

# SITING REQUIREMENTS SUMMARY

*Building Regulations 2018*

Applicable to single dwellings and associated outbuildings on sites **greater than 300m<sup>2</sup>** in area and where the property is not located in a heritage area under the Monash Planning Scheme, otherwise a planning permit is required.

This is a summary guide only and reference should be made to the complete building regulations and the Monash Planning Scheme where applicable.

The **Report and Consent of Council** must be obtained to an application for a building permit in relation to a design that does not comply with the regulations.

## MAX. STREET SETBACKS – (Regulation 73)

- Maximum setback for a new Class 1 dwelling from the front street alignment is not more than 1/3 of the depth of the allotment.

## MIN. STREET SETBACKS – (Regulation 74)

*Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones*

- Minimum setback from the front street alignment is 7.6m.
- Min setback from a side street on a corner allotment is 2.0m, or the same as the front wall of the existing building on the adjoining allotment facing the side street whichever is the lesser.

**Note:** Allowable encroachments of up to 2.5m into the above setback are;

- Porches, verandahs & pergolas that have a max height of 3.6m above natural ground level. Eaves, fascia, gutters, sunblinds, shade sails and screens. Decks, steps or landings less than 800mm in height.

## BUILDING HEIGHT – (Regulation 75)

*Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones*

- Max building height, from natural ground level to top of roof, is 9m, unless the land under the building has a slope of 2.5° or more for at least an 8m section, then the max building height is 10m. In a General Residential Zone (GRZ) if not restricted by a covenant then the max. building height is 11m and the building must contain no more than 3 storeys at any point.
- Maximum height of any part of a building within 1m of a side or rear boundary is 3.6 metre in addition to complying with Regulation 415.

## SITE COVERAGE – (Regulation 76)

Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones

- Max 60% of the allotment can be covered by buildings, (but does not include the land covered by eaves, fascia & gutters max 600mm in total width, unroofed swimming pools, unroofed terraces, unroofed patios, unroofed decks, and pergolas may be disregarded).

## MINIMUM GARDEN AREA – (Regulation 76A)

Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones

## PERMEABILITY – (Regulation 77)

Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones

- Not more than 80% of the area of an allotment can be covered by impermeable surfaces.

## CAR PARKING – (Regulation 78)

- If a new Class 1 building is to be constructed on an allotment, provision must be made for 2 car parking spaces on the allotment that are accessible from the street.
- One space must be a min 6.0m long x 3.5m wide and the other space must be a min 4.9m long x 2.6m wide. (If the car spaces are side by side and constrained by walls the min. width may be 5.5m).

**Note:** An alteration to a building on an allotment must not reduce the number of existing car spaces unless there are more than 2 spaces, in which case the number may be reduced to 2.

## SIDE AND REAR BOUNDARY SETBACKS – (Regulation 79)

Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones

Unless a building is constructed on a boundary and complies with regulation 80, and provided regulations 81 & 82 are met, the minimum setback of a building from a side or rear boundary is:

- 1m for buildings up to 3.6m in height
- 1m + an additional 300mm for every metre of height over 3.6m, for walls more than 3.6m but not more than 6.9m in height.
- 2m + an additional 1m for every metre of height over 6.9m, for walls more than 6.9m in height (See Table 1 attached, Ratio is 1:1)

**Note:**

- 1) The following may encroach into the above required setback distance by not more than 500mm: porches, verandahs, masonry chimneys, sunblinds, screens, flues, pipes, domestic fuel tanks, water tanks, heating and cooling equipment.
- 2) The following may encroach into the above required setback distance by not more than 600mm in total width: eaves, fascia and gutters.
- 3) The following may encroach into the required setback distance: landings with an area of not more than 2m<sup>2</sup> and less than 1m in height, unroofed stairways and ramps, pergolas, shade sails and carports (subject to regulation 80).

**WALLS & CARPORTS ON BOUNDARIES – (Regulation 80)**

Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones

Walls and carports may be constructed to the side or rear boundary of an allotment (unless the requirements of regulation 81 or 82 apply), provided:

- the combined length of walls and carports on any allotment boundary must not exceed 10 metres + 25% of the remaining length of the boundary (if a proposed wall on the boundary abuts an existing wall on the adjoining allotment then it may be constructed to the same length as that wall;
- the **average** height of a wall or carport on the boundary must not exceed 3.2m and a maximum height of 3.6m (if a proposed wall abuts an existing wall on the boundary then it may be constructed to the same height as that wall).

**Note:** Walls on or within 200mm of a side or rear boundary are considered to be on the boundary.

Carports on or within 1m of a side or rear boundary and which are open on the side facing the boundary are considered to be on the boundary.

**DAYLIGHT TO EXISTING HABITABLE ROOM WINDOWS – (Regulation 81)**

- A building must be setback from a habitable room window in an existing dwelling on an adjoining allotment to provide for a light court to the window that has a min area of 3m<sup>2</sup> and a min dimension of 1m clear to the sky. The area of light court may include land on the adjoining allotment.
- A wall or carport with an average height of more than 3m opposite a habitable room window in an existing dwelling on an adjoining allotment must be setback from that window at least half the height of the wall or carport if the wall or carport is within a 55° angle in the horizontal plane, about a vertical axis through the centre of the window.

### SOLAR ACCESS TO NEIGHBOUR'S EXISTING NORTH FACING WINDOWS – (Regulation 82)

- A proposed building must be setback from the boundary (for a distance of 3m from each side of the window or part of the window that is within 3m of the boundary) where a north facing habitable room window or part of a window of an existing dwelling on an adjoining allotment is within 3m of a boundary and the window is oriented towards the boundary and will be situated below the eaves or the top of a parapet of the building being constructed:
- 1m for walls of 3.6m or less in height or 1m + 600mm for every metre of height over 3.6m, for walls not more than 6.9m in height.
- 3m + 1m for every metre of height over 6.9m, for walls more than 6.9m in height.

**Note:** North facing habitable room window means a window of a habitable room that has an axis perpendicular to its surface oriented true north 20° west to true north 30° east.

### OVERSHADOWING OF NEIGHBOUR'S RECREATIONAL PRIVATE OPEN SPACE – (Regulation 83)

- After a proposed building is constructed, a minimum of 75% or 40m<sup>2</sup> with a min. dimension of 3m (whichever is the lesser) of an adjoining neighbour's 'recreational private open space' of an existing dwelling on an adjoining allotment must receive a minimum of 5 hours of sunlight between the hours of 9 am and 3 pm on the 22 September.
- If the adjoining allotment does not already receive the above amount of sunlight on the 22 September, then construction on an allotment must not further reduce sunlight to the neighbour's recreational private open space.

**Note:** 'Recreational private open space' means any part of a private open space on an allotment which is primarily intended for outdoor recreational activity and is either at the side or rear of an existing dwelling or if within the front setback of an existing dwelling is screened for at least 90% of the perimeter by a wall, fence, or other barrier that is at least 1.5m high and that has no more than 25% of its area open.

### OVERLOOKING – (Regulation 84)

A habitable room window or raised open space which includes a landing with an area more than 2m<sup>2</sup>, a balcony, terrace, deck or patio must not provide a direct line of sight into a habitable room window or on to a 'secluded private open space' of an existing dwelling on an adjoining allotment within a horizontal 9m distance measured at ground level.

**Note:** A direct line of sight is measured within a 45° angle from the plane of the window, landing balcony, etc from a height of 1.7m above floor level of the room, landing balcony etc.

A habitable room window complies if it:

- is offset a min 1.5m from the edge of one window to the edge of the other; or

- it has a sill height at least 1.7m above floor level; or
- has obscure glazing in any part of the window below 1.7m above floor level; or the direct line of sight is obscured by a permanent and fixed screen that has no more than 25% of its area open.

A raised open space complies if the direct line of sight into the habitable room window or on to the secluded private open space on the adjoining allotment is obscured by a permanent and fixed screen which has no more than 25% of its area open.

A new habitable room window or raised open space that faces a property boundary less than 800mm above the ground level at the boundary, does not have to comply with the above provisions provided there is at least a 1.8m high visual barrier such as a paling fence at the boundary.

**Note: 'Secluded private open space'** means any part of private open space on an allotment which is primarily intended for outdoor recreation activities and which is screened for at least 90% of its perimeter by a wall, fence, or other barrier that is at least 1.5m high and that has no more than 25% of its area open.

#### **DAYLIGHT TO NEW HABITABLE ROOM WINDOWS – (Regulation 85)**

A habitable room window of a building on an allotment must face:

- an outdoor space or light court with a min. area of 3m<sup>2</sup> and a min. dimension of 1m clear to the sky, not including land on an adjoining allotment; or
- a verandah, porch, deck or balcony on the allotment if it is open for at least one third of its perimeter; or
- a carport on the allotment if it has 2 or more sides open for at least one third of its perimeter.

**Note:** A side of a carport or verandah may be taken to be open if the roof covering adjacent to that side is not less than 500mm from another building on the allotment or the adjoining allotment boundary.

#### **PRIVATE OPEN SPACE – (Regulation 86)**

**Schedule 6: also refer to Monash Planning Scheme maps, zones & schedules to those zones**

A Class 1 dwelling must have a minimum 80m<sup>2</sup> or 20% of the allotment area (whichever the lesser) of private open space. Of this private open space, a min 25m<sup>2</sup> with a minimum dimension of 3m must be provided at the side or rear of the building with convenient access from a habitable room (other than a bedroom).

**TABLE 1**

SIDE AND REAR BOUNDARY SETBACKS (REG 79)			
Proposed wall heights (m)	Required setback from boundary (m)	Proposed wall height (m)	Required setback from boundary (m)
3.6	1.00	6.8	1.96
3.7	1.03	6.9	1.99
3.8	1.06	7.0	2.10
3.9	1.09	7.1	2.20
4.0	1.12	7.2	2.30
4.1	1.15	7.3	2.40
4.2	1.18	7.4	2.50
4.3	1.21	7.5	2.60
4.4	1.24	7.6	2.70
4.5	1.27	7.7	2.80
4.6	1.30	7.8	2.90
4.7	1.33	7.9	3.00
4.8	1.36	8.0	3.10
4.9	1.39	8.1	3.20
5.0	1.42	8.2	3.30
5.1	1.45	8.3	3.40
5.2	1.48	8.4	3.50
5.3	1.51	8.5	3.60
5.4	1.54	8.6	3.70
5.5	1.57	8.7	3.80
5.6	1.60	8.8	3.90
5.7	1.63	8.9	4.00
5.9	1.69	9.1	4.20
6.0	1.72	9.2	4.30
6.1	1.75	9.3	4.40
6.2	1.78	9.4	4.50
6.3	1.81	9.5	4.60
6.4	1.84	9.6	4.70
6.5	1.87	9.7	4.80
6.6	1.90	9.8	4.90
6.7	1.93	9.9	5.00
-	-	10.0	5.10

**TABLE 2**

SETBACKS FROM NEIGHBOUR'S NORTH FACING HABITABLE ROOM WINDOWS (REG 82)			
Proposed wall heights (m)	Required setback from boundary (m)	Proposed wall height (m)	Required setback from boundary (m)
3.6	1.00	6.8	2.92
3.7	1.06	6.9	2.98
3.8	1.12	7.0	3.10
3.9	1.18	7.1	3.20
4.0	1.24	7.2	3.30
4.1	1.30	7.3	3.40
4.2	1.36	7.4	3.50
4.3	1.42	7.5	3.60
4.4	1.48	7.6	3.70
4.5	1.54	7.7	3.80
4.6	1.60	7.8	3.90
4.7	1.66	7.9	4.00
4.8	1.72	8.0	4.10
4.9	1.78	8.1	4.20
5.0	1.84	8.2	4.30
5.1	1.90	8.3	4.40
5.2	1.96	8.4	4.50
5.3	2.02	8.5	4.60
5.4	2.08	8.6	4.70
5.5	2.14	8.7	4.80
5.6	2.20	8.8	4.90
5.7	2.26	8.9	5.00
5.8	2.32	9.0	5.10
5.9	2.38	9.1	5.20
6.0	2.44	9.2	5.30
6.1	2.50	9.3	5.40
6.2	2.56	9.4	5.50
6.3	2.62	9.5	5.60
6.4	2.68	9.6	5.70
6.5	2.74	9.7	5.80
6.6	2.80	9.8	5.90
6.7	2.86	9.9	6.00
-	-	10.0	6.10