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Executive Director – Building Policy
Department of Housing and Public Work
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Dear Anastasia,

RE: HIA Feedback on Draft Queensland Housing Code

Overview

The Housing Industry Association (HIA) welcomes the opportunity to provide feedback to the Department of Housing and Public Works (the Department) on this important reform which if implemented correctly will streamline the delivery of new houses, remove unnecessary approval costs and improve housing affordability. When HIA completed an analysis of the costs to the entire industry in terms of the lost productivity associated with Queensland's seventy-seven (77) different councils having unique design and siting rules for housing, the conservative estimates exceeded \$175 million per annum.

HIA understands that a cost benefit analysis was completed by a third-party consultant on behalf of the Department and suggests that this analysis should be provided to industry, government and broader public for complete transparency on the importance of this reform.

From the outset, HIA urges the Department to reconsider simply adopting HIA's Housing Code which was created based on extensive feedback over a period of 10 years from a wide range of industry experts and leading homebuilders to accurately reflect the building envelope of the detached house typically being approved and constructed in Queensland. Development of HIA's Housing Code involved a comprehensive review of the siting variations being approved by councils and plans of development adopted by developers in master planned communities. To this end, HIA's Housing Code reflects the design ultimately being built in Queensland while avoiding the need for a lengthy council assessment. Refer to Appendix 1 – HIA's Housing Code for greater details.

Preliminary Section

Comments on the Application of the Queensland Housing Code (QHC)

5. Application of Queensland Housing Code

1. The QHC applies to the design and siting of new *building work* for:
 - (a) one *Class 1 building on a single lot* – Chapters 1 and 2; and
 - (b) associated *Class 10 buildings and structures* – Chapters 1 and 2.
2. The QHC applies to all zones where a *dwelling* is a permitted use.
3. Where development involves more than one *dwelling* on a single *lot* the QHC applies to the *primary dwelling* but not to a *secondary dwelling* or any additional *dwellings* proposed for the lot.
4. The QHC does not apply to:
 - (a) *development* in a declared *Priority Development Area (PDA)*; or
 - (b) except for *swimming pools, structures* less than 1 metre above the *ground level*; or
 - (c) *development on a lot* sized larger than 2000m²; or
 - (d) *building work* within a *tourist park*.

1. Dwelling houses over multiple allotments

Reference in 5.1. (a) to 'on a single lot' should be reconsidered as there are many instances where an existing dwelling house is already located over several allotments, or a new house is proposed over two or more allotments. This outcome is common in older suburbs (commonly referred to as 'widow lots').

Recommendation

Amend Section 5, 1. –

- (a) one *Class 1 building* ~~on a single lot~~ – Chapters 1 and 2

2. Excluding PDAs from the Queensland Housing Code

HIA emphasises the missed opportunity by excluding Priority Development Areas (PDAs) from the provisions of the Queensland Housing Code. A significant number of the 22,000 detached houses built (on average) each year in Queensland are located in PDAs. HIA continually receives complaints about the uncertainty and confusion created by the unique siting provisions in PDAs which can vary in each stage of a new development. Builders and designers are reliant on inconsistent communication from developers to keep up with the continual change applications to approved plans of development that inevitably occur as a project progresses.

HIA has recently raised concerns with Economic Development Queensland (EDQ) regarding issues caused by PDAs including a different definition of site cover than the remainder of Queensland (some PDAs include roof eaves in the calculation of site cover). HIA will continue advocacy with EDQ and recommends that the Department should be encouraging EDQ to amend their development schemes to refer to the QHC for the siting and design of detached housing.

3. Development on a lot sized larger than 2,000m²

HIA remains unclear why the Queensland Housing Code excludes lots greater than 2,000m². This would be a significant deviation from the current process which is likely to lead to unintended consequences. Allotments over 2,000m² are common in regional parts of Queensland. HIA's review of planning schemes for several regional councils (Bundaberg Regional Council, Fraser Coast Regional Council and Townsville City Council) confirms that QDC MP1.2 is typically only partly varied, often specifying greater front boundary setback in Rural Zones.

HIA is unsure what requirements for site cover, car parking and building height would apply in instances where a planning scheme only partly varies QDC MP1.2. The unintended consequence of excluding larger allotments from the QHC would be that many regional councils would need to amend their planning schemes to specify individual requirements for houses on larger allotments. This outcome is contrary to the key opportunity that the QHC represents in terms of bringing some consistency to design requirements for houses and streamlining assessment processes.

Recommendation

Consistent with HIA's Housing Code, specify the following requirements for lots greater than 2,000m²:

- Building height –
 - 8.5m above ground level; or
 - 10m above ground level if slope is greater than 15%
- Car Parking – 1 space
- Side & Rear Boundary Setbacks – 2m
- Road Boundary Setback – 4.5m for wall and 5.5m garage door
- Site Cover – 50%

Concerns with Referral Agency Responses and Associated Legislation

10. Referral agency

Schedule 9, Part 3, Division 2 of the *Planning Regulation 2017* details when a local government is a referral agency for the QDC Part and matters the referral agency's assessment must be against.

In these circumstances the application must be referred to the relevant local government to provide a referral agency response.

HIA notes the importance of amending Schedule 9 of the *Planning Regulation 2017* and Section 32 and 33 of the *Building Act 1975* to ensure the QHC has mandatory application.

Several councils are currently utilising the following referrals at building application stage to apply the unique design requirements specified in a planning scheme –

- Schedule 9, Part 3, Division 2, Table 1 – Amenity & Aesthetics; and
- Schedule 9, Part 3, Division 2, Table 8 – Building Work for a particular Class 1 buildings relating to a material change of use.

Of particular concern for industry is that the Amenity and Aesthetics referral under Schedule 9 can be applied by a council resolution without a formal amendment of the planning scheme. This means that severe development restrictions can be enforced by a council without following the major planning scheme amendment process which involves public consultation. Alarming, property owners do not have the ability to request assessment under the superseded planning scheme or to make an application for compensation as intended by the *Planning Act 2016*.

Without updating Schedule 9 of the *Planning Regulation 2017* and Section 33 of the *Building Act 1975* to specify that building work compliant with the QHC does not necessitate a referral to local government, this important reform is somewhat null and void.

4. Suggested Amendments of the Planning Regulation – Schedule 9

Table 1—Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts	
Column 1	Column 2
1 Development application requiring referral	<p>Development application for building work that is assessable development under <u>section 1</u> and is for a building or structure that is—</p> <p>(a) a single detached class 1(a)(i) building, class 1(a)(ii) building made up of not more than 2 attached dwellings or a class 10 building or structure; and</p> <p>(b) the proposed building or structure does not include an acceptable solution for a relevant performance criteria under the Queensland Housing Code; and</p> <p>(c) in a locality, and of a form, for which the local government has, by resolution or in its planning scheme, declared that the form may—</p> <p>(i) have an extremely adverse effect on the amenity, or likely amenity, of the locality; or</p> <p>(ii) be in extreme conflict with the character of the locality</p> <p><i>Note – A development application for building work does not necessitate referral under Table 1 if compliant with the acceptable outcomes of the Queensland Housing Code.</i></p>

Table 3—Design and siting	
Column 1	Column 2
1 Development application requiring referral	<p>Development application for building work that is assessable development under <u>section 1</u>, if—</p> <p>(a) the Queensland Development Code – <i>Queensland Housing Code</i>, part 1.1, 1.2 or 1.3 applies to the building work and, under the part, the proposed building or structure does not include an acceptable solution for a relevant performance criteria under the part. or</p> <p>(b) under the <u>Building Act, section 33</u>, an alternative provision</p>

	<p>applies for the building work and, under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision; or</p> <p>(e) all of the following apply—</p> <p>(i) under the <u>Building Regulation, section 6</u>, the planning scheme includes a provision about a matter provided for under performance criteria P4, P5, P7, P8 or P9 of the <u>Queensland Development Code, part 1.1 or 1.2</u>;</p> <p>(ii) the provision applies for building work;</p> <p>(iii) under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision</p> <p><i>Note – A development application for building work does not necessitate referral under Table 3 if compliant with the acceptable outcomes of the Queensland Housing Code.</i></p>
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Table 8—Building work for particular class 1 buildings relating to material change of use

Column 1	Column 2
<p>1 Development application requiring referral</p>	<p>Development application for building work that is assessable development under <u>section 1</u>, if—</p> <p>(a) the building work is for—</p> <p>(i) a class 1(a)(i) building; or</p> <p>(ii) a class 1(a)(ii) building made up of not more than 2 attached dwellings; and</p> <p>(b) the proposed building or structure does not include an acceptable solution for a relevant performance criteria under the Queensland Housing Code; and</p> <p>(c) a material change of use that relates to the building work—</p> <p>(i) is for a residential purpose in a residential zone; and</p> <p>(ii) would have required a development permit if <u>schedule 6, part 2, section 2(2)</u> did not apply for the material change of use</p> <p><i>Note – A development application for building work does not necessitate referral under Table 8 if compliant with the acceptable outcomes of the Queensland Housing Code.</i></p>

Concerns relating to definitions

5. Definition of rear boundary / primary frontage boundary

HIA notes that the definition of rear boundary relies on the determining the 'primary frontage boundary'. Rear boundary is defined as 'opposite the primary frontage boundary' which is difficult to interpret with several potential outcomes that regularly conflict with each other.

Primary frontage boundary of a lot is:

- a. the boundary nominated by the *local government*; or
- b. the *frontage boundary* nominated on an approved plan of development; or
- c. the *frontage boundary* addressed by the *adjoining premises* or most commonly addressed by the nearest adjacent *buildings* as the *frontage boundary* of the *lot*, in that order of priority; or
- d. where a *lot* is not vacant, the *frontage boundary* to which the existing *building* has its assigned street address; or
- e. if the *lot* is on a *road corner* and none of the above apply, then the shortest *frontage boundary*.

The determination of the rear boundary is significant under QHC given a substantial increase to the minimum boundary setback applies in comparison to the current QDC MPI.2.

It is unclear which frontage will be considered the '*primary frontage boundary*' when there is a conflict between the circumstances listed in (a. & d.). HIA has applied this definition to several example sites, a frequently a conflict between the provisions in the definition occurs.



Figure 1: Example of conflict in primary frontage definition (a. & d.)

Ultimately this definition will lead to inconsistent interpretations and disputes between industry and local governments on which boundary is considered the primary frontage and rear boundary.

Recommendation

Amend the definition of 'primary frontage boundary' to:

'Primary frontage boundary of a lot is:

- the boundary of a lot bound by a road; or
- if the lot is a corner lot, the shortest boundary adjoining a road; or
- if the lot is a dual frontage lot, the boundary nominated by the applicant'.

This definition should be provided with the following diagram detailing boundaries for different lot configurations.

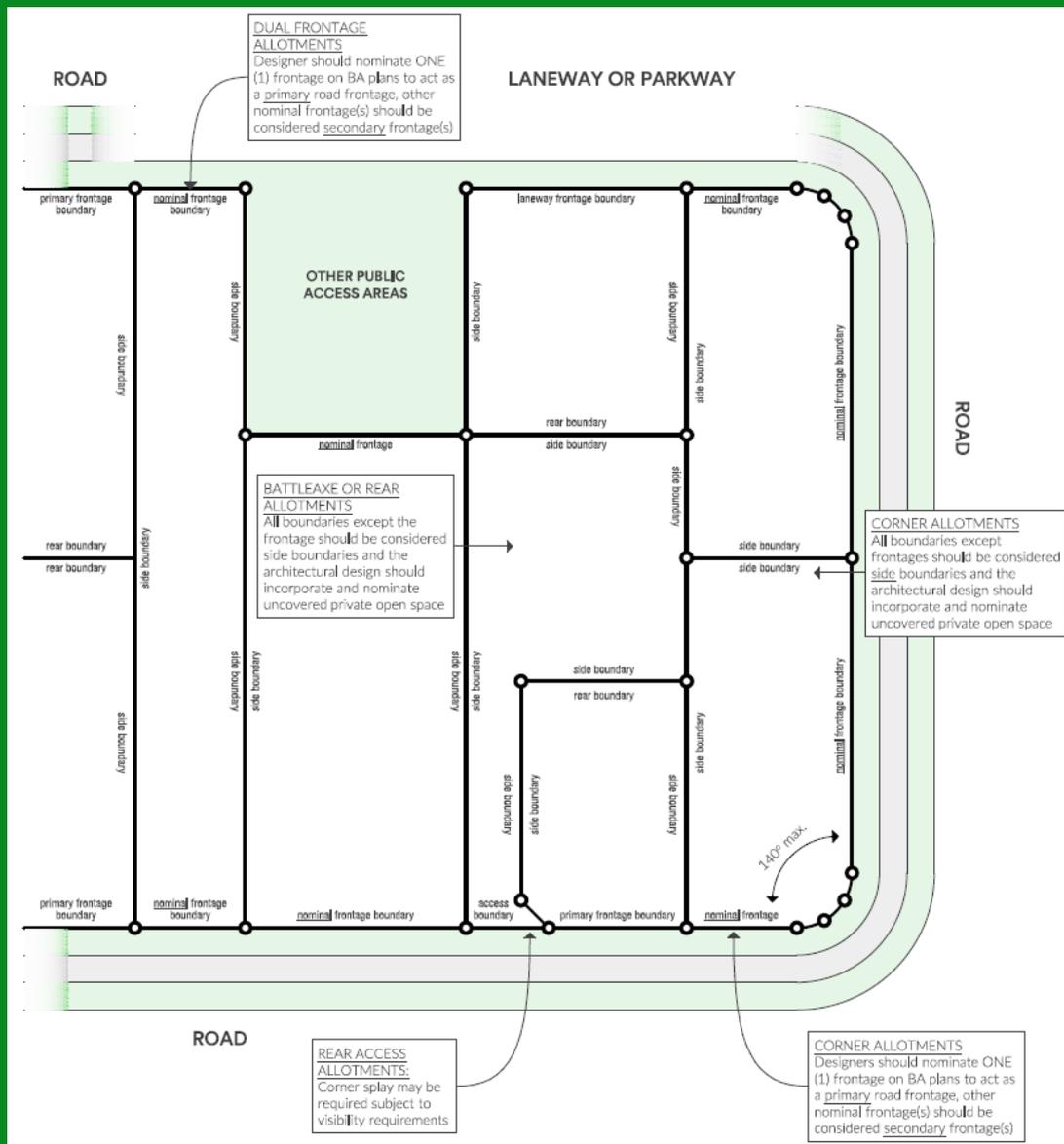


Figure 2: Setback information for different lot types

6. Definition of lot width for corner lots

Lot width means the shortest distance between two side *common boundaries* of a lot measured at the *primary frontage boundary* of the lot.

The definition of lot width does not appear to consider corner allotments. Based on the definition provided, it does not appear possible to determine lot width as ‘two side common boundaries’ are not present unless it is confirmed that there is no rear boundary for a corner lot.

Recommendation

Provide guidance to industry on the calculation of lot width and determination of a rear boundary for corner allotments. HIA notes the preferred approach is for corner allotments to not have a rear boundary and to have two side boundaries and two road frontage boundaries which has been adopted by most local governments. Refer to Figure 2 for the preferred arrangement.

7. Definition of setback

Setback means:

- a. for a *building*, the shortest distance, measured horizontally, between an *external wall* of the *building* to the vertical projection of the boundary of the *lot* where the *building* is; and
- b. for a *structure*, other than a *swimming pool*, the shortest distance, measured horizontally, between the *outermost projection* of a *structure* to the vertical projection of the boundary of the *lot* where the *structure* is; and
- c. for a *swimming pool*, the shortest distance measured horizontally from the water’s edge to the vertical projection of a boundary of the *lot*.

The definition of setback is not consistent with that commonly being applied by industry across Queensland and will likely lead to confusion. The proposed definition of setback includes a different point of measurement depending on whether the proposal is for a ‘building’ or ‘structure’.

It is emphasised that the definition of a ‘building’ under the *Building Act 1975* refers to a fixed structure that is wholly or partly enclosed by walls or is roofed. As such, there are circumstances when a building will have walls on all sides. The definition of setback for a building requires measuring to the wall, which may not be plausible for buildings only partly enclosed by walls.

Further to the above, the definition of setback for a structure does not exclude roof eaves which is now common practice for the design of buildings in Queensland.

Recommendation

Amend definition of ‘**Setback**’ as follows:

‘*Setback, for a building or structure, means the shortest distance, measured horizontally, between the outermost projection of the building or structure to the vertical projection of the boundary of the lot where the building or structure is located. Excluding:*

- *An eave of a roof; or*
- *A sunhood or the like attached to the wall of a building or structure to provide shade or shelter to wall.’*

Chapter 1: Lots 450m² or greater

8. Building height – A1.1

For A1.1:

1. The default acceptable solutions for *building height* and *structure height* may be varied by the relevant *local government* planning scheme. Provisions in planning schemes must be prescribed in accordance with Part 3 of the *Building Regulation 2021*.
2. Where the *slope* of a *lot* exceeds 5% the heights in A1.1(1)-(3) are increased by 1m.

A1.1 has been altered since the previous draft version of the QHC. The notation for A1.1 details that a local government can vary building height in terms of both metres above ground level and the number of storeys permitted.

The ability of local government to vary building height will create uncertainty for industry, particularly as local government's adopt different approaches to determining / measuring building height under planning schemes. For example:

- Brisbane City Council – Restricts building height on small lots to side and rear walls as well as the highest part of the roof;
- Gold Coast City Council – Permits a partial storey (defined as Gross Floor Area no greater than 50% of the storey immediately below) in certain areas;

There are also different interpretations across Queensland councils on what surfaces underneath a raised building constitutes a finished floor or is deemed an undercroft, thereby excluded from the definition of a storey. HIA is concerned that permitting councils to vary provisions is contrary to the purpose of a state-wide code and will lead to uncertainty on outcomes.

Recommendation

HIA suggests that a local government should not be able to vary building height or any provisions in the Queensland Housing Code. This would ultimately be contrary to the purpose of the Code as a reform to simplify and restore certainty to the design and siting of dwelling houses in Queensland.

Consistent with HIA's Housing Code specify the following:

- 8.5m above ground level at side and rear boundary setbacks, increasing at no more than 30 degrees to a maximum building height of 9.5m above ground level; or
- For steeply sloping site (15% or greater), 9.5m above ground level at side and rear boundary setback increasing at no more than 30 degrees to a maximum building height of 10m above ground level; and
- An outbuilding has a maximum building height of 4.5m and mean height of 3.5m above ground level.

9. Concerns with setbacks for Secondary frontage boundary – A2.1

Table 1 — Minimum frontage boundary setbacks for buildings – external walls

Type	Minimum setback			
Class 1 buildings	Primary frontage boundary	Secondary frontage boundaries — Road	Secondary frontage boundaries — Laneway or Parkway	Secondary frontage boundaries — Other
Class 1 buildings	5m	4m	1m	3m

HIA is concerned by the significant boundary setback necessitated for a ‘Secondary frontage boundaries – Road’ when involving a narrow allotment. Boundary setbacks for corner allotments are frequently triggering siting relaxations and the QHC represents an opportunity to limit unnecessary applications by setting a realistic building envelope for corner lots.

Some example imagery of properties exceeding 450m² which have an average width of 10m to 11m is below. HIA has tested the proposed boundary setbacks to illustrate how restrictive the QHC is for narrow allotments which exceed 450m² (see Figures 3 & 4 below).

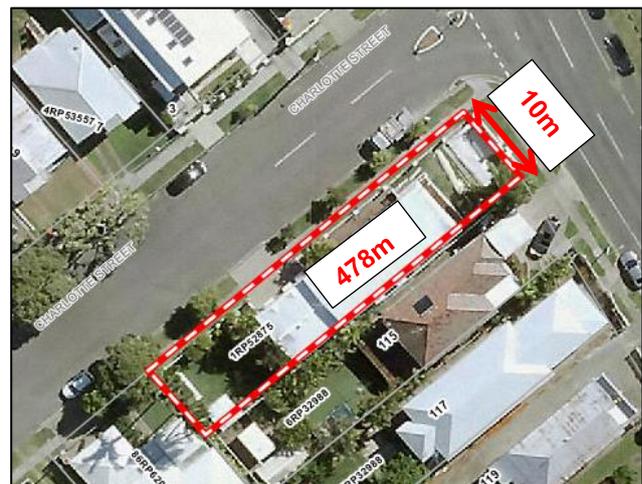


Figure 3: Example of allotments exceeding 450m² by 10m width

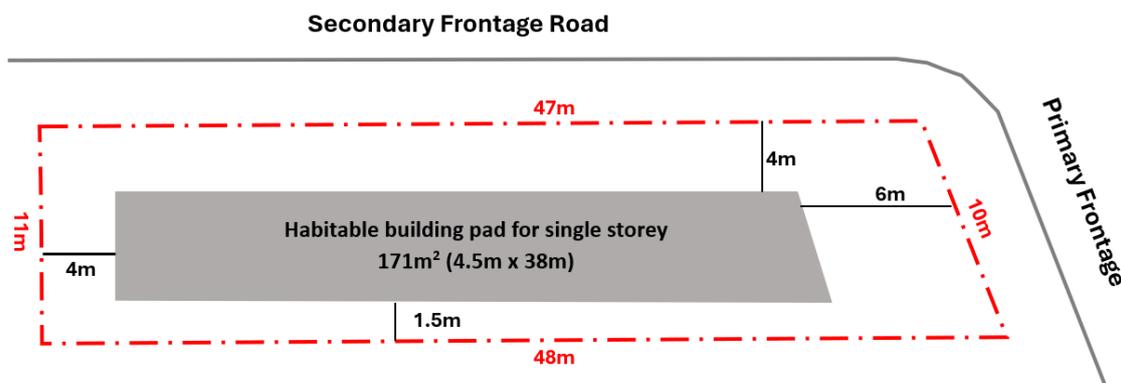


Figure 4: Review of setbacks for corner allotments

The secondary road frontage setback for 450m² or greater allotments, in combination with a 1.5m to 2m side boundary setback would result in space only 4.5m wide for habitable spaces. Concerningly, some non-habitable spaces require even a greater secondary frontage boundary setback than 4m. This outcome will not be accepted by industry and will result in a high volume of siting applications.

Recommendation

HIA suggests a 1.5m secondary frontage boundary setback is suitable. This is consistent with the requirements specified under the QHC Chapter 2 – Lots under 450sqm.

Alternatively, consideration should be given to a sliding scale to setbacks based on average width of the allotment. This outcome would be consistent with HIA’s Housing Code.

10. Concerns with setbacks for laundry and storage areas – A2.1

<i>Class 10a buildings</i>	<i>Primary frontage boundary</i>	<i>Secondary frontage boundaries –Road</i>	<i>Secondary frontage boundaries –Laneway or Parkway</i>	<i>Secondary frontage boundaries –Other</i>
<i>Building work including:</i> <ul style="list-style-type: none"> - a garage or - a carport or - a laundry or - a shed or - a store. 	6m	6m	1m	4m

HIA does not understand why a laundry or storage area requires a greater setback than a habitable space. This appears particularly problematic on a secondary frontage – road where a 6m setback is specified for a laundry or storage area. In combination with other setback requirements, HIA is concerned that a suitable floor area will not be achievable on narrow allotments.

It is noted that a 4m setback is permitted for the remainder of habitable spaces. HIA emphasises that increased road frontage setbacks have historically on been specified for garages or enclosed carports to permit a visitor car parking space on the driveway.

Recommendation

Amend QHC to specify a frontage boundary setback for a laundry or storage area which is consistent with habitable spaces.

11. Issues with restricting building height of carports to 3.5m – A2.1 (Table 1)

<i>Building work including:</i> <ul style="list-style-type: none"> - a carport that is 3.5m or less in height that does not include a garage door or - a gatehouse that is 3m or less in height and has a roof area of no more than 6m². 	BTB permitted	BTB permitted	0.5m	1m
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A carport is permitted to be built to boundary if the height exceeds 3.5m. HIA notes that this height restriction discourages a pitched roof form for carports which is often preferred from an architectural design perspective (see Figure 5 below).



Figure 5: Carports exceeding 3.5m building height due to roof form

Recommendation

Amend QHC to permit the construction of carports with a gable roof form. This outcome is facilitated by the current QDC MP1.1 and MP1.2 which states a maximum height of 4.5m with a restriction on mean height (measured at side boundaries) of 3.5m.

12. Preventing garage doors on carports – A2.1 (Table 1)

An on-going issue for homeowners is restrictions in planning schemes which prevent the installation of garage doors on carports. HIA notes that there are home insurance implications for not having a lockable door on car accommodation.

The response that has been directed by homeowners is constructing a lockable gate in front of open carports which if under 2m in height does not require a building application under the *Building Regulation 2020*. HIA is of the opinion that outcome is ultimately less desirable for both homeowners and from a streetscape amenity perspective than simply permitting a garage door.



Figure 6: Gate installed on carport for insurance purposes following removal of door

Recommendation

Amend QHC to permit garage doors on carports subject to meeting the definition of 'open carport' as defined by the current version of QDC MPI.1 and MPI.2.

13. Comments on rear boundary setbacks– A2.1

Type	Minimum setback	
	Side boundary	Rear boundary
<i>Class 1 buildings</i>		
If 4.5m or less in height	1.5m	4m
If over 4.5m and 8.5m or less in height	1.5m	3m
If over 8.5m in height	2.5m	3m

1. There are separate requirements for each story of a dwelling based on height. This allows the second story facing the rear boundary to cantilever over an outdoor living area located on the ground floor.

The notation in Table 1 (above) references a cantilevered design for an outdoor living area, which from a construction perspective is a very expensive method of achieving a covered open space area.

HIA has continually raised concern regarding the implications of mandating large rear boundary setbacks, and the not insignificant impacts on housing affordability. The increased setback creates significant challenges for builders to deliver the standard range of desirable inclusions a new home buyer is seeking. The result is the homeowner is pushed towards needing a siting variation for a reduced rear setback or is forced into double storey construction which based on current costs is \$90,000 to \$100,000 more expensive than a single storey design of similar size and finishes.

While HIA is supportive of the reduced boundary setback permitted for a 'covered outdoor room' which is vital to ensure a roofed patio area can be achieved, the maximum height restriction of 3.5m needs to be reconsidered.

The height restriction of 3.5m prevents integrating the patio space with the remainder of the roof form which is a far more cost effective solution. A design response to comply with the maximum 3.5m height restriction is a flat lean-to style of patio roof rather than a roof form that is pitched and integrates with the remainder of the dwelling house. This provision is preventing a superior outcome from an energy efficiency and occupant comfort perspective as no roof cavity space can be provided which would be properly insulated and serviced.

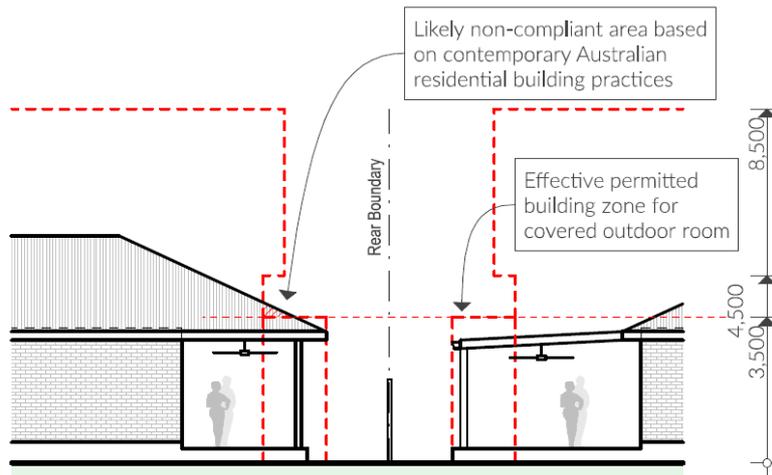


Figure 7: Perverse outcome of 3.5m height restriction for 'covered outdoor room'

Recommendation

HIA's suggests the height restriction for 'covered outdoor room' should permit a pitched roof form and integration with the remainder of the dwelling house as follows:

- A maximum building height of 3.5m above ground level at side and rear boundary setbacks, increasing at no more than 30 degrees to a maximum building height of 4.5m above ground level.

14. Concerns relating to site cover provision – A4.1

One of the most frequent triggers for a siting relaxation under QDC MPI.1 and MPI.2 is exceeding the restrictive site cover provision of 50%.

Recommendation

HIA suggests the following site cover requirements for the QHC to limit unnecessary applications to Local Government. The below site cover requirements align with the majority of detached housing construction currently occurring in Queensland.

Regarding lots between 450m² and 600m², the table below permits a slight increase from 50% to 60%. This outcome would greatly reduce the volume of siting relaxations which are ultimately being supported by council in any case.

	Lot Area			
	≤ 300m ²	300m ² ≤ 450m ²	450m ² ≤ 600m ²	> 600m ²
Site Cover	80%	70%	60%	50%

HIA's review of development approvals and siting variations confirms that councils are routinely supporting a site coverage of up to 60% or greater for most allotments. As such, the outdated site cover provision is unnecessarily adding time delays and increasing the cost of constructing new houses or renovating existing houses.

15. Concerns with maximum width of garage – A9.1

Table 7 – Maximum access width of garage and carport

Garage and carport maximum access widths			
Access from frontage boundary other than a laneway and secondary frontage boundary	1 storey	2 storeys, where the first floor overhangs the garage or carport by no less than 0.5m	2 storeys, in all other circumstances
Lots up to 10m width	3.3m	4.8m	3.3m

Industry feedback has been consistent that the current restrictions on the width of garages in many planning schemes is preventing aspiring homebuyers from constructing their preferred house with sufficient on-site car parking. This leads to a perverse outcome for the streetscape with more vehicles located on the street and often across the verge.

HIA analysis shows that in many greenfield communities the preferred design is a single storey, four bedrooms with a double garage. A single storey design is also preferred as this is significantly more affordable than a two-storey design.

Amenity concerns relating to a 4.8m wide garage door dominating the streetscape are ill-informed. It is possible to recess the garage door further beyond the entry or a living space fronting the street (as required by BCC) to ensure that the garage door does not visually dominate a streetscape (see Figure 8 below for examples).



Figure 8: Double garage design for 10m wide block – preferred affordable house design

HIA emphasises that mandating single width garages will create far greater adverse impacts on the streetscape as more vehicles are forced to park within the road reserve or verge which reduces the walkability of neighbourhoods. Further, a double garage remains a non-negotiable for many families that have several vehicles. HIA’s review of many master-planned communities reveals that double garages are being built on most 10m wide or less allotments after a costly and lengthy council assessment.

Recommendation

Amend QHC to permit double width garages on narrow allotments when involving a single storey design. Failure to amend this provision will result in a high volume of siting applications to local governments for this routinely supported design.

16. Built to boundary walls – A6.1

<p>P6.2 Location of built to boundary walls</p> <p>1. <i>Building work minimises inaccessible gaps between the common boundary and a building.</i></p>	<p>A6.1 Location of built to boundary walls</p> <p>1. <i>A built to boundary wall is setback no more than 25mm from a common boundary.</i></p>
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HIA is concerned by the specified maximum setback of a built to boundary wall of 25mm. It is noted that built to boundary walls are commonly setback 200mm from a boundary to allow space for footings and to avoid gutters encroaching on adjoining properties. HIA seeks confirmation that this is an error and was intended to specify a setback no more than 250mm.

17. Feedback on provision for fences – A10.1

HIA questions how requirements for fencing less than 2m above ground level will realistically be regulated when a fence is accepted development under Schedule 1 of the *Building Regulation 2021* and does not require a building approval.

The level of complexity sought to be introduced by Figure 4 of the draft QHC to what should be a simple boundary fence is perplexing. It is noted that many development approvals for subdivisions, particularly master planned communities include conditions relating to fencing. HIA flags that the specified fencing requirements may conflict with those conditioned by council in a subdivision approval. Meaning a referral to local government for non-compliance with QHC would be necessary to meet the conditions of a development approval.

Recommendation

Remove requirements for fencing which is less than 2m in height above ground level and permit any type of fencing when provided in accordance with the conditions of a development approval.

18. Concerns with provisions for private open space – A11.1

For steeply sloping sites, it appears an upper-level balcony might be the only method of achieving compliance noting the ground level private open space is not permitted to exceed a slope of 5%.

It is very uncommon for a balcony design to have areas which are 'open to the sky'. As drafted, the Code requires 50% of a 12m² balcony to be 'open to the sky'. HIA suggests the 'open to the sky' provision is not necessary or preferable in a warm/hot climate. Especially considering, the site cover restriction already dictates that sufficient area (often 50% to 40%) of the site must not be roofed.

<i>Private open space - if located 2m or less above ground level</i>	4m	20m ²	Directly accessible from a <i>habitable room</i> other than a bedroom and with at least 10m ² open to the sky	A slope of not more than 5%	Not used for utility areas such as bin storage, clothes drying and the like	N/A
<i>Private open space - If located more than 2m above ground level</i>	2.5m	12m ²	Directly accessible from a <i>habitable room</i> other than a bedroom and with at least 6m ² open to the sky	N/A	Not used for utility areas such as bin storage, clothes drying and the like	N/A

Recommendation

Amend QHC to remove the provision for a balcony to be 'open to the sky' and reconsider the slope restrictions on private open space.

19. Concerns with provisions for landscape open space – A11.2

<i>Landscape open space</i>	2.5m	10m ²	Between the <i>dwelling</i> and a <i>frontage boundary</i>	N/A	Not used to provide access to the lot or another lot	Does not include <i>building work</i> both underneath and overhead
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HIA reminds the Department that the QHC applies to renovations and additions. As such, the requirement to provide landscaping adjacent to the frontage will not be achievable when involving an existing house built on the front boundary alignment (see Figure 9 below for example).

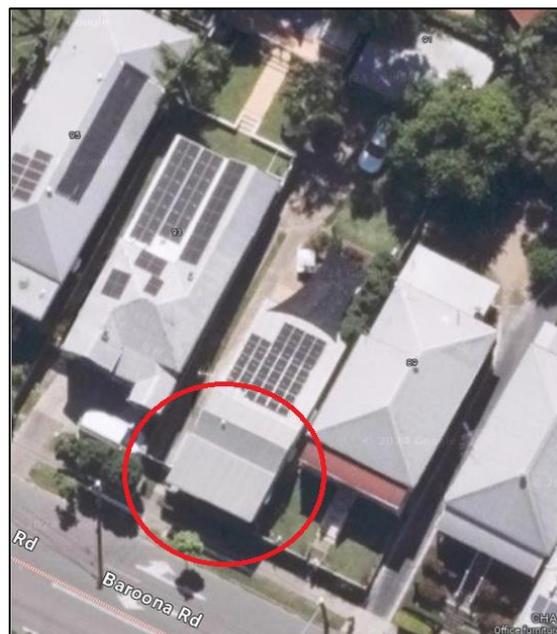


Figure 9: Example of existing house built on front boundary

An extension to the rear of the above house would trigger a concurrence agency referral as it is not possible to provide landscaping adjacent to the frontage. HIA does not support landscaping provisions in the QHC. Homeowners should be able to select the appropriate location for landscaping based on their preferred house design and living circumstances.

Recommendation

HIA flags the importance of providing further guidance on the definition of *'landscape open space'*, which does not appear to require planting of vegetation.

This is an important issue as it is common practice for homebuilders to exclude landscaping from their building contracts as homeowners often wish to complete this independently after the house has been completed. Building Certifiers need to understand if they can issue a Form 21 without landscaping being installed.

Provisions for the location of landscaping should be removed to provide flexibility to homeowners and to consider renovations and additions to existing houses.

Chapter 2: Lots under 450m²

20. Comments on building height – A1.1

HIA raises the same concerns referenced for Chapter 1 are applicable to Chapter 2 (see Pages 7 and 8 of this response for details).

21. Concerns relating to site cover – A4.1

Performance criteria	Acceptable solutions
<p>P4 Site cover</p> <p>1. <i>Building work results in a site cover that:</i></p> <ol style="list-style-type: none"> <i>provides adequate private open space for recreation;</i> <i>facilitates adequate sunlight and ventilation for inhabitants;</i> <i>is balanced between built form and permeable landscaped areas;</i> <i>positively contributes towards residential amenity and local character;</i> <i>accommodates required service facilities and on-site parking for vehicles.</i> 	<p>A4.1 Site cover</p> <p>1. The maximum <i>site cover</i> for all <i>buildings and structures</i> does not exceed:</p> <ol style="list-style-type: none"> on <i>lots</i> 250m² or less: 65%; and on <i>lots</i> greater than 250m²: 60%.

HIA notes the site cover proposed is unrealistically conservative particularly for lots less 250m², and does not facilitate the delivery of freehold terrace lot product which has been proven as a method of providing affordable housing choices.

Recommendation

HIA suggests the following site cover requirements for the QHC to limit unnecessary applications to Local Government while ensuring a suitable bulk and scale.

The below table enables a freehold terrace lot product as currently being delivered in Queensland.

	Lot Area			
	$\leq 300\text{m}^2$	$300\text{m}^2 \leq 450\text{m}^2$	$450\text{m}^2 \leq 600\text{m}^2$	$> 600\text{m}^2$
Site Cover	80%	70%	60%	50%

22. Concerns with provisions for private open space & landscaping – A11.1 and A11.2

HIA raises consistent concerns to those identified for Chapter 1 of the QHC. Refer to Pages 13 and 14 of this response for details.

23. Built to boundary walls – A6.1

The concerns identified for Chapter 1 also apply to Chapter 2. Please refer to 12 of this response for greater details.

While several concerns with the proposed QHC have been outlined above, HIA strongly supports the introduction of state-wide and mandatory requirements for detached housing. If any assistance or further information is required in relation to this response, please do not hesitate to contact me.

Yours sincerely



Michael Roberts
Executive Director
HOUSING INDUSTRY ASSOCIATION LIMITED

Appendix 1: HIA's Housing Code

Queensland Housing Code

DRAFT

Purpose

To provide consistent standards across Queensland for good residential design that promotes the efficient use of a *lot*, provides an acceptable amenity to residents, facilitates off street parking and minimises regulatory delays and costs associated with gaining development approval.

Application

This Code applies to new building work for a single *detached dwelling*, a *secondary dwelling* and associated buildings and structures on lots in a *residential zone* including *community title* lots having only one *detached dwelling* on a lot.

The Code overrides all design and siting provisions applying to the land, including:

- Preliminary approvals issued pursuant to s 3.1.6 of the *Integrated Planning Act 1997*;
- Preliminary approvals issued pursuant to s 242 of the *Sustainable Planning Act 2009*;
- Variation approvals issued pursuant to s 61 of the *Planning Act 2016*;
- Conditions included in any development approval attached to the land pursuant to s 3.5.28 of the *Integrated Planning Act 1997*;
- Conditions included in any development approval attached to the land pursuant to s 245 of the *Sustainable Planning Act 2009*;
- Conditions included in any development approval attached to the land pursuant to s 73 of the *Planning Act 2016*;
- *PDA development approvals issued under the Economic Development Act 2012*.

Italicised words within the body of the text are defined in the Dictionary.

Referral Agency

The Local Government is a concurrence agency as prescribed in Schedule 9, Part 3, Division 2, Table 3 – Design and Siting of the *Planning Regulation 2017*.

Associated Requirements

Compliance with this standard may not be the only requirement. Planning schemes overlays, local laws, and State Acts may impose additional requirements.

Referenced Standards

National Construction Code.

Australian Standards AS 2890.1:2004 Parking facilities – Off-street car parking.

Queensland Development Code NMP 1.1 Driveways.

PRIMARY AND SECONDARY ROAD FRONTAGE

Performance Criteria	Acceptable Solution																																							
<p>P1</p> <p>A building is <i>setback</i> from the road <i>frontage</i> to:</p> <p>a) maximise the use of the <i>lot</i>; and</p> <p>b) contribute positively to the existing or intended streetscape of the area.</p>	<p>A1</p> <p>The minimum <i>setback</i> of a building from a <i>road</i> complies with Table 1 and the following provisions:</p> <p>TABLE 1</p> <table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="4"><i>Lot width (metres)</i></th> </tr> <tr> <th>≤ 7.5</th> <th>$7.5 \leq 10$</th> <th>$10 \leq 16$</th> <th>> 16</th> </tr> </thead> <tbody> <tr> <td colspan="5">Primary road frontage</td> </tr> <tr> <td><i>Building</i></td> <td>2.0</td> <td>2.5</td> <td>3.0</td> <td>4.5</td> </tr> <tr> <td><i>Garage door</i></td> <td>5.5¹</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="5">Secondary road frontage</td> </tr> <tr> <td><i>Building</i></td> <td>1.0</td> <td>1.5</td> <td>1.5</td> <td>1.5</td> </tr> <tr> <td><i>Garage door</i></td> <td>1.0¹</td> <td>1.5</td> <td>1.5</td> <td>1.5</td> </tr> </tbody> </table> <p>Note 1: The minimum <i>setback</i> of the garage door is the same setback as the building where the natural ground between the <i>road frontage</i> and the <i>dwelling</i> has a slope greater than 1 in 4.</p> <p>AND</p> <p>Where the lot area is less than 450 m² and the garage door faces the road frontage, the <i>garage door</i> must be recessed at least 1.0 m from either:</p> <ol style="list-style-type: none"> an upper storey or <i>balcony</i> where the building is more than one storey; or an eave of a single storey building over the elevation facing the road frontage; or a wall of the building having an area in elevation to the street of at least 6 m². <p>Note: A combination of a and b may be used where the building is one and two storeys.</p>		<i>Lot width (metres)</i>				≤ 7.5	$7.5 \leq 10$	$10 \leq 16$	> 16	Primary road frontage					<i>Building</i>	2.0	2.5	3.0	4.5	<i>Garage door</i>	5.5 ¹				Secondary road frontage					<i>Building</i>	1.0	1.5	1.5	1.5	<i>Garage door</i>	1.0 ¹	1.5	1.5	1.5
	<i>Lot width (metres)</i>																																							
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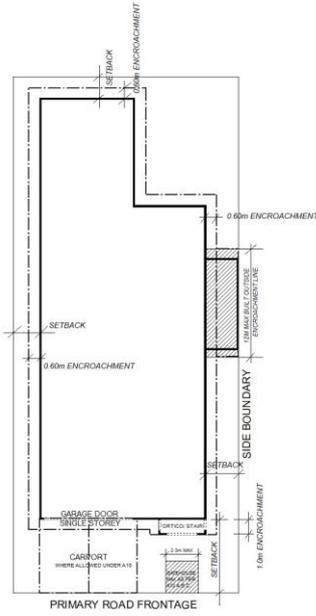


FIGURE A
SINGLE STOREY

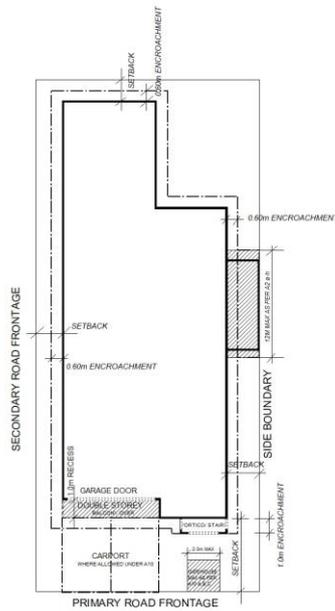
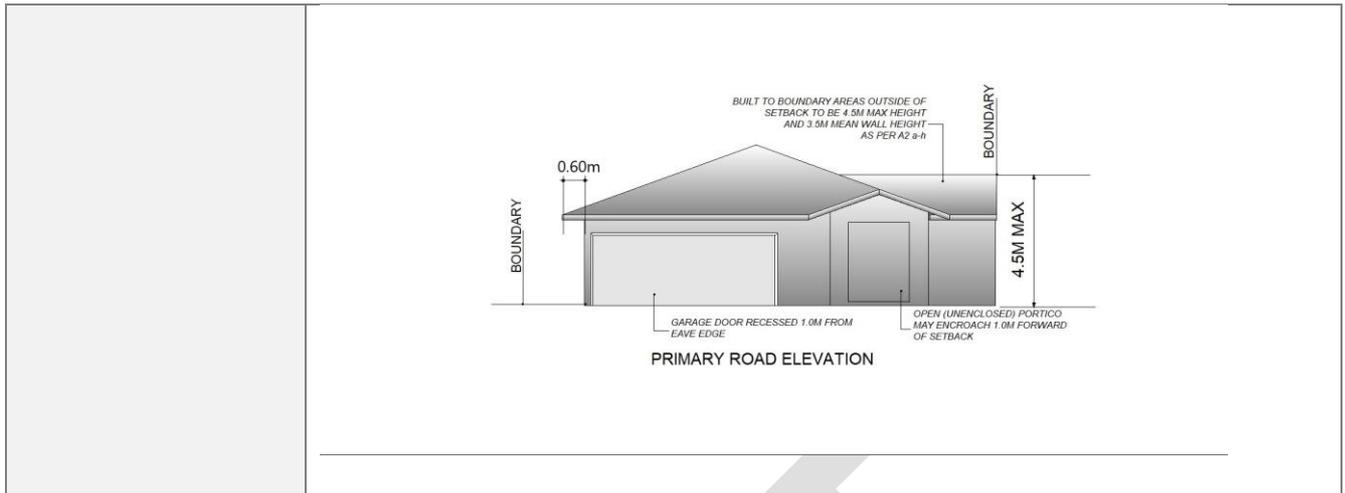


FIGURE B
TWO STOREY

SIDE AND REAR BOUNDARY SETBACK

Performance Criteria	Acceptable Solution																	
<p>P2</p> <p>A building is setback from the <i>side boundary</i> and/or <i>rear boundary</i> of a lot to:</p> <p>a) maximise the use of the <i>lot</i>; and</p> <p>b) lessen any impact on the amenity and privacy of residents on adjoining properties.</p>	<p>A2</p> <p>The minimum setback of a building from a <i>side boundary</i> and/or <i>rear boundary</i> complies with Table 2 and the following provisions:</p> <p>TABLE 2</p> <table border="1"> <thead> <tr> <th rowspan="2"><i>Lot width and lot area</i></th> <th colspan="2"><i>Building height</i></th> </tr> <tr> <th>≤ 4.5 m</th> <th>$4.5 \leq 8.5$ m</th> </tr> </thead> <tbody> <tr> <td>≤ 15 m and < 450 m²</td> <td>1.0 m</td> <td>1.0 m</td> </tr> <tr> <td>≤ 15 m and ≥ 450 m²</td> <td>1.0 m</td> <td>1.5 m</td> </tr> <tr> <td>> 15 m and < 450 m²</td> <td>1.0 m</td> <td>1.0 m</td> </tr> <tr> <td>> 15 m and ≥ 450 m²</td> <td>1.5 m</td> <td>2.0 m</td> </tr> </tbody> </table> <p>OR</p> <p>A <i>matching wall</i> is set back no more than 25 mm from a boundary where the adjoining building is also set back no more than 25 mm from the same boundary and is built at the same time;</p> <p>AND</p> <p>A building may be built closer than the minimum setback prescribed in Table 2 where:</p> <ol style="list-style-type: none"> the <i>lot</i> area, excluding any accessway to a <i>battle-axe lot</i> is less than 1,000 m²; and the total length of all buildings within the minimum <i>setback</i> along any one boundary is not more than 12 m; and the maximum wall height within the minimum <i>setback</i> is 4.5 m; and the <i>mean height</i> within the minimum <i>setback</i> is 3.5 m; and the roof over that part of the building within the minimum <i>setback</i> is contained within an envelope measured at 25 degrees perpendicular to the boundary from the maximum allowable wall height; and the building or is no closer than 1.0 m to a <i>required window</i> of a <i>habitable room</i> of an adjoining building. 	<i>Lot width and lot area</i>	<i>Building height</i>		≤ 4.5 m	$4.5 \leq 8.5$ m	≤ 15 m and < 450 m ²	1.0 m	1.0 m	≤ 15 m and ≥ 450 m ²	1.0 m	1.5 m	> 15 m and < 450 m ²	1.0 m	1.0 m	> 15 m and ≥ 450 m ²	1.5 m	2.0 m
<i>Lot width and lot area</i>	<i>Building height</i>																	
	≤ 4.5 m	$4.5 \leq 8.5$ m																
≤ 15 m and < 450 m ²	1.0 m	1.0 m																
≤ 15 m and ≥ 450 m ²	1.0 m	1.5 m																
> 15 m and < 450 m ²	1.0 m	1.0 m																
> 15 m and ≥ 450 m ²	1.5 m	2.0 m																



ENCROACHMENTS

Performance Criteria	Acceptable Solution
<p>P4</p> <p>Encroachments on the <i>primary road frontage</i> and <i>secondary road frontage setback</i> contribute positively to the existing or intended streetscape of the area.</p> <p>Encroachments on the <i>side boundary</i> and <i>rear boundary setback</i> lessen the impact on the amenity and privacy of residents on adjoining properties.</p>	<p>A4</p> <p>Eaves, window hoods, wall trimmings, hot water systems, electrical switchboards, meters and the like may encroach into the prescribed frontage, side and rear setbacks by up to 0.6 m;</p> <p>AND</p> <p>Unroofed stairs and required landings may encroach into the <i>frontage</i>, side and/or rear setbacks by 1.0 m;</p> <p>AND</p> <p>An open portico including eaves, may encroach onto the <i>primary road frontage</i> setback by 1 m;</p> <p>AND</p> <p>Gutters may encroach into the prescribed frontage, side and rear setbacks provided they are less than 150 mm in width.</p> <p>Note: Encroachments must be wholly contained within the lot.</p>

SITE COVER

Performance Criteria	Acceptable Solution															
<p>P5</p> <p>Development results in a <i>site cover</i> that provides adequate private open space for recreation, service facilities and landscaping.</p>	<p>A5</p> <p>The maximum <i>site cover</i> of a <i>building</i> must comply with Table 3 and the following provisions:</p> <p>TABLE 3</p> <table border="1"> <thead> <tr> <th></th> <th colspan="4">Lot Area</th> </tr> <tr> <th></th> <th>≤ 300 m²</th> <th>300 m² ≤ 450 m²</th> <th>450 m² ≤ 600 m²</th> <th>> 600 m²</th> </tr> </thead> <tbody> <tr> <td>Site Cover</td> <td>80 %</td> <td>70 %</td> <td>60 %</td> <td>50 %</td> </tr> </tbody> </table> <p>AND</p> <p>Where the <i>lot area</i> is less than 450 m², the <i>site cover</i> within the area measured 4.5 m from the <i>rear boundary</i> is no more than 50 %.</p>		Lot Area					≤ 300 m ²	300 m ² ≤ 450 m ²	450 m ² ≤ 600 m ²	> 600 m ²	Site Cover	80 %	70 %	60 %	50 %
	Lot Area															
	≤ 300 m ²	300 m ² ≤ 450 m ²	450 m ² ≤ 600 m ²	> 600 m ²												
Site Cover	80 %	70 %	60 %	50 %												

HEIGHT

Performance Criteria	Acceptable Solution
<p>P6</p> <p><i>Building height:</i></p> <p>a. is consistent with the height of <i>dwellings</i> intended or prevailing in the area; and</p> <p>b. permits adequate sunlight to <i>dwellings</i> and private open space in adjoining premises.</p>	<p>A6</p> <p>A <i>dwelling</i> has a maximum <i>height</i> of 8.5 m above <i>natural ground</i> at minimum side and rear boundary setbacks as prescribed in Table 2, increasing at no more than 30 degrees to a maximum <i>building height</i> of 9.5 m above <i>natural ground</i>;</p> <p>OR</p> <p>A <i>dwelling</i> on a <i>lot</i> with a <i>slope</i> greater than 15 % has a maximum <i>height</i> of 8.5 m above <i>natural ground</i> at minimum side and rear boundary setbacks as prescribed in Table 2, increasing at no more than 30° to a maximum <i>building height</i> of 10 m above <i>natural ground</i>;</p> <p>AND</p> <p>An <i>outbuilding</i> has a maximum <i>building height</i> of 4.5 m and <i>mean height</i> of 3.5 m above <i>natural ground</i>.</p>

PRIVACY ON LOTS 450 m² OR LESS

Performance Criteria	Acceptable Solution
<p>P7</p> <p>Development minimises direct overlooking between <i>dwelling</i>s.</p>	<p>A7</p> <p>Where a window to a <i>habitable room</i> with a finished floor level more than 1 m above <i>natural ground</i> has:</p> <ol style="list-style-type: none"> a. a sill less than 1.5 m from the floor; and b. is within 3 m of a wall of an existing <i>dwelling</i>, the following privacy measures are required: <ol style="list-style-type: none"> i the window incorporates fixed obscure glazing below 1.5 m above floor level; or ii the view from the window is obscured by at least 50 %. <p>Where an external deck has:</p> <ol style="list-style-type: none"> a. a finished floor level more than 1 m above <i>natural ground</i> level; and b. is within 3 m of a wall of an existing <i>dwelling</i> on an adjoining <i>lot</i>; the deck has an external screen that obscures 50 % of the sight line to the other <i>dwelling</i>.

PRIVATE OPEN SPACE ON LOTS 450 m² OR LESS

Performance Criteria	Acceptable Solution
<p>P8</p> <p>Development includes private open space that has usable proportions.</p>	<p>A8</p> <p>A <i>detached dwelling</i> is to be provided with an area of uncovered private open space which has:</p> <ol style="list-style-type: none"> a. a minimum dimension of 2 m; and b. a minimum area of 16 m²; and c. is directly accessible from a <i>habitable room</i>. <p>Note: Direct access to private open space can be via a roofed outdoor area.</p>

CAR PARKING AND ACCESS

Performance Criteria	Acceptable Solution
<p>P9</p> <p>Sufficient car parking is provided on site for residents. Car parking spaces are accessible and of an appropriate size.</p>	<p>A9</p> <p>One car parking space is provided per <i>dwelling</i>;</p> <p>AND</p> <p>Car parking space dimensions and the location of a driveway are in accordance with Australian Standards AS 2890.1:2004 <i>Parking facilities – Off-street car parking</i>;</p> <p>AND</p> <p>Driveways are constructed in accordance with the Queensland Development Code NMP 1.1 Driveways except for the location of a driveway.</p>

ANCILLARY STRUCTURES

Performance Criteria	Acceptable Solution
Primary and Secondary Road Frontage	
<p>P10</p> <p>Structures visible from the <i>primary road frontage</i> and <i>secondary road frontage</i> are consistent with and complement the streetscape.</p>	<p>A10</p> <p>For a <i>carport</i>, the minimum <i>primary road frontage</i> and <i>secondary road frontage</i> setback is 0 m where:</p> <ol style="list-style-type: none"> 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; and there is no alternative on-site location for a carport that will allow vehicular access having a minimum width of 2.5 m; <p>AND</p> <p>Where the lot area is less than 450 m² the width of the <i>carport</i> facing and visible from the <i>road</i> is the lesser of 6m or 50 % of the street frontage.</p> <p>For a screen, fence, water tank, retaining wall or a combination thereof, the minimum setback is 0 m if not more than 2 m in height.</p> <p>For a roofed gatehouse or arch the minimum setback to any street <i>frontage</i> is 0 m if:</p> <ol style="list-style-type: none"> a maximum roofed area of 4 m²; and not more than a 2 m wide elevation to the street; and not more than 3 m in height.
Side and Rear Boundary	
<p>P11</p> <p>A structure built on a lot boundary is of a domestic scale which minimises impact on amenity on <i>dwellings</i> and private open space on adjoining premises.</p>	<p>A11</p> <p>The minimum setback is 0 m where:</p> <ol style="list-style-type: none"> the structure is not more than 2.4 m high within the prescribed boundary setback and used for ornamental or horticultural purposes only and not used for recreational purposes eg deck or patio; or a rainwater tank including and supporting structure such as a stand and is not more than 2.4 m high within the prescribed boundary setback; or a screen, fence, retaining wall or a combination thereof, if not more than 2 m in height within the prescribed boundary setback.

SWIMMING POOL

Performance Criteria	Acceptable Solution
Primary and Secondary Frontage	
<p>P12</p> <p>The swimming pool is setback from the primary and secondary road <i>frontage</i> to minimise splashing of pedestrians.</p>	<p>A12</p> <p>For a swimming pool, the minimum setback is:</p> <ul style="list-style-type: none"> a. 1 m; or b. less than 1 m where there is a solid wall or fence at least 1.8 m high measured on the inside of the fence.
Side and Rear Boundary	
<p>P13</p> <p>The swimming pool is setback from the <i>frontage</i> to minimise splashing into the adjoining premises.</p>	<p>A13</p> <p>For a swimming pool, the minimum setback is:</p> <ul style="list-style-type: none"> a. 1 m; or b. less than 1 m where there is a solid wall or fence at least 1.8 m high measured on the inside of the fence.

DICTIONARY

Acceptable solution has the same meaning as “Deemed-to-Satisfy Solution” in the Building Code of Australia – Volume 2.

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

Battle-axe lot means a lot that has access to a road via an accessway.

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

Building height means the vertical distance between *natural ground* and the highest point of the building at that location, but not including any antennae, chimneys, flues or the like. Refer also to *mean height*.

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.

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).

Detached dwelling means either one *dwelling* or one *dwelling* and a *secondary dwelling* on a *lot*.

Dwelling means a Class 1 building as defined in the Building Code of Australia – Volume 2 that:

- (a) is used, or capable of being used, as a self-contained residence; and
- (b) may contain a *garage* that is under the same roof structure as the dwelling; and
- (b) contains:
 - (i) food preparation facilities; and
 - (ii) a bath or shower; and
 - (iii) a toilet; and
 - (iv) a wash basin; and
 - (v) facilities for washing clothes.

Frontage means the road alignment of a *lot*.

Garage means an enclosed Class 10a building as defined in the Building Code of Australia – Volume 2, providing covered vehicular parking.

Habitable room has the same meaning as in the Building Code of Australia – Volume 2.

Lot has the same meaning as the *Planning Act 2016*.

Lot width means either the dimension parallel to the *road* boundary or where the lot has an irregular shape, the average width of the lot, not including any accessway of a battle-axe lot.

Matching wall means a wall which is offset in length and height no more than 25 % from an adjoining wall.

Mean height means the vertical height worked out by dividing –

- (a) the total elevational area of that part of the building within the minimum setback facing the boundary; by
- (b) the horizontal length of the building or structure facing the boundary.

Refer also to *building height*.

Natural ground, 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.

Outbuilding means a Class 10a building as defined in the Building Code of Australia – Volume 2, that is detached from but ancillary to a dwelling on the same *lot* and is limited to non-habitable buildings for the purpose of a shed, *garage* and *carport*.

Performance criteria has the same meaning as “Performance Requirement” in the Building Code of Australia – Volume 2.

Primary road frontage means the frontage most commonly addressed by other buildings in the street or if unclear, frontage to the road nominated by the property address.

Rear boundary means the boundary opposite the *primary road frontage* which adjoins another residential lot where not a *side boundary*.

Side boundary means the boundary adjacent to the *primary road frontage* which adjoins another residential lot.

Required window means the minimum area of a window required by the Building Code of Australia – Volume 2 to provide natural light to a habitable room.

Residential zone means a lot:

- a) designated in a planning instrument defined in the *Planning Act 2016*;
- b) subject to a preliminary approval issued pursuant to s 3.1.6 of the *Integrated Planning Act 1997*;
- c) subject to a preliminary approval issued pursuant to s 242 of the *Sustainable Planning Act 2009*;
- d) subject to a *variation approval* issued pursuant to the *Planning Act 2016*; and
- e) subject to a PDA development approval under the *Economic Development Act 2012*.

where the primary purpose is to provide for a single *dwelling* on a *lot*.

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.

Secondary dwelling means a *dwelling*, whether attached or detached, on the same lot having an area of 80 m². The area is measured from the outside of external walls and the centre of any common walls of the building, but not including an area used for parking one car or an unenclosed *balcony*.

Secondary road frontage means a road *frontage* of a lot that is not the *primary road frontage* and includes *frontage* to a park.

Setback means:

a) for a building or structure other than a swimming pool, the shortest distance measured horizontally from the wall of a 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 boundary means the boundary adjacent to the *primary road frontage* which adjoins another residential property.

Site cover means the proportion of *lot* covered by buildings and structures roofed with impervious materials calculated to the walls of buildings and 0.65 m inside the line of the roof over an open covered area and expressed as a percentage of the *lot* area. The term does not include:

- a) any structure or part thereof included in a landscaped open space area such as a gazebo or shade structure.
- b) basement car parking areas located wholly below ground level.

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.

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

Appendix 2: Requested response & diagrams from member

Feedback on the Draft Queensland House Code

August 2024 issue for consultation.

Part 1.1

9. Performance criteria and acceptable solutions

3. For the purpose of this part the following are deemed to be QDC *acceptable solutions*:
 - (a) a *plan of development* issued by a *local government* that specifies matters regulated under this Part; **and**
 - (b) a State categorising instrument that specifies matters regulated under this Part.

Why is this section requiring both (a) & (b)? Should this not be one or the other? The need to have the Housing Minister sign off and a POD approved by the local authority is a lengthy process. Several items in Chapter 1 & 2 are not aligned with current building requirements regularly used throughout S.E.QLD. This will result in several POD's being lodged with the Housing Minister & associated local authority further exasperating the housing crisis and fueling the lack of housing affordability.

10. Referral agency

Schedule 9, Part 3, Division 2 of the *Planning Regulation 2017* details when a *local government* is a *referral agency* for the QDC Part and matters the *referral agency's* assessment must be against.

In these circumstances the application must be referred to the relevant *local government* to provide a *referral agency* response.

This section is unable to be quantified as the QLD Planning Regulation 2017, Schedule 9, Part 3 Division 2 has not been amended to reflect the item in the QHC.

Definitions

Lot width means the shortest distance between two side *common boundaries* of a *lot* measured at the *primary frontage boundary* of the *lot*.

This is a new meaning that will only work for regular shaped allotments. Lots that narrow towards the rear of the lot and have a longer primary frontage will simply be the length of the primary frontage. A description to calculate an average is needed.

The description doesn't help identify the lot width for a corner lot, as a corner does not have a common side boundary on two sides.

Maintenance free means building materials (such as unpainted or untreated masonry, steel sheeting or pre-finished materials) not requiring ongoing maintenance.

This restricts a lot of widely used external materials. Rendered brickwork/blockwork/Aerated Autoclave Concrete, etc.

OUTBUILDINGS, is mentioned in various parts of Chapter 1 & 2, yet it is not identified in the definitions. The term Outbuilding should be identified for clarity in the use of this document.

Rear boundary means a *common boundary* opposite a *primary frontage boundary*.

This is going to further restrict dwellings, making them unusable in some instances. In the BCC planning scheme, a corner lot or a rear lot does not have a rear boundary. This is logical and considering that the site cover still means that it will not allow the dwelling to be built to the maximum building envelope area therefore creating a greater distance to at least on the allotment's boundaries.

Secondary frontage boundary of a lot is any frontage boundary of a lot that is not the primary frontage boundary and includes a frontage facing:

- a. a road on a corner lot; or
- b. a laneway or parkway; or
- c. a park or open space.

Does this also include the corner truncations? This description needs to clarify the secondary frontage only.

Setback means:

- a. for a building, the shortest distance, measured horizontally, between an external wall of the building to the vertical projection of the boundary of the lot where the building is; and
- b. for a structure, other than a swimming pool, the shortest distance, measured horizontally, between the outermost projection of a structure to the vertical projection of the boundary of the lot where the structure is; and
- c. for a swimming pool, the shortest distance measured horizontally from the water's edge to the vertical projection of a boundary of the lot.

This description will cause confusion in the industry. Description needs to include a point on the building that the setback will be measured to when that part of the building or structure does not have a wall. An example of where this clarification is needed is a carport or an alfresco that does not have walls, and this is where the supporting part of the structure (carport or alfresco posts) is required in the definition.

Site cover has the same meaning as in the Planning Regulation 2017.

site cover, of development, means the portion of the site, expressed as a percentage, that will be covered by a building or structure, measured to its outermost projection, after the development is carried out, other than a building or structure, or part of a building or structure, that is—

- (a) in a landscaped or open space area, including, for example, a gazebo or shade structure; or
- (b) a basement that is completely below ground level and used for car parking; or
- (c) the eaves of a building; or
- (d) a sun shade.

This description differs from that described in the QDC MP 1.1 & 1.2 that included the clarification where to measure to when the building does not have a wall. The highlighted line below from QDC MP 1.1 & 1.2 needs to be included in the QHC to avoid confusion.

QDC Extracts below.

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.

A3 The maximum area covered by all buildings and structures roofed with impervious materials, does not exceed 50% of the lot area.

Feedback on the Draft Queensland House Code

August 2024 issue for consultation.

Chapter 1 – Houses on lots 450m² and over

Table 1 — Minimum frontage boundary setbacks for buildings – external walls

Type	Minimum setback			
	Primary frontage boundary	Secondary frontage boundaries —Road	Secondary frontage boundaries —Laneway or Parkway	Secondary frontage boundaries —Other
Class 1 buildings	5m	4m	1m	3m
Class 10a buildings	Primary frontage boundary	Secondary frontage boundaries —Road	Secondary frontage boundaries —Laneway or Parkway	Secondary frontage boundaries —Other
Building work including: <ul style="list-style-type: none"> - a garage or - a carport or - a laundry or - a shed or - a store. 	6m	6m	1m	4m
Building work including: <ul style="list-style-type: none"> - a carport that is 3.5m or less in height that does not include a garage door or - a gatehouse that is 3m or less in height and has a roof area of no more than 6m². 	BTB permitted	BTB permitted	0.5m	1m

In Table 1:

1. Where a laneway or a parkway is the primary frontage boundary of a lot, then the setback for the primary frontage boundary in Table 1 is 2m.
2. Where an adjoining premises is setback less than the primary frontage boundary setback specified in Table 1, the primary frontage boundary setback is reduced by 1m.
3. Any Class 10a building work not specifically listed in Table 1 must comply with the Class 1 setbacks in Table 1.

Table 1 provides the minimum setbacks measured to an external wall, yet some of the buildings/structures in the left-hand column are likely to not have wall, whether entirely or for a portion of the building/structure. The notes included below Table 1 need to include a description of this for clarity. **EXAMPLE:** Where the building or structure does not have an external wall, the setback is measured to the supporting of the building or structure.

Secondary frontage boundaries – Road. This setback is illustrated at 4.0m which is too large and will have multiple impacts resulting in numerous POD's being lodged which defeats the purpose of a mandatory house code. The 4.0m Secondary frontage – Road and the 3.0m Secondary frontage – Other setbacks are ignorant of building height or the allotment width, which is currently facilitated in the QDC MP 1.2 via Table A1. The impact of this enlarged Secondary frontage setbacks will eventually filter into the land development sector who will be forced to increase the size and width of corner allotments to accommodate the housing that is established in the local area. This will not only skew the value of corner allotments, but it will also reduce the established yield for development sites further increasing the cost of newly developed lots.

Building work including – a carport that is 3.5m in height or less has a visual impact that has not been thought through. The 3.5m height highlighted in Table 1 above would facilitate the approval for the desirable streetscape examples included below. For many applications not wanting to increase the time or cost of the carport application that would require a referral agency response, even though this is not clearly identified of how this would work in the QHC. The result would see many residents accepting a carport that does not exceed 3.5m and this will have an impact on the evolving streetscape with undesirable outcomes. Refer to images below.

Desirable streetscape



Undesirable Streetscape



The notes below Table 1 should include a clear description of how an application that does not comply with the setback listed could be assessed. Is this a request for a Referral Agency Response from the local authority?

Table 2—Minimum frontage boundary setbacks – structures and outbuildings

Type Specified	Minimum Setback			
	Primary frontage boundary	Secondary frontage boundaries —Road	Secondary frontage boundaries —Laneway or Parkway	Secondary frontage boundaries —Other
Structures and outbuildings				
If 3.5m or less in height and involving building work that is: <ul style="list-style-type: none"> - a covered outdoor room; or - a balcony; or measured to where? - a pergola. 	3m	2.5m	0.5m	1.5m

Table 2. The setbacks included above need a clear definition of where the distance is measured to. Currently, the setback point is not clear, and this could be overcome by including an additional note.

EXAMPLE: Where the building or structure does not have an external wall, the setback is measured to the supporting of the building or structure.

The notes below **Table 2** should include a clear description of how an application that does not comply with the setback listed could be assessed. Is this a request for a Referral Agency Response from the local authority?

Table 3 — Minimum common boundary setbacks – external walls

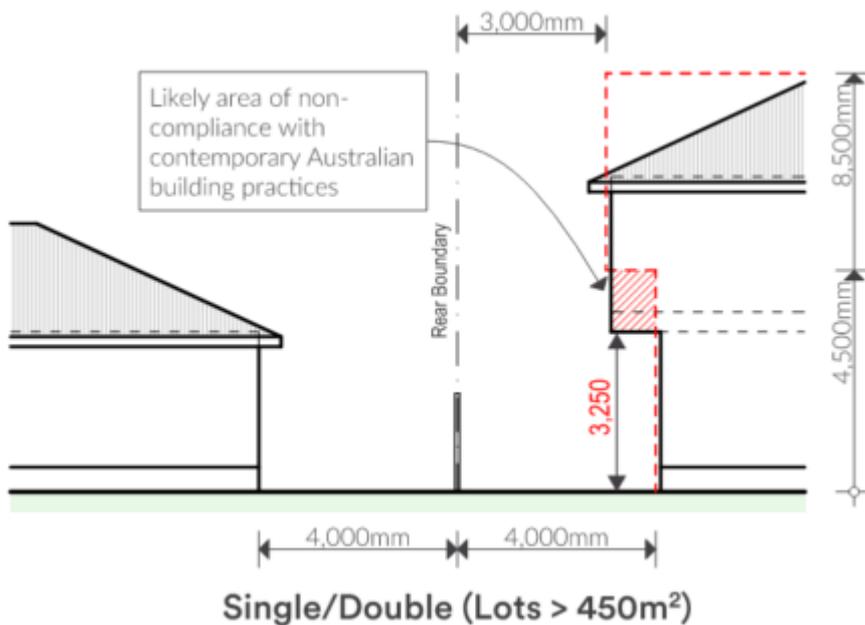
Type	Minimum setback	
	Side boundary	Rear boundary
Class 1 buildings		
If 4.5m or less in height	1.5m	4m
If over 4.5m and 8.5m or less in height	1.5m	3m
If over 8.5m in height	2.5m	3m
Class 10a buildings		
If 3.5m or less in height and involving building work that is: <ul style="list-style-type: none"> - a garage, carport, laundry or store up to 9m total combined length along all common boundaries; or - a gatehouse that has a roof area of no more than 6m². or an arch. 	BTB permitted	BTB permitted

In Table 3:

1. There are separate requirements for each story of a dwelling based on height. This allows the second story facing the rear boundary to cantilever over an outdoor living area located on the ground floor.
2. Where *Class 10a buildings* exceed the *height* requirements stated in Table 3, or are not specifically listed in Table 3, the setbacks for *Class 1 buildings* in Table 3 apply.

Table 3. The setbacks highlighted above are too large for allotments that are narrow. QDC MP 1.2, Table A2 facilitates this, albeit very outdated now. Master planned communities have side setback table that also facilitate this very well and this must be accommodated in the QHC Chapter 1. Allotments 450m² or greater often have an overall width less than 12.5m, and this is where a reduced side setback relevant to the allotment width is necessary.

Table 3 notes. The notes describe the situation that allows the upper storey to cantilever at least 1.0m over the lower storey or an outdoor living area. The description will not deliver what is intended due to the heights listed for each setback. To illustrate where this fails, Provided below is a diagram that shows the area of cantilevered upper storey wall (indicated with a red cross hatch) that does not meet the setbacks described. The descriptive in Table 3 needs to change to alleviate the unintentional consequences for the industry professionals.



The lower storey outdoor living area will generally be greater than the 1.0m cantilever in depth and this will require support posts for the upper storey as a cantilever greater than 1.0m deep, or the depth of the outdoor living area is very costly. The notes included below Table 3 need to facilitate the inclusion of support posts located at the upper storey setback. This would still provide an open area below the upper storey while also being mindful of typical construction methods and housing affordability.

EXAMPLE: The lower storey may have support posts located at the upper storey setback providing the total width of the support post facing the rear boundary do not exceed 10% of the upper storey wall facing the rear boundary.

Table 3. Includes the Built to Boundary setbacks for *Class 10a* portions of the dwelling which have been regurgitated from the QDC MP 1.1 & 1.2 and this needs to change. Many local authorities have long moved on from this old reference that only *Class 10a* parts of the dwelling can be Built to the Boundary. The QHC needs to incorporate today's methods and values for it to be useful. Changing the Built to Boundary parts

The included **Diagrams A to E** in this response illustrate the outcomes that this QHC would produce, and this will create poor outcomes in too many instances. The diagrams included also provide alternate solutions that would achieve a better outcome.

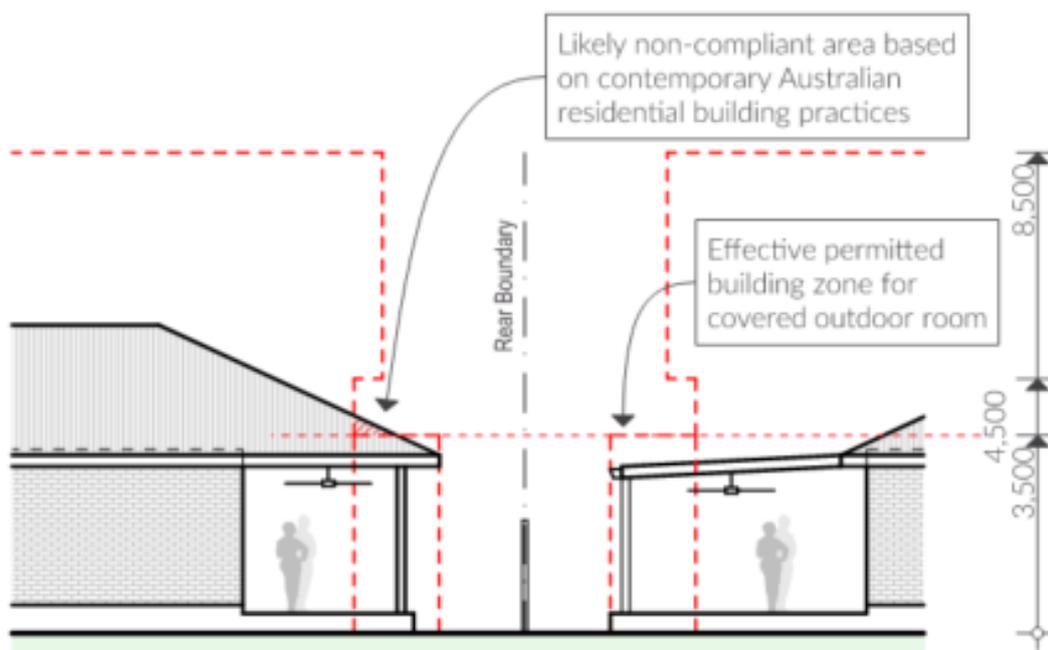
Table 4 — Minimum common boundary setbacks – structures and outbuildings

Type specified	Minimum setback	
Structures and outbuildings	<i>Side boundary</i>	<i>Rear boundary</i>
<p>If 3.5m or less in height and building work that is:</p> <ul style="list-style-type: none"> - a covered outdoor room; or - a balcony; or - an arch; or - a pergola. 	1m	2m

Table 4.

Includes a reference for a covered outdoor room which is an essential part of all dwelling for a subtropical climate. The **maximum 3.5m height** is very hard to achieve and will result in lower roof pitch further reducing the thermal performance of the roof cover. This same requirement is also referenced in **Table 3**.

The diagram below shows why this is difficult to achieve an outdoor room less than 3.5m in height using typical building materials & methods. The result is accepting an insulated roof sheeting patio extension that isn't what the consumer wants today. Additional to having a 1980's patio roof, the installation of a ceiling fan and achieving the thermal download requirements potentially, means that the QLD energy efficiency credits for the outdoor living space may not be achievable.



Rear Alfresco Setbacks

CURRENT PROPOSAL

<p>If 3.5m or less in <i>height</i> and <i>building work</i> that is:</p> <ul style="list-style-type: none"> - a covered outdoor room; or - a balcony; or - an arch; or - a pergola. 	1m	2m
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Table 4. Includes an *arch* but the setback is 1.0m minimum from a side boundary & 2.0m minimum from a rear boundary. Considering that an *arch* is defined as a structure to assist in providing a clear visible entry of the dwelling that may not be obvious from the primary frontage, wouldn't the arch need to be closer to the side boundary than the setbacks highlighted above?

The notes below **Table 4** should include a clear description of how an application that does not comply with the setback listed could be assessed. Is this a request for a Referral Agency Response from the local authority?

4. Site cover

Part 4 – Site Cover. The definition of Site cover has adopted that in the Planning Regulation 2017, which is different from the term, *area* that is used in the QDC MP 1.1 & 1.2. The benefit of the area definition in the QDC is that it clearly identified how to calculate an open area such as a porch, portico, covered outdoor room and the like. A clear description of how to calculate an open area is required in the QDC.

Site cover has the same meaning as in the *Planning Regulation 2017*.

<p><i>site cover</i>, of development, means the portion of the site, expressed as a percentage, that will be covered by a building or structure, measured to its outermost projection, after the development is carried out, other than a building or structure, or part of a building or structure, that is—</p> <ul style="list-style-type: none"> (a) in a landscaped or open space area, including, for example, a gazebo or shade structure; or (b) a basement that is completely below ground level and used for car parking; or (c) the eaves of a building; or (d) a sun shade.

QDC MP 1.1 & 1.2 area definition.

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.

6. Built to boundary walls

Performance criteria	Acceptable solutions
<p>P6.1 Maintenance of built to boundary walls</p> <p>1. The design and construction of a <i>building</i> that is close to a <i>common boundary</i> facilitates building maintenance.</p>	<p>A6.1 Maintenance of built to boundary walls</p> <p>1. Walls within 750mm of a <i>common boundary</i> must be maintenance free.</p>
<p>P6.2 Location of built to boundary walls</p> <p>1. <i>Building</i> work minimises inaccessible gaps between the <i>common boundary</i> and a <i>building</i>.</p>	<p>A6.1 Location of built to boundary walls</p> <p>1. A <i>built to boundary wall</i> is setback no more than 25mm from a <i>common boundary</i>.</p>

Part 6 – Built to boundary walls.

A6.1 - The highlighted items above need to be reassessed to ensure that the dwellings that will be built in accordance with the QHC are what the community needs.

The maintenance free issue above is a double-edged sword, and the appropriate methods need to be employed to outcome.

The image right, is a maintenance free wall, yet it is extremely unappealing, and the neighbour is the person who has to look at this wall day in day out.



Part 6 – Built to boundary walls -continued. A6.1 - It’s ironic that we have a Dividing Fence Act, yet we don’t have a relevant part of legislation that can appropriately deal with the aesthetics and maintenance of a Built to Boundary wall. Built to boundary walls are becoming more common as the density of new and existing suburbs increases. Now is the time to create an appropriate mechanism to allow these walls to be maintained and not rely on building controls that can promote the lowest common denominator.

Part 6 – Built to boundary walls -continued. A6.2 (note: this is a typo as it is a duplication of A6.1 in the QHC) – The suggestion that the location of a Built to Boundary can not be any greater than 25mm from the common boundary, is ludicrous. This section is poorly drafted as it contradicts A6.1 and does not facilitate the plethora of Built to Boundary that have been built in S.E.QLD over the past 35 years. A standard non-habitable Built to Boundary wall that would be part of every Queensland Builder’s set of design is located between 200mm – 250mm typically.

If A6.2 was intended to facilitate discontinuous construction as described in the NCC, then this clause needs to be re-written for clarity.

7. Dwelling entry

Performance criteria	Acceptable solutions
<p>P7 Dwelling entry</p> <p>1. <i>Building work:</i></p> <ul style="list-style-type: none"> a. promotes visual interest and a high level of visual amenity to all <i>frontage boundaries</i>; and b. ensures the entry to a <i>dwelling</i> is clearly identifiable and accessible to the public. 	<p>A7.1 Dwelling entry</p> <p>1. <i>Building work</i> ensures that the entry of a <i>dwelling</i> is clearly visible and has direct pedestrian access from a <i>frontage boundary</i> with:</p> <ul style="list-style-type: none"> a. a visible front door and pathway; or b. a visible gate or gatehouse provided with a house number accompanied by a pathway directly to the front door.

A7.1 Dwelling entry – Why would this Acceptable solution not include an arch? Example:

b. a visible gate or arch or gatehouse provided with a house number accompanied by a pathway directly to the front door.

Table 7 – Maximum access width of *garage* and *carport*

Garage and carport maximum access widths			
Access from <i>frontage boundary</i> other than a <i>laneway</i> and <i>secondary frontage boundary</i>	1 storey	2 storeys, where the first floor overhangs the <i>garage</i> or <i>carport</i> by no less than 0.5m	2 storeys, in all other circumstances
Lots up to 10m width	3.3m	4.8m	3.3m
Lots more than 10m width up to 12.5m width	4.8m	6m	4.8m
Lots more than 12.5m width	6m		
Access from <i>secondary frontage boundary</i>			
In all circumstances	6m		

Table 7 – Maximum access width of garage and carport – The highlighted text suggests an allotment with a 10m wide primary frontage with a single storey dwelling can only have a 3.3m wide maximum garage opening. This illustrates the lack of market research that has been done by the Building Code Team. The research is not hard to do efficiently. Example: Hey Google, do many Queensland Builders have single storey designs for a 10-meter-wide lot with a double garage?

The Google search results would provide you with numerous examples of essential and affordable housing. Table 7 needs to include the relevant information to provide the necessary affordable housing for Queenslanders.

10. Fences, walls and screens

Performance criteria	Acceptable solutions
<p>P10 Fences, walls and screens</p> <p>1. <i>Building work</i> ensures that a fence or screen that is provided in association with a <i>dwelling</i>:</p> <ol style="list-style-type: none"> facilitates security and privacy; minimises the impact on the amenity and privacy of residents of <i>adjoining premises</i>; facilitates casual surveillance of public space adjoining any <i>frontage boundary</i>; and enhances the use of <i>private open space</i>. 	<p>A10.1 Frontage boundaries</p> <p>1. A fence, <i>privacy fence</i>, <i>privacy screen</i> or retaining wall located on or within a minimum <i>frontage boundary setback</i> for a <i>class 1 building</i> specified in Table 1:</p> <ol style="list-style-type: none"> has a maximum <i>height</i> of 1.5m; or has a maximum height of 2m and the vertical plane along the fence up to 2m high is at least 25% <i>open</i> (Figure 4); or has a maximum <i>height</i> of 2m for any solid portion where the <i>frontage boundary</i> of the lot is located adjacent to a <i>road</i> that: <ol style="list-style-type: none"> is within a transport noise corridor designated under Chapter 8B of the Building Act 1975 and the noise category for the <i>lot</i> is 1 or greater; or has an AADT of at least 3,000 <i>vehicles</i>.
	<p>A10.2 Common boundaries</p> <p>1. A fence, <i>privacy fence</i>, <i>privacy screen</i> or retaining wall located on or within a minimum <i>common boundary setback</i> for a <i>class 1 building</i> specified in Table 3 has a maximum <i>height</i> of 2m.</p>

For A10.1(1)(b)

- Figure 4 - Frontage boundary open fence options* - includes examples of standard fences that meet the requirement to be at least 25% open.

In A10.1 and A10.2

- Please note further requirements under the QDC MP3.4 for *swimming pool barriers*.
- A reference to a fence, *privacy fence*, *privacy screen* or retaining wall includes a structure that is a combination of a fence, *privacy fence*, *privacy screen* or retaining wall.

In A10.2

- Please note further requirements for heights of *dividing fences* under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*.

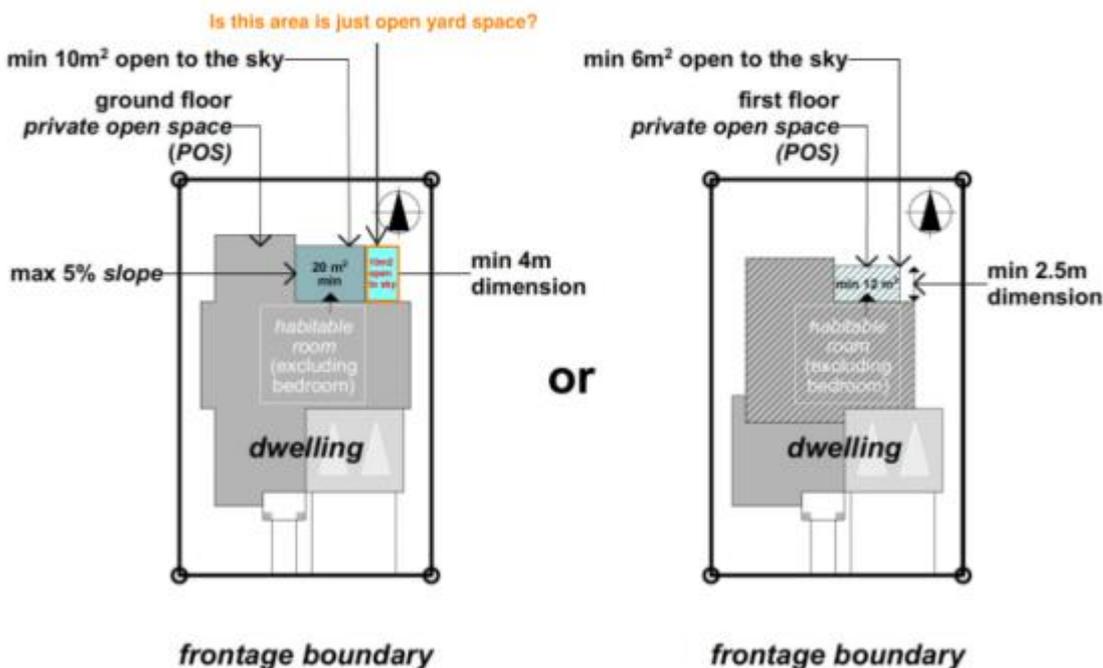
Part 10. Fences, walls and screens – A10.2 Common boundaries. The highlighted text suggests any combination of fence, privacy screen and or retaining can only be a maximum of 2.0m high. This is the most ridiculous item in the QHC and will result in the need for a POD approved by the local authority and approval from the Housing Minister for every fence and retaining combined greater than 2.001m high.

Table 8 — Minimum requirements for private open space and landscape open space

Type	Minimum dimension	Minimum area	Location	Maximum Slope	Use	Building work
Private open space - if located 2m or less above ground level	4m	20m ²	Directly accessible from a <i>habitable room</i> other than a bedroom and with at least 10m ² open to the sky	A slope of not more than 5%	Not used for utility areas such as bin storage, clothes drying and the like	N/A
Private open space – If located more than 2m above ground level	2.5m	12m ²	Directly accessible from a <i>habitable room</i> other than a bedroom and with at least 6m ² open to the sky	N/A	Not used for utility areas such as bin storage, clothes drying and the like	N/A
Landscape open space	2.5m	10m ²	Between the <i>dwelling</i> and a <i>frontage boundary</i>	N/A	Not used to provide access to the <i>lot</i> or another <i>lot</i>	Does not include <i>building work</i> both underneath and overhead

Table 8 - A minimum area of private open space is to be provided, and this can be the area of the outdoor room, yet the diagrams below do not clearly identify if the 50% portion of this area can just the open yard space. For the upper storey balcony, having a portion of this open to the sky is going to increase the maintenance requirements of the balcony dramatically. This item needs further attention and consultation with the building industry.

Figure 5 — Private open space (POS) example options



Feedback on the Draft Queensland House Code

August 2024 issue for targeted consultation.

Chapter 2 – Houses on lots under 450m²

Table 1 — Minimum frontage boundary setbacks for buildings – external walls

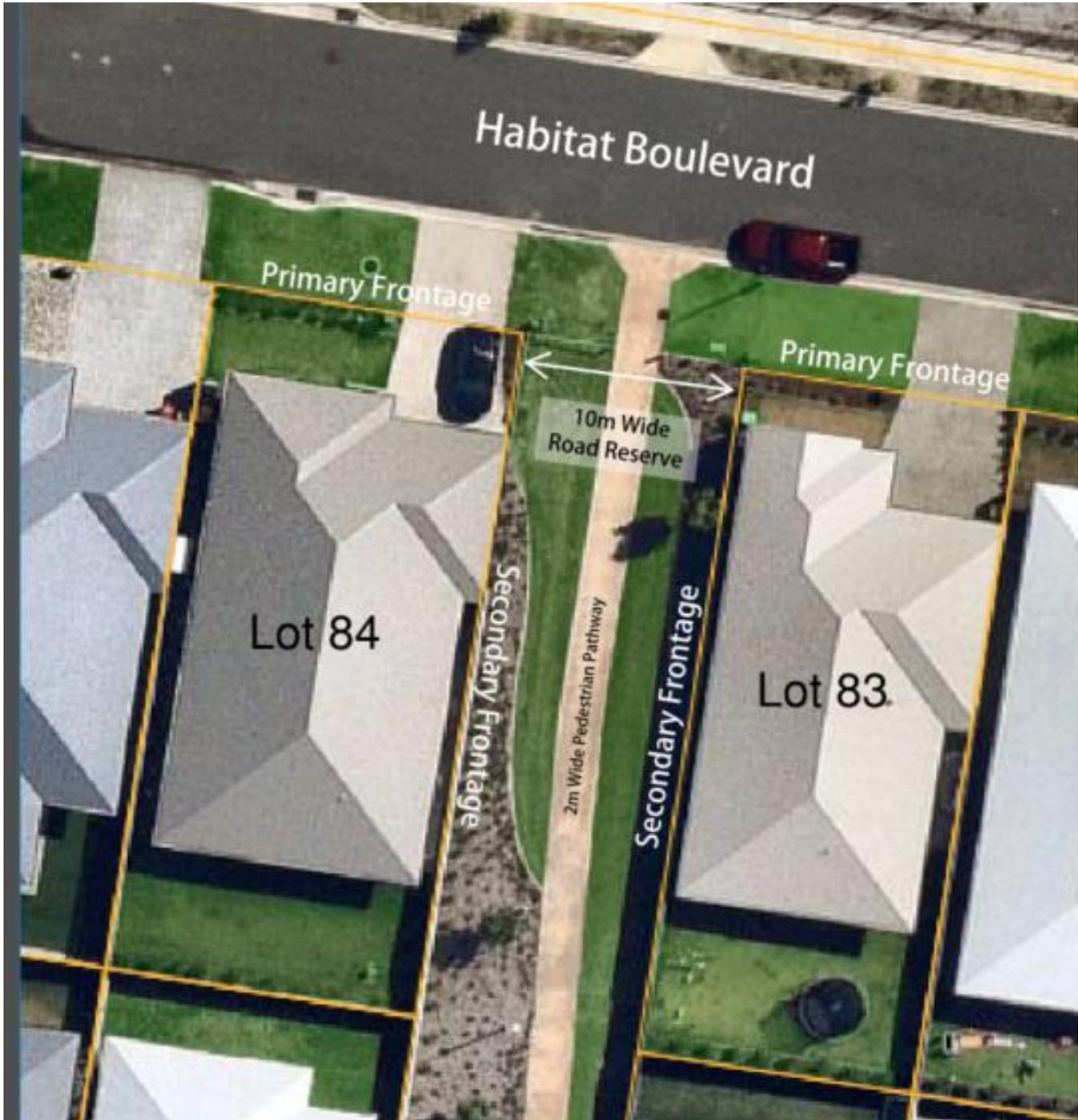
Type	Minimum setback			
	Primary frontage boundary	Secondary frontage boundaries —Road	Secondary frontage boundaries —Laneway or Parkway	Secondary frontage boundaries —Other
<i>Class 1 buildings</i>				
Class 1 buildings	3m	1.5m	0.5m	2m
<i>Class 10a buildings</i>				
<i>Building work including:</i> <ul style="list-style-type: none"> - a garage or - a carport or - a laundry or - a shed or - a store. 	5.4m	5.4m	1m	3m
<i>Building work including:</i> <ul style="list-style-type: none"> - a carport that is 3.5m or less in height that does not include a garage door or - a gatehouse that is 3m or less in height and has a roof area 	BTB permitted	BTB permitted	0.5m	1m

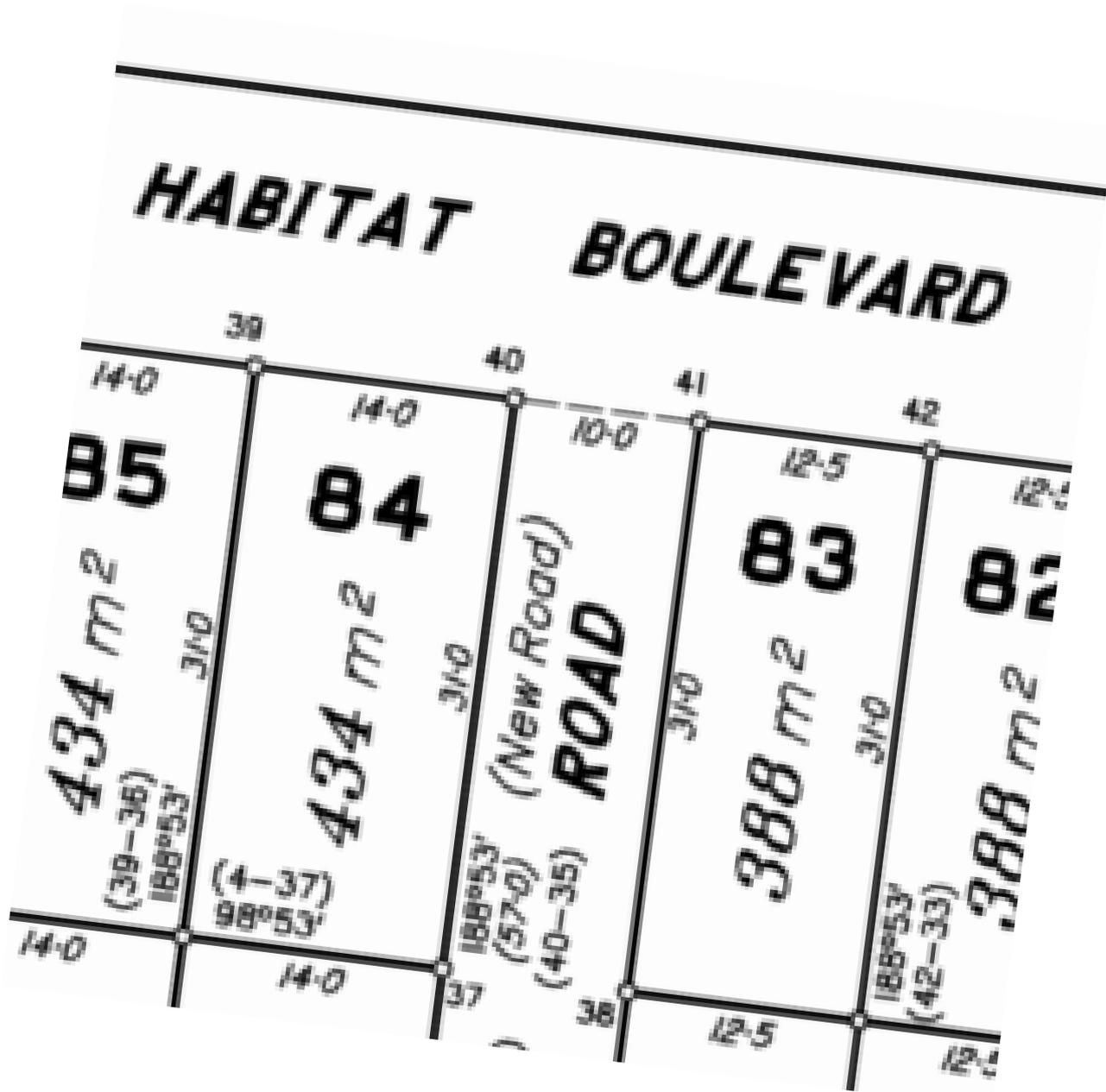
In Table 1:

1. Where a laneway or a parkway is the primary frontage boundary of a lot, then the setback for the primary frontage boundary in Table 1 is 2m.
2. Where an adjoining premises is setback less than the primary frontage boundary setback specified in Table 1, the primary frontage boundary setback is reduced by 1m.
3. Any Class 10a building work not specifically listed in Table 1 must comply with the Class 1 setbacks in Table 1.

Chapters 2 - Table 1 provides the minimum setbacks that are less than those in Chapter 1 – Table 1, but there are similar impacts and the text in the table needs to be very clear about where the setback is measured to. EXAMPLE: Where the building or structure does not have an external wall, the setback is measured to the supporting of the building or structure.

Secondary frontage boundaries – Other is 2.0m The situation for the secondary frontage described here is not beside a roadway and therefore is potentially road reserve that only contains a pedestrian pathway. The images below illustrate this situation and the corresponding extract from the survey plan confirming the secondary frontage is adjacent to a road reserve. Increasing the setback greater than a standard side boundary results in poor use of the allotment. The road reserve pathway area is 10m wide and therefore does not need an increased setback. QDC MP 1.1 Table A1 provides a 1.0m setback in these situations, so why increase the setback in the QHC for areas that are adjacent to a pedestrian pathway?





Enlarged Secondary frontage boundary - Other setbacks will eventually filter into the land development sector who will be forced to increase the size and width of allotments adjacent to a pathway to accommodate the housing that is established in the local area. This will not only skew the value of these allotments, but it will also reduce the established yield for development sites further increasing the cost of newly developed lots. These setbacks are providing building controls that do not support affordable housing and therefore they need to be changed to facilitate what Queenslanders need.

Building work including – a carport that is 3.5m in height or less This item mirrors the same problem outlined in the response to Chapter 1 and rather than repeating it, please refer to Chapter 1 response.

Chapter 2 - Table 2 – Minimum frontage boundary setbacks – structures and outbuildings. **The setbacks included in Table 2 are less than those in Chapter 1 but the need to clarify the point of where the setback is measured to, is still required. Rather than repeating this, please refer to the response items in the Chapter 1 section.**

Chapter 2 - Table 3 – Minimum common boundary setbacks – external walls. **The setbacks included in Table 3 are less than those in Chapter 1 – Table 3, but the need to clarify the point of where the setback is measured to, is still required. Rather than repeating this, please refer to the response items in the Chapter 1 section.**

Chapter 2 Figure 1 – Frontage boundary and common boundary (side and rear) location diagram. **This diagram is the same as that in Chapter 1 and rather than repeating this, please refer to the response in the Chapter 1 section.**

Chapter 2 – Table 4 – Minimum common boundary setbacks – structure and outbuildings. **The setbacks are similar to those in Chapter 1 - Table 4 and rather than repeating this, please refer to the response in the Chapter 1 section.**

Chapter 2 - Part 4 – Site Cover. **The definition of Site cover referenced in Chapter 1 and the need for clarity in determining the area of open spaces is required. Please refer to the response in Chapter 1. Additionally, the 65% site cover requirements for lot 250m² or less will not achieve the dwellings that are currently being built in S.E.QLD on micro allotments. This needs to be recalculated to establish a relevant site cover percentage or delete it from the proposed QHC with reference allotment of this size must have a POD.**

Chapter 2 - Part 6 – Bult to boundary walls -continued. A6.2 (typo to be corrected) – **This is covered in Chapter 1 – Part 6 response. Rather than repeating this, please refer to the response in the Chapter 1 section.**

Chapter 2 - Part 7 – Dwelling entry – **This is covered in Chapter 1 – Part 7 response. Rather than repeating this, please refer to the response in the Chapter 1 section.**

Chapter 2 – Table 7 – Maximum access width of garage and carport – **This is covered in Chapter 1 – Table 7 response. Rather than repeating this, please refer to the response in the Chapter 1 section.**

Chapter 2 - Part 10 – Fences, walls and screens – **This is covered in Chapter 1 – Part 10 response. Rather than repeating this, please refer to the response in the Chapter 1 section.**

Chapter 2 – Table 8 – Minimum requirements for private open space and landscape open space – **This is covered in Chapter 1 – Table 8 response. Rather than repeating this, please refer to the response in the Chapter 1 section.**

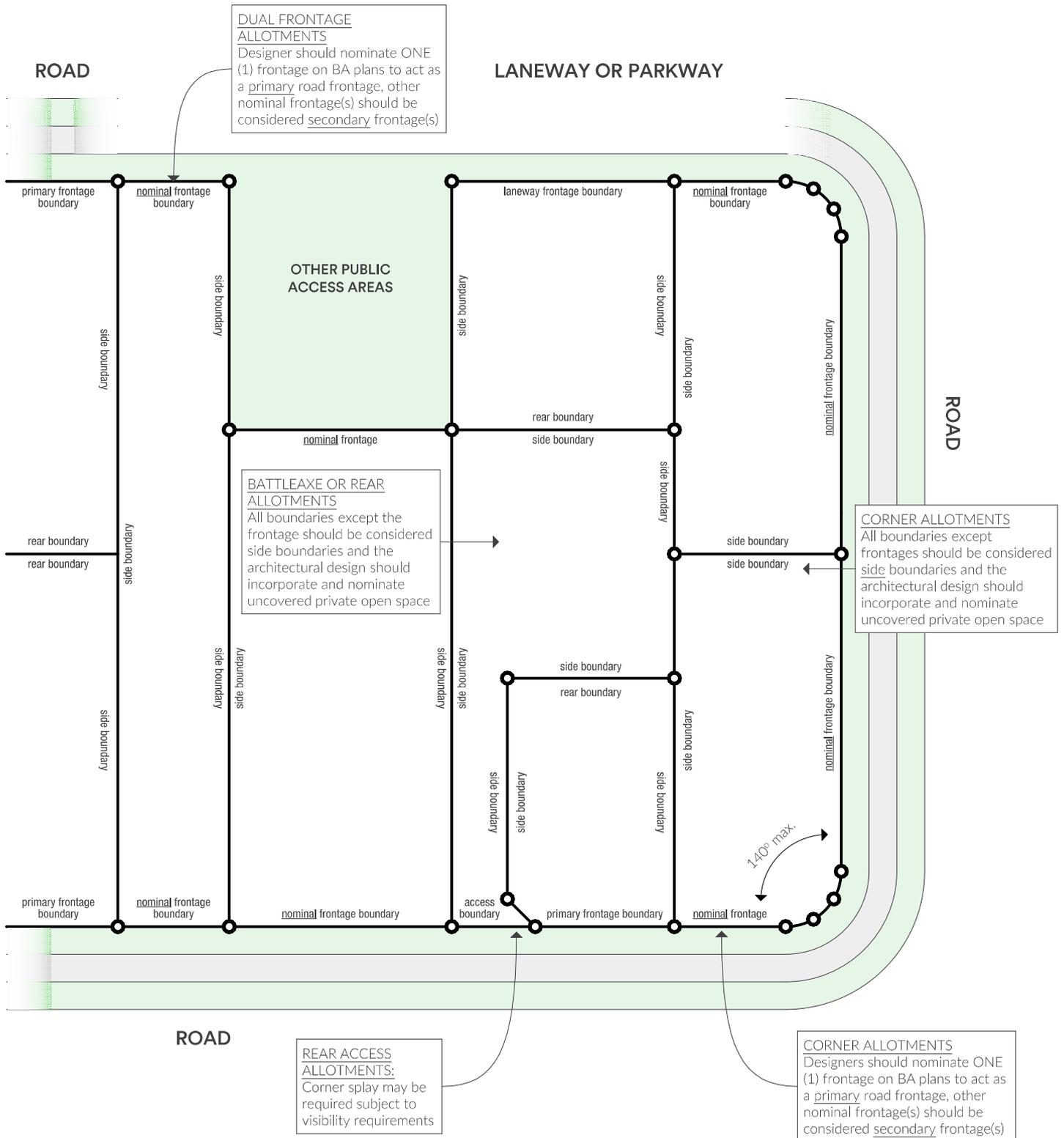
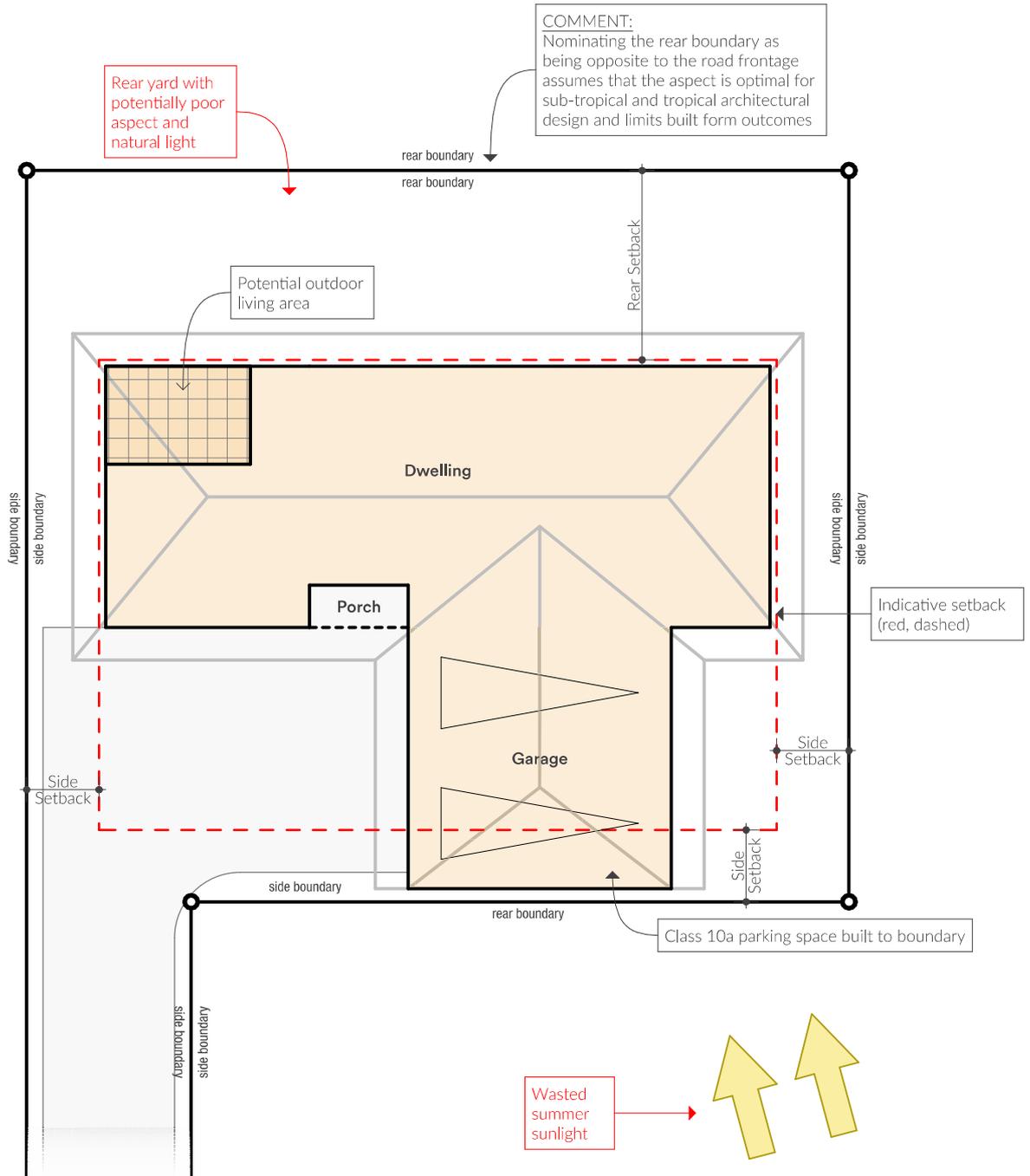


Diagram A

The allotment configuration, shape, size & orientation will be the determining factor of which boundary would be classified as a rear boundary.

Draft QHC Feedback (Nov 2024)

Boundary Location Diagram & Comments



CURRENT PROPOSAL

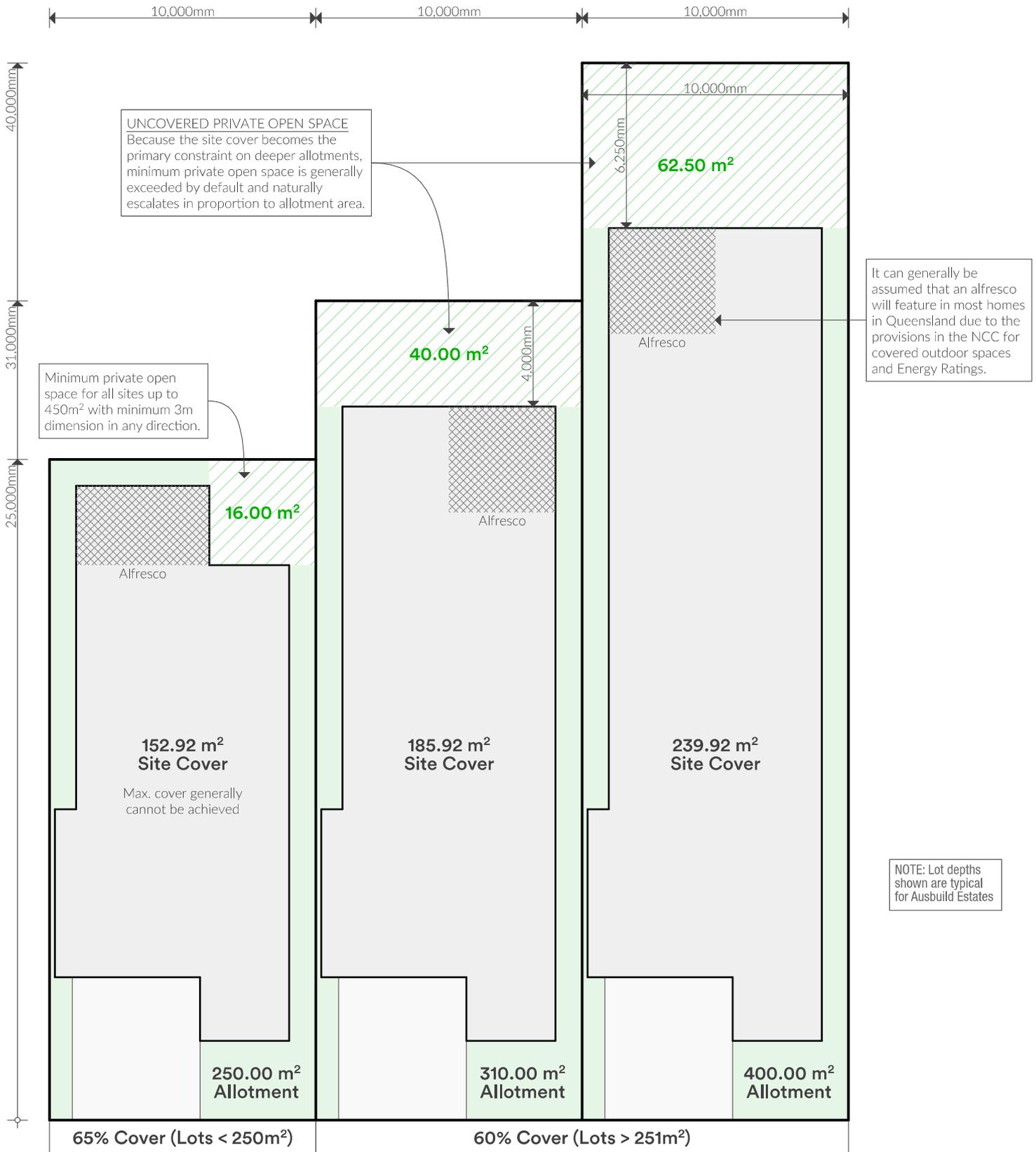
Battleaxe/Rear Allotments

Diagram B

The allotment configuration, shape, size & orientation will be the determining factor of which boundary would be classified as a rear boundary.

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Rear Allotment Diagram (Current)



REAR SETBACK ALTERNATIVE SOLUTION

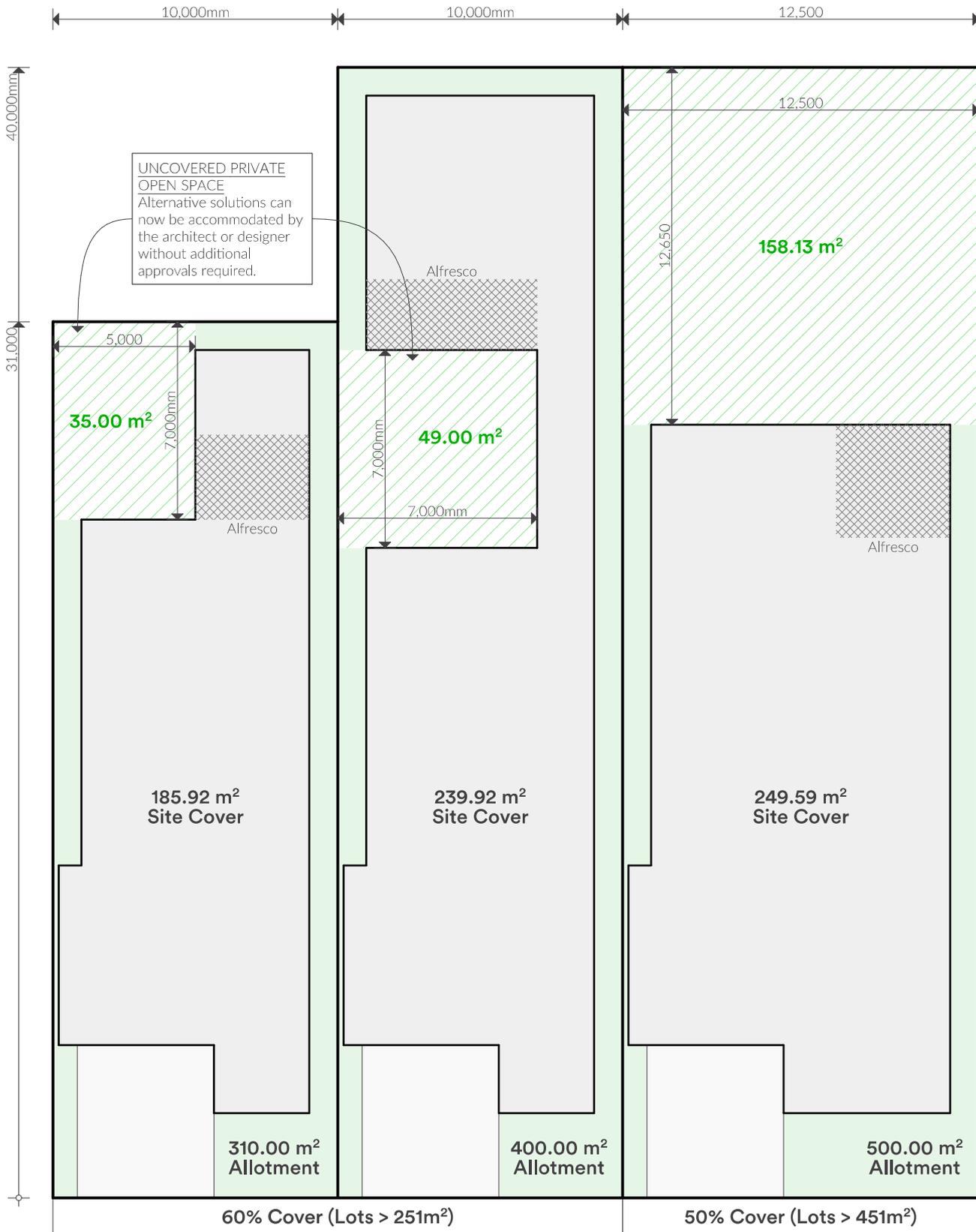
For Class 1 building elements UNDER 4.5m high

Diagram D

The site plans above illustrates that applying the proposed dwelling setbacks and the site cover requirements are often restricting one or the other and this needs further work for it to be useful.

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Lower Level Rear Setback Diagram



REAR SETBACK ALTERNATIVE SOLUTION

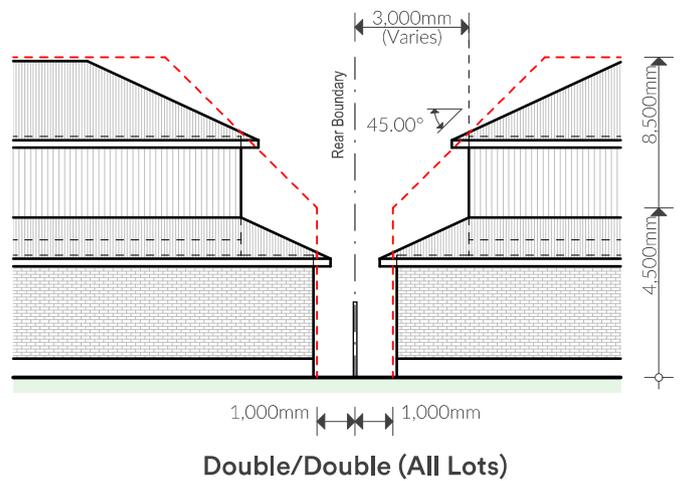
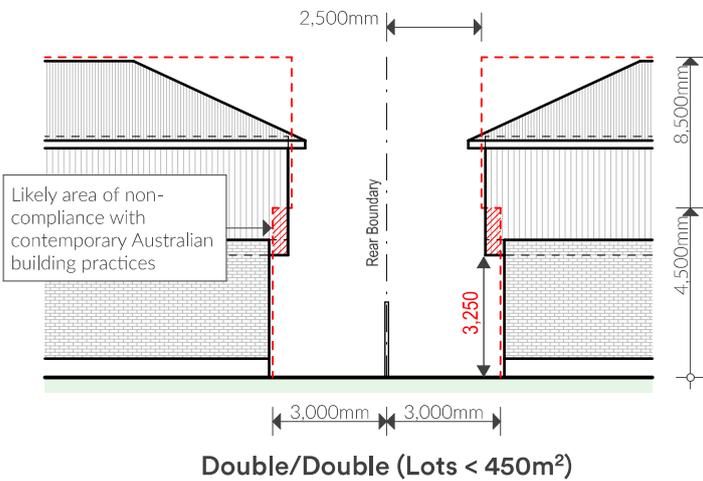
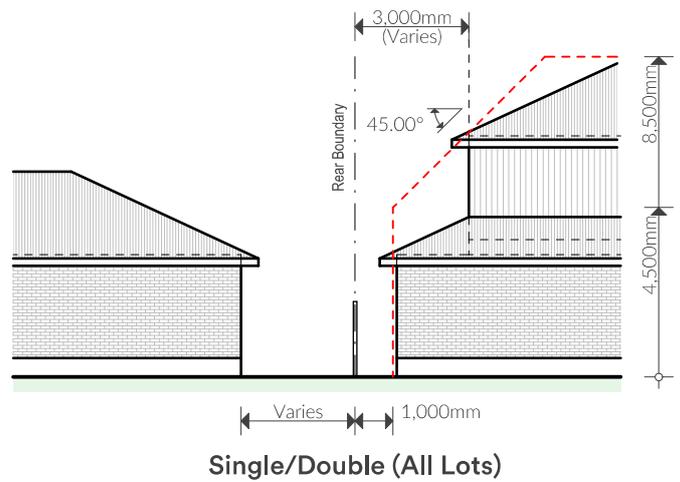
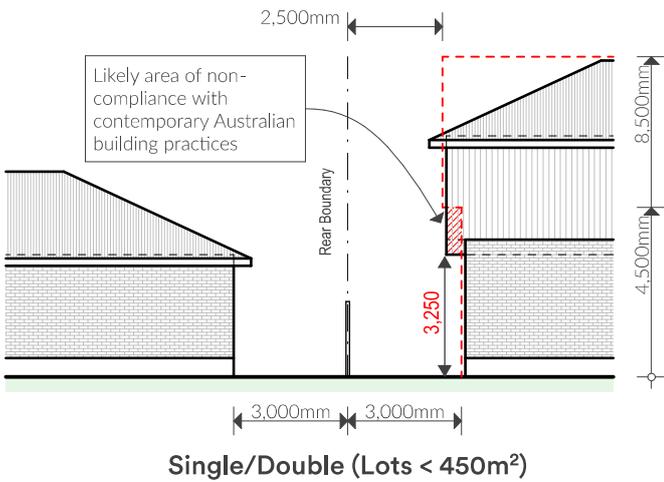
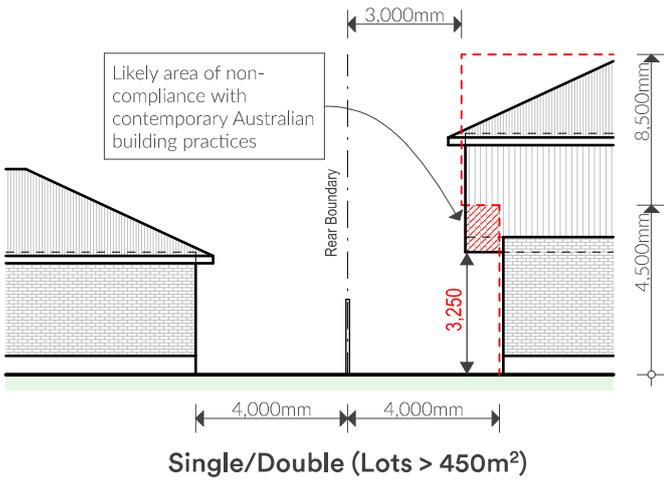
For Class 1 building elements UNDER 4.5m high

Diagram D

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Lower Level Rear Setback Diagram

The diagrams below illustrate that the proposed QHC rear setback need to be properly described for the building industry and avoid interpretation problems resulting in delays. Using building setbacks that are cognisant of the sunlight to neighbouring properties are logical and will generally assist the privacy screening requirements.



CURRENT PROPOSAL
Strict bounding areas

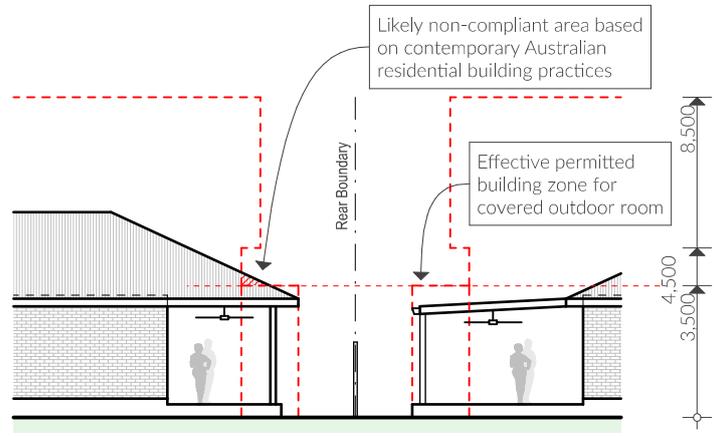
ALTERNATIVE SOLUTION
Daylight access planes

REAR SETBACKS

For Class 1 building elements OVER 4.5m high

Diagram E

The diagram below shows why this is difficult to achieve an outdoor room less than 3.5m in height using typical building materials & methods. The low pitch insulated roof will have limitations for the installation of a ceiling fan and achieve the thermal download requirements. This potentially, means that the QLD energy efficiency credits for the outdoor living space may not be achievable.



Rear Alfresco Setbacks
CURRENT PROPOSAL

Diagram F