

Inland Code - Summary of Development Standards

Residential zones R1, R2, R3, R4 and rural zone RU5 – Battle-Axe Lot

October 2018

This Summary is intended as a guide to the development standards that apply to the following types of complying development undertaken on a battle-axe lot in zones R1, R2, R3, R4 and RU5:

- the construction of a new 1 or 2 storey dwelling house;
- the construction of new attached development; and
- alterations and additions to dwelling houses and attached development.

Battle-axe lot means a lot that has access to a road by an access laneway.

Important Notes

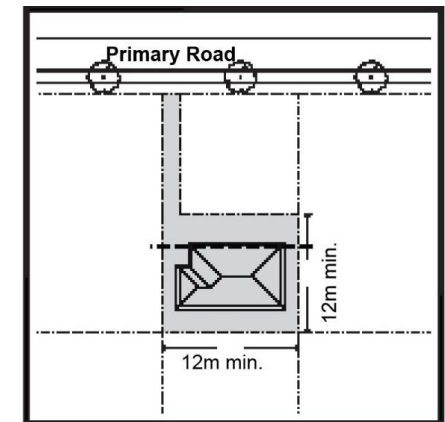
1. All relevant development standards in the Inland Code must be complied with.
2. Development standards under the Inland Code are determined by lot area, lot width or a combination of the two.
3. A battle-axe lot has 3 side boundaries and a rear boundary. The rear boundary is opposite the boundary to which the front of the dwelling house faces.
4. A battle-axe lot must have an area not less than 200m² (clause 3D.18).
5. When calculating the area of the battle-axe lot, the area of the access laneway is excluded (clause 3D.20(2)).
6. A battle-axe lot must be a minimum of 12m by 12m (not including the access laneway) and must have an access laneway a minimum of 3m wide (clause 3D.18(1)(d)).
7. Only 1 dwelling house is permitted on the lot (excluding a secondary dwelling) (clause 3D.18).
8. Development standards for excavation, fill, retaining walls and structural supports, drainage, protected tree requirements and protection of adjoining walls associated with dwelling houses are provided in Division 8.
9. Development standards for dwelling houses on bush fire prone land and flood control lots are provided in clauses 3D.6 and 3D.7.
10. Development standards for land near the Siding Spring Observatory are provided under clause 3D.8.
11. The Summary Table below must be read with all relevant clauses under the Inland Code
12. EPI = Environmental Planning Instrument. A reference to an EPI in the Inland Code will usually mean the council's Local Environmental Plan (LEP) that applies to the lot.
13. The Summary Table only applies to Part 3D Inland Code and does not apply to the Housing Code, the Transitional Housing Code or any other complying development codes.

Disclaimer: The information provided, including Summary Tables, is intended to be general information only and does not constitute professional advice and should not be relied upon as such. No liability is accepted for reliance on any information that is provided. You should seek independent professional advice and refer to the relevant legislation, including the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 before taking action.

For further information:

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Example of a Battle Axe Lot

Development Standards (based on lot area)

Clause	Built form development standards		Lot area (m ²)										
			200-250	>250-300	>300-350	>350-450	>450-560	>560-600	>600-740	>740-900	>900-920	>920-1400	>1400-1,500
3D.3 (1)	Maximum number of storeys		2										
3D.19	Maximum building height		8.5m										
3D.20	Maximum gross floor area (% = percentage of lot area) ¹		78%	75%	235 m ²	25% + 150m ²	290m ²	25% + 150m ²	335m ²	25% + 150m ²	380m ²	25% + 150m ²	500m ²
3D.21 (16)	Minimum setback from a public reserve ²		3m										
3D.21 (17)	Minimum front setback		3m										
3D.21 (14)	Minimum rear setback for parts of building depending on height at that point. Note: Exceptions to setbacks may apply See clause 3D.22 (1), (2), (5) and (7) for detail	Building Height											
		0 - 4.5m	3m	3m						5m			10m
		>4.5 - 8.5m	Lesser of 10m or average of 2 adjoining dwellings measured at 4.5m above existing ground level.	8m						12m			15m

¹ One car parking space is excluded from the calculation of gross floor area (clause 1.5).

² Public reserve setback applies to a dwelling house, attached development, cabanas, cubby house, garden shed, gazebo, fernery, greenhouse or shed.

Clause	Built form development standards		Lot area (m ²)										
			200-250	>250-300	>300-350	>350-450	>450-560	>560-600	>600-740	>740-900	>900-920	>920-1400	>1400-1,500
3D.23 (1) and (2)	Maximum floor level height of attached side or rear balconies, decks, patios, terraces and verandahs where lot width ³ is more than 10m ⁴	Setback											
		<3m	Not permitted		2m								
		3m – 6m	Not permitted		3m								
		>6m	Not permitted		4m								
3D.23 (3)	Maximum total floor area of attached balconies, decks, patios, terraces and verandahs within 6m of a side or rear boundary; and with a floor level more than 2m above existing ground level		12m ²										

³ Measured at the building line.

⁴ These types of attached development are not permitted on a lot if it is less than 300m². See clause 3D.23(1)(a).

Side Setbacks (based on lot width and height of development)

Clause	Built form development standards	Lot width	Height of development nearest to the side setback	Minimum side setback
3D.21 (7) and (8)	Side setback Built to boundary setbacks may apply for lot widths 12-12.5m (see below) Note: Exceptions to setbacks may apply. See clauses 3D.21 and 3D.22	12m - 18m	0m – 4.5m	900mm
			>4.5m – 8.5m	Building height – 3m
		>18-24m	0m – 4.5m	1.5m
			>4.5m - 8.5m	Building height – 3m
		>24m	0m – 4.5m	2.5m
>4.5m - 8.5m	(Building height – 3m) or 2.5m, whichever is greater			

Development Standards for a Battle-Axe Lot (based on lot width)

Clause	Built form development standards	Lot width (at the building line)		
		12m - 18m	>18m – 24m	>24m
3D.21 (10)	Built to boundary setback The development may be built to one side boundary (depending on lot width) if: (a) there is a building wall on the adjoining lot of masonry construction within 900mm of the boundary with no windows, doors or other openings or (b) there is no building wall on the adjoining lot within 900mm of the boundary See clause 3D.21 (11) for maximum height of built to boundary walls; and clause 3D.21 (12) and (13) for maximum length	If lot not wider than 12.5m, may build to 1 side boundary	Not permitted	
3D.25	Building design	See clause 3D.25 for design and articulation requirements		

Clause	Built form development standards	Lot width (at the building line)		
		12m - 18m	>18m – 24m	>24m
3D.26	Privacy	See clause 3D.26 for privacy screen requirements relating to windows, balconies, decks, patios, terraces and verandahs		
3D.27 (1)	Car parking space required on the lot Note: See clause 3D.27 for additional requirements ⁵	1 space required		
3D.27 (6) and (7)	Maximum width of garage doors ⁶	6m	9.2m	

Landscape Development Standards

Clause	Landscape development standards	Lot area (m ²)					
		200-300	>300-450	>450-600	>600-900	>900-1,500	>1,500
3D.24 (1) and (2)	Minimum landscaped area (% of lot area)	10%	15%	20%	30%	40%	45%
3D.24(2)	Minimum length and width of landscaped area	1.5m x 1.5m					
		Lot width at the building line					
		12m-18m		>18m			
3D.24 (3)	Minimum area forward of the building line to be landscaped	25%		50%			
	Minimum landscaped area that must be behind the building line	50%					

⁵ Vehicles must be able to leave off-street car parking in a forward direction (clause 3D.27 (5)).

⁶ See clause 3D.27 (7) for additional driveway width requirements for triple garages.