



ACT
Government

Environment and
Sustainable Development

Single Dwelling Housing Development Code

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Introduction

Name

The name of this code is **Single Dwelling Housing Development Code**.

Application

This code applies to *single dwelling housing* in all zones

National Capital Plan

Where a development is subject to special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, the development must not be inconsistent with the special requirements or development control plan. Where any provision of this code is inconsistent with special requirements under the National Capital Plan, or any relevant development control plan prepared under the National Capital Plan, that provision has no effect.

Purpose

This code provides additional planning, design and environmental controls to support the objectives of the relevant zone.

It will be used by the *Authority* to assess development applications. It also offers guidance to applicants in designing development proposals and preparing development applications.

Structure

This code has a number of elements. Each element has one or more rules, and each rule has an associated criterion (unless the rule is mandatory). Rules provide quantitative, or definitive, controls. By contrast, criteria are chiefly qualitative in nature.

In some instances rules are mandatory. Such rules are accompanied by the words “This is a mandatory requirement. There is no applicable criterion.” Non-compliance with a mandatory rule will result in the refusal of the development application. Conversely, the words “There is no applicable rule” is found where a criterion only is applicable.

Assessment tracks

Assessment tracks for particular developments are specified in the relevant zone development table.

Proposals in the **code track** must comply with all rules relevant to the development.

Proposals in the **merit track** and **impact track** must comply with a rule or its associated criterion, unless the rule is mandatory (ie. it has no related criterion). Where a rule is fully met, no reference to the related criterion needs to be made. Where there is a departure from a rule, or where a criterion only applies, the onus is on the applicant to demonstrate that the relevant criterion is satisfied, through supporting drawings and/or written documentation. In addition, the applicant for proposals in the impact track must justify any non-compliance by reference to the Statement of Strategic Directions.

Code hierarchy

Under the *Planning and Development Act 2007*, where more than one type of code applies to a development and there is inconsistency between provisions, the order of precedence is: precinct code, development code, and general code.

Related codes

Residential Zones Development Code

Applies to all forms of development in residential zones and makes reference to development codes and general codes that may also apply.

Precinct codes

Precinct codes may contain additional provisions that apply to specified *blocks*. Precinct codes are found in part 10.

Development codes

The following general codes, in particular, may be relevant.

- Access and Mobility General Code
- Crime Prevention through Environmental Design General Code
- Home Business General Code
- Parking and Vehicular Access General Code
- Planning for Bushfire Risk Management General Code
- Residential Boundary Fences General Code
- Water Ways: Water Sensitive Urban Design General Code

General codes are found in part 11 of the Territory Plan.

Development must comply with the relevant codes (including other general codes that may not be listed above), subject to the code hierarchy outlined in the introduction to this code.

Definitions

Defined terms, references to legislation and other documents are italicised.

Definitions of terms used in this code are listed in part 13 of the Territory Plan or, for terms applicable only to this code, associated with the respective rule.

Acronyms

- ACTPLAACT Planning and Land Authority
- EDDACT Economic Development Directorate
- EPAACT Environment Protection Authority
- ESAEmergency Services Authority
- ESDDACT Environment and Sustainable Development Directorate
- NCANational Capital Authority
- NCCNational Construction Code
- P&D ActPlanning and Development Act 2007
- TAMSACT Territory and Municipal Services Directorate

Element 1: Building and site controls

Related code: Planning for Bushfire Risk Mitigation General Code

| Rules | Criteria |
|--|---|
| 1.1 Plot ratio – single dwelling blocks | |
| <p>R1</p> <p>This rule applies to <i>single dwelling blocks</i>.</p> <p><i>Plot ratio</i> is:</p> <ul style="list-style-type: none">a) for <i>large blocks</i>, other than those referred to in item b) – not more than 50%b) for <i>blocks</i> created by subdivision of <i>dual occupancy housing</i>, the greater of –<ul style="list-style-type: none">i) the <i>plot ratio</i> of the approved development at the time of creation of the new block, orii) the maximum <i>plot ratio</i> calculated for the original block (ie. before subdivision) under:<ul style="list-style-type: none">A) for RZ1- R6 of the Multi Unit Housing Development CodeB) for RZ2- R7 of the Multi Unit Housing Development Codec) in all other cases – not applicable. <p>For the purpose of calculating <i>plot ratio</i> for this rule, the <i>gross floor area</i> includes 18m² for each roofed car space provided to meet Territory requirements for resident car parking, but does not include <i>basement</i> car parking.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 1.2 Number of storeys | |
| <p>R2</p> <p>The number of <i>storeys</i> does not exceed:</p> <ul style="list-style-type: none">a) in RZ1, RZ2 and RZ3 – 2b) in RZ4 – 3. <p>Rooftop plant that is set back and screened from the street is not included in the maximum number of storeys.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 1.3 Attics and basement car parking – single dwelling blocks - RZ1 | |
| <p>R3</p> <p>In RZ1, on <i>single dwelling blocks</i>, <i>attics</i> are not permitted where they are located directly above any 2 storey element of a <i>single dwelling house</i>.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules | Criteria |
|--|--|
| <p>R4</p> <p>In RZ1, on <i>single dwelling blocks</i>, <i>basement</i> car parking is not permitted where located directly below any 2 storey element of a <i>single dwelling house</i>.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 1.4 Height of buildings | |
| <p>R5</p> <p>Maximum <i>height of building</i> is:</p> <p>a) in RZ1, RZ2 and RZ3 – 8.5m</p> <p>b) in RZ4 – 12m.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C5</p> <p>Buildings are consistent with the <i>desired character</i>.</p> |
| 1.5 Building envelope - all large blocks; mid sized blocks approved on or after 5 July 2013 | |
| <p>R6</p> <p>This rule applies to:</p> <p>a) <i>large blocks</i></p> <p>b) <i>mid sized blocks</i> approved under an <i>estate development plan</i> on or after 5 July 2013</p> <p>but does not apply to that part of a <i>building</i> that is required to be built to a boundary of the <i>block</i> by a precinct code.</p> <p><i>Buildings</i> are sited wholly within the building envelope formed by planes projected over the subject <i>block</i> at 45° to the horizontal from a height of 3.5m above each side and rear boundary, except as required by the next rule.</p> <p>An example of a typical building envelope is shown at Figure 1.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C6</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable levels of privacy for <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i>.</p> |
| 1.6 Solar building envelope - all large blocks approved before 5 July 2013 | |
| <p>R7</p> <p>This rule applies to <i>large blocks</i> approved before 5 July 2013 but does not apply to that part of a building that is required to be built to a boundary of the block by a precinct code.</p> <p><i>Buildings</i> are sited wholly within the solar building envelope formed by planes projected over the subject <i>block</i> at X° to the horizontal from the height of the 'solar fence' on any <i>northern boundary</i> of an adjoining <i>residential block</i>.</p> <p>X° is the apparent sun angle at noon on the winter solstice.</p> | <p>C7</p> <p><i>Buildings</i> achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable solar access to <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i></p> <p>c) do not shadow the windows of <i>habitable rooms</i> (other than bedrooms) of any approved and constructed <i>dwelling</i> on an adjoining <i>residential block</i> at noon on the winter solstice</p> <p>d) do not overshadow the <i>principal private</i></p> |

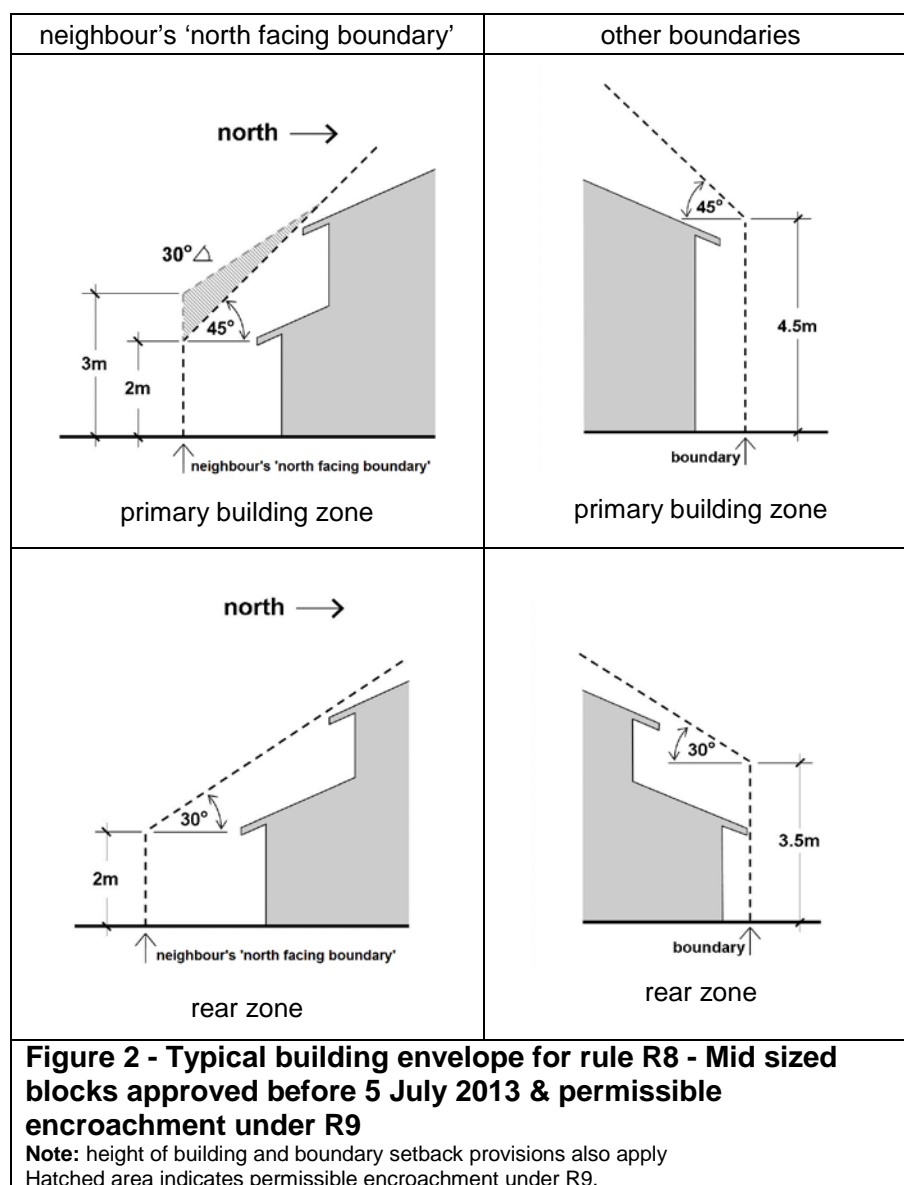
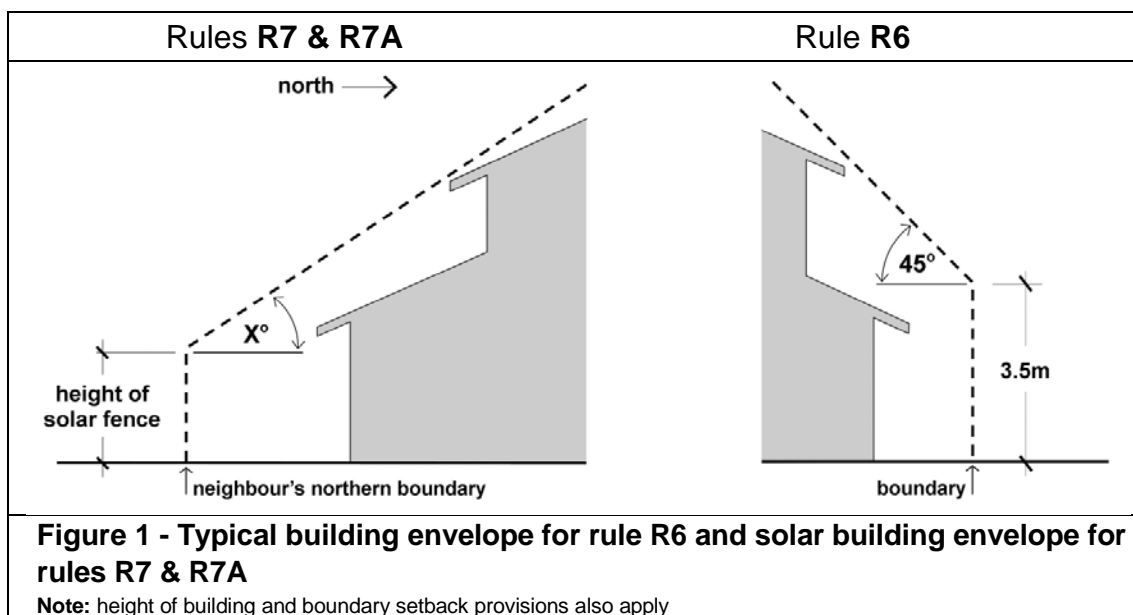
| Rules | Criteria |
|--|---|
| <p>Values for X are given in Table 1.</p> <p>The height of the 'solar fence' is:</p> <ul style="list-style-type: none"> i) in the <i>primary building zone</i> – 2.4m ii) all other parts of the boundary – 1.8m <p>This rule does not apply to those parts of a boundary where the adjacent part of the adjoining <i>residential block</i> comprises only an access driveway (i.e. a "battleaxe handle").</p> <p>The previous rule applies to this part of the boundary.</p> <p>An example of a typical building envelope is shown at Figure 1.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p><i>open space</i> of any approved and constructed <i>dwelling</i> on an adjoining <i>residential block</i> to a greater extent than a 2.4m fence on the boundary at noon on the winter solstice.</p> |
| 1.6A Solar building envelope - all blocks approved on or after 5 July 2013 | |
| <p>R7A</p> <p>This rule applies to blocks approved under an estate development plan on or after 5 July 2013 but does not apply to that part of a building that is required to be built to a boundary of the block by a precinct code.</p> <p><i>Buildings</i> are sited wholly within the solar building envelope formed by planes projected over the subject <i>block</i> at X° to the horizontal from the height of the 'solar fence' on any <i>northern boundary</i> of an adjoining <i>residential block</i>.</p> <p>X° is the apparent sun angle at noon on the winter solstice.</p> <p>Values for X are given in Table 1.</p> <p>The height of the 'solar fence' is:</p> <ul style="list-style-type: none"> i) in the <i>primary building zone</i> – 3m ii) all other parts of the boundary – 2.3m <p>This rule does not apply to those parts of a boundary where the adjacent part of the adjoining <i>residential block</i> comprises only an access driveway (i.e. a "battleaxe handle").</p> <p>The previous rule applies to this part of the boundary.</p> <p>An example of a typical building envelope is shown at Figure 1.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C7A</p> <p><i>Buildings</i> achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) do not overshadow the windows of <i>habitable rooms</i> (other than bedrooms) of any <i>dwelling</i> on an adjoining <i>residential block</i> at noon on the winter solstice to a greater extent than the height of the 'solar fence' on a <i>northern boundary</i> of that <i>block</i> c) do not overshadow any <i>principal private open space</i> on an adjoining <i>residential block</i> at noon on the winter solstice to a greater extent than the height of the 'solar fence' on a <i>northern boundary</i> of that <i>block</i> d) reasonable levels of solar access for <i>dwelling</i>s on adjoining <i>residential blocks</i> and their associated <i>private open space</i> e) where an adjoining <i>residential block</i> is not yet developed, the potential for reasonable solar access and privacy on the adjoining <i>residential block(s)</i> is maintained |

| Rules | Criteria |
|---|---|
| 1.7 Building envelope – mid sized blocks approved before 5 July 2013 | |
| <p>R8</p> <p>This rule applies to <i>mid sized blocks</i> approved under an <i>estate development plan</i> before 5 July 2013 or for which a <i>lease</i> was granted before 5 July 2013, but does not apply to that part of a <i>building</i> that is required to be built to a boundary of the block by a precinct code.</p> <p><i>Buildings</i> are sited wholly within the building envelope comprising:</p> <p>a) for ‘north facing boundaries’ of adjoining <i>residential blocks</i>:</p> <p>i) within the <i>primary building zone</i> –</p> <p>A) planes projected at 45° from a height of 2m above the boundary</p> <p>B) where a nil setback is permitted, building elements may encroach beyond the building envelope provided they do not encroach beyond a plane projected at 30° from a height of 3m above the boundary</p> <p>ii) within the <i>rear zone</i> – planes projected at 30° from a height of 2m above each side and rear boundary</p> <p>b) for boundaries other than ‘north facing boundaries’ of adjoining <i>residential blocks</i>:</p> <p>i) within the <i>primary building zone</i> – planes projected at 45° from a height of 4.5m above each side boundary</p> <p>ii) within the <i>rear zone</i> – planes projected at 30° from a height of 3.5m above each side and rear boundary</p> <p><u>For this rule:</u></p> <p>North facing boundary means a boundary of a block where a line drawn perpendicular to the boundary outwards is orientated between 30° east of north and 20° west of north</p> <p>An example of a typical building envelope is shown at Figure 2.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C8</p> <p>Buildings achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) reasonable levels of privacy for <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i></p> <p>c) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i></p> |

| Rules | Criteria |
|--|--|
| <p>R9</p> <p>This rule applies to <i>mid-sized blocks</i> and <i>compact blocks</i> with one of the following characteristics:</p> <ul style="list-style-type: none"> a) approved under an <i>estate development plan</i> before 5 July 2013 b) for which a <i>lease</i> was granted before 5 July 2013 <p>Where a garage wall is located on, or setback from, the <i>northern boundary</i> of an adjoining <i>residential block</i>, a 1m encroachment of the wall is permitted vertically beyond the building envelope, provided the wall and roof element associated with the wall do not encroach beyond a plane projected at 30° from a height of 3m above the respective boundary.</p> <p>Refer Figure 2.</p> <p>Note: For the purposes of this rule all height measurements are taken from datum ground level.</p> | <p>C9</p> <p>Buildings achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy for <i>dwellings</i> and their associated <i>private open space</i> on adjoining <i>residential blocks</i> c) reasonable solar access to <i>dwellings</i> and their associated <i>private open space</i> on adjoining <i>residential blocks</i>. |
| 1.8 Bushfire | |
| <p>R10</p> <p>Where identified in a precinct code or current and approved <i>lease and development conditions</i> as being within a bushfire prone area, buildings are constructed in accordance with the specified bushfire construction level of Australian Standard AS 3959 - <i>Construction of buildings in bushfire-prone areas</i>.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

Table 1 – Apparent sun angle (X) at noon on the winter solstice (21 June)

| Aspect of <i>northern boundary</i> (bearing of line drawn perpendicular to the boundary) | Angle (X) |
|---|--------------|
| North 0° to <10° East North 0° to <10° West | 31 ° |
| North 10° to <20° East North 10° to <20° West | 32 ° |
| North 20° to <30° East North 20° to <30° West | 34 ° |
| North 30° to <40° East North 30° to <40° West | 36° |
| North 40° to 45° East North 40° to 45° West | 39 ° |



| Rules | Criteria |
|--|--|
| 1.9 Front boundary setbacks – all blocks | |
| <p>R11</p> <p>Front boundary setbacks comply with the following:</p> <ul style="list-style-type: none"> a) <i>large blocks</i> - tables 2A, 2B or 2C, as applicable b) <i>mid-sized blocks</i> - tables 3A, 3B or 3C, as applicable c) <i>compact blocks</i> - tables 3A, 3B or 4, as applicable. <p>The minimum boundary setbacks for corner <i>blocks</i> apply only to one street frontage nominated by the applicant or nominated in a precinct code as a <i>secondary street frontage</i>. Nomination by a precinct code takes precedence.</p> <p>Chamfers may be included in the <i>secondary street frontage</i>, but only if the length of the chamfer is less than the length of the front boundary.</p> <p>Note: Chamfers are ordinarily found at the corner of a <i>block</i> at the junction of streets.</p> | <p>C11</p> <p>Front boundary setbacks achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) the efficient use of the site c) reasonable amenity for residents d) pedestrian scale at street level e) space for street trees to grow to maturity. |

Table 2A: Front boundary setbacks – large blocks in subdivisions approved before 18 October 1993 (refer appendix 1 diagram 1)

| | minimum front boundary setback | exceptions | |
|---------------------------------|--------------------------------|--|--|
| | | minimum front boundary setback to <i>secondary street frontage</i> | minimum front boundary setback to open space or pedestrian paths wider than 6m |
| <i>lower floor level</i> | 6m | 4m | 4m |
| <i>upper floor level</i> | 6m | 6m | 4m |
| <i>garage</i> | 6m | 5.5m | 4m |

Table 2B: Front boundary setbacks – large blocks in subdivisions approved on or after 18 October 1993 but before 31 March 2008 (refer appendix 1 diagram 2)

| | minimum front boundary setback | exceptions | |
|--------------------------|---|--|--|
| | | minimum front boundary setback to <i>secondary street frontage</i> | minimum front boundary setback to open space or pedestrian paths wider than 6m |
| <i>lower floor level</i> | 4m | 4m | 4m |
| <i>upper floor level</i> | 6m | 6m | 4m |
| <i>garage</i> | 5.5m with a minimum of 1.5 m behind the front building line | 5.5m | 4m |

Table 2C: Front boundary setbacks – large blocks in subdivisions approved on or after 31 March 2008 (refer appendix 1 diagram 3)

| | minimum <i>front boundary</i> setback | exceptions | | |
|--------------------------|---|---|---|--|
| | | minimum <i>front boundary</i> setback to <i>secondary street frontage</i> | minimum <i>front boundary</i> setback to open space or pedestrian paths wider than 6m | minimum <i>front boundary</i> setback to rear lane <i>front boundary</i> or pedestrian paths less than 6m wide |
| <i>lower floor level</i> | 4m | 3m | 4m | nil |
| <i>upper floor level</i> | 6m | 3m | 4m | nil |
| <i>garage</i> | 5.5m Minimum of 1.5m behind the front <i>building line</i> except where there is a courtyard wall in the <i>front zone</i> | | 4m | nil |

Table 3A: Front boundary setbacks – mid sized and compact blocks in subdivisions approved before 18 October 1993 (refer appendix 1 diagrams 4 and 9)

| | minimum front boundary setback | exceptions | |
|--------------------------|--------------------------------|--|--|
| | | minimum front boundary setback to <i>secondary street frontage</i> | minimum front boundary setback to open space or pedestrian paths wider than 6m |
| <i>lower floor level</i> | 6m | 3m | 4m |
| <i>upper floor level</i> | 6m | 3m | 4m |
| <i>garage</i> | 6m | 5.5m | 4m |

Table 3B: Front boundary setbacks – mid sized and compact blocks in subdivisions approved on or after 18 October 1993 but before 31 March 2008 (refer appendix 1 diagrams 5 and 10)

| | minimum front boundary setback | exceptions | |
|--------------------------|---|--|--|
| | | minimum front boundary setback to <i>secondary street frontage</i> | minimum front boundary setback to open space or pedestrian paths wider than 6m |
| <i>lower floor level</i> | 4m | 3m | 4m |
| <i>upper floor level</i> | 6m | 3m | 4m |
| <i>garage</i> | 5.5m with a minimum of 1.5 m behind the front building line | 5.5 m | 4m |

Table 3C: Front boundary setbacks – mid sized blocks in subdivisions approved on or after 31 March 2008 (refer appendix 1 diagrams 6, 7 and 8)

| | minimum setback to <i>front boundary</i> | exceptions | | |
|--|---|---|---|--|
| | | minimum setback to <i>secondary street frontage</i> | minimum setback to open space or pedestrian paths wider than 6m | minimum setback to rear lane or pedestrian paths less than 6m wide |
| all floor levels | 4m | 3m | 3m | nil |
| articulation elements* – all floor levels | 3m | not applicable | not applicable | not applicable |
| garage | 5.5m Minimum of 1.5m behind the front <i>building line</i> except where there is a courtyard wall in the <i>front zone</i> | | 3m | nil |

*Articulation elements can include verandahs, porches, awnings, shade devices, pergolas and the like (a carport is not considered an articulation element)

Table 4: Front boundary setbacks – compact blocks in subdivisions approved on or after 31 March 2008 (refer appendix 1 diagrams 11)

| | minimum setback to <i>front boundary</i> | exceptions | | |
|-------------------------|---|---|---|--|
| | | minimum setback to <i>secondary street frontage</i> | minimum setback to open space or pedestrian paths wider than 6m | minimum setback to rear lane or pedestrian paths less than 6m wide |
| all floor levels | 3m | 3m | 3m | nil |
| garage | 5.5m Minimum of 1.5m behind the front <i>building line</i> except where there is a courtyard wall in the <i>front zone</i> | | 3m | nil |

Note: see tables 3A and 3B for *compact blocks* in subdivisions approved before 31 March 2008

| Rules | Criteria |
|---|---|
| 1.10 Side and rear setbacks – all blocks | |
| <p>R12</p> <p>This rule applies to one of the following:</p> <ul style="list-style-type: none"> i) <i>single dwelling blocks</i> that are not part of an <i>integrated housing development parcel</i> ii) <i>single dwelling blocks</i> in an <i>integrated housing development parcel</i> that adjoin <i>residential blocks</i> that are not part of that parcel. <p>Side and rear setbacks for:</p> <ul style="list-style-type: none"> a) <i>large blocks</i> - comply with table 5 b) <i>mid-sized blocks</i> - comply with tables 6A or 6B, as applicable c) <i>mid-sized blocks</i> nominated for alternative side boundary setbacks in a precinct code - comply with table 6C d) <i>compact blocks</i> - comply with table 7. <p>In relation to the tables referred to in this rule, side boundary 1 and side boundary 2 are nominated by the applicant unless otherwise specified in this code or in a precinct code</p> <p>Note: Ordinarily a corner <i>block</i> has two <i>front boundaries</i>, one of which is the secondary frontage, two <i>side boundaries</i>, but no rear boundary.</p> | <p>C12</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable separation between adjoining developments c) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> d) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i> e) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>principal private open space</i>. |
| 1.11 Setbacks less than 900mm | |
| <p>R13</p> <p><i>External walls</i> within 900mm of a side or rear boundary are set back from the boundary by not more than 180mm</p> | <p>C13</p> <p>Buildings and other structures are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) reasonable separation between adjoining developments b) reasonable access for maintenance. |
| 1.12 Garages and carports on or near side and rear boundaries – large blocks | |
| <p>R14</p> <p>This rule applies to <i>large blocks</i>.</p> <p><i>Garages</i> and <i>carports</i> within 900mm of a side or rear boundary comply with the following:</p> <p>The maximum length of all walls facing the boundary is 8m.</p> | <p>C14</p> <p><i>Garages</i> and <i>carports</i> are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> c) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i>. |

| Rules | Criteria |
|--|--|
| 1.13 Walls on or near side and rear boundaries – mid sized blocks | |
| <p>R15</p> <p>This rule applies to <i>mid sized blocks</i>, but does not apply to that part of the building that is required to be built to a boundary of the block by a precinct code applying to an <i>integrated housing development parcel</i> of which the block is a part.</p> <p>A wall with a setback of less than 900mm to a side or rear boundary complies with all of the following:</p> <ul style="list-style-type: none"> a) not more than 13m in length b) extends no more than 2.5m into the rear zone | <p>C15</p> <p>Walls are sited to achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable privacy for <i>dwellings</i> on adjoining <i>residential blocks</i> c) reasonable privacy for <i>principal private open space</i> on adjoining <i>residential blocks</i>. |

Table 5: Side and rear setbacks – large blocks (refer appendix 1 diagrams 1, 2 and 3)

| | minimum side boundary setback within the <i>primary building zone</i> | | minimum side boundary setback within the <i>rear zone</i> | | minimum rear boundary setback |
|---|---|-----------------|---|-----------------|-------------------------------|
| | side boundary 1 | side boundary 2 | side boundary 1 | side boundary 2 | |
| lower floor level – external wall | 3m | 1.5m | 3m | 1.5m | 3m |
| upper floor level – external wall | 3m | 3m | 6m | 6m | 6m |
| upper floor level – unscreened element | 6m | 6m | 6m | 6m | 6m |
| garage or carport | 3m | nil* ^ | 3m | nil* ^ | 3m |

* see R14

^ does not apply to that part of a wall with a window of any sort

Table 6A: Side and rear setbacks – mid sized blocks in subdivisions approved before 2 October 2009 (refer appendix 1 diagrams 4, 5 and 6)

| | minimum side boundary setback within the <i>primary building zone</i> | | minimum side boundary setback within the <i>rear zone</i> | | minimum rear boundary setback |
|---|---|---|---|-----------------|-------------------------------|
| | side boundary 1 | side boundary 2 | side boundary 1 | side boundary 2 | |
| lower floor level | 3m | >15m frontage 1.5m <15m frontage nil ^ | 3m | 1.5m | 3m |
| upper floor level – external wall | 3m | 3m | 6m | 6m | 6m |
| upper floor level – unscreened element | 6m | 6m | 6m | 6m | 6m |

^ does not apply to that part of a wall with a window of any sort

Table 6B: Side and rear setbacks – mid sized blocks in subdivisions approved on or after 2 October 2009 (refer appendix 1 diagram 7)

| | minimum side boundary setback within the <i>primary building zone</i> | | minimum side boundary setback within the <i>rear zone</i> | | minimum rear boundary setback |
|---|---|-------------------|---|-----------------|-------------------------------|
| | side boundary 1 | side boundary 2 | side boundary 1 | side boundary 2 | |
| lower floor level | 1.5m | 1.5m nil* ^ | 3m | 0.9 | 3m nil** ^ |
| upper floor level – external wall | 3m | 1.5m nil* ^ ** | 6m | 6m | 6m nil** ^ |
| upper floor level – unscreened element | 6m | 6m | 6m | 6m | 6m |

* see R15

** only where specifically permitted under a precinct code.

^ does not apply to that part of a wall with a window of any sort

**Table 6C - Alternative Side Boundary Setbacks (blocks must be nominated in a precinct code)
(Refer appendix 1 diagrams 8A and 8B)**

| | South [^] Facing Boundary | North ^{^^} Facing Boundary | East/ West ^{^^^} Facing Boundary 1 | East / West ^{^^^} Facing Boundary 2* |
|---|------------------------------------|-------------------------------------|---|---|
| Lower floor level in the PBZ | 1.5m 0m** | 1.5m 4.0m+ | 1.5m | 1.5m 0m** |
| Lower floor level in the RZ | 1.5m | 1.5m 4.0m+ | 1.5m | 1.5m |
| Upper floor level – external wall in PBZ | 1.5m | 1.5m 4.0m+ | 1.5m | 1.5m |
| Upper floor level – external wall in RZ | Not permitted | Not permitted | 3.0m | 3.0m |
| Upper floor level – unscreened element in the PBZ | 6.0m | 6.0m | 6.0m | 6.0m |
| Upper floor level – unscreened element in the RZ | Not permitted | Not permitted | 6.0m | 6.0m |

[^] South facing boundary means a boundary of a block where a line drawn perpendicular to the boundary outwards is orientated between south 30 degrees west and south 20 degrees east.

^{^^} North facing boundary means a boundary of a block where a line drawn perpendicular to the boundary outwards is orientated between north 20 degrees west and north 30 degrees east.

^{^^^} East/West boundary means a boundary of a block where a line drawn perpendicular to the boundary outwards is orientated either between east 20 degrees north and east 30 degrees south or between west 30 degrees north and west 20 degrees south.

* Boundary 2 may be stipulated in a precinct code.

** Provided the total length of the wall on the boundary does not exceed 13m (may extend up to 2.5m into the rear zone). Blank walls on boundaries may include walls to garages and non habitable rooms and cavity walls to habitable rooms.

+ The dwelling is required to be setback 4m from the north facing boundary for 50% or greater of the building length commencing from 4m or greater behind the front building line. The building length is measured 4m behind the front building line.

Table 7: Side and rear setbacks – compact blocks (refer appendix 1 diagrams 9,10 and 11)

| | minimum side boundary setback | | | Minimum rear boundary setback |
|---|---|--------------------|---|-------------------------------|
| | side boundary 1 or longer side boundary of a corner block | side boundary 2 | shorter side boundary of a corner block | |
| lower floor level – external wall | nil [^] | nil [^] | 3m | 3m nil* [^] |
| lower floor level – unscreened element | 1.5m | 1.5m | 3m | 3m |
| upper floor level – external wall | nil** [^] | nil** [^] | 3m | 4m nil* [^] |
| upper floor level – unscreened element | 1.5m | 1.5m | 3m | 4m |
| garage or carport | nil [^] | nil [^] | nil [^] | 3m nil* [^] |

* only where specifically permitted under a precinct code.

** only where the lower floor level is built to the boundary

[^] does not apply to that part of a wall with a window of any sort

| Rules | Criteria |
|---|---|
| 1.14 Allowable encroachments – setbacks | |
| <p>R16</p> <p>Encroachments into the minimum side and/or rear boundary setback are permitted for any of the following building elements:</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, unroofed pergolas, sun blinds c) unroofed terraces, landings, steps or ramps, none of which are more than 1m above finished ground level. | <p>C16</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i>dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i>dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>. |

| Rules | Criteria |
|---|--|
| <p>R17</p> <p>Encroachments into the front setback are permitted for one or more of the following building elements:</p> <ul style="list-style-type: none"> a) an eave or roof overhang with a horizontal width of not more than 600mm b) fascias, gutters, downpipes, light fittings, sun blinds c) landings, steps or ramps, none of which are more than 1m above finished ground level. | <p>C17</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i> dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>. |
| 1.15 Allowable encroachments – building envelopes | |
| <p>R18</p> <p>Encroachments outside the building envelope specified in this element are permitted for one or more of the following:</p> <ul style="list-style-type: none"> a) flues b) chimneys c) antennae d) aerials e) cooling appliances f) heating appliances. | <p>C18</p> <p>Buildings and other structures achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) reasonable levels of privacy on adjoining <i>residential blocks</i> for <i> dwellings</i> and their associated <i>private open space</i> c) reasonable solar access to <i> dwellings</i> on adjoining <i>residential blocks</i> and their associated <i>private open space</i>. |
| 1.16 Surveillance blocks | |
| <p>R19</p> <p>Where identified in a precinct code or current and approved <i>lease and development conditions</i> as a surveillance block, provide <i>habitable room(s)</i> above the garage with windows facing and overlooking the rear lane.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 1.17 Cut and fill | |
| <p>R20</p> <p>The maximum cut or fill within 1.5m of side and rear boundaries is 1.5m</p> | <p>C20</p> <p>Cut and fill is limited so that all of the following are achieved:</p> <ul style="list-style-type: none"> a) stability of the block and adjoining blocks b) reasonable access to sunlight on the block c) compatibility with the <i>streetscape</i>. |
| 1.18 Blocks between 500m² and 550m² | |
| <p>R21</p> <p>The provisions of this code relating to <i>mid-sized blocks</i> apply to <i>blocks</i> from 500m² or greater but less than 550m² that are identified in a precinct code as <i>mid-sized blocks</i>.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

Element 2: Lease and development conditions

| 2.1 Approved lease and development conditions | |
|---|--|
| <p>R22</p> <p>This rule applies to <i>blocks</i> affected by approved <i>lease and development conditions</i> that provide for one or more of the following matters:</p> <ul style="list-style-type: none">a) plot ratiob) building envelopec) building heightd) front street setbacke) side setbackf) rear setbackg) building designh) materials and finishi) interfacej) vehicle accessk) parkingl) solar accessm) private open spacen) water sensitive urban designo) landscaping. <p>Approved <i>lease and development conditions</i> for the matters listed above shall take precedence over the provisions of this code, but only to the extent of any inconsistency.</p> | <p>C22</p> <p>The development meets the intent any approved <i>lease and development conditions</i>.</p> |

Element 3: Building design

Related legislation: *Common Boundaries Act 1981*

Note: Under the *Building Act 2004* most buildings need to meet the requirements of the Building Code of Australia. For certain classes of buildings, this will include prescribed energy requirements.

| Rules | Criteria |
|--|---|
| 3.1 Materials and finishes | |
| <p>R23</p> <p>Structures, plant and equipment situated on the roof are not visible from the street frontage or other unleased territory land unless exempt under <i>Planning and Development Act 2007</i>.</p> | <p>C23</p> <p>Structures and plant and equipment situated on the roof that are not exempt under <i>Planning and Development Act 2007</i> achieve all of the following:</p> <ul style="list-style-type: none">a) do not diminish the value of the <i>streetscape</i>b) do not diminish residential amenity of neighbouring <i>blocks</i>. |

| Rules | Criteria |
|---|---|
| 3.2 Fencing – large blocks and mid sized blocks | |
| <p>R24</p> <p>This rule applies to <i>large blocks</i> and <i>mid-sized blocks</i>.</p> <p>Walls or fencing are not permitted forward of the <i>building line</i> except where they comply with one or more of the following:</p> <ul style="list-style-type: none"> a) a previously approved estate development plan b) a relevant precinct code c) form a gate to a maximum height of 1.8m in an established, vigorous hedge d) otherwise complies with this code (eg courtyard wall provisions) e) is exempt under the <i>Planning and Development Act 2007</i>. | <p>C24</p> <p>Fences comply with the Residential Boundaries Fences General Code.</p> |
| 3.3 Courtyard walls – large blocks | |
| <p>R25</p> <p>This rule applies to <i>large blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) total length complies with one of the following <ul style="list-style-type: none"> i) not more than 50% of the width of the <i>block</i> ii) not more than 70% where the width of the <i>block</i> at the line of the wall is less than 12m b) setback from the front boundary not less than 50% of the minimum front setback applying to the <i>block</i> c) height does not exceed 1.8m d) constructed only of brick, block or stonework, any of which may be combined with feature panels e) incorporate shrub planting between the wall and the front boundary f) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard <i>AS2890.1- Off-Street Parking</i>. | <p>C25</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with the <i>desired character</i> b) the dominance of the building's facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building width iv) colour and design features v) transparency vi) articulation vii) protection of existing desirable landscape features viii) tree and shrub planting forward of the wall c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard <i>AS2890.1- Off-Street Parking</i>. |

| Rules | Criteria |
|---|--|
| 3.4 Courtyard walls – mid sized blocks | |
| <p>R26</p> <p>This rule applies to <i>mid-sized blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) have a maximum total length of <ul style="list-style-type: none"> i) where the width of the <i>block</i> at the line of the wall is less than 12m – 70% of the width of the <i>block</i> ii) in all other cases - 50% of the width of the <i>block</i> b) have a minimum <i>setback</i> from the <i>front boundary</i> of not less than - <ul style="list-style-type: none"> i) where the total length of the courtyard wall measured parallel to the front street boundary does not exceed 6.5m and the courtyard wall does not exceed 1.5m in height - 1m ii) in all other cases – 50% of the minimum front setback applying to the <i>block</i> c) do not exceed 1.8m in height d) are constructed of one of the following - <ul style="list-style-type: none"> i) only of brick, block or stonework, any of which may be combined with feature panels ii) finished to match or complement the dwelling house e) incorporate shrub planting between the wall and the front boundary f) do not obstruct sight lines for vehicles and pedestrians on public paths on driveways in accordance with A2890.1-<i>The Australian Standard for Off-Street Parking</i>. | <p>C26</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistent with the <i>desired character</i> b) the dominance of the building's facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account <ul style="list-style-type: none"> i) height ii) relationship to verge footpath iii) total proportion relative to the building width iv) colour and design features v) transparency vi) articulation vii) protection of existing desirable landscape features viii) tree and shrub planting forward of the wall c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- <i>Parking facilities, part 1 off-street parking</i>. |
| 3.5 Front fences and courtyard walls – compact blocks | |
| <p>R27</p> <p>This rule applies to <i>compact blocks</i>.</p> <p>Courtyard walls forward of the <i>building line</i> comply with all of the following:</p> <ul style="list-style-type: none"> a) have a maximum total length of- <ul style="list-style-type: none"> i) where the width of the <i>block</i> at the line of the wall is less than 12m – 60% of the width of the <i>block</i> ii) in all other cases - 50% of the width of | <p>C27</p> <p>Courtyard walls achieve all of the following:</p> <ul style="list-style-type: none"> a) consistency with the <i>desired character</i> b) dominance of the building's facade in the <i>streetscape</i> taking all of the following aspects of the proposed courtyard wall into account: <ul style="list-style-type: none"> i) height ii) relationship to verge footpath |

| Rules | Criteria |
|---|--|
| <p>the <i>block</i></p> <p>b) have a minimum <i>setback</i> from the <i>front boundary</i> of not less than -</p> <p>i) where the courtyard encloses north facing <i>principal private open space</i> – 1m</p> <p>ii) in all other cases – 2m</p> <p>c) have a maximum height of -</p> <p>i) where the courtyard encloses <i>principal private open space</i> – 1.5m</p> <p>ii) where both of the following apply</p> <p>A) the courtyard encloses <i>principal private open space</i></p> <p>B) the <i>block</i> is a corner <i>block</i> – 1.8m</p> <p>iii) in all other cases – 1.2m</p> <p>d) comply with one or more of the following -</p> <p>i) constructed of brick, block or stonework, any of which may be combined with feature panels</p> <p>ii) constructed and finished to match or complement the <i>single dwelling house</i></p> <p>e) provide for sight lines for vehicles and pedestrians on public paths on driveways in accordance with A2890.1-<i>The Australian Standard for Off-Street Parking</i>.</p> | <p>iii) total proportion relative to the building width</p> <p>iv) colour and design features</p> <p>v) transparency</p> <p>vi) articulation</p> <p>vii) protection of existing desirable landscape features</p> <p>viii) tree and shrub planting forward of the wall</p> <p>c) sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- <i>Parking facilities, part 1 off-street parking</i>.</p> |
| <p>R28</p> <p>For <i>compact blocks</i>, front fences and side fences forward of the building line comply with all of the following:</p> <p>a) do not exceed one of the following -</p> <p>i) where located adjacent to the dwelling's <i>principal private open space</i> – 1.5m in height</p> <p>ii) where located adjacent to the dwelling's <i>principal private open space</i>, where the <i>block</i> is a corner <i>block</i> - 1.8m in height</p> <p>iii) in all other cases – 1.2m in height</p> <p>b) A2890.1-<i>The Australian Standard for Off-Street Parking</i> in relation to site lines for vehicles and pedestrians on public paths or driveways.</p> | <p>C28</p> <p>Front and side fences achieve all of the following:</p> <p>a) consistency with the <i>desired character</i></p> <p>b) appropriate proportions and character with respect to -</p> <p>i) height</p> <p>ii) relationship to verge footpath</p> <p>iii) total proportion relative to the building width</p> <p>iv) colour and design features</p> <p>v) transparency and articulation</p> <p>vi) protection of existing desirable landscape features</p> <p>c) do not obstruct sight lines for vehicles and pedestrians on public paths or driveways in accordance with Australian Standard AS2890.1- <i>Parking facilities, part 1 off-street parking</i>.</p> |

Element 4: Parking and site access

Related code: Parking and Access General Code

| Rules | Criteria |
|--|--|
| 4.1 Pedestrian access | |
| <p>R29</p> <p>For <i>blocks</i> with a boundary to a rear lane, pedestrian access is provided from the street address.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 4.2 Vehicle access | |
| <p>R30</p> <p>Driveway verge crossings comply with all of the following:</p> <ul style="list-style-type: none">a) 1.2m horizontally clear of stormwater sumps and other servicesb) 1.5m horizontally clear of transformers, bus stops, public light polesc) 6m horizontally clear of the tangent point of the radius of the curve on a corner <i>block</i> (excluding locations with roundabouts and signalised intersections, which require separate formal approval and support from Asset Acceptance)d) uphill grade of less than 17% as measured from the kerb; downhill grade of less than 12% as measured from the kerbe) at a right angle to the kerb line with a maximum 10% deviationf) for <i>large blocks</i> and <i>mid sized blocks</i>, a maximum of 5.5 m wide, and a minimum of 5m wide at the kerb, a minimum 3m wide at the front boundary, and a maximum width no greater than the width at the kerbg) for <i>compact blocks</i>, 3m wide at the front street boundaryh) outside of the drip line of mature treesi) minimum of 3m clear of small and new street treesj) compliant with Australian Standard AS2890.1- <i>Parking facilities</i> as amended from time to time, having particular regard for sightlines and cross fall of the sitek) where there is a public footpath across the driveway verge crossing, the footpath is continuous (i.e. the footpath is to have | <p>C30</p> <p>Driveway verge crossings are endorsed by Department of Territory and Municipal Services.</p> |

| Rules | Criteria |
|---|--|
| <p>precedence).</p> <p>l) If the existing footpath is replaced, it is constructed at the same level in the same material and colour as the original.</p> | |
| 4.3 Parking | |
| <p>R31</p> <p>The minimum number of car parking spaces provided on the <i>block</i> complies with the following:</p> <p>a) for a <i>single dwelling house on compact blocks</i> containing not more than 1 bedroom – 1</p> <p>b) in all other cases - 2.</p> | <p>C31</p> <p>Car parking provided on the <i>block</i> is adequate for residents and visitors.</p> |
| <p>R32</p> <p>Dimensions of car parking spaces are not less than the following:</p> <p>i) single roofed space - 6m x 3m</p> <p>ii) double roofed space - 6m x 5.5m</p> <p>iii) single unroofed space - 5.5m x 3m</p> <p>iv) multiple unroofed spaces side by side - 5.5m x 2.6m</p> <p>v) parallel parking spaces - 6.7m x 2.3m</p> <p>vi) 2.1m minimum clearance to any overhead structure.</p> <p>For this rule dimensions for roofed spaces are internal dimensions.</p> | <p>C32</p> <p>Car parking spaces are sized to allow for all of the following:</p> <p>a) convenient access to the vehicle by the driver and passengers</p> <p>b) reasonable side and overhead clearance to vehicles</p> <p>c) reasonable access by vehicles (ie minimal turning movements).</p> |
| <p>R33</p> <p>Car parking spaces on the <i>block</i> comply with all of the following:</p> <p>a) are not located in the <i>front zone</i>, except on:</p> <p>i) <i>compact blocks</i></p> <p>ii) any part of a driveway in tandem with another car parking space that is located behind the <i>front building line</i>.</p> <p>b) do not encroach any property boundaries</p> <p>c) at least one car parking space is roofed and is behind the <i>front zone</i></p> <p>d) comply with sightlines for off-street car-parking facilities and other relevant requirements in Australian Standard AS2890.1- <i>Parking facilities</i>.</p> | <p>C33</p> <p>Car parking and related access on <i>block</i> achieve all of the following:</p> <p>a) reasonable amenity of neighbouring <i>residential blocks</i></p> <p>b) consistency with the value of the <i>streetscape</i></p> <p>c) public safety especially in relation to pedestrians and cyclists</p> <p>d) reasonable surveillance of parking spaces.</p> |

| Rules | Criteria |
|--|--|
| <p>R34</p> <p>In RZ1 and RZ2, on <i>single dwelling blocks</i> ramps accessing <i>basement</i> car parking are behind the building line, where the <i>block</i> is less than 30 m wide as measured at the street frontage. Ramps comply with the relevant requirements in Australian Standard AS2890.1- <i>Parking facilities</i>.</p> | <p>C34</p> <p>Ramps to <i>basement</i> car parking maintain the value of the <i>streetscape</i> and allow safe and efficient vehicle and pedestrian movement.</p> |
| <p>R35</p> <p>Car parking is not permitted on verges.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R36</p> <p>This rule applies to street frontages except frontages to laneways (rear loading blocks).</p> <p>The maximum total width of garage doors and external width of carports is the lesser of the following:</p> <p>a) 6m</p> <p>b) 50% of the façade of the <i>dwelling</i>.</p> | <p>C36</p> <p>Garages or carports achieve all of the following:</p> <p>a) consistency with the <i>streetscape</i></p> <p>b) consistency with the <i>desired character</i></p> <p>c) compatibility with the façade of the associated <i>dwelling</i>.</p> |

Element 5: Amenity

| Rules | Criteria |
|--|---|
| 5.1 Solar access – blocks which were approved or had a lease granted before 5 July 2013 | |
| <p>R37</p> <p>This rule applies to <i>blocks</i> approved under an <i>estate development plan</i> before 5 July 2013 or for which a <i>lease</i> was granted before 5 July 2013.</p> <p>The floor or internal wall of a daytime living area of a <i>dwelling</i> is exposed to not less than 3 hours of direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p><u>For this rule:</u></p> <p>Daytime living area means a <i>habitable room</i> other than a bedroom</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules | Criteria |
|--|---|
| 5.1A Solar access – blocks which were approved on or after 5 July 2013 | |
| <p>R37A</p> <p>This rule applies to <i>blocks</i> approved under an <i>estate development plan</i> on or after 5 July 2013 for:</p> <ul style="list-style-type: none"> a) new <i>dwellings</i> b) additions and alterations, only if the addition or alteration affects a daytime living area <p>A daytime living area is provided with a minimum of 4m² of transparent vertical glazing that:</p> <ul style="list-style-type: none"> a) is oriented between 45° east of north and 45° west of north; and b) is not overshadowed at noon on the winter solstice (21 June) by: <ul style="list-style-type: none"> i) <i>buildings</i> and structures on the subject <i>block</i> ii) the ‘solar fence’ on the <i>northern boundary</i> of the subject <i>block</i> <p><u>For this rule:</u></p> <p>Daytime living area means a <i>habitable room</i> other than a bedroom</p> <p>The height of the ‘solar fence’ is:</p> <ul style="list-style-type: none"> i) in the <i>primary building zone</i> – 3m ii) all other parts of the boundary – 2.3m <p>Note: Compliance with this rule may be demonstrated through plans, elevations and supporting documentation (e.g. shadow diagrams) showing that the required minimum area of glazing is not overshadowed.</p> | <p>C37A</p> <p>One or more daytime living areas is provided with reasonable access to direct sunlight between the hours of 9am and 3pm on the winter solstice (21 June).</p> <p><u>For this criterion:</u></p> <p>Daytime living area means a <i>habitable room</i> other than a bedroom</p> |
| 5.2 Private open space | |
| <p>R38</p> <p>For <i>large blocks</i>, <i>private open space</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) has a minimum area equal to 60% of the block area, less 50m² b) has a minimum dimension of 6m for an area not less than 10% of the block c) at least 50% of the minimum area in a) is <i>planting area</i>. <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>C38</p> <p><i>Private open space</i> provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <ul style="list-style-type: none"> a) limits site coverage of buildings and vehicle parking and manoeuvring areas b) provides space for planting c) facilitates on-site infiltration of stormwater run-off d) provides outdoor areas that are readily accessible by residents for a range of uses and activities e) provides space for service functions such as clothes drying and domestic storage. |

| Rules | Criteria |
|--|--|
| <p>R39</p> <p>For <i>mid-sized blocks</i>, <i>private open space</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) a minimum area equal to 40% of the block area, less 50m² b) a minimum dimension as follows - <ul style="list-style-type: none"> i) blocks that are identified in a precinct code as an alternative boundary setback block – 4m for an area not less than 20% of the block area ii) in all other cases - 6m for an area not less than 10% of the block area c) at least 50% of the minimum area specified in a) is <i>planting area</i>. <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>C39</p> <p><i>Private open space</i> provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <ul style="list-style-type: none"> a) limits site coverage of buildings and vehicle parking and manoeuvring areas b) provides space for planting c) facilitates on-site infiltration of stormwater run-off d) provides outdoor areas that are readily accessible by residents for a range of uses and activities e) provides space for service functions such as clothes drying and domestic storage. |
| <p>R40</p> <p>For <i>compact blocks</i>, <i>private open space</i> complies with all of the following:</p> <ul style="list-style-type: none"> a) a minimum area is not less than 20% of the block area b) at least 50% of the minimum area specified in a) is <i>planting area</i>. <p>Note: Private open space includes principal private open space, as required elsewhere in this element.</p> | <p>C40</p> <p><i>Private open space</i> provides residential amenity on the subject site and protects the residential amenity of adjoining sites by achieving all of the following:</p> <ul style="list-style-type: none"> a) limits site coverage of buildings and vehicle parking and manoeuvring areas b) provides space for planting c) facilitates on-site infiltration of stormwater run-off d) provides outdoor areas that are readily accessible by residents for a range of uses and activities e) provides space for service functions such as clothes drying and domestic storage. |
| <h3>5.3 Principal private open space</h3> | |
| <p>R41</p> <p>At least one area of <i>principal private open space</i> on the block complies with all of the following:</p> <ul style="list-style-type: none"> a) minimum area and dimensions specified in table 8. b) at ground level c) directly accessible from, and adjacent to, a <i>habitable room</i> other than a bedroom d) screened from adjoining public streets and public open space e) located behind the building line, except | <p>C41</p> <p><i>Principal private open space</i> achieves all of the following:</p> <ul style="list-style-type: none"> a) is proportionate to the size of the dwelling b) capable of enabling an extension of the function of the dwelling for relaxation, dining, entertainment, recreation, and it is directly accessible from the dwelling c) accommodates service functions such as clothes drying and domestic storage d) is screened from public streets and public open space with pedestrian or cycle paths |

| Rules | Criteria |
|---|--|
| <p>where enclosed by a courtyard wall</p> <p>f) is not located to the south, south-east or south-west of the dwelling, unless it achieves not less than 3 hours of direct sunlight onto 50% of the minimum principal private open space area between the hours of 9am and 3pm on the winter solstice (21 June).</p> | <p>e) reasonable access to sunlight to enable year round use</p> |

Table 8: Principal Private Open Space

| Zone | Block type | Dwelling Size* | Minimum Area | Minimum Dimension |
|------------|--------------------|------------------------------|------------------|-------------------|
| all | Compact | all | 16m ² | 4m |
| RZ1 RZ2 | Mid sized Large | up to 105m ² | 28m ² | 4m |
| | Mid sized Large | 105m ² or greater | 36m ² | 6m |
| RZ3 RZ4 | Mid sized Large | all | 24m ² | 4m |

* For the purpose of this table, *dwelling* size is defined as the floor area measured to the outside face of external walls including internal walls between the living areas and *garage* (but excluding the *garage*).

| Rules | Criteria |
|--|---|
| 5.4 Noise attenuation – external sources | |
| <p>R42</p> <p>This rule applies to all new dwellings (including in established areas), as well as extensions and alterations that add a habitable room exposed directly to the source of noise.</p> <p>Where a block has one or more of the following characteristics:</p> <ul style="list-style-type: none"> i) identified in a precinct code as being potentially affected by noise from external sources ii) <i>adjacent</i> to a road carrying or forecast to carry traffic volumes greater than 12000 vehicles per day iii) is otherwise identified to be noise affected <p>dwellings shall be constructed to comply with the following:</p> | <p>C42</p> <p>This criterion applies to all new <i>dwellings</i> (including in established areas), as well as extensions and alterations that add a <i>habitable room</i> exposed directly to the source of noise.</p> <p>A noise management plan must be provided where:</p> <ul style="list-style-type: none"> i) A <i>block</i> is identified in a precinct code as being potentially affected by noise from external sources; or ii) A <i>dwelling</i> is located in the first row of housing near a road carrying or forecast to carry traffic volumes greater than 12000 vehicles per day; or iii) A <i>block</i> is otherwise identified to be noise affected <p>Noise management plan requirements:</p> <ul style="list-style-type: none"> a) For other than road traffic noise - a noise |

| Rules | Criteria |
|--|--|
| <ol style="list-style-type: none"> 1. road carrying traffic volumes between 12,000 and 25,000 vpd – <ol style="list-style-type: none"> a. dwelling located less than 20m from the nearside edge of the road: <ol style="list-style-type: none"> i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level) ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design. b. dwelling located more than 20m from the nearside edge of the road: <ol style="list-style-type: none"> i. glazing is 6.38mm laminated glass or equivalent and fitted with acoustic seals other than brush seals ii. any external doors are solid core and fitted with acoustic seals other than brush seals 2. road carrying traffic volumes greater than 25,000 vpd – <ol style="list-style-type: none"> a) dwelling located less than 40m from the nearside edge of the road: <ol style="list-style-type: none"> i. AS/NZS 2107:2000 - Acoustics – Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level) ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design. b) dwelling located more than 40m from the nearside edge of the road: <ol style="list-style-type: none"> i. glazing is 10.38mm laminated glass or equivalent and fitted with acoustic seals other than brush seals ii. any external doors are solid core and fitted with acoustic seals other than brush seals 3. in all other cases where a dwelling is affected by noise from external sources- <ol style="list-style-type: none"> i. AS/NZS 2107:2000 - Acoustics – | <p>management plan prepared by a member of the Australian Acoustical Society with experience in the assessment of noise, and endorsed by the EPA. The noise level immediately adjacent to the dwelling is assumed to be the relevant noise zone standard specified in the ACT Environment Protection Regulation 2005. The plan must indicate compliance with the relevant Australian standard.</p> <p>b) For road traffic noise - an acoustic assessment and noise management plan, prepared by a member of the Australian Acoustical Society with experience in the assessment of road traffic noise, and endorsed by the ACT Government entity responsible for transport planning. The plan must indicate compliance with the relevant Australian standard.</p> <p>Note: A condition of development approval may be imposed to ensure compliance with the endorsed noise management plan.</p> |

| Rules | Criteria |
|---|----------|
| <p>Recommended design sound levels and reverberation times for building interiors (the relevant satisfactory recommended interior design sound level)</p> <p>ii. AS/NZS 3671 - Acoustics – Road Traffic Noise Intrusion Building Siting and Design.</p> | |

Element 6: Environment

Water Ways: Water Sensitive Urban Design General Code

| Rules | Criteria |
|--|---|
| 6.1 Water sensitive urban design | |
| <p>R43</p> <p>This rule applies to</p> <ol style="list-style-type: none"> all new single <i>dwelling</i>s, <i>secondary residences</i>, and extensions and alterations but does not apply to: <ol style="list-style-type: none"> <i>extensions</i> of a size 50% or less of existing floor area development where no new plumbing is proposed <p>The development complies with one of the following:</p> <ol style="list-style-type: none"> Option A Option B <p>For this rule</p> <p>Option A is:</p> <ol style="list-style-type: none"> on <i>compact blocks</i> - <ol style="list-style-type: none"> no minimum water storage requirement minimum ★★★ WELS rated plumbing fixtures on <i>mid-sized blocks</i> - <ol style="list-style-type: none"> minimum on site water storage of water from roof harvesting is 2,000 litres 50% or 75m² of roof plan area, whichever is the lesser, is connected to the tank the tank is connected to at least a toilet, laundry cold water and all | <p>C43</p> <p>Evidence is provided that the development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003, using the ACTPLA on-line assessment tool or another tool. The 40% target is met without any reliance on landscaping measures to reduce consumption.</p> |

| Rules | Criteria |
|---|---|
| <p>external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure.</p> <p>c) on <i>large blocks</i> up to 800m² -</p> <ul style="list-style-type: none"> i) minimum on site water storage of water from roof harvesting is 4,000 litres ii) 50% or 100m² of roof plan area, whichever is the lesser, is connected to the tank iii) the tank is connected to at least a toilet, laundry cold water and all external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure. <p>d) on <i>large blocks</i> 800m² or greater -</p> <ul style="list-style-type: none"> i) minimum on site water storage of water from roof harvesting is 5,000 litres ii) 50% or 125m² of roof plan area, whichever is the lesser, is connected to the tank iii) the tank is connected to at least a toilet, laundry cold water and all external taps. The connection will require a pump where it cannot be elevated sufficiently to give adequate pressure. <p>Option B is:</p> <p>A greywater system captures all bathroom and laundry greywater and treats it to Class A standard. The treated greywater is connected to all laundry cold water, toilet flushing and all external taps.</p> | |
| 6.2 Heritage | |
| <p>R44</p> <p>This rule applies to land containing places or objects registered or provisionally registered under section 41 of the <i>Heritage Act 2004</i>. The authority shall refer a development application to the Heritage Council.</p> <p>Note: The authority will consider any advice from the Heritage Council before determining the application.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

| Rules | Criteria |
|---|---|
| 6.3 Tree protection | |
| <p>R45</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ol style="list-style-type: none"> requires groundwork within the tree protection zone of a <i>protected tree</i> is likely to cause damage to or removal of any <i>protected trees</i>. <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Notes:</p> <ol style="list-style-type: none"> Under the <i>Planning and Development Regulation 2008</i> a development application for a <i>declared site</i> under the <i>Tree Protection Act 2005</i>, must be referred to the Conservator of Flora and Fauna. The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>. <i>Protected tree</i> and <i>declared site</i> are defined under the <i>Tree Protection Act 2005</i>. | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 6.4 Erosion and sediment control | |
| <p>R46</p> <p>For sites less than 3,000m², development complies with the Environment Protection Authority, <i>Environment Protection Guidelines for Construction and Land Development in the ACT</i>, August 2007.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| <p>R47</p> <p>For sites 3,000m² or larger, the application is accompanied by an erosion and sediment control plan endorsed by the ACT Environment Protection Authority.</p> <p>Note: If an erosion and sediment control plan is required but not provided, the application will be referred to the ACT Environment Protection Authority before the determination of the application.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

Element 7: Services

| Rules | Criteria |
|---|---|
| 7.1 Construction waste management – all zones | |
| <p>R48</p> <p>This rule applies to <i>residential</i> development that is likely to generate more than 20m³ of construction waste comprising one or more of the following:</p> <ul style="list-style-type: none">a) demolition wasteb) construction wastec) excavation material. <p>The management of construction waste is to be endorsed by TAMS.</p> <p>TAMS will endorse waste facilities and management associated with the development if they comply with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p> <p>TAMS may endorse departures.</p> <p>Note: a condition of approval may be imposed to ensure compliance.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |
| 7.2 Utilities – all zones | |
| <p>R49</p> <p>This rule applies to any proposed encroachment into a registered easement.</p> <p>The encroachment is to be approved in writing by the relevant service provider.</p> | <p>This is a mandatory requirement. There is no applicable criterion.</p> |

Appendix 1 – Boundary setback diagrams

Diagram 1: **Large blocks approved before 18 October 1993**
(refer Tables 2A and 5)

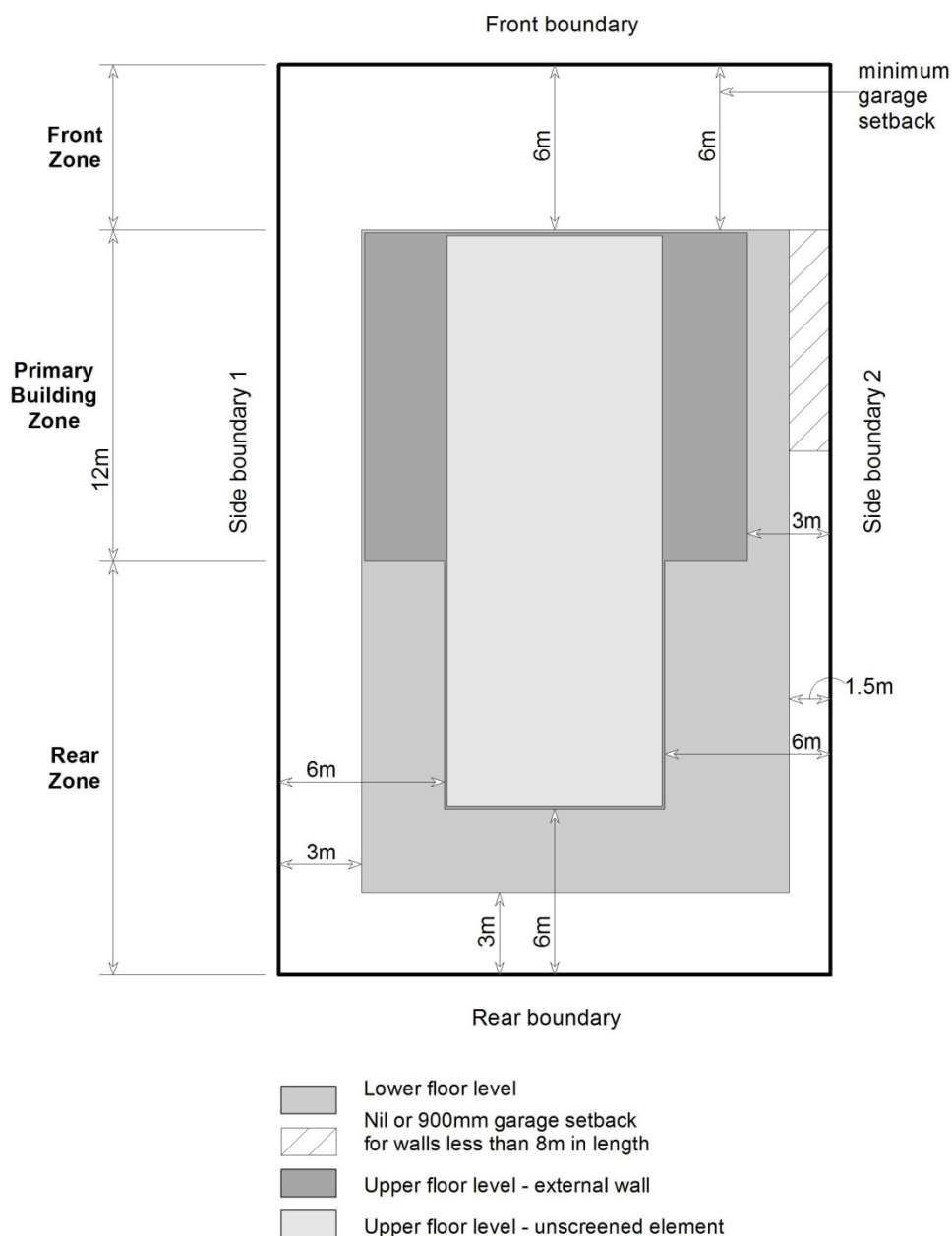


Diagram 2: **Large blocks approved on or after 18 October 1993
but before 31 March 2008** (refer Tables 2B and 5)

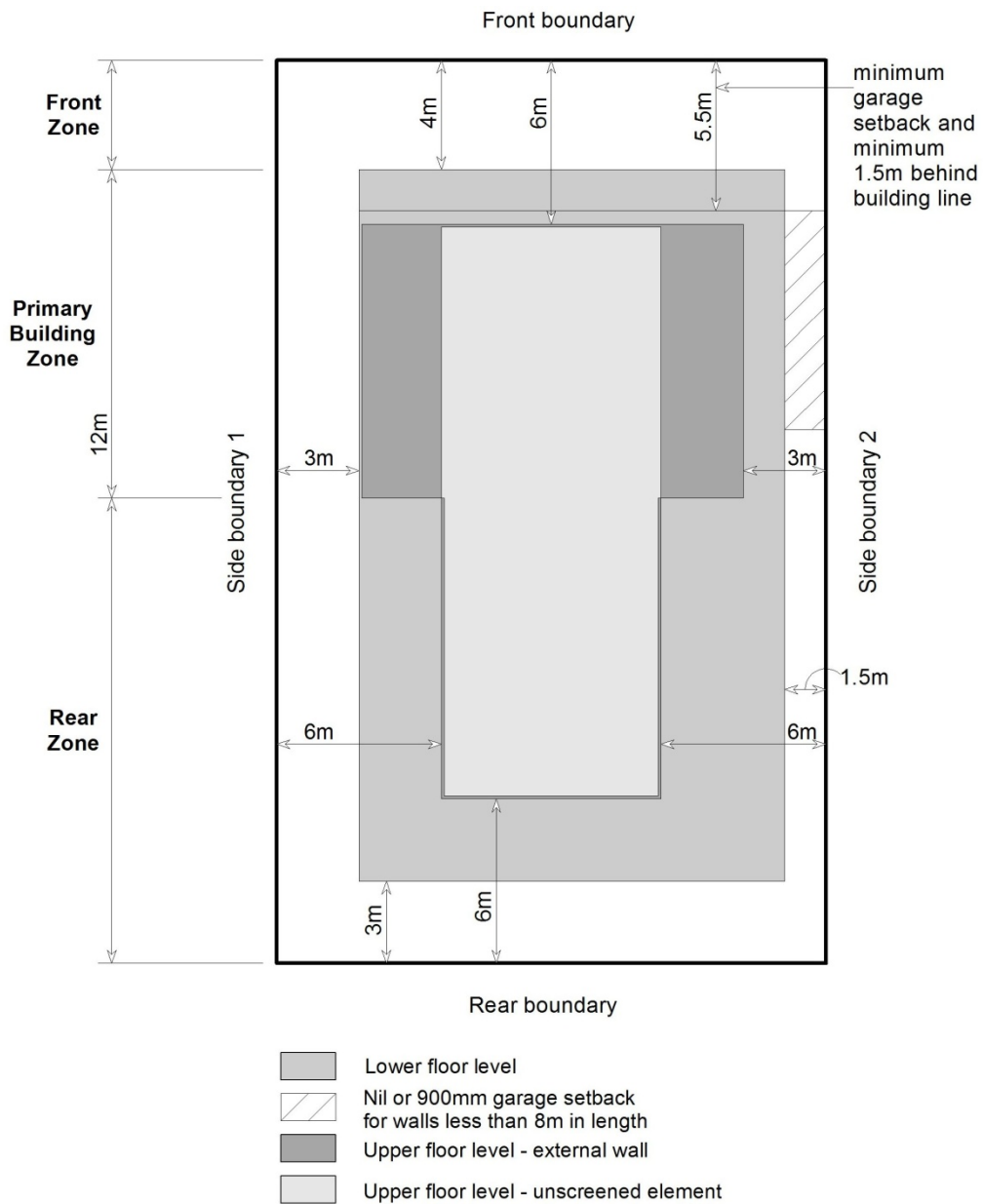


Diagram 3: **Large blocks approved on or after 31 March 2008**
(refer Tables 2C and 5)

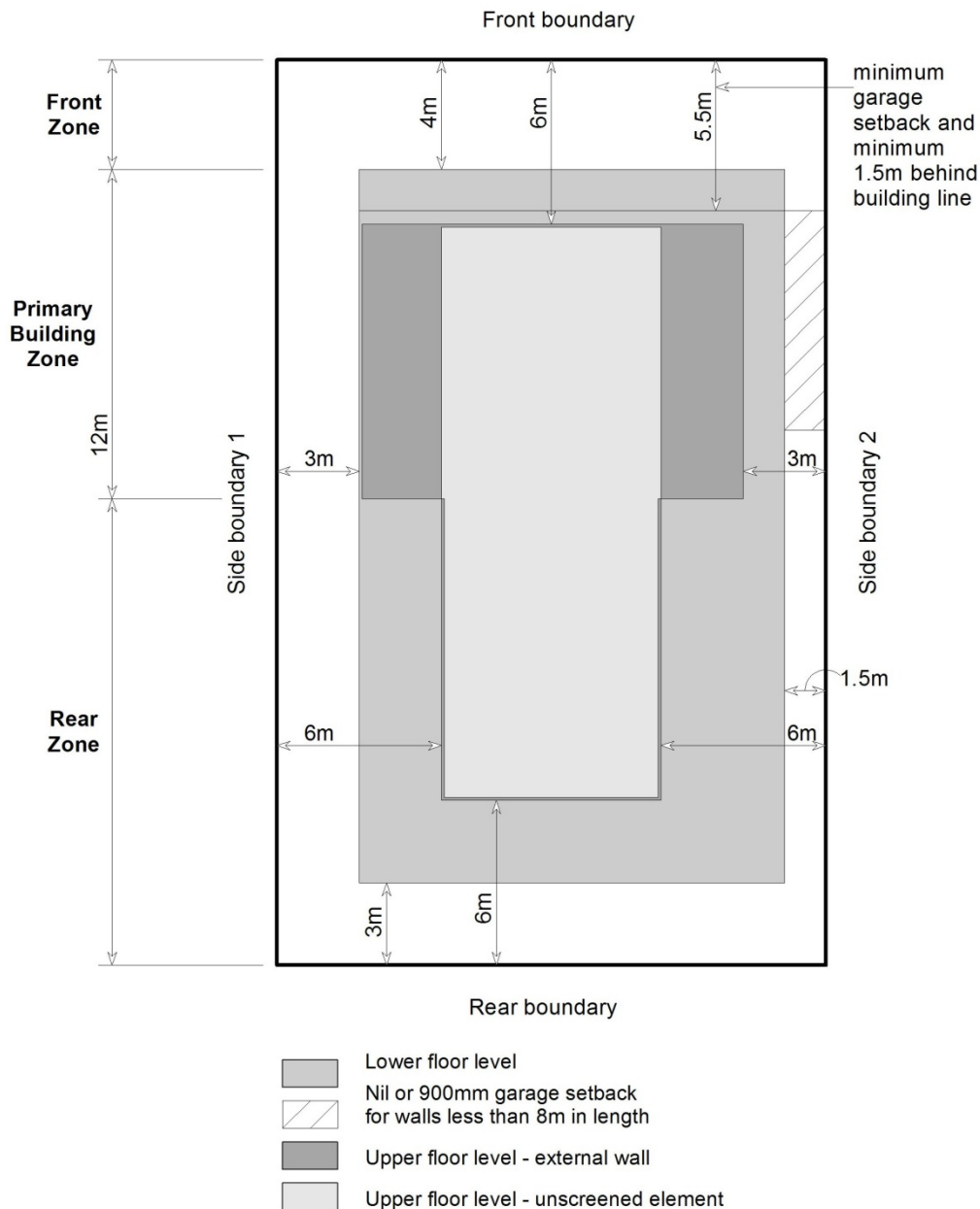


Diagram 4: **Mid-sized blocks approved before 18 October 1993**
(refer Tables 3A and 6A)

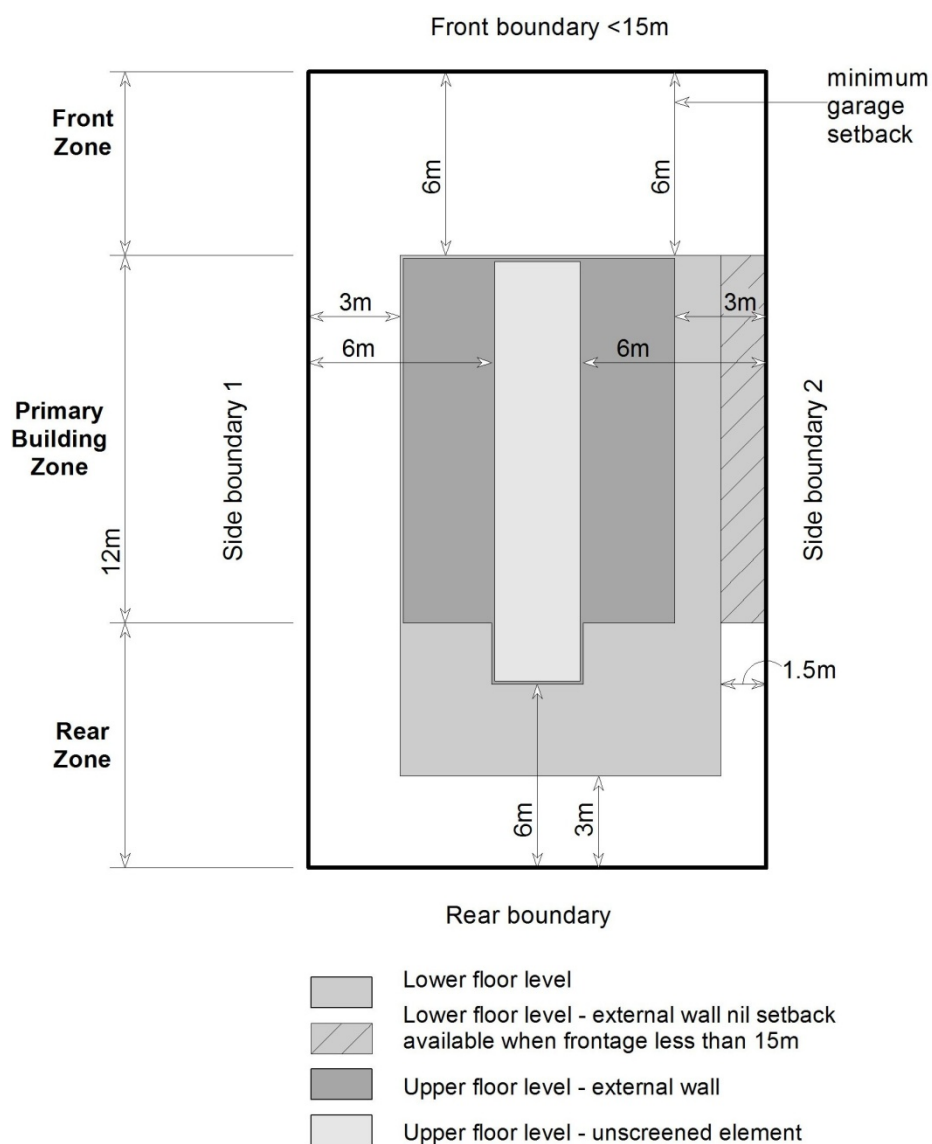


Diagram 5: **Mid-sized blocks approved on or after 18 October 1993
but before 31 March 2008** (refer Tables 3B and 6A)

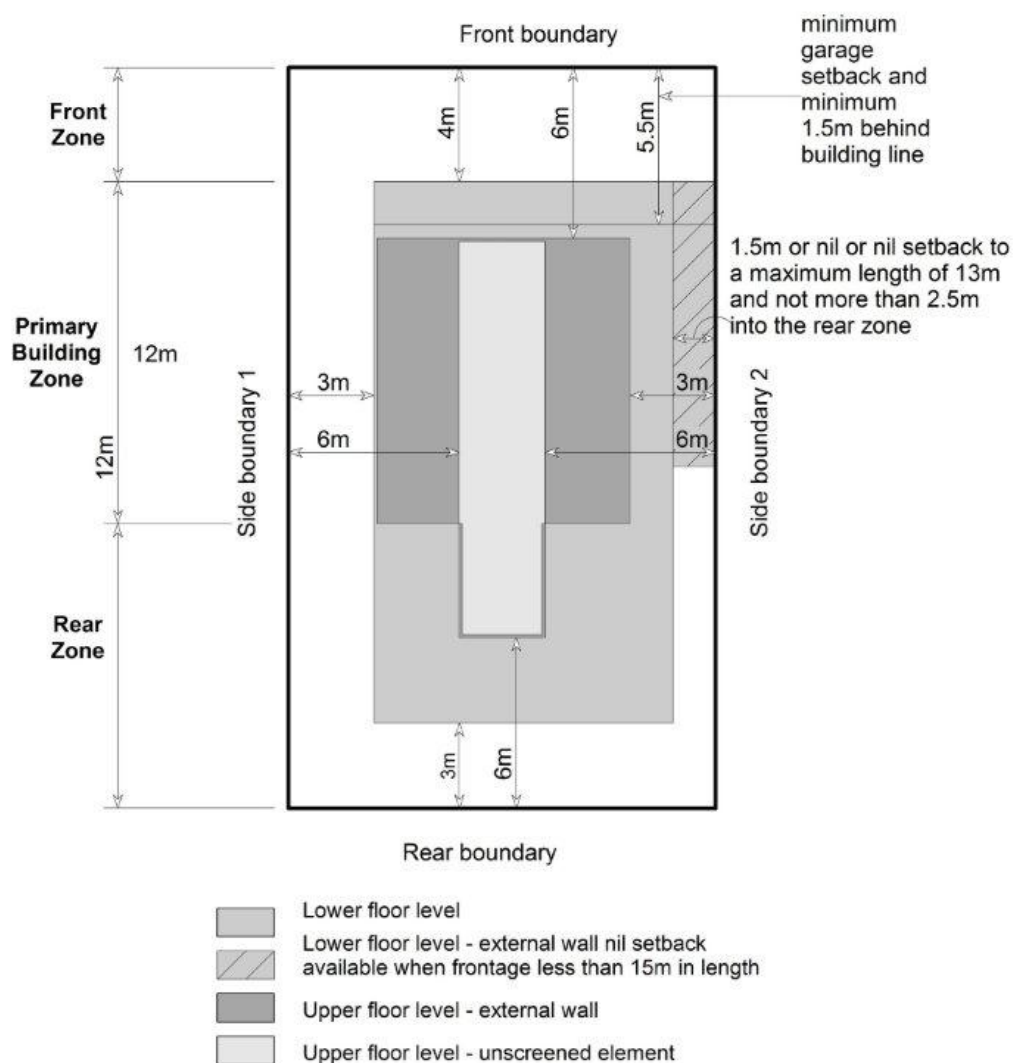


Diagram 6: **Mid-sized blocks approved on or after 31 March 2008 but before 2 October 2009** (refer Tables 3C and 6A)

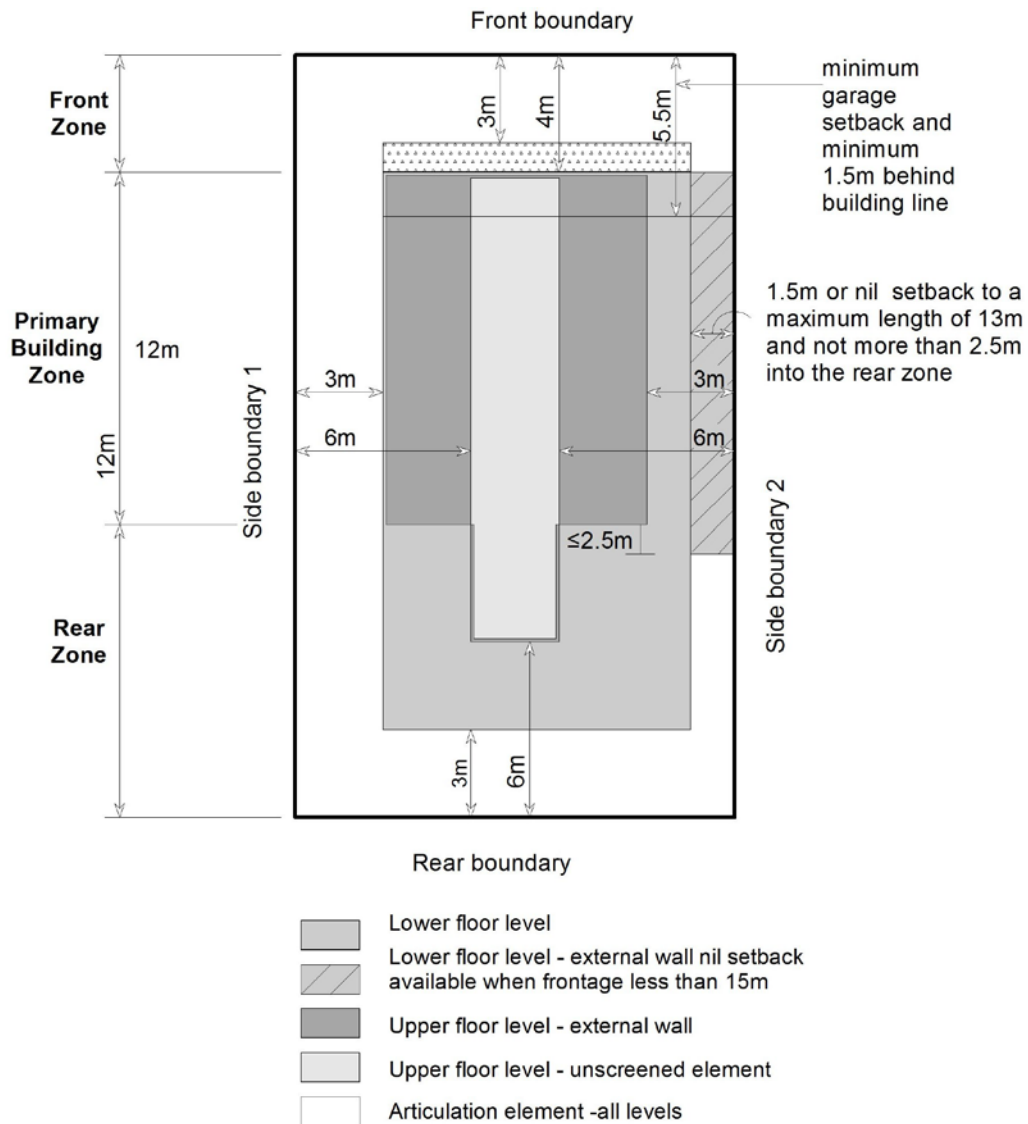


Diagram 7: **Mid-sized blocks approved on or after 2 October 2009**
(refer Tables 3C and 6B)

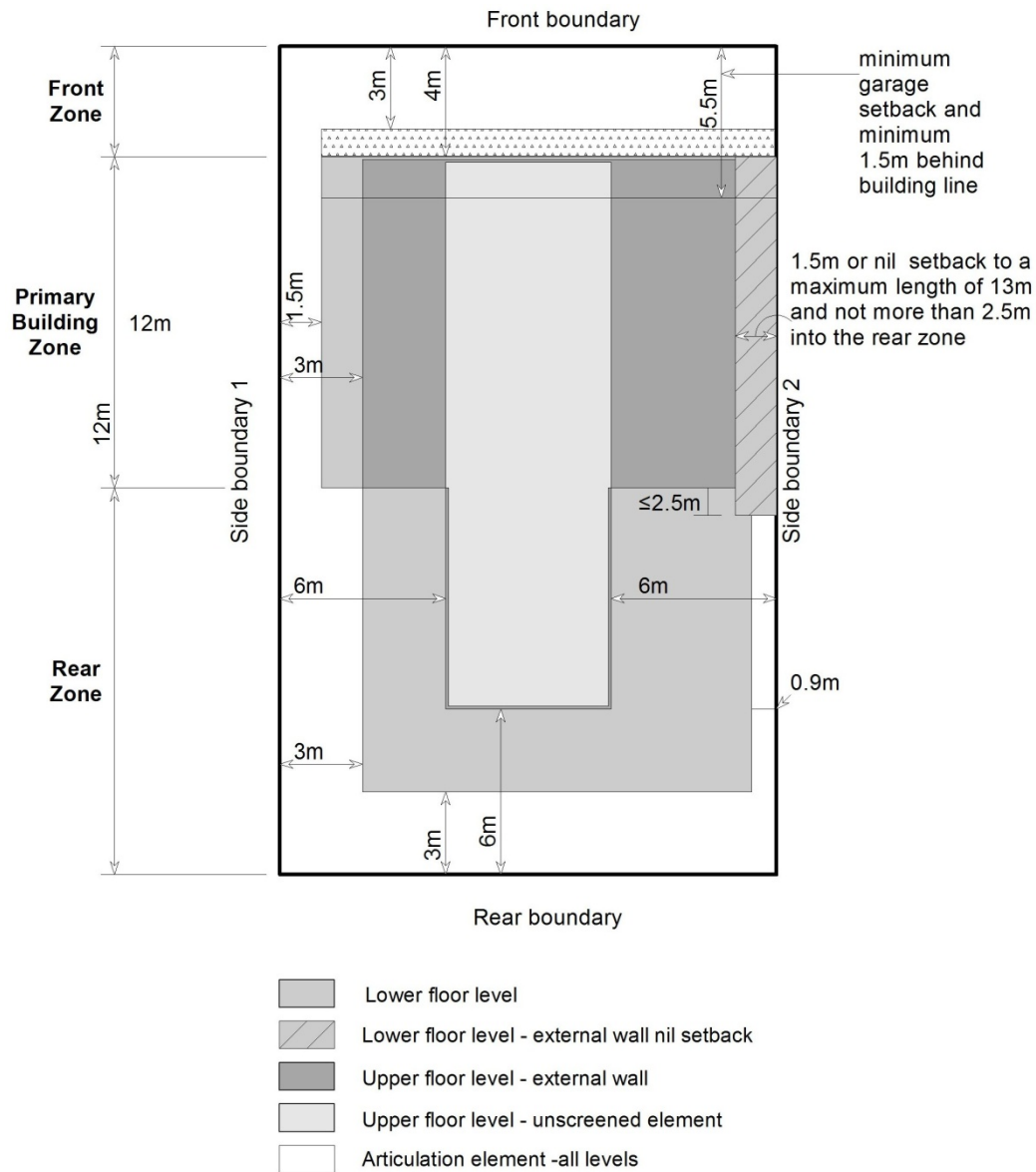


Diagram 8A: Mid-sized blocks approved on or after 2 October 2009 – alternate side and rear setbacks applicable only to nominated blocks in a precinct code (east and west facing side boundaries)

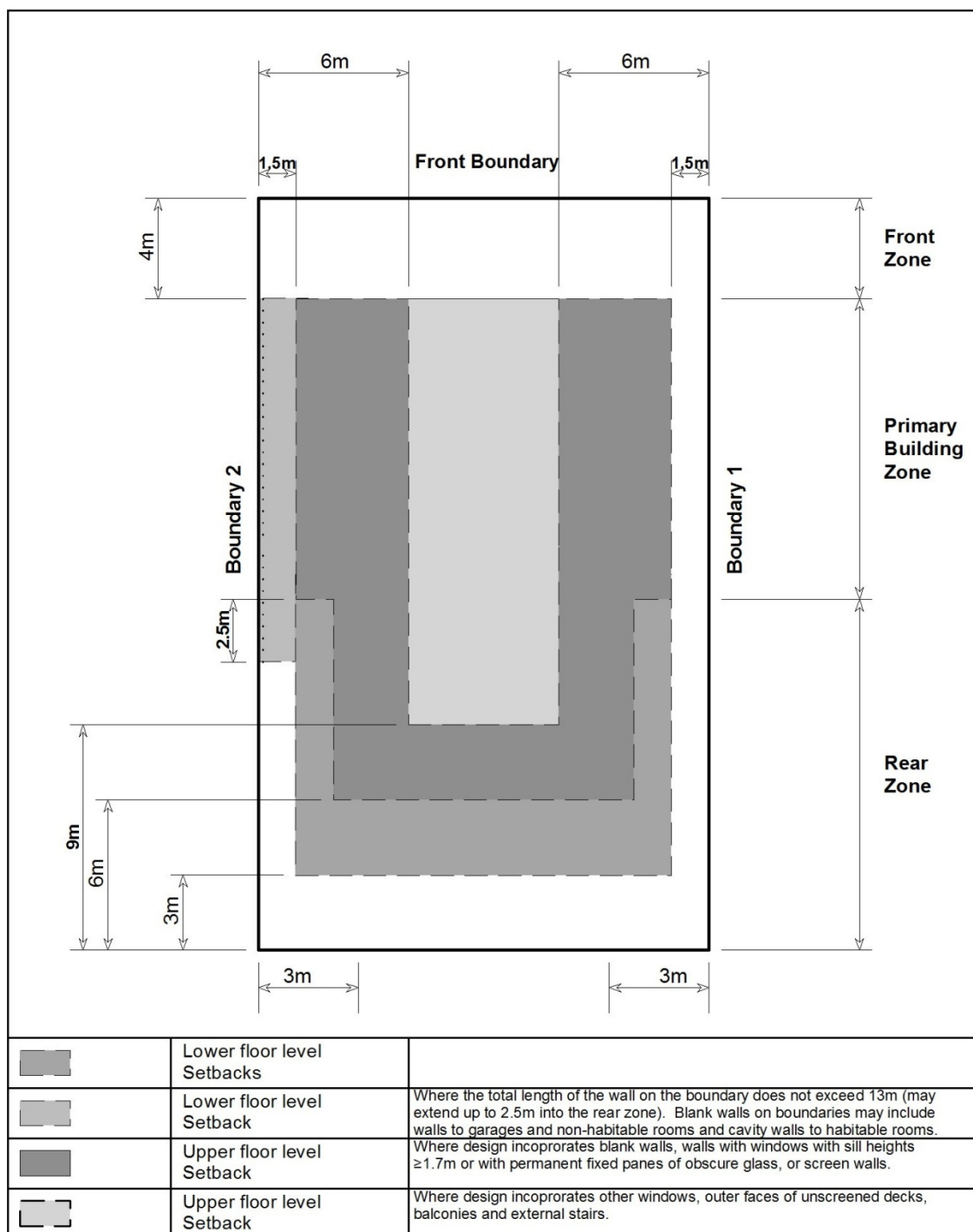


Diagram 8B: Mid-sized blocks approved on or after 2 October 2009 – alternate side and rear setbacks applicable only to nominated blocks in a precinct code (north facing and south facing side boundaries)

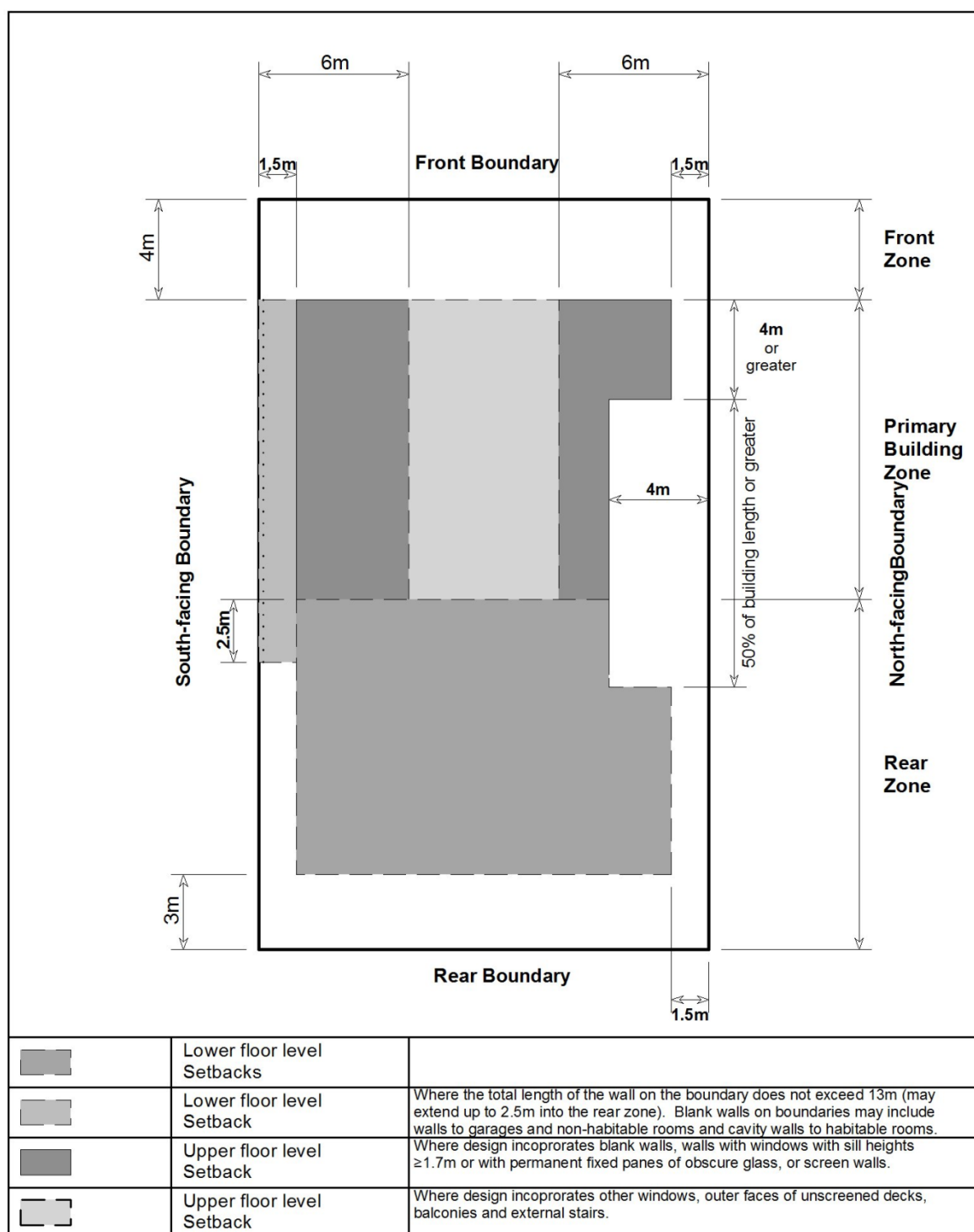


Diagram 9: **Compact blocks approved before 18 October 1993**
(refer Tables 3A and 7)

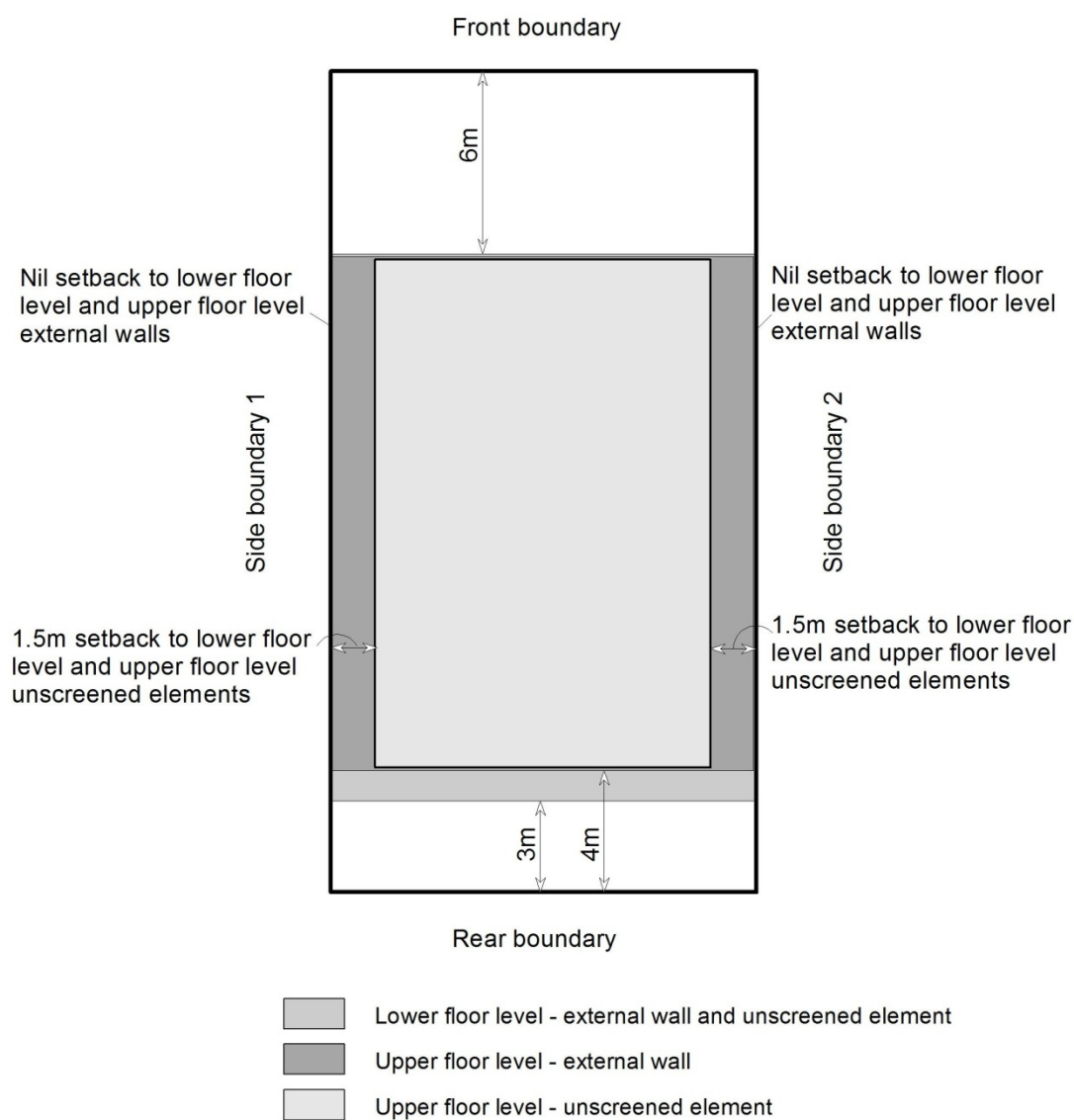


Diagram 10: **Compact blocks approved on or after 18 October 1993 but before 31 March 2008** (refer Tables 3B and 7)

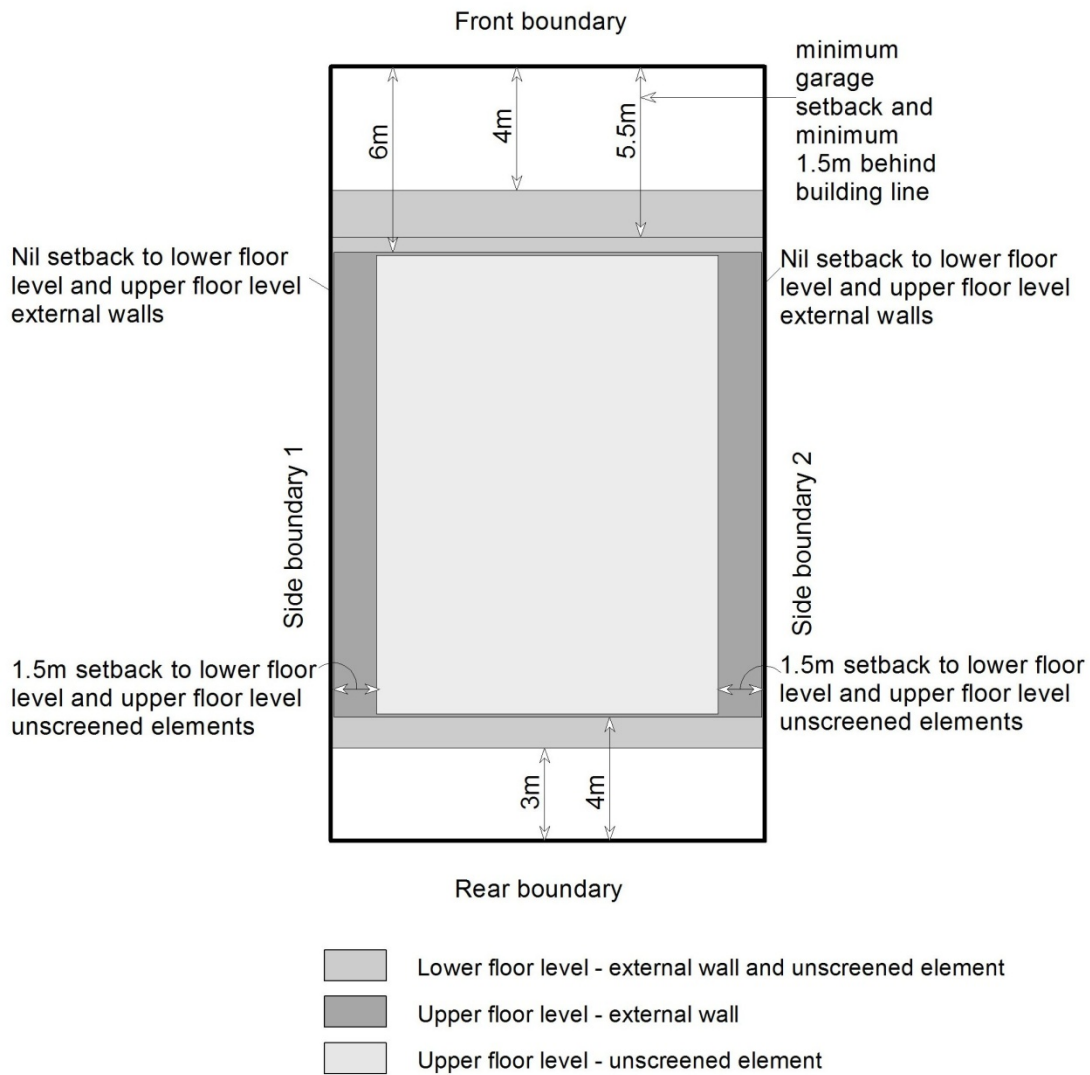


Diagram 11: **Compact blocks approved on or after 31 March 2008**
(refer Table 4 and 7)

