



CANTERBURY CITY COUNCIL

City of Cultural Diversity

Development Control Plan No. 30

Subdivision of Land

Development Control Plan No.30 was adopted by Council on 12 February 1998 and came into force on 26 February 1998

Latest Revision:

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Plan effective from: 1st November 2005

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1. INTRODUCTION

This Plan applies to all residential land within the City of Canterbury.

The purpose of this Plan is to establish *objectives* and *standards* for the subdivision of residential land to enable:

- (a) The orderly subdivision of residential land
- (b) The development of land for residential uses
- (c) The protection of the environment, and
- (d) Equitable distribution of open spaces.

A variation to a *standard* will be considered where it can be shown that the relevant objective can still be satisfied and that the variation will result in a better planning result, particularly when taking into account surrounding development.

2. APPLICATIONS FOR SUBDIVISION

Requirements

When being lodged with Council, applications for subdivision must include:

- (i) A completed ***Development Application form*** and relevant ***fee***.
- (ii) A ***Statement of Environmental Effects*** which includes:
 - ❖ Evidence that consideration has been given to the environmental impact of the proposal.
 - ❖ The measures taken to relieve any likely adverse environmental impact, and
 - ❖ Reasons for any variation from the standards in this Plan.

(iii) ***Plans***.

Three copies of the plan of the proposed subdivision, to a scale of 1:200. The plans must show:

- ❖ The scale to which the plan is drawn.
- ❖ North point towards the top of the plan.
- ❖ The measurements (in metres) and the area (in square metres).
- ❖ The name of the road fronting the site.



- ❖ The position of all structures on the site and distances from the subdivision boundary.
- ❖ The position and distances of all structures on adjoining land if less than 6 metres from the boundary of the land to be subdivided.
- ❖ Contours based on the existing levels of the site at intervals not exceeding 1 metre.
- ❖ Any unusual rock formation, e.g. cliff shelving.
- ❖ Any existing water courses or creeks within or adjoining the site with any known flood levels and extent of flooding affecting the site.
- ❖ Any existing drains, easements or right-of-carriageway affecting the site.
- ❖ Individual trees or groups of trees are to be identified both on the plan and marked on site. Attention is drawn to Council's Tree Preservation Order.
- ❖ Title showing the description of the land being subdivided. The description should be sufficiently detailed to enable Council to readily identify the land (example: Lot 7, Sec. 2, DP. 2107);
- ❖ The proposed means of disposal of stormwater from future dwellings on the proposed new lots or from access corridor pavements, and
- ❖ Two vehicular parking spaces within each residential lot behind the 7.5 metres building line and the proposed means of access.

(iv) Engineering Details

Whilst applications can be processed on the basis of the above details, the implementation of a conditional approval will require that full engineering drawings be prepared and approved by Council prior to the commencement of work; for:

- (a) New roads or rights-of-carriageways, and
- (b) Drainage works.

Contact Council's City Works Division for information relating to the required engineering standards.

(v) Final Plans

Council is required to submit copies of the final plan of subdivision to various statutory bodies. When the final plan is lodged for signature, Council requires the film original and six copies.

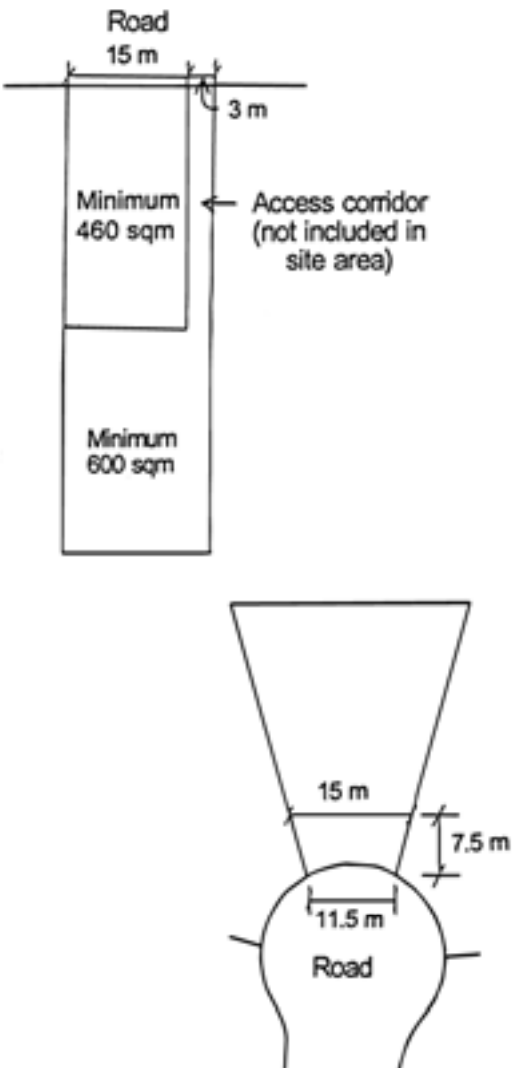


(vi) Easements

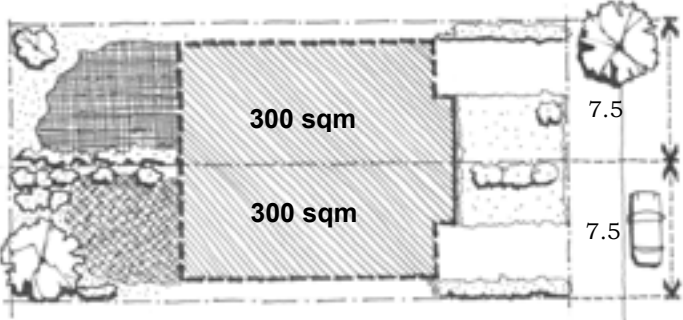
Where easements are required in the plan, such as a right-of-carriageway, easement for services, interlot drainage easement or where it is intended to impose any restriction as to user, they are to be created pursuant to the conditions of Section 88B of the Conveyancing Act, as amended. The instrument and one copy is to be submitted with the final plan for Council's approval. Council requires that it be joined as a party whose consent is required for any amendment to easements such as right-of-carriageway, easement for services, interlot drainage. A sample sheet showing the manner in which easements may be created is available from Council on request.



3. LOTS – SIZE AND SHAPE

Objectives	Standards
<p>(a) To provide lots which have sufficient area for a dwelling and ancillary facilities.</p> <p>(b) To provide sufficient area for outdoor recreation and vehicular access to/from the site.</p> <p>(c) To provide lots which are compatible with the surrounding land size.</p>	<p>(a) Allotments which have a frontage to a road must have a minimum area of 460 square metres.</p> <p>(b) Internal or battle-axe lots must have a minimum area of 600 square metres.</p> <p>Note: “Area” refers to the total area of the lot excluding the area of access corridor for internal or battle-axe lots.</p>
 <p>The diagrams illustrate two lot configurations. The top diagram shows a rectangular lot with a 15m road frontage. A 3m access corridor is shown on the right side, which is noted as not being included in the site area. The lot area is divided into two sections: the top section is labeled 'Minimum 460 sqm' and the bottom section is labeled 'Minimum 600 sqm'. The bottom diagram shows a wedge-shaped lot with a 15m frontage. The depth of the lot is 7.5m, and the width at the road frontage is 11.5m. The road is labeled 'Road'.</p>	<p>(c) Rectangular lots must have a minimum frontage of 15 metres.</p> <p>(d) Wedge shaped lots may have less than an 15 metres frontage provided they are at least 15 metres wide at a distance of 7.5 metres back from the front boundary.</p> <p>(e) The access corridor for internal or battle-axe lots must have a minimum width of 3 metres. See Clause 5 ACCESS for more detail.</p> <p>(f) Lots that have irregular dimensions or shallow depth will be considered on their merits with the applicant required to demonstrate how the proposal satisfies the objectives of this Plan.</p>

4. SUBDIVISION OF A DUAL OCCUPANCY DEVELOPMENT

Objectives	Standards
<p>(a) To allow the subdivision of a dual occupancy where both dwellings have a frontage to a public road.</p> <p>(b) To ensure the dual occupancy and subdivision are completed in accordance with the terms of the approval.</p>	<p>(a) Proposals for dual occupancy must include:</p> <ul style="list-style-type: none"> - a minimum lot area of 300 square metres; and - a minimum frontage to a public road of 7.5 metres. <p>(b) The strata title subdivision of dual occupancy developments is not permitted.</p> <p><i>Note: Amendment 1 to this DCP changes the minimum subdivision standard for dual occupancy development from 230 sqm to 300 sqm. This amendment does not apply to development applications that was lodged, but not determined, before 1 November 2005.</i></p>  <p>The diagram illustrates a rectangular lot divided into two equal units, each labeled '300 sqm'. The frontage of the lot is divided into two sections, each labeled '7.5', indicating a minimum frontage requirement for each unit. The lot includes a driveway, a parking space, and a garden area with trees and shrubs.</p> <p>Note: Subdivision proposals should comply with the Dual Occupancy consent, and the development must be substantially commenced before the subdivision plans are released by Council.</p>

5. ACCESS

Objectives	Standards
<p>(a) To provide adequate access to and from the new lot.</p> <p>(b) To provide a frontage to a public road for all lots created.</p> <p>(c) To provide car parking for two spaces on each lot</p>	<p>(a) All lots are to have a frontage to a public road.</p> <p>(b) The access corridor is to be part of the internal of battle-axe lot.</p> <p>(c) Right-of-carriageways will only be allowed over access corridors serving internal or battle-axe lots.</p> <p>(d) The minimum width of access corridors serving internal or battle-axe lots must be:</p> <ul style="list-style-type: none">- 3 metres when serving a single lot;- 4 metres when serving two lots; and- 5 metres when serving more than two lots. <p>(e) The access corridor must be constructed in concrete and unobtrusive in colour.</p> <p>(f) Where the access corridor is to serve two or more lots it must be constructed with kerb and gutter on at least one side, with sealed pavement and drainage discharged.</p> <p>(g) Where the access corridor serves only one lot, two concrete strips within the access corridor are permitted, each to be one metre wide and spaced 0.75 metres apart.</p> <p>(h) Each lot must have two car spaces, located behind the front building line.</p> <p>(i) Access corridors must be designed to enable vehicles to enter and leave the site in a forward direction.</p>



6. CONTRIBUTIONS

Council does not levy the subdivision of land for Section 94 Contributions. In most events it is the type of dwelling that is placed on the land that generates the demands for public facilities, amenities or services, rather than the act of subdividing land to allow residential development.

As such a contribution will be levied for new development on newly subdivided land, rather than on the subdivision itself. This will be in accordance with the relevant Section 94 Contributions Plan.



Annexure 1: History of Amendments

This DCP was adopted by Council on 12 February 1998 and came into force on 26 February 1998.

In the table below is outlined a history of amendments with a brief description of the main changes:

Amendment No	Description	Date of adoption	Date came into force
1	Minimum subdivision standard for dual occupancy development has been increased to 300sqm for each dwelling. S94 Contributions no longer required for subdivision of land.	14/07/05	01/11/05

