

**Small Lot Housing Code Standards for construction of a single Class 1 building and associated Class 10a buildings on an allotment.**

**Definitions**

“Height” in relation to

- (a) a building (other than a wall or fence) at any point, means the vertical distance between natural ground level and the top of the roof cover; and
- (b) a wall at any point, means the vertical distance between the natural ground level at the base of the wall and the point at which the outer wall intersects the plane of the top of the roof covering or the top of the parapet, whichever is the higher; and
- (c) a fence at any point means the vertical distance between natural ground level at the base of the wall and the top of the fence.

**1 Maximum street setback**

- (1) The front wall of a new Class 1 building must not be set back from the front street alignment more than the street setback specified in Table 2 plus 1.5m.

**2 Minimum street setbacks**

- (1) The front wall of a building must be set back from a front street alignment not less than the distance specified in Table 2.
- (2) The front wall of a garage that is accessed from the front street must be setback from the front street alignment no less than 5.0m.

<b>Table 2 – Street setbacks</b>		
<i>Designation of the allotment in the subdivision permit</i>	<i>Minimum setback from front street alignment</i>	<i>Minimum setback from a side street alignment</i>
Type A	4m for a building facing a declared road and no less than 25% of the area of the front façade of a building must be setback an additional 300mm  1.5m for a building that fronts a public park and no less than 25% of the area of the front façade of a building must be setback an additional 300mm  3m in any other case and no less than 25% of the area of the front façade of a building must be setback an additional 300mm.	1.5m and if a wall of a building faces a side street and the wall is more than 10m in length, for each 10m length of wall no less than 10% of the area of the wall must be set back an additional 300mm
Type B	1.5m and no less than 25% of the area of the front façade of a building must be setback an additional 300mm.  4m for a building facing a declared road and no less than 25% of the area of the front façade of a building must be setback an additional 300mm.	1m and if a wall of a building faces a side street and the wall is more than 10m in length, for each 10m length of wall no less than 10% of the area of the wall must be set back an additional 300mm

- (4) The following must encroach into the front setback required by standard 2(1):

- (a) a porch, verandah or pergola that is open on at least 2 sides: and
    - (i) has a maximum height of less than 3.6m above natural ground level; and
    - (ii) has a width of no more than 60% of the frontage of the allotment or 4m whichever is the greater; and
    - (iii) must project at least 800mm and no more than 1.5m into the front setback
  - or
  - (b) a balcony at the second storey or above that has a width of less than 80% of the width of the frontage of the allotment; and
    - (i) must project no more than 1.0m into the front setback if the balcony is roofed; or
    - (ii) must project no more than 1.5m into the front setback if the balcony is not roofed;
  - or
  - (c) fin or fins, sunhood or sunhoods, screen or screens that have a minimum aggregate dimension of 3.1m;
  - or
  - (d) a combination of encroachments under standard 4(a) or 4(b) or 4(c).
- (5) In this standard, street does not include lane, footway, alley or right of way.
- (6) In this standard the area of the front façade does not include any area of garage doors or openings.
- (7) In this standard front façade means the front wall(s) that face the front street.
- (8) In this standard front wall means part of the front façade being the wall of a building that is closest to the front street.
- (9) For the purposes of this standard, an allotment does not adjoin another allotment if its boundary only touches the boundary of the other allotment at one point (for example, at a corner).

### 3 Building height

- (1) The height of a building must not exceed
- (a) 11m if the slope of natural ground level at any cross section of the site of the building that is wider than 4m and is 2.5° or more;
  - and
  - (b) 10m in any other case.

### 4 Site coverage

- (1) Buildings must not occupy more of the allotment than the site coverage specified in Table 4.

<b>Table 4 - Site coverage</b>	
<i>Designation of the allotment in the subdivision permit</i>	<i>Site coverage</i>
Type A	90% The percentage may be calculated as the average of allotments that have simultaneously constructed attached dwellings.
Type B	100%

- (2) When calculating site coverage under standard 4 (1), eaves, fascia and gutters not exceeding 600mm in total width, unroofed swimming pools, unroofed terraces, unroofed patios, unroofed decks and pergolas may be disregarded.

### 5 Permeability

- (1) If a building is to be constructed on an allotment, the area of the allotment that can be covered by impermeable surfaces must not exceed the area specified in Table 5.

<b>Table 5 - Permeability</b>	
<i>Designation of the allotment in the subdivision permit</i>	<i>Impermeable surfaces</i>
Type A	90% The percentage may be calculated as the average of allotments that have simultaneously constructed attached dwellings.
Type B	100%

## **6 Car parking**

- (1) If a new building is to be constructed on an allotment provision must be made for the number of car parking spaces specified in Table 6.

<b>Table 6 – Car parking</b>	
<i>Designation of the allotment in the subdivision permit</i>	<i>Car parking spaces</i>
Type A	1 covered car space if the building has two or less bedrooms 2 car spaces of which 1 must be covered if the building has 3 bedrooms or more
Type B	1 covered car space

- (2) The car spaces required under standard 6(1) must be accessible from a public street or laneway.
- (3) If 2 car parking spaces are required under standard 6(1) —
- one space must be at least 6m long and 3.5m wide; and
  - the second space must be at least 4.9m long and 2.6m wide.
- (4) Part of a building may project into a car parking space if it is at least 2.1m above that space.
- (5) Despite standard 6(3), if the 2 required car parking spaces adjoin each other in a garage or carport or in a space constrained by walls, the double space must be at least 5.5m in width.
- (6) Vehicle access to a car space or garage on an allotment with a frontage of less than 6.0m must be from the rear of the allotment.
- (7) If the car space(s) required under standard 6(1) are in a garage and the door(s) or opening(s) to the garage face the front street alignment, width of the door(s) or opening(s) to the garage must not exceed
- 50% of the width of the frontage of the allotment; or
  - 30% of the area of the front façade of the building
- whichever is the greater.
- (8) For the purposes determining the width of the frontage of the allotment under standard 6(7)(a) if the allotment is irregular the frontage is the average width of the front and rear boundaries of the allotment.
- (9) The area of the façade of the building under standard 6(7)(b) is measured from a two dimensional elevation plan and excludes any roof area.

## **7 Walls on boundaries**

- (1) This standard applies to the construction of—
- a wall on a side or rear boundary of an allotment; or

- (b) a carport constructed on or within 1m of a side or rear boundary of an allotment and which is open on the side facing the boundary or boundaries.
- (2) The maximum height of the wall or the carport (as the case may be) must not exceed 3.6m.
- (3) Notwithstanding standard 7(2) the height of the wall may exceed 3.6m where:
  - (a) an adjoining wall is simultaneously constructed on an adjoining allotment or a wall exists on the boundary; and
  - (b) the height difference between the existing and new wall or simultaneously constructed walls does not exceed 3.6m; and
  - (c) the length of a wall does not exceed the length of a simultaneously constructed wall by more than 2m.

### 8 Daylight to existing habitable room windows

- (1) A building must be set back from a habitable room window in an existing building on an adjoining allotment to provide for a light court to the window that has a minimum area of 3m<sup>2</sup> and a minimum dimension of 1m clear to the sky.
- (2) The area of the light court required under standard (1) may include land on the adjoining allotment.

### 9 Solar access to existing north-facing windows

- (1) This regulation applies if—
  - (a) a building is to be constructed on an allotment; and
  - (b) a north-facing habitable room window or part of a window of an existing dwelling on an adjoining allotment is within the distance and height specified in Table 9-1 of a boundary of the allotment on which the building is to be constructed; and
  - (c) the window is orientated towards the boundary.

<b>Table 9-1</b>	
<i>Height of the existing north facing window at any point</i>	<i>Distance from the existing north facing window to the boundary.</i>
Less than 3.6m	1m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 300mm for every metre of height over 3.6m
More than 6.9m	2m plus an additional distance calculated at the rate of 1m for every metre of height over 6.9m

- (2) The proposed building must be set back from the boundary not less than the distance specified in Table 9-2 for a distance of 3m from each side of the window or that part of the window that is within the distance to the boundary specified in table 9-1 of the boundary.

<b>Table 9-2</b>	
<i>Building height at any point</i>	<i>Minimum setback from side or rear boundary at that point</i>
Less than 3.6m	1m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 300mm for every metre of height over 3.6m
More than 6.9m	2m plus an additional distance calculated at the rate of 1m for every metre of height over 6.9m

- (3) In this regulation north means true north.
- (4) For the purposes of standard 9(1), a north-facing window is a window with an axis perpendicular to its surface orientated between north 20° west to north 30° east.

- (5) The following may encroach into the set back distance required by standard 9(1) by no more than 500mm
- (a) flues and pipes;
  - (b) domestic fuel tanks and water tanks;
  - (c) heating and cooling equipment and other services.

#### **10 Overshadowing of recreational private open space**

- (1) A building must not reduce the sunlight to the recreational private open space of an existing building on an adjoining allotment to less than the required minimum under standard 13(3).
- (2) In this standard *recreational private open space* means any part of private open space on an allotment—
- (a) which is—
    - (i) at the side or rear of an existing dwelling on the allotment; or
    - (ii) is a rooftop area; and
  - (b) which is primarily intended for outdoor recreation activities.

#### **11 Overlooking**

- (1) A habitable room window at the second storey or above that faces a side or rear boundary must:
- (a) be set back from side and rear boundaries by at least 4.5m; or
  - (b) have a sill height at least 1.7m above floor level; or
  - (c) have obscure glazing in any part of the window below 1.7m above floor level.
- (2) If a habitable room window faces a lane, footway, alley or right of way the setback required in standard 11(1)(a) may be reduced to half of the width of the lane, footway, alley or right of way.
- (3) A raised open space must be:
- (a) set back 4.5m from a side or rear boundary; or
  - (b) obscured to a height of at least 1.7m above floor level at any part of the perimeter of the raised open space that is within 4.5 metres of a side or rear boundary.
- (4) If a raised open space faces a lane, footway, alley or right of way the setback required in standard 11(3)(a) may be reduced to half of the width of the lane, footway, alley or right of way.
- (5) In this standard —
- raised open space* means a landing with an area of more than 2m<sup>2</sup>, a balcony, a terrace, a deck or a patio.

#### **12 Daylight to habitable room windows**

- (1) A habitable room window of a building on an allotment must face—
- (a) an outdoor space or light court with a minimum area of 3m<sup>2</sup> and a minimum dimension of 1m clear to the sky, not including land on an adjoining allotment; or
  - (b) a verandah on the allotment if it is open for at least one third of its perimeter; or
  - (c) a carport on the allotment if—
    - (i) it has 2 or more sides open; and
    - (ii) it is open for at least one third of its perimeter.

- (2) For the purposes of standard 12(1), a side of a carport or verandah may be taken to be open if the roof covering of the carport or verandah adjacent to that side is not less than 500mm from another building on the allotment or the adjoining allotment boundary.

### 13 Private open space

- (1) If a dwelling on an allotment has three or more bedrooms it must have
- at least 25m<sup>2</sup> of private open space at the side or rear of the building with a minimum dimension of 3m; or
  - a balcony of least 12m<sup>2</sup> of private open space with a minimum dimension of 3m; or
  - a roof-top area of 12m<sup>2</sup> of private open space with a minimum dimension of 3m.
- (2) If a building on an allotment has two or less bedrooms it must:
- have at least 15m<sup>2</sup> of private open space at the side or rear of the building with a minimum dimension of 3m; or
  - a balcony or rooftop area that is at least;
    - 10% of the floor area of the building excluding garages and carports; or
    - 6m<sup>2</sup> with a minimum dimension of 2m
 whichever is the greater.
- (3) If the private open space is provided at the side or rear of the dwelling or as a roof top area it must have a minimum of area of 6m<sup>2</sup> with a minimum dimension of 2m that has direct sunlight at noon on 22 September.
- (4) For the purposes of standard 13(3) the length of the shadow cast by walls and fences shall be:
- 0.9h when measured perpendicular to the fence or wall, where h is the height of the wall; and
  - the sun is true north.

### 15 Front fence height

- (1) The height of a fence, or part of a fence, that is within 3m of the street alignment at the front of that allotment must not exceed the relevant maximum height specified in Table 16.

<b>Table 15 - Front fence height</b>	
<i>Street type</i>	<i>Maximum fence height</i>
A declared road	2m
Any other street	1.2m.

- (2) A front fence other than a front fence to a declared road must be no more than 85% solid above 0.7m height

### 16 Fence setbacks from side and rear boundaries

- (1) A fence must be set back from a side or rear boundary not less than the distance specified in respect of that boundary in Table 16.

<b>Table 16 - Side and Rear Setbacks</b>	
<i>Fence height at any point</i>	<i>Minimum setback from side or rear boundary at that point</i>
More than 2m but not more than 3.6m	1m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 300mm for every metre of height over 3.6m
More than 6.9m	2m plus an additional distance calculated at the rate of 1m for every metre of height over 6.9m

## 17 Fences on side or rear boundaries

- (1) This standard applies to the construction of a fence on a side or rear boundary of an allotment.
- (2) The maximum height of a fence must not exceed 3.6m.
- (3) The fence may extend to the full length of the rear boundary.
- (4) If a fence is constructed forward of the front wall of a dwelling, the part of the fence that is forward of front wall of the dwelling must comply with standard 15(1) and 15(2).

## 18 Fences on street alignments

- (1) A fence within 9m of a point of intersection of street alignments and must not exceed a height of 1m above the footpath.
- (2) A fence facing a side street alignment must not:
  - (a) exceed 2m in height; and
  - (b) be constructed with solid, non-permeable materials for more than 65% of the length of the side boundary and the remaining 35% of the length of the side boundary must not be constructed with materials that are more than 85% solid.
- (3) A fence adjacent to a street alignment or public open space must not contain barbed wire or other sharp protrusions unless—
  - (a) despite standard 16(1), the fence is set back at least 200mm from the street alignment or boundary of the public open space; or
  - (b) the barbed wire or other sharp protrusion is at a height of at least 2m above the level of the street or public open space.

## 19 Fences and daylight to windows in existing building

- (1) A fence more than 2m in height must be set back from a habitable room window in an existing building on an adjoining allotment to provide for a light court to the window that has a minimum area of 3m<sup>2</sup> and a minimum dimension of 1m clear to the sky.

## 20 Fences and solar access to existing north-facing habitable room windows

- (1) This standard applies if—
  - (a) a fence more than 2m in height is to be constructed on an allotment; and
  - (b) a north-facing habitable room window or part of a window of an existing building on an adjoining allotment is within the distance and height Specified in table 20-1 of a boundary of the allotment on which the fence is to be constructed; and
  - (c) the window is orientated towards the boundary.

<b>Table 20-1</b>	
<i>Height of the existing north facing window at any point</i>	<i>Distance from the existing north facing window to the boundary.</i>
Less than 3.6m	1 m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 300mm for every metre of height over 3.6m
More than 6.9m	2m plus an additional distance calculated at the rate of 1m for every metre of height over 6.9m

- (2) The proposed fence must be set back from the boundary not less than the distance specified in Table 20-2 for a distance of 3m from each side of the window or that part of the window that is within the distance to the boundary specified in table 20-1 of the boundary.

<b>Table 20-2</b>	
<i>Fence height at any point</i>	<i>Minimum setback from side or rear boundary at that point</i>
Less than 3.6m	1m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 300mm for every metre of height over 3.6m
More than 6.9m	2m plus an additional distance calculated at the rate of 1m for every metre of height over 6.9m

- (3) In this regulation north means true north.
- (4) For the purposes of standard 20(1), a north-facing window is a window with an axis perpendicular to its surface orientated between north 20° west to north 30° east.
- (5) The following may encroach into the set back distance required by standard 21(1) by no more than 500mm
- (a) flues and pipes;
  - (b) domestic fuel tanks and water tanks;
  - (c) heating and cooling equipment and other services.

## **22 Fences and overshadowing of recreational private open space**

- (1) A fence more than 2m in height must not reduce the sunlight to the recreational private open space of an existing building on an adjoining allotment to less than the required minimum area under standard 13(3).