



GENERAL SITING REQUIREMENTS FOR SINGLE DWELLINGS & OUTBUILDINGS



INTRODUCTION

The Building Regulations 2006 regulate the siting of single dwellings and outbuildings.

Residential properties within an area with controls under the Planning Scheme must comply with any siting controls of the local planning scheme if they are inconsistent with the relevant building regulatory provisions. Please contact Council's Planning Department – Ph: 8734 5463 for information on the planning scheme.

STREET SETBACK

Maximum street setback

A building must not be set back from the front street boundary more than one-third of the depth of the allotment.

Minimum street setbacks

<i>Adjoining Development Context</i>	<i>Minimum setback from front street</i>	<i>Minimum setback from a side street</i>
Existing dwellings on adjoining allotments facing the same street	The average distance of the setbacks of the front walls of the existing buildings on the adjoining allotments facing the front street, or 9m, whichever is the lesser	Not applicable
Existing dwelling on one adjoining allotment facing the same street and no building on the other adjoining allotment facing the same street	The same distance as the setback of the front wall of the existing building on the adjoining allotment facing the same street, or 9m, whichever is the lesser	2 metres
No existing dwellings on adjoining allotments facing the same street.	6m for a building facing a declared road 4m for a building facing any other street	2 metres

The following may encroach into the setback distances by not more than 2.5 metres-

- Porches, verandahs and pergolas that have a maximum height of less than 3.6 metres above natural ground level; and
- Eaves, fascia and gutters;
- Sunblind and shade sails;
- Screens required to satisfy overlooking criteria.
- Decks, steps or landings less than 800mm in height.

“Declared road” means a declared road within the meaning of the Transport Act 1983.

BUILDING HEIGHT

The height of a building must not exceed –

- 10 metres if the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5° or more; or
- 9 metres in any other case.

SITE COVERAGE

Buildings must not occupy more than 60% of an allotment. Unroofed swimming pools, unroofed terraces, unroofed patios, unroofed decks, pergolas and eaves less than 600mm in overall width may be disregarded for the purposes of calculating site coverage.

PERMEABILITY

If a building is to be constructed on an allotment, not more than 80% of the area of the allotment can be covered by impermeable surfaces.

CARPARKING

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.

Of the 2 car parking spaces –

- one space must be at least 6 metres long and 3.5 wide; and
- the second space must be at least 4.9 metres long and 2.6 metres wide.
- If the 2 required car parking spaces adjoin each other in a garage or carport or in a space constrained by walls, the double space may be 5.5 metres in width.

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

A building may project into a car parking space if it is at least 2.1 metres above that space.

SIDE AND REAR SETBACKS

<i>Building height at any point</i>	<i>Minimum setback from side or rear boundary at that point</i>
3.6m or less	1m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 300mm for every metre of height over 3.6m
More than 6.9m	2m plus an additional distance calculated at the rate of 1 metre for every metre of height over 6.9m.

The following may encroach into the setback distance by not more than 500 millimetres –

- Porches and verandahs;
- Masonry chimneys;
- Sun blinds;
- Screens required to limit overlooking;
- Flues and pipes;
- Domestic fuel tanks and water tanks;
- Heating and cooling equipment and other services.

The following may encroach into the setback distance

- Landings with an area of not more than 2 square metres and less than 1 metre high;
- Unroofed stairways and ramps;
- Pergolas;
- Shade sails;
- Eaves, fascia, gutters not more than 600mm in total width.
- Carports (subject to regulation 415).

WALLS ON BOUNDARIES (Regulations 415)

The length of the wall, or of the carport, or of the wall and carport, must not, either by itself or when combined with the length of any existing wall or carport, be greater than the greater of-

- 10 metres plus 25% of the remaining length of the boundary of the allotment; or
- The length of any wall or carport constructed on an adjoining allotment which is within 150mm of the boundary of that allotment.

A wall or carport constructed within 200mm of a side or rear boundary of an allotment or a carport constructed on or within 1m of a side or rear boundary of an allotment and which is open on the side facing the boundary or boundaries must not exceed an average height of 3.2 metres and a maximum height of 3.6 metres along the boundary. If a wall or carport abuts an existing wall it may be constructed to the same height as that wall.

SIDE AND REAR BOUNDARY SETBACKS			
Proposed Wall Heights	Required Setback from Boundary	Proposed Wall Height	Required Setback from Boundary
3.6	1.00	6.8	1.96
3.7	1.03	6.9	2.00
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
5.8	1.66	9.0	4.10
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

DAYLIGHT TO EXISTING HABITABLE ROOM WINDOWS ON ADJOINING PROPERTY

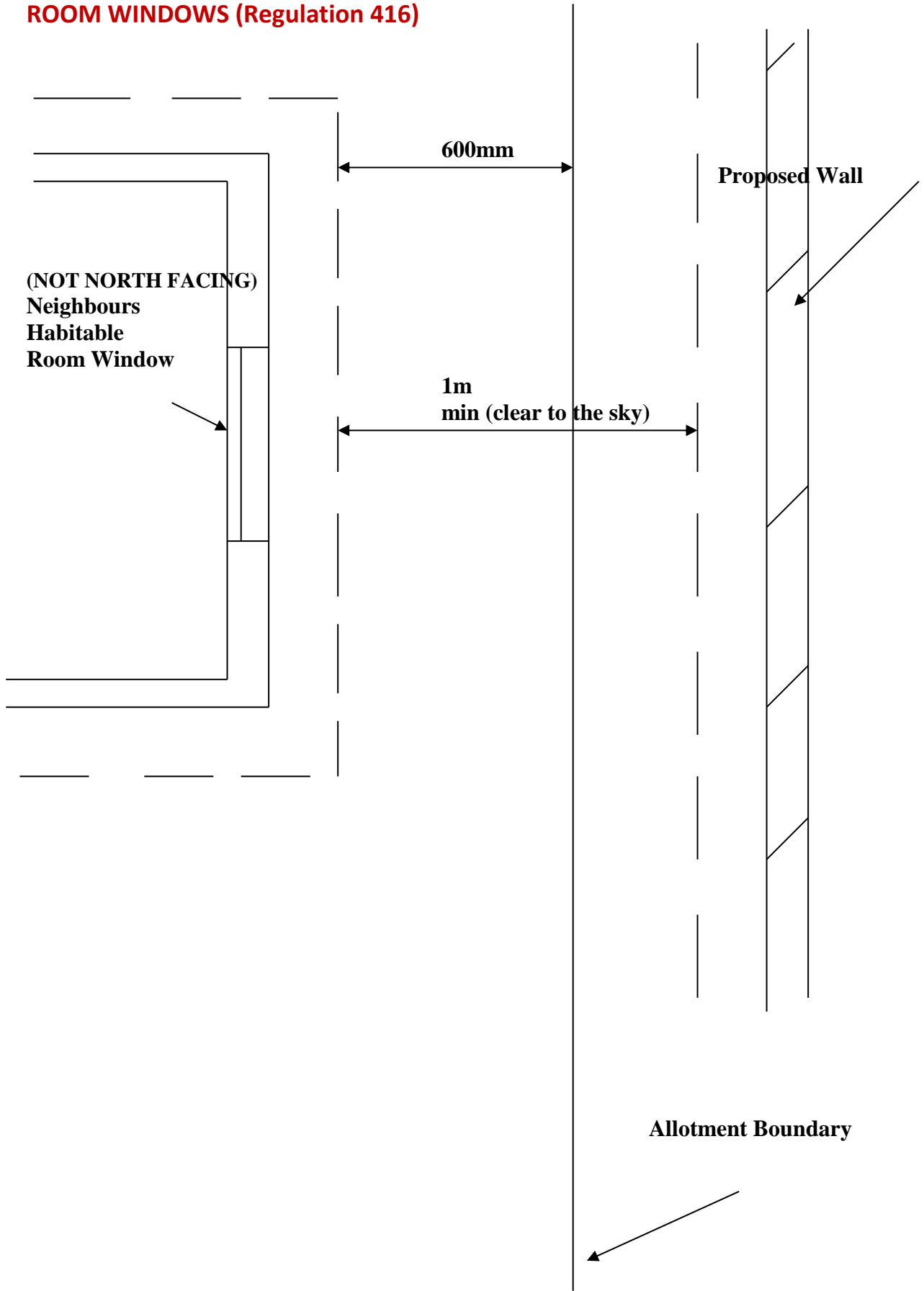
A building must be set back from a habitable room window in an existing building on an adjoining allotment to provide for a light court to the window that has a minimum area of 3 square metres and a minimum dimension of 1 metre clear to the sky.

The area of the required light court may include land on the adjoining allotment.

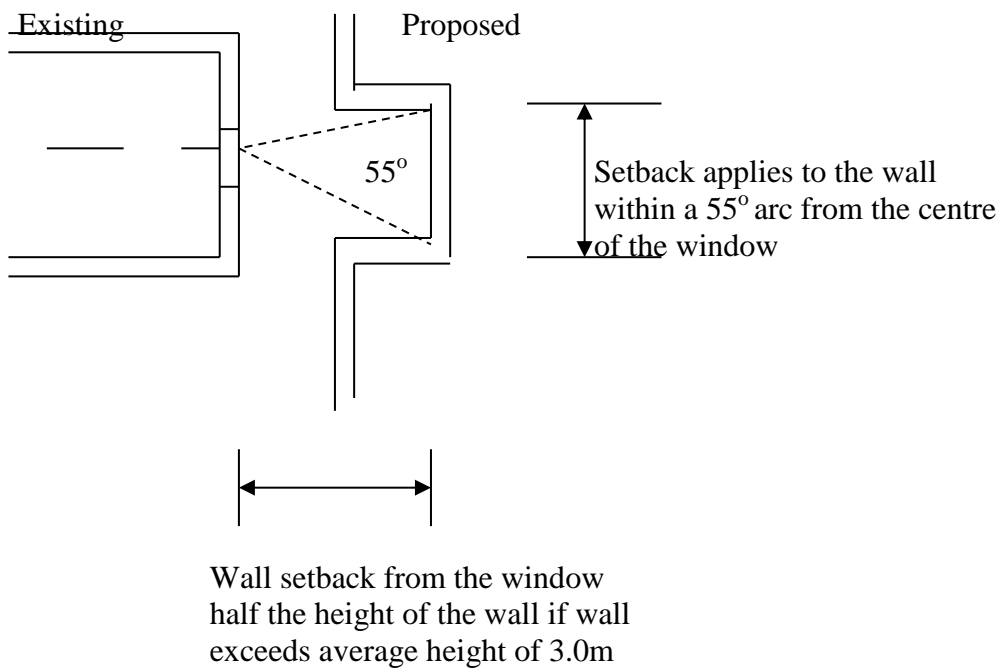
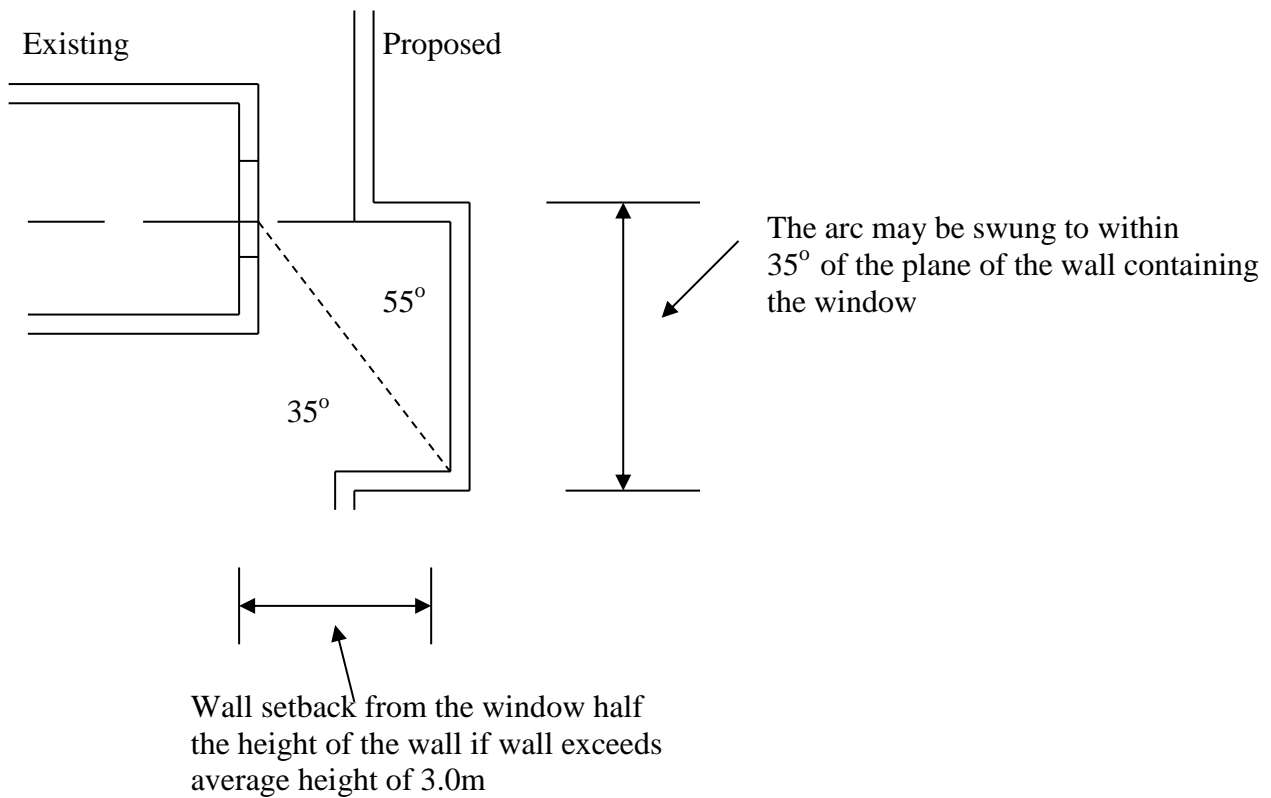
A wall or carport with an average height of more than 3 metres opposite a habitable room window in an existing dwelling on an adjoining allotment must be set back from that window at least half the height of the wall or carport if the wall or carport is within a 55° angle in the horizontal plane about a vertical axis through the centre of the window.

The angle may be swung to not less than 35° from the plane of the wall containing the window. If the window is above ground floor level, then for the purposes of that sub-regulation, the wall or carport height is to be measured from the floor level of the room containing the window.

DAYLIGHT TO EXISTING HABITABLE ROOM WINDOWS (Regulation 416)



DAYLIGHT TO EXISTING HABITABLE WINDOWS (Cont'd) (Not North Facing)



SOLAR ACCESS TO EXISTING NORTH FACING HABITABLE ROOM WINDOWS

This applies if—

- a north-facing habitable room window or part of a window of an existing dwelling on an adjoining allotment is within 3 metres of a boundary of the allotment on which the building is to be constructed; and
- the window is orientated towards the boundary.

The proposed building must be set back from the boundary not less than the distance specified in the following Table for a distance of 3 metres from the edge of each side of the window:

<i>Building height at any point</i>	Minimum setback from side or rear boundary at that point
3.6m or less	1m
More than 3.6m but not more than 6.9m	1m plus an additional distance calculated at the rate of 600mm for every metre of height over 3.6m.
More than 6.9m	3m plus an additional distance calculated at the rate of 1m for every metre of height over 6.9m

A north-facing window is a window with an axis perpendicular to its surface oriented north 20° west to north 30° east. In this regulation north is defined as true north.

The following may encroach into the required setback distance by not more than 500mm and to a height not exceeding 2.5m-

- a) flues and pipes;
- b) domestic fuel tanks and water tanks;
- c) heating and cooling equipment and other services

OVERSHADOWING

A building constructed on an allotment must not reduce the sunlight to a recreational private open space of an existing dwelling on an adjoining allotment to the extent that less than the required minimum area of the recreational private open space has less than 5 hours of sunlight between 9am and 3pm on 22 September.

The amount of sunlight to that area must not be further reduced by the construction of any building if the recreational private open space is less than the required amount.

In this regulation the required minimum area of a recreational private open space is the lesser of-

- 75% of the recreational private space; or
- 40 square metres with a minimum dimension of 3 metres.
- **“recreational private open space”** means any part of private open space on an allotment-
 - a) which is-
 - (i) at the side or rear of an existing dwelling on the allotment; or
 - (ii) within the front setback of an existing dwelling on the allotment 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; and
 - b) which is primarily intended for outdoor recreation activities

SETBACKS FROM NEIGHBOURS NORTH FACING HABITABLE WINDOWS			
Proposed Wall Height	Required Setback from Boundary	Proposed Wall Height	Required Setback from Boundary
3.6	1.00	6.8	2.92
3.7	1.06	6.9	3.00
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

OVERLOOKING

A habitable room window or raised open space of a building on an allotment 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

In the case of a direct line of sight from a habitable room window, the line of sight is any line measured from a height of 1.7m above the floor level of the habitable room and contained within the space enclosed by-

- (a) a vertical plane measured at an angle of 45° from each side of the window; and
- (b) a horizontal plane 1.7m above the floor level of the habitable room; and
- (c) the ground level below; and
- (d) a horizontal distance of 9m from the window.

In the case of a direct line of sight from a raised open space, the line of sight is any line measured from a height of 1.7m above the floor level and along the perimeter of the raised open space to any point within a horizontal distance of 9m from the raised open space and extending 45° beyond any point where the perimeter of the raised open space meets a wall of a building.

In the case of a secluded private open space, the horizontal distance of 9m referred to above is to be measured at ground level.

A habitable room window complies with this requirement if-

- a) in the case where the habitable room window provides a direct line of sight into a habitable room window of an existing dwelling on an adjoining allotment, it is offset a minimum of 1.5m from the edge of one window to the edge of the other; or
- b) it has a sill height at least 1.7m above floor level; or
- c) it has obscure glazing in any part of the window below 1.7m above floor level; or
- d) 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 with this regulation 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 window referred to in dot point (c) above may be able to be opened provided that when open the obscure glazing does not permit a direct line of sight on to the secluded private open space or into the habitable room window on an adjoining property as detailed above.

Overlooking does not apply to a new habitable room window or raised open space that faces a property boundary if-

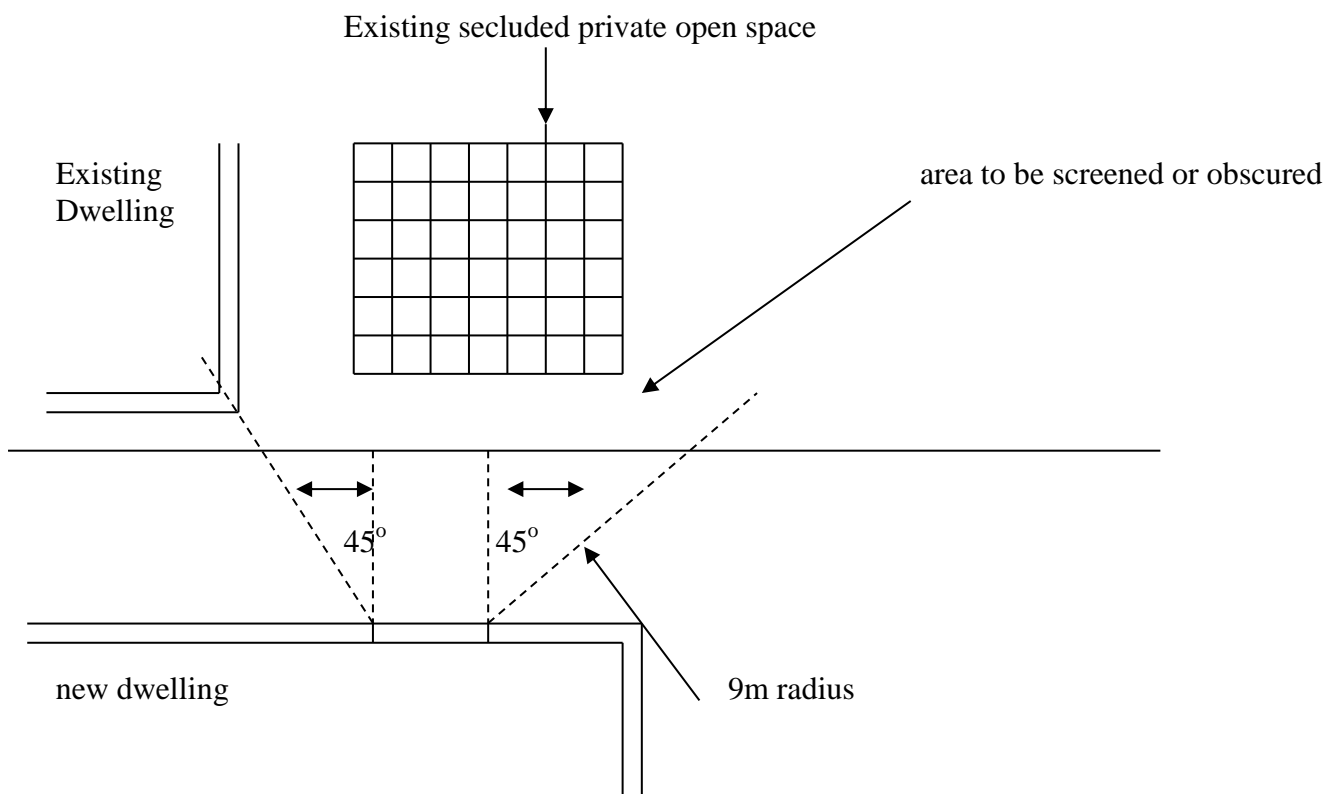
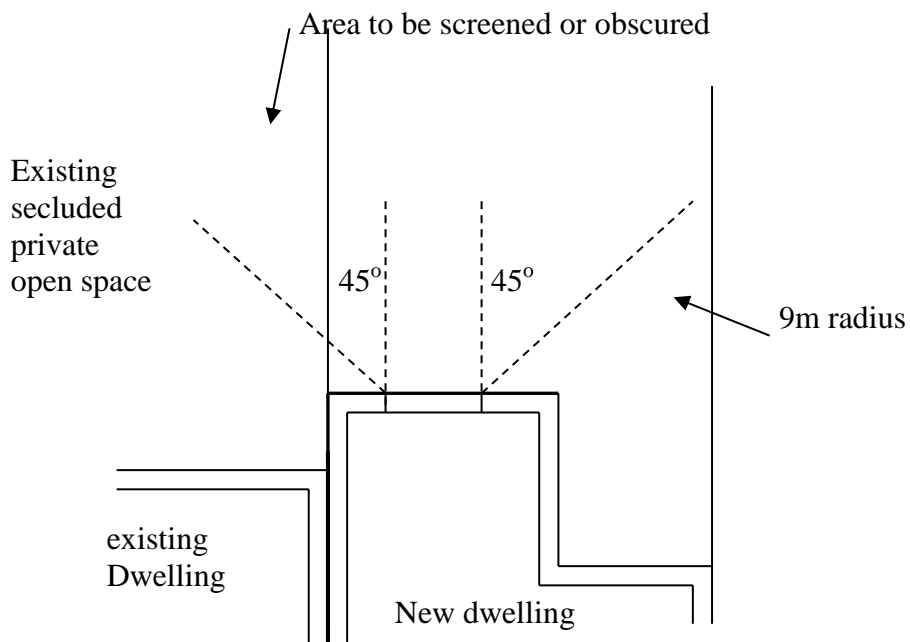
- there is a visual barrier at least 1.8 metres high at the boundary; and
- the floor level of the room or the raised open space is less than 800mm above ground level at the boundary.

“Raised open space” means a landing with an area of more than 2m², a balcony, a terrace, a deck or a patio;

“Secluded private open space” means any part of private open space on an allotment-

- a) which is screened for at least 90% of its perimeter by a wall, fence or other barrier that is at least 1.5m height and that has no more than 25% of its area open; and
- b) which is primarily intended for outdoor recreation activities.

OVERLOOKING



DAYLIGHT TO HABITABLE ROOM WINDOWS ON SAME ALLOTMENT

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

- an outdoor space clear to the sky, not including land on an adjoining allotment; or
- a lightcourt with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an adjoining allotment; or a verandah 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; and
- it is open for a least one third of its perimeter.

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

PRIVATE OPEN SPACE

A Class 1 building on an allotment must have private open space of not less than 80 square metres or 20% of the area of the allotment, whichever is the lesser.

The private open space must include one part of secluded private open space at the side or rear of the building with-

- an area of at least 25 square metres with a minimum dimension of 3 metres; and
- convenient access from a habitable room (other than a bedroom).

DEFINITIONS

Private Open Space

- a) an unroofed area of land or
- b) a deck, terrace patio, balcony, pergola, verandah, gazebo or swimming pool.

Secluded Private Open Space

Any part of private open space which is primarily intended for outdoor recreational activities and is enclosed for at least 90% of its perimeter by walls, fences or other barriers at least 1.5 metres high and no more than 25% of its area open.

Clear to the sky

An unroofed area or an area roofed with a material that transmits at least 90% of light.

”height” in relation to-

- (a) a building (other than a wall or fence) at any point, means the vertical distance between natural ground level and the top of the roof covering; and
- (b) a wall at any point, means the vertical distance between the natural ground level at the base of the wall and the point at which the outer wall intersects the plane of the top of the roof covering or the top of the parapet, whichever is higher; and
- (c) a fence at any point, means the vertical distance between natural ground level at the base of the fence and the top of the fence;

Pergola means an open structure that is unroofed but may have a covering of open weave permeable material.

Verandah means an open structure that is roofed with an impermeable material.

NOTES

This information is provided in good faith. No responsibility is accepted for any errors or omissions.

It is recommended that specific information be obtained immediately prior to the design process with respect to any building proposal to confirm compliance with the Building Regulations 2006.

Should you require any specific advice contact Wyndham City Council Building Services Unit on 9742 0720.