

Small Lot Housing Code (June 2013):

Standards that establish a building envelope for a single Class 1a building and associated Class 10 buildings on an allotment.

If an adjoining allotment is not subject to this code or is not shown on the same certified plan of subdivision, regulations 414, 415, 416, 417, 418, 419, 425, 426, 428, 429 and 430 of the Building Regulations 2006 apply to the extent that they relate to the adjoining allotment.

Definitions

In this code –

“allotment” means land that can be disposed of separately under section 8A of the Sale of Land Act 1962 without being subdivided;

“bedroom” includes any room with a floor area greater than 6m², that is enclosed on all sides and contains a window;

“carport” is an open style car parking structure which –

- (a) has 2 or more of its side open, and
- (b) is open for at least 1/3 of its perimeter; a side of a carport may be taken as open if the roof covering is not less than 500mm from another building on the allotment or the adjoining allotment boundary;

“Class 1a” is a single dwelling being -

- (a) a detached house; or
- (b) one in a group of two or more attached dwellings, each being a building, separated by a fire resisting wall, including a row house, terrace house, town house or villa unit;

“Class 10a” is a non-habitable building being a private garage, carport, shed, or the like;

“Class 10b” is a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like;

“clear to the sky” means an unroofed area or an area roofed with a material that transmits at least 90% of light;

“declared road” means a freeway or an arterial road within the meaning of the Road Management Act 2004;

“existing building” & “existing wall” in relation to an adjoining allotment means any part of a building or wall -

- (a) for which there is an ‘occupancy permit’, that has been given to the relevant council; or
- (b) for which there is a ‘certificate of final inspection’, that has been given to the relevant council;

“fence” includes a screen or structure similar to a fence;

“habitable room” means a room used for normal domestic activities, and -

- (a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, sunroom and the like; but
- (b) excludes a bathroom, laundry, water closet, pantry, walk-in robe, corridor, hallway, lobby, photographic darkroom, clothes-drying room and other spaces of a specialised nature occupied neither frequently nor for extended periods;

“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 covering; 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 a parapet, whichever is higher; and
- (c) a fence, means the vertical distance between natural ground level at the base of the fence and the top of the fence at any point along the fence;

“pergola” means an open structure that is unroofed but may have a covering of open weave permeable material;

“private open space” means -

- (a) an unroofed area of land; or
- (b) a deck, terrace, patio, balcony, pergola, verandah, gazebo or swimming pool;

“setback” from a boundary or building means a horizontal distance from that boundary or building;

“simultaneously approved” means buildings that have obtained their building permits on the same day;

“site coverage” means that part of an allotment which is covered by buildings, calculated as a percentage of the area of the allotment;

“street” includes a road, highway, carriageway, lane, footway, square, court, alley and right of way;

“street alignment” means the title boundary of an allotment that adjoins a street;

Part 1 – Single Class 1a Building and Associated Class 10a Buildings

1 Maximum Street Setback

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

2 Minimum Street Setbacks

- (1) The front and side walls of a building must be setback from front and side street alignments not less than the distances specified in Table 2.

Table 2 – Street setbacks		
<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	<p>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 at least an additional 300mm.</p> <p>1.5m for a building facing a street where on the other side of the street and opposite the allotment, is a recreation reserve and no less than 25% of the area of the front façade of a building must be setback at least an additional 300mm.</p> <p>3m in any other case and no less than 25% of the area of the front façade of a building must be setback at least an additional 300mm.</p>	1.5m and if a 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 setback at least an additional 300mm
Type B	<p>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 at least an additional 300mm.</p> <p>1.5m in any other case and no less than 25% of the area of the front façade of a building must be setback at least an additional 300mm.</p>	1m and if 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 setback at least an additional 300mm

- (2) The front door of any garage or carport, or the access opening to any garage or carport where a front door is not provided, that is accessed from the front street, must be setback no less than 5.0m from the front street alignment.
- (3) The following may encroach into the setback distance required by standard 2(1) by no more than 1.5m -
- (a) eaves, fascia and gutters; and
 - (b) decks, steps or landings less than 800mm in height;
- provided these encroachments do not project over a street alignment.
- (4) One or a combination of the following design features must be provided to the front of the building and may encroach into the front setback required by standard 2(1) –
- (a) a porch, verandah or pergola that –
 - (i) is open on at least 2 sides;
 - (ii) has a maximum height of 3.6m above natural ground level;
 - (iii) has a width of no more than 80% of the frontage of the allotment or 4m, whichever is the greater; and
 - (iv) must project at least 800mm and no more than 1.5m forward of the front wall to which it is attached; 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 or 4m whichever is the greater and;
 - (i) must project at least 300mm and no more than 1.0m forward of the front wall to which it is attached, if the balcony is roofed; or
 - (ii) must project at least 800mm and no more than 1.5m forward of the front wall to which it is attached, if the balcony is not roofed; or
 - (c) fin/s or sunhood/s having a minimum aggregate dimension of 3.1m which must project at least 300mm and not more than 1m forward of the front wall to which it is attached.

(5) In this standard:

street, does not include lane, footway, alley or right of way;

aggregate dimension, means total length of the fin/s and/or sunhood/s;

area of the front façade, of the building is measured from a two dimensional elevation and excludes any roof area and any area of garage or carport door(s) and/or opening(s).

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.

Table 4 - Site coverage	
<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 approved attached dwellings.
Type B	No maximum site coverage specified.

(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) The area of an allotment that can be covered by impermeable surfaces must not exceed the area specified in Table 5.

Table 5 - Permeability	
<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 approved attached dwellings.
Type B	No maximum area of impermeable surfaces specified.

6 Car Parking

(1) Provision must be made for the number of car parking space(s) specified in Table 6.

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

(2) The car parking space(s) required under standard 6(1) must be accessible from a public street or lane or right of way, however, if the allotment has a frontage width of less than 6.0m access to the car parking space(s) must only be from the rear of the allotment.

- (3) If 1 car parking space is required under standard 6(1) it must be at least 6.0m long and 3.5m wide.
- (4) If 2 car parking spaces are required under standard 6(1) –
 - (a) one space must be at least 6m long and 3.5m wide; and
 - (b) the second space must be at least 4.9m long and 2.6m wide.
- (5) A building may project into a car parking space if it is at least 2.1m above that space.
- (6) Despite standard 6(4), 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.
- (7) If the car parking space(s) required under standard 6(1) is in a garage or carport and the door(s) or opening(s) to the garage or carport faces the front street, the width of the door(s) or opening(s) must not exceed -
 - (a) 50% of the width of the of the frontage of the allotment; or
 - (b) 30% of the area of the front façade of the building, whichever is the greater.
- (8) The **area of the front façade** of the building under standard 6(7)(b) means the area of the walls of the building facing the front street and measured from a two dimensional elevation and excludes any roof area.

7 Side and Rear Setbacks

- (1) A building must be set back from a side or rear boundary not less than the distance specified in Table 7.

Table 7 - Side and Rear Setbacks	
<i>Building height at any point</i>	<i>Minimum setback from side or rear boundary at that point</i>
3.6m or less	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 following may encroach into the setback distance required by Table 7 by not more than 500mm –
 - (a) porches and verandahs;
 - (b) masonry chimneys;
 - (c) sunblinds and sunhoods;
 - (d) flues and pipes;
 - (e) domestic fuel tanks and water tanks; and
 - (f) heating and cooling equipment and other services.
- (3) Eaves, fascias and gutters may encroach into the setback distance required by Table 7 by not more than 600mm.
- (4) The following may encroach into the setback distance required by Table 7 –

- (a) landings with an area of not more than 2m² and less than 1m high;
 - (b) unroofed stairways and ramps;
 - (c) pergolas;
 - (d) shade sails; and
 - (e) decks less than 800mm above natural ground level.
- (5) This standard does not apply to a wall of a building or a carport that complies with standard 8.

8 Walls on Boundaries

- (1) This standard applies to the construction of –
- (a) buildings on a side or rear boundary of an allotment; and
 - (b) carports 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 a building on and within 1.0m of a side or rear boundary, or a carport on or within 1.0m of a side or rear boundary, must not exceed 3.6m.
- (3) Notwithstanding standard 8(2) the height of a building or carport may exceed 3.6m where –
- (a) it abuts an existing building on the adjoining allotments or will abut a simultaneously approved building on the boundary; and
 - (b) the height difference between the existing adjoining building or the simultaneously approved building or carport does not exceed 3.6m.
 - (c) notwithstanding standard 3(a) the length difference between the existing or simultaneously approved building may be a maximum 2.0m, provided the additional length does not impact on a light court.

9 Daylight to Existing Habitable Room Windows

- (1) No specific standards are required to be met.

10 Solar Access to Existing North-Facing Windows

- (1) No specific standards are required to be met.

11 Overshadowing of Recreational Private Open Space

- (1) A building and/or fence must not reduce the sunlight to any recreational private open space of an existing building on an adjoining allotment to less than 6m², with a minimum dimension of 2m.
- (2) For the purposes of calculating the area of direct sunlight under this standard, the length of the shadow cast by buildings and/or fences shall be 0.9h when measured perpendicular to the building and/or fence, where h is the height of the building and/or fence and when the sun is true north.
- (3) 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.

12 Overlooking

- (1) A window in a habitable room, where the floor level of the room is more than 2.5m above natural ground level and the window faces a side or rear boundary, the window must either –
 - (a) be setback from side and rear boundaries by at least 4.5m;
 - (b) have a sill height at least 1.7m above floor level; or
 - (c) have fixed obscure glazing in any part of the window below 1.7m above floor level.
- (2) If a habitable room window in standard 12(1) faces a lane, footway, alley or right of way the setback required in standard 12(1)(a) is taken from the middle of the lane, footway, alley or right of way.
- (3) A raised open space must be –
 - (a) setback 4.5m from a side or rear boundary; or
 - (b) screened to a height of at least 1.7m above the floor level at any part of the perimeter of the raised open space that faces and 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 12(3)(a) is taken from the middle 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 2m², a balcony, a terrace, a deck or a patio that has a floor level of more than 800mm above natural ground level.

faces means at an angle of less than 45° to the boundary.

screened means a permanent and fixed screen that has no more than 25% of its area open which obscures overlooking.

13 Daylight to Habitable Room Windows

- (1) Each required habitable room window of a building on an allotment must face –
 - (a) an outdoor space or light court with a minimum area of 3m² 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 13(1), a side of a carport or verandah will be open if the roof covering of the carport or verandah is not less than 500mm from another building on the allotment or the adjoining allotment boundary.

- (3) In this standard a **required habitable room window** is a window that provides all or some of the minimum amount of light or ventilation to a habitable room in accordance with volume 2 of the Building Code of Australia

14 Private Open Space

- (1) If a dwelling on an allotment has three or more bedrooms it must have –
- (a) at least 24m² of private open space at the side or rear of the building with a minimum dimension of 3m; or
 - (b) a balcony or roof-top area of at least 12m² of private open space with a minimum dimension of 3m.
- (2) Private open space under standard 1(a) may be provided in 2 or more parcels provided that each parcel is at least 12m² and at least 1 parcel complies with standard 14(4).
- (3) If a building on an allotment has two or less bedrooms it must –
- (a) have at least 12m² of private open space at the side or rear of the building with a minimum dimension of 3m; or
 - (b) a balcony or rooftop area that is at least:
 - (i) 10% of the total floor area of the building excluding garages and carports; or
 - (ii) 6m² with a minimum dimension of 2m,whichever is the greater.
- (4) If the private open space is provided at the side or rear of the dwelling or as a roof top area, an area of at least 6m², with a minimum dimension of 2m, must have access to direct sunlight.
- (5) For the purposes of calculating the area of direct sunlight under standard 14(4), the length of the shadow cast by buildings and/or fences shall be 0.9h when measured perpendicular to the building and/or fence, where h is the height of the building and/or fence and when the sun is true north.

Part 2 – Class 10b Buildings

15 Front Fence Height

- (1) A fence, or part of a fence, within 3m of the street alignment at the front of that allotment must not exceed the relevant maximum height specified in Table 15.

<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 700mm height.

16 Fence Setbacks from Side and Rear Boundaries

- (1) A fence that is setback more than 150mm from a side or rear boundary must not exceed 2.5m in height and the part of the fence between 2m and 2.5m in height must have at least 25% of its area open.
- (2) Any part of a fence that is constructed forward of the front wall of a dwelling must comply with standard 15(1) and 15(2).

17 Fences on or within 150mm of Side or Rear Boundaries

- (1) A fence that is on or within 150mm of a side or rear boundary must not exceed 2.5m in height and the part of the fence between 2m and 2.5m in height must have at least 25% of its area open.
- (2) Any part of a fence that is constructed forward of the front wall of a dwelling must comply with standard 15(1) and 15(2).

18 Fences on Street Alignments

- (1) Despite standards 15(1) and 18(2), a fence within 3m of a point of intersection of street alignments must not exceed a height of 1m above footpath level.
- (2) A fence facing and within 1m of a side street alignment must not –
- (a) exceed 2m in height; and
 - (b) be constructed with solid materials for more than 65% of the length of the side street boundary and the remaining length of the side street boundary must not be constructed with materials that are more than 85% solid.
- (3) A fence on a rear street alignment must not exceed 2m in height above natural ground level.
- (4) A fence adjacent to and within 1m of a street alignment or public open space must not contain barbed wire or other sharp protrusions.
- (5) In this standard **street** does not include lane, footway, alley or right of way.

19 Fences and daylight to windows in existing building

(1) No specific standards are required to be met.

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

(1) No specific standards are required to be met.

21 Fences and overshadowing of recreational private open space

(1) No specific standards are required to be met.