CLAUSE 55 WRITTEN STATEMENT

Merri-bek City Council

Clause 55.01 includes the following application requirement:
A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

If any applicable aspect of a standard is not met, then the development is not deemed to comply with the standard.

VCAT objector appeal rights:

An application is exempt from the review rights of section 82(1) of the Act if all the applicable standards under Clauses 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

The written statement is produced by the permit applicant and may not represent Council's final determination on whether a standard is met.

Mandatory requirements of the zone (NRZ and GRZ)

Requirement Check as applicable	**Is this requirement met**	**Clearly shown on plan no. (Reference drawing number)**	**Objector right of appeal**
Building height			
☐NRZ: 9 metres / 2 storeys ☐GRZ: 11 metres / 3 storeys ☐N/A not in NRZ or GRZ.	☐Yes		No
Garden area			
☐<400 square metres 0% ☐400 – 500: 25% ☐500 – 650: 30% ☐650+: 35% ☐N/A not in NRZ or GRZ.	☐Yes		No

CLAUSE 55.02 - NEIGHBOURHOOD CHARACTER

Standard *Check as applicable*	Is this standard fully met?	Provide a brief explanation of how the standard is met OR If the standard is not met, explanation of how the development meets the objective having regard to the decision guidelines	Clearly shown on plan no. (Reference drawing number)	Objector right of appeal
Standard B2-1: Street setback objectives To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.				
Walls of buildings are set back from streets: ☐ At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or ☐ If no distance is specified in a schedule to the zone, the distance specified in Table B2-1. **Table B2-1 Street setback**	☐ Yes ☐ No ☐ N/A			Yes, if standard not met

Development context	Minimum setback
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	☐ The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or ☐ 6 metres, whichever is the lesser.
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	☐ The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or ☐ 6 metres, whichever is the lesser.
There is no existing building on either of the abutting allotments	☐ 6 metres for streets in a Transport Zone 2 ☐ 4 metres for other streets.

facing the same street, and the site is not on a corner.					
The site is on a corner.	**Setback from front street:** ☐ If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street existing building on the abutting allotment facing the street or ☐ 6 metres, whichever is the lesser. or ☐ If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 ☐ 4 metres for other streets. **Setback from side street:** ☐ *Front walls* of new development fronting the side street of a corner site are setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or ☐ 3 metres, whichever is the lesser. ☐ *Side walls* of new development on a corner site are setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or ☐ 2 metres, whichever is the lesser.				

☐ Porches, pergolas and verandahs that are less than 3.6 metres high and eaves encroach not more than 2.5 metres into the setbacks of this standard.

Standard B2-2: Building height objectives

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

☐ The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. **OR**	☐ Yes ☐ No			Yes, if standard not met
☐ If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.				
Standard B2-3: Side and rear setbacks objectives To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.				
A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2. Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:	☐ Yes ☐ No			Yes, if standard not met
☐ B2-3.1: The building is set back at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. OR				
☐ B2-3.2: If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.				
☐ If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.				
☐ Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.				
☐ Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.				
Standard B2-4: Walls on boundaries objectives				

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.				
☐ A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances: • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or • The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.	☐ Yes ☐ No			Yes, if standard not met
☐ A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.				
A building on a boundary includes a building set back up to 200mm from a boundary.				
☐ The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.				
Standard B2-5: Site coverage objectives To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.				
The site area covered by buildings does not exceed: ☐ The maximum site coverage specified in a schedule to the zone; or ☐ If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.	☐ Yes ☐ No			Yes, if standard not met
If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5. **Table B2-5 Site coverage**				

Zone	Area	Complies
Neighbourhood Residential Zone Township Zone	60 per cent	☐
General Residential Zone	65 per cent	☐
Residential Growth Zone Mixed Use Zone	70 per cent	☐

Standard B2-6: Access objectives To ensure the number and design of vehicle crossovers responds to the neighbourhood character.						
The width of accessways or car spaces (other than to a rear lane) does not exceed: ☐ 33 per cent of the street frontage; or ☐ 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.			☐ Yes ☐ No			Yes, if standard not met
☐ The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.						
☐ The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.						
Standard B2-7: Tree canopy objectives To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape. To preserve existing canopy cover and support the provision of new canopy cover. To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.						
☐ Provide a minimum canopy cover as specified in Table B2-7. **Table B2-7.1 Canopy cover** Site area: 1000 square metres or less — Canopy cover: 10% of site area — Complies: ☐ Site area: More than 1000 square metres — Canopy cover: 20% of site area — Complies: ☐			☐ Yes ☐ No			Yes, if standard not met
Existing trees to be retained meet all of the following:						

☐ Has a height of at least 5 metres,
☐ Has a hunk circumference of 0.5 metres or greater at l .4 metres above ground level,
☐ Has a trunk that is located at least 4 metres from proposed buildings.

Table B2-7.2 Tree type, canopy cover, deep soil and planter requirements

Tree type	Min. canopy diameter at maturity	Min. height at maturity	Min. mature canopy cover	Tree in deep Area of deep soil	Tree in planter Volume of planter	Min. depth of planter soil	Complies
A	4 metres	6 metres	12.6 sqm	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metres	☐
B	8 metres	8 metres	50.3 sqm	49 square metres (min. plan dimension 4.5 metres)	28 square metres (min. plan dimension 4.5 metres)	1 metres	☐
C	12 metres	12 metres	113.1 sqm	121 square metres (min. plan dimension 6.5 metres)	64 square metres (min. plan dimension 6.5 metres)	1.5 metres	☐

☐ The minimum canopy cover is met using any combination of trees specified in Table B2-7.2.

Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors. Guidance on tree species to the satisfaction of Merri-bek City Council can be found in the Merri-bek Tree Finder Tool				
☐ Existing trees that are retained can be used in calculating canopy cover.				
Standard B2-8: Front fences objective To encourage front fence design that responds to the existing or preferred neighbourhood character.				
A front fence within 3 metres of a street is: ☐ The maximum height specified in a schedule to the zone, or ☐ If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8 **Table B2-8 Maximum front fence height**	☐ Yes ☐ No			Yes, if standard not met

Street context	Maximum front fence height	Complies
Streets in a Transport Zone 2	2 metres	☐
Other streets	1.5 metres	☐

CLAUSE 55.03 - LIVEABILITY

Standard *Check as applicable*	**Is this standard fully met?**	Brief explanation of how standard is met OR If standard is not met, how development meets objective, with regard to decision guidelines	**Clearly shown on plan no. (Reference drawing number)**	**Objector right of appeal**
Standard B3-1: Dwelling diversity objectives To encourage a range of dwelling sizes and types in developments of ten or more dwellings.				
Developments include at least: ☐ One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.	☐ Yes ☐ No ☐ N/A less than 10 dwellings proposed			No
☐ One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.				
☐ One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.				
Standard B3-2: Parking location objectives To minimise the impact of vehicular noise within developments on residents.				
☐ Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least: • 1.5 metres; or • If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or • 1 metre where window sills are at least 1.5 metres above ground level. This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.	☐ Yes ☐ No			No
Standard B3-3: Street integration objectives To integrate the layout of development with the street to support the safety and amenity of residents.				
Where a development fronts a street, a vehicle accessway or abuts public open space: ☐ Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space	☐ Yes ☐ No			No

☐ The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. ☐ Screens or fences provide no more than 25 per cent transparency.				
☐ Lighting is provided to all external accessways and paths.				
☐ Mailboxes are provided for each dwelling and can be communally located.				
Standard B3-4: Entry objectives To integrate the layout of development with the street to support the safety and amenity of residents.				
Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings				
Each dwelling and each residential building has a ground level entry door that: ☐ Has a direct line of sight from a street, accessway or shared walkway ☐ Is not accessed through a garage	☐ Yes ☐ No ☐ N/A			No
☐ Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.				
Apartment development and residential building with a shared entry An apartment development and each residential building has:				
☐ A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway	☐ Yes ☐ No ☐ N/A			No
☐ An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.				
☐ Shared corridors and common areas have at least one source of natural light and natural ventilation				
Standard B3-5: Private open space objectives To provide adequate private open space for the reasonable recreation and service needs of residents.				
☐ A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.	☐ Yes			No

If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table B3-5; or
- An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

Table B3-5 Private open space for a balcony

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension	Complies
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres	☐
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres	☐
Any other orientation	Studio or 1 bedroom dwelling 2 bedroom dwelling 3 bedroom dwelling	8 square metres 8 square metres 12 square metres	1.8 metres 2 metres 2.4 metres	☐

☐ If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.

☐ Where ground level private open space is provided an area for clothes drying is provided.

☐ No

Standard B3-6: Solar access to open space objectives

To allow solar access into the secluded private open space of new dwellings and residential buildings.

☐ The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.	☐ Yes ☐ No			No
Standard B3-7: Functional layout objectives To ensure dwellings provide functional areas that meet the needs of residents.				
Bedrooms: ☐ Meet the minimum internal room dimensions specified in Table B3-7.1; and	☐ Yes ☐ No			No

Table B3-7.1 Bedroom dimensions

Main bedroom	Complies
Minimum width 3 metres	☐
Minimum depth 3.4 metres	☐

All other bedrooms	Complies
Minimum width 3 metres	☐
Minimum depth 3metres	☐

☐ Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.				
☐ Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.				

Table B3-7.2 Living area dimensions

Studio and 1 bedroom dwelling	Complies
Minimum width 3.3 metres	☐
Minimum area 10 square metres	☐

2 or more bedroom dwelling	Complies
Minimum width 3.6 metres	☐
Minimum area 12 square metres	☐

Standard B3-8: Room depth objectives To allow adequate daylight into single aspect habitable rooms.				

☐ The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.	☐ Yes ☐ No			No
The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: ☐ The room combines the living area, dining area and kitchen; and The kitchen is located furthest from the window; and ☐ The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and ☐ An overhang extends no more than 2m beyond the window of the single aspect habitable room. In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.				
Standard B3-9: Daylight to new windows objectives To allow adequate daylight into new habitable room windows.				
Dwelling (other than a dwelling in or forming part of an apartment development)				
☐ A window in an external wall of the building is provided to all habitable rooms.	☐ Yes ☐ No			No
☐ Habitable rooms in a dwelling have a window that faces: • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or • A verandah provided it is open for at least one third of its perimeter; or • A carport provided it has two or more open sides and is open for at least one third of its perimeter.				
Dwelling in or forming part of an apartment development				
☐ A window in an external wall of the building is provided to all habitable rooms.	☐ Yes ☐ No			No
Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have: ☐ A minimum width of 1.2 metres. ☐ A maximum depth of 1.5 times the width, measured from the external surface of the window.				

☐ A window clear to the sky.				
Standard B3-10: Natural ventilation objectives To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings.				
Dwelling (other than a dwelling in or forming part of an apartment development)				
Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: ☐ A maximum breeze path through the dwelling of 18 metres. ☐ A minimum breeze path through the dwelling of 5 metres. ☐ Ventilation openings with approximately the same size.	☐ Yes ☐ No ☐ N/A			No
☐ The breeze path is measured between the ventilation openings on different orientations of the dwelling.				
Dwelling in or forming part of an apartment development				
At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: ☐ A maximum breeze path through the dwelling of 18 metres. ☐ A minimum breeze path through the dwelling of 5 metres. ☐ Ventilation openings with approximately the same size.	☐ Yes ☐ No ☐ N/A			No
☐ The breeze path is measured between the ventilation openings on different orientations of the dwelling.				
Standard B3-11: Storage objectives To provide adequate storage facilities for each dwelling.				
Dwelling (other than a dwelling in or forming part of an apartment development)				
☐ Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.	☐ Yes ☐ No ☐N/A			No
Dwelling in or forming part of an apartment development				

☐ Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11. **Table B3-11 Storage** Studio: Minimum storage volume 8 cubic metres ☐; Minimum storage volume within the dwelling 5 cubic metres ☐ 1 bedroom dwelling: Minimum storage volume 10 cubic metres ☐; Minimum storage volume within the dwelling 6 cubic metres ☐ 2 bedroom dwelling: Minimum storage volume 14 cubic metres ☐; Minimum storage volume within the dwelling 9 cubic metres ☐ 3 or more bedroom dwelling: Minimum storage volume 18 cubic metres ☐; Minimum storage volume within the dwelling 12 cubic metres ☐	○ Yes ○ No ○ N/A			No
Standard B3-12: Accessibility for apartment developments objectives To ensure the design of dwellings meets the needs of people with limited mobility.				
At least 50 per cent of dwellings in or forming part of an apartment development have: ☐ A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.	○ Yes ○ No ○ N/A not an apartment development			No
☐ A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.				
☐ A main bedroom with access to an adaptable bathroom.				

☐ At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.

Table B3-12 Bathroom design

Design Option A		Complies
Door opening	A clear 850mm wide door opening.	☐
Door design	Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges.	☐
Circulation area	A clear circulation area that is: • A minimum area of 1.2 metres A minimum width of 1 metre by 1.2 metres. • Located in front of the shower and the toilet. • Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap	☐
Path to circulation area	clear path with a minimum width of 900mm from the door opening to the circulation area.	☐
Shower	A hobless (step-free) shower.	☐
Toilet	A toilet located in the corner of the room.	☐

Design Option B		Complies
Door opening	A clear 820mm wide door opening located opposite the shower.	☐
Door design	Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.	☐
Circulation area	A clear circulation area that is: • A minimum area of 1 metres. • The full length of the bathroom and a minimum length of 2.7 metres.	☐

	• Clear of the toilet and basin. The circulation area can include a shower area.	
Path to circulation area	Not applicable.	☐
Shower	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.	☐
Toilet	A toilet located closest to the door opening and clear of the circulation area.	☐

CLAUSE 55.04 - EXTERNAL AMENITY

Standard *Check as applicable*	**Is this standard fully met?**	Brief explanation of how standard is met OR If standard is not met, how development meets objective, with regard to decision guidelines	**Clearly shown on plan no. (Reference drawing number)**	**Objector right of appeal**
Standard B4-1: Daylight to existing windows objectives To allow adequate daylight into existing habitable room windows.				
☐ Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.	☐ Yes ☐ No			Yes, if standard not met
☐ Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.				
Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.				
Standard B4-2: Existing north-facing windows objectives To allow adequate solar access to existing north-facing habitable room windows.				
Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot: ☐ A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. OR	☐ Yes ☐ No ☐ N/A no neighbouring existing north facing habitable room windows			Yes, if standard not met
☐For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.				

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.				
Standard B4-3: Overshadowing secluded open space objectives To ensure buildings do not significantly overshadow existing secluded private open space.				
☐ The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.	☐ Yes ☐ No			Yes, if standard not met
☐ If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.				
Standard B5-4: Overlooking objectives To limit views into existing secluded private open space and habitable room windows.				
In Clause 55.04-4 a habitable room does not include a bedroom. ☐ A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.	☐ Yes ☐ No			Yes, if standard not met
☐ A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio: • Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or • Has sill heights of at least 1.7 metres above floor level; or • Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or • Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.				

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view are: • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.				
Standard B4-5: Internal views objectives To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.				
In Clause 55.04-5 a habitable room does not include a bedroom. ☐ Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling: • Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or • Has a sill height of at least 1.7 metres above floor level; or • Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level; or • Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. Direct views are measured at a height of 1.7 metres above floor level and within: • A 45 degree horizontal angle from the edge of the new window or balcony. • A 45 degree angle in the downward direction.	☐ Yes ☐ No			No
☐ Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.				

CLAUSE 55.05 – SUSTAINABILITY

Standard *Check as applicable*	**Is this standard fully met?**	Brief explanation of how standard is met OR If standard is not met, how development meets objective, with regard to decision guidelines	**Clearly shown on plan no. (Reference drawing number)**	**Objector right of appeal**
Standard B5-1: Permeability and stormwater management objectives To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention and reuse of stormwater. To contribute to urban cooling.				
☐ The site area covered by the pervious surfaces is at least 20 percent of the site.	☐ Yes ☐ No			No
☐ The development includes a stormwater management system designed to: • Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of: - Suspended solids 80% reduction in mean annual load. - Total phosphorus and Total Nitrogen 45% reduction in mean annual load. - Litter 70% reduction of mean annual load.				
☐ Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.				
Standard B5-2: Overshadowing domestic solar energy systems objectives To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.				
☐ Any part of a new building that will reduce the sunlight at any time between 9am and 4pm on 2 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	☐ Yes ☐ No ☐ N/A not in NRZ or GRZ.			Yes, if standard not met
Standard B5-3: Rooftop solar energy generation area objectives To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.				

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which: ☐ Has a minimum dimension of l .7 metres. ☐ Has a minimum area in accordance with Table B5-3. ☐ Is oriented to the north, west or east. ☐ Is positioned on the top two thirds of a pitched roof. ☐ Can be a contiguous area or multiple smaller areas. ☐ Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area. Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.	☐ Yes ☐ No ☐ N/A apartments or residential building			No
Table B5-3 Minimum rooftop solar energy generation area 1 bedroom dwelling: Minimum roof area 15 square metres — Complies ☐ 2 or 3 bedroom dwelling: Minimum roof area 26 square metres — Complies ☐ 4 or more bedroom dwelling: Minimum roof area 34 square metres — Complies ☐				
Standard B5-4: Solar protection to new north-facing windows objective To encourage external shading of north facing windows to minimise summer heat gain.				
☐ North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.	☐ Yes ☐ No			No
Standard B5-5: Waste and recycling objectives To ensure dwellings are designed to facilitate waste recycling.				

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.				
Dwellings (other than a dwelling in or forming part of an apartment development)				
☐ The development includes an individual bin storage area for each dwelling, or ☐ A shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1. **Table B5-5.1 Bin Storage** Individual bin storage area for dwelling — Complies Minimum area 1.8 square metres ☐ Minimum depth 0.8 metres ☐ Minimum height 1.8 metres ☐ Shared bin storage area for 3 dwellings of less — Complies Minimum area 5.4 square metres ☐ Minimum depth 0.8 metres ☐ Minimum height 1.8 metres ☐ Shared bin storage area for 4 dwellings or more dwellings — Complies Minimum area of 1 square metre per dwelling plus 4 square metres ☐ Minimum depth 0.8 metres ☐ Minimum height 1.8 metres ☐	☐Yes ☐No ☐N/A			No
If the development includes a shared bin storage area: The shared bin storage area: ☐Is located within 40 metres of a kerbside collection point. ☐Includes a tap for bin washing.				
☐There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.				
☐Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.				
☐Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.				

Dwellings in or forming part of an apartment development				
☐The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2. **Table B5-5.2 Apartment bin storage**	☐Yes ☐No ☐N/A			No

15 dwellings or less	Complies
Minimum area 0.7 square metres per dwelling in a shared waste storage area	☐
Minimum depth 0.8 metres	☐
Minimum height 2.7 metres.	☐

16 to 55 dwellings	Complies
Minimum area 0.5 square metres per 1 dwelling, plus 5 square metres in a shared waste storage area	☐
Minimum depth 1 metre	☐
Minimum height 2.7 metres.	☐

56 or more dwellings	Complies
Minimum area 0.5 square metres per 1 dwelling, plus 5 square metres in a shared waste storage area	☐
Minimum depth 1 metre	☐
Minimum height 2.7 metres.	☐

☐ Enclosed bin storage areas are ventilated by: • Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or • A mechanical exhaust ventilation system.				
☐A tap and drain is provided to wash bins.				
☐A continuous path of travel is provided from each dwelling to bin storage areas.				
☐Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.				

Standard B5-6: Noise impact objectives

To minimise the impact of mechanical plant noise located in the development.

☐Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.	☐Yes ☐No			No
Standard B5-7: Energy efficiency for apartment developments objectives To achieve energy efficient dwellings and buildings. To ensure dwellings achieve adequate thermal efficiency.				
Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load. **Table B5-7 NatHERS annual cooling load** NatHERS climate zone | NatHERS maximum cooling load MJ/M2 per annum | Complies Climate zone 21 Melbourne | 30 | ☐ Climate zone 60 Tullamarine | 22 | ☐	☐Yes ☐No ☐N/A not an apartment development			No