

## SUBDIVISION OF RESIDENTIAL LAND

A permit is required to subdivide land in the Residential 1 and Residential 3 zones.

Subdivisions that follow development approval for units are often straight forward as the layout and access arrangements have already been considered and established. If the development is under construction or has not been commenced, a condition on the subdivision permit will require the land owner enter into a Section 173 Agreement with Council under the *Planning and Environment Act 1987* that the land will be developed in accordance with the development approval. The Agreement is then registered on all titles. Agreements may also be used to ensure drainage and other infrastructure is constructed and maintained in accordance with development approvals.

Where a development approval is not current, all subdivisions must meet the requirements of Clause 56 of the Manningham Planning Scheme.

The purpose of Clause 56 is to:

- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
  - Metropolitan Melbourne growth areas.
  - Infill sites within established residential areas.
  - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:
  - Policy implementation.
  - Liveable and sustainable communities.
  - Residential lot design.
  - Urban landscape.
  - Access and mobility management.
  - Integrated water management.
  - Site management.
  - Utilities.

Clause 56 includes a number of objectives, standards and decision guidelines in relation to specific matters that Council must consider such as lot orientation, whether building envelopes are required and access design to mention just three. A development **must** meet all the objectives of Clause 56 and **should** meet all of the standards. There may be an alternative design solution that meets the objective without meeting the standard.

# Statutory Planning Information Sheet

## Applying for a Planning Permit for a single dwelling on a lot less than 500m<sup>2</sup>

The following information is required by Council to assess the application against the objectives, standards and decision guidelines of Clause 56. An application must be accompanied by a neighbourhood and site description and a design response.

### REQUIREMENTS:

- Planning Permit application form
- Planning application fee
- Certificate of Title and copies of any relevant Section 173 Agreements or Registered Restrictive Covenants (available from the Land Victoria website or Council for a fee)
- Three copies of scaled and fully dimensioned plans
- A full set of plans in A3 size
- Feature survey plan

### DEVELOPMENT SUMMARY:

- Site area and area of each proposed lot
- Number of proposed crossovers
- Proposed access to each lot

### SUBDIVISION SITE AND CONTEXT DESCRIPTION:

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- A minimum of two sites either side of the subject site, opposite and to the rear. (The extent of the description will depend on the size of the proposal and issues raised by the design.)
- Site shape, size, dimensions and orientation.
- Levels and contours of the site.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- The siting and use of existing buildings and structures.
- Street frontage features such as poles, street trees and kerb crossovers.
- Access points.
- Location of drainage and other utilities.
- Easements.
- Any identified natural or cultural features of the site.
- Significant views to and from the site.
- Noise and odour sources or other external influences.
- Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.

# Statutory Planning Information Sheet

- Any other notable features or characteristics of the site.
- Adjacent uses.
- Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.
- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.
- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
  - Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
  - Local street network including potential connections to adjacent subdivisions.
  - Traffic volumes and movements on adjacent roads and streets.
  - Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
  - Any places of cultural significance.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - Proximity of any fire threats.
  - Pattern of ownership of adjoining lots.

## **DESIGN RESPONSE:**

The design response must include a correctly proportioned plan showing the subdivision in the context with the adjacent area and explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Responds to identified opportunities and constraints on site.
- Meets the objectives of Clause 56 as listed in the Manningham Planning Scheme.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

# Statutory Planning Information Sheet

- An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:
  - Proposed uses of each part of the site.
  - Natural features of the site and identify any features proposed to be altered.
  - Proposed integrated water management system.
  - Proposed staging of the subdivision.

## **OTHER REQUIREMENTS:**

- Written statement that describes how the subdivision is consistent with any relevant policy for subdivision in the State Planning Policy Framework and Local Planning Policy Framework.
- Proposed method of drainage.
- Outline of a three dimensional building envelope.
- Identification of vegetation removal that will result from future development on the site.
- Potential earthworks resulting from future development on the site.
- Existing and proposed driveway and vehicle crossing arrangement.
- Existing parking arrangement and proposed parking arrangement for each lot created.