

# Fonzie Flat Code

Revision 1 (18 June 2007)

## ***Overall outcomes***

1. The Overall Outcome is the purpose of this code.
2. The overall outcome sought by the Fonzie Flat Code is to facilitate the creation of Fonzie Flats within the Shire, while maintaining a high standard of livability through appropriate design.

## ***Compliance with the Fonzie Flat Code***

Assessable Development that is consistent with the Specific Outcomes of the Development Requirements (Fonzie Flat Code) complies with the Fonzie Flat Code.

## ***Development Requirements***

The Development Requirements of this code relate to the following elements:

1. Development site limitations;
2. Development density and site coverage;
3. Building height;
4. Setbacks;
5. Car parking;
6. Driveways;
7. Landscaping and recreational facilities;
8. Privacy;
9. Noise impacts;
10. Land tenure and title;
11. Independence of occupancy; and
12. Multi purpose use of Fonzie Flat.

## ***Definitions***

***Fonzie Flat*** – means a self contained dwelling unit, smaller than the main Detached House and physically separated from the main Detached House on a Residential A zoned allotment, that may also be used partly or wholly for compatible business uses in accordance with the relevant planning scheme codes.

***Site Coverage*** – refer *PineRiversPlan*

***Total Floor Area*** – the sum of all storeys of a building or buildings as measured at the perimeter of the building, exclusive of walls and columns. The term includes garages and car ports, covered balconies and outdoor patio areas.

## Development Requirements (Fonzie Flat Code)

Assessment Criteria for Code Assessable Development

Specific Outcomes for Code Assessable Development	Probable Solutions
<b>Development Site Limitations</b>	
<p><b>SO 1</b> The overall development site has:</p> <p>(1) a size which adequately accommodates the siting and use of the buildings and other associated facilities comprising the main Detached House and Fonzie Flat while maintaining the established or desired character of the area; and</p> <p>(2) a road frontage of sufficient length to cater for:</p> <p>(a) vehicular movement to and from the site by vehicles appropriate to the scale of the facility; and</p> <p>(b) vehicular movements on the development site.</p>	<p><b>PS 1</b> The site has a minimum area of 700m<sup>2</sup> with a minimum street frontage of 20 metres</p>
<b>Development Density and Site Coverage</b>	
<p><b>SO 2</b> The development is of a density and in a form which gives recognition to and does not detract from the character of development on adjacent land in the general vicinity of the site.</p>	<p><b>PS 2.1</b> The site coverage of the Fonzie Flat shall not exceed 15% of the total site area.</p> <p>AND</p> <p><b>PS 2.2</b> The site coverage of all structures on the site shall not exceed 50%</p> <p>AND</p> <p><b>PS2.3</b> The Total Floor Area of the Fonzie Flat shall not exceed 120m<sup>2</sup>.</p>

<b>Building Height</b>	
<p><b>SO 3</b> All building work on the site is of a scale and form which:</p> <ul style="list-style-type: none"> <li>(1) does not adversely impact on the existing or desired streetscape for the area; and</li> <li>(2) is in keeping with the desired or established character of the area.</li> </ul>	<p><b>PS3</b> No building on the site exceeds 2 storeys in height.</p>
<b>Setbacks</b>	
<p><b>SO4</b> All buildings, and other structures are located on the site in a manner which:</p> <ul style="list-style-type: none"> <li>(1) does not adversely impact on the existing or desired streetscape for the area;</li> <li>(2) is in keeping with the desired or established character of the area; and</li> <li>(3) does not result in significant loss of amenity to uses on adjacent land, or land in the general vicinity of the site, having regard to: <ul style="list-style-type: none"> <li>(a) overshadowing;</li> <li>(b) privacy and overlooking; and</li> <li>(c) natural light and ventilation</li> </ul> </li> </ul>	<p><b>PS 4.1</b> For sites with a single road frontage, the house or Fonzie Flat is not located closer than 6.0 metres to the road boundary; unless all garages are located perpendicular to the road boundary, in which case the set back is not less than 4.5 metres to the road boundary.</p> <p><b>AND</b></p> <p><b>PS 4.2</b> For sites with more than one road frontage, the house or Fonzie Flat is located as follows:</p> <ul style="list-style-type: none"> <li>(1) for the road providing vehicle access to the site, no closer than the distances specified in 4.1 above; and</li> <li>(2) from other roads – no closer than 3.0 metres from the road boundary.</li> </ul>
<b>Car Parking</b>	
<p><b>SO 5</b> Sufficient space is available on the site to accommodate:</p> <ul style="list-style-type: none"> <li>(1) The parking needs of residents;</li> <li>(2) The likely demand of visitors to the site in terms of numbers and location of visitor parking bays; and</li> <li>(3) The carriage of vehicles between the vehicular access point to the site and each vehicle standing area on the land.</li> </ul>	<p><b>PS 5.1</b> Vehicle parking spaces are provided as follows:</p> <ul style="list-style-type: none"> <li>(a) For the main Detached House, two car parking spaces are provided on site and at least one of those spaces is located so as to be capable of being covered and enclosed without compromising required building set back distances required by this code. The on site parking spaces may be aligned in tandem formation.</li> <li>(b) For the Fonzie Flat at least one covered or uncovered, enclosed or unenclosed parking bay is provided for the resident, together with at least one bay for visitors. The visitor bay may be located in</li> </ul>

	<p>tandem with the resident bay.</p> <p>(c) If the Fonzie Flat is used partly or wholly for business purposes that can attract visitors to the site, then three on site parking bays are provided.</p>
<b>Driveways</b>	
<p><b>SO 6</b> The location and number of access driveways, minimise impacts on the amenity of the residential street and neighbouring properties.</p>	<p><b>PS 6.1</b> On sites with a single road frontage, there is no more than one access driveway between the property and the carriageway.</p> <p><b>PS 6.2</b> On a site with two or more road frontages, the Fonzie Flat may take access from a street other than the street the main Detached House takes access from.</p> <p><b>PS 6.3</b> Where the Fonzie Flat takes access from the same street as the main Detached House a common use driveway is provided.</p>
<b>Landscaping and Recreational Facilities</b>	
<p><b>SO 7</b> The site has sufficient landscaped private open space and recreational facilities to cater for the needs of the residents.</p>	<p><b>PS 7.1</b> The Fonzie Flat has a minimum of 40m<sup>2</sup> of private courtyard or garden space, located directly adjacent to it.</p> <p><b>PS 7.2</b> The private courtyard or garden space related to the Fonzie Flat is delineated by use of vegetation and/or other structures such as fences, that clearly delineate / indicate its intended use.</p>
<b>Privacy</b>	
<p><b>SO 8</b> The Fonzie Flat is designed to protect the privacy of dwellings on adjacent properties.</p>	<p><b>PS 8.1</b> Habitable spaces do not directly overlook dwellings on adjacent land.</p> <p><b>PS 8.2</b> Where habitable room windows or open decks look directly at habitable room windows or open decks or patios in an adjacent dwelling, within 3 metres at ground floor level, or 9.0 metres at levels above ground floor, privacy is protected by:</p> <p>(1) sill heights a minimum of 1.5 metres above ground level; or</p> <p>(2) fixed opaque glazing in any part</p>

	<p>of the fixed window below 1.5 metres above floor level; or</p> <p>(3) fixed external screens; or</p> <p>(4) fencing to a minimum of 1.8 metres above ground floor level to prevent overlooking from habitable areas at the ground floor level.</p>
<b>Noise Impacts</b>	
<p><b>SO 9</b> Noise from the Fonzie Flat does not unreasonably affect existing or likely future dwellings on adjacent land.</p>	<p><b>PS 9.1</b> Vehicle movement areas are located at least 3.0 metres from any adjoining dwellings. Alternatively, if the vehicle movement area is located within 3.0 metres of an adjoining property, a solid brick or masonry wall, or double butted paling fence, at least 1.8 metres high is erected on the property boundary.</p> <p><b>PS 9.2</b> The Fonzie Flat may not be used for any business activity that involves the use of noisy power tools, or generation of excessive noise.</p>
<b>Land Tenure and Title</b>	
<p><b>SO 10</b> Control over the operation of the Fonzie Flat remains the responsibility of the owner of the main Detached House.</p>	<p><b>PS 10.1</b> The Fonzie Flat remains on the same title as the main Detached House.</p> <p><b>OR</b></p> <p><b>PS 10.2</b> The Fonzie Flat is given separate title only by means of the Community Title Scheme under the relevant legislation with the owner of the main Detached House retaining controlling rights through the community management statement.</p>
<b>Independence of Occupancy</b>	
<p><b>SO 11</b> The Fonzie Flat is able to operate independently of the main Detached House</p>	<p><b>PS 11.1</b> The Fonzie Flat may be occupied by an independent "family" as defined in the <i>PineRiversPlan</i>.</p> <p><b>AND</b></p> <p><b>PS 11.2</b> The Fonzie Flat may contain a separate laundry, kitchen, bathroom, living/dining rooms and bedroom together with ancillary storage space.</p>

**Multi-purpose use of Fonzie Flat**

**SO 12** The use of the Fonzie Flat is able to be adapted to other compatible uses, without adversely affecting localised residential amenity.

**PS 12.1** The occupant of the Fonzie Flat may conduct a "Home Business" in accordance with the Home Business Code contained within the *PineRiversPlan* as it relates to the Residential A zone.

**PS 12.2** If the Fonzie Flat is not being occupied by others, the resident of the main Detached House contained within the site, may utilise the Fonzie Flat for business purposes. Such use is in accordance with the definition of "Home Business" and the Home Business Code, as contained within the *PineRiversPlan*, as it relates to the Rural and Rural Residential zone.