

5.1.3 Lot boundary setbacks

DESIGN PRINCIPLES

Development demonstrates compliance with the following design principles (P)

- P3.1** Buildings set back from **lot boundaries** or adjacent buildings on the same lot so as to:
- reduce impacts of building bulk on **adjoining properties**;
 - provide adequate **sunlight** and **ventilation** to the building and **open spaces** on the **site** and adjoining properties; and
 - minimise the extent of overlooking and resultant loss of privacy on adjoining properties.
- P3.2** Buildings built up to **boundaries** (other than the **street boundary**) where this:
- makes more effective use of space for enhanced privacy for the occupant/s or **outdoor living areas**;
 - does not compromise the **design principle** contained in clause 5.1.3 **P3.1**;
 - does not have any adverse impact on the **amenity** of the **adjoining property**;
 - ensures **sunlight** to **major openings** to **habitable rooms** and **outdoor living areas** for adjoining properties is not restricted; and
 - positively contributes to the prevailing or future **development** context and **streetscape** as outlined in the **local planning framework**.

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C3.1** Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:
- buildings set back from **lot boundaries** in accordance with **Table B** and **Tables 2a** and **2b** (refer to **Figure Series 3** and **4**);
 - for **carports**, **patios**, **verandahs** or equivalent structures, the lot boundary **setbacks** in **Table B** and **Tables 2a** and **2b** may be reduced to nil to the posts where the structure*:
 - is not more than 10m in length and 2.7m in height;
 - is located behind the **primary street setback**; and
 - has eaves, gutters and roofs set back at least 450mm from the lot boundary.

*Note: Pillars and posts with a horizontal dimension of 450mm by 450mm, or less, do not constitute a **boundary wall**.*

*Note: *There are separate building code requirements which may also apply.*

- unenclosed** areas accessible for use as **outdoor living areas**, elevated 0.5m or more above **natural ground level**, set back in accordance with **Table 2b** as though they have a **wall** height of 2.4m above the floor level;
- separate **single house**, **grouped** or **multiple dwelling buildings** on the same **lot**, or facing portions of the same multiple dwelling building, set back from each other as though there were a lot boundary between them;
- minor projections** such as a chimney, eaves overhang, or other architectural feature, not projecting more than 0.75m into a setback area; and
- the stated setback distances may be reduced by half the width of an adjoining **right-of-way**, **pedestrian access way**, **communal street** or **battleaxe lot** access leg, to a maximum reduction of 2m (refer to **Figure 4f**).

5.1.3 Lot boundary setbacks (cont.)

DEEMED-TO-COMPLY

Development satisfies the following deemed-to-comply requirements (C)

- C3.2** **Boundary walls** may be built behind the **street setback** (specified in **Table B** and in accordance with clauses **5.1.2** and **5.2.1**), within the following limits and subject to the overshadowing provisions of clause **5.4.2** and **Figure Series 11**:
- i. where the **wall** abuts an existing or simultaneously constructed boundary wall of equal or greater dimension; or
 - ii. in areas coded R20 and R25, walls not higher than 3.5m, up to a maximum length of the greater of 9m or one-third the length of the balance of the **site** boundary behind the front setback, to up to two site boundaries; or
 - iii. in areas coded R30 to R40, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to up to two site boundaries; or
 - iv. where both the subject site and the affected adjoining site are created in a plan of subdivision submitted concurrently for the proposed **development**, and the boundary walls are interfacing and of equal dimension.

(Refer **Figure Series 5**)

- C3.3** Where the subject **site** and an affected adjoining site are subject to a different density code, in accordance with clause 5.1.3 **C3.2**, the length and height of the **boundary wall** on the boundary between them is determined by reference to the lower density code.

- C3.4** Where **boundary walls** and retaining walls are proposed concurrently and the boundary wall is located immediately above the retaining wall:
- i. clause 5.3.7 does not apply; and
 - ii. the boundary **wall height** is to include the height of the retaining wall for the purpose of clause 5.1.3 **C3.2**, with the exception of a retaining wall approved through a plan of subdivision.

*Note: Retaining walls do not constitute **boundary walls** for the purpose of this clause. **Setbacks** for retaining walls are to be calculated in accordance with clause 5.3.7.*