

6 Sample building envelopes - notes and subdivision plan

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1 GENERAL MATTERS

- Any building on lots 1 to 5 within the attached plan No. zzz must be contained within the building envelopes shown on the attached plan and associated setback profiles.
- The building envelopes are part of planning permit No.000000, issued by Gumnut Council on 00/00/00, being created as a condition of that permit.
- An envelope ceases to apply to any building on that lot two years after the date of issue of title.
- The lots burdened and benefiting from the envelopes are:

BURDENED LOT	BENEFITTING LOTS
Lot 1	Lot 2
Lot 2	Lot 1, Lot 3
Lot 3	Lot 2, Lot 4
Lot 4	Lot 3, Lot 5
Lot 5	Lot 4

2 SPECIFIC MATTERS

The matters which are restricted by the building envelopes are:

- **Minimum setback from front street** – The minimum front setback from the street frontage is 5 metres, unless specified on plan. Unless indicated by a setback profile code on the plan, the minimum setback on a corner lot from a side street is 2 metres.

Unless noted on the plan, the minimum front setback on a splayed corner between two street frontages is on an arc between the setback of the main and second street frontage, commencing at the points that are perpendicular to the points where the street alignment commences to arc.

Front entrances are to be easily accessible from the main street frontage.

- **Site coverage** - Buildings must not occupy more than 60 per cent of the lot, regardless of the extent of building outlined by the envelope through setback profiles and plans. In calculating site coverage, eaves, fascia and gutters not exceeding 600mm in total width, and unroofed swimming pools, terraces, patios, decks and pergolas may be disregarded.
- **Building height** – Maximum building height as shown in side and rear setback profiles specified on the plan. Maximum building heights between specified points on a setback profile lie on a straight line drawn between the two specified points within a profile. Maximum building heights between profiles lie on a straight line drawn between the closest parts of the two profiles.

Building height may be increased by the amounts shown in Tables 1 and 2 on sloping sites with a crossways or lengthways slope.

**TABLE 1:
EXTRA BUILDING HEIGHT IN ADDITION TO HEIGHTS DEFINED IN SIDE AND REAR PROFILES – UPWARD SLOPES* ****

RISE OF UPWARD SLOPES	1 - 3m setback from boundary	3.01m – 5m setback from boundary	5.01m from boundary to midpoint of lot
5-10 degrees	No additional height	Add 0.5m to height set by standard profile	Add 0.5m to height set by standard profile
10.01 to 15 degrees	Add 0.5m	Add 1m	Add 1m
5 degrees or more and slope faces between 20 degrees east and 20 degrees west of true south	No additional height	No additional height	No additional height

**TABLE 2:
EXTRA BUILDING HEIGHT IN ADDITION TO HEIGHTS DEFINED IN SIDE AND REAR PROFILES – DOWNWARD SLOPES***

FALL OF DOWNWARD SLOPES	1 - 3m setback from boundary	3.01m – 5m setback from boundary	5.01m from boundary to midpoint of lot
5 -15 degrees	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.

- **Side and rear setbacks** – Maximum extent of building is indicated on plan and in profiles.

The following may encroach into the specified setback distances by not more than 500mm:

- Porches and verandahs
- Masonry chimneys
- Sunblinds
- Screens provided to protect a neighbouring property from overlooking
- Flues and pipes
- Domestic fuel tanks and water tanks
- Heating and cooling equipment and other services.

The following may encroach into the specified setback distances:

- 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, walls and buildings within the Boundary Wall Zone.

- **Walls on boundaries** – Unless in a party wall profile or otherwise specified on plan, walls within 1 metre of a boundary are restricted to a maximum length of 12 metres and must be located within the Boundary Wall Zone (BWZ) shown in a profile.
 - Unless specified on plan, the BWZ spans the length of the side boundary between the front and rear setbacks permitted by the envelope.

- Maximum wall height in the BWZ is restricted to 3.2 metres, or 3.6 metres if the wall is 7 metres or less in length.
 - Building height within the BWZ must not exceed 3.6m.
 - Walls less than 1m from the boundary must be within 200 millimetres of the boundary.
 - Carports may be built within 1 metre of the boundary if the side of the carport facing the boundary is open.
- **Solar access to north-facing habitable room windows** – As shown on plan and in attached profiles. Solar access to existing north-facing habitable room windows on lots not part of this restriction are not dealt with by this building envelope.
 - **Overshadowing of recreational private open space** – Overshadowing of private open space is limited by minimum rear setbacks and maximum building heights. Overshadowing of recreational private open space for lots not part of this restriction is not dealt with by this building envelope.
 - **Overlooking** – Non-overlooking zones on the plan and profiles indicate walls or roofs that must not contain habitable room windows or raised open spaces that provide a direct line of sight into a habitable room window or secluded private open space on an adjoining lot, unless the window or raised open space is at an angle of 90 degrees or more to the property boundary and at least 3 metres from the boundary. Raised open spaces covered by the non-overlooking zone are those with a floor level of 2 metres or more above natural ground level.
 - Overlooking of lots not part of this restriction is not dealt with by this building envelope.
 - **Daylight to new habitable room windows** - Walls containing habitable room windows must be set back from the boundaries of the lot to allow a horizontal distance of at least 1 metre clear to the sky from the boundary.

Habitable room windows must face an outdoor space or light court with a minimum area of 3m² and minimum dimension 1m clear to the sky, not including land on an adjoining allotment, or a verandah on the lot if it is open for at least one-third of its perimeter, or a carport on the lot if it has two or more of its sides open or is open for at least one-third of its perimeter.

A side of a carport or verandah is considered to be open if its roof covering adjacent to that side is not less than 500mm from another building on the lot or the boundary of an adjoining lot.

3 INTERPRETATION MATTERS

The following matters are to be taken into account in applying the specific matters above to a proposed dwelling.

1. Ground level after engineering works associated with subdivision is to be regarded as natural ground level.
2. In the case of conflict with the plan or profile diagrams, the specifications in the above text prevail.
3. Definitions of terms are as follows:

In the Building Act 1993:

- Building
- Lot

In Part 4 of the Building Regulations 1994:

- Clear to the sky
- Street
- Height
- Private open space
- Recreational private open space
- Raised open space
- Secluded private open space
- Setback
- Site coverage
- Window
- Single dwelling
- North (true north)

In the Victoria Planning Provisions, Definitions-Clause 72, 31 October 2002:

- Frontage
- Habitable room
- Storey

5. Additional definitions are:

Adjoining Lot – Any lot which shares a common boundary other than a lot which meets the subject lot at a single point or at one corner

Direct line of sight – Any line of sight from a window to a neighbouring lot which is contained within the space enclosed by a vertical plane measured at an angle of 45 degrees from each side of the window, and a horizontal plane 1.7m above the floor level of the habitable room, a horizontal distance of 9m from the window, and ground level.

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 degrees beyond any point where the perimeter of the raised open space meets a wall of the building.

Front street - The front setback applies to the street frontage that allows the most direct access to the front door.

Slope – The average fall or rise from the lot boundary away from the boundary to the midline of the lot, which is a line drawn equidistant from two opposite boundaries.

Upward slope – The centre point of the natural ground level of a cross section of the lot is higher than the natural ground level of the lot boundary. May also be referred to as a positive (+) slope.

Downward slope – the centre point of the natural ground level of a cross section of the lot is lower than the natural ground level of the lot boundary. May also be referred to as a negative (-) slope.

Lengthways slope – the slope falls or rises along the long axis of the lot, which is usually from front to rear.

4 PLAN OF SUBDIVISION

