9.4.10 Subdivision code

9.4.10.1 Application

1. This code applies to assessing reconfiguring a lot if:
2. assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for a neighbourhood plan (section 5.9), reconfiguring a lot (section 5.6) or an overlay (section 5.10); or
3. impact assessable development, to the extent relevant.

Note—This code applies to all aspects of reconfiguring a lot, ranging from a single site where no road is created to a new residential community, as well as other types of reconfiguring a lot.

Editor’s note—Reconfiguring a lot involving only the subdivision of 1 lot into 2 lots is subject to the regulated categories of development and assessment in section 5.4, if in a zone in the Residential zones category or in a zone in the Industry zones category. In this instance, the Reconfiguring a lot (subdividing one lot into two lots) and associated operational works code, being a requirement under the Regulation will also apply.

1. When using this code, reference should be made to section 1.5 and section 5.3.3.

Note—The following purpose, overall outcomes, performance outcomes and acceptable outcomes comprise the assessment benchmarks of this code.

Note—Where buildings are approved, they and the land they are on can be separately titled either in freehold or other title forms. The provisions in this code relating to reconfiguring a lot of existing or approved buildings do not apply to the reconfiguring a lot of a dwelling house in a zone in the Residential zones category. A dwelling house, including the main dwelling, plus any secondary dwelling or ancillary outbuildings, in a zone in the Residential zones category is always to remain as a sole lot by any title or tenure. A reconfiguring a lot proposal that does separate these components of a dwelling house and includes them on individual title is inappropriate and incompatible development and is highly unlikely to be supported. This ensures that the expectation of residents for a high standard of residential amenity is protected.

Note—If reconfiguring a lot is proposed in conjunction with a development application for a use or uses that require assessment, the development application for the reconfiguring a lot will not be approved until the development application for the intended change of use has been determined.

Note—This code may be applied in conjunction with or subsequent to a material change of use and the sealing of a plan of subdivision may be subject to matters relating to the material change of use.

Note—Where this code includes performance outcomes or acceptable outcomes that relate to:

* biodiversity areas, guidance and requirements are provided in the Biodiversity areas planning scheme policy;
* crime prevention through environmental design, guidance is provided in the Crime prevention through environmental design planning scheme policy;
* infrastructure design and construction works, guidance is provided in the Infrastructure design planning scheme policy;
* refuse and recycling, guidance is provided in the Refuse planning scheme policy;
* structure plan preparation, guidance is provided in the Structure planning planning scheme policy;
* transport, access, parking or servicing, standards and guidelines are provided in the Transport, access, parking and servicing planning scheme policy;
* significant vegetation, guidance is provided in the Vegetation planning scheme policy.

9.4.10.2 Purpose

1. The purpose of the Subdivision code is to regulate development for reconfiguring a lot.
2. The purpose of the code will be achieved through the following overall outcomes:
3. Development for reconfiguring a lot facilitates the creation of suitable lots for their intended use while not adversely impacting on the lawful use or identified values of other premises.
4. Development for reconfiguring a lot creates a lot of an appropriate size, dimensions and arrangement consistent with the outcomes of the zones, zone precincts, neighbourhood plans and overlays which apply to the site.
5. Development for reconfiguring a lot provides lots and an arrangement of lots for lawful uses consistent with the uses, zones, zone precincts, neighbourhood plans and overlays which apply to the site and that meet the provisions of the planning scheme and responds to the patterns of development in the locality.
6. Development for reconfiguring a lot under the *Land Title Act 1994* and the *Body Corporate and Community Management Act 1997* occurs in a manner that achieves good urban design outcomes.
7. Development for reconfiguring a lot associated with or resulting from a material change of use provides lots and arrangement of lots for the purposes of titling and any easement relevant to the development.
8. Development for reconfiguring a lot of an existing building and associated land can be separately titled either in freehold or other title forms.
9. Development for reconfiguring a lot relating to existing or approved buildings does not apply to the reconfiguring a lot of a dwelling house in a zone in the Residential zones category and a dwelling house, including the main dwelling, plus any secondary dwelling or ancillary outbuildings, in a zone in the residential zones category is always to remain as a sole lot by any title or tenure.
10. Development for reconfiguring a lot is designed to effectively integrate with existing and planned infrastructure and services to the extent these are identified or necessary to support the development for its intended purpose.
11. Development for reconfiguring a lot provides infrastructure and services which comply with the standards for planned infrastructure and services to service the site.
12. Development for reconfiguring a lot ensures safety and amenity of the intended uses and does not compromise the safe and efficient operation of existing and future lawful uses and activities in the vicinity of the site.

9.4.10.3 Performance outcomes and acceptable outcomes

Table 9.4.10.3.A—Performance outcomes and acceptable outcomes

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| Performance outcomes | Acceptable outcomes |
| Section A—General performance outcomes and acceptable outcomes for reconfiguring a lot | |
| PO1  Development creates a lot with dimensions which enable lawful uses appropriate to the intended use and consistent with zones, zone precincts, neighbourhood plans and overlays which apply to the site and are intended for the locality under the planning scheme. | AO1.1  Development provides lots which enable the relevant outcomes and standards required by the planning scheme to be complied with for the intended use. |
| AO1.2  Development provides lots with dimensions in compliance with Table 9.4.10.3.B. |
| AO1.3  Development involving a building or structure that is not intended for common use and sharing by a formal title arrangement such as a shared wall between attached dwelling houses and a volumetric lot, reconfiguring a lot does not result in development being located across a boundary or within a setback required by the planning scheme.  Note—The development application may indicate that a building or structure is to be demolished or redesigned pending approval of the reconfiguring of a lot to correct this situation. This is to be carried out before the approval of the subdivision survey plan.  Note—Where development is intended on a proposed lot to involve work for a shared wall, built to the boundary wall or other structure and work (other than a fence) on or near to the proposed lot boundary and the proposed lots do not meet the requirements of Table 9.4.10.3.B, the structure is to be located in the position identified by the preceding development approval, approved plans, planning scheme and Building Regulation.  Note—In the circumstance of a shared building wall and the proposed lots do not meet the requirements of Table 9.4.10.3.B, the relevant plan of subdivision will not be approved until the following shows that the location of the structure is correctly located:   * physical inspection is undertaken at the framing stage of construction; * written evidence in the form of a plan of subdivision is prepared by a suitably qualified person; * other evidence received and agreed by the Council. |
| AO1.4  Development ensures that each lot is provided with:   1. direct access to a formed public road which is not directly from a major road; or 2. access to a formed public road via a formal access arrangement registered on a title over another lot, a reciprocal access easement or common property which meets the standard vehicle type requirements for the zone and zone precinct applicable to the site and the intended use. |
| AO1.5  Development requiring a building envelope plan or a development footprint plan ensures the building envelope plan or development footprint plan is shown on the plan of subdivision to be registered for the lot.  Note—A building envelope plan or a development footprint plan can be a means of addressing a range of site development matters. Other parts of this code and other codes determine the circumstances for the application of a building envelope plan or a development footprint plan.  Note—A building envelope plan or a development footprint plan may also be used to determine where other matters are registered on title, such as a registered environmental covenant over land outside of the building envelope or development footprint which is not to be the subject of vegetation clearing. |
| PO2  Development ensures that the lot size and layout minimises impacts from cutting, filling, retaining walls and earthworks.  Development ensures cutting and filling for the development of canals or artificial waterways avoids adverse impacts on coastal resources and processes. | AO2.1  Development ensures that any cutting, filling, retaining walls and earthworks have maximum vertical and horizontal dimensions of 1m either as a single element or a step in a terrace or series of terraces.  Note—Development may be required to accommodate cutting, filling, retaining walls and earthworks by providing larger lot dimensions than those stated in Table 9.4.10.3.B. |
| AO2.2  Development provides an area of a minimum rectangular dimension identified in Table 9.4.10.3.B which is located in the lot on land with an existing slope of less than 1 in 5 prior to any cutting, filling, retaining walls or earthworks. |
| AO2.3  Development involving a lot with an area less than 450m2 is located on a site with:   1. a maximum average slope on the shortest lot axis of 1 in 10; 2. a maximum average slope on the long axis of 1 in 15. |
| AO2.4  Development ensures that no crest of any cut or toe of any fill is located closer than 0.6m to any lot boundary. |
| AO2.5  Development does not involve the creation of canals or artificial waterways. |
| PO3  Development provides lot access which is designed:   1. for the appropriate type of vehicle, pedestrian and cyclist use of the site; 2. to be safe for the vehicles, buses, pedestrians and cyclists expected to be accessing the lot; 3. to maintain the safety and efficiency of the movement network for vehicles, buses, pedestrians and cyclists. | AO3.1  Development provides lot access for a vehicle which is not directly from a major road. |
| AO3.2  Development provides access to each lot in compliance with the standards in the Transport, access, parking and servicing planning scheme policy. |
| PO4  Development provides land for the delivery of infrastructure and services. | AO4.1  Development provides land for infrastructure and services in compliance with the:   1. Local government infrastructure plan; 2. standards in the Infrastructure design planning scheme policy; 3. Refuse planning scheme policy; 4. Transport, access, parking and servicing planning scheme policy; 5. other codes and planning scheme policies which apply to the site. |
| AO4.2  Development provides a stormwater system in compliance with the standards in the Stormwater code which has sufficient capacity to enable lawful uses appropriate to the intended use for the locality under the planning scheme. |
| Additional performance outcomes and acceptable outcomes if rearranging the boundaries of a lot | |
| PO5  Development provides for safe and healthy occupation of the lots relative to risks, hazards and land uses that adversely affect the normal occupation of the lot by the intended land use and activities associated with that use. | AO5  Development ensures the lot density, location, arrangement and dimensions addresses potential adverse impacts on the normal occupation of the lot for its intended use and associated activities by:   1. identifying the sources of potential hazards including air, noise, dust, light, contaminated land and electromagnetic emissions; 2. avoiding the hazard; 3. including buffers and structures to mitigate the hazard.   Note—Information about potential risks and hazards and how these are addressed is provided in overlays and neighbourhood plans. There may however be other risks and hazards that are apparent as part of the analysis of the site and its surrounds, assessment of the development or changed circumstances not reflected in the planning scheme. |
| PO6  Development provides for the rearrangement of a lot boundary which results in the lot having a dimension and size that is consistent with a lawful use intended for the site and locality. | AO6.1  Development ensures that no additional lots are created. |
| AO6.2  Development which is located in an established area ensures that the pattern, character arrangement, size and configuration of lots is consistent with the established area. |
| Additional performance outcomes and acceptable outcomes if creating an easement giving access to a lot from a constructed road | |
| PO7  Development provides an access easement which:   1. is of an adequate width; 2. is constructed to a standard appropriate to the situation; 3. does not result in unreasonable detriment or nuisance to an adjacent premises. | AO7.1  Development provides an access easement which is in compliance with the standards in the road corridor design section of the Infrastructure design planning scheme policy and the Transport, access, parking and servicing planning scheme policy. |
| AO7.2  Development provides an access easement which is located as far away as practicable from an existing or proposed dwelling. |
| Additional performance outcomes and acceptable outcomes if involving a volumetric subdivision | |
| PO8  Development ensures that the subdivision of the space above or below the surface of the land facilitates efficient development in accordance with the outcomes of the zones, zone precincts, neighbourhood plans and overlays applicable to the site and the locality. | AO8  Development ensures lots retain reasonable and practical access appropriate to their current and future intended use. |
| Additional performance outcomes and acceptable outcomes if involving a site in 2 or more zones, zone precincts, neighbourhood plan precincts or overlay sub-categories | |
| PO9  Development ensures that a subdivision involving land included in 2 or more zones, zone precincts, a neighbourhood plan precinct or overlay sub-categories provides for different lot design requirements which are applicable to the zones, zone precincts, neighbourhood plans and overlays and the lawful uses intended for the site and the locality. | AO9.1  Development ensures that the boundary between the zones, zone precincts, neighbourhood plans, overlays and land uses are reflected in the design, arrangement and boundaries for proposed lots to the extent relevant. |
| AO9.2  Development includes separation, buffer management zones or other means to address any adverse amenity, health or safety impacts caused by an adjacent use. |
| AO9.3  Development provides lot dimensions and size in each different zone, zone precinct, neighbourhood plan and land use that is in compliance with Table 9.4.10.3.B. |
| Section B—Transport, traffic and movement outcomes for reconfiguring a lot involving the creation of 10 or more lots, a road reserve or a lot for a new road, bikeway or pedestrian route | |
| PO10  Development ensures that the transport network and all its elements is designed to:   1. have a clear hierarchical structure using the existing network classification; 2. provide a high level of internal accessibility and good external connections for local vehicle, pedestrian and bicycle networks; 3. include a minor road network that creates convenient and safe movement between uses and to major roads; 4. contribute to the bicycle network; 5. cater for design vehicles based on the road hierarchy classification of the road network and the expected vehicle, pedestrian and cyclist use of the site and surrounding premises; 6. have an adequate horizontal and vertical alignment which complies with the design speed; 7. have intersections which are designed to best-practice engineering standards; 8. have safe vehicular access to each lot if access is allowed; 9. ensure speed management is achieved by geometric design and arrangement of roads and paths to meet the vehicle design speed, deter through traffic and create safe conditions for vehicles, pedestrians and cyclists and the nature of uses intended for the site and locality; 10. provide safe pedestrian and cyclist crossings; 11. minimise the need for earthworks; 12. provide minor roads adjoining the park network.   Note—A traffic impact assessment may be required in accordance with the Transport, access, parking and servicing planning scheme policy to demonstrate this performance outcome is satisfied.  Note—The transport network is any element that provides for the movement of vehicles, pedestrians or cyclists other than the internal function and operation of a site and may include public space, publicly accessible private space or private space if through movement or public access is intended. | AO10.1  Development provides a transport network that aligns with and integrates with the surrounding transport network (and completes relevant elements of this network where necessary) shown in:   1. the Road hierarchy overlay map; 2. the Bicycle network overlay map; 3. the Streetscape hierarchy overlay mapinfrastructiure; 4. a preliminary approval or approved plan over the subject site; 5. preliminary approvals and development approvals on land around the subject site; 6. neighbourhood plans and/or structure plans or other plans agreed by the Council; 7. a traffic impact assessment report in accordance with the Transport, access, parking and servicing planning scheme policy and the report outcomes as agreed by the Council.   Note—This can be demonstrated through an application that:   * is accompanied by sufficient information (including computer modelling input and output data) to allow the proposed development to be properly assessed against the requirements of this code and the standards and guidelines of the Transport, access, parking and servicing planning scheme policy; * is certified by a Registered Professional Engineer Queensland that all plans, documents and dimensioned drawings comply with the requirements of this code and/or the standards and guidelines of the Transport, access, parking and servicing planning scheme policy; * and is certified by a Registered Professional Engineer Queensland that any computer modelling input and output data is accurate, reasonable and carried out in accordance with sound traffic engineering practices. |
| AO10.2  Development provides a transport network which is laid out and designed in compliance with the relevant standards and specifications identified in the planning scheme. |
| AO10.3  Development provides roads that are designed in compliance with the standards in the:  Infrastructure design planning scheme policy; and Transport, access, parking and servicing planning scheme policy. |
| AO10.4  Development ensures that cut and fill for construction of transport network elements is less than 1m in height. |
| AO10.5  Development provides a road network design which prevents the need for traffic-calming devices to manage vehicle design speed, deter through-traffic and create safe conditions for pedestrians and cyclists. |
| AO10.6  Development provides a minor road which:   1. adjoins a minimum of 50% of the edge of a park; 2. has an interface that is evenly distributed across the edge of the park network. |
| AO10.7  Development provides vehicle access to a residential lot which:   1. has a slope of less than 1v:6h; 2. does not require cut and fill in excess of 1m in height. |
| AO10.8  Development provides safe sight distances, based on the vehicle speed, at the following:   1. an access point to a lot; 2. a junction and an intersection, including a corner truncation; 3. a pedestrian or cyclist crossing. |
| PO11  Development provides a transport network which has permeability, connectivity and safety for vehicles, pedestrians and cyclists. | AO11.1  Development ensures that a cul-de-sac is not included in design unless a physical feature naturally breaks the continuance of the road network and no alternative arrangement is possible.  Note—Physical features include waterways, parks and major changes in land use such as residential changing to industrial which are to be demonstrated in the development application. While the road network may have a cul-de-sac; the pedestrian and bicycle network may not. |
| AO11.2  Development ensures that if a cul-de-sac is required based on there being no other practical option:   1. for residential development, the cul-de-sac accommodates a maximum of 200 vehicle movements per day; 2. for an industrial area, the cul-de-sac does not support more than 1000 vehicle movements per day; 3. at the head of the cul-de-sac, connections with a direct line of sight are provided to the through-streets for pedestrians and cyclists; 4. a residential cul-de-sac head is visible from the cul-de-sac street entrance and is no longer than 150m; 5. where a site has a frontage to the road stub at the end of a ‘no through’ minor road and no cul-de-sac head is provided, a cul-de-sac head is dedicated in compliance with the standards in the Infrastructure design planning scheme policy; and the Transport, access, parking and servicing planning scheme policy. |
| PO12  Development provides a pedestrian and bicycle network which:   1. is designed to provide permeability for pedestrians and cyclists in conjunction with the design of the road network and lot layout having regard to the surrounding area and existing and future networks; 2. is safe, suitably shaded, attractive and efficient; 3. links destinations such as schools, shopping centres, parks, public transport stations, public transport stops and local activity centres along the safest, most direct and convenient routes; 4. provides routes that are on areas of least slope and avoid potential hazards such as flooding; 5. runs largely along public spaces including streets or parks, fronted by dwelling houses; 6. is located where there is casual surveillance, avoiding an area with a major break in surveillance and an unlit area at night; 7. is widened at potential vehicle conflict points. | AO12.1  Development on a site in the Bicycle network overlay provides that component of the bicycle network in compliance with the hierarchy of bicycle paths and the transport network section of the Infrastructure design planning scheme policy and the Transport, access, parking and servicing planning scheme policy. |
| AO12.2  Development provides a pedestrian and bicycle network which:   1. is in compliance with an overlay, neighbourhood plan, preliminary approval, development approval or structure plan; or 2. a pedestrian and bicycle accessibility grid-based network through the development that connects into the broader network of proposed and existing pathways, if no overlay, neighbourhood plan, preliminary approval, development approval or structure plan exists.   Refer to Figure a. |
| AO12.3  Development provides a pedestrian and bicycle route in compliance with the outcomes and standards identified in the Infrastructure design planning scheme policy.  Note—The Infrastructure design code requires the creation of footpaths and bikeways in compliance with the standards and specifications in the transport network and road corridor design sections of the Infrastructure design planning scheme policy, whether in the road reserve or through a park. |
| AO12.4  Development provides pathway links interconnecting between the street network and open space network with a direct line of sight between both ends of the link which are suitable for pedestrians and bicycles and have a minimum width of 5m and a maximum length of 40m. |
| PO13  Development provides a road network which enables the creation of lots that facilitate sufficient solar access for potential dwellings, buildings, structures and activity areas. | AO13  Development provides a road network which:   1. is generally orientated on a modified grid pattern that allows for topographic constraints; 2. facilitates the following orientation wherever possible: 3. generally north–south roads, to allow lots to have their long axes typically orientated east–west; 4. generally east-west roads, to allow lots to have their long axes typically oriented north–south. |
| PO14  Development provides a transport network which facilitates the efficient and cost-effective provision and maintenance of infrastructure. | AO14  Development provides a transport network which enables the logical alignment of infrastructure in the network. |
| PO15  Development provides a road reserve and carriageway which is of sufficient design, width and arrangement to preserve the function of the road hierarchy and address all impacts on the road network, including:   1. safe and efficient movement of users, including vehicles, cyclists and pedestrians; 2. efficient vehicle parking; 3. access to properties, including accommodation of the largest service vehicle likely to access lots; 4. construction and maintenance of public utilities; 5. landscaping, street trees and shading; 6. safety and visibility; 7. integrated pedestrian and cyclist movement and safety; 8. noise reduction; 9. required design vehicles; 10. utility services. | AO15  Development provides a road reserve and carriageway which is designed in compliance with its road hierarchy classification and in compliance with the road corridor design standards in the Infrastructure design planning scheme policy. |
| PO16  Development provides corner lots with a corner truncation to ensure safety, functioning and visibility at the intersection. | AO16  Development provides for a corner truncation, if not already provided, of each corner of a site to a road frontage, in compliance with the road corridor design standards in the Infrastructure design planning scheme policy. |
| PO17  Development provides on-road car parking which is in compliance with the intended function of the road and the projected needs taking into account kerb space for:   1. on-street parking; 2. the number and location of driveways and shared driveway crossovers; 3. bus stops; 4. street furniture; 5. landscaping and street trees; 6. the location of traffic control devices and other infrastructure. | AO17  Development provides on-road car parking spaces which are in compliance with the road corridor design standards of the  Infrastructure design planning scheme policy; and Transport, access, parking and servicing planning scheme policy |
| PO18  Development provides intersection designs which ensure:   1. safety, efficient function and visibility for vehicles, pedestrians and cyclists; 2. verge areas that provide sufficient space for safe pedestrian movement; 3. sufficient space for infrastructure and traffic management. | AO18  Development provides intersections which are designed in compliance with the standards and specifications in the road corridor design standards in the Infrastructure design planning scheme policy. |
| PO19  Development provides a transport network which caters for the extension of existing or future public transport routes and infrastructure including safe pedestrian set-down and pick-up facilities. | AO19  Development provides bus infrastructure and intersections which are designed in compliance with the road corridor design standards of the Infrastructure design planning scheme policy and the Transport, access, parking and servicing planning scheme policy. |
| PO20  Development provides a transport network which is:   1. designed to operate safely for users, pedestrians and cyclists; 2. ensures emergency access or evacuation in emergencies. | AO20  Development provides a secondary local street access if access to lots is used by more than 1,000 vehicles per day.  Note—The secondary access is to provide emergency vehicles with an alternative route where the primary route may be heavily trafficked and the effectiveness of emergency response is reduced. |
| Section C—Specific performance outcomes and acceptable outcomes applicable to development | |
| Section C1—Development for reconfiguring a lot involving any of the following:   1. a site which is more than 1ha in the Emerging community zone; or 2. a site which is more than 7,000m2 in the Low density residential zone; or 3. the number of lots is 20 or more; or 4. the opening of a new road, creation of a park, the creation of a bicycle and pedestrian network element; or 5. the creation of more than 50% of the lots with an area less than 350m2. | |
| PO21  Development delivers a structure of highly connected and legible neighbourhoods which:   1. are based on a 400m walking distance from a central point; 2. include or are within an 800m walking distance of a local shop and services; 3. include a range of lot sizes and types; 4. have connected transport and open space networks; 5. have centrally located parks; 6. provide sites for community activities, services and facilities and utilities; 7. create a strong and positive neighbourhood identity; 8. create a legible transport network; 9. result in a safe, connected and permeable neighbourhood; 10. integrate with surrounding development approvals and areas; 11. integrate the requirements of neighbourhood plans; 12. respond to site characteristics and setting as detailed in an applicable neighbourhood plan or overlay.   Note—A structure plan prepared in accordance with the Structure planning planning scheme policy can assist in demonstrating the achievement of this outcome and is a useful tool to integrate subdivision layout with all relevant spatial attributes as addressed in overlays and neighbourhood plans. | AO21.1  Development complies with any of the following:   1. a neighbourhood plan, preliminary approval or development approvals which provide comprehensive information to guide the land use pattern, scale, arrangement, connections, transport network and relationship to surrounding features and values; 2. a structure plan which satisfies the performance outcome if there is no neighbourhood plan, preliminary approval or development approval which provides comprehensive information; where: 3. the site is more than 1ha in the Emerging community zone; or 4. the site is more than 7,000m2 in the Low density residential zone; or 5. there are 20 or more lots; or 6. the development opens a new road, creates a park or creates bicycle and pedestrian network elements; or 7. includes a minimum of 50% of lots less than 350m2; 8. if paragraphs (a) and (b) do not apply, the plans of the development clearly indicate the integration, connection and relationship of the site with surrounding land uses, roads, pathways, bicycle routes, parks, environmental values and key destinations such as centres and community facilities. |
| AO21.2  Development involving all residential, or significant residential, centre or mixed use development provides:   1. a maximum street block length of 220m; 2. a maximum street block depth of 80m; 3. a mid-block link with a direct line of sight between the link ends of a minimum width of 5m if a street block exceeds 150m in length and provides a mid-block link for every 150m of block length or part thereof where a block length exceeds 200m. |
| PO22  Development ensures that the layout retains and responds to:   1. physical features such as topography, natural drainage systems and significant vegetation; 2. existing heritage or character buildings; 3. adjoining existing uses, movement and park networks and services. | AO22.1  Development retains and incorporates significant vegetation within a park, private open space areas, road reserve, waterways or corridors.  Note—The Vegetation planning scheme policy provides guidance on determining what significant vegetation is to be considered in demonstrating achievement of this outcome |
| AO22.2  Development integrates heritage or character buildings with community facilities or shared facilities. |
| PO23  Development provides a layout which supports pedestrian access to public transport services by locating:   1. a high proportion of dwellings close to public transport stops; 2. higher density residential development close to transport stops; 3. non-residential or high trip-generating uses immediately proximate to transport stops. | AO23  Development provides 90% or more of lots and all non-residential uses intended for public visitation within a 400m walking distance of an existing or future stop on a public transport route or a dedicated public pedestrian access point to a railway or busway station. |
| PO24  Development provides a high proportion of lots which can accommodate climate-responsive subtropical building design for solar access and breeze. | AO24.1  Development provides lots which are generally designed and positioned as follows:   1. small lots are located on north-facing slopes with gradients of less than 15%; 2. largest lots and lowest densities are located on south-facing slopes or other areas where solar access is poor. |
| AO24.2  Development involving a small lot which has a building envelope plan, or provides for integrated small lot development, identifies on the building envelope plan private open space orientated to the north or north-east if this can be accommodated to the rear or side of buildings. |
| PO25  Development provides a range of lot sizes and types mixed in one location to support increased housing choice appropriate for a range of household types and is consistent with the proposed uses of the site and the surrounding lot character or provides transitions from that surrounding lot character. | AO25.1  Development provides a range of lot sizes which comply with:   1. the zone, zone precinct, neighbourhood plan, preliminary approval or development approval; or 2. if there is no neighbourhood plan, preliminary approval or development approval which specifies or provides sufficient information on the range, scale, mix and density of lots, a maximum of 18 dwellings per hectare in the Emerging community zone and in the Low density residential zone, and 24 dwellings per hectare in the Low-medium density residential zone; or 3. if there is no neighbourhood plan, preliminary approval or development approval which specifies or provides sufficient information on the range, scale, mix and density of lots, the minimum requirements of Table 9.4.10.3.B and surrounding lot character consistent with the proposed uses of the site.   Note—The density of dwellings per hectare is calculated based on the number of dwellings (such as dwelling houses, multiple dwellings) relative to the area of the site proposed lots intended for dwellings and inclusive of land intended to be included in the Local zone precinct of the Open space zone and local roads. |
| AO25.2  Development provides a frequency of standard and small lots which are varied to facilitate housing variety that ensures:   1. in the Emerging community zone, Low density residential zone and Character residential zone, there is no more than 6 contiguous small lots along a street frontage which are separated by no less than 2 standard lots from other small lots; 2. in the Low-medium density residential zone, there is no more than 6 contiguous small lots joined by sharing boundary walls along a street frontage. 3. there is a transition between the surrounding lot size character of land in a zone in the Residential zones category or the Emerging community zone and the site that provides lots consistent with the size of adjoining lots.   Note—The limitations for sharing boundary walls (AO25.2(b)) can be registered on title to clearly indicate where shared walls are located or not in order to demonstrate meeting this outcome. |
| PO26  Development involving lots for non-residential, centre or mixed use development is provided in the following appropriate locations that take advantage of:   1. site access opportunities or restrictions; 2. positive streetscape or park interface opportunities; 3. opportunities to locate near transport stops or on transport routes; 4. uses and building forms to act as noise buffers to external noise sources such as major roads, railways or other non-residential uses; 5. development interfaces and land use transitions to residential uses. | AO26  Development involving lots for non-residential, centre or mixed use development in a residential neighbourhood or subdivision are located:   1. with a frontage to a road higher than a minor road in the road hierarchy which can serve as the primary vehicle access point; 2. on the end of street blocks or corners; 3. within 200m walking distance of a dedicated public pedestrian access point of, or is integrated with, a public transport stop or station; 4. so that the change of use between residential and non-residential uses occurs along the shared rear boundaries of lots. |
| PO27  Development provides a lot mix and location within a residential neighbourhood or subdivision which supports positive streetscape outcomes and balances expected building forms, driveway frequency, on-street parking, water sensitive urban design and other elements. | AO27.1  Development providing lots for multiple dwellings locates these on corner sites, at the ends of street blocks or where they have dual frontage to facilitate direct vehicle and pedestrian access to each dwelling. |
| AO27.2  Development ensures that a lot which is less than 350m2 or with a frontage width less than 10m:   1. is located mid-block or adjacent to a park where there is dual frontage; 2. is located in a group up to but not more than 6 in a row to enable integrated design and construction solutions; 3. if serviced by a rear lane, the lane is no longer than 60m in length. |
| AO27.3  Development provides for larger lots located on corners or at the end of T-intersections. |
| PO28  Development involving a lot intended for a dwelling house is of a regular shape and an appropriate size and dimensions:   1. for the siting and construction of any existing or potential dwelling houses and any ancillary building or activity; 2. to maximise outdoor private space, privacy and amenity; 3. to provide convenient on-site vehicle access and parking. | AO28.1  Development provides lots which are rectangular or regular in shape, with the depth dimension greater than the width dimension and in accordance with Table 9.4.10.3.B. |
| AO28.2  Development with lots less than 600m2 provides lots that are rectangular or regular in shape and has a minimum of 65% of lots orientated in accordance with Figure b. |
| PO29  Development provides land for park purposes which is well distributed and located and is consistent with:   1. the nature of surrounding parks; 2. the needs of occupants and visitors; 3. the safety and connection to the transport network. | AO29  Development provides land for park purposes which is in compliance with the Park planning and design code and the Local government infrastructure plan. |
| Section C2—Detailed performance outcomes and acceptable outcomes for a development footprint plan involving residential small lots | |
| PO30  Development ensures that each small lot has an area of suitable size, dimensions and arrangement to enable the development of a dwelling house and associated ancillary structures and access without adversely impacting the intended character of a locality and the natural, character or heritage features of the lot.  Note—This performance outcome is reflected in a development footprint plan that forms part of the survey plan and title.  Note—Compliance with all of the minimum requirements indicated in Table 9.4.10.3.B satisfies this outcome other than potentially where a development footprint plan is needed to address AO30.1(e). | AO30.1  Development ensures each small lot has a development footprint plan which identifies an area including:   1. an area that complies with the minimum rectangle area identified in Table 9.4.10.3.B; 2. a suitable area for a dwelling house and other ancillary structures to be developed in compliance with the building and planning standards, specifications and outcomes including building setbacks; 3. ancillary buildings and structures, such as garages and decks; 4. vehicle parking areas, access and driveways; 5. the location of trees and tree protection zones or other natural, character or heritage features outside the development footprint plan. |
| AO30.2  Development locates the development footprint (excluding car parking access) to ensure a minimum setback of:   1. 3m to the primary street frontage or the least setback of an adjoining dwelling, whichever is the greater; 2. 1.5m to any secondary street frontage, where a corner lot; 3. 3m to any adjoining private open space.   Note—The development footprint does not override the Dwelling house (small lot) code other than to the extent provided for in that code. |
| AO30.3  Development ensures that a development footprint plan identifies a minimum of 16m2 principal private open space with a minimum dimension of 4m. |
| AO30.4  Development locates the development footprint to allow for built to boundary walls to be located so that no more than 6 dwelling houses can be attached by shared boundary walls. |
| Section C3—Additional performance outcomes and acceptable outcomes if involving reconfiguring a lot in a zone in the Industry zones category or the Extractive industry zone | |
| PO31  Development provides a lot layout plan which:   1. facilitates the integration of industrial development with other adjacent industrial development and the transport network elements intended for industrial traffic; 2. minimises impacts to existing or potential incompatible land uses. | AO31.1  Development involving an industrial lot ensures vehicle access is to a road intended for industrial access, not a residential street. |
| AO31.2  Development provides lots or easements for non-industrial uses such as private open space, environmental or stormwater management that create spatial separation between industrial lots and other incompatible land uses. |
| PO32  Development for industrial uses that are proposed to be serviced by a railway, road freight depot, intermodal terminal, airport or seaport maximises access to these facilities. | AO32  Development provides lots which are arranged to:   1. provide direct frontage to a railway, road freight depot, intermodal terminal, airport or seaport loading and unloading area; 2. be accessed by shared access ways, over private land or public road in the site, linking to the loading and unloading areas. |
| PO33  Development in the General industry C zone precinct of the Industry zone and the Extractive industry zone, provides lots which:   1. are of a size that facilitates a variety of industrial and industry compatible land uses; 2. are not subdivided or otherwise fragmented into unviable lot sizes. | AO33  Development on land in the General industry C zone precinct of the Industry zone and the Extractive industry zone retained in large lots in compliance with Table 9.4.10.3.B. |
| Section C4—Additional performance outcomes and acceptable outcomes for lot design if reconfiguring a lot in a zone in the Centre zones category, Mixed use zone, Community facilities zone or Specialised centre zone  Note—If a reconfiguration of a lot for commercial development occurs prior to a development application for a material change of use, the reconfiguration of a lot design is to have regard to the relevant development code. | |
| PO34  Development in a zone in the Centre zones category, Mixed use zone or Specialised centre zone:   1. facilitates the integration of centre and mixed uses with adjacent uses and features; 2. complements and enhances existing or proposed public spaces; 3. ensures minimum impact on the amenity of adjacent and nearby areas; 4. provides for reasonable buffers between any existing or potential incompatible land uses. | AO34  No acceptable outcome is prescribed. |
| Section C5—Additional performance outcomes and acceptable outcomes for lot design if reconfiguring a lot in the Environmental management zone, Rural zone or a very-low density residential potential development area identified in a neighbourhood plan | |
| PO35  Development provides a lot design which protects, maintains and enhances ecological features, significant vegetation, koala habitat trees and rural land values.  Note—Ecological features, significant vegetation and koala habitat trees can be identified through an ecological assessment as outlined in the Biodiversity areas planning scheme policy and accommodated through the approach described in the Structure planning planning scheme policy. | AO35  Development ensures that the building envelope plan and development footprint plan, design and layout conserves ecological features, significant vegetation, koala habitat trees and rural land values in a spatial configuration which:   1. consolidates and connects areas to be conserved for biodiversity purposes on site and in combination with adjoining sites; 2. minimises fragmentation of areas to be conserved for biodiversity purposes by infrastructure; 3. does not further fragment viable rural land.   Note—The use of a building envelope plan and a development footprint plan can demonstrate compliance with this requirement. |
| PO36  Development provides vehicular access which is:   1. available to each lot or building envelope area; 2. does not result in the loss of ecological features, significant vegetation and koala habitat trees.   Note—Ecological features, significant vegetation and koala habitat trees can be identified through an ecological assessment as outlined in the Biodiversity areas planning scheme policy. | AO36  Development provides vehicle access via a road and within a lot which is designed to minimise the clearing of vegetation and potential threat to fauna movement.  Note—The use of a development footprint plan can demonstrate compliance with this requirement. |
| Section D—Additional performance outcomes and acceptable outcomes if reconfiguring a lot other than involving the creation of freehold lots | |
| If dividing land into parts by an agreement that is a lease or an exclusive use agreement or lease or the reconfiguring of an existing or approved building whether or not including land | |
| PO37  Development that divides land into parts by lease or subdivision of existing or approved buildings, whether or not including land, does not result in:   1. the use or building becoming unlawful; 2. dependent activities of a use becoming separated by titling; 3. the functioning of a use or the relevant development approval being compromised.   Note—For instance, where premises are used for any industrial use that includes an ancillary office, the office cannot be separately titled as it is dependent on the industrial use component.  Note—For instance, while the reconfiguring a lot for a multiple dwelling provides individual community title for the units through a building format plan with a land component, the private courtyard for each unit is to be included in the title of each unit and not in the common property.  Note—In some instances it is appropriate to allow for reconfiguring a lot of land by either community title or a standard format plan if a combined development application for a material change of use includes an existing building that is to be retained on the site and separately titled. | AO37.1  Development ensures:   1. the use of premises remains lawful; 2. development remains in compliance with planning and building standards and development approvals. |
| AO37.2  Development of premises for its intended or approved use is lawful and in compliance with planning and building standards and development approvals. |
| If involving a standard format lot with common property such as requiring a community management scheme under the *Body Corporate and Community Management Act 1997*  Note—If a building is to be constructed prior to reconfiguring a lot, assessment of the development is to be undertaken as part of the development application for a material change of use if that development is assessable under the planning scheme. Reconfiguring a lot can be assessed simultaneously or subsequently against the relevant parts of this code. | |
| PO38  Development provides residential lots which have an appropriate area and dimensions:   1. for siting and constructing the intended building and any ancillary outbuilding and structure; 2. for the provision of private open space, vehicle access and parking; 3. which are consistent with the zone, zone precinct, neighbourhood plan and overlay outcomes applicable to the site. | AO38  No acceptable outcome is prescribed |
| PO39  Development provides internal access ways and driveways which:   1. are designed to clearly indicate the function of the access way; 2. provide acceptable levels of access, functionality, safety, amenity and convenience for users, as well as catering for car parking facilities. | AO39.1  Development for the purposes of residential development or the residential components of development, provides lots which are of a size and dimension to accommodate the following:   1. internal access ways that are designed in compliance with Table 9.4.10.3.C; 2. internal driveways serving a single dwelling that are a maximum of 3m wide; 3. driveways serving more than 3 lots that are at least 4m wide. |
| AO39.2  Development involving other purposes, has internal access ways and driveways in compliance with the standards in the Transport, access, parking and servicing planning scheme policy. |

Table 9.4.10.3.B—Minimum lot dimensions and size of a lot

Note—This table provides minimum lot size and dimensions information and does not amend the categories of development and assessment. Consult the tables of assessment in Part 5 for applicable categories of development and assessment.

Table 9.4.10.3.B Part 1—Standard lots in the Low density residential zone, Character residential zone and Low-medium density residential zone (1)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Zone | | Reconfiguring a lot | | | | Lots to contain minimum rectangle dimension (m) |
| Zone | Zone precinct | Minimum lot size (m2)(2) | | Minimum average lot width (m) | |
| Standard | Rear(3) | Standard | Rear(4) | 14x20 |
| Low density residential, Character residential and Low-medium density residential(5) | All zone precincts | 450 | 600 | 15 | 15 |

Table 9.4.10.3.B Part 2—Small lots in the Low density residential zone, Character residential zone and Low-medium density residential zone (1)

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Zone | | Reconfiguring a lot | | | | | | Lots to contain minimum rectangle dimension (m) | |
| Zone | Zone precinct | Minimum lot size (m2) (2) | | Minimum average width and minimum frontage (m) | | | |
| Small | Rear(3) | Small(8) | Small (10) | Rear (4) | Small(9) | Small ≥400m2 | Small <400m2 |
| Low density residential (5) | Not applicable | 400(6) | 600 | 10 | 10 | 10 | 10 | 9x15 | 6x15 |
| Low density residential (5) (7) | Not applicable | 300(7) | 600 | 7.5 | 7.5 | 10 | 7.5 | 9x15 | 6x15 |
| Character residential (5) | Character | Not applicable | | Not applicable | | | | Not applicable | |
| Infill housing | 300 | 450 | 7.5 | 7.0 | 10 | 7.0 | 9x15 | 6x15 |
| Low-medium density residential(5) | 2 storey mix | 260 | 350 | 7.5 | 7.0 | 10 | 7.0 | 9x15 | 6x15 |
| 2 or 3 storey mix | 260 | 350 | 7.5 | 7.0 | 10 | 6.5 | 9x15 | 6x15 |
| Up to 3 storeys | 180 | 350 | 7.5 | 6.5 | 10 | 6.0 | 9x15 | 6x15 |

Table 9.4.10.3.B Part 3—Emerging community zone (1)

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Average lot size (m2)(11) | Minimum lot size (m2) (12) | | Minimum average lot width (m) | | | | | | Lots to contain minimum rectangle dimension (m) | | |
|  | Std | Rear (3) | Std (12) | Rear (4)(12) | Small ≥400m2 | Small <400m2 (13) (15) | Small <400m2 (14) (15) | Small rear (4)(15) | Std and rear | Small ≥400m2 | Small <400m2 |
| 350 | 450 | 600 | 15 | 15 | 10 | 7.5 | 6.0 | 10 | 14x20 | 9x15 | 6x15 |

Notes applying to Table 9.4.10.3.B parts 1, 2 and 3—

(1) The Dwelling house code and Dwelling house (small lot) code provide requirements for dwelling houses on standard lots and small lots. The table is not part of the assessment for a dwelling house other than as identified in Part 5. The table provides minimum dimensions for lots to accommodate development intended in the identified zone and zone precincts of the residential zones category and the Emerging community zone.

(2) Minimum lot size includes land area that may be necessary as a result of development assessment for dedication, such as truncations and easements, as required by this code or other codes which may result in a smaller lot size. Minimum rectangle dimensions, however, must be accommodated within the balance area of the lot.

(3) The minimum lot size area excludes any area for an access way.

(4) In addition, a rear lot access way minimum width is 3.5m.

(5) Where located within the Traditional building character overlay or a neighbourhood plan, the overlay or neighbourhood plan may vary the minimum lot dimensions or size.

(6) Small lots less than 400m2 are possible where the average lot size of the development is 400m2 or greater, no lot is smaller than 350m2 and all lots meet minimum average width requirements. This is not, however, applicable to any rear lots.

(7) Where located within 200m walking distance of a site or sites in a zone in the centre zones category with a combined site area of more than 2,000m2.

(8) Small lots adjoining the side boundary of a lot 400m2 or greater, where that adjoining lot contains an existing dwelling house.

(9) Small lots not adjoining the side boundary of a lot of 400m2 or greater and the proposed small lot has vehicle access from a secondary street frontage opposite to the primary street frontage (typically a rear lane).

(10) Any other small lot.

(11) The average lot size is calculated on the number of lots 900m2 or less that are intended for a dwelling house.

(12) Any lot for residential purposes smaller than the minimum lot size, minimum average lot width, is a small lot for the purposes of this table.

(13) Where the lot adjoins the side boundary of any lot ≥400m2 and is intended for a dwelling house, the nominated average lot width is also the minimum lot frontage.

(14) Where the lot adjoins the side boundaries of lots <400m2 and intended for a dwelling house.

(15) The nominated average lot width is also the minimum lot frontage.

Table 9.4.10.3.B Part 4—All other zones

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Zone or South East Queensland Regional Plan area | Minimum lot size (m2) standard lot and (rear lot) (1) | Minimum average lot width (m) | Minimum access way width (m) for rear lot | Lots to contain minimum rectangle dimension (m) |
| Rural residential zone | 10,000 (10,000) | 40 | 7.5 | 14x20 (excluding fire management areas) |
| Medium density residential zone | 800 (800) | 20 | 7.5 | 18x20 |
| High density residential zone | 800 (800) | 20 | 7.5 | 18x20 |
| A zone in the centre zones category | 800 (800) | 20 | 7.5 | 18x20 |
| Mixed use zone | 800 (800) | 20 | 7.5 | 18x20 |
| Extractive industry zone and General industry C zone precinct of the Industry zone | 100,000 (100,000) | 200 | 15 | 80x100 |
| General industry B zone precinct of the Industry zone | 2,000 (2,000) | 25 (40)(2) | 7.5 | 20x40 |
| General industry A zone precinct of the Industry zone | 1,000 (1,000) | 25 (25)(2) | 7.5 | 18x30 |
| Low impact industry zone | 1,000 (1,000) | 25 (25)(2) | 7.5 | 18x30 |
| Industry investigation zone | 100,000 (40,000) | 100 | 15 | 80x100 |
| Special industry zone | 100,000 (100,000) | 100 | 15 | 80x100 |
| Emerging community zone where not in accordance with a current preliminary approval or development approval for material change of use for dwelling houses | 100,000 (100,000) | Not applicable | 15 | Not applicable |
| Other zones | Use/activity specific | Use/activity specific | Use/activity specific | Use/activity specific |
| Within the South East Queensland Regional Plan Urban Footprint other than the above zones | 100,000 (100,000) | Not applicable | 10 | 50x80 |
| Within the South East Queensland Regional Plan Regional Landscape and Rural Production Area(3) | 1,000,000 (1,000,000) | Not applicable | 10 | 50x80 |

Notes—

(1) Minimum lot size excludes land area necessary for dedication subject to a condition of approval such as truncations, access way and easements as required by this code or other codes. This may result in a smaller lot size.

(2) The distance in brackets is the minimum frontage to a major road shown in the Road hierarchy overlay.

(3) Subdivision of land within the Regional Landscape and Rural Production Area must comply with Regulatory Provisions of the South East Queensland Regional Plan 2009-2031. A minimum lot size of 100ha applies; unless the subdivision meets an exemption as described in the South East Queensland Regional Plan 2009-2031.

Table 9.4.10.3.C—Design of access ways in community title development

|  |  |
| --- | --- |
| Minimum carriageway width | 6.5m |
| Minimum total access way reserve | 10m |
| Minimum verge width | 1.5m |
| Footpath | 1.5m |
| Cul-de-sac design for service vehicle | 3 point turn |
| Kerb and channel | Required |



