
MAJOR AMENDMENT NO.1 OF 2023

**MAREEBA SHIRE COUNCIL PLANNING
SCHEME 2016**

Subdivision in the Rural zone



Explanatory Statement

This Explanatory Statement is produced as supporting material to Major Amendment No.1 of 2023 to the Mareeba Shire Council Planning Scheme 2016.

The amendment is proposed in accordance with section 20 of the *Planning Act 2016* (the Act) and the Minister's Guidelines and Rules which sets out the minimum requirements for a local government when amending a planning scheme for section 20 of the Act.

The purpose of this document is to provide context and background to Major Amendment No.1 of 2023 and will assist readers in understanding the nature of the changes.

Major Amendment No.1 of 2023 specifically addresses:

- Subdivision in the Rural zone

Subdivision in the Rural zone

On 8 December 2021, the Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning made *Temporary Local Planning Instrument No. 01 of 2021 (Subdivision in Rural zone)* (TLPI 01/2021).

TLPI 01/2021 applies to development for reconfiguring a lot within the Rural zone of the Mareeba Shire Council Planning Scheme 2016 (Planning Scheme).

TLPI 01/2021 effectively prevents the creation of lots with an area less than 60 hectares within the Rural zone.

In making TLPI 01/2021, the Deputy Premier found that certain current provisions of the Planning Scheme, in their current form, were drafted in such a manner that it could result in Council approving the subdivision of lots with the Rural zone less than 60 hectares in area.

The subdivision of lots with the Rural zone less than 60 hectares in area would be incompatible with the existing and intended character of the Rural zone and undermine the FNQ Regional Plan. The FNQ Regional Plan aims to protect Rural zoned land from further fragmentation or encroachment by inappropriate development, particularly urban or rural residential development.

Major Amendment No.1 of 2023 will amend the Planning Scheme to reflect the provisions of TLPI 01/2021, thereby ensuring the Planning Scheme appropriately addresses the intent of the FNQ Regional Plan.

Major Amendment No.1 of 2023 expands on TLPI 01/2021 to include the additional subdivision provisions established by the FNQ Regional Plan. These additional provisions allow for boundary realignments to resolve encroachments, improve agricultural efficiency, protect the environment and to allow for subdivisions following an existing road division in limited circumstances.

In addition, Major Amendment No.1 of 2023 would re-establish Council's ability to approve a small rural lot where such lot was intended to accommodate any of the following public reconfiguration purposes:

- (i) a cemetery; or
 - (ii) a crematorium; or
 - (iii) a detention facility; or
 - (iv) emergency services; or
 - (v) an environmental facility; or
 - (vi) major electricity infrastructure; or
 - (vii) a park; or
 - (viii) a renewable energy facility; or
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-
- (ix) a substation; or
 - (x) a telecommunications facility; or
 - (xi) a utility installation other than a transport service,
 - (xii) a wind farm.
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Part 1 Preliminary

Clause 1 Short title

This amendment may be cited as Major Amendment No.1 of 2023 – Subdivision in the Rural zone.

Clause 2 Adoption

Mareeba Shire Council adopted this planning scheme amendment on **to be determined**.

Clause 3 Commencement

This amendment took effect on **to be determined**.

Part 2 Amendment of the Planning Scheme

Clause 4 Amendment of the Planning Scheme

Mareeba Shire Council Planning Scheme 2016 is amended in the manner set out in this part.

Clause 5 Amendment of Preliminaries - Contents

(1) Contents

omit, insert – amended Contents with revised page numbers as attached in Appendix A.

Clause 6 Amendment of Part 3 - Strategic framework

(1) Part 3, 3.3 Settlement pattern and built environment, 3.3.1 Strategic outcomes

omit (5)

insert

- (5) *Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments rural land. The valued, relaxed rural lifestyle, character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.*
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- (9) *New subdivisions which propose lots less than the minimum lot size of 60ha are not supported within the Rural zone, except for where:*
- (a) *The subdivision results in no additional lots (boundary realignment) and does not create an additional rural lifestyle lot or rural residential purposes lot; or*
- (b) *The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose.*
- (2) Part 3, 3.3.4 Element-Village activity centre, 3.3.4.1 Specific outcomes
- omit (4)*
- insert*
- (4) *Growth is focused within the Kuranda village and rural residential areas. Further greenfield or rural residential development in the Myola corridor is not supported within the life of the planning scheme.*
- (3) Part 3, 3.3.6 Element-Rural villages, 3.3.6.1 Specific outcomes
- omit (1)*
- insert*
- (1) *Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah are rural villages, that have limited centre activities and other non-residential activities. Some rural villages include small clusters of activity in which limited, small-scale development may occur. Any growth within rural villages is limited and is proportionate to their current scale and zoning intent. Further expansion of these villages is to only occur on land designated as urban footprint or rural living area under the Regional Plan.*
- (4) Part 3, 3.3.11 Element-Rural areas, 3.3.11.1 Specific outcomes
- omit (1), (2), (5) and (6)*
- insert*
- (1) *Rural areas include rural activities and land uses of varying scale, consistent with surrounding rural land use, character and site conditions.*
- (2) *Land in rural areas is maintained in large lot sizes, to ensure that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses. Subdivision of land is not supported on lots less than 60ha in the Rural zone except for where:*
- (a) *The subdivision results in no additional lots (boundary realignment) and does not create an additional rural lifestyle lot or rural residential purposes lot; or*
-

(b) *The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose*

(5) *Tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework.*

(6) *Agricultural areas will be retained in large holdings (60ha or greater) and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated.*

(5) Part 3, 3.6 Transport and infrastructure, 3.6.1 Strategic outcomes

insert

(12) *Subdivision of land in the Rural zone to create lots less than 60ha is not consistent with facilitating appropriately sequenced and coordinated development, except for where:*

(a) *The subdivision results in no additional lots (boundary realignment) and does not create an additional rural lifestyle lot or rural residential purposes lot; or*

(b) *The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose.*

Clause 7 Amendment of Part 5 - Tables of assessment

(1) Part 5, 5.6 Categories of development and assessment -
Reconfiguring a lot

omit Table 5.6.1-Reconfiguring a lot

insert - amended Table 5.6.1- Reconfiguring a lot as attached in Appendix B.

Clause 8 Amendment of Part 6 - Zones

(1) Part 6, 6.2.9 Rural zone code, 6.2.9.2 Purpose (2)

omit (f)

insert

(f) *provide for a range of non-urban uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;*

(2) Part 6, 6.2.9 Rural zone code, 6.2.9.2 Purpose (3)

omit (a) and (f)

insert

(a) *Areas for primary production and other rural activities are conserved and not fragmented below 60ha unless for a public reconfiguration purpose;*

- (f) *Residential and other uses are appropriate only where directly associated with the rural nature of the zone;*

- (3) Part 6, 6.2.9 Rural zone code, 6.2.9.3 Criteria for assessment

omit Table 6.2.9.3-Rural zone code - For accepted development subject to requirements and assessable development

insert - amended Table 6.2.9.3-Rural zone code - For accepted development subject to requirements and assessable development as attached in Appendix C.

Clause 9 Amendment of Part 9 - Development codes

- (1) Part 9, 9.4.4 Reconfiguring a lot code, 9.4.4.2 Purpose (2)

omit (i)

insert

- (i) *Subdivision within the Rural zone maintains lots equal to or larger than 60ha, except for where:*
(a) *The subdivision results in no additional lots (boundary realignment) and does not create an additional rural lifestyle lot or rural residential purposes lot; or*
(b) *The subdivision is limited to the creation of one additional allotment to accommodate a public reconfiguration purpose;*

- (2) Part 9, 9.4.4 Reconfiguring a lot code, 9.4.4.3 Criteria for assessment

omit Table 9.4.4.3A-Reconfiguring a lot code - For assessable development

insert - amended Table 9.4.4.3A-Reconfiguring a lot code - For assessable development as attached in Appendix D.

Clause 10 Amendment of Schedule 1 - Definitions

- (1) Schedule 1, SC1.2 Administrative definitions, Table SC1.2.1-Index of administrative definitions

insert, in alphabetical order:

- *Public reconfiguration purpose*
- *Rural lifestyle*
- *Rural residential purposes*

- (2) Schedule 1, SC1.2 Administrative definitions, Table SC1.2.2-Administrative definitions

insert the following new definitions in alphabetical order:

Public reconfiguration purpose	Reconfiguring a lot where the purpose of the land is a cemetery, a crematorium; a detention facility; emergency services; an environmental facility; major electricity infrastructure; a park; a renewable energy facility; a substation; a telecommunications facility; a utility installation other than a transport service; or a wind farm.
Rural lifestyle	Land that is zoned rural in the planning scheme but has a lot size of 0.25 to 5 hectares and has the potential to be used as a lifestyle block.
Rural residential purposes	Residential purposes involving single dwellings on lots greater than 2500 square metres.

Appendix A

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Note: For the purpose of ease of understanding by Council, the changes are indicated by “Strikeout” (denoting deletion) and “Underline” (denoting insertion).

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Appendix B

Table 5.6.1-Reconfiguring a lot

Note: For the purpose of ease of understanding by Council, the changes are indicated by “Strikeout” (denoting deletion) and “Underline” (denoting insertion).

TABLES OF ASSESSMENT

5.6 Categories of development and assessment— Reconfiguring a lot

The following table identifies the categories of development and assessment for reconfiguring a lot.

Table 5.6.1—Reconfiguring a lot

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Emerging community zone	Impact assessment If not: (a) realigning the common boundaries of adjoining lots; or (b) creating an access easement.	The planning scheme
Rural residential zone	Impact assessment If: (a) not located in the 4,000m ² precinct, 1 hectare precinct or 2 hectare precinct; and (b) resulting in the creation of one or more additional lots.	The planning scheme
<u>Rural zone</u>	<u>Impact assessment</u> <u>If creating a lot less than 60ha, unless:</u> (a) <u>The subdivision results in no additional lots (boundary realignment); or</u> (b) <u>The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose.</u>	<u>The planning scheme</u>
	<u>Code assessment</u> <u>Where not impact assessable.</u>	<u>Reconfiguring a lot code</u> <u>Rural zone code</u> <u>Landscaping code</u> <u>Parking and access code</u> <u>Works, services and infrastructure code</u>
All zones other than the Emerging community zone or Rural residential zone	No change	Reconfiguring a lot code Relevant zone code Landscaping code Parking and access code Works, services and infrastructure code
Code assessment Any other reconfiguring a lot not listed in this table. Any reconfiguring a lot listed in this table and not meeting the description listed in the "Categories of development and assessment" column.		

Editor's note—The above categories of development and assessment apply unless otherwise prescribed in the Regulation.

Editor's note—Also see Table 5.4.2— for Prescribed levels of assessment: reconfiguring a lot

Appendix C

Table 6.2.9.3-Rural zone code - For accepted development subject to requirements and assessable development

Note: For the purpose of ease of understanding by Council, the changes are indicated by “Strikeout” (denoting deletion) and “Underline” (denoting insertion).

6.2.9.3 Criteria for assessment

Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements and assessable development	
Height	
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.
Siting, where not involving a Dwelling house	
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.	
PO2 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	AO2.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.

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Performance outcomes	Acceptable outcomes
	AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road;
Accommodation density	
PO3 The density of Accommodation activities: <ul style="list-style-type: none"> (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site. 	AO3.1 Residential density does not exceed one dwelling house per lot. AO3.2 Residential density does not exceed two dwellings per lot and development is for: <ul style="list-style-type: none"> (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or (c) Rural worker's accommodation.
For assessable development	
Site cover	
PO4 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features. 	AO4 No acceptable outcome is provided.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	AO5 No acceptable outcome is provided.

PART 6

Performance outcomes	Acceptable outcomes
Amenity	
PO6 Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	AO6 No acceptable outcome is provided.
PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	AO7 No acceptable outcome is provided.
Rural uses	
PO8 <u>Uses and other development include those that:</u> <ul style="list-style-type: none"> <u>(a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or</u> <u>(b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or</u> <u>(c) are compatible with rural activities.</u> 	AO8 <u>No acceptable outcome is provided.</u>
PO9 <u>Areas for use for primary production and rural activities are conserved and protected from fragmentation, alienation and degradation.</u>	AO9 <u>No acceptable outcome is provided.</u>

Appendix D

Table 9.4.4.3A-Reconfiguring a lot code - For assessable development

Note: For the purpose of ease of understanding by Council, the changes are indicated by “Strikeout” (denoting deletion) and “Underline” (denoting insertion).

PART 9

9.4.4.3 Criteria for assessment

Table 9.4.4.3A—Reconfiguring a lot code – For assessable development

Performance outcomes	Acceptable outcomes
Area and frontage of lots – except for Rural zone	
PO1 Lots include an area and frontage that: <ul style="list-style-type: none"> (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: <ul style="list-style-type: none"> (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. 	AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B .
Area and frontage of lots – Rural zone	
PO1.1 <u>No lots are created with an area of less than 60ha, except for where:</u> <ul style="list-style-type: none"> (a) <u>The subdivision results in no additional lots (boundary realignment) and does not create an additional rural lifestyle lot or rural residential purposes lot; or</u> (b) <u>The subdivision is limited to the creation of one additional allotment to accommodate a public reconfiguration purpose.</u> <p><u>Note: This also applies to applications for boundary realignment.</u></p>	AO1.1 <u>No acceptable outcome is provided.</u>
PO1.2 <u>Where for a boundary realignment, the realignment only occurs where it would:</u> <ul style="list-style-type: none"> (a) <u>Improve agricultural efficiency; or</u> (b) <u>Facilitate agricultural activity or conservation outcomes; or</u> (c) <u>Resolve boundary issues where a house, structure or works is built over the boundary line of the lots.</u> 	AO1.2 <u>No acceptable outcome is provided.</u>

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Performance outcomes	Acceptable outcomes
<p>PO1.3 <u>Where for a boundary realignment, the proposed lots are:</u></p> <p>(a) <u>Able to accommodate all buildings, structures and works associated with the rural use;</u></p> <p>(b) <u>Suitable to allow the site to be provided with sufficient access;</u></p> <p>(c) <u>Include enough space within the new lots to accommodate buffers from adjoining land uses to mitigate adverse impacts such as chemical spray drift, odour, noise, fire, smoke and ash;</u></p> <p>(d) <u>Do not constrain existing industries from expanding or new agricultural enterprises from being established;</u></p> <p>(e) <u>Do not create new lots for rural lifestyle or rural residential purposes; and</u></p> <p>(f) <u>Are not for the purposes of creating a separate house lot.</u></p>	<p>AO1.3 <u>No acceptable outcome is provided.</u></p>
<p>PO1.4 <u>Where for the creation of one additional lot to accommodate a public reconfiguration purpose:</u></p> <p>(a) <u>The lot has sufficient area to be able to accommodate all buildings, structures and works associated with the intended use; and</u></p> <p>(b) <u>The intended use commences on the lot prior to its creation, or a statutory covenant is registered on the title restricting the future use of the lot to the intended purpose.</u></p>	<p>AO1.4 <u>No acceptable outcome is provided.</u></p>
<p>PO1.5 <u>Reconfiguring a lot that is severed by a gazetted road and that uses the road as the boundary of division only occurs where:</u></p> <p>(a) <u>The subdivision divides one lot into two; and</u></p> <p>(b) <u>The existing lot is severed by a road that was gazetted before 9 May 2008; and</u></p> <p>(c) <u>The resulting lot boundaries use the road as the boundary of division; and</u></p> <p>(d) <u>The development:</u></p> <p>(i) <u>facilitates agricultural activity; or</u></p> <p>(ii) <u>facilitates conservation outcomes; and</u></p> <p>(e) <u>The development ensures agricultural activity is not compromised.</u></p>	<p>AO1.5 <u>No acceptable outcome is provided.</u></p>
<p>PO1.6 <u>All lots include a frontage that allows the site to be provided with sufficient access.</u></p>	<p>AO1.6 <u>Lots provided a minimum frontage is accordance with Table 9.4.4.3B</u></p>
Existing buildings and easements	

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Performance outcomes	Acceptable outcomes
PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration. 	AO2.1 Each land use and associated infrastructure is contained within its individual lot.
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.
PO3 Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement. 	AO3 No acceptable outcome is provided.
Boundary realignment	
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	AO4 No acceptable outcome is provided.

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Performance outcomes	Acceptable outcomes
Access and road network	
PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision. 	AO5 No acceptable outcome is provided.
PO6 Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.
PO7 Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	AO7 No acceptable outcome is provided.
Rear lots	
PO8 Rear lots are designed to: <ul style="list-style-type: none"> (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained. 	AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.
	AO8.2 No more than two rear lots are created behind any lot with a road frontage.
	AO8.3 Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise.
	AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. <p>Note—Figure A provides further guidance in relation to the desired outcome.</p>

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Performance outcomes	Acceptable outcomes
	AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.
Crime prevention and community safety	
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: <ul style="list-style-type: none"> (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations. 	AO9 No acceptable outcome is provided.
Pedestrian and cycle movement network	
PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO10 No acceptable outcome is provided.
Public transport network	
PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement. 	AO11 No acceptable outcome is provided.
Residential subdivision	
PO12 Residential lots are: <ul style="list-style-type: none"> (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes. 	AO12 No acceptable outcome is provided.

DEVELOPMENT CODES

Performance outcomes	Acceptable outcomes
Rural residential zone	
PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m ² precinct, the 1 hectare precinct or the 2 hectare precinct.	AO13 No acceptable outcome is provided.
Additional provisions for greenfield development only	
PO14 The subdivision design provides the new community with a local identity by responding to: <ul style="list-style-type: none"> (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views. 	AO14 No acceptable outcome provided.
PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	AO15 No acceptable outcome provided.
PO16 The road network is designed to: <ul style="list-style-type: none"> (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. Note—Figure B provides further guidance in relation to the desired outcome.	AO16 No acceptable outcome provided.
PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.
PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	AO18 No acceptable outcome provided.
PO19 Provision is made for sufficient open space to: <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements. 	AO19.1 A minimum of 10% of the site area is dedicated as open space.
	AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.

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Performance outcomes	Acceptable outcomes
PO20 A network of parks and community land is provided: (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings;	AO20 No acceptable outcome is provided.

Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot

Zone	Type	Minimum area	Minimum frontage
Centre	All lots	800m ²	20 metres
Community facilities	All lots	Not specified	Not specified
Conservation	All lots	Not specified	Not specified
Emerging community	All lots	10 hectares	100 metres
Low density residential	Where greenfield development and connected to reticulated water and sewerage		
	Rear lot	800m ²	5 metres
	All other lots	350m ²	10 metres
	Where connected to reticulated water and sewerage		
	Rear lot	800m ²	5 metres
	All other lots	600m ²	16 metres
	Where connected to reticulated water		
	Rear lot	1,000m ²	5 metres
	All other lots	800m ²	16 metres
	Rear lot	600m ²	5 metres
Medium density residential	All other lots	400m ²	10 metres
	All lots	1,500m ²	45 metres
Recreation and open space	All lots	Not specified	Not specified
Rural	All lots	60 hectares	400 metres
Rural residential	2 hectare precinct		
	All lots	2 hectares	60 metres
	1 hectare precinct		
	All lots	1 hectare	40 metres
	4,000m ² precinct		
	All lots	4,000m ²	40 metres