



# Information Sheet - Siting Requirements For Single (One) Dwelling and Associated Outbuilding/s on Sites Over 500sqm in Residential Zone NRZ3 in the City of Bayside

## **MAXIMUM STREET SETBACK** (Regulation 73)

A new dwelling must not be setback more than 1/3<sup>rd</sup> of the depth of the site.

## **MINIMUM STREET SETBACK** (Regulation 74)

- The minimum setback from the front title boundary (ie, the street frontage) is the greater distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the same front street, or 9.0m, whichever is the lesser
- The minimum setback from the side street on a corner allotment is 2.0m

**Note:** The following structures are permitted to project up to 2.5m into the above minimum street setbacks:

- Porches, verandahs and pergolas, with a maximum height of 3.6m
- Eaves, fascia, gutters, sunblinds, shade sails, and screens
- Decks, steps, or landings less than 800mm in height

## **BUILDING HEIGHT** (Regulation 75)

The maximum overall height of a building on a flat site is 9.0m (a flat site is land with a max slope of less than 2.5 degrees) (maximum 2 storey)

The maximum overall height of a building on a sloping site is 10.0m (a sloping site is land with a slope of more than 2.5 degrees across at least an 8.0m cross section of the site of the building)

The maximum height of any part of a building within 1.0m of a side or rear boundary is 3.6m (also refer to regulation 80)

## **SITE COVERAGE** (Regulation 76)

The maximum area of a site that can be covered by buildings is 50% (Note; this does not include standard eaves (600mm max width), unroofed swimming pools, unroofed terraces, unroofed patios, unroofed decks and pergolas)

**\*NB: Mandatory garden area requirements also apply.**

## **PERMEABILITY** (Regulation 77) as per Building Regulations 2018

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

## **CARPARKING** (Regulation 78) as per Building Regulations 2018

Every allotment must provide for parking of a minimum of 2 cars (one carspace must be a minimum of 6.0m long x 3.5m wide and the other must be a minimum 4.9m long x 2.6m wide (if the car spaces are side by side then the minimum width can be 5.5m)).

## **SIDE AND REAR SETBACKS** (Regulation 79)

Unless a building is constructed on or within 200mm of a side boundary (and complies with regulations 80, 81 & 82), the minimum setback from a **side boundary** is:

- 2.0m, plus 0.6m for every metre of height over 3.6m up to 6.9m in height, plus 2.0m for every metre of height over 6.9m (see table 1 attached)

Unless a building is constructed on or within 200mm of a rear boundary (and complies with regulations 80, 81 & 82), the minimum setback from a **rear boundary** is:

- 3.0m, plus 0.6m for every metre of height over 3.6m up to 6.9m in height, plus 2.0m for every metre of height over 6.9m (see table 2 attached)

**Note:** 1) The following may encroach up to 500mm into the above setbacks:

Porches, verandahs, masonry chimney backs, sunblinds, screens, flues, pipes, domestic fuel tanks, water tanks, and heating & cooling equipment

2) The following may encroach by up to 600mm into the above setbacks:

Eaves, (including fascia and gutter).

3) The following are unlimited encroachments into the above setbacks:

Landings with an area not more than 2m<sup>2</sup> and a height less than 1.0m, unroofed stairs and ramps, pergolas, shade sails and carports that comply with the height restrictions set out in regulation 80

### **WALLS AND CARPORTS ON BOUNDARIES** (Regulation 80)

Walls of a building and carports can be constructed to the side or rear boundary of an allotment, (unless prohibited by regulation 82), provided

- The maximum length of wall/s and carport/s on or within 200mm a shared allotment boundary, with an adjoining property, must not exceed 10m plus 25% of the remaining length of the shared boundary. (Note: If a proposed wall abuts an existing neighbouring wall on the boundary, then it can be constructed to the same length of the wall it abuts.)
- The maximum average height of a wall or carport on or within 200mm to a side or rear boundary must not exceed 3.2m and a maximum height of 3.6m. (Note: If a proposed wall abuts an existing neighbouring wall on the boundary, then it can be constructed to the same height of the wall it abuts.)

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

A building must be setback from a habitable room window in an adjoining building to provide for a light court with a minimum area of 3m<sup>2</sup> and with a minimum dimension of 1.0m, and

A wall or carport, if more than 3.0m in height, must be setback at least 1/2 its height from an adjoining habitable room window on the adjoining allotment, 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 NEIGHBOURS EXISTING NORTH FACING HABITABLE ROOM WINDOWS** (Regulation 82)

If a neighbour has a north facing habitable room window less than 3.0m to a north side or rear boundary, the setback of a proposed building (for a distance of 3.0m from the edge of each side of the neighbours' window) must be:

- 1.0m for buildings zero to 3.6m in height,
- 1.0m plus 0.6m for every metre of building height over 3.6m, up to 6.9m,
- 3.0m plus 1.0m for every metre in building height over 6.9m.

**Note :** The following may encroach by up to 500mm into the above setbacks and to a maximum height of 2.5m:  
Flues, pipes, domestic fuel and water tanks, heating and cooling equipment, and other services.

Porches, verandahs, chimneys, screens, landings, stairways, ramps, pergolas, shade sails, eaves, fascias, gutters, and carports are **not** permitted to project or encroach into the above setbacks.

**Please note:** The setback requirements of Regulation 82 are often less than the setback requirements of Regulation 79, in which case Regulation 79 takes precedent.

## **OVERSHADOWING OF RECREATIONAL PRIVATE OPEN SPACE** (Regulation 83)

After a building is constructed, a minimum of 75% or 40m<sup>2</sup>, with a minimum dimension of 3.0m (whichever is the lesser), of an adjoining neighbour's "recreational private open space" must receive a minimum of 5 hours of sunlight between the hours of 9am and 3pm on the 22 September.

If the adjoining allotment does not already receive the above amount of sunlight on the 22 September, then the constructions on the adjoining allotments cannot further reduce sunlight to the neighbour's secluded private open space.

**Note:** "recreational private open space" is any part of private open space which is primarily intended for outdoor recreational activity and is either at the side or rear of an existing dwelling, or in front of a dwelling if it is screened with a 1.5m high fences or walls (which are no more than 25% open) for at least 90 % of the perimeter of the private open space.

"private open space" is an unroofed area of land or a deck, terrace, patio, balcony, pergola, verandah, gazebo and a swimming pool.

## **OVERLOOKING** (Regulation 84)

A habitable room window, a landing with an area of more than 2m<sup>2</sup>, a balcony, terrace, deck or a patio (which is 800mm or more above natural ground level, measured at the boundary) must not provide a direct line of sight into a "secluded private open space" or a habitable room window of an existing dwelling on an adjoining within a 9.0m distance, measured at ground level, of the window, landing balcony, terrace etc.

**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 the floor level of the room, landing, balcony, terrace, etc

A habitable room window complies if it:

- is offset a minimum of 1.5m from the edge of one window to the edge of the other window, or
- has a sill height of at least 1.7m above floor level, or
- has fixed obscured glazing in any part of the window less than 1.7m above floor level, or
- is obscured by a permanent fixed screen, which has no more than 25% of its area open.

A landing, deck, balcony, etc complies if the direct line of sight is obscured by a permanent fixed screen which has no more than 25% of its area open.

If the floor level of a habitable room, or the level of a raised open space, is less than 800mm above natural ground level, measured at the boundary, and there is a 1.8m high visual barrier at the boundary, then the overlooking requirements of the above Regulation do not apply.

**Note:** "secluded private open space" means private open space which is primarily intended for outdoor recreational activities and which is screened for at least 90% of its perimeter by walls, fences, screen etc which are no more than 25% open and at a height of at least 1.5m.

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

A habitable room window must face:

- an outdoor space on the allotment with an area of 3.0m<sup>2</sup> and a minimum dimension of 1.0m, or
- a verandah, porch, deck or balcony on the allotment, if it is open on at least 1/3<sup>rd</sup> of its perimeter, or
- a carport on the allotment, if it is open on at least 1/3<sup>rd</sup> of its perimeter and has two (2) or more sides open.

**Note:** a side of a verandah or carport is considered open if the roof covering is not less than 500mm from another building on the allotment or the adjoining allotment boundary).

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

A minimum 80m<sup>2</sup> or 20% (whichever the lesser) of private open area must be provided on the allotment. Of this private open space, a minimum 25m<sup>2</sup>, with a minimum dimension of 3.0m, must be provided at the side or rear of the building, with convenient access from a habitable room (other than a bedroom).

**Side Boundary Setback (Reg 79) Table 1**

Proposed Building Height (m)	Required Setback from Side Boundary (m)	Proposed Building Height (m)	Required Setback from Side Boundary (m)	Proposed Building Height (m)	Required Setback from Side Boundary (m)
3.6	2.00	5.8	3.32	8.0	6.18
3.7	2.06	5.9	3.38	8.1	6.38
3.8	2.12	6.0	3.44	8.2	6.58
3.9	2.18	6.1	3.50	8.3	6.78
4.0	2.24	6.2	3.56	8.4	6.98
4.1	2.30	6.3	3.62	8.5	7.18
4.2	2.36	6.4	3.68	8.6	7.38
4.3	2.42	6.5	3.74	8.7	7.58
4.4	2.48	6.6	3.80	8.8	7.78
4.5	2.54	6.7	3.86	8.9	7.98
4.6	2.60	6.8	3.92	9.0	8.18
4.7	2.66	6.9	3.98	9.1	8.38
4.8	2.72	7.0	4.18	9.2	8.58
4.9	2.78	7.1	4.38	9.3	8.78
5.0	2.84	7.2	4.58	9.4	8.98
5.1	2.90	7.3	4.78	9.5	9.18
5.2	2.96	7.4	4.98	9.6	9.38
5.3	3.02	7.5	5.18	9.7	9.58
5.4	3.08	7.6	5.38	9.8	9.78
5.5	3.14	7.7	5.58	9.9	9.98
5.6	3.20	7.8	5.78	10.0	10.18
5.7	3.26	7.9	5.98		

**Rear Boundary Setback (Reg 79) Table 2**

Proposed Building Height (m)	Required Setback from Side Boundary (m)	Proposed Building Height (m)	Required Setback from Side Boundary (m)	Proposed Building Height (m)	Required Setback from Side Boundary (m)
3.6	3.00	5.8	4.32	8.0	7.18
3.7	3.06	5.9	4.38	8.1	7.38
3.8	3.12	6.0	4.44	8.2	7.58
3.9	3.18	6.1	4.50	8.3	7.78
4.0	3.24	6.2	4.56	8.4	7.98
4.1	3.30	6.3	4.62	8.5	8.18
4.2	3.36	6.4	4.68	8.6	8.38
4.3	3.42	6.5	4.74	8.7	8.58
4.4	3.48	6.6	4.80	8.8	8.78
4.5	3.54	6.7	4.86	8.9	8.98
4.6	3.60	6.8	4.92	9.0	9.18
4.7	3.66	6.9	4.98	9.1	9.38
4.8	3.72	7.0	5.18	9.2	9.58
4.9	3.78	7.1	5.38	9.3	9.78
5.0	3.84	7.2	5.58	9.4	9.98
5.1	3.90	7.3	5.78	9.5	10.18
5.2	3.96	7.4	5.98	9.6	10.38
5.3	4.02	7.5	6.18	9.7	10.58
5.4	4.08	7.6	6.38	9.8	10.78
5.5	4.14	7.7	6.58	9.9	10.98
5.6	4.20	7.8	6.78	10.0	11.18
5.7	4.26	7.9	6.98		