

CHAPTER 11 DWELLINGS ON SMALL LOTS

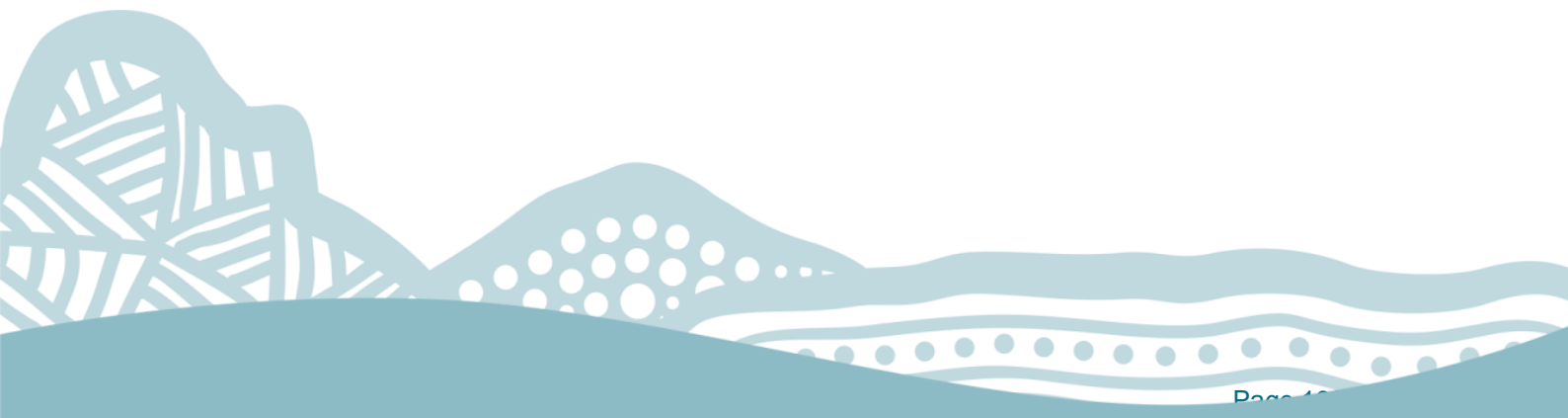


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1 Introduction

1.1 APPLICATION

This Chapter applies in preparing and assessing applications for development of **dwellings (including dwelling houses, dual occupancies, attached dwellings, secondary dwellings and semi-detached dwellings)** and ancillary development (driveways, garages, carports, sheds, outbuildings, pools, landscaping, stand-alone power systems of domestic scale etc.) **on small lots** (lots that have an area of less than 500m²) or **small rear lots** (rear lots that have an area of less than 600m²) in any zone where the development is permitted with consent.

1.2 AIMS OF CHAPTER 11

- a) To provide development guidelines to assist the design of development proposals and preparation of development applications and the assessment of those applications.
- b) To facilitate the development of dwellings on small lots that is consistent with the applicable zone objectives.

2 Dwellings in Zones R1 and R3

2.1 APPLICATION

This section applies to preparation and assessment of applications for development for the purposes of **dwellings on small lots** (lots less than 500m² in area, or rear lots less than 600m² in area) in Zones R1 and R3. This section also applies to extensions and additions to existing dwellings as well as ancillary buildings and structures.

2.2 EXEMPT DEVELOPMENT

Certain development ancillary to dwellings (eg. driveways, carports, garden sheds) may be permitted as Exempt Development (development that does not require development consent, subject to certain requirements). Reference should be made to any relevant State Environmental Planning Policy.

2.3 OBJECTIVES

- a) To ensure dwellings and ancillary development on small lots complement the character of their surroundings and contribute to an enhanced streetscape.
- b) To ensure that development delivers a mix of dwelling forms, sizes and types that cater for a range of household types and sizes.
- c) To ensure that development does not impact the amenity of surrounding residential development.
- d) To ensure that dwellings have suitable vehicular access and parking and are appropriately serviced.
- e) To encourage development of well-designed dwellings that deliver good residential amenity and maximise water and energy efficiency.
- f) To encourage development of dwellings that are suitable for older persons, persons with disabilities and smaller household groups or that can be easily adapted to meet the needs of different residents.

2.4 DEVELOPMENT GUIDELINES

Note: the Acceptable Solutions in the table below represent one way to meet the corresponding Performance Criteria. Applicants that choose not to, or that cannot, meet an Acceptable Solution must demonstrate how they meet the corresponding Performance Criteria.

Performance criteria	Acceptable solution
Size of buildings	
P1 The height of buildings and structures is consistent with houses in the surrounding area and does not create overshadowing or a loss of privacy for adjoining properties	A1 Building height does not exceed maximum height shown on the Height of Buildings Map
P2 The size of buildings and the development footprint allows for the provision of sufficient private open space and landscaping and does not impact on amenity of adjoining properties	A2.1 Site coverage is in accordance with Table C11.1 or C11.2 A2.2 Floor space ratio is in accordance with Table C11.1 or C11.2.
Boundary setbacks of buildings	
P3 Dwellings and ancillary structures have sufficient setback from the front boundary to maintain the character and building line of the street and to allow sufficient area for private open space, car parking and landscaping	A3 The front boundary setback is in accordance with the Table C11.1
P4 Side and rear boundary setbacks are sufficient to maintain privacy, residential amenity and solar access of adjoining properties, permit access for maintenance and meet Building Code of Australia requirements	A4 The side boundary setback is in accordance with Table C11.1 or C11.2
Built to boundary walls (not applicable to development of a single dwelling)	
P5 Built to boundary walls: <ul style="list-style-type: none"> do not adversely impact privacy; residential amenity and solar access of adjoining properties; have appropriate easements for maintenance access and; meet Building Code of Australia requirements. 	A5.1 Built to boundary walls are only established on internal side boundaries of the development site A5.2 Built to boundary walls are in accordance with Table C11.1 or C11.2. A6.3 Each lot benefits from an appropriate easement for maintenance access

Corner allotments	
P6 Building setbacks on corner allotments are suitable to ensure safety for pedestrians and vehicles, to maintain the character and building line of the streets and allow for the maintenance of privacy, residential amenity and solar access of adjoining properties	<p>A6.1 Front boundary setback to the principal road frontage is in accordance with Table C11.1</p> <p>A6.2 Setback of buildings and ancillary structures to the secondary road frontage is 3 metres</p> <p>A6.3 Setback of buildings and ancillary structures to side boundaries¹ is 1.5 metres</p> <p><i>¹Corner allotments are not considered to have a rear boundary</i></p> <p>A6.4 Vehicular access points are not closer than 6 metres from the intersection</p>
Dwelling diversity (not applicable to development of a single dwelling)	
P7 The development provides a mixture of dwelling sizes and formats that will meet the needs of a variety of household types and people of various ages and physical abilities	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Private open space	
P8 Residents have access to sufficient private open space	<p>A8.1 Each dwelling has private open space* at the rear or side of the building in accordance with Table C11.1 or 11.2</p> <p>A8.2 Private open space is located adjacent the living room, dining room or kitchen</p> <p><i>*Private open space means an outdoor area that is generally not visible from public areas</i></p>
P9 Private open space is comfortable for use during winter and summer	<p>A9.1 At least 50% of the private open space of each dwelling receives a minimum of 3 hours of direct solar access between 9am and 3pm at the winter solstice (21 June)</p> <p>A9.2 At least 50% of the private open space of each dwelling is shaded between 9am and 3pm at the summer solstice (21 December)</p>
P10 Private open space has good physical and visual connection to the dwelling	<p>A10.1 Private open space is accessed from within the dwelling via a step free path of travel</p> <p>A10.2 Private open space is visible from within the dwelling</p>

P11 Each dwelling makes suitable provision for outdoor clothes drying	A11 Each dwelling has access to private outdoor space* for clothes drying in accordance with Table C11.1 or C11.2 <i>*Private outdoor space means an outdoor area that is not generally visible from public areas</i>
Storage	
P12 Dwellings include sufficient storage areas that are practically located	A12.1 Each dwelling includes at least 6m ³ of internal storage area A12.2 Each dwelling includes at least one external storage area of a minimum 6m ³ that is enclosed or located within a carport or garage
Landscaping	
P13 Landscaping is provided to shade private open space, to soften built form and to make a positive contribution to the streetscape	A13.1 Each dwelling is provided with landscaping in accordance with Table C11.1 or 11.2 A13.2 Landscape areas of each dwelling include at least one small to medium sized shade tree
Overlooking and overshadowing	
P14 Development does not result in unreasonable overlooking of habitable rooms and outdoor recreation area on adjoining land	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
P15 Development does not result in unreasonable overshadowing of habitable rooms and outdoor recreation areas on adjoining land	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Residential amenity and energy efficiency	
P16 Building design and orientation facilitates passive lighting, heating and cooling	A16.1 Living areas* are orientated to the north or east A16.2 Window and door placement allows internal solar access between May and September and limits internal solar access between October and April A16.3 Eaves are minimum of 450 mm deep A16.4 Internal building layout and location of external openings facilitate internal passage of cooling easterly and southerly breezes <i>*Living areas are considered to be kitchen, lounge room, living room or dining room</i>

Livable or adaptable housing principles	
<p>P17 Each dwelling includes the seven core design features* of the 'Livable Housing Design Guidelines' (Livable Housing Australia, 2012)</p> <p><i>*Listed at C11.3 in Appendix C11</i></p>	<p>Where development involves construction of a single dwelling:</p> <p>A17.1 The dwelling meets either Platinum or Gold performance levels* as defined in the 'Livable Housing Design Guidelines' (Livable Housing Australia, 2012)</p> <p>Where development involves construction of more than one dwelling:</p> <p>A17.2 At least 50% of dwellings in the development meet either Platinum or Gold performance levels* as defined in the 'Livable Housing Design Guidelines' (Livable Housing Australia, 2012)</p>
Streetscape (not applicable to dwellings on rear lots)	
P18 Development complements and enhances the character of the street or locality	A18 The form and materials of the front façade of dwellings complements the existing character of the street or locality
P19 Development of multiple dwellings does not result in a uniform streetscape	<p>Where development involves the construction of more than one dwelling:</p> <p>A19.1 The front facades of dwellings feature a mixture of colours, materials and roof profiles</p> <p>A19.2 Dwellings feature a mixture of setbacks</p> <p>A19.3 Adjoining dwellings are not a mirror image of each other</p>
P20 Dwellings address the street and allow for passive surveillance	<p>A20.1 The front door of each dwelling is visible and accessible from the street</p> <p>A20.2 At least one living area* of each dwelling has a window that faces the street</p> <p>A20.3 Solid front fencing higher than 1.2 metres is not used (except where required for noise attenuation where development site fronts a classified road)</p> <p><i>*Living areas are considered to be kitchen, lounge room, living room or dining room</i></p>

P21 Front façades are not dominated by car accommodation	A21 Vehicular accommodation is recessed a minimum of 1 metre behind the front façade
Where located on the site of a heritage item	
P22 Development does not adversely impact form, fabric, appearance, views or the setting of the heritage item	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Where adjoining a site of a heritage item	
P23 Development does not adversely impact views or the setting of the heritage item	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Where located in a heritage conservation area	
P24 Development complements the scale, form and character of existing development in the conservation area	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria
Site slope and earthworks	
P25 Development siting, design and layout utilises natural grades of the land and minimises cut and fill	A25.1 Buildings, structures and vehicular parking and manoeuvring areas are not located on land with a gradient exceeding 20% A25.2 On sloping sites dwellings are stepped down the slope to minimise earthworks
P26 Cut and fill structures (including retaining walls) are structurally sound and do not impact on the amenity or geotechnical stability of adjoining properties	A26.1 Cut batters are a maximum 1 metre in height and no closer than 0.9 metres to property boundary A26.2 Fill batters are a maximum of 0.6 metres in height and no closer than 0.4 metres to property boundary A26.3 Retaining walls higher than 0.6 metres are designed and certified by an appropriately qualified engineer
Natural hazards	
P27 Dwellings, residents, visitors and firefighters are not exposed to unacceptable risk from bushfire	A27.1 The dwellings are not on land that is mapped as bushfire prone land OR A27.2 The dwellings are assessed as having a Bushfire Attack Level (BAL) no greater than 29 and complies with the requirements of PBP 2006

	<p>or any superseding guideline and Australian Standard AS3959</p> <p>OR</p> <p>A27.3 A report prepared by a Certified Bushfire Practitioner is provided that demonstrates the dwelling can achieve the requirements of PBP 2006 or any superseding guideline</p>
P28 Buildings, structures and persons on the development site are not exposed to unacceptable risk from flooding	<p>A28.1 The development site is not prone to flooding from inundation or overland flow</p> <p>OR</p> <p>Where development is proposed on flood prone land:</p> <p>A28.2 a report is submitted by a suitably qualified person that demonstrates the floor level of the development achieves a height of at least the level of a 100 year ARI flood plus 0.5 metres</p>
P29 Buildings, structures and persons on the development site should not be exposed to unacceptable risk from landslip or mass movement	<p>A29.1 The development site is not prone to landslip or mass movement</p> <p>OR</p> <p>A29.2 A report is submitted by suitably qualified person that demonstrates the site is geotechnically stable and suitable to accommodate dwellings</p>
Environmental protection	
P30 Development does not create unacceptable impact on ecological functions or biodiversity values	<p>A30.1 Siting of buildings and structures does not require the clearing of native vegetation</p> <p>A30.2 Buildings and structures are not located within a mapped ecological corridor</p>
Protection of watercourses	
P31 The siting of buildings and structures does not impact on ecological or hydrological values of watercourses and water bodies	A31 Buildings and structures are set back a minimum of 100 metres from the top of bank of permanent watercourses (Order 3 Stream or greater) or water bodies and 40 metres from the top of bank of an ephemeral watercourse (Order 1 or 2 Stream)
Vehicular access and parking	
P32 Dwellings have suitable vehicular access	A32 Each dwelling is accessed via a single vehicular access point

P33 The development will not create unreasonable demand for on-street parking	A33 Each dwelling is provided with at least one car parking space on the development site
Servicing and infrastructure	
P34 The development makes suitable provision for management of effluent that does not create public health impacts or adversely impact the quality of surface and ground waters	A34 Each dwelling has an independent connection to the reticulated sewer system
P35 The development must make suitable provision for supply of potable water	A35 Dwellings are connected to the reticulated water system
P36 Stormwater generated by the development does not cause nuisance to or flooding of adjoining properties	A36 Dwellings are connected to the stormwater drainage network
P37 The development must make adequate provision for electrical power without impacting on the amenity of surrounding properties through emissions of noise, fumes or glare through generation of on-site power	A37 Dwellings are connected to the reticulated electricity network
P38 The dwelling must make suitable arrangements for the supply of constant, reliable telecommunications	A38 Dwellings are connected to the fixed line telecommunications network
P39 The development makes satisfactory arrangements for the storage and removal of rubbish	A39.1 Dwellings are serviced by a domestic waste collection service A39.2 Each dwellings has a dedicated external waste storage area that is practically accessible and does not impact on the amenity of surrounding properties
Additional guidelines for secondary dwellings	
P40 The total size of buildings and the development footprint allows for sufficient private open space and provision of landscaping and does not impact on amenity of adjoining properties	A40.1 The total site coverage of both the principal and secondary dwelling does not exceed the maximum in Tables C11.1 or C11.2 A40.2 The total floor space ratio of both the principal and secondary dwelling does not exceed the maximum in Tables C11.1 or C11.2
P41 Development is compliant with the provisions of the Building Code of Australia concerning noise attenuation and fire separation	No Acceptable Solution is provided: demonstrate how the proposal achieves the Performance Criteria

APPENDIX C11

Table C11.1 Requirements for dwellings on small lots

Lot size	<201m ²	201-300m ²	301-400m ²	401-500m ²
Minimum front boundary setback	The lesser of 3.5m or the average of adjoining dwellings	The lesser of 4m or average of adjoining	The lesser of 4.5m or the average of adjoining dwellings	The lesser of 4.5m or the average of adjoining dwellings
Minimum side boundary setback	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m
Minimum rear boundary setback	Up to 4.5m building height=3m Above 4.5m building height=6m or average of adjoining, whichever is the lesser	Up to 4.5m building height=3m Above 4.5m building height=6m or average of adjoining, whichever is the lesser	Up to 4.5m building height=4m Above 4.5m building height=6m or average of adjoining, whichever is the lesser	Up to 4.5m building height=4.5m Above 4.5m building height=6m or average of adjoining, whichever is the lesser
Built to boundary walls	Permitted on both sides where lot width ¹ <8m. Permitted on one side only where lot width ¹ >8m. Maximum height 3.3m or match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall	Permitted on both sides where lot width ¹ <8m. Permitted on one side only where lot width ¹ >8m. Maximum height 3.3m or match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall	Permitted on one side only. Maximum height 3.3m or to match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall	Permitted on one side only. Maximum height 3.3m or to match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall

Maximum site coverage (% of lot area)	65%	60%	55%	50%
Maximum floor space ratio (total floor area: lot area)	0.9:1	0.85:1	0.8:1	0.75:1
Minimum area of private open space	16m ² (excluding any storage space) with a minimum dimension of 3m	16m ² (excluding any storage space) with a minimum dimension of 3m	24m ² (excluding any storage space) with a minimum dimension of 4m	24m ² (excluding any storage space) with a minimum dimension of 4m
Minimum area of landscaping ² (% of lot area)	10% (minimum dimension of any landscaped area included in calculation is 1.5 metres)	15% (minimum dimension of any landscaped area included in calculation is 1.5 metres)	15% (minimum dimension of any landscaped area included in calculation is 1.5 metres)	20% (minimum dimension of any landscaped area included in calculation is 1.5 metres)

¹ Lot width is measured across the lot at the midpoint of the longest boundaries.

² Landscaping refers to the area of the lot that is planted with trees and shrubs.

Table C11.2 Requirements for dwellings on small rear lots (rear lots with an area less than 600m²)

Lot size ¹	<201m ²	201-300m ²	301-400m ²	401-599m ²
Minimum front boundary setback	Rear lots have no front boundary	-	-	-
Minimum side boundary setback	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m	0.9m up to 4.5m high, 0.9m + ¼ of additional height above 4.5m
Minimum setback to boundary that adjoins the rear boundary of an adjoining lot	Up to 4.5m building height=3m Above 4.5m building height= 6m or average of adjoining, whichever is the lesser	Up to 4.5m building height=3m Above 4.5m building height=6m or average of adjoining, whichever is the lesser	Up to 4.5m building height=3m Above 4.5m building height= 6m or average of adjoining, whichever is the lesser	Up to 4.5m building height=3m Above 4.5m building height= 6m or average of adjoining, whichever is the lesser
Built to boundary walls	Not permitted except where built in conjunction with another built to boundary wall on an adjoining lot Maximum height 3.3m or match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall	Not permitted except where built in conjunction with another built to boundary wall on an adjoining lot Maximum height 3.3m or match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall	Not permitted except where built in conjunction with another built to boundary wall on an adjoining lot Maximum height 3.3m or to match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall	Not permitted except where built in conjunction with another built to boundary wall on an adjoining lot Maximum height 3.3m or to match adjoining built to boundary wall Maximum length 50% of lot depth or to match adjoining built to boundary wall
Maximum site coverage (% of lot area)	65%	60%	55%	50%

Maximum floor space ratio (total floor area: lot area)	0.8:1	0.8:1	0.75:1	0.7:1
Minimum area of private open space	16m ² with a minimum dimension of 3m	16m ² with a minimum dimension of 3m	24m ² with a minimum dimension of 4m	24m ² with a minimum dimension of 4m
Minimum area of landscaping ³ (% of lot area)	10% (minimum dimension of any landscaped area included in calculation is 1.5 metres)	15% (minimum dimension of any landscaped area included in calculation is 1.5 metres)	15% (minimum dimension of any landscaped area included in calculation is 1.5 metres)	20% (minimum dimension of any landscaped area included in calculation is 1.5 metres)

¹ Lot size of rear lots does not include the area of the access handle or right of carriageway.

² Lot width is measured across the lot at the midpoint of the longest boundaries.

³ Landscaping refers to the area of the lot that is planted with trees and shrubs.

C11.3 Seven core design features of the 'Livable Housing Design Guidelines' (Livable Housing Australia, 2012)

1. A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.
2. At least one level (step-free) entrance into the dwelling.
3. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
4. A toilet on the ground (or entry) level that provides easy access.
5. A bathroom that contains a hobless (step-free) shower recess.
6. Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date
7. A continuous handrail on one side of any stairway where there is a rise of more than one metre.