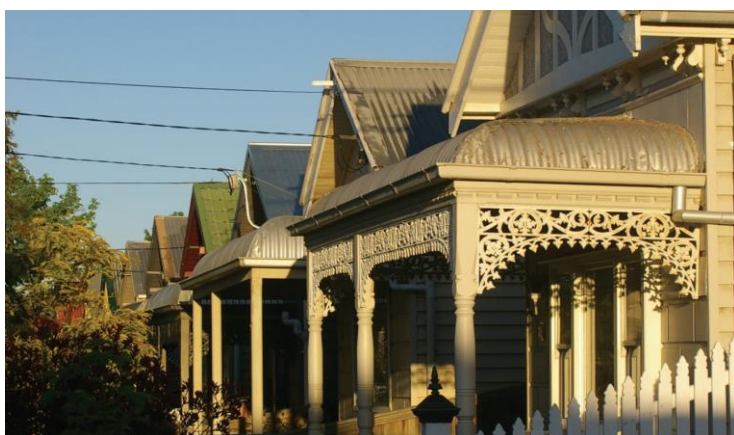


Planning Application – Fact Sheet 13

Garden Area

Disclaimer: This checklist is for standard information required for lodgement. Additional information may be required by the assessing planning officer after registration.



Introduction

Residential developments within either the General Residential Zone (GRZ) or the Neighbourhood Residential Zone (NRZ) will usually be subject to 'Garden Area' requirements. This may include subdivision. Garden Area requirements are mandatory and Council (nor VCAT upon review) can vary these requirements.

How much Garden Area do I need to provide?

Clause 32.08-4 (GRZ) and 32.09-4 (NRZ) specifies the following mandatory requirements;

Lot size	Minimum percentage of a lot set aside as garden area
Under 400 sqm	Not applicable
400 – 500 sqm	25%
501 – 650 sqm	30%
Above 650 sqm	35%

What is and is not included in the calculation of Garden Area?

Clause 73.01 of the Maribyrnong Planning Scheme defines 'Garden Area' as any area on a lot with a minimum dimension of 1 metre that does not include:

- a) a dwelling or residential building, except for:
 - an eave, fascia or gutter that does not exceed a total width of 600mm;
 - a pergola;
 - unroofed terraces, patios, decks, steps or landings less than 800mm in height;
 - a basement that does not project above ground level;
 - any outbuilding that does not exceed a gross floor area of 10 square metres; and
 - domestic services normal to a dwelling or residential building;
- b) a driveway; or
- c) an area set aside for car parking.

Areas that serve a dual purpose, i.e. a driveway that also acts as a pedestrian path, will be defined using the more restrictive term.

Maribyrnong City Council - Urban Planning Department
Cnr Hyde and Napier Streets, Footscray
Postal Address: PO Box 58, Footscray VIC 3011
T: 9688 0200 E: urbanplanning@maribyrnong.vic.gov.au

Planning Application – Fact Sheet 13

Garden Area

Does Garden Area continue to apply once construction is complete and the property subdivided?

Yes. Even if the subdivision of the lot creates individual lots under 400sqm, the Garden Area provision remains in place as per the original 'Parent Title' lot size.

Accordingly, if you are proposing modifications to your dwelling, you may be required to show all other dwellings, outbuildings, car parking areas (and the like) on the 'Parent Title' lot, even if these are not directly connected with your dwelling. Council can provide you a copy of the original approved (endorsed) plans for the development subject to a fee.

I want to provide weather protection to my home, what can I construct and still meet the Garden Area requirements?

While a traditional covered verandah will not likely meet the Garden Area requirements, there are a range of alternatives that can be used. These are illustrated below.

What other structures/buildings can I construct and still meet the Garden Area requirements?

There are many structures and buildings which may be constructed and be considered as part of the site's Garden Area requirements. These are illustrated below, and include small sheds, pools and decks.



Source: www.diynetwork.com

Pergola – ✓ Allowable

A pergola is an unroofed structure that typically has beams spaced every 300-400mm. It is usually constructed from timber, but may be constructed of metal, masonry or plastic.

NOTE: Permeable shade cloth may be installed over the pergola to assist with sun protection.



Source: www.solarshade.com.au

Retractable Awning – ✓ Allowable

A retractable awning is a great way to provide adjustable sun and weather protection to exposed areas.

Retractable awnings can be manually or electronically operated, with some models having wind sensors which will automatically retract the awning should wind speeds increase.

Maribyrnong City Council - Urban Planning Department

Cnr Hyde and Napier Streets, Footscray

Postal Address: PO Box 58, Footscray VIC 3011

T: 9688 0200 E: urbanplanning@maribyrnong.vic.gov.au

Planning Application – Fact Sheet 13

Garden Area



Source: www.shadesails.com

Shade Sails – ✓ Allowable

Like retractable awnings, shade sails provide sun and weather protection to exposed areas.

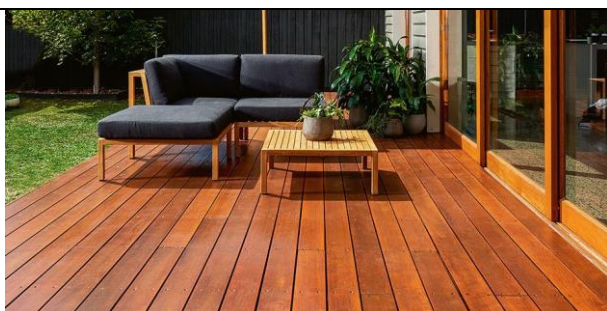
They are usually fixed, but can be removed over the winter months to minimise shade and maximise passive heating.



Source: www.bhg.com

Arbor – ✓ Allowable

An arbor is similar to a pergola, but is smaller and is usually positioned to define an entry point.



Source: www.bunnings.com.au

Deck – ✓ Allowable

A deck, with a finished floor level not more than 800mm above ground level, is allowable and considered as part of Garden Area.

The deck may be covered, provided the cover is also allowable.

Planning Application – Fact Sheet 13

Garden Area



Source: www.nepeanpool.com.au

Pool/Spa – ✓ Allowable

Pool and spas are allowable and are considered part of the Garden Area calculations.

Pools and spas may be covered, provided the cover is also allowable.



Source: www.cubbiesandcabins.com.au

Storage Sheds – ✓ Allowable

Storage Sheds, provided they do not exceed 10 square metres, are considered as part of the Garden Area calculations.

10 square metres is an area of approximately 3.2 metres (L) x 3.2 metres (W), or about the size of a standard bedroom.



Source: www.hideandseekcubbies.com.au

Cubbie House – ✓ Allowable

A Children's Cubbie House, provided they do not exceed 10 square metres, are considered as part of the Garden Area calculations.

Planning Application – Fact Sheet 13

Garden Area



Source: www.superbpergolasndecks.com.au

Verandah - X Not Allowable

A Verandah is a roofed structure that may or may not be partially enclosed. It is usually constructed from metal.

A Verandah is considered a roofed structure and is not considered as part of the Garden Area calculations.



Source: www.vergola.com.au

Vergola - X Not Allowable

Similar to a Verandah, a Vergola is a roofed structure that typically has electronically operated shutters. It is usually constructed from metal.

A Vergola is considered a roofed structure and this is not considered as part of the Garden Area calculations.

Will I need any other permits to construct a pergola, deck, shed, pool or similar?

You may require a building permit for any structure on your property. You should contact a Building Surveyor to enquire whether you will need a building permit for your specific project. Alternatively, you can contact Council's Building Department for general advice.

Further, depending on the zoning and any overlays (i.e. Heritage Overlay) which may apply to your property, you may also require separate planning permission from Council.

Where can I seek further advice?

The Department of Environment, Land, Water and Planning has prepared Planning Practice Note 84, which provides detailed guidance on applying the garden area provisions. The practice note can be viewed [here](#).

Council's Urban Planning Department is contactable via phone during standard business hours on (03) 9688 0200. Alternatively, you may send us an email at urbanplanning@maribyrnong.vic.gov.au. Please be sure to quote your address when seeking advice either over the phone or via email, as zoning and overlay information can be specific to each property.

Maribyrnong City Council - Urban Planning Department
Cnr Hyde and Napier Streets, Footscray
Postal Address: PO Box 58, Footscray VIC 3011
T: 9688 0200 E: urbanplanning@maribyrnong.vic.gov.au