4.3.7 Lot Reconfiguration Code

1. Development to which the Code applies

Reconfiguring a lot (except for amalgamation or other exempt development pursuant to Schedule 8 of the *Integrated Planning Act 1997* and a subdivision for lease purposes not exceeding 10 years) and operational work.

2. Purpose of the Code

To allow for the creation of a variety of allotments which meet the diverse needs of the community, while ensuring that off-site impacts are within acceptable limits. In particular, for residential development, lot reconfiguration is provided for where residential amenity and sense of place are protected and enhanced, walking and cycling are promoted, a lower level of non-renewable energy consumption is encouraged, and the natural environmental values of the area are protected.

3. Performance Criteria

Performance Criteria		Acceptable Solutions	
	The purpose of the Code will be achieved if the following criteria are satisfied.		*The Acceptable Solution illustrates ONE WAY of complying with the corresponding Performance Criterion.*
Reconfiguration of a Lot			
P1	Allotments must be of sufficient size and dimensions to meet the likely user requirements.	A1.1	Allotments comply with **Table 4.5** in this code with regard to minimum allotment size and dimensions for the particular location.
P2	Allotments must be of sufficient size and dimensions to enable the establishment of buildings and the provisions of space around buildings in a manner which is consistent with the desired character of the area as indicated in the relevant Local Area.	A2.1	Allotments comply with the **Table 4.5** in this code with regard to minimum allotment sizes and dimensions, and with any Local Area requirements.

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	A2.2 Proposals to create new allotments within the Rural Residential Precinct, include the provision of a minimum area of 750m^2 which satisfies the following requirements:- a. is suitable for use as a building area; b. can be adequately served with an on site treatment system approved pursuant to the On-Site Effluent Disposal Code; c. has a width to depth ratio not exceeding 1:2; d. has a maximum slope of less than 20%. No earthworks will be permitted to achieve the maximum slope; and e. lies wholly above the Adopted Flood Line.
	A2.3 Rear allotments in the Residential Precinct include the following:- a. The minimum area of a proposed allotment abutting the road is 600 square metres and the minimum width of such proposed allotment is 20 metres (excluding the width of an access strip to a rear allotment). b. The minimum area of a proposed rear allotment (excluding the access strip) is 600 square metres provided that where the proposed allotment abuts two roads at the intersection of such roads, this component of the solution does not apply. c. The minimum width of an access strip serving one rear allotment is 3.4 metres. d. The width of an access strip serving more than one allotment is a minimum of 5 metres with a sealed strip of a minimum width of 3.4 metres.
P3 Having regard to the likely subsequent development, the creation of allotments does not result in increased risk to life or property as a result of flooding, or landslip.	A3.1 No new allotments are created in natural hazard areas eg the Q100 inundation areas in any declared Slope Instability Area indicated on an overlay map; or bushfire prone area.
P4 Where more than one new allotment is proposed, the proposal must protect significant habitat vegetation and landscape features, including waterways.	A4.1 Proposals involving the opening of new roads or the creation of more than one new allotment include the secured protection of significant vegetation, and landscape features identified as conservation "critical conservation areas", "areas of concern", "regional

Performance Criteria		Acceptable Solutions	
			ecosystem types", "corridor nodes" and "corridors linking habitat areas" on Map EP1 of the Ecology Protection Code.
		A4.2	Road and allotment design in areas identified in the Planning Study supporting this Scheme as suitable habitat for Koala, provides appropriate road and allotment design to minimise road kills of Koalas.
P5	Provision must made for sufficient open space to meet the needs of the likely occupiers of the proposed allotments, and to mitigate any adverse visual or other impacts of likely land use changes resulting from subdivision.	A5.1	10% of the area of the land to be subdivided is dedicated to Council for open space purposes and provision of this open space is consistent with the conceptual open space network shown in the Parkland Contributions Planning Scheme Policy. OR
		A5.2	A cash contribution of equivalent value to 10% of the land to be subdivided is provided to Council in accordance with the Parkland Contribution Planning Scheme Policy.
P6	Lot reconfiguration must not result in new residential or rural residential allotments which may compromise the viability of existing and potential rural uses	A6.1	Lot reconfiguration for new residential or rural residential allotments complies with the State Governments Planning Guidelines - Separating Agriculture and Residential Land Uses
P7	An acceptable level of public transport access must be available to all allotments.	A7.1	All allotments within a proposed subdivision are within 400 metres walking distance of a through road designed to allow convenient access by buses.
P8	Where practicable, safe secure and convenient pedestrian and bicycle access must be provided from residential allotments to local primary schools, recreation facilities and shops.	A8.1	Pedestrian connections from residential allotments to local primary schools, recreation facilities and shops are provided in compliance with *Queensland Streets* and comply with Crime Prevention through Environmental Design (CPTED) principles.
		A8.2	Bicycle connections from residential allotments to local primary schools, recreation facilities and shops are provided in compliance with *Queensland Streets* and comply with CPTED principles.
P9	The location of new residential and rural residential allotments must take account of existing land uses that may detrimentally affect	A9.1	No new residential or rural residential allotments are created within buffer areas specified in: • Tinana Local Area Specific Measures (Part 3 of

Performance Criteria		Acceptable Solutions	
	residential amenity.		the City Plan); and • State Government Legislation (eg erosion prone areas).
		Operational Work	
P10	Where a significant number of new allotments is proposed, the proposal must be designed to be integrated with existing and likely future development.	A10.1	Proposals involving more than 10 new allotments are supported by a concept plan and report which demonstrate that the proposal will provide connections to adjoining lots to provide for the locality's orderly development.
		A10.2	In the Tinana Local Area subdivision proposals comply with the Local Area specific measures for Tinana.
P11	Lot reconfiguration must not result in unacceptable impacts on water quality.	A11.1	Construction works comply with the Soil Erosion and Sediment Control Guidelines for Queensland and the Queensland Urban Drainage Manual.
		A11.2	Best available and practicable technology is used to improve the quality of stormwater runoff after construction is completed.
P12	An acceptable level of pedestrian and vehicle access must be available to all allotments.	A12.1	Vehicle access to all allotments complies with the Vehicle Parking and Access Code and the Infrastructure Services Code.
		A12.2	Pedestrian access to all allotments complies with Queensland Streets.
		A12.3	All roads, lanes and pathways within the land being subdivided and all intersections of these roads with existing roads are constructed in accordance with Council's Code for Subdivisional and Engineering Works. OR Any applicant, instead of executing the work of construction and draining the roads, as here above proceeded, may, after obtaining approval of road and drainage plans and specifications and with the Council's agreement pay to the Council such sum as may be determined by the Council as the cost of executing such works and agree with the Council as to when such works should be executed.

Performance Criteria	Acceptable Solutions
	A12.4 In a Residential precinct, a road other than a pathway is not opened as a blind road: a. unless there is also provided at least one pathway to give access from the blind end into a principal road, secondary road, or residential road; or b. unless such road gives access at its blind end to a railway station, reserve, foreshore or river bank.
	A12.5 In respect of those lands in a Rural Residential or Rural Precinct under the Planning Scheme, for proposals to create new allotments include: a. Internal roads have a minimum sealed width of 6 metres plus 2 X 1.5m shoulders ie nominal 9 metre formation except that shoulders will not apply where kerb and channelling is provided. A sealed road pavement width of 8.0 metres is provided on collector roads. b. A three coat bitumen seal or other bitumen surface of an acceptable standard is provided for a minimum width of 6 metres. c. In the case of a subdivision where the average allotment size is less than 1 hectare, concrete kerb and channelling is provided and footpaths formed full width to permanent levels.
P13 The location and design of access easements must be adequate to serve its intended purpose and does not adversely affect amenity.	A13.1 Sight line distances for the intersection of the easement with the constructed road are in accordance with Queensland Streets. A13.2 The access easement is a minimum of 4 metres wide and is sealed if within a Residential, Commercial or Industrial Precinct.
P14 Provision must be made for infrastructure services (water supply, sewerage, stormwater drainage, and electricity) to ensure the safety, health and convenience of subsequent residents or occupiers of the allotments, and to ensure that subsequent development does not have adverse effects on the	A14.1 Provisions of Infrastructure services complies with the Infrastructure Services Code and the Subdivisional and Engineering Works Code. A14.2 Best available and practicable technology is used to improve the quality of stormwater runoff.

Performance Criteria	Acceptable Solutions
quality or quantity of surface or groundwaters.	A14.3 Allotments in the Rural Residential Precinct without reticulated water have: • Minimum average allotment size 1ha; • Sealed road access to minimum width 6.5 metres to a constructed, bitumen-sealed regional distributor or urban arterial road; • Sealed internal roads; • Reticulated power; and • Road drainage to a suitable standard. OR Allotments in the Rural Residential Precinct with reticulated water have: • Minimum average allotment size 0.4ha • Sealed road access of minimum width 6.5 metres to a regional distributor or urban arterial road; • Sealed internal roads, with concrete kerb and channel; • Reticulated power, • On-site effluent disposal approved pursuant to the On Site Effluent Disposal Code; and • An Infrastructure Agreement has been entered into that provides for payment to the Council equivalent to the pro-rata cost of upgrading major items of water supply infrastructure. The items of infrastructure that will be included in the Infrastructure Agreement are: • Augmentation of raw water supply; • Upgrading of water treatment works; and • Construction of water supply mains, pumping stations and reservoirs that form the major structural elements of City's water supply system. A14.4 Stormwater drains to collect and discharge all stormwater falling on the land being subdivided, together with all stormwater naturally flowing onto and into the land from all land beyond the proposed subdivision, are constructed in accordance with Council's for Subdivisional and Engineering Works Code. The stormwater is conveyed to and

Performance Criteria	Acceptable Solutions
	discharged at a point of lawful discharge. Where underground stormwater drainage pipes are laid to dispose of stormwater from land being subdivided, the applicant makes provision for the discharge of stormwater in excess of the design capacity of the underground drainage pipes along surcharge drainage paths within the land. Where the point of lawful discharge is outside the land being subdivided, the applicant makes provision for the discharge of stormwater from underground drainage pipes and surcharge paths.
	A14.5 Where stormwater is to be carried naturally to lawful point of discharge across land owned by others, the discharge of such stormwater is effected at the boundary of the applicants land, in such a manner that, no nuisance or annoyance is caused by such discharge to the owner of any land downstream of the land being subdivided and does not cause any increase in natural stormwater levels or velocities downstream of the subject land.
	A14.6 Where stormwater is to be carried to a lawful point of discharge by way of drainage structure constructed or to be constructed by or on behalf of the applicant, and it is necessary that such structures be constructed through, under, over or across land outside of the subject land, the applicant demonstrates that there is a legal right to carry such drainage through, over, under or across that land. In such cases, the applicant also arranges for easements to be granted by the owner of the land in favour of the Council and for such easements to be registered on the appropriate title documents.
	A14.7 The cost of construction of stormwater drainage in subdivisional estates is apportioned in accordance with an Infrastructure Charges Plan - or Infrastructure Agreement.
	A14.8 The development of the land being subdivided does not interfere with the natural flow of stormwater in the area in such a way as to cause pounding of water on land adjoining the land being subdivided.
	A14.9 Until such time as the works are taken over by the Council, the subdivider indemnifies the Council and

Performance Criteria	Acceptable Solutions
	saves it harmless from and against all actions, suits, claims or demands which may be made or brought against the Council as a result of the discharge or impounding of stormwater on adjoining properties.
	A14.10 In the case of every application for subdivision of land the applicant is responsible for the following costs: • Internal Works - All costs for providing water and sewerage reticulation works in accordance with Council's Subdivisional and Engineering Works Code. • External Works - In accordance with an Infrastructure Charges Plan or Infrastructure Agreement.
	A14.11 Where for the purposes of complying with the requirements of this code, it is necessary for the applicant to carry out water supply and/or sewerage works, such works are designed and constructed in accordance with the Code for Subdivisional and Engineering Works.

Table 4.5. Minimum Allotment Size and Frontage.

	Residential Precinct	Industrial Precinct	Commercial Precinct [1]	Community Precinct	Rural Precinct	Rural Residential Precinct [2]
Maryborough Central Local Area	600m^2 20m	1000m^2 25m	600m^2 10m	600m^2 20m	10ha 200m	-
City Centre Local Area	-	-	200m^2 10m^2	600m^2 20m	-	-
The Pocket Local Area	600m^2 20m	1000m^2 25m	-	1000m^2 25m	40ha 400m	-
Tinana Local Area	600m^2 20m	1000m^2 25m	600m^2 15m	1000m^2 25m	40ha 400m	1ha 60m
Granville Local Area	600m^2 20m	1000m^2 25m	600m^2 15m	1000m^2 25m	100ha 500m	1ha 60m
Maryborough West & North Local Area	600m^2 20m	1000m^2 25m	600m^2 15m	1000m^2 25m	200ha 600m	1ha 60m
Coastal Townships & Rural Local Area [3]	2000m^2 20m	-	2000m^2 20m	2000m^2 25m	200ha 600m	1ha 60m
Fraser Island (South) Local Area [4]						-

Notes:

1. The minimum allotment size and frontage for land in the Commercial Precinct fronting Ferry or Alice Streets is 2 000 m^2 and 20 metres respectively.
2. In the Rural Residential Precinct, where reticulated water supply is available a minimum allotment size of 4000m^2 applies (40m frontage).
3. Council may require a larger allotment size having regard to the levels of the land to be reconfigured.
4. Stated in the Fraser Island South Local Area provisions.