



4.6.5 Reconfiguring a Lot Code

Purpose

The purpose of this Code is to ensure that:

- lots are suitable for their intended purpose;
- the environmental and scenic values of the Shire are protected;
- lot reconfiguration in the Rural Planning Area and Rural Settlement Planning Area does not result in the fragmentation or alienation of GQAL;
- lot reconfiguration of land achieves good urban design outcomes; and
- lot reconfiguration in the urban areas of the Shire facilitates:
 - the efficient use of land;
 - safe, convenient and attractive neighbourhoods and functional industrial or commercial areas;
 - the efficient provision of infrastructure;
 - the efficient provision of transport services;
 - the provision of public open space, Landscaping and Recreational Areas for outdoor recreation and community activities; and
 - opportunities for walking and cycling for recreation and as alternative methods of travel.

Applicability

This Code applies to assessable development for:

- Reconfiguring a Lot; and
- Operational Work Associated with Reconfiguring a Lot.

Rearranging a boundary or boundaries that does not create any additional lots requires assessment against Performance Criteria P21 and Acceptable Solution A21.1 relating to Boundary Realignment in this Code.

Elements of the Code

Area and Dimensions of Lots

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	Lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.	A1.1	Lots comply with the area and dimensions identified for lots in the respective Planning Areas in Table 1.



Table 1 – Minimum Area and Dimensions of Lots for each Planning Area

Planning Area	Minimum Area	Minimum Dimensions
Rural EXCEPT FOR <ul style="list-style-type: none"> World Heritage Areas and Environs Locality; and Settlement Areas North of the Daintree River Locality. 	<ul style="list-style-type: none"> 40 hectares As existing with no further reconfiguration 	To accommodate square with minimum side of 500 metres
Rural Settlement <ul style="list-style-type: none"> Within Settlement Areas North of the Daintree River Locality and at Rocky Point. In other Localities and areas 	<ul style="list-style-type: none"> As existing with no further reconfiguration 0.4 hectares 	<ul style="list-style-type: none"> To accommodate square with minimum side of 50 metres
Residential 1 <ul style="list-style-type: none"> Within sewered areas Within unsewered areas Within Special Management Area 1 – Flagstaff Hill Located at Rocky Point 	<ul style="list-style-type: none"> 800 m² 1000 m² 1500 m² 3500 m² 	<ul style="list-style-type: none"> To accommodate square with minimum side of 20 metres To accommodate square with minimum side of 25 metres To accommodate square with minimum side of 30 metres To accommodate square with a minimum side of 50 metres
Residential 2	1000 m ²	To accommodate square with minimum side of 25 metres
Tourist and Residential	1000 m ²	To accommodate square with minimum side of 25 metres
Commercial	800 m ²	To accommodate square with minimum side of 20 metres
Industrial	1000 m ²	To accommodate square with minimum side of 25 metres
Community and Recreational Facilities	Not specified	Not specified
Conservation EXCEPT FOR <ul style="list-style-type: none"> Settlement Areas North of the Daintree River Locality; and World Heritage Areas and Environs Locality 	<ul style="list-style-type: none"> As existing with no further reconfiguration 	Not specified



Planning Area	Minimum Area	Minimum Dimensions
Port Douglas Waterfront North	Not specified – Must be able to accommodate development in accordance with Figure 1 of the Port Douglas Waterfront North Planning Area Code.	Not specified – Must be able to accommodate development in accordance with Figure 1 of the Port Douglas Waterfront North Planning Area Code.
Port Douglas Waterfront South	Not specified – Must be able to accommodate development in accordance with the Port Douglas Waterfront South Planning Area Code.	Not specified – Must be able to accommodate development in accordance with the Port Douglas Waterfront South Planning Area Code.

Rural Planning Area

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P2 Lots are of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewage disposal.	<p>A2.1 Lot boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows, or remnant stands of vegetation.</p> <p>A2.2 Lots comply with the area and dimensions identified for Lots in the Rural Planning Area in Table 1, above.</p> <p>A2.3 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.</p>



Rural Settlement Planning Area

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 Rural Settlement lots are located and designed such that they:</p> <ul style="list-style-type: none"> • have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat; • retain significant landscape features, views and vegetation cover; • provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and • do not impact on the safety and efficiency of the Shire’s Road network. 	<p>A3.1 The location and layout of new lots does not fragment GQAL or areas of ecological or scenic value and provides for buffers that adequately protect such areas from fringe deterioration and other impacts and maximises connectivity between such areas.</p> <p>A3.2 Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.</p> <p>A3.3 The location and layout of lots minimises the extent of cut and fill for Building area or Road construction.</p> <p>A3.4 The location and layout of lots allows for the buffering of riparian vegetation and waterways.</p> <p>A3.5 Lots are buffered from any potentially incompatible land use.</p> <p>A3.6 The location and layout of new lots minimises risk from bushfire through the following measures:</p> <ul style="list-style-type: none"> • the Road layout provides for through Roads and avoids cul-de-sacs and “dead end” Roads; • Designated Development Areas are sited in cleared areas, away from the tops of ridges, and not on north to west facing vegetated slopes; and • the use of firebreaks. <p>A3.7 Lots are not located in an area affected by noise from a State-Controlled Road.</p>



Residential 1 Planning Area

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	<p>The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by:</p> <ul style="list-style-type: none"> • protecting natural features, areas of environmental value and Watercourses; • incorporating Site characteristics, views and landmarks; • providing a legible, connected and safe street, bicycle and pedestrian network that links to existing external networks; • providing community or necessary facilities at convenient focal points; • orientating the street and lots to ensure the siting and design of residential development maximises energy efficiency; 		<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
P5	<p>Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.</p>	A5.1	<p>In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.</p>

Commercial/Industrial Planning Areas

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	<p>The reconfiguration layout of an industrial/commercial area:</p> <ul style="list-style-type: none"> • facilitates the efficient use of industrial or commercial land; • ensures minimum impact on the natural environment and on the amenity of adjacent uses; • provides for a variety of lot sizes and complementary uses. 	P6.1	<p>A Concept Plan for the proposed reconfiguration is prepared by a suitably qualified professional and identifies the location of:</p> <ul style="list-style-type: none"> • natural features, areas of environmental value and Watercourses; • street, bicycle and pedestrian networks and linkages to adjoining areas; • a variety of lot sizes and dimensions, with the minimum areas of dimensions satisfying the requirements of Table 1 above.



Infrastructure for Local Communities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Provision is made for open space that: <ul style="list-style-type: none"> • meets the recreational needs of residents and visitors to the Shire; • provides a diverse range of settings; • creates effective linkages with other areas of open space and natural areas; and • contributes to the visual and Scenic Amenity of the Shire. 	A7.1	An area of 10% of the land to be reconfigured is provided as open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions. OR A contribution is paid in lieu of an area being designated for open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions OR A combination of the above, as agreed to by Council.
P8	Informal Parks and Sporting Parks are provided and sited to meet the needs of local residents in the Shire.	A8.1	Informal Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Informal Parks being 0.5 – 1 hectare (Local Parks) and 3 – 5 hectares (District Parks). AND Sporting Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Sporting Parks being 1.2 – 2 hectares (Local Parks) and 5 hectares (District Parks).



Road Network

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P9	<p>The Road network:</p> <ul style="list-style-type: none"> • is integrated and consistent with the existing and proposed local Road network; • is legible and retains existing features, views, topography and vegetation; • is convenient and safe for local residents; • facilitates walking and cycling within the neighbourhood; and • is compatible with the intended role of the State-Controlled Road and does not prejudice traffic safety or efficiency. 	A9.1	Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.
		A9.2	The Road network takes into consideration the natural and cultural features of the Site, existing vegetation, Watercourses and contours.
		A9.3	The Road network is designed to reduce traffic speeds and volumes on local streets in residential areas to facilitate parking and manoeuvring and to integrate with the existing and proposed pedestrian and bicycle paths network.
		A9.4	Direct Access is not provided to a State-Controlled Road where legal and practical Access from another Road is possible.
		A9.5	Where the created allotments have Frontage to more than one Road, Access to the individual allotments is from the lower order Road.
P10	<p>The Road network for industrial/commercial reconfigurations ensures convenient movement and Access for vehicles, particularly heavy vehicles, without affecting the amenity of residential neighbourhoods.</p>	A10.1	Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.
		A10.2	Industrial/commercial traffic is able to Access a major Road without intruding into a residential neighbourhood.



Pedestrian and Bicycle Network

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Networks of pedestrian and bicycle paths are provided in safe and convenient locations.</p>	<p>A11.1 Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.</p> <p>A11.2 The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>A11.3 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.</p>

Stormwater Drainage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Stormwater runoff is contained and managed so that it does not adversely affect:</p> <ul style="list-style-type: none"> • natural Watercourses; • surface or underground water quality; or • the built environment either upstream or downstream of the Site. 	<p>A12.1 Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



Water Supply

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P13 An adequate, safe and reliable supply of potable water is provided.	A13.1 Where in a water supply area, each new lot is connected to Council's reticulated water supply system. AND The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual A13.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.



Treatment and Supply of Effluent

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P14 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p>A14.1 Each new lot is connected to Council's sewerage system.</p> <p>AND</p> <p>The extension of and connection to the sewerage system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p>OR</p> <p>Where the Site is not in a sewerage scheme area, the proposed disposal system meets the requirements of relevant Sections of the Environmental Protection Policy (Water) 1997.</p> <p>AND</p> <p>The proposed on Site effluent disposal system is located on and contained within the lot in accordance with the Standard Sewage Law.</p> <p>A14.2 A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions</p>



Residential Development – Standard Format Plan with Common Property

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P15	Lots have an appropriate area and dimension to protect residential amenity.	A15.1 The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage provisions of the Residential 1 Planning Area Code, as set out in Table 1, above.
P16	The Setback of Residential Uses from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.	A16.1 A minimum separation distance of 15 metres is provided between Residential Uses with Frontage to the Access driveway.
P17	Internal Access driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.	A17.1 Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.
P18	Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.	A18.1 The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined on a Site/development specific basis.
P19	Boundary fencing does not have a significant impact on the visual amenity of the local area.	A18.1 The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk and scale of the fence or wall.
P20	The installation of Fire Hydrants ensures that they are easy to locate and use in times of emergency and are of a standard consistent with service needs.	A19.1 Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.



Boundary Realignment

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P21 The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.</p>	<p>A20.1 No additional lots are created.</p> <p>AND</p> <p>The area and configuration of the proposed lots are consistent with the historical pattern of reconfiguration in the local area.</p> <p>AND</p> <p>An improvement on the existing situation is achieved by:</p> <ul style="list-style-type: none"> • the provision of Access to a lot which previously had no Access; <p>OR</p> <ul style="list-style-type: none"> • the proposed lots being better suited to the existing or proposed use of the lots, whether or not the provisions relating to minimum area and dimensions are met; <p>OR</p> <ul style="list-style-type: none"> • the Frontage to depth ratio of the proposed lots being greater than the Frontage to depth ratio of the existing lots.



Energy Efficiency

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P22	The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.	No Acceptable Solution
P23	The road and lot layout minimises fossil fuel use by: <ul style="list-style-type: none">• reducing the need for and length of local vehicle trips,• maximising public transport effectiveness,• encouraging walking and cycling, and• provision of appropriate street landscaping	No Acceptable Solution