

Division 9 – Dwelling House

7.30 Dwelling House Code

The provisions in this division comprise the Dwelling House Code. They are:

- Compliance with the Dwelling House Code (section 7.31);
- Overall outcomes of the Dwelling House Code (section 7.32); and
- Specific outcomes, acceptable solutions and probable solutions for the Dwelling House Code (section 7.33).

7.31 Compliance with the Dwelling House Code

Development that is consistent with the specific outcomes in section 7.33 complies with the Dwelling House Code.

7.32 Overall Outcomes of the Dwelling House Code

- (a) The overall outcomes are the purpose of the Dwelling House Code.
- (b) The overall outcome sought for the Dwelling House Code are:
- (i) Dwelling Houses:
- (A) achieve a high standard of amenity for residents of the site and surrounding sites;
 - (B) create and maintain attractive and safe streetscapes;
 - (C) are consistent with the desired character of the surrounding area;
 - (D) are immune from unacceptable risk from flood and tidal water hazard;
- and
- (ii) Uses associated with the Dwelling House are ancillary to the Dwelling House and compatible with the desired character of the surrounding area.

Note: The desired character of an area is described in the relevant zone and locality provisions of the Planning Area Code (Note however that the Planning Area Code is not an applicable Code for self assessable development).

7.33 Specific Outcomes, Acceptable Solutions and Probable Solutions for the Dwelling House Code

The specific outcomes sought for the Dwelling House Code are included in column 1 of table 7.11. Acceptable solutions for self-assessable development and probable solutions for code assessable development are included in column 2 of table 7.11.

Important Note on the application of the Dwelling House Code

The Dwelling House Code applies to making a Material Change of Use and Building Work not associated with a Material Change of Use for Dwelling Houses on **standard** lots (600m² or greater in area) and **small** lots (less than 600m² in area).

The Dwelling House Code contains three (3) parts. The table below shows the relationship between the parts of the Code and the types of Dwelling House.

Dwelling House Type	Dwelling House Code – applicable parts		
	Part 1 General requirements	Part 2 Special requirements for Small Lots	Part 3 Bed and breakfast accommodation and tennis court lighting
Dwelling House on a standard lot.	✓	No	✓
Dwelling House on a small lot.	✓	✓	✓

Building Work undertaken in association with a Dwelling House on standard lots and small lots having an area of between 450m² and 599m² inclusive is also assessed against the Standard Building Regulation and the Queensland Development Code (QDC) part MP 1.2.

Building Work undertaken in association with a Dwelling House on small lots having areas of between 400m² and 449m² inclusive is also assessed against the Standard Building Regulation and the Queensland Development Code (QDC) part MP 1.1.

To the extent that the Dwelling House Code conflicts with a provision in the QDC, the Dwelling House Code prevails.

Non compliance with acceptable solutions S2.1, S2.2, S2.3, S2.4, S2.5, S2.6, S3.1, S3.2, S3.3, S5.1, S7.1, S7.2, S11.1, S11.2, S11.3, S11.4, S12.1, S12.2 and S12.3 results in the level of assessment defaulting to Code assessment. Consequently, a Material Change of Use – Development Permit must be obtained from Council prior to any site works commencing. This application process is separate to any Building Works application process, but does not negate the

need to also obtain a Building Works – Development Permit.

Non compliance with any other acceptable solution does not result in the level of assessment defaulting to Code assessment. In these instances a building certifier must not issue a Building Works – Development Permit without first obtaining written advice from Council as to the acceptability of the non-compliance.

Note that all proposed dwelling houses must also comply in full with Council's Building Policies, in particular Policy 202/02 – Building Approval Procedures – Amenity and Aesthetics (Class 1A & 10A Buildings).

Table 7.11	
Dwelling House Code (Part 7 Division 9)	
Column 1	Column 2
Specific outcomes	Acceptable solutions (if self-assessable) Probable solutions (if code assessable)
Part 1 – General Requirements	
This part applies to:	
<ul style="list-style-type: none"> ▪ Dwelling Houses on standard lots; and ▪ Dwelling Houses on small lots. 	
Building Height	
<p>SO1 Dwelling houses are of a height that:</p> <ul style="list-style-type: none"> (a) is consistent with the desired character of the area; (b) does not significantly obstruct the outlook obtained from adjoining land included in the Residential A, Residential B or Rural Residential zone; (c) does not result in the significant overshadowing of adjoining land included in Residential A, Residential B or Rural Residential zone; and (d) does not result in the significant overlooking of, and loss of privacy for adjoining land included in Residential A, Residential B or Rural Residential zone. <p>(SBR alternative provision)</p> <div style="border: 1px solid black; padding: 2px;"> <p>Note: this is a qualitative statement that is an alternative provision to the QDC, part MP 1.1, P1 and part MP 1.2, P1</p> </div>	<p>S1.1 Maximum building height is not greater than:</p> <ul style="list-style-type: none"> (a) For land having a slope of up to 15%: <ul style="list-style-type: none"> (i) 8.5 metres; and (ii) two (2) storeys; (b) For land having a slope of 15% or greater: <ul style="list-style-type: none"> (i) 10 metres; and (ii) two (2) storeys. <p>(SBR alternative provision)</p> <div style="border: 1px solid black; padding: 2px;"> <p>Note: measurement of slope is measured across that part of the premises upon which the dwelling house is proposed to be erected.</p> </div> <div style="border: 1px solid black; padding: 2px;"> <p>Note: This is a quantifiable standard that is an alternative provision to the QDC, part MP 1.1, A4 and part MP 1.2, A4.</p> </div>
Character and Appearance	
<p>SO2 The dwelling house has the appearance of a single detached, domestic building with ancillary outbuildings.</p> <div style="border: 1px solid black; padding: 2px;"> <p>Note: the QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div>	<p>S2.1 The premises is not used for more than one main dwelling unit and one secondary dwelling unit.</p> <div style="border: 1px solid black; padding: 2px;"> <p>Note: The QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div> <p>S2.2 The secondary dwelling unit contains no more than any two of the following:</p> <ul style="list-style-type: none"> (a) bedroom; (b) lounge;

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	<p>(c) toilet/shower.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: The QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div> <p>S2.3 The secondary dwelling unit has a gross floor area the lesser of:</p> <p>(a) 25% less than the gross floor area of the main dwelling unit; or</p> <p>(b) 85m².</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: The QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div> <p>S2.4 The secondary dwelling unit is located no further than 10.0 metres from the main dwelling unit.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: The QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div> <p>S2.5 The secondary dwelling unit is occupied by no more than two (2) persons.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: The QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div> <p>S2.6 Outbuildings have maximum gross floor areas in accordance with the following:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Zone</th> <th style="text-align: center;">Lot Size</th> <th style="text-align: center;">Maximum GFA</th> </tr> </thead> <tbody> <tr> <td rowspan="3" style="text-align: center;">Residential A and Residential B</td> <td style="text-align: center;">Less than 600m²</td> <td style="text-align: center;">50m²</td> </tr> <tr> <td style="text-align: center;">600m² – 1999m²</td> <td style="text-align: center;">80m²</td> </tr> <tr> <td style="text-align: center;">2000m² or greater</td> <td style="text-align: center;">150m²</td> </tr> <tr> <td rowspan="3" style="text-align: center;">Rural Residential</td> <td style="text-align: center;">Less than 2000m²</td> <td style="text-align: center;">80m²</td> </tr> <tr> <td style="text-align: center;">2000m² – 19 999m²</td> <td style="text-align: center;">150m²</td> </tr> <tr> <td style="text-align: center;">20 000m² or greater</td> <td style="text-align: center;">No limit</td> </tr> <tr> <td style="text-align: center;">All Other Zones</td> <td style="text-align: center;">-</td> <td style="text-align: center;">No Limit</td> </tr> </tbody> </table> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note: The QDC does not address character and appearance and therefore this provision is not an alternative provision.</p> </div>	Zone	Lot Size	Maximum GFA	Residential A and Residential B	Less than 600m ²	50m ²	600m ² – 1999m ²	80m ²	2000m ² or greater	150m ²	Rural Residential	Less than 2000m ²	80m ²	2000m ² – 19 999m ²	150m ²	20 000m ² or greater	No limit	All Other Zones	-	No Limit
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Flood Immunity																					
<p>S03 The dwelling house has an acceptable level of flood and tidal water immunity that does not endanger property or human life.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Note: the QDC does not address flood immunity and therefore this provision is</p> </div>	<p>S3.1 For land affected by flood water:</p> <p>(a) the floor level of habitable rooms is not lower than the higher of:</p> <p style="margin-left: 40px;">(i) 300mm above the highest recorded flood level as determined by Council or 300mm above the calculated 100 year ARI flood level where such level has been determined by Council, whichever is the</p>																				

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<p>not an alternative provision.</p>	<p>greater;</p> <p>(b) the floor level of non-habitable buildings is at, below or above the highest recorded flood level as determined by Council.</p> <p>Note: Council must be consulted to determine whether land is affected by flood water.</p> <p>Note: the QDC does not address flood immunity and therefore this provision is not an alternative provision.</p> <p>S3.2 For land affected by tidal water:</p> <p>(a) the floor level of habitable rooms is not lower than RL 3.1 metres AHD;</p> <p>(b) the ground or floor level of non-habitable buildings is not lower than RL 2.8 metres AHD.</p> <p>Note: Council must be consulted to determine whether land is affected by tidal water. The level of RL 3.1 AHD is based on the State Coastal Management Plan Guideline "Mitigating the Adverse Impacts of Storm Tide Inundation. This level includes a 300mm freeboard."</p> <p>Note: the QDC does not address flood immunity and therefore this provision is not an alternative provision.</p> <p>S3.3 For land in an area in which Council has determined fill levels in accordance with a master drainage scheme:</p> <p>(a) the floor level of habitable rooms is not lower than the recommended minimum height of 225mm above the determined fill level for the land;</p> <p>(b) the floor level of non-habitable rooms is at or above the determined fill level for the land.</p> <p>Note: Council must be consulted to determine whether land is affected by a master drainage scheme.</p> <p>Note: the QDC does not address flood immunity and therefore this provision is not an alternative provision.</p>
On-site Carparking	
<p>SO4</p> <p>(a) For Dwelling Houses on standard lots, QDC, part MP 1.2, P8 applies;</p> <p>(b) For Dwelling Houses on small lots having areas of between 450m² and 599m² inclusive, QDC, part MP 1.2, P8 applies; and</p> <p>(c) For Dwelling Houses on small lots having areas of 449m² or less, QDC part MP 1.1, P8 applies.</p> <p>Note: this provision is not an alternative provision, but states the extent to which the QDC applies with regard to a matter in the QDC other than boundary clearances and site cover.</p>	<p>S4.1</p> <p>(a) For Dwelling Houses on standard lots, QDC, part MP 1.2, A8 applies;</p> <p>(b) For Dwelling Houses on small lots having areas of between 450m² and 599m² inclusive, QDC, part MP 1.2, A8 applies; and</p> <p>(c) For Dwelling Houses on small lots having areas of 449m² or less, QDC part MP 1.1, A8 applies.</p> <p>Note: this provision is not an alternative provision, but states the extent to which the QDC applies with regard to a matter in the QDC other than boundary clearances and site cover.</p>

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Outbuildings on Unoccupied Lots	
<p>SO5 The amenity of residential areas is maintained through avoiding the development of outbuildings on otherwise vacant lots.</p> <p>Note: the QDC does not address outbuildings on unoccupied lots and therefore this provision is not an alternative provision.</p>	<p>S5.1 Outbuildings are not located on lots included in the Residential A, Residential B or Rural Residential zone unless a Dwelling House exists on the lot or there is a current approval for a Dwelling House on the lot.</p> <p>Note: the QDC does not address outbuildings on unoccupied lots and therefore this provision is not an alternative provision.</p>
Setbacks to Public Roads	
<p>SO6 Class 1a buildings are setback from public roads to:</p> <p>(a) achieve a high standard of amenity for residents of the site; and</p> <p>(b) maintain existing desirable streetscape patterns in established areas or create desirable streetscape patterns in emerging areas.</p> <p>(SBR alternative provision)</p> <p>Note: the dominant feature of desirable streetscape patterns is consistency of building setbacks from public roads.</p> <p>Note: this is a qualitative statement that is an alternative provision to QDC, part MP 1.1, P1 and part MP 1.2, P1.</p>	<p>S6.1 Class 1a buildings on standard lots are set back at least 6.0 metres from the alignment of the nominated primary road frontage, except for lots fronting Rickman Parade, Woorim where a distance of 15.0 metres applies from this road frontage. (SBR alternative provision)</p> <p>Note: nominated primary road frontage is the primary road frontage as determined by Council. Should a site have more than one road frontage, written advice as to what is the nominated primary road frontage must be obtained from Council.</p> <p>Note: this is a quantifiable standard that is an alternative provision to the QDC, part MP 1.2, A1 (a). The QDC exemptions for open carports under part MP 1.2, A1 (c) and swimming pools, screens/fences and roofed gatehouses and arches under part MP 1.2, A1 (d) continue to apply.</p> <p>S6.2 Class 1a buildings on standard lots are setback at least 3.0 metres from the alignment of the nominated secondary road frontage or frontages. (SBR alternative provision)</p> <p>Note: nominated secondary road frontage is the primary road frontage as determined by Council. Should a site have more than one road frontage, written advice as to what is the nominated secondary road frontage must be obtained from Council.</p> <p>Note: this is a quantifiable standard that is an alternative provision to the QDC, part MP 1.2, A1 (a) and (b). The QDC exemptions for open carports under part MP 1.2, A1 (c) and swimming pools, screens/fences and roofed gatehouses and arches under part MP 1.2, A1 (d) continue to apply.</p> <p>S6.3 Class 1a buildings on small lots are setback at least 4.5 metres from the alignment of the nominated primary road frontage. (SBR alternative provision)</p> <p>Note: nominated primary road frontage is the primary road frontage as determined by Council. Should a site have more than one road frontage, written advice as to what is the nominated primary road frontage must be obtained from Council.</p> <p>Note: this is a quantifiable standard that is an alternative provision to the QDC, part MP 1.2, A1 (a) and part MP 1.1, A1 (a) and (b). For small lots having areas of between 450m² and 599m² inclusive, the QDC exemptions for open carports under part MP 1.2, A1 (c) and swimming pools, screens/fences and gatehouses and arches under part MP 1.2, A1 (d) continue to apply. For small lots having areas of 449m² or less, the QDC exemptions for swimming pools, screens/fences and roofed gatehouses and</p>

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	<p>arches under part MP 1.1, A1 (d) continue to apply.</p> <p>S6.4 Class 1a buildings on small lots are setback at least 3.0 metres from the alignment of the nominated secondary road frontage or frontages. (SBR alternative provision)</p> <p>Note: nominated secondary road frontage is the primary road frontage as determined by Council. Should a site have more than one road frontage, written advice as to what is the nominated secondary road frontage must be obtained from Council.</p> <p>Note: this is a quantifiable standard that is an alternative provision to the QDC, part MP 1.2, A1 (a) and (b) and part MP 1.1, A1 (a) and (b). For small lots having areas of between 450m² and 599m² inclusive, the QDC exemptions for open carports under part MP 1.2, A1 (c) and swimming pools, screens/fences and roofed gatehouses and arches under part MP 1.2, A1 (d) continue to apply. For small lots having areas of 449m² or less, the QDC exemptions for swimming pools, screens/fences and roofed gatehouses and arches under part MP 1.1, A1 (d) continue to apply.</p>
Site Access	
<p>SO7 Site access is safe and caters for all types of vehicles that use the site.</p> <p>Note: the QDC does not address site access and therefore this provision is not an alternative provision.</p>	<p>S 7.1 Site access driveway gradients are designed and constructed in accordance with Section 3.5 of AS2890.1-1993 <i>Parking Facilities - Off Street Carparking</i>.</p> <p>Note: Council maintains a copy of AS2890.1-1993 <i>Parking Facilities - Off Street Carparking</i> for public reference purposes. Upon a written request being made and in accordance with the current fees and charges schedule, Council officers may assess a proposal's compliance with this document.</p> <p>Note: the QDC does not address site access and therefore this provision is not an alternative provision.</p> <p>7.2 Site access driveway locations are designed and constructed in accordance with Section 3.2.3 of AS2890.1-1993 <i>Parking Facilities - Off Street Carparking</i>.</p> <p>Note: Council maintains a copy of AS2890.1-1993 <i>Parking Facilities - Off Street Carparking</i> for public reference purposes. Upon a written request being made and in accordance with the current fees and charges schedule, Council officers may assess a proposal's compliance with this document.</p> <p>Note: the QDC does not address site access and therefore this provision is not an alternative provision.</p>
Setbacks to Side and Rear Boundaries	
<p>SO8 Buildings, structures, and in-ground swimming pools are adequately set back to:</p> <p>(a) protect the structural integrity of the canal/waterway profile, revetment wall, or buildings on adjoining lots;</p> <p>(b) ensure no unreasonable loss of amenity having regard to privacy, building character and appearance, and building scale.</p> <p>(SBR alternative provision)</p>	<p>S8.1 Buildings and structures greater than two (2) metres in height are set back 4.5 metres from the property boundary adjacent to a canal or artificial waterway.</p> <p>Note: This is a quantifiable standard that is an alternative provision to the QDC, part MP 1.2, A2 (a) and QDC, part MP 1.1, A2(a).</p> <p>S8.2 In-ground swimming pools are set back 900 millimetres from a side or rear boundary.</p> <p>Note: This is a quantifiable standard that is an alternative provision to the QDC, part MP 1.2, A2 (e) and QDC, part MP 1.1, A2 (e).</p>

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<p>Note: this is a qualitative statement that is an alternative provision to QDC, part MP 1.1, P2 and part MP 1.2, P2.</p>	
<p>Visual Privacy</p>	
<p>SO9</p> <p>(a) For Dwelling Houses on standard lots, QDC, part MP 1.2, P5 applies;</p> <p>(b) For Dwelling Houses on small lots having areas of between 450m² and 599m² inclusive, QDC, part MP 1.2, P5 applies; and</p> <p>(c) For Dwelling Houses on small lots having areas of 449m² or less, QDC part MP 1.1, P5 applies.</p> <p>Note: this provision is not an alternative provision, but states the extent to which the QDC applies with regard to a matter in the QDC other than boundary clearances and site cover.</p>	<p>S9.1</p> <p>(a) For Dwelling Houses on standard lots, QDC, part MP 1.2, A5 applies;</p> <p>(b) For Dwelling Houses on small lots having areas of between 450m² and 599m² inclusive, QDC, part MP 1.2, A5 applies; and</p> <p>(c) For Dwelling Houses on small lots having areas of 449m² or less, QDC part MP 1.1, A5 applies.</p> <p>Note: this provision is not an alternative provision, but states the extent to which the QDC applies with regard to a matter in the QDC other than boundary clearances and site cover.</p>
<p>Part 2 – Special Requirements for Small Lots</p> <p>This part applies to:</p> <ul style="list-style-type: none"> ▪ Dwelling Houses on small lots. 	
<p>Outdoor Living Space for Small Lots</p>	
<p>SO10</p> <p>For Dwelling Houses on small lots having areas of between 400m² and 599m², QDC part MP 1.1, P9 applies.</p> <p>Note: this provision is not an alternative provision, but states the extent to which the QDC applies with regard to a matter in the QDC other than boundary clearances and site cover.</p>	<p>S10.1</p> <p>For Dwelling Houses on small lots having areas of between 400m² and 599m², QDC part MP 1.1, A9 applies.</p> <p>Note: this provision is not an alternative provision, but states the extent to which the QDC applies with regard to a matter in the QDC other than boundary clearances and site cover.</p>
<p>Part 3 – Bed & Breakfast Accommodation & Tennis Court Lighting</p> <p>This part applies to:</p> <ul style="list-style-type: none"> ▪ Dwelling Houses on standard lots; and ▪ Dwelling Houses on small lots. 	
<p>Bed & Breakfast Accommodation</p>	
<p>SO11</p> <p>Bed and breakfast accommodation is domestic in scale, intensity, character and impact and operates in manner that is ancillary to the primary use of the Dwelling House as a private residence.</p>	<p>S11.1</p> <p>Bed and breakfast accommodation is located inside an existing Dwelling House.</p> <p>Note: the QDC does not address bed and breakfast accommodation and therefore this provision is not an alternative provision.</p> <p>S11.2</p> <p>Bed and breakfast accommodation comprises no more than three (3)</p>

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<p>Note: the QDC does not address bed and breakfast accommodation and therefore this provision is not an alternative provision.</p>	<p>bedrooms.</p> <p>Note: the QDC does not address bed and breakfast accommodation and therefore this provision is not an alternative provision.</p> <p>S11.3 The host Dwelling House contains at least one (1) bedroom that is not used for bed and breakfast purposes.</p> <p>Note: the QDC does not address bed and breakfast accommodation and therefore this provision is not an alternative provision.</p> <p>S11.4 The maximum number of bed and breakfast guests accommodated at any one time is four (4).</p> <p>Note: the QDC does not address bed and breakfast accommodation and therefore this provision is not an alternative provision.</p>
Tennis Court Lighting	
<p>SO12 Tennis court lighting does not cause an environmental nuisance to adjoining or surrounding land included in the Residential A, Residential B or Rural Residential zone.</p> <p>Note: the QDC does not address tennis court lighting and therefore this provision is not an alternative provision.</p>	<p>S12.1 The lighting system:</p> <ul style="list-style-type: none"> (a) does not exceed an illumination level of twelve (12) lux and an average illumination of ten (10) lux when measured at the nearest habitable room window of an adjoining dwelling or at a point three (3.0) metres outside the property boundary, whichever is the nearest to the light source; and (b) where a dwelling house exists on an adjoining property, the lighting system is baffled to ensure that a light source is not directly visible from a habitable room window of such a dwelling. (c) the light poles are set back six metres from any road boundary and three (3) metres from any other property boundary. <p>Note: The <i>Residential Tennis Court Lighting Code</i> produced by the Tennis Court Builders Association of Australia provides appropriate guidance in respect of tennis court lighting systems and the methods used for measuring illumination levels.</p> <p>Note: the QDC does not address tennis court lighting and therefore this provision is not an alternative provision.</p> <p>S12.2 The maximum height of light poles is eight (8.0) metres.</p> <p>Note: the QDC does not address tennis court lighting and therefore this provision is not an alternative provision.</p> <p>S12.3</p> <ul style="list-style-type: none"> (a) The court must not be used between 10.30pm and 7.30am. (b) No mechanical equipment such as ball-throwing machines are operated between 7pm and 8am. <p>Note: the QDC does not address tennis court lighting and therefore this provision is not an alternative provision.</p>