment of earth cuts, fills, mounds, retaining walls, fencing and screen walls.</li> <li>• consistency with any requirements required in sections <b>11a Vegetation (including trees)</b> and/or <b>11b Biodiversity conservation</b></li> </ul>
<b>U. Access &amp; parking plans &amp; reports</b>	<p>Applications that raise significant access or parking issues.</p>	<p>Include the matters required under section <b>12a Access &amp; vehicle parking</b>. Actual requirements will depend on the expected level and type of traffic generation.</p>
<b>V. Onsite sewage management report</b>	<p>Applications for land that will not be serviced by reticulated sewer.</p>	<p>Include the matters required under section <b>11g On-site sewage management</b></p>
<b>W. Traffic impact assessment</b>	<p>Developments listed under Clause 2.122 and/or Schedule 3 of <i>SEPP (Transport and Infrastructure) 2021</i> that require concurrence from the Roads and Maritime Services (RMS). Such developments include subdivisions:</p> <ul style="list-style-type: none"> <li>• located within 90m of a classified road or that connect directly to a classified road,</li> </ul>	<p>The Traffic impact assessment is to be prepared by a suitably qualified and experienced traffic engineer and demonstrate compliance with the NSW Roads and Maritime Service's <i>Guide to Traffic Generating Development and SEPP (Transport and Infrastructure) 2021</i>.</p>



Item	When required	Plans or information to be provided
	<ul style="list-style-type: none"> <li>of more than 200 lots.</li> <li>Where specific site related conditions present the need.</li> </ul>	
<b>X. Walk and cycle plan</b>	Major urban subdivisions, as required by Council	Plan and report, prepared by a suitably qualified professional, showing the location and linkages of walking and cycling infrastructure, especially in consideration of the location and connection to existing and future infrastructure shown in <i>Upper Hunter Bicycle Plan 2015</i> .
<b>Y. Public transport plan</b>	Applications that require the need for public transport design, as required by Council	<p>Include the matters required under <b>P - Public Transport</b> in section <b>3a.8 Assessment criteria - Movement &amp; access networks</b>.</p> <p>Actual requirements will depend on the size and location of the subdivision.</p>
<b>Z. Crown Road consent</b>	Where the development is proposed to open, close or use a Crown Road	The written consent of the NSW Department of Planning, Industry and Environment (Crown Lands) (or relevant organisation) to the making of the development application
<b>AA. Property Management Plan</b>	Applications for rural subdivision pursuant to <i>Upper Hunter Local Environmental Plan 2013 Clause 4.2 Rural Subdivisions and Clause 4.2A Exceptions to minimum subdivision lot sizes for certain rural subdivisions</i>	<p>A report, prepared by a suitably qualified person, which includes the following:</p> <ul style="list-style-type: none"> <li>details of the most suitable agricultural uses for the site taking into account soil type, agricultural land classification, slope, pasture/grass type, drainage characteristics of the site, microclimate and proximity to dwellings on adjoining lands</li> <li>the agricultural use to be undertaken on each proposed lot</li> <li>the nomination of an agricultural envelope within each lot which demonstrates that sufficient land is available for the nominated agricultural use for that lot. The agricultural envelope shall exclude areas of the site required for boundary setbacks, services (including on-site wastewater disposal), drainage and other infrastructure and the like</li> <li>evidence that the lots are large enough to prevent the onset of rural land use conflict by way of odour, spray drift etc from the proposed agricultural use</li> <li>the source of water supply for the use</li> <li>Economic Feasibility Assessment of the intended agricultural uses on each of the lots, including vision and goals for the property and its resources and the farm business enterprise</li> <li>evidence that the use of the land, including storage of equipment, will be satisfactory from a security perspective if the lots do not have a dwelling to provide supervision.</li> </ul>





Item	When required	Plans or information to be provided
		The following publication may assist: Department of Primary Industries (2012) <i>A Practical Handbook: Property Planning</i> , Department of Primary Industries, Tocal.
<b>AB. Contaminated Site Investigation Report</b>	All applications	Include the matters required under part 10e <b>Land contamination</b>

**3a.8 Assessment criteria**

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

## Part 3 Subdivision



This section is structured in the following way:

<b>1. Subdivision layout and general design</b>	
A	Subdivision purpose & general considerations
B	Adjoining development
C	Lot size, shape & orientation
D	Visual amenity
E	Natural site features
F	Biodiversity
G	Vegetation (including trees)
H	Natural hazards
I	Landform modification
J	Heritage
<b>2. Movement &amp; access networks</b>	
K	Street / road network
L	Vegetation in road reserves
M	Crown roads
N	Future road widening & upgrading
O	Access to lots from public roads
P	Public transport
Q	Pedestrian & cyclist access
<b>3. Infrastructure</b>	
R	General
S	Water supply
T	Reticulated sewerage
U	On-site waste water management
V	Stormwater management
W	Street lighting
X	Electricity & telecommunications
Y	Public open space
<b>4. Strata and community title subdivision</b>	
Z	Management of strata and community subdivision

Within each topic listed above, specific provisions may be given for the following *Upper Hunter Local Environmental Plan* land use zones:

- Rural & Environmental (Zones RU1 & C3)
- Residential & Village (R1, R5 & RU5)
- Employment (E1 or E4) or Mixed Use MU1



## Outcomes to be achieved

## Design guidelines

### 1. Subdivision layout & general design

#### A. Subdivision purpose & general considerations

- The subdivision pattern will accommodate future and existing structures and be suitable for appropriate likely future land uses and site activities.
  - The subdivision proposal responds to the existing site attributes and constraints.
  - In or adjoining rural zones, the subdivision proposal minimises the impact on future agricultural viability of adjoining rural land.
- In Zone MU1 Mixed Use, and in some instances in Zone E1 Local Centre, a Masterplan will be required to indicate the likely future uses and structures to be placed on the site (see information requirements above)

#### B. Adjoining development

- The design and layout is compatible with adjoining or nearby development, especially in relation to:
    - possible land use conflicts
    - the need for any buffer areas or separation distances
    - heritage conservation
    - primary production
    - public open space (such as potential security, surveillance and visual amenity issues)
    - industrial uses
    - mining or extractive industries
    - significant public infrastructure facilities including waste water treatment plants, waste disposal facilities, water treatment plants and recycling facilities and electricity generating facilities.
    - noise
    - salinity and groundwater impacts
  - Adequate buffer areas or separation distances are provided between the proposal and adjoining areas, considering likely future land uses on the development site. responding to part 11i **Buffer areas & separation distances**)
  - Where relevant, the proposal meets the provisions of parts:
    - 13a St Aubins Estate, Scone
    - 13d Scone Memorial Airport
    - 13e Hunter Valley Equine Precinct
    - 13f Scone Bypass
- Future land uses on **Industrial** subdivision should be compatible with adjacent commercial and/or residential areas. The applicant may be required to indicate how the industrial land will be developed and also show the location of landscaping, building and other site planning techniques with the aim of minimising impact on adjoining commercial and or residential uses.

#### C. Lot size, shape & orientation



## Outcomes to be achieved

## Design guidelines

- Each lot in the proposal has a sufficient size and shape to:
  - accommodate future and existing structures
  - accommodate anticipated site activities, including private open space for residential subdivisions
  - allow sufficient off-street car parking and access for vehicles
  - allow the provision of infrastructure
  - maximise solar access, summer shade and thermal comfort for residents of future dwellings
  - minimise the impact on watercourses
  - minimise land degradation
  - provide for effective management of salinity hazards

*Note: Minimum lot sizes are specified in Upper Hunter LEP 2013 clause 4.1 and associated series of Maps 'Lot size'.*

### Rural & Environmental (Zones RU1, RU4, C3)

- Each lot must be configured to promote sustainable primary production.

- Long, narrow lots are not permitted
- Each lot in the proposal should be able to accommodate a building envelope of 1 hectare, with a minimum dimension of 40 metres. Building envelopes should be located a minimum of 10m from significant trees and other significant vegetation or landscape features. The building envelope should contain an area for a future dwelling house, outbuildings, landscaping and onsite effluent disposal.

### Residential & Village (R1, R5 & RU5)

- For proposals of **3 or more lots**:
  - the new residential subdivision lots are to have at least two major boundaries oriented within 10 degrees of true north, south, east or west to facilitate future building orientation that optimises solar access.
  - Lots facing east-west oriented streets are to have a minimum 25m frontage and lots in north-south oriented streets are to have a frontage of between 15m to 20m.

*(NB these are also specified in **Part 3 Sustainability Table 1: Sustainability analysis considerations**)*

- For proposals of **more than 10 lots**:

- Each lot within the proposal should:
  - have a minimum width of 20 metres at the building line (lots which front a cul-de-sac head should have a minimum frontage of 10 metres) with the exception of battleaxe shaped lots.
  - be not less than 20 metres in depth
  - be able to accommodate a building envelope of 200 m<sup>2</sup> with a minimum dimension of 10 metres and to allow the construction of a dwelling with a maximum cut or fill of 1 metre from natural ground level
- The lot layout (orientation, size and dimensions) should facilitate the future siting of dwellings to take advantage of:
  - micro-climatic benefits;
  - on-site solar access and access to breezes;



## Outcomes to be achieved

- the housing density requirements of Part 4a **Urban Dwellings** must be achieved
- the location of lots nominated for future dual occupancy or multi dwelling housing lots must be shown
- less than 20% of lots in the subdivision must be nominated for future dual occupancy or multi dwelling housing

## Design guidelines

- the local climatic conditions; and
- conservation of non-renewable energy sources
- The width to depth ratio of allotments should not exceed 1:4. If lots are too elongated, land uses in rural or rural-residential areas may be restricted (e.g. the shape of long lots may preclude the establishment of farm dams.)

### Solar access, thermal comfort and lot orientation:

- Roads running east-west are encouraged to facilitate good lot orientation for solar access whilst minimising lot frontage. On roads running north-south, lots may need to be widened to provide for solar access and to prevent overshadowing of dwellings and private open space.
- Residential lots should be orientated to allow the living and private open space areas of future dwellings to be provided with good solar access.
- Staggering of lots and extensive use of landscaping is encouraged to reduce adverse wind impacts and create streetscape variety and interest.
- Take into account the various types of dwellings which may be constructed on each lot. Ensure that potential indoor living and related private open space areas of future dwellings can be orientated to the north. Consider the possible overshadowing impact.

### Battle-axe or 'hatchet' shaped lots should have:

- access handles dimensions meeting the requirements of Table 1: Minimum access handle and sealed driveway widths for residential battle-axe lots
- not more than 3 lots served by a shared private accessway

### Corner allotments should:

- be provided with a building envelope to identify the primary and secondary setbacks.
- nominate a vehicular access point to allow the safety of the access point to be assessed with reference to any nearby intersection

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### Zero lot lines:

- Lots may be created where a building envelope allows for one boundary as a zero lot line boundary. If such a boundary is to be created then satisfactory easements must be provided on the adjoining lot for eave



Outcomes to be achieved	Design guidelines
<p>-----</p> <p><b>Employment Zone E1</b></p> <p>-----</p> <p><b>Employment Zone E4 (General Industrial)</b></p> <p>-----</p>	<p>overhang, drainage, maintenance and any other relevant matter. The subject easement must be registered as a restriction on the title of the burdened lot prior to the issue of any Subdivision Certificate for the land</p> <p>-----</p> <ul style="list-style-type: none"> <li>Each lot in the proposal should have a minimum width of 30 metres at the building line.</li> <li>Each lot be of a sufficient shape and size to allow:                             <ul style="list-style-type: none"> <li>the safe and efficient forward movement of vehicles</li> <li>provision for off-street car parking, deliveries, storage and bin areas, landscaping and boundary setbacks.</li> <li>for likely industrial operations and buildings envisaged for the site</li> <li>possible future expansion of activities on site</li> </ul> </li> <li>If the subdivision involves the creation of a significant number of lots, then provision should be made for a variety of lot sizes, including larger lot sizes.</li> </ul>

**Table 1: Minimum access handle and sealed driveway widths for residential battle-axe lots**

Number of dwelling units	Minimum access handle width	Minimum sealed driveway width	Maximum access handle length
1	4.0m	3.0 m	60 m
2	5 m + widening 2.5m	3.0 m + additional widening of 2.5m is required over the first 6m into the property to allow vehicles to pass so that an entering vehicle does not need to reverse back on to the road. Refer to AS2890.1. Additional width or passing bays may be required where access is to a major road.	
3	6m + widening 2.5m		

Note: Where future development of a lot is likely to involve multi-dwelling housing greater than 10 dwellings/units, greater access way widths should be considered (refer to Section 4a Urban Dwellings)

Outcomes to be achieved	Design guidelines
<p><b>D. Visual amenity</b></p> <ul style="list-style-type: none"> <li>Subdivision proposals are designed so that subsequent development will have minimal impact on significant views and vistas.</li> </ul>	<ul style="list-style-type: none"> <li>Building envelopes, accessways and roads should avoid ridge tops and steep slopes.</li> <li>Subdivision of escarpments, ridges, and other visually interesting places are managed in such</li> </ul>



Outcomes to be achieved	Design guidelines
<ul style="list-style-type: none"> <li>■ Subdivisions are designed to complement the landscape rather than altering the landscape to suit a subdivision layout.</li> <li>■ Subdivisions are compatible with the cultural and landscape characteristics of the locality</li> </ul>	<p>a way that the visual impact rising from development on newly created allotments is minimal.</p> <ul style="list-style-type: none"> <li>• Subdivisions are designed so that, when subsequently developed, visually significant vegetation, such as that found on ridge tops and other visually prominent locations will be retained.</li> </ul>
<p><b>E. Natural site features</b></p> <ul style="list-style-type: none"> <li>■ The design and layout takes into account natural site features such as significant native vegetation, wildlife corridors, topography and rock outcrops</li> <li>■ Lot layouts minimise the number of lots that have direct access to rivers, creeks, or streams</li> <li>■ The design and layout ensures that salinity hazards can be effectively managed to minimise adverse impacts</li> </ul>	<ul style="list-style-type: none"> <li>• The design should respond to the following DCP sections: <ul style="list-style-type: none"> <li>- <b>10c Geotechnical hazards</b></li> <li>- <b>11a Vegetation (including trees)</b></li> <li>- <b>11b Biodiversity conservation</b></li> <li>- <b>11c Riparian land &amp; watercourses</b></li> <li>- <b>11d Groundwater protection</b></li> <li>- <b>11f Soil &amp; water management</b></li> </ul> </li> </ul>
<p><b>F. Biodiversity</b></p> <ul style="list-style-type: none"> <li>■ The subdivision avoids and minimises impacts on biodiversity</li> <li>■ The development meets the provisions of part <b>11b Biodiversity conservation</b>.</li> </ul>	<ul style="list-style-type: none"> <li>• In avoiding impacts on biodiversity, refer to the <i>Biodiversity Conservation Act 2016</i> and regulatory requirements under that Act, as discussed in part <b>11b Biodiversity conservation</b>.</li> </ul>
<p><b>G. Vegetation (including trees)</b></p> <ul style="list-style-type: none"> <li>■ The subdivision maximises the retention of vegetation, including trees.</li> <li>■ The development meets the provisions of part <b>11a Vegetation (including trees)</b>.</li> </ul>	<ul style="list-style-type: none"> <li>• Vegetation is retained in groundwater recharge areas in hydrogeological landscapes (HGL) identified as Very High/High to Moderate salinity risk</li> </ul>
<p><b>H. Natural hazards</b></p> <ul style="list-style-type: none"> <li>■ The design and layout takes into account natural hazards such as bushfire, flooding, geotechnical conditions (including salinity) and land contamination.</li> </ul>	<ul style="list-style-type: none"> <li>• The design should respond to the following DCP sections: <ul style="list-style-type: none"> <li>- <b>10a Floodplain management</b></li> <li>- <b>10b Bush fire risk</b></li> <li>- <b>10c Geotechnical hazard</b></li> <li>- <b>10d Mine subsidence</b></li> <li>- <b>10e Land contamination</b></li> </ul> </li> </ul>
<p><b>I. Landform modification</b></p> <ul style="list-style-type: none"> <li>■ The design and layout takes into account site topography, geological conditions, existing soils and drainage and minimises the need for landform modification when buildings are placed on the site.</li> <li>■ Landform modification and earthworks are minimised in identified salinity risk areas</li> </ul>	<ul style="list-style-type: none"> <li>• Lots should be designed to allow for the construction of future buildings which do not involve more than 1 metre cut or fill of 1 metre measured from natural ground level.</li> <li>• In areas of salinity hazard with Very High/High to Moderate salinity risk, a maximum 0.5 metre cut or 0.5 metre fill is applicable.</li> </ul>



## Outcomes to be achieved

## Design guidelines

- The design should respond to the following DCP sections:
  - **10c Geotechnical hazard.**
  - **11f Soil & water management.**
- Prior to the placement of fill on land, a validation report may be required by the council, prepared by a suitably qualified person.

### J. Heritage

- Potential impacts on the heritage significance of the site are adequately considered as per part 9 Heritage
- Heritage items and their curtilage are retained where possible, or curtilages maximised.
- Subdivision is sympathetically designed to minimise the impact on heritage items of the subject land or adjoining lands.
- Subdivisions should be sympathetically designed to ensure that the existing heritage value of the streetscape and character of the area is maintained.

- The design should respond to part 9 Heritage

## 2. Movement & access networks

### K. Street / road network

- The street and access network is designed so as to:
  - respond to site features such as topography, drainage, salinity hazard and vegetation
  - provide a logical hierarchy of streets
  - provide convenient linkages to open space, public transport, schools and local centres
  - encourage healthy communities by providing safe and convenient pathways for pedestrians and cyclists
  - allow sufficient access and manoeuvring for garbage collection services.
  - allow for public transport where applicable
  - minimise impacts on adjoining residents from new road or access way works
  - minimise cut and fill
- The subdivision complies with **Table 1: Minimum access handle and sealed driveway widths for residential battle-axe lots.**
- The subdivision complies with **Table 2: Road and movement network design specifications**
- Where development involves access via railway level crossings, it is to be in accordance with the provisions of Clause 2.97 of *SEPP (Transport and Infrastructure) 2021*.

### Urban streets

- Intersections should be either T-junctions or roundabouts. Four way intersections should be avoided.
- The layout of the road and movement network should be designed to:
  - provide for the safe and efficient movement of all road users.
  - facilitate walking and cycling within the neighbourhood and to local centres.
  - facilitate the use of public transport.
  - maximise solar access to allotments.
  - provide road links to adjoining properties.
  - allow on-street car parking.
  - provide efficient access for service vehicles (for example, emergency vehicles and garbage trucks).
  - ensure safe vehicle speeds.
  - provide adequate sight distances.
  - provide for utility services, driveways, street lighting and landscaping.
  - be compatible with the existing road pattern in the locality.





## Outcomes to be achieved

- All public roads must be sealed in accordance with *Upper Hunter Engineering Guidelines for Subdivisions and Developments* as amended.

## Design guidelines

- Cul-de-sacs for residential roads should have a minimum sealed radius of 8.5 metres and boundary radius of 12.0 metres.
- Cul-de-sacs for residential roads should service no more than 25 lots.

### Rural roads

- Design specifications for public rural roads should be in accordance with **Table 2: Road and movement network design specifications**
- Rural roads that are to revert to Council's care and control should be designed and constructed in accordance with *UHSC Engineering Guidelines for Subdivisions and Developments* (as amended).
- Cul-de-sacs should be avoided, but if used should be less than 200 metres in length, and be consistent with acceptable bushfire risk (refer to section **10c Bushfire risk**).

### Industrial roads

- The proposal should comply with **Table 2: Road and movement network design specifications**.
- Cul-de-sacs for industrial roads should have a minimum kerb radius of 13.5 metres and boundary radius of 17.0 metres and should be surfaced with asphaltic concrete.

**Table 2: Road and movement network design specifications**

## Part 3 Subdivision



Element	Urban streets & roads				Rural roads		Industrial
	Access street (< 10 lots or up to 300 veh trips per day)	Local street (10-200 lots or up to 2000 veh trips per day)	Collector (200-400 lots or up to 3000 veh trips per day)	Distributor (>400 lots or up to 6000 veh trips per day)	Rural	Rural Residential	(Zone E4)
Road reserve width (metres)	15.0 m	18.0 m	20.0 m	22.0 m	20.0 m	20.0 m	22.0 m
Minimum carriageway width	6.0 m	9.0 m	11.0 m	13.0 m	8.0 m	8.0 m	11.0 m
Verge	2 x 4.5 m	2 x 4.5 m	2 x 4.5 m	2 x 4.5 m	N/A	N/A	2 x 4.5 m
Kerb Type	Rollover	Rollover/ barrier	Barrier	Barrier	N/A	Rollover/ flush	Rollover/ barrier
Footpath requirement (metres)	Nil	1.5 m (on one side of street)	1.5 m (both sides of street)	2.2 m shared with cycleway on one side or dedicated lanes on carriageway	N/A	N/A	N/A
Cycleway requirement	Nil – unless part of adopted network	Nil – unless part of adopted network	Nil – unless part of adopted network	As above	Nil – unless part of adopted network	Nil – unless part of adopted network	N/A

### Outcomes to be achieved

### Design guidelines

#### L. Vegetation in road reserves

- Road alignments and road reserves should be located and designed so as to maximise the retention of trees.
- In areas of identified salinity hazard, retention and replanting of trees must be considered in salinity investigation reports, management plans, and stormwater and groundwater management.

#### M. Crown roads

- In accordance with the transfer protocols for Crown roads, the road must be transferred from Crown Lands to Council prior to the commencement of any road works at no cost to Council.  
*Note: the transfer of the road to Council does not necessarily change the extent of Council's adopted road maintenance areas.*
- Crown Roads transferred to Council are to be constructed to an acceptable standard, to prevent future generations bearing the cost of roadworks that should have been provided at the time of subdivision.
- Where new allotments gain access from a Crown road, the road is to be upgraded and constructed to meet the minimum standards specified in UHSC *Engineering Guidelines for Subdivisions and Developments* (as amended), and with **Table 2: Road and movement network design specifications**.
- All existing public roads fronting or within the proposed allotments must be wholly within the road reserve.

## Outcomes to be achieved

## Design guidelines

### N. Future road widening & upgrading

- Existing roads reserves are upgraded and/or widened to accommodate increased traffic flow resulting from the subdivision proposal.

### O. Access to lots from public roads

- The road network design:
  - enables safe and efficient movement of vehicles to and from individual lots.
  - has no adverse impacts on the visual amenity of the neighbourhood.
  - minimises impacts on adjoining properties and the environment.
  - ensure there is adequate space for essential service infrastructure and landscaping
  - responds to the movement and access provisions in section 12a Access and vehicle parking.
- The subdivision complies with **Table 1: Minimum access handle and sealed driveway widths for residential battle-axe lots.**

### General

- All urban lots should have direct frontage to a public road and should not rely solely on an easement or right of way access. However, individual applications will be considered on their merits.
- A maximum of 3 rural lots may gain access from a right of carriageway within the subdivision, which should connect directly to a dedicated public road under the care and control of Council. A draft 88B instrument setting out the terms of the right of carriageway (including maintenance responsibilities) shall be submitted to Council with the development application.
- Access driveways should be provided to all new allotments fronting a road without kerb and gutter in accordance with Council's *Standard Vehicle Access Specification* (found within *UHSC Engineering Guidelines for Subdivisions and Developments* as amended).
- Laybacks in vertical kerb and gutter are to be constructed in accordance with Council's *Standard Vehicle Layback (SVL-001) diagram* (found within *UHSC Engineering Guidelines for Subdivisions and Developments* as amended) and AS2890.1.
- Driveway crossings should be provided to all new allotments fronting a road without kerb and gutter in accordance with Council's *Rural Property Access (RPA-001) diagram* (found within *UHSC Engineering Guidelines for Subdivisions and Developments* as amended).
- Internal driveways shall be sited away from noise and visually sensitive components of existing and future development.
- Where the site is steep or fronts a local collector or higher order road (greater than 3,000 vehicles per day) or an area with high pedestrian traffic, internal driveways are to be designed so that vehicles can be driven both onto and off the property in a forward direction.
- Where vehicles would otherwise have to reverse more than 50 metres, a turning area is to be provided to enable the vehicles to enter and leave the site in a forward direction and reduce the need to reverse over long distances.
- Passing bays shall be provided every 30 metres in accordance with AS 2890.1
- All rights of carriageway that are longer than 100m and servicing 2 or more lots shall be named in accordance with



## Outcomes to be achieved

## Design guidelines

Council's *Road Naming Policy* and *Geographical Names Board* requirements.

### Rural & Environmental (Zones RU1, RU4 & C3)

- The right of carriageway should be constructed to a standard that will allow all weather two wheel drive access and is to be constructed prior to the issue of a Subdivision Certificate.
- All-weather, two wheel drive access should be provided to all new allotments.
- All lots that are 200m or more from a public road (ie where a right of way or battle axe is more than 200m in length) should have an alternative egress, for use in cases of emergency.

### Residential (Zones R1, R5 & RU5)

- Private access ways (access handles) should be designed in accordance with *UHSC Engineering Guidelines for Subdivisions and Developments (as amended)* and *AS2890.1*.
- Access ways should be nominated as reciprocal rights of way on the plan of subdivision where they service two (2) or more lots.

### Industrial (Zone E4)

- Access ways should be designed in accordance with the provisions of the *Transport for NSW Guidelines for Traffic Generating Development* and *AS2890*.

## P. Public transport

**Applicable to large subdivisions in Zones R1, R5 & RU5, as determined by Council**

- Public transport access is possible, comfortable and convenient to residents
- New public transport services link to adjoining areas, activity centres, and other public transport routes, including train stations (where relevant) and future bus routes.

### Bus routes:

- Where necessary, consultation with Upper Hunter's local bus transport provider(s) and Transport for NSW is required to determine whether a bus service is required.
- Where the size of the subdivision is likely to require bus movements throughout the internal road network, road widths external to and within the subdivision must be designed to cater for potential bus service provision.
- All bus routes are to be designed in accordance with the *Upper Hunter Guidelines for Subdivisions and Developments*, as amended.
- Road networks must be designed to allow buses to access and move through the street network without complicated turning manoeuvres.
- The position of the bus route should ensure at least 90% of dwellings are within 400m safe walking distance from an existing or potential bus route

### Bus stop location and design:

- Bus stops must be designed in accordance with *AUSTROADS Guidelines*.



Outcomes to be achieved	Design guidelines
	<ul style="list-style-type: none"> <li>• Bus stops are, or are planned for, 300 m spacings where the route serves residential development. The bus stop bay is to be designed to meet the current relevant <i>AUSTROADS</i> Guidelines.</li> <li>• Bus stops are to be designed to prevent vehicles from overtaking a stationary bus, or vehicle speeds are reduced to ensure safe pedestrian crossing.</li> <li>• The siting of bus stops should relate to the pedestrian path network.</li> <li>• Key bus stops may be located and designed to provide shelter, shade, seats, adequate lighting, and timetable information, and to minimise adverse impact on nearby dwellings</li> </ul>

**Q. Pedestrian & cyclist access**

- Safe and convenient pathways is provided for pedestrians and cyclists to maximise connectivity of neighbourhoods; access to local facilities and services and to encourage healthy communities.
- Pedestrian and cycle paths should be designed in accordance with:
  - *UHSC Engineering Guidelines for Subdivisions and Developments (as amended).*
  - *Upper Hunter Bicycle Plan 2015*
  - *And any other relevant strategic plans adopted by Council*
- Footpaths and cycleways should be provided in accordance with **Table 2: Road and movement network design specifications** and any relevant strategic plans adopted by Council.
- Pedestrian and cycle paths should be designed to allow retention of existing vegetation and other natural features whilst ensuring ease of maintenance.
- Pedestrian and cycle paths should be designed to allow retention of existing vegetation and other natural features whilst ensuring ease of maintenance.
- The location of footpaths or cycle paths should be defined using the following parameters:
  - Demand for footpaths and cycle paths
  - Opportunities to link open space networks and communities including public transport, local activity centres and schools
  - Topography
  - Shade opportunities
  - Cyclist and pedestrian safety, including Crime Prevention Through Environmental Design (CPTED) guidelines
- The alignment of footpaths should allow safe and convenient use by pedestrians and cyclists and should be variable enough to accommodate trees and other significant features.



Outcomes to be achieved	Design guidelines
	<ul style="list-style-type: none"> <li>• Paths should be designed to enable widening at certain points to allow passing facilities for pedestrians/cyclists.</li> <li>• Pedestrian and cyclist paths should be constructed to provide a stable and attractive surface for projected users which is easily maintained.</li> </ul>

### 3. Infrastructure

<b>R. General</b>	
<ul style="list-style-type: none"> <li>■ The design and provision of public utilities conform to the cost effective criteria of the relevant servicing authority.</li> <li>■ Adequate buffers are maintained between utilities and houses to protect residential amenity and health.</li> </ul>	<ul style="list-style-type: none"> <li>• Compatible public utility services should be located in common trenches so as to minimise the land required, soil erosion and the cost of providing the services.</li> </ul>

<b>S. Water supply</b>	
<ul style="list-style-type: none"> <li>■ Reticulated water is provided to all new allotments on land zoned R1, R5, E1, MU2, RU5 (where reticulated water is available), E4 or as otherwise agreed with Council.</li> <li>■ Easements (benefiting UHSC) shall be provided for all existing and proposed public water mains within the site.</li> <li>■ Adequate water supplies for both domestic and firefighting purposes must be available</li> </ul>	<ul style="list-style-type: none"> <li>• In salinity hazard areas, the location and construction of service infrastructure shall consider and minimise likely salinity impacts on the infrastructure, and apply appropriate durability standards for construction.</li> </ul>

<b>T. Reticulated sewerage</b>	
<ul style="list-style-type: none"> <li>■ Gravity drained reticulated sewerage services are provided to all new allotments:                         <ul style="list-style-type: none"> <li>• within Council’s sewer service areas; or</li> <li>• on land zoned R1, R5, E1, E4 or MU1 (where reticulated sewer is available); or</li> <li>• where a sewer service is available within 75m of the subdivision; or</li> <li>• or as otherwise agreed with Council.</li> </ul> </li> <li>■ Easements (benefiting UHSC) shall be provided for all existing and proposed public sewer mains within the site.</li> </ul>	<ul style="list-style-type: none"> <li>• In salinity hazard areas, the location and construction of service infrastructure shall consider and minimise likely salinity impacts on the infrastructure, and apply appropriate durability standards for construction.</li> </ul>

#### U. On-site waste water management



Outcomes to be achieved	Design guidelines
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<ul style="list-style-type: none"> <li>■ Onsite wastewater management systems are not permitted within sewerred areas.</li> <li>■ Proposed allotments within unsewerred areas that are to be used for a purpose that is likely to generate sewage should have sufficient area to accommodate an on-site waste water management system in accordance with:                             <ul style="list-style-type: none"> <li>- section 11g On-site waste water management.</li> <li>- AS1547-2012.</li> <li>- Environment and Health Protection Guidelines – Onsite Sewage Management for Single Households 1998 or as updated.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The use of on-site sewage management systems should not contribute to an adverse cumulative impact on soils, salinity and ground and surface water in the area</li> </ul>
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### V. Stormwater management

<ul style="list-style-type: none"> <li>■ The subdivision proposal and each individual lot within the proposal should dispose of on-site stormwater in accordance with section 11f Soil &amp; water management.</li> <li>■ The quality and quantity of stormwater runoff from the site is managed to minimise impacts on the environment.</li> <li>■ All new lots in Residential and Employment zones should be able to drain to the Council's reticulated stormwater system directly or via an inter-allotment drainage system (with appropriate easements). On-site water conservation measures cannot be used in lieu of appropriate connections to the reticulated stormwater system.</li> <li>■ Easements (benefiting UHSC) shall be provided for all existing and proposed Council stormwater infrastructure within the site.</li> </ul>	<ul style="list-style-type: none"> <li>• In salinity hazard areas, the location and construction of service infrastructure shall consider and minimise likely salinity impacts on the infrastructure, and apply appropriate durability standards for construction.</li> <li>• Stormwater design and management shall seek to maintain the pre-existing surface and groundwater balance.</li> </ul>
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### W. Street lighting

<ul style="list-style-type: none"> <li>■ Adequate street lighting is provided in urban areas to promote the safety and security of neighbourhoods.</li> <li>■ Street lighting is provided in all streets fronting land zoned R1, R5, E1, E4, MU1 and RU5, in accordance with the requirements of the energy authority.</li> </ul>	
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### X. Electricity & telecommunications



## Outcomes to be achieved

- Each new lot has direct access to a suitable telecommunications and electricity supply. Satisfactory arrangements are made with the relevant utility provider.
- Underground power must be provided to all lots in new release areas, dependent on servicing authority requirements.

## Design guidelines

- Lots considered by Council to be 'remote' may be able to have an alternative supply and the requirement for direct connection to a reticulated supply may be waived and a covenant placed on the title of the land where possible. This will only apply to subdivisions creating one additional lot; not for multiple lot subdivision. Applicants must provide a plan or information showing where the proposed lots are in relation to the electricity and telecommunications network.

### Y. Public open space

- Adequate open space is provided to urban residential subdivisions that:
  - meets the recreational needs of residents of new subdivisions.
  - encourages healthy communities.
  - contributes to the character and amenity of new subdivisions.
  - provides a safe and healthy environment for all users.
- Open space is conveniently located and accessible to pedestrians, cyclists and maintenance vehicles.
- Open space should respond adequately to the site topography and surrounding subdivision pattern, and should minimise soil disturbance.
- Open space is provided in accordance with any relevant Council strategy or site-specific plan
- Adequate natural and built shade is provided to all open space, to allow comfortable year round use by residents.
- Open space (parks) are provisioned upon creation with public amenities including toilets, playground equipment and tables, shading and seating.
- The provision and retention of native vegetation is to be encouraged within public open space, and shall take into account geotechnical hazards, including salinity.
- Open space links can be provided to ensure connectivity between any open space proposed in the development, other existing and proposed areas of public open space and places, commercial centres and schools.
- Open space areas should be designed to allow casual surveillance from surrounding streets and residential properties.
- All lots in a residential subdivision proposal should be within 400 metres walking distance of a local park or reserve.
- Open space areas are required to be embellished and dedicated to Council as follows:
  - Casual open Space (parks) for community recreation, social needs and passive enjoyment are required to be dedicated and embellished.
  - Local or neighbourhood public open space is to be provided within the proposed subdivision at a rate of 1.0ha per 1,000 people (or part thereof) based on a dwelling occupancy rate of 2.63 persons per lot, in accordance with **Table 3** Local public open space requirements.
  - Aquatic environments, natural watercourses, riparian buffers and foreshores within the development site must be dedicated to the public as reserve, and not as open space on any proposed plan of subdivision.
  - Dual use of drainage facilities for open space purposes is encouraged as a means of establishing a linked open space network, however only those parts of the drainage areas that is in excess of that required for riparian management and buffers will be credited towards open space commitments. The linear shaped land which is used and predominantly occupied by connecting pedestrian/cycle paths will not be accepted as casual open space.
  - Environmentally sensitive areas and visually significant topographical/landform features within the development site should be dedicated to the public unless their environmental/scenic/visual values and appropriate





Outcomes to be achieved	Design guidelines
	<p>management can be guaranteed in perpetuity in private ownership.</p> <ul style="list-style-type: none"> <li>- Well located and designed natural and built shade should be provided to all open space. The Cancer Council NSW's 'Guidelines for Shade' provides a useful resource - <a href="http://www.cancercouncil.com.au/shade">www.cancercouncil.com.au/shade</a> and <a href="https://www.cancer.nsw.gov.au/prevention-and-screening/preventing-cancer/preventing-skin-cancer/shade-and-uv-protection">https://www.cancer.nsw.gov.au/prevention-and-screening/preventing-cancer/preventing-skin-cancer/shade-and-uv-protection</a></li> <li>- The Heart Foundation's 'Healthy Active by Design' tools and guidelines provide resources for planning open space: <a href="https://www.healthyactivebydesign.com.au/resources/healthy-active-by-design-master-checklists">https://www.healthyactivebydesign.com.au/resources/healthy-active-by-design-master-checklists</a></li> </ul>

**Table 3 Local public open space requirements**

Aspect	Requirement
Area	Area generally in the range 0.25 -1.5 ha. The number and distribution of these parks is to be such that 95% of residents are located within a 400 m radius.
Shape	Length to width ratio does not exceed 3:1, with a 20 m buffer provided from active play areas to residential boundaries
Landform	At least 80% of the area to have slopes <8%, with good drainage, grassed surfaces incorporating and landscaped elements/paved areas with soft fall
Access	Vehicle access from local streets for maintenance vehicles and readily accessible by pedestrians and cyclists
Street frontage	At least 50% of perimeter should be street frontage providing casual surveillance
Amenities	Playground equipment, soft fall surfaces under play equipment, kick-about area, paving for ball games, seating with shade, landscaping, drinking fountains, general shade and lighting. Play areas fenced from balance of park to delineate use. Toilet blocks if servicing greater than 1,000 persons
Services	Access to garbage collection, regular maintenance, water, electricity



**Outcomes to be achieved      Design guidelines**

**4. Strata and community subdivision**

**Z. Management of strata and community subdivision**

- Strata and community subdivision proposals:
  - meet all relevant legislative standards
  - result in practical and achievable forms of development
  - are set up to meet the needs of end users/owners

**Relating to community title subdivision:**

- Communal open areas should be designed to meet user needs and determined by:
  - (a) overall housing density
  - (b) non-discriminatory access and use
  - (c) the quality and extent of alternative, proximate open space.
- Privacy is maintained between dwellings.
- Appropriate vehicular access is provided having regard to the road hierarchy of the proposed movement network.
- Essential services are provided to all proposed allotments.
- Suggestions for managing **body corporate activities**:
  - Create separate sites for each dwelling with their own public street frontage.
  - Limit communal land to driveways and utilities areas only.
  - Design dwellings to minimise the need for corporate building management.
  - Ensure that communal open space or shared facilities are designed to be cost effective to maintain and service.
- Strata subdivision of an existing building may require the building to be upgraded to comply with the provisions of the Building Code of Australia (BCA).
- Definition of public, communal and private areas :
  - Private open space areas are to be attached to a specific dwelling unit.
  - Private open space areas are to be clearly defined.
  - Communal spaces are to be accessible to all residents of the strata building.
- Car parking spaces:
  - Car parking spaces must be assigned to a specific dwelling.
  - Visitor car parking spaces are to be maintained as common property.
  - Visitor car parking spaces are to be signposted as such.
- Utility service meters:
  - A separate water meter, or a private sub meter may be required for each strata unit/dwelling.
  - For new construction, sewer connections must comply with the requirements of Clause 162 of the Local Government (General) Regulation 2005.
  - Where there is a large amount of common property, including gardens and landscaped areas, swimming pools and the like, separate metering is to be provided for the common area.
  - A separate electricity meter is to be provided for each strata unit/dwelling.

### Outcomes to be achieved

### Design guidelines

- Before a Subdivision Certificate on the relevant title plan is issued, either:
  - a Construction Certificate must be issued for the proposed building and work completed to the point where the boundaries can be defined by survey; or,
  - in the case of subdivision of an existing building, a Building Certificate may be required to ensure compliance with the relevant building standards.

### 3a.9 Supplementary guidance

The following documents or reference materials provide further advice or information that is relevant to this section.

- *UHSC Engineering Guidelines for Subdivisions and Developments*, as amended.
- Department of Primary Industries (2012) *A Practical Handbook: Property Planning*, Department of Primary Industries, Tocal.
- NSW Department of Urban Affairs and Planning (1998) *Managing Land Contamination Planning Guidelines* and land contamination part of *SEPP (Resilience and Hazards) 2021*  
[http://www.epa.nsw.gov.au/resources/clm/gu\\_contam.pdf](http://www.epa.nsw.gov.au/resources/clm/gu_contam.pdf)
- Cancer Council NSW: Guidelines for Shade - [www.cancercouncil.com.au/shade](http://www.cancercouncil.com.au/shade) and <https://www.cancer.nsw.gov.au/prevention-and-screening/preventing-cancer/preventing-skin-cancer/shade-and-uv-protection>
- Heart Foundation: ‘Healthy Active by Design’ tools and guidelines - resources for planning open space:  
<https://www.healthactivebydesign.com.au/resources/healthy-active-by-design-master-checklists>
- Government Architect NSW resources regarding open space and green spaces - <https://www.governmentarchitect.nsw.gov.au/resources>
- Sustainable Energy Development Authority (undated) *Solar Access for Lots – Guidelines for Solar Efficient Residential Subdivision in New South Wales*.