

2.2 Subdivision

Overview

This section provides the design and planning rules for subdividing or joining (amalgamating) parcels of land. It ensures that new lot boundaries are functional, safe, and respect the character of the *neighbourhood*.

Before designing any proposal, please check the following requirements:

- **Minimum Lot Sizes:** Check Clause 4.1 of the *Inner West LEP 2022* for the specific minimum area required for your zone.
- **Heritage Impact:** If your land contains a *heritage item* or is located within a *Heritage Conservation Area*, you also are to comply with Section 2.12 (Heritage).
- **Flood Risks:** For land affected by flooding, specific safety and design controls are found in Section 2.9 (Flooding and Foreshore Risk Management).

2.2.1 Lot Design

Objectives

01. **Functional Lot Design:** To ensure new lots are sized and shaped to support high-quality, usable development.
02. **Character Alignment:** To deliver lot layouts that reinforce the intended future identity and scale of the area.
03. **Infrastructure and Growth:** To enable *roads*, utilities, and other infrastructure to support additional lots and associated development.
04. **Acoustic Protection:** To limit residential density in areas subject to significant aircraft noise.
05. **Local Character:** To ensure new development respects the site's characteristics and the surrounding *neighbourhood's* amenity.

Controls

- C1. Design lots to:
 - a) Be rectangular or regular in shape with a depth greater than width
 - b) Ensure lot dimensions and area enable the location of a well-designed *dwelling* that complies with the relevant *building* controls of this DCP (including *setbacks*, solar access, and privacy)
 - c) Provide sufficient area for essential site requirements, including functional *private open space*, clothes drying areas, and bin storage

Inner West Development Control Plan: Part 2 General Considerations for Development

- d) Design lots and *roads* to ensure the proposed subdivision can accommodate necessary infrastructure
 - e) Orient and align so future *buildings* face the street and achieve optimal solar access
 - f) Avoid battle-axe lots
 - g) Ensure lot size and dimensions:
 - i. Protect natural landscape features such as ridgelines and rock outcrops
 - ii. Retain significant vegetation
 - h) Address site constraints including topography, services, easements, vehicle access, flooding, and overland flow
- C2. Accompany proposals for Torrens title subdivision with a concept *building* plan that demonstrates compliance with relevant provisions:
- C3. Provide splays to improve sight lines at intersections for vehicles, pedestrians and cyclists and to increase footpath area at corners, especially in centres, where a development proposes five or more dwellings or where the site area is 600m² or larger. Apply splays as follows:
- a) 3 m x 3 m at street–street corners
 - b) 2 m x 2 m at street–lane and lane–lane corners
- C4. Splays should, where adjacent to a *road* reserve, form part of a *road* reserve. In other cases, public access to the play areas should be provided.
- C5. Do not create additional Torrens title residential lots within an Australian Noise Exposure Forecast (ANEF) contour of 30+.
- C6. Ensure subdivision of land does not result in:
- a) A net loss of *dwellings*
 - b) Isolated lots that cannot reach their redevelopment potential including compliance with the *NSW Apartment Design Guide (ADG)*

2.2.2 Strata and Stratum Title Subdivision

Objectives

- O6. **Tenancy Alignment:** To ensure lot boundaries match the actual layout and use of separate tenancies.
- O7. **Access and Common Areas:** To provide clear legal access and management for all shared spaces.
- O8. **Sustainable Redevelopment:** To ensure the subdivision of commercial or industrial *buildings* does not prevent future upgrades or more sustainable redevelopment.

Inner West Development Control Plan: Part 2 General Considerations for Development

- O9. **Affordable Housing:** To secure the long-term availability of *affordable housing* within the community.

Controls

- C7. The strata subdivision boundary is to relate appropriately to the boundary of separate occupancies and any associated spaces and be consistent with, and not cause the contravention of, any relevant development consents that apply to the land.
- C8. Align strata subdivision boundaries with the boundaries of separate occupancies and associated spaces. Ensure consistency with all relevant development consents and avoid any contravention.
- C9. Accommodate common pedestrian, vehicular, or service access within common property or a rights-of-way easement.
- C10. Provide a separate letterbox for each occupancy and an additional letterbox for the owners' corporation, with clear numbering and the title "Owners' Corporation."

2.2.3 Community title subdivision

Objectives

- O10. **Fit-for-Purpose Schemes:** To ensure the community scheme suits the site and its surroundings.
- O11. **Effective Management:** To clearly identify and manage all shared areas within the development.

Controls

- C11. Applications for community scheme subdivisions are to include a concept plan showing how the entire site will be redeveloped.
- C12. All development lots and shared property are to align with the overall concept plan for the site.
- C13. All land or facilities intended for common use are to be located within the "association property" (common area).
- C14. A draft management statement is to be submitted with the application. This document is to outline how common areas will be maintained and how the scheme will interact with the *neighbourhood*.

2.2.4 Subdivision of industrial land

Objectives

- O12. **Site Context:** To ensure lot sizes and layouts are practical for modern industrial operations and suit the specific constraints of the site.
- O13. **Transport:** Provide secure, efficient access for all transport types.

Inner West Development Control Plan: Part 2 General Considerations for Development

- O14. **Protect Operations:** To prevent subdivisions that would make existing industrial uses unviable or harder to manage.

Controls

- C15. Applications for industrial subdivision are to include a concept plan demonstrating that each new lot is functional. The plan is to show that the area, dimensions, and layout:
- a) Support industrial operations that comply with this DCP
 - b) Suit the specific constraints and character of the location