

## 2 Setbacks for different situations

### 2.1 Profiles and slopes

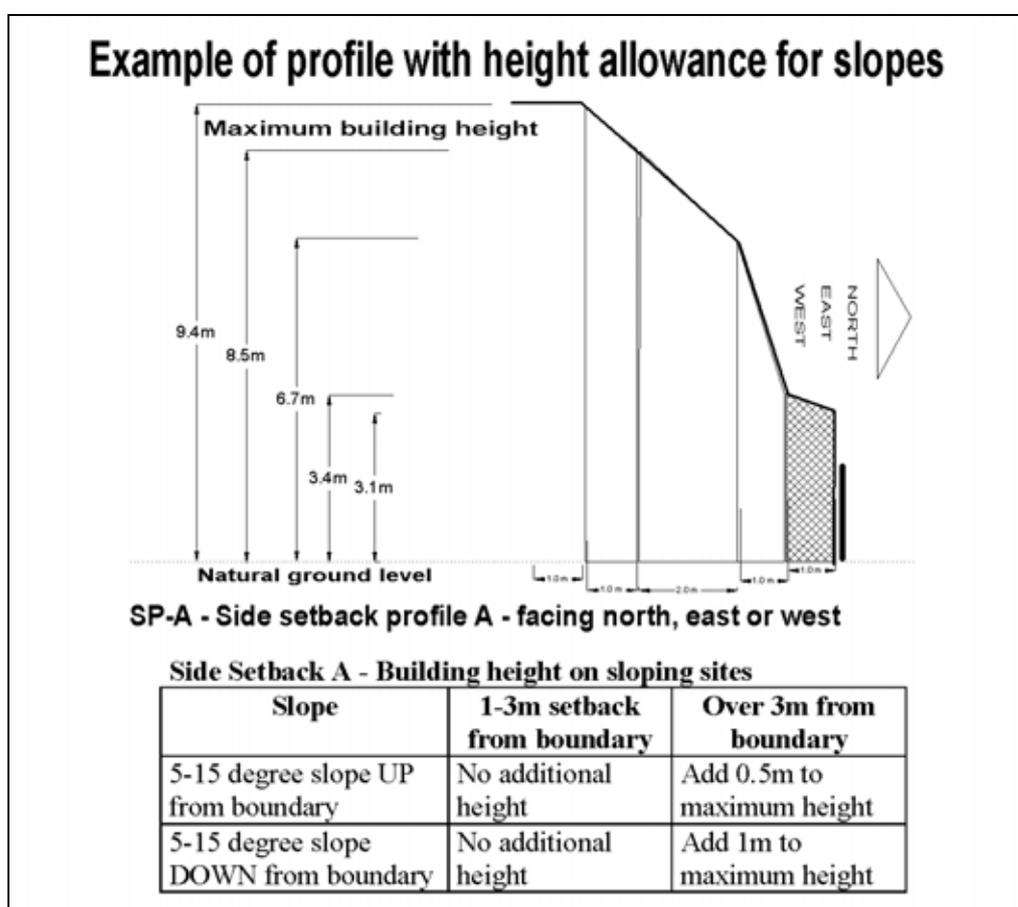
On sloping land, it may not be possible to build some typical houses within the maximum building heights in standard setback profiles. The topography of the land covered by the building envelope could mean that significant cut and fill will be needed to build typical dwellings.

However standard profiles can still be used to indicate setbacks on sloping sites, with the addition of a height allowance. A height allowance on top of the maximum building heights set by the standard profiles can reduce the amount of cut and fill needed to accommodate a typical house on a sloping site.

A “height allowance” table added to the setback diagram or to the notes that accompany the plan of subdivision could contain allowable height increases for various slopes over the maximum building height in the standard setback profiles.

The impact on the amenity of neighbours would need to be considered in deciding if a height allowance should be included in the building envelope.

The diagram below shows a standard profile with a table of height allowances for sloping sites added to the diagram.



One table of common height allowances for various slopes can apply to all the lots with a building envelope.

If the slope of each lot is known when the building envelopes are drawn up, it can help future users to note, in the restriction or agreement, those lots where the standard setback profiles are modified by a height allowance.

The notes should specify that the height allowance does not apply to edge lots where the adjoining lot is not in the same agreement or restriction.

The notes should also specify if the height allowances apply to a slope that runs lengthways on a lot. For instance, if a lot slopes away to the rear, there may be a case for allowing the rear portion of the building to exceed the building height allowance.

The height allowances could be greater on slopes that do not face south, and on downward slopes. This is because the shadowing and visual bulk impacts of a taller building on neighbours in the same agreement or restriction will be less in those situations.

Tables 1 and 2 below show height allowances that could be used for upwards and downwards facing slopes, for southern and other orientations. Profiles for slopes of over 15 degrees would need to be designed for each site.

<b>TABLE 1:</b>	<b>EXTRA BUILDING HEIGHT IN ADDITION TO HEIGHTS DEFINED IN SIDE AND REAR PROFILES* **</b>		
<b>Rise of UPWARD SLOPES</b>	<b>1 - 3m setback from boundary</b>	<b>3.01m – 5m setback from boundary</b>	<b>5.01m from boundary to midpoint of lot</b>
<b>5-10 degrees</b>	No additional height	Add 0.5m to height set by standard profile	Add 0.5m to height set by standard profile
<b>10.01 to 15 degrees</b>	Add 0.5m	Add 1m	Add 1m
<b>5 degrees or more and slope faces between 20 degrees east and 20 degrees west of south</b>	No additional height	No additional height	No additional height

\* Height limits between measurement points are defined by the shortest line between two measurement points.

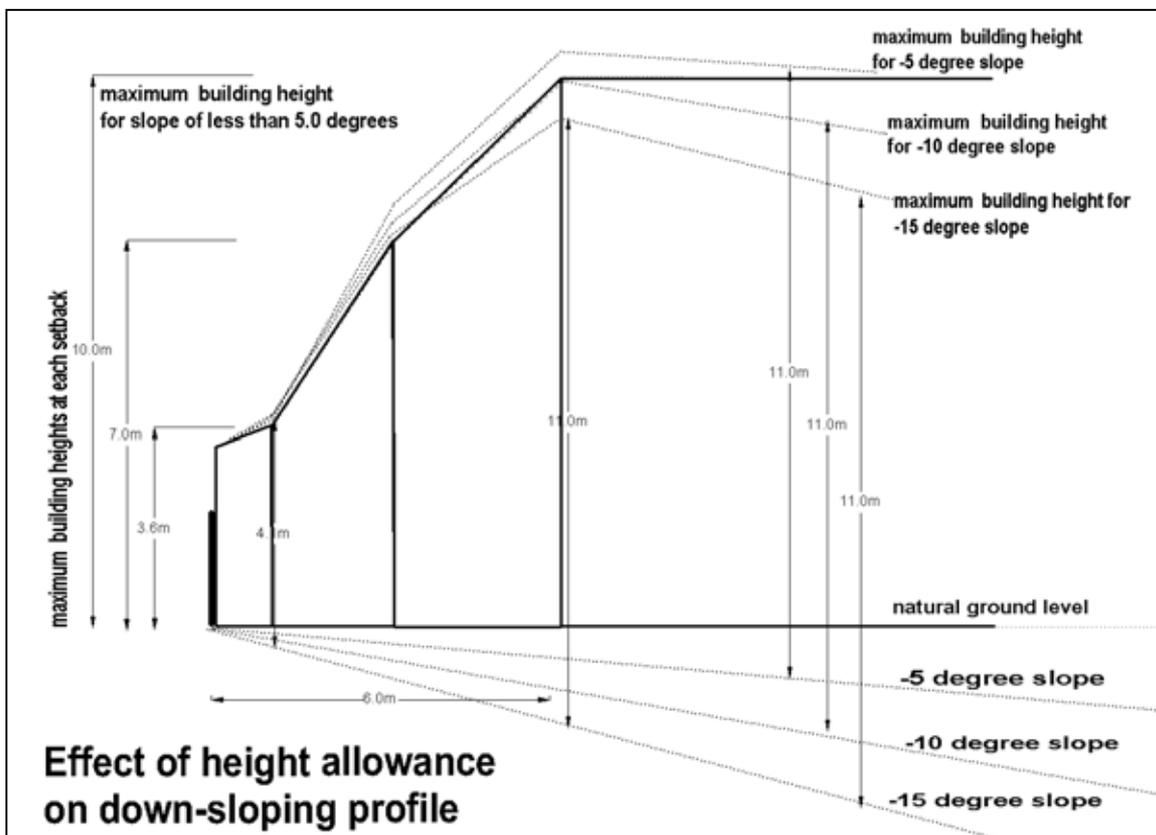
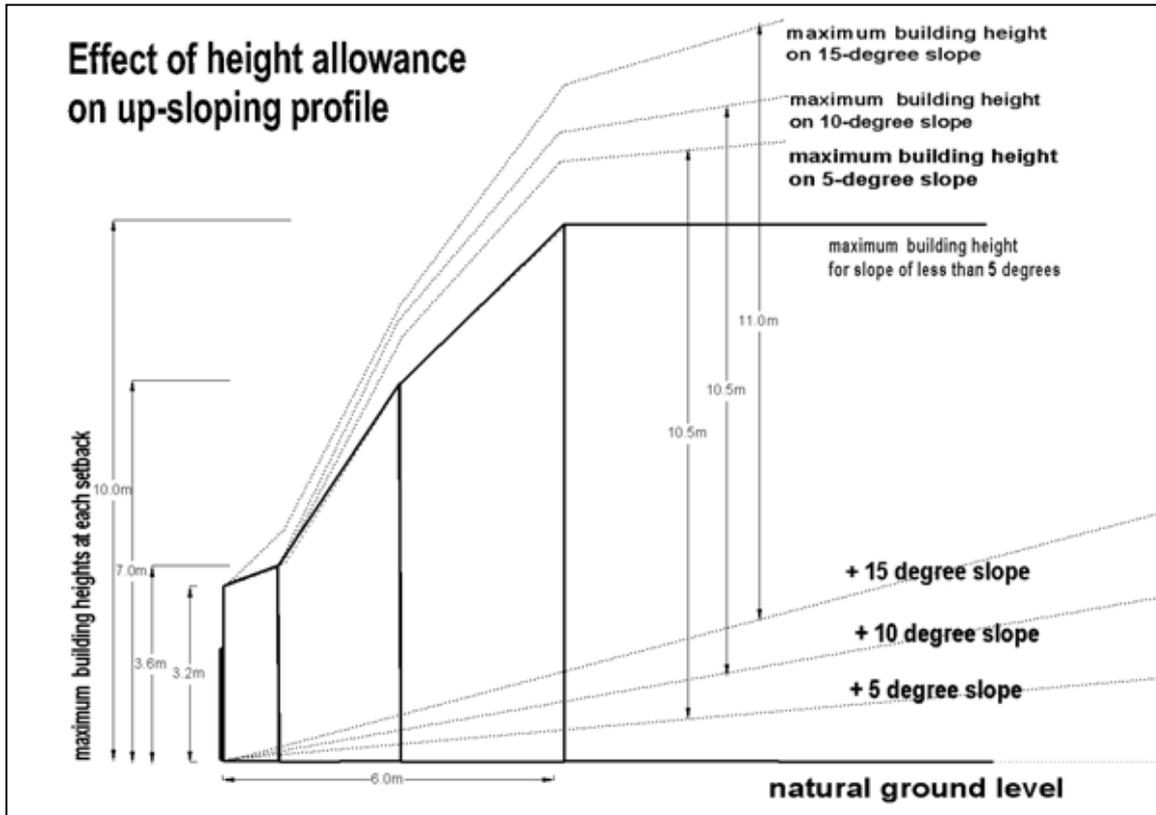
\*\* Height allowances do not apply to lots adjoining lots not part of the same agreement or restriction.

<b>TABLE 2:</b>	<b>EXTRA BUILDING HEIGHT IN ADDITION TO HEIGHTS DEFINED IN SIDE AND REAR PROFILES* **</b>		
<b>Fall of DOWNWARD SLOPES</b>	<b>1 - 3m setback from boundary</b>	<b>3.01m – 5m setback from boundary</b>	<b>5.01m from boundary to midpoint of lot</b>
<b>5 -15 degrees</b>	Add 0.5m to height set by standard profile	Add 1m to height set by standard profile	Add 1m to height set by standard profile

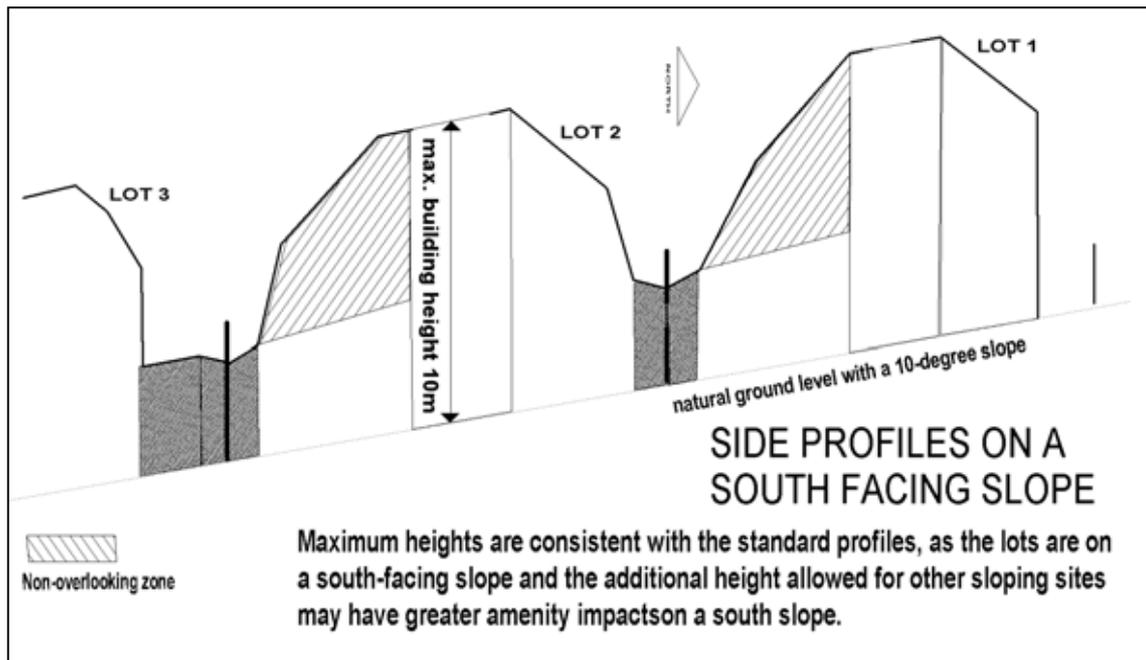
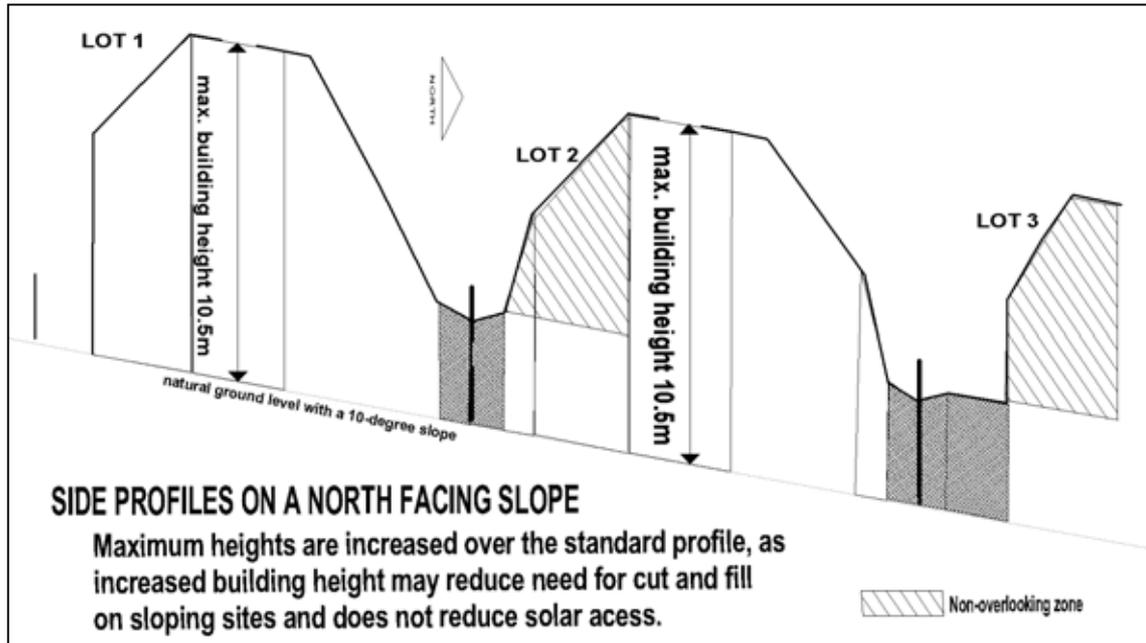
\* Height limits between measurement points are defined by the shortest line between two measurement points.

\*\* Height allowances do not apply to lots adjoining lots not part of the same agreement or restriction.

**HEIGHT ALLOWANCES IN TABLES 1 AND 2 ON UP AND DOWN SLOPES**



## HEIGHT ALLOWANCES ON NORTH AND SOUTH SLOPES



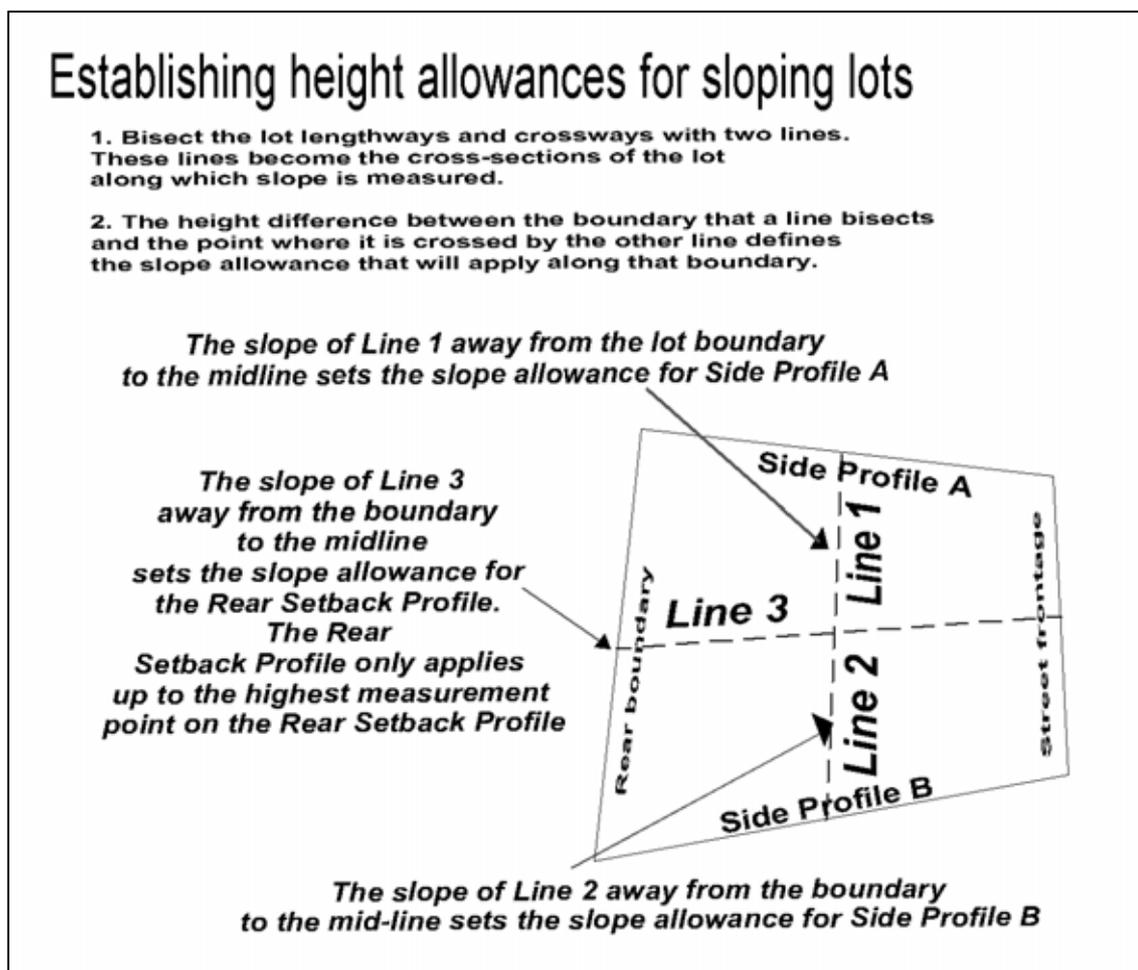
## Where is slope measured?

A slope allowance should accord with overall slope in the area to be covered by that setback profile. Since side profile setbacks end at the midline of the lot, it is convenient to determine the slope between the side boundary and the midline of the lot.

The following diagram shows a process for establishing the slope and therefore the appropriate height allowance for a side or rear setback profile.

Rear setback profiles have previously been defined as ending where they reach their highest point. From that point forward on the lot, the side setbacks apply.

Thus the slope allowance for a rear setback would be based on the slope away from the rear boundary to the midline of the lot (the line halfway between the front and rear boundaries), but the height allowance for the rear setback would only apply to the area covered by the rear setback, unless it is specifically noted that the rear setback covers a greater area.

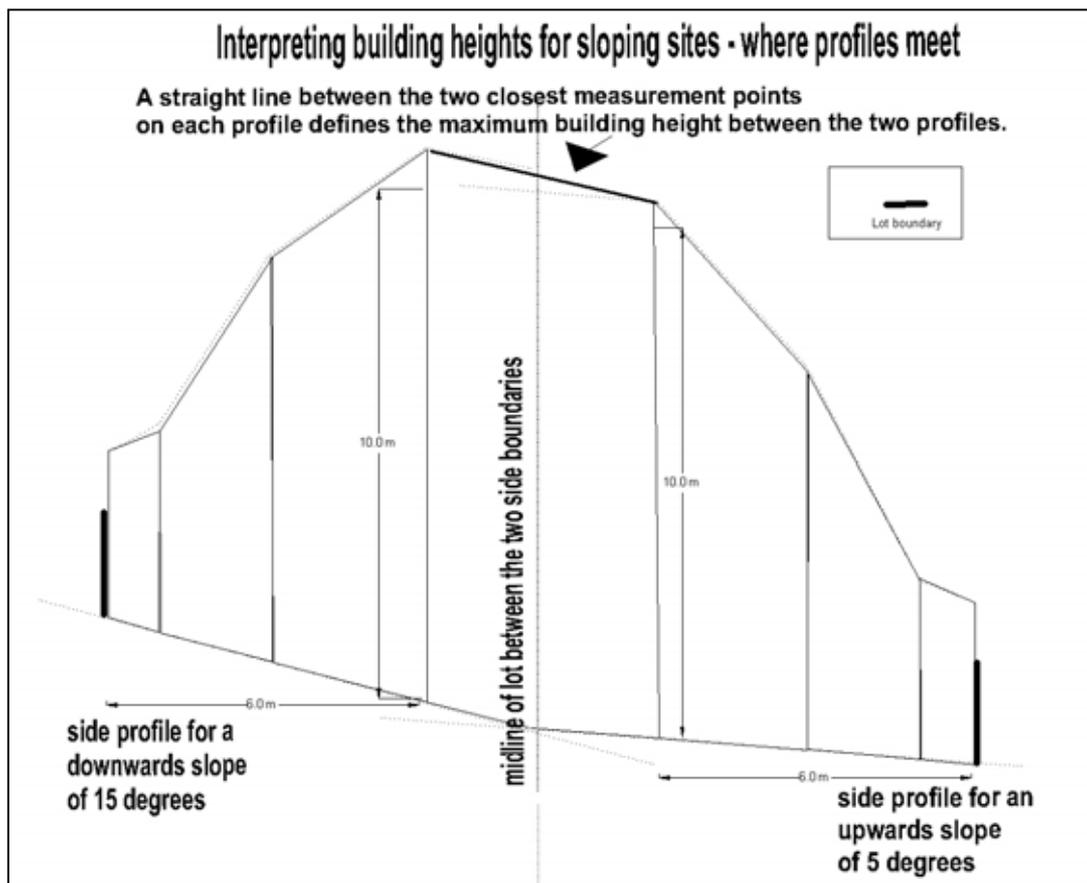


## What happens if slopes differ on each side of a lot?

The height allowances apply to measurement points shown on the setback profiles.

Measurement points are points on a setback profile diagram where a maximum height point corresponds to a specified side setback. Height limits between measurement points are defined by the shortest line between two measurement points.

The following diagram indicates how a straight line drawn between two profiles on each side of sloping site can still set the maximum building height between the profiles. The straight line drawn between the two closest points on the two profiles overcomes the problem that the two sides of the lot have different degrees of slope and thus different slope allowances apply.



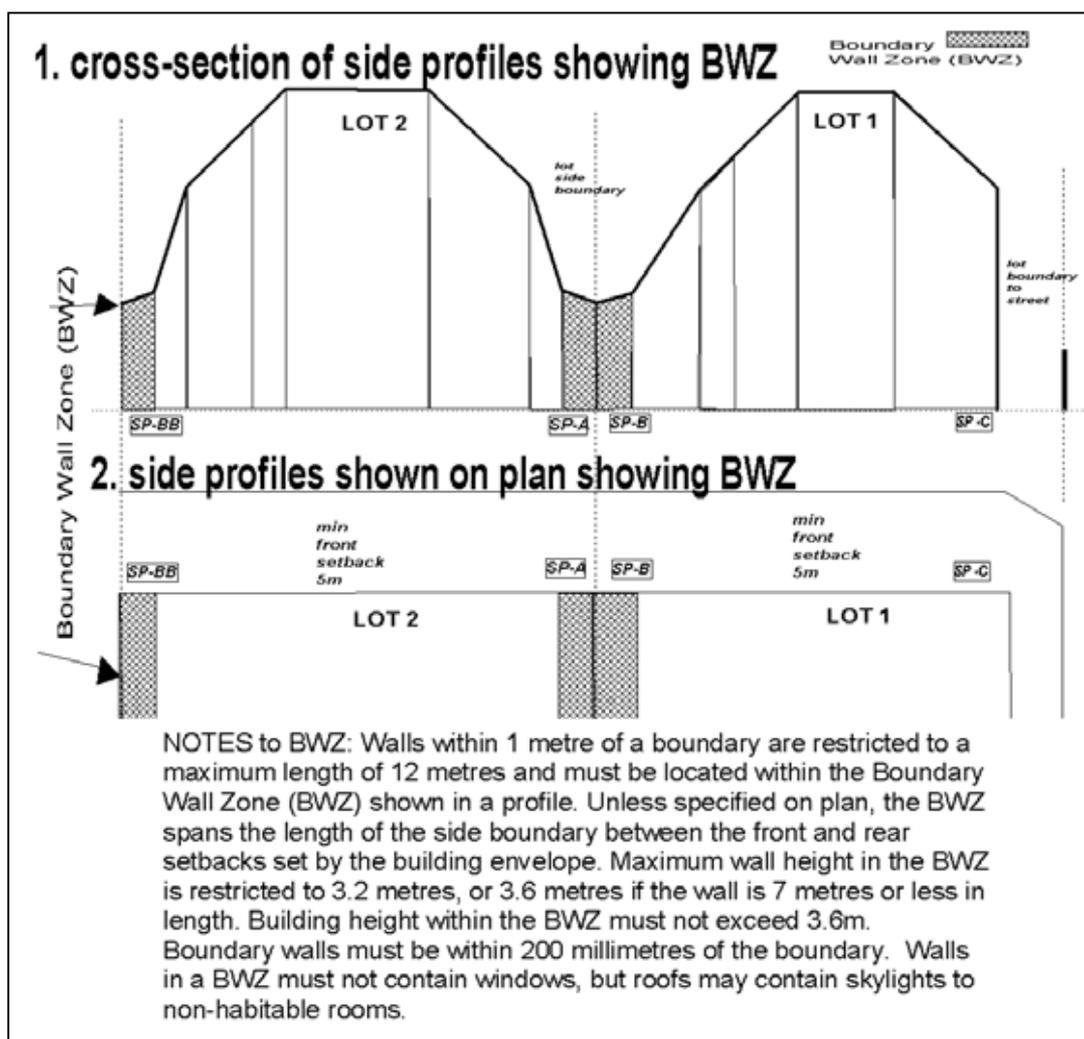
## 2.2 Walls on boundaries

Most of the sample profiles allow some walls on side boundaries. The height and length of walls on boundaries is limited, to protect the amenity of neighbouring lots.

An area of space on the lot called the Boundary Wall Zone (BWZ) is shown in the setback diagrams where building to the boundary is allowed. If a boundary wall zone is shown in a setback profile, the notes to the setback diagrams should indicate:

- where the zone starts and ends on the lot
- how high a building can be within that zone
- if the limitation on height applies to walls and roofs
- if windows can be located in the part of a building covered by the BWZ
- how close a wall on the boundary should be to the boundary as shown on title (for example, a wall more than 200 millimetres from a boundary but within one metre of the boundary would create awkward spaces between that lot and the lot next door).

The diagram below shows a boundary wall zone marked on two adjoining lot profiles, and the corresponding boundary wall zones in plan view. The notes to the BWZ define the area and indicate how long and how high buildings can be within that area.



## 2.3 Edge lots

Special profiles or other arrangements are needed for 'edge' lots – that is, lots which share boundaries with lots that are not part of the same restriction or agreement.

These neighbouring lots which are not part of the same agreement or restriction to set up building envelopes do not benefit from the integrated planning which is expressed through the building envelopes. Therefore other arrangements are needed to protect the amenity of an existing or future building on lots adjoining 'edge' lots.

Clause 56 of the planning scheme provides that where a building envelope is created on a lot adjoining a lot that is not part of the same agreement or restriction on a plan of subdivision, the envelope must not deal with amenity matters that are covered by the planning scheme or by the building regulations. This is to ensure that the adjoining lots have the same amenity protection as they would if there was no envelope on the lot next door.

Two setback profiles for use on boundaries adjoining lots not in the same agreement or restriction are included in the attached sample profiles. These are Side Profile C and Rear Profile C. Side Profile C is illustrated here.

