

Subdivision Code



City of Ryde

Effective Date: 25/11/1993

1. INTRODUCTION

This Code constitutes Council's Policy in respect to the subdivision of land within the City of Ryde.

The Code should be read in conjunction with the various environmental planning instruments applying to the land.

The Code was adopted by Council on 14 October 1986.

2. OBJECTIVES OF THE CODE

The objectives of this Code for the various zonings of land under the terms of the Ryde Planning Scheme are:

2.1. Residential

- 2.1.1 To preserve the amenity of residential areas by ensuring that subdivisions conform with the established subdivision patterns in the locality.
- 2.1.2 To provide minimum site requirements which will result in adequate aspect and outlook for buildings to be erected on the land.
- 2.1.3 To provide sufficient area for the erection of buildings which conform with current building design and the established building character of the locality and provide sufficient private outdoor living areas for the residents of those buildings.
- 2.1.4 To provide within hatchet-shaped allotments sufficient area to permit vehicles to enter and leave those sites in a forward direction.
- 2.1.5 To optimise public accessibility, both vehicular and pedestrian within the neighbourhood.
- 2.1.6 To ensure that adequate provision is made for public services and amenities for the future residents of the locality.

2.2. Commercial/Industrial

To ensure that existing or proposed buildings conform with the development standards contained in environmental planning requirements.

2.3. General

Council may vary requirements in this Code where, due to unique site considerations, the variance of such requirements would yield a better planning solution for the subdivision of the land.

3. DEFINITIONS

“**minimum width**” means the width of an allotment at the front alignment of the building or the front building line.

“**front building line**” means the building line set by Council under Section 308 of the Local Government Act for the different classes of building.

“**residential flat building**” means the building containing 2 or more dwellings.

“**residential flat building Class A**” means a residential flat building containing 2 dwellings and includes buildings commonly known as duplex flats, maisonettes or semi-detached cottages.

“**residential flat building Class B**” means a residential flat building containing 2 or more dwellings in a group such as are commonly known as group houses, town houses, terrace buildings and the like, but does not include villa homes, and which have the following characteristics:

- i functional private courtyard attached to each dwelling: and
- ii each dwelling having its own separate entrance which opens directly to the outside of the building.

“**villa homes**” means a single storey residential flat building containing 2 or more dwellings in a group arranged so that each dwelling has attached private open space and separate access from an unbuilt upon portion of the site.

In respect to villa homes, single row and dual row developments have the following meanings:

“**single row development**” means a building which contains no more than one dwelling between the side boundaries of the allotment at the front alignment of the building.

“**dual row development**” means a building which contains 2 dwellings between the side boundaries of the allotment at the front alignment of the building, and which is commonly known as “twin” or “U-shaped development”.

4. MINIMUM SITE REQUIREMENTS

4.1. Residential – Dwelling House Sites (See Diagram 1)

4.1.1 Regular Shaped Allotments

Minimum Area	:	580m ²
Minimum Frontage	:	15m
Minimum Width	:	15m
Average Width	:	15m

4.1.2 Irregular Shaped Allotments

Minimum Area	:	580m ²
Minimum Frontage	:	10m
Minimum Width	:	15m
Average Width	:	15m

4.1.3 Hatched-Shaped Allotments

Minimum Area	:	740m ² exclusive of the area of access corridor
Minimum Width of Access Corridors:		
1 Lot	:	3m
2 Lot (Shared)	:	Total of 4m
3 to 6 Lots (Shared)	:	Total of 6m

Access Corridors:

The following facilities are required to be provided in the case of shared access corridors:

- 1 the access pavement;
- 2 the letter box stand;
- 3 the garbage storage area; and
- 4 the landscaping within the corridor.

Shared access corridors are to be subject to reciprocal rights of way and easements for services to be prepared by Council's Solicitors at the applicant's expense.

The rights and easements are to provide that such rights are not to be revoked or modified without the prior approval of Council and that the owners benefiting from these rights are to be equally liable for the cost of maintenance of:

- 1 the access pavement;
- 2 the letter box stand;
- 3 the garbage storage area; and
- 4 the landscaping within the corridor.

3m wide access corridors are to be fully paved and shared access corridors are to be constructed in the manner shown on Diagram 2.

An are within hatchet-shaped allotments should be provided to enable vehicles to enter and leave the site in a forward direction. In this regard, Council will set a building line under Section 308 of the Local Government Act to perpetuate this requirement.

4.2. Residential - Residential Flat Sites

4.2.1 Residential Flat Buildings Class A

a. Main of County Road Frontage

Minimum Area: 840m²
Minimum Frontage: 27m

b. Frontage to any other road

Minimum Area: 610m²
Minimum Width: 18m

4.2.2 Residential Flat Building (other than residential flat buildings Class A or villa homes).

a. Main or County Road Frontage

Minimum Area: 840m²
Minimum Frontage: 27m

b. Frontage to any other road

Minimum Area: 840m²
Minimum Width: 24m

4.2.3. Villa Homes

a. Single Row Developments

Minimum Area: 100m²
Minimum Width
at any point: 20m

b. Dual Row Developments

Minimum Area: 1000m²
Minimum Width
at any point: 40m

4.3 Commercial/Shop Sites

4.3.1 General

The minimum frontage of any commercial allotment is to be 5m.

4.3.2 Drive-In Take Away Food Shop

Minimum Area: 1000m²
Minimum Frontage: 27m for Main or County Roads
21m for any other road

4.3.3 Motels

Minimum Area: 3000m²
Minimum Width: 50m

4.3.4 Service Stations

Minimum Frontage: 38m for Main or County Roads
30m for Main or County Roads with a second road frontage or
for any other road.

4.4 Industrial Sites

4.4.1 Zones No.4(a), 4(c1) and 4(c2)

Minimum Area: 1500m²
Average Width: 24m

4.4.2 Zones No. 4(b1) and 4(b2)

Minimum Area: 1000m²
Average Width: 21m

4.4.3 Car Repair Stations

Minimum Frontage: 38m for Main or County Roads
30m for Main or County Roads with a second road frontage or
for any other road.

4.5 Variation of Minimum Site Requirements

Where an application is made to subdivide land into allotments which do not comply with minimum site requirements and these requirements are, in fact, development standards contained in an environmental planning instrument, it will be necessary for a written objection to be submitted with the application specifying the reasons why the standard is unreasonable and unnecessary in the circumstances of the case, in accordance with the requirements of State Environmental Planning Policy No. 1 – Development Standards.

5. OPENING OF NEW ROADS

5.1. Construction

All roads, kerb and gutter, footpaving and drainage works are to be constructed in accordance with Council's publication "Subdivisional Road Requirements".

A 5m x 5m splay corner is to be provided at the intersection of public roads.

5.2. Undergrounding of Services

All electrical power and telephone services are to be provided underground and Council will bear the additional street lighting charges involved.

5.3. Street Trees

Street trees are to be provided within all new roads. In this regard, a cash contribution will be required to be paid to Council prior to the issue of a Council Clerk's Certificate, so as to permit Council to provide the trees at an appropriate stage of the development of the properties in the street.

The contribution will be based on a requirement of 1 tree for every 10 metres of street frontage and the current cost of providing such planting.

5.4. Street Names

Suggested names for new roads may be submitted to Council for consideration.

In suggesting names, preference will be given to names linked with the general history of the area within which the road is located or the City generally or names in character with those of the surrounding streets.

Names should not conflict in spelling or phonetics with nearby existing street names and should not be the same as any in adjoining postal districts or adjoining local government areas.

6. LOCAL OPEN SPACE CONTRIBUTIONS

6.1. Rationale

Any subdivision which will result in additional allotments being created upon which increased residential accommodation may be constructed will generate an increased demand for local open space facilities by the future residents of those allotments.

This demand is to be satisfied through the acquisition and embellishment of certain land of open space purposes identified in Council's draft "Open Space and Recreational Facilities Plan". Subdivisions which create an increased demand for local open space will be required to make an appropriate cash contributions toward the local open space acquisition and embellishment program.

6.2. Quantity of Contribution

Council has adopted “Section 94 Contributions Plan No. 1” which indicates the manner by which open space contributions are to be levied.

The contributions amount applicable to residential subdivision is based on the number of additional allotments with the potential of accommodating a dwelling-house and is determined by using the following formula:

$$\begin{array}{l} \text{Population Increase} \\ \text{Attributable to Development} \end{array} \quad \times \quad \$3,602 - 30\%$$

Where ***Population Increase Attributable to Development*** is based on occupancy ratios of 3.0 persons per dwelling-house and is determined by subtracting the estimated population prior to development from the estimated population following development.

Full information concerning the determination, administration and financial accounting of contributions is contained in “Section 94 Contributions Plan No. 1”.

6.3. Payment of Cash Contributions

Cash contributions are to be paid prior to the issue of a Council Clerk’s Certificate.

6.4. Higginbotham Road – North Side

In respect to all future subdivisions of properties fronting the northern alignment of Higginbotham Road, land adjacent to Buffalo Creek will be required to be dedicated for local open space purposes.

7. ENGINEERING WORKS

7.1. Roadworks

Council will require that kerb and gutter and paved road shoulders be constructed to protect properties from damage by the discharge of surface water.

It will be necessary for footpaths outside that allotments in the subdivision to be excavated and/or filled so as to permit that area to be graded towards the kerb line. The cost of adjusting affected existing services and constructing footpaving is to be at the applicant’s expense.

7.2 Stormwater Drainage

Council may require the piping of watercourses running through a property.

Council will require that an adequate system of inter-allotment drainage be constructed in order to protect any allotment which may be subject to substantial surface drainage from adjoining land within or outside the subdivision.

It will be necessary to create drainage easements over all pipelines.

It may be necessary to fill or grade allotments to make the flow of stormwater satisfactory.

Where the land is located within a local drainage scheme, it will be necessary for a cash contribution to be paid towards the cost of construction of an underground drainage system to be constructed by Council prior to completion of the subdivision. Details of contributions for stormwater drainage are detailed in Council's Section 94 Contributions Plan No. 1.

7.3 Gutter and Footpath Crossings

Council will require that approved layback gutter crossings and concrete footpath crossings be constructed where none presently exist, or that any unauthorised gutter crossing is removed and the cost of construction of a replacement standard crossing to be paid by Council.

7.4 Engineering Works - Bonds

Consideration will be given to acceptance of a bond to cover the appropriate engineering works so as to allow any works to be deferred for a reasonable period to avoid damage due to any proposed building construction.

Enquiries concerning this matter should be referred to Council's Engineering Services.

8. SEMI DETACHED COTTAGES

Council may give consideration to a subdivision of land upon which semi detached cottages exist, which will result in the creation of allotments not complying with the minimum site requirements in Section 4 of this Code so as to facilitate the separate ownership of the 2 dwellings involved in the existing building.

Any approval would be conditional upon consideration of the land into 1 allotment upon the demolition of the building and a prohibition on the rebuilding of either dwelling. A restriction as to user would be required to be placed onto the titles of the 2 allotments in this regard.

Applications should include:

- a. the date on which the semi-detached cottages were erected;
- b. details of existing fencing;

- c. details of the dividing wall, including thickness and extent of construction.

9. FENCING

Where paling fences exist and will be situated on the front boundary of an allotment, following the approval of a subdivision, it will be necessary for such fencing to be removed or altered to comply with Council's Fencing Code.

10. COUNCIL CLERK'S CERTIFICATE

Prior to the issue of a Council Clerk's Certificate it will be necessary:

- 10.1 To submit a final survey plan and 10 copies
- 10.2 To submit a Certificate issued under the Water Board in accordance with Section 73 to the Water Board (Corporatisation) Act, 1994
- 10.3 To pay all contributions required as conditions of Development Consent.
- 10.4 To pay all outstanding fees associated with the application.
- 10.5 To complete all documents required to create rights, easements or restrictions required by the Development Consent.
- 10.6 To complete all engineering works or enter into a bond in respect to those works.

MINIMUM SITE REQUIREMENTS DWELLING HOUSE

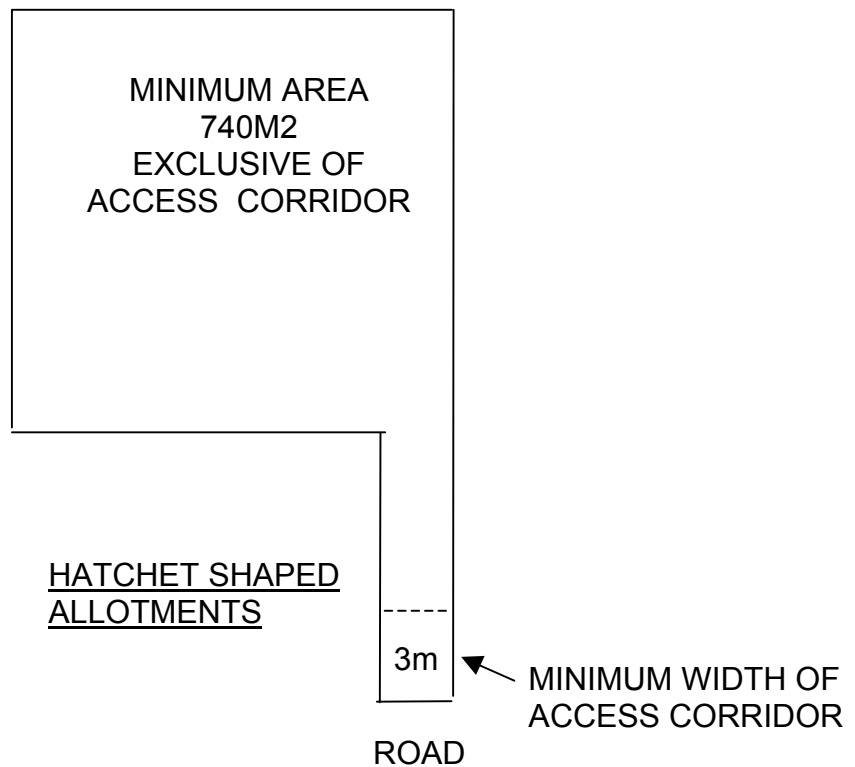
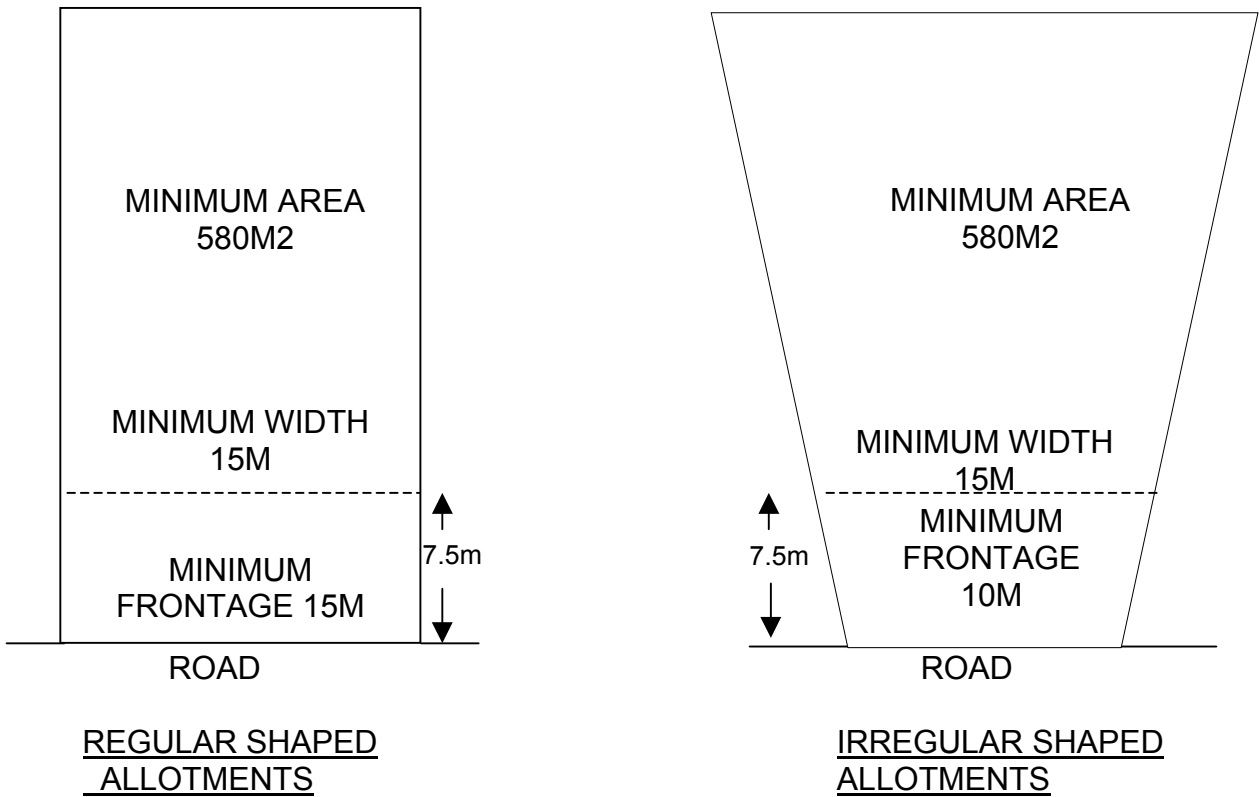


DIAGRAM 1

TREATMENT FOR ACCESS CORRIDORS FOR HATCHET SHAPED ALLOTMENTS

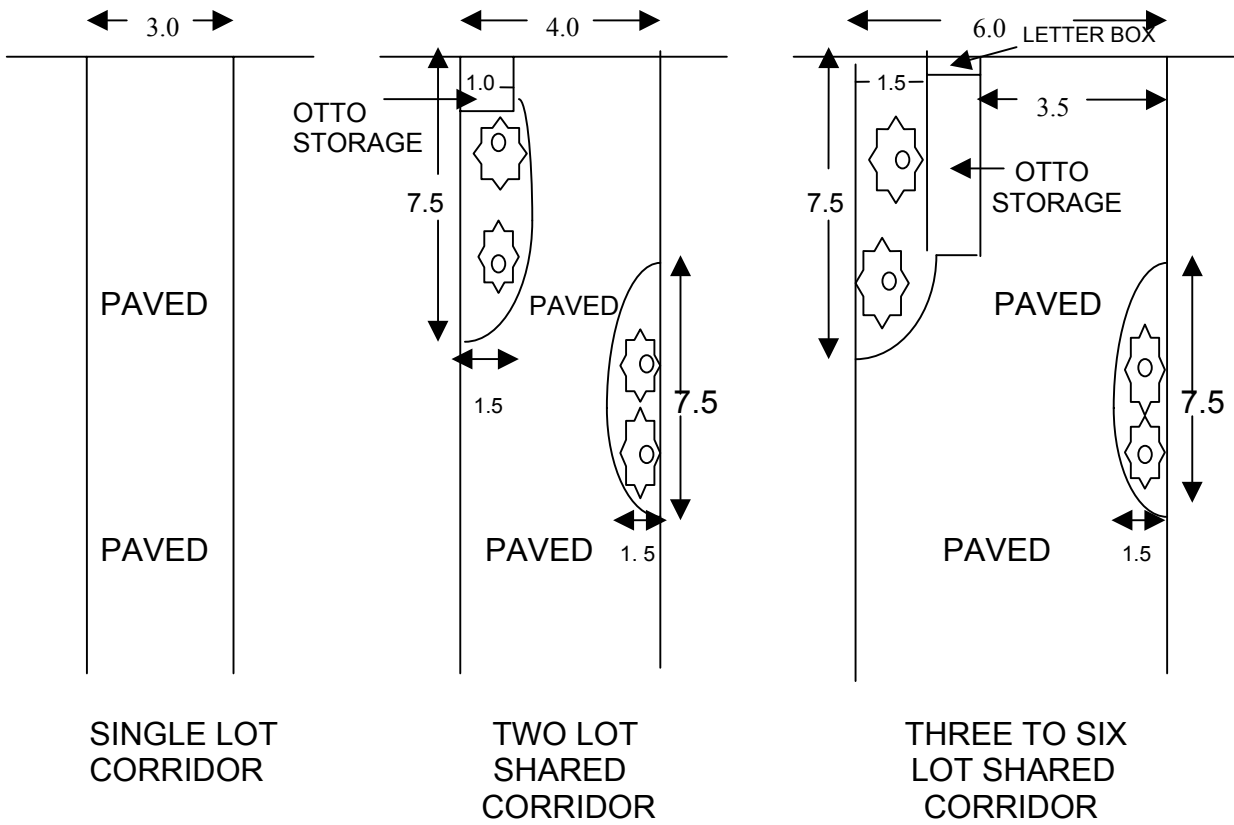


DIAGRAM 2