9.4.6 Reconfiguring a lot code

9.4.6.1 Application

1. This code applies to:
    a. code assessable reconfiguring a lot for which the Reconfiguring a lot code is identified in the 'assessment benchmarks for assessable development and requirements for accepted development' column in:
        i. Table 5.6.1 - Reconfiguring a lot in Part 5 - Tables of assessment; or
        ii. a table of assessment in section 5.9 - Categories of development and assessment - Local plans in Part 5 - Tables of assessment.
    b. reconfiguring a lot made impact assessment in:
        i. Table 5.6.1 - Reconfiguring a lot in Part 5 - Tables of assessment; or
        ii. a table of assessment in section 5.9 - Categories of development and assessment - Local plans in Part 5 - Tables of assessment.
2. When using this code, reference should be made to section 5.3.2 - Determining the category of development and category of assessment and, where applicable, section 5.3.3 - Determining the 'assessment benchmarks for assessable development and requirements for accepted development' located in Part 5 - Tables of assessment.

9.4.6.2 Purpose

1. The purpose of the code is to ensure that new lots are of appropriate size, shape, dimension and density to accommodate development.
2. The purpose of the code will be achieved through the following overall outcomes:
    a. Reconfiguring a lot results in:
        i. design outcomes that are consistent with the intended character of the applicable zone, local plan, precinct, and adjoining road;
        ii. new lots of appropriate size, shape and dimension with a diverse mix of lots;
        iii. no additional lots gaining vehicular access from a state-controlled road or urban collector road where within a regulated access area;
        iv. a high quality streetscape, where creating 10 or more lots, that:
            A. provides for a wide variety of frontages;
            B. provides for a noticeable variety of frontages;
            C. avoids a concentration of similar frontages.
        v. access easements that:

A. are safe and do not adversely affect adjoining premises;
B. allow for on-site refuse collection for large rear lot developments;

vi. creation of lots that enable the siting of buildings to mitigate potential adverse impacts from rural activities, Medium impact industry, High impact industry or Special industry;
vii. the protection of the lawfulness of an approved Multiple dwelling.

9.4.6.3 Assessment benchmarks for assessable development

Part A - Requirements for assessable development

Table 9.4.6.3.1 - Reconfiguring a lot code: assessable development

Performance outcomes	Acceptable outcomes	Comments
For assessable development		
Boundary realignment		
PO1 A boundary realignment results in lots that are consistent with the size and dimension of lots in the zone and precinct.	**AO1** A boundary realignment complies with the standards specified in Table 9.4.6.3.2 - Reconfiguring a lot and Table 9.4.6.3.3 - Reconfiguring a lot: local plans.	NA
PO2 A boundary realignment ensures a use and its necessary associated infrastructure are located on the same lot.	**AO2** A boundary realignment ensures that a building or structure that is not intended for common use and sharing by a formal title arrangement is not located across a boundary or within a setback required elsewhere in the planning scheme.	NA

Design		
PO3 Reconfiguring a lot results in lots of a size, shape, dimension and density that are: a. consistent with their intended use and the intended character of the applicable zone, local plan and precinct; b. safely accessed and serviced. Note - Where development is proposed in the Small lot precinct, Suburban precinct or Village precinct of the Low density residential zone, section 6.2.5.2 - Purpose of the Low density residential zone code sets out the intended character of each precinct.	**AO3** Unless involving an approved Multiple dwelling, a new lot complies with: a. Table 9.4.6.3.2 - Reconfiguring a lot; or b. Table 9.4.6.3.3 - Reconfiguring a lot: local plans; or c. a preliminary approval for reconfiguring a lot.	The development application seeks a performance outcome in terms of the proposed sizes of Lots 1-8 (inclusive) whereby the proposed lot sizes are less than 2,000m^2. The development also seeks a performance outcome in terms of access driveway width, whereby the proposed width is 5.5m. It is submitted the proposed lot sizes are acceptable in this instance, given the proposal intends the preservation of a large tract of koala habitat area to the northern end of the site, resulting in a better environmental outcome than may have occurred had the applicant undertaken the completion of the 2008 development approval. Unlike the historic (2008) approval included as Attachment 7 to the planning report, whereby the extent of subdivision resulted in the potential for a significant impact upon the mapped, remnant vegetation, particularly towards the northern end of the site, The development application presently before Council seeks to improve the planning outcome by proposing a series of smaller allotments (Lots 1-8) being under 1,000m^2 allowing for the retention of a large portion of the mapped vegetation, within proposed Lot 9, towards the northern end of the site. The development has generally been concentrated within the more disturbed

		southern portion of the site in order to reduce ecological impacts, where practicable. Vegetation within the north-eastern portion of the site is proposed to be retained as part of an environmental retention area. Notwithstanding this design response, some removal of native vegetation and associated fauna habitat is proposed. The proposed common driveway servicing all rear lots is intended to be 5.5m in width. This dimension has been nominated in order to provide sufficient passing space for oncoming vehicles. Refuse collection for Lots 2 – 9 is proposed to be achieved via the internal shared driveway. A refuse truck turnaround has been provided, on site, to allow the refuse truck to exit in a forward gear.
PO4 Reconfiguring a lot results in functional lots that: a. can be safely accessed and egressed by vehicles; b. provide for safe and efficient on-site refuse collection; c. contain the necessary on-site utilities and infrastructure without impacting, or being impacted by, vehicle access and servicing; d. provide durable site access constructed to withstand heavy vehicles.	**AO4.1** Where a passing bay is identified as required in Table 9.4.6.3.4 - Additional requirements for rear lots, lots with driveway access exceeding 30 metres in length provide: a. one passing bay for every 30 metres of length; b. passing bays with a width of 2.5 metres (total driveway width of 5.5 metres) and length of 6 metres with 45 degree tapers as identified in Figure 3.4.5.1.3 - Passing bay dimensions.	The proposed common driveway servicing all rear lots is intended to be 5.5m in width. This dimension has been nominated in order to provide sufficient passing space for oncoming vehicles.

	AO4.2 Where on-site refuse collection is identified as required in Table 9.4.6.3.4 - Additional requirements for rear lots, lots provide for: a. a refuse collection vehicle to enter and exit the site in a forward gear; b. a 10.3 metre long refuse collection vehicle to undertake a maximum three point turning manoeuvre with sufficient clearance to any obstructions; c. the access driveway (including crossover) to be designed to withstand heavy vehicles.	Yes. Refuse collection for Lot 1 is proposed to be achieved directly via Murrays Road. Refuse collection for Lots 2 – 9 is proposed to be achieved via the internal shared driveway. A refuse truck turnaround has been provided, on site, to allow the refuse truck to exit in a forward gear.
PO5 Reconfiguring a lot is designed to: a. protect significant natural features; b. protect landscape amenity values; c. minimise the amount of excavation and filling. Note - Planning scheme policy 8 - Urban design provides guidelines on how to achieve this outcome.	**AO5** No acceptable outcome provided.	Yes. The site is currently vacant and includes a disturbed southern portion dominated by exotic grasses and weeds, together with remnant woodland and a drainage gully across the northern portion of the lot. The proposed subdivision has been designed to utilise existing cleared areas. However, some vegetation removal may be required as part of the proposed swale, access road, lots and bushfire hazard mitigation. Clearing will be minimal.
PO6 Reconfiguring a lot facilitates a movement network that: a. is permeable; b. supports active transport. Note - Planning scheme policy 8 - Urban design provides guidelines on how to achieve this outcome.	**AO6** No acceptable outcome provided.	Yes. The proposed subdivision intends no alteration to the existing road network and includes the introduction of a common access driveway servicing all residential lots.

PO7 Reconfiguring a lot provides that the orientation of a road and lot facilitates the development of energy efficient buildings that respond to local climatic conditions. Note - Planning scheme policy 8 - Urban design provides guidelines on how to achieve this outcome.	**AO7** No acceptable outcome provided.	Yes. The lots are orientated on a general north/south axis with the access driveway running on a general east/west axis.
PO8 The location and orientation of residential lots enables the siting of buildings to mitigate potential adverse impacts from rural activities, Medium impact industry, High impact industry or Special industry.	**AO8** A lot for a residential purpose is not created within the distances stated for any of the following: a. 1,500 metres of a Special industry; or b. 500 metres of a High impact industry; or c. 500 metres of an Intensive animal industry; or d. 300 metres of an Intensive horticulture or Wholesale nursery; or e. 250 metres of a Medium impact industry.	Yes.
Where creating 10 or more lots in the Small lot precinct, Suburban precinct or Village precinct of the Low density residential zone		
PO9 Reconfiguring a lot achieves a diverse lot mix and high quality streetscape by: a. providing a wide variety of frontages; b. providing lots with noticeable frontage variation when observed from the street. Note - Planning scheme policy 8 - Urban design provides guidelines on how to achieve this outcome.	**AO9.1** Reconfiguring a lot is developed in accordance with the diversity standards specified in Table 9.4.6.3.5 - Frontage requirements. Note - Planning scheme policy 8 - Urban design provides guidelines on how to achieve this outcome. Note - For the purpose of Table 9.4.6.3.5 - Frontage requirements, the frontage of a corner lot is measured from the back of the truncation along the nominated road frontage to the side boundary of the adjoining lot. Planning scheme policy 8 - Urban design provides guidance for measuring the frontage of a corner lot. **AO9.2**	NA

	Reconfiguring a lot results in no more than three adjoining lots with the same frontage.	
Access easement		
PO10 An access easement: a. is fit for its particular purpose; b. has a safe access point; c. provides access and manoeuvring for on-site refuse collection where creating four or more rear lots for residential activities; d. does not adversely affect adjoining premises having regard to any of the following: i. traffic; or ii. accessibility; or iii. parking; or iv. privacy; or v. amenity Editor's note - Planning scheme policy 5 - Infrastructure provides guidance on the design standards for access driveways.	**AO10** No acceptable outcome provided.	Yes. Access to Lots 2 – 9 will be achieved via a 5.50m wide shared crossover and driveway from Murrays Road. Lot 1 will be accessed via a separate crossover from Murrays Road. Maintenance for the bio-retention basin will be achieved via a 3.0m wide crossover from Murrays Road. The proposed location of the shared crossover and individual crossover for Lot 1 has been designed to allow vehicle access to be achieved outside the 1% AEP flood extents.
Lots adjoining an urban arterial road		
PO11 Reconfiguring a lot is designed to enhance the visual amenity of an urban arterial road and avoids creating a streetscape that is likely to be dominated by fencing ancillary to future land uses.	**AO11** Reconfiguring a lot that results in lots that adjoin an urban arterial road provides: a. a land dedication of a road for public use to Council between the lot/s adjoining the urban arterial road and the urban arterial road that: i. is a minimum of 3 metres wide;	NA

	ii. extends for the full length of the lot boundaries that adjoin the urban arterial road; iii. is landscaped with native, locally endemic species at a density sufficient to screen the development from view from the urban arterial road; or b. a constructed road between the lot/s adjoining an urban arterial road and the urban arterial road; or c. a constructed road in accordance with section 7.2 of Planning scheme policy 5 - Infrastructure where located within a general planning layout area. Note - AO11(c) only applies to development identified in a general planning layout in section 7.2 of Planning scheme policy 5 - Infrastructure.	
Approved multiple dwellings		
PO12 Reconfiguring a lot where material change of use has been granted for three or more multiple dwellings does not compromise the lawfulness and function of the approved use.	**AO12** Reconfiguring a lot where material change of use has been granted for three or more dwellings: a. ensures the dwellings are completed in accordance with the approved plan of development associated with the material change of use; b. does not result in a building that straddles a boundary; c. does not compromise the use of a multiple dwelling as a self-contained residence.	NA
PO13	**AO13**	NA

Reconfiguring a lot where a material change of use has been granted for three or more dwellings: a. is in the form of a community title scheme with a body corporate to ensure equitable and ongoing maintenance of any shared facilities or infrastructure; or b. establishes freehold lots only if: i. all the proposed lots have direct road frontage to a dedicated constructed road; ii. equitable and ongoing maintenance of any shared facilities or infrastructure is provided.	No acceptable outcome provided.	
Where within a regulated access area		
PO14 Development within Figure 9.4.6.3.1 - Regulated access area: a. does not result in additional lots gaining vehicular access from Beenleigh-Redland Bay Road or Calfornia Creek Road; b. supports the extension of the local access road network.	**AO14** Development is designed to comply with Figure 9.4.6.3.1 - Regulated access area.	NA
Where within a local plan area		
PO15 Development provides streetscape elements in accordance with the streetscape sections specified in the relevant local plan.	**AO15** No acceptable outcome provided.	NA

Table 9.4.6.3.2 - Reconfiguring a lot

Column 1	Column 2	Column 3			Column 4	Column 5	Column 6
Zone and/or precinct	**Minimum lot size**	**Minimum frontage**			**Maximum depth to width ratio**	**Rear lot**	**Qualifications**
		Normal	**Cul-de-sac lot**	**Corner lot**			
Low density residential zone - Small lot precinct	300m^2	10m	6m	12m	NA	A rear lot is not created in this precinct.	
Low density residential zone - Suburban precinct	400m^2	12.5m	10m	15m	NA	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Low density residential zone - Village precinct	500m^2	15m	10m	18m	NA	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Low density residential zone - Large suburban precinct	1,000m^2	20m	10m	22m	3 to 1	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Low density residential zone - Small	2,000m^2	20m	15m	30m	4 to 1	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	

acreage precinct							
Low density residential zone - Acreage precinct	4,000m^2	40m	20m	40m	4 to 1	A rear lot is not created in this precinct.	
Low-medium density residential zone - Townhouse precinct	500m^2	20m	No minimum	30m	3 to 1	A rear lot is not created in this precinct.	
Low-medium density residential zone - Apartment precinct	800m^2	20m	No minimum	30m	3 to 1	A rear lot is not created in this precinct.	
Medium density residential zone - Medium rise precinct	1,200m^2	20m	No minimum	30m	3 to 1	A rear lot is not created in this precinct.	
Medium density residential zone - High rise precinct	1,200m^2	20m	No minimum	30m	3 to 1	A rear lot is not created in this precinct.	
Centre zone	No minimum	No minimum frontage			No maximum	A rear lot is not created in this zone.	

Specialised centre zone	No minimum	No minimum frontage			No maximum	A rear lot is not created in this zone.	
Recreation and open space zone	No minimum	No minimum frontage			No maximum	A rear lot is not created in this zone.	
Low impact industry zone	2,000m^2	25m	20m	30m	4 to 1	A rear lot is not created in this zone.	The width is sufficient to allow the specified heavy vehicle to turn around on the lot.
Medium impact industry zone	2,000m^2	25m	20m	30m	4 to 1	A rear lot is not created in this zone.	The width is sufficient to allow the specified heavy vehicle to turn around on the lot.
Community facilities zone	No minimum	No minimum frontage			No maximum	A rear lot is not created in this zone.	
Emerging community zone	20 hectares	No minimum frontage			No maximum	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Environmental management and conservation zone	100 hectares	No minimum frontage			No maximum	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	-
Mixed use zone	2,000m^2	25m	20m	30m	4 to 1	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	The width is sufficient to allow the specified heavy vehicle to turn around on the lot.

Rural zone	100 hectares	No minimum frontage.			No maximum	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Rural residential zone - Park residential precinct	5,000m^2	40m	20m	40m	3 to 1	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Rural residential zone - Park living precinct	100 hectares	No minimum frontage			No maximum	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	
Rural residential zone - Cottage rural precinct and Carbrook precinct	a. 20 hectares in the urban footprint; b. 100 hectares in the regional landscape and rural production area.	No minimum frontage			No maximum	A rear lot is provided in accordance with the additional requirements of Table 9.4.6.3.4 - Additional requirements for rear lots.	

Note - The Minimum access width applies when one rear lot is created.

Table 9.4.6.3.4 - Additional requirements for rear lots

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Zone and/or precinct	**Minimum area clear of access strip**	**Maximum access strip length**	**Number of dwellings serviced by accessway**	**Minimum access strip width**	**Passing bays**	**On-site refuse collection**
Low density residential zone - Small acreage precinct	2,000m^2	75m	1	4m driveway reserve width and 3m pavement width	No	No
			2	5.5m driveway reserve width and 3m pavement width	Yes	No
			3	5.5m driveway reserve width and 3m pavement width	Yes	No
			4	5.5m driveway reserve width and 3m pavement width	Yes	Yes
			5 or more	8m driveway reserve width and 5.5m pavement width	No	Yes