

## **RESIDENTIAL – SMALL LOT CODE**

### **1 Purpose of the Code**

The purpose of this Code is to provide for the planning and management of a house on a small lot to:

- Ensure that new development is compatible in scale and design with neighbouring houses
- ensure that amenity impacts to other dwellings are minimised, in terms of overshadowing, privacy, and access to sunlight and daylight
- ensure that the size and bulk of houses are not overbearing on and incompatible with, surrounding development
- ensure the height of houses allows reasonable access to daylight and sunlight for houses and their open space on adjoining properties, and does not adversely affect views
- encourage small lot houses to provide a pleasant living environment for their occupants.

### **2 Application of the Code**

This code will apply when assessing a material change of use and/or building work for a house on:

- a lot smaller than 600m<sup>2</sup>, or with an average width less than 15 metres; or
- a rear lot smaller than 600m<sup>2</sup> (excluding accessway).

For code assessable development, the code for assessment consists of the secondary code(s) listed below:

- Heritage Place Code; and
- House Code; and
- Parking and Access Code

### **3 Definitions**

There are no definitions specific to this code.

### **4 Explanation**

This code outlines the assessment criteria for houses on small lots. Houses on Small Lots are required to comply with both the House Code and this Code. Where there exists any conflict between the requirements of this Code and the House Code, the requirements of this Code will prevail, being for a Small Lot House, the primary Code.



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**5 Performance Criteria and Acceptable Solutions**

Performance Criteria		Acceptable Solutions	
<b>Site Development</b>			
<p><b>P1</b> Small Lot Houses;</p> <p>(a) Have a domestic building bulk and scale and are in scale and consistent with that of the surrounding area; and</p> <p>(b) Minimise amenity impacts on other dwellings and their open space in terms of privacy and Access to sunlight and daylight; and</p> <p>(c) do not have a height that creates over bearing development for neighbouring residential uses and their private open space; and</p> <p>(d) include an appropriate balance of built form and landscaped open space.</p>	<p><i>In partial satisfaction only of P1 are the following Acceptable Solutions.<sup>1</sup></i></p> <p><b>A1.1</b> The building footprint of all buildings and structures does not exceed 60% of the site area. In calculating the building footprint, all measurements must be taken from the outermost projections of all covered buildings or structures.</p> <p><b>A1.2</b> <b>AND</b>                      Building design uses;</p> <p>(i) walls with recesses and projections that have off-sets of at least 1.5 metres; and</p> <p>(ii) at least 3 variations in materials; and</p> <p>(iii) at least 3 clear and distinctive variations in colour<sup>2</sup>.</p>		
<b>Amenity of Surrounding Area</b>			
<p><b>P2</b> Small lot housing incorporates boundary setbacks such that residential amenity of surrounding properties is not compromised through overshadowing, loss of daylight or sunlight or loss of privacy<sup>3</sup>.</p>	<p><b>A2.1.1</b> In established areas, the building is set back from any road alignment (excluding eaves, awning, stairs and garage) within 20% of the average front setback of adjoining buildings fronting the same street.</p> <p><b>A2.1.2</b> <b>OR</b>                      In newly developing areas (commonly referred to as 'greenfield' areas) where a front setback has not already been established in the street the house is set back:</p>		

<sup>1</sup> The Acceptable Solutions provided only partially satisfy the Performance Criteria and therefore additional specific solutions for each site will also be required to be developed by the designer to satisfy the Performance Criteria.

<sup>2</sup> For example not similar tones of the same colour.

<sup>3</sup> Where development involves building close to road frontages (including garages and pergolas) where there are overhead electricity lines, the development will need to comply with the *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* that identify:



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	<p>(i) at least 3m from any road alignment, or</p> <p>(ii) in the case of roads categorised as a major street or a Minor Urban Collector<sup>4</sup>, 6 metres from the road alignment.</p> <p><b>A2.2 AND</b></p> <p>Side and rear setbacks are in accordance with Acceptable Solution 2 contained in Part 11 of the Queensland Development Code dated 25 August 2003 or, if amended, the Acceptable Solution pertaining to side and rear boundary clearance.</p>
<p><b>P3</b> Building size and bulk does not;</p> <p>(a) create overbearing development;</p> <p>and/or</p> <p>(b) adversely impact on the amenity for neighbouring residential buildings (existing or to be built) and their open space.</p>	<p><b>A3.1</b> Built to boundary walls do not contain windows or openings and are limited to:</p> <p>(i) one boundary of the property only; and</p> <p>(ii) an average height<sup>5</sup> of 3m; and</p> <p>(iii) a maximum height<sup>5</sup> of 3.5m at any one place unless they abut a higher existing or simultaneously constructed wall; and</p> <p>(iv) a total length of 10m; and</p> <p>(v) being located within 20m of the road alignment.</p> <p><b>A3.2 OR</b></p> <p>Built to boundary walls do not contain windows or openings and the length of the new boundary wall matches the length of existing boundary walls.</p> <p><b>A3.3 OR</b></p> <p>Built to boundary walls do not contain windows or openings and where slope, retaining walls, fences and / or dwelling design would result in the effective height of a boundary wall being less than 2 metres on the adjacent property boundary, the new boundary wall can extend the full length of the side or rear boundary less any front boundary setback.</p> <p><b>A3.4 OR</b></p> <p>There are no built to boundary walls used.</p>
<p><b>P4</b> The development is responsive to, and</p>	<p><b>A4.1</b> There is no heritage place identified in the Heritage Register of Local Planning Policy 6.4</p>

- electrical safety obligations;
- requirement for referral of development to relevant electricity entities (eg Powerlink and Ergon);
- minimum safety clearances; and
- exclusion zones for construction.

<sup>4</sup> Refer to Planning Scheme Policy No. 13 – Road Hierarchy.

<sup>5</sup> The height of a wall used in determining a maximum height or used in calculating an average height is the vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level of the allotment boundary at a point at right angles to the wall. Where a skillion roof occurs, the height shall be measured as the median height of the wall. When a triangular gable roof occurs, the heights shall be measured as the height of the wall together with one-third of the vertical height of the gable.



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<b>Performance Criteria</b>		<b>Acceptable Solutions</b>	
	recognises the significance and importance of a heritage place on the same site or on an adjoining site.	<b>A4.2</b>	on the subject site or an adjoining site.  <b>OR</b> If there is a heritage place identified in the Heritage Register of Local Planning Policy 6.4 on the subject site or an adjoining site, the development complies with the <b>Heritage Place Code</b> .
<b>P5</b>	Landscaping is consistent with the established landscape character of the area and accommodates the retention of existing vegetation, including street trees.	<b>A5</b>	No Acceptable Solution is provided.
<b>Carparking</b>			
<b>P6</b>	On-site carparking is adequate for the car parking demand generated by the proposal and car parking does not dominate the streetscape.	<b>A6.1</b>	Car parking spaces are provided on site in accordance with the requirements of Schedule 1 in the <b>Parking and Access Code</b> for a Small Lot House.
		<b>A6.2</b>	<b>AND</b> Garages or car ports are designed to have a maximum internal width of garage or carport of 6 metres or 50% of the length of the frontage, whichever is the lesser, where they front the street.
		<b>A6.3</b>	<b>AND</b> Garages or car ports are located; (i) a minimum of 0.5 metres behind the main face of the associated house; or (ii) no closer to the street frontage than the main face of the house if, the house incorporates a verandah, portico etc projecting forward of the main face of the house.
		<b>A6.4</b>	<b>AND</b> Garages / carports associated with development for which more than one on site car parking space is required are to be setback from the public street frontage a minimum of 5.5 metres.
<b>Building Design, Safety and Privacy</b>			
<b>P7</b>	Building design incorporates energy efficiency, safety and casual surveillance and achieves the creation of (in a newly developing	<b>A7.1</b>	Main living area windows are oriented to within 20° either side of north.
		<b>A7.2</b>	<b>AND</b> The building is oriented to the street and has windows or balconies from a living room or kitchen that face the street.



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<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
<p>area) or a contribution to (in an established area) a residential area with a clear and safe residential character.</p>	<p><b>A7.3</b>      <b>AND</b>  The development addresses the street by having a front pedestrian entrance door visible from a point in the street, located directly in front of the development site.</p> <p><b>A7.4</b>      <b>AND</b>  The front pedestrian entrance is not accessed through a garage or carport.</p>
<p><b>P8</b> The building design ensures the provision of privacy and exposure to natural light for future inhabitants of the building.</p>	<p><b>A8.1</b>      <b>AND</b>  The minimum area of private open space is one part with an area of no less than 16m<sup>2</sup> having a minimum dimension of 4 metres that is directly accessible from a living area of the house. The private open space area may include a deck, balcony or verandah and may include paved surfaces.</p> <p><b>A8.2</b>      <b>AND</b>  The primary area of private open space :  (i) has northern or north-eastern exposure;  (ii) satisfies the definition of private open space within this planning scheme; and  (iii) is not located along a road frontage of a site unless there is no alternative (eg. due to a laneway, corner allotment, etc) and any fencing erected to provide privacy is a maximum of 4 metres in length.</p>



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<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
<p><b>P9</b> Direct overlooking of main internal living areas and private open spaces of other houses is minimized by building layout, location and design of windows and balconies, screening devices and landscape, or remoteness.</p> <p><i>Note: Effective location of windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass. Where these are used, they should be integrated with the dwelling design and have minimal negative effect on residents' or neighbours' amenity.</i></p>	<p><b>A9.1</b> Habitable room windows with a direct outlook to the habitable room windows in an adjacent house within 9m:</p> <ul style="list-style-type: none"> <li>(i) have screening devices installed in accordance with A9.3; OR</li> <li>(ii) are offset from the edge of one window to the edge of the other by a distance sufficient to prevent direct views into the adjacent windows in accordance with Figure A; OR</li> <li>(iii) have sill heights of 1.7m above floor level; OR</li> <li>(iv) have fixed obscure glazing in any part of the window below 1.7m above floor level.</li> </ul> <p><b>A9.2</b></p> <p><b>AND</b></p> <p>Outlook from windows, balconies, stairs, landings, terraces and decks is obscured or screened where a direct view is available into the private open space of an existing dwelling. If screening is used, the view of the area overlooked must be restricted within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (see Figure A).</p> <p>No screening is required where:</p> <ul style="list-style-type: none"> <li>(i) windows are in bathrooms, toilets, laundries, storage rooms or other non-habitable rooms and they have translucent glazing or sill heights of at least 1.7m above the floor level; and</li> <li>(ii) windows are in habitable rooms and they have sill heights of 1.7m or more above floor level or translucent glazing to any part of a window less than 1.7m above floor level.</li> </ul> <p><b>A9.3</b></p> <p><b>AND</b></p> <p>Direct views described in A9.2 that are required to be obscured or screened, are to be obscured by solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are:</p> <ul style="list-style-type: none"> <li>(i) permanent and fixed</li> <li>(ii) of durable materials</li> <li>(iii) designed and painted or coloured to blend in with the development.</li> </ul>
<p><b>P10</b> Development for the purposes of a Small Lot House is able to meet the same development</p>	<p><b>A10</b> The development complies with Part A of the <b>House Code</b> as an additional requirement to this Code that is met, except where there is any conflict between the House Code and other Performance Criteria in this Code, this</p>

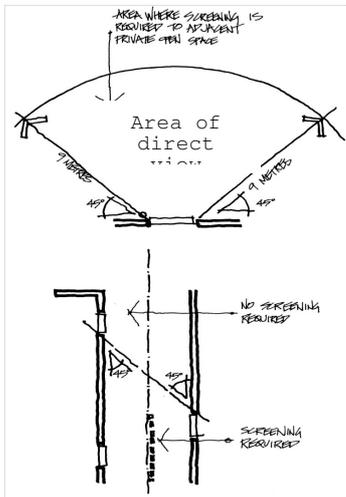


Figure A



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<b>Performance Criteria</b>	<b>Acceptable Solutions</b>
requirements that a House is required to.	Code prevails.

