

Advisory notes

Design and siting of buildings and structures

Purpose of these notes

The design and siting of buildings and structures within the City of Gold Coast (the City) is regulated by a combination of the *Gold Coast Planning Scheme 2003* (Planning Scheme), and the siting requirements of Part 3 of the *Building Act 1975* (Building Act).

City of Gold Coast's jurisdiction is limited to its Referral Agency functions under Section 33 of the Building Act in relation to assessing whether the proposed building or structure complies with the quantifiable standards under the Planning Scheme in respect of boundary clearances and site cover. If the matter is one regarding an amenity and aesthetics assessment of building work, the City's jurisdiction is limited to its Referral Agency functions under Schedule 7, Table 1, Item 17 of the *Sustainable Planning Regulation 2009* and Council resolution.

All other statutory assessment functions must be carried out by the Assessment Manager (Private Building Certifier), in accordance with the provisions of the Building Act.

City of Gold Coast, as a Referral Agency, is responsible for Self Assessable development only as designated by the Planning Scheme. It is the responsibility of the Assessment Manager (Private Building Certifier), to ensure that the proposal does not trigger a higher level of assessment under the provisions of the Planning Scheme.

The *Building Regulation 2006* in Part 3 nominates the *Queensland Development Code* (QDC), as setting out the standard siting requirements for buildings and structures, except where the Planning Scheme identifies an alternative siting provision. The specific design and siting provisions are set out in Element 1 – Design and Siting of Buildings and Structures of the QDC Mandatory Provisions 1.1, 1.2, 1.3 and 1.4.

A copy of these documents may be obtained from the Department of State Development, Infrastructure and Planning on dsdip.qld.gov.au

Any building setback that requires a variation to the Standard Building Regulations requires the endorsement of the City of Gold Coast as a Referral Agency by way of a *Referral Agency Assessment Application*. Any requirement given by the City as a Referral Agency must be included in any *Development Permit for Building Work* given by the Assessment Manager (Private Building Certifier).

These Advisory Notes set out the guidelines acceptable to the City having regard to its Planning Scheme and other relevant

legislation for building setbacks and matters relating to a Class 1a(i) (detached residential dwelling), Class 1a(ii) (a group of two or more attached dwellings, each being a building, separated by a fire resisting wall, including a row house, terrace house, town house or villa unit) and a Class 10a non-habitable building (garage, carport or shed). The City may however consider variations to matters contained within these Advisory Notes commensurate with the particular amenity, character and location of the development proposed.

A *Referral Agency Assessment Application* may be submitted either by the land owner or an authorised person such as a Private Building Certifier. Contact however will only be made by City of Gold Coast officers with the applicant as nominated on the application form or the registered land owner.

Building setbacks and site coverage

Building setbacks

In an urban context, any building is to be set back a minimum of 6 metres from a front property boundary of the site and a minimum from a side and rear boundary as follows:

- 1.5 metres from the fascia that is 4.5 metres or less above ground level
- 2 metres from the fascia that is greater than 4.5 metres but less than 7.5 metres above ground level, and
- 2 metres plus an additional 500 millimetres for every 3 metres or part thereof from the fascia that is greater than 7.5 metres above ground level

For rural, semi rural areas or land the subject of a Local Area Plan under the Planning Scheme, setbacks may vary.

The Planning Scheme may also contain a 'Plan of Development' for certain areas that designates other non standard setbacks and requirements to those of the Planning Scheme.

Information on how to search for a 'Plan of Development' may be obtained from our Town Planning Advice Centre, telephone 07 5582 8708.

Site coverage

Site coverage as defined by the Planning Scheme includes that portion of the net site area covered by a building, fixed structure or outdoor storage area but excludes unroofed parking areas. For residential developments, this may exclude any basement

that is less than 1 metre above ground level to the top of the slab as well as eaves up to 600 millimetres in width. The maximum site coverage in an urban context is 50 per cent but this may vary for development on rural, semi rural land or that covered by a Local Area Plan.

Carports and garages

The Planning Scheme and the QDC both have requirements for covered vehicle spaces such as carports and garages. Whilst the minimum setback for an enclosed garage within the front property boundary is normally 6 metres, application may be made to the City of Gold Coast for an open carport within this front setback area by way of a *Referral Agency Assessment Application*. The City may consider variations to the carport design on a case by case basis.

Any carport or garage is to be constructed using materials with patterns, textures and colours compatible with those of the main building such that it visually presents as an overall combined development. It should be noted that some Local Area Plans require certain color requirements to be incorporated into the development.

Should a new or amended vehicle crossing at the kerb be required, a licence for this crossing should be obtained from the City prior to the issue of a *Development Permit for Building Work* by the Assessment Manager (Private Building Certifier).

Carports

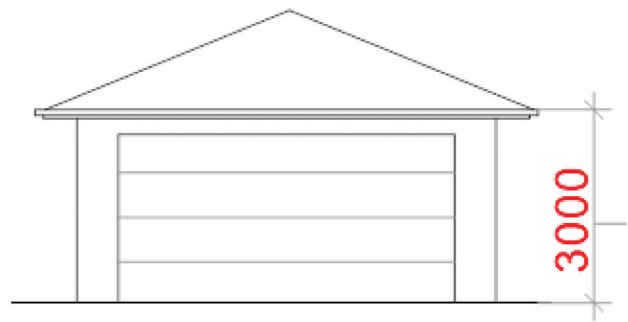
The City of Gold Coast will consider the siting of a carport, either structural or a shade sail, within the road front setback clearance area as covered vehicle parking in terms of the Planning Scheme subject to endorsement by the City as a Referral Agency by way of a *Referral Agency Assessment Application*. It is preferred that motor homes, caravans, trailers, boats and the like be otherwise housed outside and behind the road front setback clearance area. A carport should demonstrate compliance with the following guidelines.

Carport heights

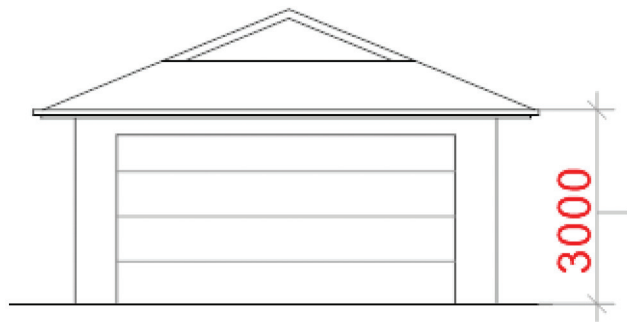
Whilst assessment will be made by Council of the impact upon amenity of all building and structures within a setback clearance area, the the maximum height of a carport at the road front elevation is to be:

- 3 metres from the ground level to the top of the fascia for a hip, dutch gable or parapet roof
- 3 metres 'mean' height from ground level to the top of the fascia for a skillion roof
- 3.5 metres from the ground level to the top of the ridge for a gable ended roof

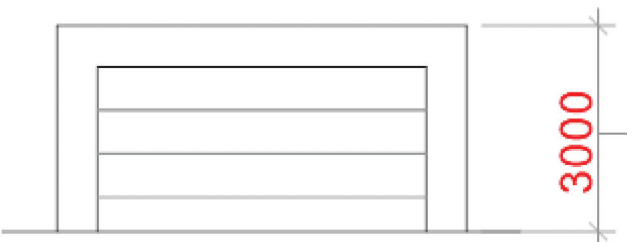
For a carport with a roof configuration other than the above, it must include a fascia board of a depth that is 'balanced' with the required road front elevation supports.



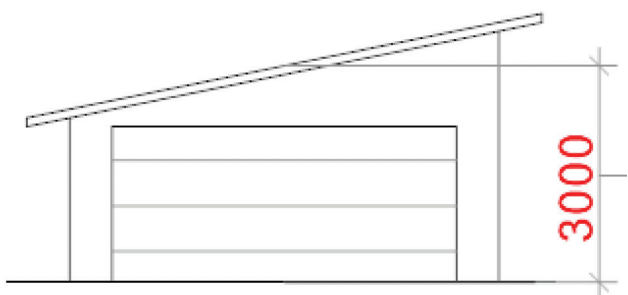
Hip Roof



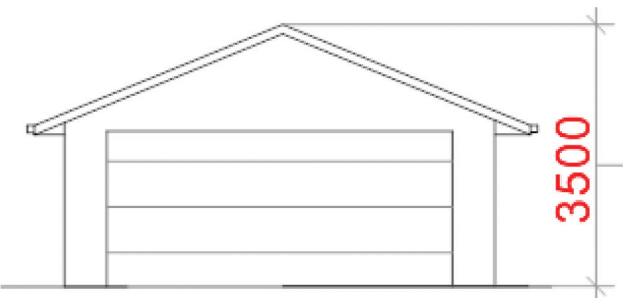
Dutch Gable Roof



Parapet Roof



Skillion Roof

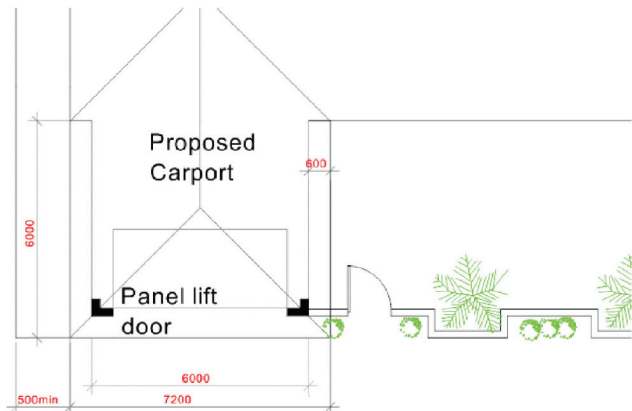


Gable Roof

Carport widths

The maximum width of a carport at the road front elevation is to be:

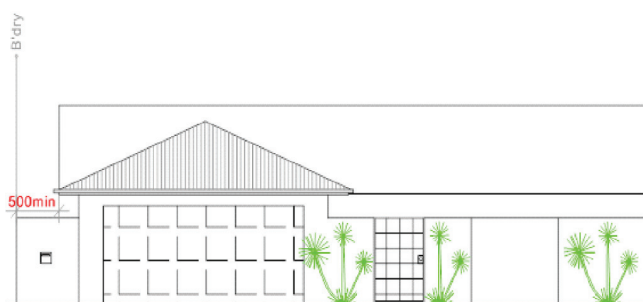
- 6 metres for a double carport from 'outside pier/support to outside pier/support' (without eaves), or
- 7.2 metres for a double carport with eaves (includes two 600 millimetre overhangs)



Carport setbacks

Where a carport roof proposes a gutter adjacent to the front boundary, the carport is to be set back a minimum of 150 millimetres to ensure that the gutter does not project into the footpath area.

The minimum side setback clearance for a carport within the road front setback should be 500 millimetres from any adjacent boundary or building (see diagram).



Typical Front Elevation

Carport supports

The type of support provided at the road front elevation in terms of appearance should not be detrimental to the amenity of the adjacent streetscape. Accordingly, the preferred front supports should be of a minimum 350 millimetre square masonry design and construction or equivalent as an acceptable solution.

Other carport design requirements

A carport shall be open on two sides (excluding any panel lift or roller door, and the side abutting the dwelling). Additional panelling or slats that may otherwise enclose the carport are not acceptable and each of the two sides of the carport should remain fully open.

The gradient of the floor of the carport must comply with the Australian Standards. It is the responsibility of the Assessment Manager (Private Building Certifier), to ensure that the gradient design is acceptable prior to the issue of the *Development Approval for Building Work*.

Where a gutter of a carport roof is proposed along a front property boundary, the carport should be set back a minimum 150 millimetres from that boundary to ensure the gutter does not project into the footpath area.

Any carport should be constructed using materials with patterns, textures and colours compatible with those of the main dwelling.

Garages

An enclosed garage should be setback a minimum of 6 metres from the front property boundary and, when sited within a side and/or rear boundary setback clearance area, must:

- have a maximum mean height of 3.5 metres with a total height not exceeding 4.5 metres
- not extend more than 9 metres along or parallel to a single boundary, and
- not be closer than 1.5 metres to any window of a habitable room in an existing building on an adjoining lot.

Gatehouses

A gatehouse should be separated from an open carport by a minimum of 500 millimetres in respect of any outermost projection. A gatehouse is not to be fully enclosed, with any adjacent fence to not exceed 2 metres in height above natural ground level.

The accepted maximum height of a gatehouse is commensurate with a carport depending on its roof design (see carport diagrams).

The floor area for a gatehouse is generally a maximum of 4m² (2 metres by 2 metres); however discretion may be given by the City should the scale of the detached dwelling promote the consideration of a larger gatehouse.

Where a gutter of a gatehouse roof is proposed along a front property boundary, the gatehouse should be set back a minimum 150 millimetres from that boundary to ensure the gutter does not project into the footpath area.

Any gatehouse should be constructed using materials with patterns, textures and colours compatible with those of the main dwelling.

Building within a waterfront setback

For lots adjacent to a canal or waterway, the City designates a specific waterfront setback area in which the scale and dimensions of proposed buildings are monitored for hydrological reasons, for example, in times of flooding.

Information regarding the City of Gold Coast's Standard Drawing 05-04-004 'Waterway Development Cross Section' may be obtained from our Town Planning Advice Centre, telephone 07 5582 8708.

Garden sheds, domestic storage sheds and pergolas

Garden or domestic storage sheds

Where a garden or domestic storage shed is ancillary to a detached residential dwelling on the same site, is not within a setback area (but not a front or waterfront setback clearance area) and is less than 10m² in area, it would be exempt from requiring both a Referral Agency Response from the City as Referral Agency and a *Development Application for Building Work* by a Private Building Certifier. Should a garden or domestic storage shed be proposed within a setback area but remain under 10m² in floor area, a *Referral Agency Assessment Application* only would be required to be submitted to the City.

Placement of the garden or domestic storage shed should include a minimum 600 millimetre setback from a side boundary or fence and the shed slab be extended to the property boundary so as to prevent the growth of weeds. Further, stormwater from the roof of the garden or domestic storage shed should be discharged into the stormwater drainage system for the main dwelling.

Both a garden shed or domestic storage shed are to be included within the calculation for the permitted site coverage for the site.

Only one garden shed per allotment is permitted without a *Referral Agency Assessment Application* being endorsed by the City as a Referral Agency.

Pergolas

A pergola is a self supporting, open and unroofed structure used for ornamental or horticultural purposes. Accordingly, pergolas may not be screened, roofed or otherwise enclosed.

A pergola should not exceed 2.4 metres in height and be no longer than 5 metres on a boundary.

Should a pergola not comply with these requirements, a *Referral Agency Assessment Application* is required from the City as a Referral Agency.

Fencing

Fencing is permitted to a maximum height of 2 metres above natural ground level before a *Referral Agency Assessment Application* is required from the City as a Referral Agency. Further restrictions also apply to corner allotments.

Should a fence be proposed in conjunction with and over a retaining wall, the combined height of more than 2 metres would also require a *Referral Agency Assessment Application* to the City.

A key objective of the City of Gold Coast's landscape character theme is to achieve a green and attractive residential environment and accordingly, frontage fences associated with a carport and/or gatehouse proposal must visually enhance the amenity of the streetscape.

Frontage fences that comply may:

- include a 50 per cent open fence type construction
- provide recesses for landscape plantings that are designed to a minimum 600 millimetre depth and 600 millimetre width over 50 per cent of the length of the frontage fence
- provide a minimum offset of 600 millimetres from the road front boundary to allow for the inclusion of landscaping over a minimum 50 per cent of the length of the frontage fence, and
- provide for plantings immediately behind any existing frontage fence over a minimum 50 per cent of the length of the frontage fence, capable of achieving a maximum growth height of 2.5 to 4 metres at maturity

Fencing within the waterfront setback area is limited to a maximum height of 1.2 metres and shall be of an open design to the satisfaction of the City.

Retaining walls

Retaining walls of more than 2 metres in height above natural ground level and located within a setback area require a *Referral Agency Assessment Application* to the City together with building approval from a Private Building Certifier. The maximum height of a retaining wall before a *Referral Agency Assessment Application* to the City is required is reduced to 1 metre if located within a waterfront setback area.

Conditions of reconfiguration (subdivision) approval may further regulate the height of retaining walls and it is recommended that the original subdivision approval be investigated.

Although there is no legislation that prohibits the construction of retaining walls along a site boundary, the City recommends that:

- a minimum clearance of 600 millimetres be made between any retaining wall and a property boundary to avoid any problems or disputed costs associated with the retaining wall, and
- a fence should not be placed over a retaining wall

A combined fence and retaining wall of a height exceeding that above will require a *Referral Agency Assessment Application* to the City.

Further information regarding retaining walls may be obtained from our website or by obtaining a copy of the *Guidelines for construction for retaining walls within the City of the Gold Coast – January 2007* from any Customer Service Centre.

House relocations

The relocation of a house to an allotment within the Gold Coast area will require an amenity and aesthetics assessment by way of a *Referral Agency Assessment Application* to the City.

The City will require the lodgement of a cash bond or bank guarantee to ensure that any required works such as connection to public utilities, external painting and landscaping will be satisfactorily completed.

Solar collector installation

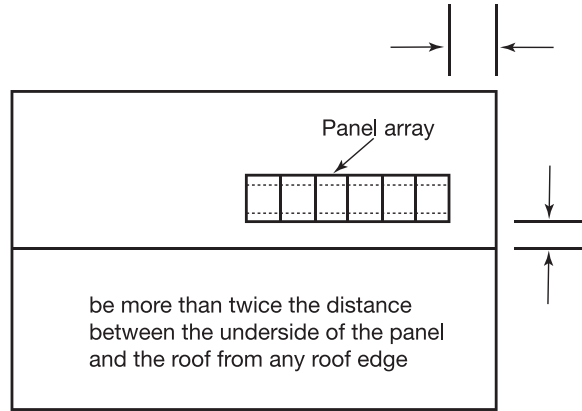
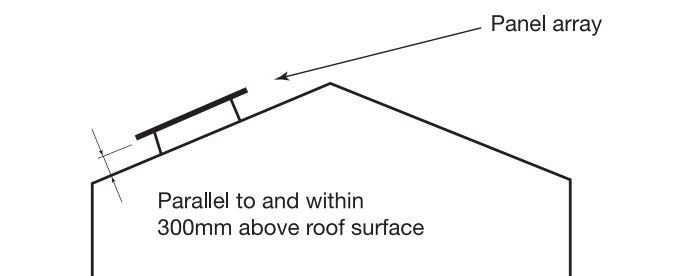
Where a 'solar collector', which includes any photovoltaic solar panel or solar hot water system, is to be attached or fixed to a Class 1 residential dwelling or Class 10 building or structure, they should be:

- installed parallel to or within 300 millimetres above the roof surface
- be more than twice the distance between the underside of the panel and the roof from any roof edge

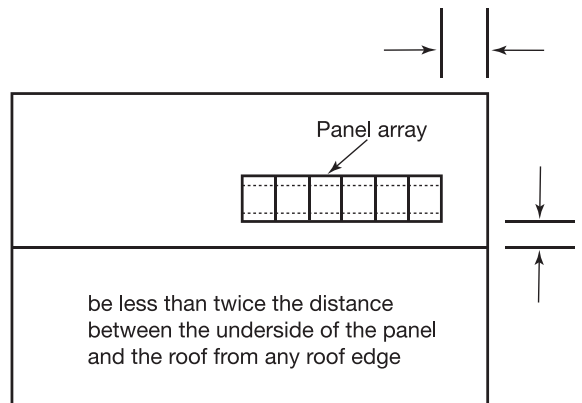
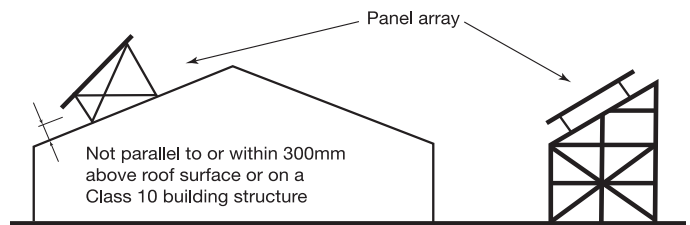
Should a particular installation require a variation from the above design or be proposed onto a Class 10 building or structure, a *Referral Agency Assessment Application* for an amenity and aesthetic assessment is required in accordance with the City's adopted Amenity & Aesthetics Policy. Please note that Building Approval is also required by state legislation by a Private Building Certifier.

Diagrams indicating when a *Referral Agency Assessment Application* is required or not required are indicated below.

No application required



Application required



Easements

Buildings and structures requiring a *Referral Agency Assessment Application* to the City will not be permitted within a registered easement.

Easements are created for the protection of public infrastructure such as water, sewerage or stormwater and it is only permissible for a building or structure to be constructed up to but not over an easement.

To determine whether there is a registered easement within the land, an easement search may be conducted through the Department of Natural Resources and Mines, telephone 07 5583 1700.

Sewerage, water and stormwater Infrastructure

Prior to the issue of a *Development Permit for Building Work* by the Assessment Manager (Private Building Certifier), all aspects of the City of Gold Coast's policies and relevant legislation shall be complied with for building work within 2 metres of public infrastructure including water and sewerage mains and stormwater matters.

Should a water or sewerage main or stormwater pipe be evident on your property, you will not be permitted to build with 2 metres of such infrastructure unless specific written approval is given by the owner of that infrastructure.

Should you intend to develop over infrastructure such as a sewer, water main or stormwater drain, a *Referral Agency Assessment Application* is required to be submitted to the City made under MP1.4 of the Queensland Development Code. Referral of the application will then be made with the relevant owner of such infrastructure and necessary conditions contained in the Referral Agency Response.

Information regarding the location of public infrastructure on your land may be obtained by undertaking a 'Search Request' at any City of Gold Coast office. Clarification or further questions regarding this may be directed to:

- Gold Coast Water, telephone 1300 000 928, in respect of water and sewerage main matters, and
- City of Gold Coast Engineering Services Directorate, Engineering Assets & Planning Branch, telephone 07 5582 8211 for stormwater matters.

Alternative solutions

Where an alternative to the siting provisions of Part 3 of the *Building Regulations 2006* is proposed, the City is required to assess the application against the Performance Criteria of the applicable part of the Specific Development Code contained within the Planning Scheme.

An application submitted to the City for an alternative to the Acceptable Solutions outlined in the Design and Siting Standard must address all of the Performance Criteria and indicate how the alternative solution is equal to or better than the applicable Acceptable Solution.

When addressing the impact of either a siting variation or amenity and assessment impact, the City will address a number of criteria including:

- the existing or proposed future development in the area
- the existing or proposed affect on the amenity of the area including an adjoining property, the streetscape or waterway

- the distance between any constructed road and the proposed building, and
- the location of any existing vegetation that will buffer the proposed development

Any supporting documentation describing the alternative solution proposed and submitted to the City by the applicant, will be taken into consideration when assessing the application.

Should the City not consider that the intent of the Performance Criteria has been met or that the siting of the proposed building or structure is not suitable, it may refuse the *Referral Agency Assessment Application* thereby requiring the Assessment Manager (Private Building Certifier) to also refuse the *Development Application for Building Work* (see Appeals).

Amenity and aesthetics assessment

Where the intended construction of a shed (other than a small garden shed), proposes a large floor area or an extended height to that considered appropriate by the City for the size of the subject land, the impact upon the amenity and aesthetics of the area, including those upon neighbours, should be considered.

Accordingly, the City has an *Amenity & Aesthetics Policy* which can be viewed at: goldcoast.qld.gov.au/planning-and-building/amenity-aesthetics-516.html

The *Amenity & Aesthetics Policy* in part, requires that any detached Class 10 building or structure may only be constructed on the land if in association with a Class 1 building (dwelling) on the land that would otherwise remain the primary use for the land. No Referral Agency consideration for an amenity and aesthetic assessment for a detached Class 10 building or structure (unless in compliance with Section 4 of Schedule 2 of the *Building Regulation 2006*), will otherwise be made unless either a dwelling has been constructed or building approval given for a dwelling on the land.

Should this not be the case, the City may accept a Statutory Declaration indicating that a dwelling will be constructed within a 12 month period however such reference would then be placed against the subject property record to ensure compliance.

Should a Class 1 building (dwelling) propose a Class 10 building or structure that is detached from the dwelling and which exceeds or includes the following criteria, it will require a *Referral Agency Assessment Application* for the development.

These criteria include the following:

- (a) A combined floor area for all (existing and proposed) detached Class 10 buildings or structures (such as sheds and carports) that exceeds:

- 36m² on a site area under 800m²
- 54m² on a site area between 801m² and 2000m²
- 72m² on a site area between 2001m² and 4000m²
- 108m² on a site area between 4001m² and 8000m²
- 150m² on a site area between 8001m² and 40,000m² (4ha)

(b) A height of any detached Class 10 building or structure (such as sheds and carports) that exceeds:

- 4.5 metres in total height or 3.5 metres of 'mean' height above natural ground level

(c) Includes any shipping containers, railway carriages, truck and van bodies and the like on a site over 1500m² in area. Should such buildings or structures be proposed on land greater than 1500m², it must be demonstrated that either the topography of the land or either existing or proposed landscaping will effectively screen the development from adjoining properties and roadways.

(d) All relocatable homes.

Note:

- A combined floor area for all detached Class 10 buildings or structures that exceeds 150m² is exempt (no application required) on a site area over 40,000m² (4ha).
- Shipping containers, railway carriages, truck and van bodies and the like are not permitted on any site under 1500m² in area unless otherwise approved on a temporary basis by a Private Building Certifier in accordance with Part 4 Section 67 of the *Building Act 1975*.

As part of its amenity and aesthetics assessment, the City takes into consideration matters such as but not limited to the following:

- the bulk, height and width of the intended building or structure
- the materials and colours intended
- the proposed security lighting
- potential clearing of vegetation and any less disruptive alternative locations on site
- any disruption to the amenity or character of the locality, and
- existing or proposed landscaping

Appeals

Should you not be satisfied with the requirements of the City of Gold Coast as a Referral Agency contained in the *Development Permit for Building Work* issued by the Private Building Certifier, you may choose to appeal the matter to the Building and Development Dispute Resolution Committee of the Queensland Government Department of Housing & Public Works.

Any written notice for appeal must be lodged with that government department within 20 business days from the date of the Building Permit.

Further information regarding the making of an appeal may be obtained from:

The Register
 Building and Development Dispute Resolution Committee
 Qld Government Department of Housing & Public Works
 GPO Box 2457
 Brisbane QLD 4001
 Telephone 07 3237 0403
 Web: hpw.qld.gov.au

Making a Referral Agency Assessment Application for a siting variation or an amenity and aesthetics assessment

To make an application you must:

- complete a *Referral Agency Assessment Application* form which may be obtained from either a Customer Service Centre or online at goldcoast.qld.gov.au and
- submit the prescribed fee as contained in the City's Schedule of Regulatory Fees and Charges (also available online at goldcoast.qld.gov.au)

As part of the assessment process for a *Referral Agency Assessment Application*, a search of City records together with a site inspection will be undertaken to assess the suitability and impact of the proposed development.

The time taken by the City to complete its assessment is dependant upon the provision of sufficient information by the applicant but is otherwise in accordance with Schedule 15 of the *Sustainable Planning Regulation 2009*.

Change to an existing development

Any modification to an existing building including a dwelling, duplex or Class 10 outbuilding (other than within a waterfront setback) may be 'Minor Building Work' as defined by the Planning Scheme if a Development Approval is already in place. This is generally limited to a maximum increase of 25m² of floor area and may be treated as either a *Generally in Accordance* application to a previous approval or a *Request to change and/or extend an existing development approval* application.

Should you wish to amend a Referral Agency Response for any development included in such a Response, an amending Referral Agency Response may be issued at a reduced application fee. Any additional development however, not already included would otherwise require a Referral Agency Assessment Application together with the standard application fee.

Need more help?

Should you require further information in making a *Referral Agency Assessment Application* or other building related matter, please contact the City of Gold Coast's Town Planning Advice Centre, telephone 07 5582 8708.

Before you start!

Development may only commence when a *Development Permit for Building Work* is given by the Assessment Manager (Private Building Certifier) and that no other development permits are required by other legislation to allow the development to be carried out.

Disclaimer

Council of the City of Gold Coast shall not be liable to any person under any circumstances whatsoever arising by virtue of a claim for breach of warranty (express or implied), tort (including negligence), strict liability or otherwise for actual, incidental,

contingent, special or consequential damages, lost profits or revenues arising directly or indirectly or out of (but not restricted to) any claim arising out of the inaccuracy of any information contained in these Advisory Notes.

Any person investigating any issues addressed in these Advisory Notes should seek their own independent legal, technical and professional advice and consult the City on specific matters relating to their property and any constraints thereon.

This information is intended as an advisory guide only and should not be relied upon as the sole document upon which to base your proposal. The applicant is strongly encouraged to seek their own independent legal, technical and professional advice regarding their proposal and specific circumstances.

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