
Reconfiguring for rear allotments

PART 1 - INTRODUCTION

1.1 Policy position

- (1) The planning scheme provides that development for reconfiguring a lot is assessable throughout the Shire and identifies outcomes to be achieved by proposed reconfiguring in each of the zones into which the Shire is divided.
- (2) Generally, it is intended that development for reconfiguring a lot should result in allotments that are of a regular shape with sufficient area and suitable proportions including frontage to a road, to facilitate safe, practical and lawful use.
- (3) Despite this intention, development for reconfiguring to create a rear allotment¹ may be approved by Council on land in the Residential, Park Residential and Rural zones subject the special circumstances set out in Part 2 below.

PART 2 - IMPLEMENTATION

2.1 Special circumstances for the exercise by Council of discretion

- (1) Under this Policy, Council may exercise its discretion during its assessment of assessable development for reconfiguring in the Residential, Park Residential or Rural zone to permit:
 - (a) a rear allotment if Council considers it is impractical to design a future road to facilitate the orderly reconfiguring of an allotment either alone or in conjunction with an adjacent allotment(s); or
 - (b) practical access via a registered easement to an otherwise regular allotment with normal road frontage but where Council considers is impractical to access the allotment directly via that frontage (e.g., for reasons associated with topography).
- (2) Generally, the number of adjacent rear allotments that may be approved shall not exceed:

	Zone	Maximum number of adjacent rear allotments
(a)	Residential, Park Residential	2
(b)	Rural	3

¹ Rear allotment means an allotment which comprises an area of land of normal subdivisional proportions but where access is via narrow strip of land having frontage to a road whether or not the accessway is part of the rear allotment.



2.2 Matters to be considered

- (1) In making its assessment of the special circumstances relating to a proposal, Council shall have regard to at least the following matters:
- (a) the size and proportions of the allotment proposed for reconfiguring;
 - (b) the physical characteristics of the land comprised in the allotment proposed for reconfiguring and the resulting characteristics of resulting new allotment;
 - (c) the amenity of allotments adjacent to the proposed rear allotment that will be created;
 - (d) the number and layout of proposed rear allotment(s), particularly in terms of the amenity enjoyed by residents or potential residents of adjacent allotments
 - (e) the road providing the proposed accessway of the rear allotment with frontage including its physical characteristics, construction standard and capacity; and
 - (f) if the resulting new allotments will comply with the specific outcomes for the element of subdivision design in the applicable zone code of the planning scheme.

2.3 Design requirements (refer to Figures A and B below for illustrations for the Residential or Park Residential zones)

- (1) A rear allotment shall meet the following design requirements:
- (a) stormwater drainage of a rear allotment in the Residential zone shall be constructed as follows:
 - (i) if connection to a Council underground stormwater drain is available to the allotment, stormwater collected from roofs, patios and paved areas shall be discharged by means of underground pipes of adequate size connected to the underground stormwater drain;

or, otherwise

 - (ii) stormwater collected from roofs, patios and paved areas shall be discharged by means of underground pipes of adequate size to the concrete or earth water table at the frontage of the allotment or to another approved point of legal discharge specified by Council;
 - (b) stormwater collected from roofs, patios and paved areas for a rear allotment in the Park Residential or Rural zone shall be dispersed onto the property clear of the property boundaries and so as not to cause nuisance to adjacent properties;
 - (c) the accessway (whether part of the rear allotment or a registered easement) shall be a minimum width of:

	Zone	Minimum width (m)
(i)	Residential	5
(ii)	Park Residential	5
(iii)	Rural	20

- (d) if the accessway is a registered easement, the allotment over which the easement is registered shall have the following minimum frontage to a road and minimum area excluding the area under the easement:



	Zone	Minimum Area (m²)	Minimum frontage (m)
(i)	Residential	700	25
(ii)	Park Residential	4000	45
(iii)	Rural	satisfying the specific outcomes of section 3.3(2)(iii) of the planning scheme	

(e) the accessway shall be a minimum of 1.5 metres from the outer projection of a dwelling unit;

(f) a rear allotment shall have the following minimum area excluding the accessway and be of such proportions that it can contain a circle of the specified diameter:

	Zone	Minimum Area (m²)	Diameter (m)
(i)	Residential	700	20
(ii)	Park Residential	4000	40
(iii)	Rural	satisfying the specific outcomes of section 3.3(2)(iii) of the planning scheme	

(g) the accessway shall be constructed with a driveway for its full length to the following standards:

- (i) Longitudinal grade – maximum 1 in 6;
- (ii) Cross-fall – maximum 1 in 20;
- (iii) Surface –

Zone

Residential and Park Residential-

- (A) a 3 metres wide compacted gravel pavement not less than 100mm thick and sealed with either:
 - 25mm of asphaltic concrete; or
 - hot sprayed bitumen consisting of a prime and 2 seal coats; or
 - interlocking pavers;

or

- (B) a 3 metres wide reinforced concrete driveway (not car tracks) not less than 100mm thick.



- Rural
- (A) a 4 metres wide all weather gravel pavement;
and
 - (B) a 4 metres wide sealed pavement on a 6 metres wide formation if the grade of the driveway is steeper than 10% at any point;
and
 - (C) a 4 metres wide sealed pavement on a 6 metres wide formation if within 20 metres of an existing dwelling house on an adjacent allotment for a distance of at least 20 metres past the extremities of the dwelling house projected perpendicular from the accessway boundary
- (iv) Fencing – screen fencing may be required in an instance where Council considers the amenity of an existing dwelling house may be adversely affected by vehicles using an accessway;
- (h) design and construction of the accessway shall include:
- (i) drainage to the satisfaction of Council that provides for the driveway to be immune from inundation in an event with 10% probability; and
 - (ii) provision for the covered storage of a domestic refuse bin at the entrance to the accessway;
- (i) if two or more rear allotment are located such that their accessways share a common boundary, Council may permit construction of one driveway in accordance with the above standards for joint use by each of the rear allotments provided an easement granting each of the relevant rear allotment reciprocal access entitlements is registered at the same time as the plan of subdivision creating the relevant rear allotments;
- (j) the registered easement for a rear allotment proposed pursuant to section 2.1(1)(b) of this policy, shall be granted in favour of each rear allotment gaining practical access via the easement.



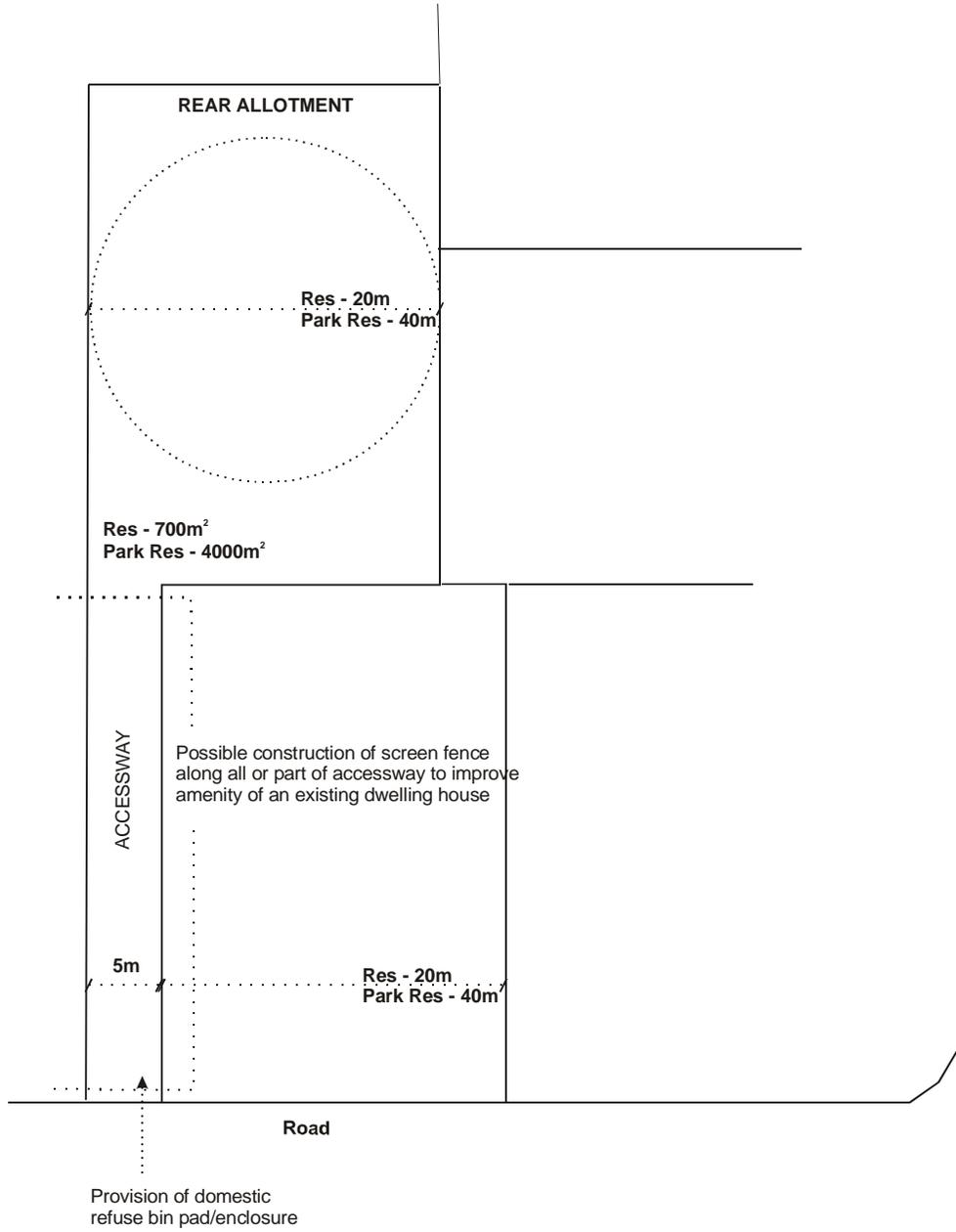


Figure A – Rear allotment in the Residential or Park residential zone including accessway as part of the rear allotment



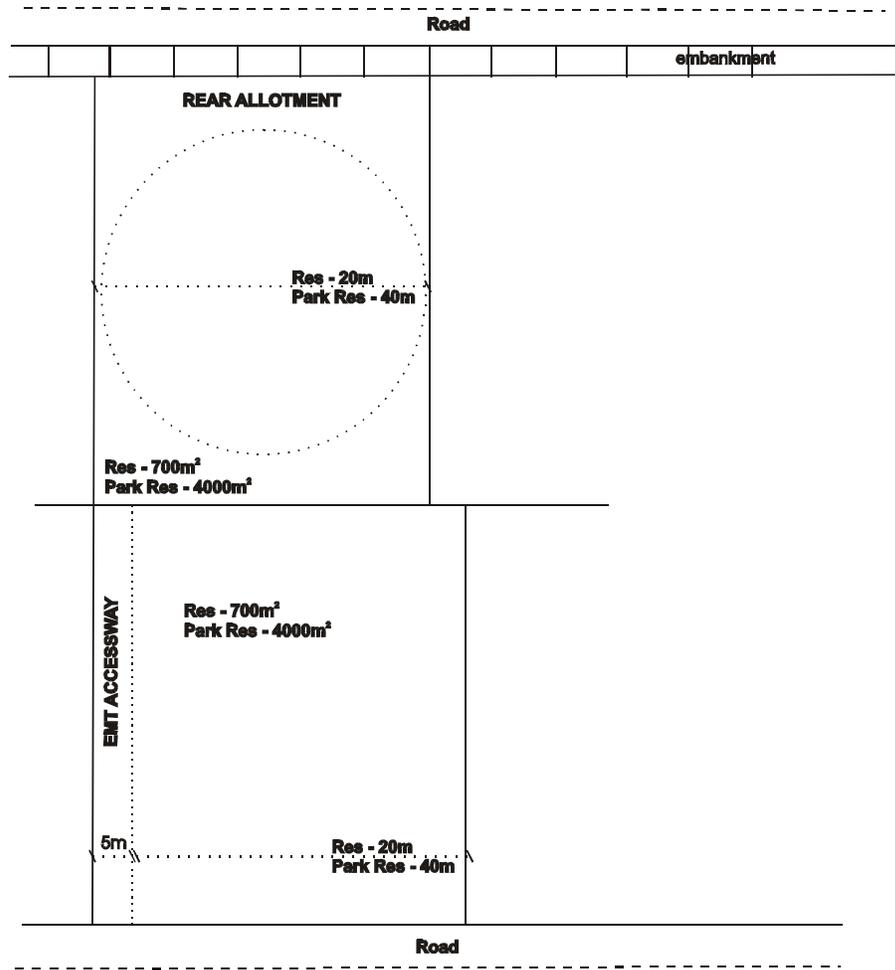


Figure B - Rear allotment in the residential or Park Residential zone where accessway comprises an easement over adjoining land

