

Explainer:

Part 4 Subdivision, Consolidation and Boundary Adjustments

This Part of the draft *Bayside Development Control Plan 2022* contains subdivision, consolidation and boundary adjustment provisions relating to a variety of planning topics. These include:

General	Non-Residential Subdivision	Community Title Schemes
Residential Subdivision	Strata Subdivision	Connectivity and Future Development Potential

The following chapters provide controls for common subdivision types including Torrens title (including boundary adjustments and consolidation), Strata title, and Community title. The controls may result in limitations being placed on subdivisions and amalgamations including maximum building envelopes, minimum setbacks, building heights, zoning, connectivity, and environmental management requirements, to ensure future development does not adversely impact on the surrounding locality.

Please note that a draft Planning Proposal is currently being prepared to amend *Bayside Local Environmental Plan 2021* (LEP), to introduce new minimum lot size and lot width controls for certain low-medium density housing types, including dual occupancies. This is in accordance with actions contained in Bayside's Local Housing Strategy. Should Council adopt any new LEP controls on this matter, the relevant controls in the DCP (in particular, Part 4) will be revisited to ensure they are consistent with Bayside LEP 2021.

Chapter 4.1 – General

This chapter provides general controls for subdivision, consolidation and boundary adjustments. These controls include requirements that subdivisions or amalgamations do not compromise streetscape character and that they will result in a density that is consistent with that prevailing in the surrounding area.

The chapter must also be considered alongside Clause 4.1 Minimum Lot Size of *Bayside Local Environmental Plan 2021* (LEP). If there is no minimum lot size contained in Bayside LEP 2021, this chapter requires any proposed subdivision or amalgamation must be similar to the prevailing subdivision pattern of lots fronting the same street.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
4.1 General		Partly adapted from 3E.2 Torrens Title Subdivision and Amalgamation, with elaborations	Partly adapted from 4.1.9 Lot Size and Site Consolidation, with elaborations

Chapter 4.2 – Residential Subdivision

This chapter provides objectives and controls to guide proposed residential subdivision. This includes requirements for different categories of subdivision title (Torrens, Strata and Community title), as well as for battle-axe subdivision (where a lot is located behind another lot but has access to a street via a longer driveway). The intent of these requirements is to ensure adequate lot widths and depths to accommodate future residential development.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
4.2 Residential Subdivision		Partly adapted from 3E.2.2 Residential Torrens Title	Partly adapted from 5.1 Low and Medium Density Residential, Residential Subdivision

Chapter 4.3 – Non-Residential Subdivision

This chapter outlines objectives and requirements in relation to proposed non-residential subdivision. This includes subdivision or amalgamation lot size, width and depth controls to ensure that subdivision in employment zones allow for various employment land uses, while ensuring safe and efficient access by vehicles, bicycles and pedestrians.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
4.3 Non-Residential Subdivision		From 3E.2.3 Employment Zone Torrens Title	

Chapter 4.4 – Strata Subdivision

A Strata title is the subdivision of a parcel of property into separate lots and common property. Individual ownership is given to small portions of a larger property and undivided areas are shared as common property such as gardens or driveway. Strata title subdivision is generally associated with residential flat buildings, commercial unit buildings or mixed use developments.

This chapter provides objectives and controls to guide proposed Strata subdivisions, including communal areas and car parking associated with a development.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
4.4 Strata Subdivision		From 3E.3 Strata Title Subdivision	

Chapter 4.5 – Community Title Schemes

Community Title subdivision is similar to Strata title subdivision in that an allotment can be created for common property and all owners of the Community Title allotments share ownership of the common property. The main difference is Community Title subdivision relates to the land rather than a building.

This chapter outlines controls for proposed Community Title subdivisions, including requirements for the management of common property.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
4.5 Community Title Schemes		From 3E.4 Community Title Subdivision	

Chapter 4.6 – Connectivity and Future Development Potential

Subdivisions and major developments have potential to impact on movement networks and affect the functionality of the public domain of an area. These movements may accommodate pedestrians, vehicles, service and infrastructure. This chapter provides controls for connectivity and future development potential.

Comparison with current Development Control Plans

Chapter / Subchapter	New chapter / subchapter?	Adapted from Botany Bay DCP 2013?	Adapted from Rockdale DCP 2011?
4.6 Connectivity and Future Development Potential		From 3E.5 Connectivity and Future Development Potential	