
MP 1.3 – DESIGN AND SITING STANDARD FOR DUPLEX HOUSING

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Purpose

To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking.

Commencement

This version of MP 1.3 commences on 26 March 2010.

Application

MP 1.3 applies to new building work for a duplex (Class 1) and associated Class 10 buildings and structures, including “community title lots” having only one duplex on a lot, where a Local Government has resolved under Schedule 4, Table 2, Item 2(f) of the *Sustainable Planning Regulation 2009* applies.

P10 of this part permits alternative planning provisions for this part and applies where, for new building work for a duplex, a planning scheme provides *qualitative statements* for all or some *performance criteria* for matters provided for under this part if the scheme also provides for *quantifiable standards* (e.g. acceptable solutions) for the statements.

MP 1.3 does not apply to:

- a) Development in an *urban development area*; or
- b) Except for swimming pools, structures less than 1m above natural ground

Note 1 - Development in an *urban development area* must comply with the requirements of the land use plan for the area and guidelines issued by the Urban Land Development Authority

Referral Agency

The Local Government is a concurrence agency as per item 19 in schedule 7, table 1 of the *Sustainable Planning Regulation 2009*.

Associated Requirements

Compliance with this standard may not be the only requirement. Local Government planning schemes, local laws, State Acts and other IDAS codes may impose additional or alternative requirements.

Referenced Standards

There are no Australian Standards referenced in this standard.

Definitions

Note 2 - Italicised words within the body of the text are defined.

Acceptable solution has the same meaning as Building solution in the Building Code of Australia – Volume 2.

Area means for enclosed spaces, the *area* including the outside wall; and for unenclosed spaces, the *area* is measured along a line 600mm in from the perimeter of the roof.

Balcony means any external platform, attached to and accessed from a *building* and 1 metre or more above adjacent finished ground level.

Building has the same meaning as in the *Building Act 1975*.

Building height means the vertical distance between the highest point of a *building*, excluding any antennae, chimney or flues, and the natural ground surface vertically below that point.

Carport means a class 10a *building*, other than a *garage*, providing covered vehicular parking.

Note 3 - Also refer to *open carport* and *garage*.

Community Title refers to title created by subdivision of land by way of a standard format plan of a *community title* scheme given under the provisions of the *Body Corporate and Community Management Act 1997* (BCCM Act).

Depth of a lot means either the dimension at right angles to the *road* boundary or the average of the relevant dimensions at right angles to an irregular *road* boundary.

Detached dwelling means a single dwelling not attached to another dwelling and on an individual *lot*.

Duplex means a *building* containing not more than 2 attached dwellings

Frontage means the *road* alignment of a *lot*.

Garage means an enclosed class 10a *building*, providing covered vehicular parking.

Habitable room has the same meaning as in the Building Code of Australia.

Height of a *building* or *structure* at any point for the purpose of determining its *setback* from a boundary means the vertical distance between the *outermost projection* and the natural ground.

Note 4 - Refer also to *mean height* and *building height*.

Lot means a separate, distinct parcel of land on which a *building* is to be built, or is built.

Mean height, of a *building* or *structure*, means the vertical *height* worked out by dividing –

- (a) the total elevational *area* of the wall of a *building* or *structure* facing the boundary; by

(b) the horizontal length of the *building* or *structure* facing the boundary.

Natural ground surface, for a *lot*, means -

- (a) the ground level of the *lot* on the day the first plan of survey showing the *lot* was registered; or
- (b) if the ground level on the day mentioned in paragraph (a) is not known, the natural ground surface as determined by the building certifier.

Nominated road frontage means the *road frontage* nominated by the Local Government for the *area*.

Open Carport means a *carport* with –

- (a) two sides or more open, and a side is also considered open where the roof covering adjacent to that side is not less than 500mm from another *building* or a side or rear allotment boundary; and
- (b) not less than one-third of its perimeter open.

Outermost projection means the *outermost projection* of any part of a *building* or *structure* including, in the case of a roof, the outside face of the fascia, or the roof *structure* where there is no fascia, or attached sunhoods or the like, but does not include retractable blinds, fixed screens, rainwater fittings, or ornamental attachments.

Performance requirement also means performance criteria.

Qualitative statement means a statement about a performance or outcome sought to be achieved when applicable buildings or structures are completed.

Quantifiable standard means a standard that achieves a performance or outcome sought under a *qualitative statement*.

Rear boundary clearance, refer to *side and rear boundary clearance*.

Road means –

- (a) an *area* of land dedicated to public use as a *road*; or
- (b) an *area* open to, or used by, the public and developed for, or has, as 1 of its main uses, the driving or riding of motor vehicles; and
- (c) does not include a pedestrian or bicycle path.

Road boundary clearance, for a *building* or *structure* on a *lot* means the shortest distance measured horizontally from the *outermost projection* of the *building* or *structure* to the vertical projection of the boundary of the *lot* adjacent to the *road*.

Setback means

- (a) for a *building* or *structure* other than a swimming pool, the shortest distance measured horizontally from the *outermost projection* of the *building* or *structure* to the vertical projection of the boundary of the *lot*.

- (b) for a swimming pool, the shortest distance measured horizontally from the water's edge to the vertical projection of a boundary of the *lot*.

Side and rear boundary clearance means:

- (a) for a *building* or *structure* other than a swimming pool, the shortest distance measured horizontally from the *outermost projection* of the *building* or *structure* to the vertical projection of the boundary of the *lot*.
- (b) for a swimming pool, the shortest distance measured horizontally from the water's edge to the vertical projection of a boundary of the *lot*.

Slope means the gradient of the natural ground of a *lot* measured across a 20m x 20m *area* over the *building* location, or where the *lot* is less than 20m wide – 20m x width of *lot*.

Structure has the same meaning as in the *Building Act 1975*.

Urban development area has the same meaning as that given in the Urban Land Development Authority Act 2007.

Window has the same meaning as in the Building Code of Australia.

Window/Balcony Screen means a translucent, perforated or slatted barrier, including a fence, constructed of durable material and having –

- (a) if perforated -
- (i) a maximum 25% openings; and
 - (ii) each opening not more than 50mm square; or
- (b) if slatted or louvred -
- (i) a maximum of 25% opening with clear vision at 90° to the plane of the window; and
 - (ii) each opening not more than 50mm clear vision at 90° to the plane of the window.

ELEMENT 1- DESIGN AND SITING OF BUILDINGS AND STRUCTURES

PERFORMANCE CRITERIA

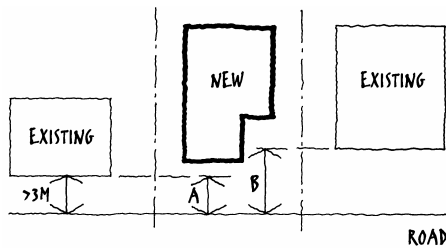
ACCEPTABLE SOLUTIONS

Buildings and Structures

- P1** The location of a *building* or *structure* facilitates an acceptable streetscape, appropriate for –
- (a) the bulk of the *building* or *structure*; and
 - (b) the *road* boundary setbacks of neighbouring *buildings* or *structures*; and
 - (c) the outlook and views of neighbouring residents; and
 - (d) nuisance and safety to the public.

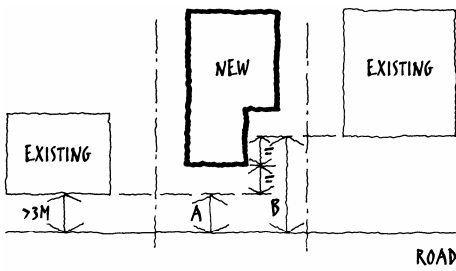
- A1** (a) For a *duplex*, *garage* or a *carport* the minimum *road setback* is –
- (i) 6m; or
 - (ii) where there are existing *detached dwellings* or a *duplex* on both adjoining *lots* and at least one of the *detached dwellings* or *duplex* is setback from the *road* between 3m and 6m, and the difference between their *road setbacks* is-
 - (A) not more than 2m- a distance between the two *buildings* (**Figure 1**); or
 - (B) more than 2m- the average of the *road setbacks* of the adjacent *buildings* (**Figure 2**); and

Figure 1



WHERE B LESS A IS NOT MORE THAN 2M
 SETBACK = ANY DISTANCE BETWEEN A AND B

Figure 2



WHERE B LESS A IS 2M OR MORE
 SETBACK = AVERAGE DISTANCE BETWEEN A AND B

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Table A1

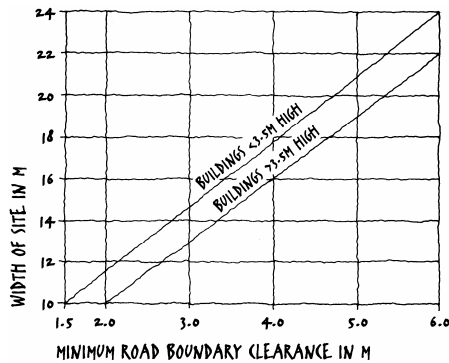


Figure 3

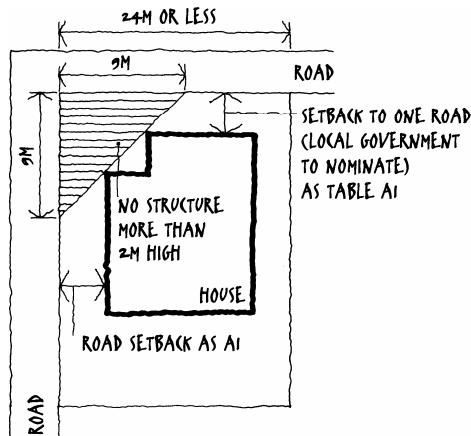
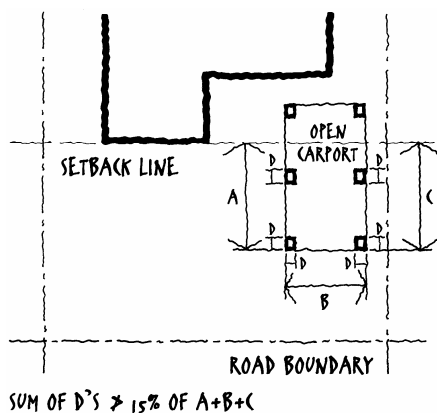


Figure 4



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(b) For a corner lot, the minimum road setbacks are-

- (i) as for A1(a)(i); or
- (ii) where the lot has an average depth of 24 m or less –

(A) for the nominated road frontage – as in **Table A1**; and

(B) for the other road frontage - as for A1(a)(i); and

(C) no building or structure over 2m high is built within a 9m by 9m truncation at the corner of the 2 road frontages (**Figure 3**).

(c) For **open carports**, the minimum road setback may be less than required by A(i)(a) if –

- (i) the aggregate perimeter dimension of walls, solid screens, and supports located within the setback does not exceed 15% of the total perimeter dimension (along the line of supports) of that part of the carport within the same setback (**Figure 4**); and
- (ii) there is no alternative on-site location for a garage or carport that –

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- (A) complies with A(i)(a); and
- (B) will allow vehicular access having a minimum width of 2.5m; and
- (C) has a maximum gradient of 1 in 5.
- (d) For **structures** the minimum *road setbacks* are as for A1(a),(b), and (c) except for –
 - (i) **swimming pools**, where the minimum distance from the water to the *road frontage* is –
 - (A) where the vertical distance to the coping above the finished ground level is not more than 1.2m – 1.5m; or
 - (B) where a solid wall or fence at least 1.8m high above finished ground level is constructed between the water and the *road frontage* and the top of the wall or fence is at least 1.0m above the top of the coping of the pool – no requirement; and
 - (ii) **screens, fences, retaining walls or a combination of screens, fences or retaining walls** not more than 2m in *height*; and
 - (iii) roofed **gatehouses** and

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- P2** *Buildings and structures –*
- (a) provide adequate day light and ventilation to *habitable* rooms; and
 - (b) allow adequate light and ventilation to *habitable* rooms of *buildings* on adjoining *lots*.
 - (c) do not adversely impact on the amenity and privacy of residents on adjoining *lots*.

- A2** (a) The **side and rear boundary clearance** for a part of the *building* or *structure* is –
- (i) where the *height* of that part is 4.5m or less - 1.5m; and
 - (ii) where the *height* of that part is greater than 4.5m but not more than 7.5m - 2m; and
 - (iii) where the *height* is greater than 7.5m - 2m plus 0.5m for every 3m or part exceeding 7.5m.
- (b) For a rectangular or near rectangular **narrow lot** with a 15m or less *frontage*, the minimum side and rear *setbacks* for that part are –
- (i) where the *height* is not more than 7.5m – in accordance with **Table A2**; and
 - (ii) where the *height* is more than 7.5m – 2m plus 0.5m for every 3m or part of 3m by which the *height* exceeds 7.5m.
- (c) **Structures** may be exempted from A2 (a) and (b) where –
- (i) the *structure* is not a deck, patio, pergola, verandah, gazebo or the like other than one

Table A2

Road <i>Frontage</i> in metres	Side and Rear Boundary Clearances	
	<i>Height</i> in metres	
	4.5 or less	4.5 to 7.5
14.501 – 15.000	1.425	1.900
14.001 – 14.500	1.350	1.800
13.501 – 14.000	1.275	1.700
13.001 – 13.500	1.200	1.600
12.501 – 13.000	1.125	1.500
12.001 – 12.500	1.050	1.400
11.501 – 12.000	0.975	1.300
11.001 – 11.500	0.900	1.200
10.501 – 11.000	0.825	1.100
10.500 or less	0.750	1.000

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- permitted under A2 (c) (v)
- (ii) the *structure* is not used for entertainment, recreational purposes or the like
 - (iii) a screen, fence or retaining wall or a combination of screens, fences or retaining walls is not more than 2m in *height* or
 - (iv) a rainwater tank, including any supporting *structure* such as a stand, is not more than 2.4m high.
 - (v) subject to A2 (c) (ii), it is a pergola or other *structure* which is-
 - (A) not enclosed by walls or roofed; and
 - (B) not more than 2.4m in *height* at the boundary; and
 - (C) primarily ornamental or for horticultural purposes.
 - (d) Subject to A2(c), **class 10a buildings** or parts may be within the boundary clearances nominated in A2(a) and (b) where –
 - (i) the *height* of a part within the boundary clearance is not more than 4.5m and has a *mean height* of not more than 3.5m; and
 - (ii) the total length of all *buildings* or parts, of any class, within the

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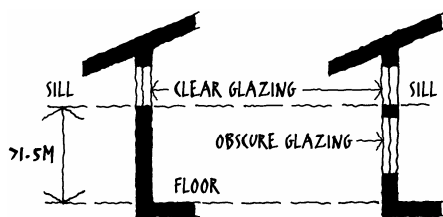
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			<p>boundary clearance is not more than 9m along any one boundary; and</p> <p>(iii) the class 10a <i>buildings</i> or parts within the boundary clearance are located no closer than 1.5m to a required <i>window</i> in a <i>habitable</i> room of an adjoining dwelling.</p> <p>(e) Swimming pools may be within the boundary clearances nominated in A2(a) and (b) where -</p> <p>(ii) a solid wall or fence, constructed to prevent water entry onto adjoining lots, at least 1.8m high above finished ground level, is erected between the swimming pool and the boundary of the lot; and</p> <p>(ii) the top of the wall or fence is at least 1.0m above the top of the coping of the pool.</p>
P3	Adequate open space is provided for recreation, service facilities and landscaping.	A3	The maximum area covered by all <i>buildings</i> and <i>structures</i> roofed with impermeable materials, does not exceed 50% of the <i>lot area</i> .
P4	<p>The <i>height</i> of a <i>building</i> is not to unduly –</p> <p>(a) overshadow adjoining houses; and</p> <p>(b) obstruct the outlook from adjoining <i>lots</i>.</p>	A4	<p>For <i>lot slopes</i> -</p> <p>(a) up to 15%, the building height is not more than 8.5m; and</p> <p>(b) of 15% or more, the <i>building height</i> is not more than 10m.</p>
P5	<i>Buildings</i> are sited and designed to provide adequate	A5	Where the distance separating a <i>window</i> or <i>balcony</i> of a <i>duplex</i>

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visual privacy for neighbours.

Figure 5



WINDOW OPENINGS FOR VISUAL PRIVACY

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from the side or rear boundary is less than 1.5 m –

- (a) a permanent window and a balcony has a window/balcony screen extending across the line of sight from the sill to at least 1.5m above the adjacent floor level; or
- (b) a window has a sill height more than 1.5m above the adjacent floor level, or
- (c) a window has obscure glazing below 1.5m (**Figure 5**).

P6 The location of a building or structure facilitates normal building maintenance.

- A6** A wall is –
- (a) set back a minimum of 750mm from the side or rear boundary; or
 - (b) where less than 750mm to the boundary, maintenance free, such as unpainted or untreated masonry or prefinished steel sheeting.

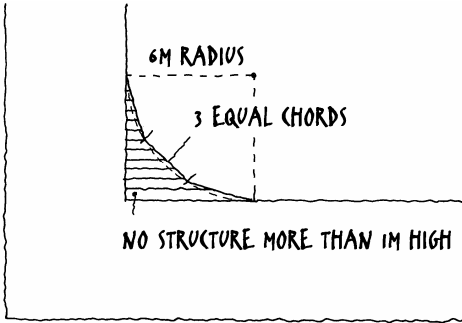
P7 The size and location of structures on corner sites provide for adequate sight lines.

A7 Fences, screens, and retaining walls and other structures are not more than 1m high within a truncation made by 3 equal chords of a 6m radius curve at the corner of the 2 road frontages (**Figure 6**).

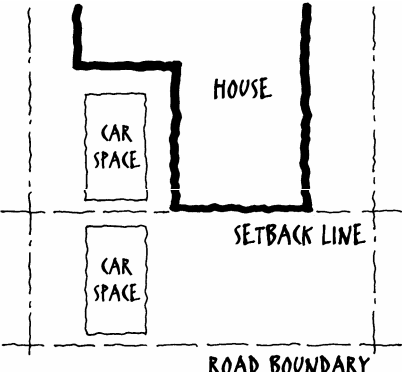
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Figure 6



ELEMENT 2- SPACE FOR ON-SITE CAR PARKING and OUTDOOR LIVING SPACE

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<p>P8 Sufficient space for on-site carparking to satisfy the projected needs of residents and visitors, appropriate for –</p> <ul style="list-style-type: none"> (a) the availability of public transport; and (b) the availability of on-street parking; and (c) the desirability of on-street parking in respect to the streetscape; and (d) the residents likelihood to have or need a vehicle. 	<p>A8 For each dwelling in a <i>duplex</i>, space is provided for parking two vehicles on the <i>lot</i> and the space has –</p> <ul style="list-style-type: none"> (a) minimum dimensions as follows: <ul style="list-style-type: none"> (i) for a single uncovered parking space- 4.9m by 2.6m wide; and (ii) for a single covered parking space- 5m by 3m wide; and (iii) for a double covered parking space 5 by 5.5m wide; and (iv) for a single garage- 6m by 3m wide internally; and (v) for a double garage- 6m by 5.7m wide internally. (b) Car parking spaces may be in tandem, provided one space is behind the <i>road setback</i> required under Element 1(Figure 7).
<p>Figure 7</p>  <p>The diagram shows a cross-section of a duplex unit. A house is situated on the right side. To its left is a car space. A horizontal dashed line represents the 'SETBACK LINE', which is positioned behind the car space. Below the setback line is the 'ROAD BOUNDARY'. Another car space is shown below the road boundary, indicating that parking spaces can be arranged in tandem, with one behind the other relative to the road.</p>	<p>A9 Each dwelling in a <i>duplex</i> has a clearly defined outdoor living space which –</p> <ul style="list-style-type: none"> (a) has an area of at least 16m²; and (b) has no dimension less than 4m; and (c) has access from a living area and (d) has a <i>slope</i> of not more than
<p>P9 In a <i>duplex</i>, each dwelling has its own individual outdoor living space available which -</p> <ul style="list-style-type: none"> (a) has suitable size and <i>slope</i> is to allow residents to extend their living activities outdoors; and (b) is available for the sole use of the residents of individual dwellings; and (c) is adequately separated 	

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from each other to provide visual privacy

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- 1 in 10; and
- (e) provides visual privacy from another outdoor living space by a *window/balcony screen*

ELEMENT 3 – DUPLEX REQUIREMENTS IN PLANNING SCHEMES

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P10 A duplex complies with the relevant *qualitative statements* of a planning scheme

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A10 A duplex complies with the relevant *quantifiable standards* of a planning scheme