

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

Planning Enquiries
Phone: (03) 9688 0200
Web: www.maribyrnong.vic.gov.au

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any questions, please contact Council planning department.

⚠ Questions marked with an asterisk (*) must be completed.

⚠ If the space provided on the form is insufficient, attach a separate sheet

i Click for further information.

CITY OF MARIBYRNONG
RECEIVED
17/12/2025
URBAN PLANNING

The Land **i**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No:	St. No.: 12	St. Name: Shepherd
Suburb/Locality: Braybrook		Post Code: 3019

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Vol.: 8811	Folio.: 549	Suburb.: Braybrook
OR	Lot No.: 59	Type.: Lot/Lodged Plan	
B	Crown Allotment No.:	Section No.:	
	Parish/Township Name:		

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application

i For what use, development or other matter do you require a permit? *

Proposed two double storey units with the associated car parking area

🔗 Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

i Estimated cost of any development for which the permit is required *

800000.00	⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.
-----------	---

If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the Planning and Environment Act 1987) and the estimated cost of the development exceeds \$1.093 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate **must** be submitted with the application. Visit www.sro.vic.gov.au for information.

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Vacant lot

 Provide a plan of the existing conditions. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).
- Not Sure

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:

Title: CO	First Name: DNA	Surname: ARCHITECTS
-----------	-----------------	---------------------

Organization (if applicable):

Unit No: St. No: 6 St. Name: Balmoral Street

Suburb: BRAYBROOK State: VIC Postcode: 3019

Business phone: 0403574692 Email: dien@dnaarch.net.au

Mobile phone: Home:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details*

Name: Same as applicant

Title: CO	First Name: DNA	Surname: ARCHITECTS
-----------	-----------------	---------------------

Organization (if applicable):

Unit No: St. No: 6 St. Name: Balmoral Street

Suburb: BRAYBROOK State: VIC Postcode: 3019

Business phone: 0403574692 Email: dien@dnaarch.net.au

Mobile phone: Home:

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organization.

Name: Same as applicant

Title: MR	First Name: Tu	Surname: Nghiem
-----------	----------------	-----------------

Organization (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No: St. No: 18 St. Name: Walsh Street

Suburb: SUNSHINE NORTH State: VIC Postcode: 3020

Business Phone: 0438362783 Email: tungkiem73@yahoo.com

Mobile phone: 0438362783 Home:

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

DNA ARCHITECTS

Date

17 / 12 / 2025

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

Has there been a pre-application meeting with a council planning officer

No Yes

Officer Name: John Pham

23 / 10 / 2025

day / month / year

Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Maribyrnong City Council
PO Box 58
Footscray VIC 3011
Cnr Napier and Hyde Streets
Footscray VIC 3011

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

DX: 81112

Deliver application in person, by post or by electronic lodgement.

MORE INFORMATION

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at planning-schemes.delwp.vic.gov.au

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au Contact your local Council to obtain a planning certificate in Central Gol fields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook

 Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Metropolitan Planning Levy refer Division 5A of Part 4 of the Planning and Environment Act 1987 (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block)

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information

What is an encumbrance?

An encumbrance is a formal obligation on the land, with the most common type being a mortgage. Other common examples of encumbrances include:

- **Restrictive Covenants:** A restrictive covenant is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A section 173 agreement is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An easement gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A building envelope defines the development boundaries for the land.
- signed the declaration on the last page of the application form

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances

Encumbrances are identified on the title (register search statement) under the header encumbrances, caveats and notices. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?

A caveat is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of notices. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08811 FOLIO 549

Security no : 124130019268M
Produced 18/11/2025 04:46 PM

CITY OF MARIBYRNONG
RECEIVED
17/12/2025
URBAN PLANNING

LAND DESCRIPTION

Lot 59 on Plan of Subdivision 059127.
PARENT TITLE Volume 08708 Folio 124
Created by instrument 5262157R 28/01/1970

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
DIRECTOR OF HOUSING of 50 LONSDALE STREET MELBOURNE VIC 3000
AM474617J 13/01/2016

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP059127 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AZ723412F	TRANSFER CONTROL OF ECT	Completed	22/10/2025

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 12 SHEPHERD STREET BRAYBROOK VIC 3019

ADMINISTRATIVE NOTICES

NIL

eCT Control REGISTRAR OF TITLES
Effective from 22/10/2025

DOCUMENT END

HOUSING COMMISSION OF VICTORIA
MADSTONE ESTATE
PLAN OF SUBDIVISION
PART OF CROWN PORTION 17
PARISH OF CUT PAW PAW
COUNTY OF BOURKE

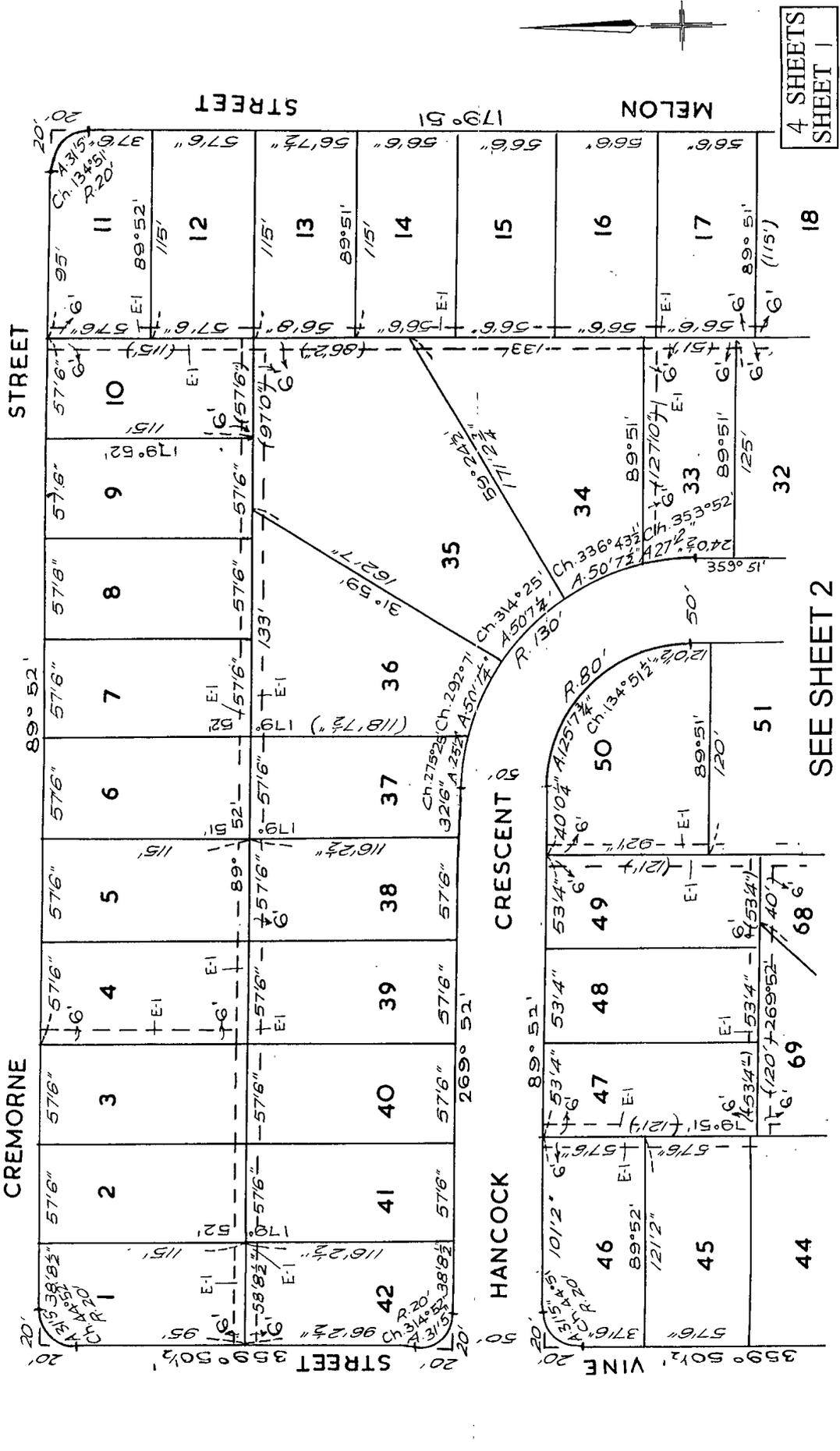
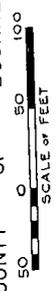
Vol. 8708 Fol. 124

LP59127
EDITION 2

PLAN MAY BE LOGGED 26/2/169

COLOUR CODE
E-I=BLUE

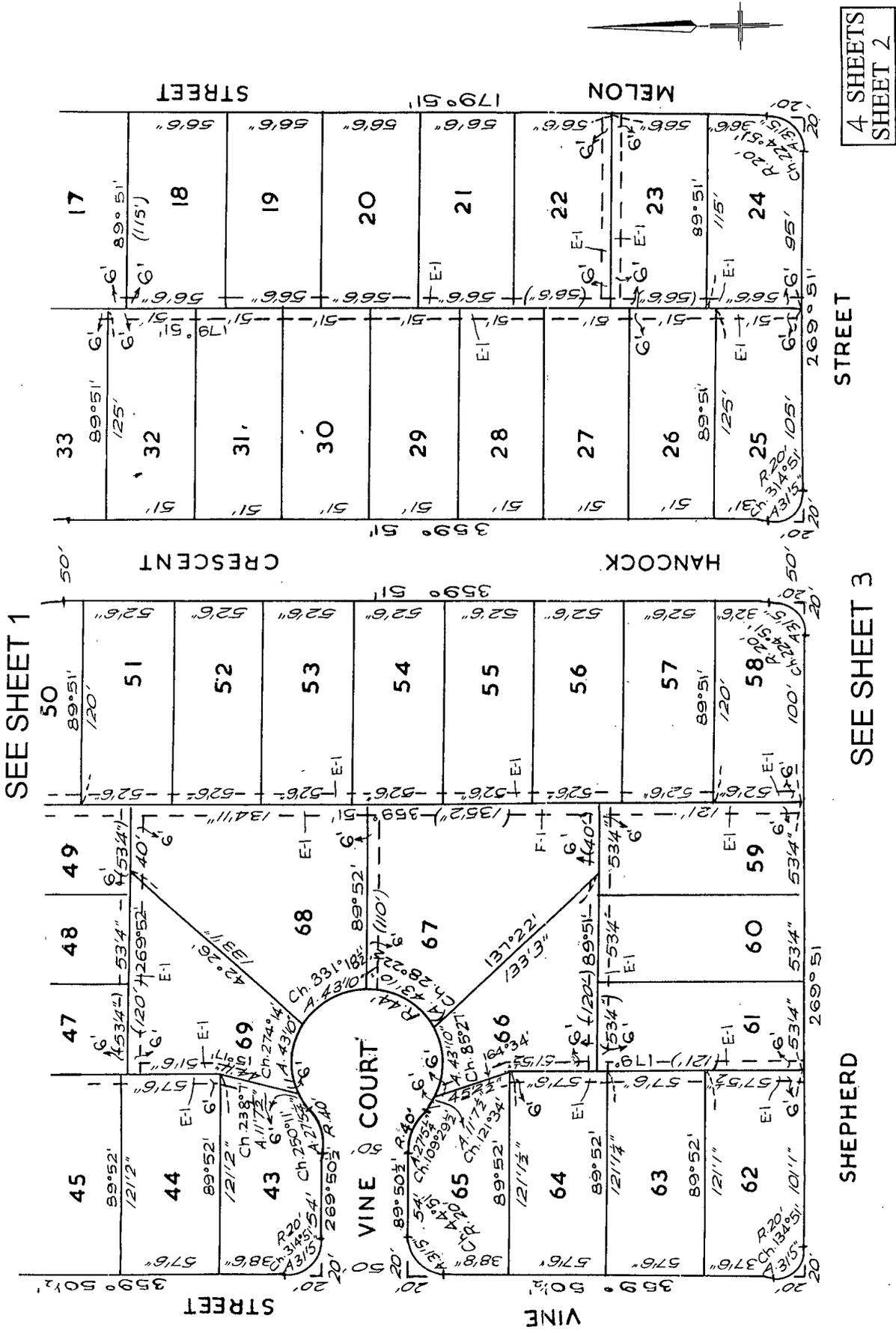
NOTE: The land coloured blue is set apart for drainage and sewerage purposes and is 6' wide except where otherwise shown.



4 SHEETS
SHEET 1

SEE SHEET 2

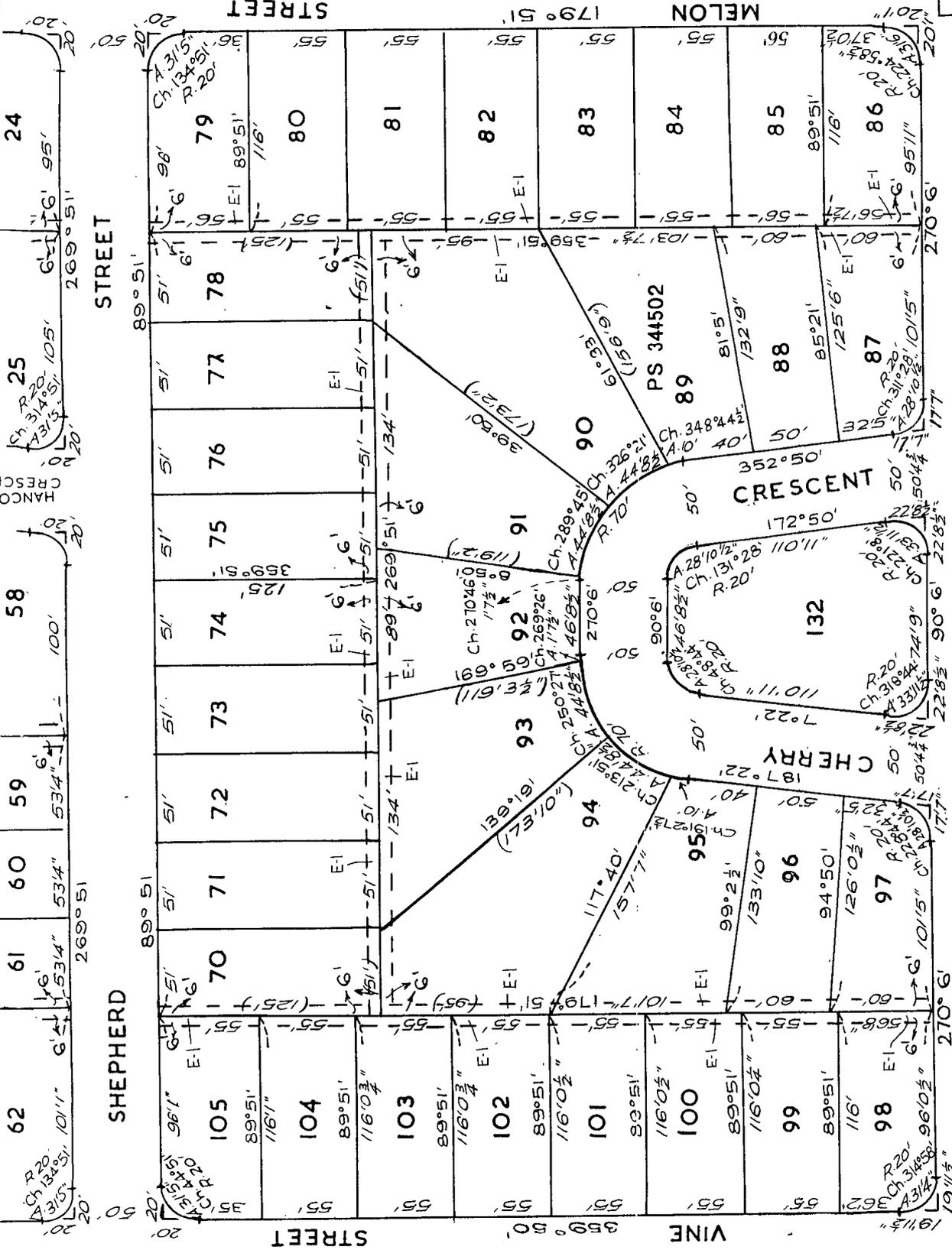
LP59127



LP59127

SEE SHEET 2
HANCOCK
CRESCENT

58
100'



4 SHEETS
SHEET 3

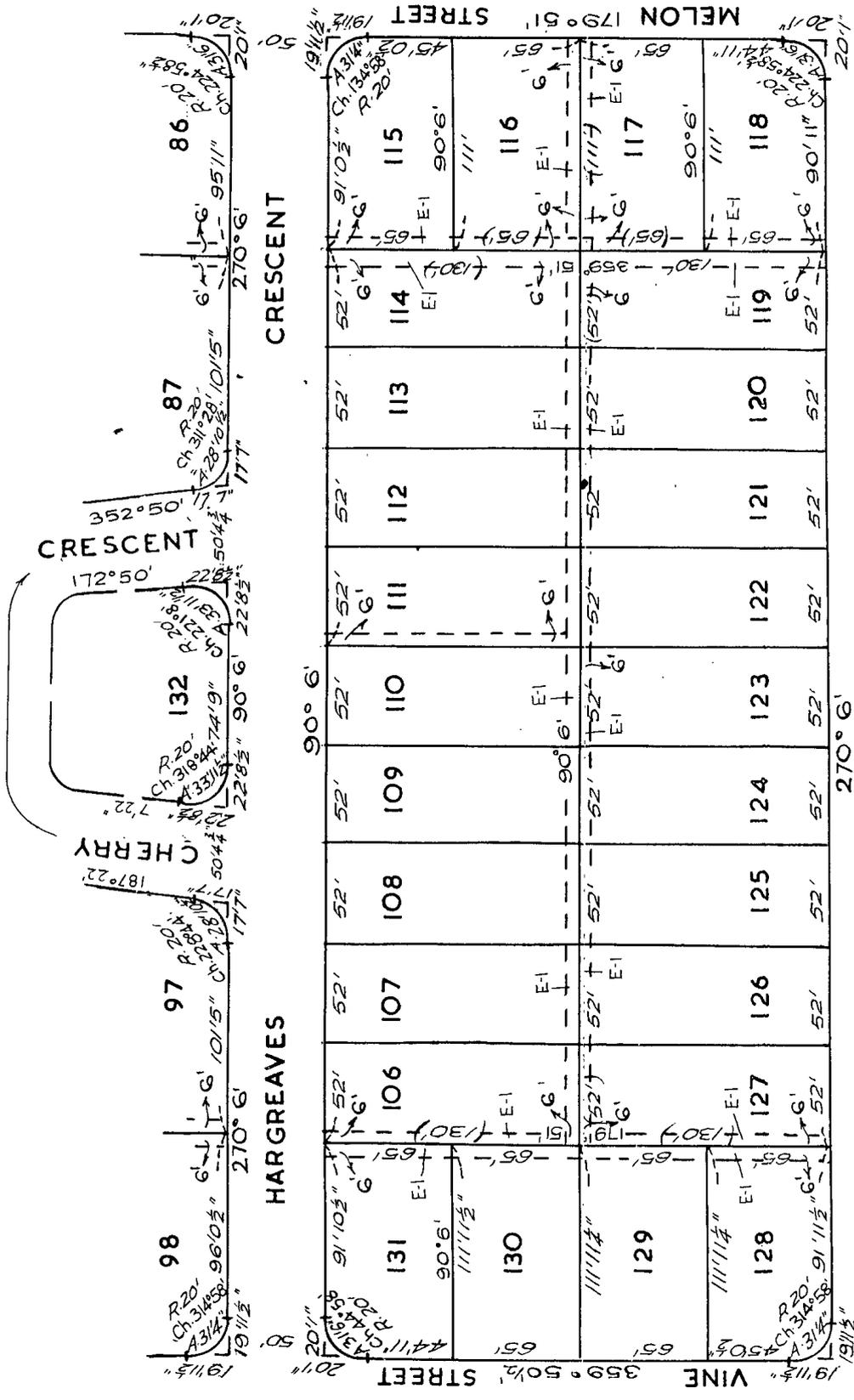
CRESCENT

SEE SHEET 4

HARGREAVES



LP59127



4 SHEETS
SHEET 4

AVENUE

CHURCHILL

PLAN OF SURVEY

CONTENTS: TITLE RE-ESTABLISHMENT, LEVEL & FEATURE SURVEY

LOCATION:
12 Shepherd Street Braybrook

EASEMENT DETAILS
E-1... Drainage & Sewerage Easement (1.83m wide)

PARCEL PARTICULARS: REF No: VERSION:
LP 59127 Lot 59 6570 01

SURVEYOR: DATE OF SURVEY:
Anthony Ford LS 19.11.2025

LEVEL DATUM: SHEET DETAILS:
AHD A1 - Sheet 1 of 1

CONTOURS SCALE:
Nil 1:100 @ A1

LEGEND:

	TBM		Water Meter
	Reduced Level		Water Tap
	Elevation		Water Stop Valve
	Significant Tree		Fire Hydrant/Plug
	Street Sign		Fence Post
	Stay		Fence Pillar - Brick
	Power Pole		Private Open Space
	Power Point		HW Habitable Window
	Power Pit		NHW Non Habitable Window
	Utility Pit/Meter Unclassified		H5.00 Window Head RL
	Tele. Comm Pit		S5.00 Window Sill RL
	Gas Pit/Valve		R5.00 Ridge Level RL
	Gas Meter		E5.00 Eave Level RL
	Grated Pit		USG5.00 Underside Gutter RL
	Drainage Pit		TOP5.00 Top of Wall
	Side Entry Pit		10.00T Top of Retaining Wall RL
	Sewer Pit		9.90B Base (Toe) Wall RL
	Sewer Vent / Access Point		20.00TK Top of Kerb
			19.90IK Invert of Kerb

NOTES:
THE LAND IN THE SURVEY IS ENCLOSED WITHIN THICK CONTINUOUS LINES.
ENLARGEMENTS ARE NOT SHOWN TO SCALE
BOUNDARIES HAVE BEEN MARKED AS A RESULT OF THIS SURVEY. ADDITIONAL FEES APPLY FOR BOUNDARY REMARKING.

DIGITAL DATA IS SUPPLIED TO THE CLIENT ALONG WITH PDF AT THE TIME OF SURVEY. DIGITAL DATA REMAINS THE INTELLECTUAL PROPERTY OF ANTHONY FORD AND ASSOCIATES. IF RE-RELEASE OF DATA IS REQUIRED ADDITIONAL FEES WILL APPLY.

PRIOR TO DESIGN, PLANNING, DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE SHOWN, THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR LOCATIONS OF ALL UNDERGROUND SERVICES. THIS IS AN INTEGRAL PART OF THIS PLAN.

EVERY ATTEMPT HAS BEEN MADE TO LOCATE SERVICES AT GROUND LEVEL, HOWEVER THERE ARE SOME INSTANCES WHERE SERVICES ARE NOT VISIBLE AT THE TIME OF SURVEY AND THEREFORE MAY NOT BE SHOWN ON THIS PLAN.

THIS PLAN DOES NOT DETERMINE HABITABILITY STATUS OF OVERLOOKING WINDOWS, FROSTED, OPAQUE, AND LOUVRE TYPE WINDOWS HAVE BEEN LABELED AS SUCH IF ABLE TO BE IDENTIFIED. HABITABILITY STATUS OF WINDOWS CAN BE ADDED TO THIS PLAN IF SUFFICIENT EVIDENCE IS PROVIDED BY THE CLIENT THROUGH EITHER A) A SIGNED STATEMENT FROM THE AFFECTED NEIGHBOUR CONFIRMING WINDOW USE STATUS, OR B) PHOTOGRAPHIC EVIDENCE PROVIDED BY THE CLIENT FROM INSIDE THE ADJOINING DWELLING CONFIRMING WINDOW USE STATUS. IT IS THE CLIENT'S RESPONSIBILITY TO ENSURE HABITABILITY OF WINDOWS IS ACCURATELY DESCRIBED.

BOUNDARIES MARKED WITH '***' HAVE BEEN ROUNDED DOWN BY 0.006m TO RESPECT OVERALL LP DIMENSIONS

RE-ESTABLISHMENT NOTES:
WHERE THE OCCUPATION (FENCING/ OR BUILDINGS) IS INSIDE THE TITLE BOUNDARY, WE RECOMMEND LIMITING ANY DEVELOPMENT (DESIGN AND CONSTRUCTION) TO THE LOCATION OF THE EXISTING FENCE LINE. THIS IS UNDER THE ASSUMPTION THAT THE ADJOINING LAND OWNERS MAY HAVE ACCRUED POSSESSORY RIGHTS OVER THAT PORTION OF LAND THEY OCCUPY. YOU MAY NEGOTIATE WITH YOUR NEIGHBOUR TO REMOVE A FENCE AND BUILD TO THE BOUNDARY IF NEEDED, THOUGH PLEASE ENSURE YOU HAVE WRITTEN CONSENT FROM YOUR NEIGHBOUR PRIOR TO ANY WORKS COMMENCING.

ALTERNATIVELY, WHERE THE OCCUPATION IS OUTSIDE THE TITLE BOUNDARY, ANY DEVELOPMENT (DESIGN AND CONSTRUCTION) SHOULD BE LIMITED TO THE TITLE POSITION AS SHOWN. NO DESIGN OR CONSTRUCTION SHOULD CROSS A BOUNDARY UNLESS A PRIOR ADVERSE POSSESSION APPLICATION IS APPROVED BY THE TITLES OFFICE.

I, ANTHONY FORD OF PO BOX 148, ASCOT VALE CERTIFY THAT THIS PLAN HAS BEEN PREPARED FROM A SURVEY MADE UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE SURVEYING ACT 2004 AND COMPLETED ON THE DATE NOTED HEREON, THAT THIS PLAN IS ACCURATE AND CORRECTLY REPRESENTS THE ADOPTED BOUNDARIES AND THAT THE SURVEY ACCURACY ACCORDS WITH THAT REQUIRED BY REGULATION 7(1) OF THE SURVEYING (CADASTRAL SURVEYS) REGULATIONS 2015.

ANTHONY FORD
LICENSED SURVEYOR
SURVEYING ACT 2004

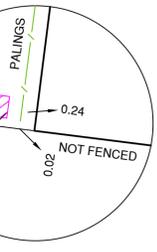
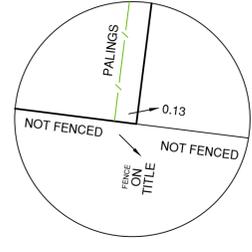
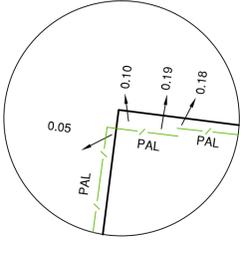
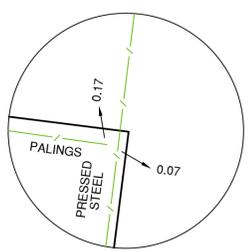
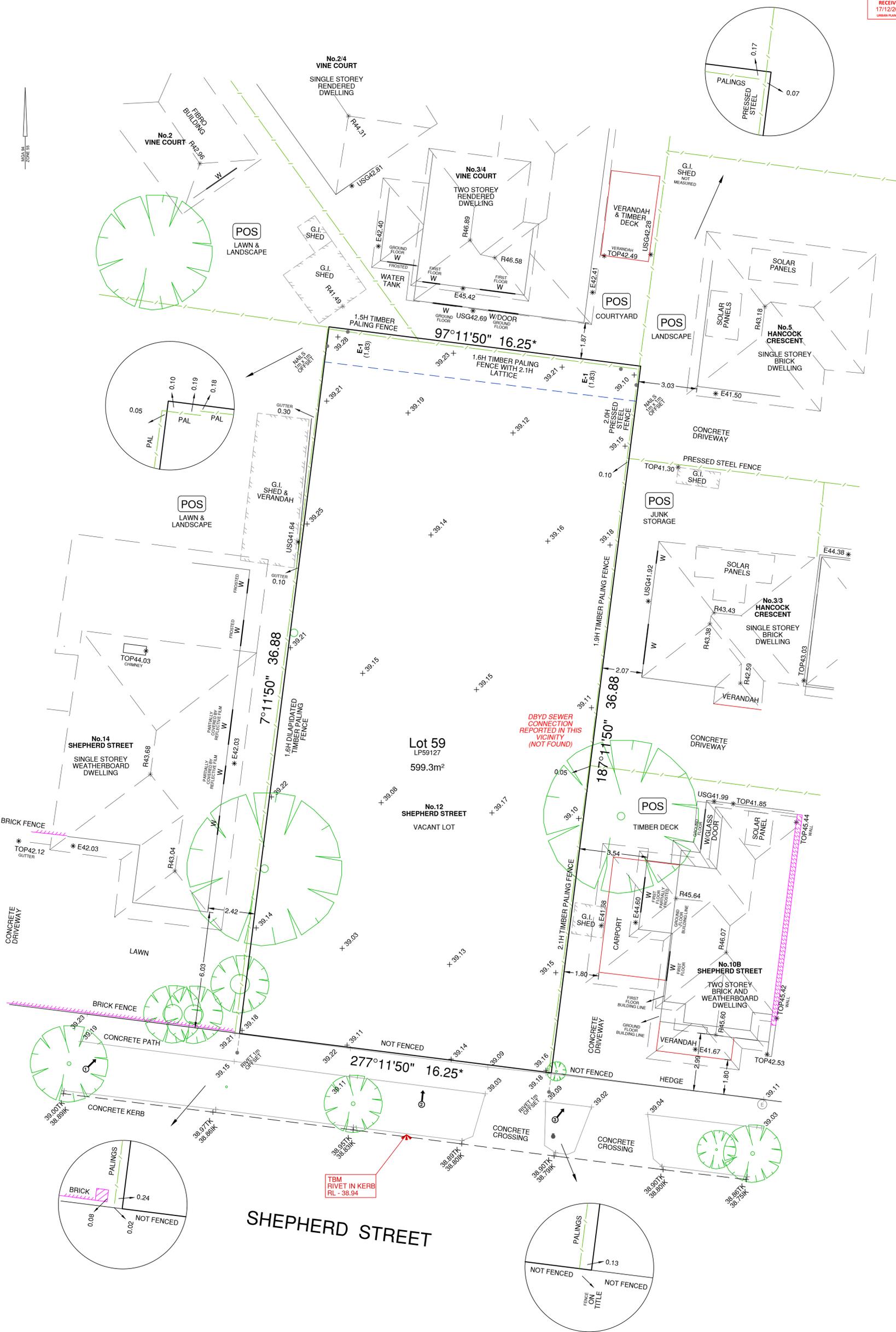


PHOTO 1



PHOTO 2



PHOTO 3

Proposed two townhouses at 12 Shepherd Street Braybrook

The proposed stormwater treatments provide 'deemed to comply' compliance with the minimum planning requirement for total nitrogen but does not comply with all the relevant objectives for management of stormwater flows on-site.



Project details

Name	Proposed two townhouses at 12 Shepherd Street Braybrook
Street address	12 Shepherd Street Braybrook
Municipality	Maribyrnong
Site area	599.52 m ²
Planning Number	

Flow and pollutant load reductions

Item	Result	Target
Mean annual runoff volume harvested or evapotranspired (%)	49%	>28%
Mean annual runoff volume infiltrated or filtered (%)	0%	>9%
Total suspended solids (%)	55%	>80%
Total phosphorus (%)	53%	>45%
Total nitrogen (%)	50%	>45%
Total gross pollutants (%)	68%	>70%

Water treatment

Catchments

Unit 1 roof area to raintank Roof, 174.43m²

Unit 2 roof to raintank Roof, 144.58m²

Unit 2 roof area Roof, 48.78m²

Unit 1 driveway area Paved, 24.22m²

Unit 1 concrete path Paved, 33.49m²

Unit 2 driveway Paved, 18.84m²

Unit 2 concrete path Paved, 21.41m²

Landscaping Pervious (garden and lawn), 133.77m²

Treatments

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 3

Rainwater Tank 2

Rainwater tank retention volume in kilolitres: 3

Buildings & dwellings

Double storey townhouse unit 1 Residential Townhouse,
5 bedroom(s)

Double storey townhouse unit 2 Residential Townhouse,
5 bedroom(s)

Configuration 1

Unit 1 roof area to raintank Roof, 174.43m²

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 3,

Double storey townhouse unit 1 Residential Townhouse,
5 bedroom(s)

Configuration 2

Unit 2 roof to raintank Roof, 144.58m²

Rainwater Tank 2

Rainwater tank retention volume in kilolitres: 3,

Double storey townhouse unit 2 Residential Townhouse,
5 bedroom(s)



6 Frye Street
Watsonia VIC 3087
ABN. 25 582 062 104

p. 9435 1117
m. 0417 365 319
f. 9435 3181

e. info@climbinghigh.com.au
www.climbinghigh.com.au

Arborist Report

Development Impact

At

12 Shepherd Street, Braybrook, Vic, 3019.

Prepared by:

Climbing High Tree Service
Consulting Arborist

Chris Walshe

Graduate Certificate of Arboriculture (University Melbourne)
Diploma of Horticulture (Arboriculture)
AQF Level 3, 5 & 8

Report Commissioned by:

Tu Nghiem

Wednesday 11th February 2026

1. INTRODUCTION.

Climbing High Tree Service has been engaged to provide an Arboricultural Assessment and a Development Impact Assessment Report for all trees greater than 3 metres in height located on the subject site, adjoining properties, and any street trees that may be impacted upon by the proposed development.

2. OBJECTIVES.

- Provide the tree/s location, species, dimensions, age, health, structural condition and their suitability for retention.
- Calculate the size of the area around the tree/s suitable for retention that require tree protection (TPZ).
- Provide comments on the planning schemes, and to assess the impact that the proposal may have upon the existing vegetation.
- Explain the preferred design methods if required, to minimise the impact on retained trees where there is encroachment into the calculated Tree Protection Zones area.
- The report is in accordance to *Australian Standards AS4970-2009 'Protection of Trees on Development Sites'* (Appendix 2).

3. METHOD.

A site and tree inspection was conducted on Tuesday 10th February 2026 by Chris Walshe.

Visual Tree Assessment (VTA) methods were undertaken from ground level as described by Mattheck & Breloer (1994) with regard to current arboricultural principles and practices. International Society of Arboriculture Tree Risk Assessment procedures were followed for evaluating the tree for risk. The following tree data was collected on site:

- | | |
|-------------------------------------|--------------------------------|
| ▪ Botanical Name | ▪ Health |
| ▪ Common Name | ▪ Structure |
| ▪ Origin | ▪ Form |
| ▪ Age Class | ▪ Useful Life Expectancy (ULE) |
| ▪ Dimensions | ▪ Retention Value. |
| ▪ Diameter at Standard Height (DSH) | |

For descriptors of the data collected on site refer to Appendix 4.

A (yamayo) diameter tape measure was used for determining the DSH, a digital camera for images, the height was estimated, and the canopy spread was stepped out.

No invasive tests were conducted, nor tree or soil samples taken.

The trees have been numbered and plotted on the Aerial Site Map and Development Tree Impact Plan. The tree numbers correspond with those numbers provided in the Tree Data Table (Appendix 1).

4. LIMITATIONS.

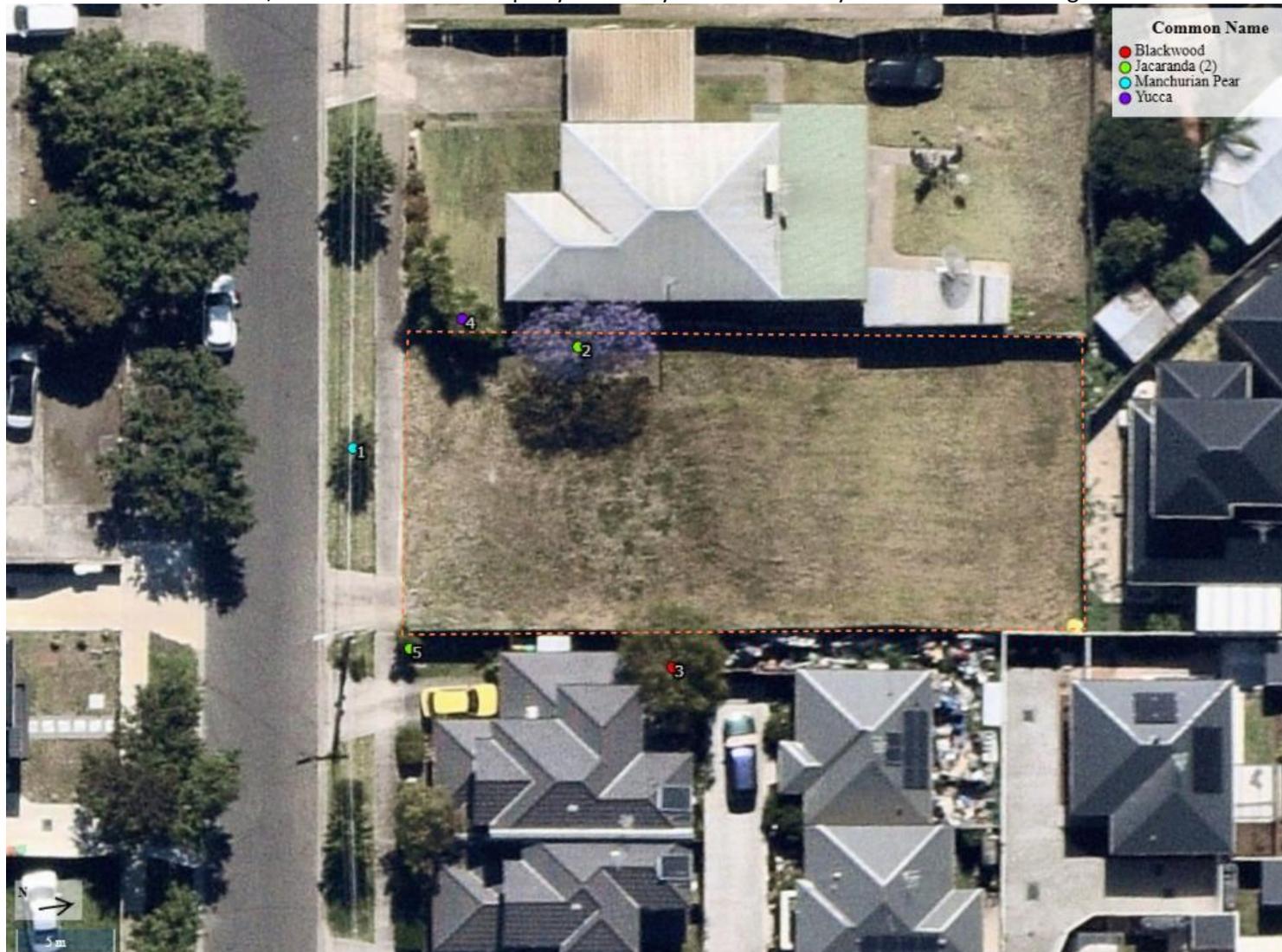
Access was restricted to the neighbouring trees, therefore stem measurements were estimated.

5. DOCUMENTS VIEWED.

- DNA Architects, Ground Floor Plan, First Floor, Elevations, dated February 2026.
- Maribyrnong City Council, RFI, Application# TP440/2025(1), dated 13th January 2026.

6. AERIAL SITE MAP

Figure 1: Shows an aerial view of the site, and tree locations. Property boundary is indicative only and is dotted in orange.



7. PLANNING OVERLAY CONTROLS.

The site is zoned General Residential Zone Schedule 1 (GRZ1) and is located in Braybrook, a suburb in the Maribyrnong City Council.

The following vegetation controls are on the subject site.

Maribyrnong City Council have a 'Significant Tree Register List, developed in 2021.'

Under Clause 52.37: a planning permit is required to remove, destroy, or lop a 'canopy tree' located in the following zones: Mixed-Use Zone, Township Zone, Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, and the Housing Choice and Transport Zone.

A *Canopy tree* - means a tree that has:

- A height of more than 5 metres above ground level; and
- A trunk circumference of more than 0.5 metres measured at 1.4 metres above ground level (equates to 16cm diameter); and
- A canopy diameter of at least 4 metres.

A *Boundary Canopy tree* - means a canopy tree that if any part of its trunk is within:

- 6 metres of the narrowest street frontage of a lot; or
- 4.5 metres of the rear boundary of a lot with existing dwelling.

There are exemptions under this clause:

- For the lopping or pruning of a canopy tree for maintenance only, provided no more than 1/3 of the foliage of the tree is lopped or pruned (*does not apply to the lopping of the trunk of the tree, or pruning to reduce the height of the tree to less than 5 metres, or the canopy diameter of the tree to less than 4 metres*)
- In an emergency where any part of a tree is an immediate threat to life, and/or property it may need to be removed.
- Noxious weed trees defined in the planning scheme or declared weed under section 58 or section 58A of the *Catchment and Land Protection Act, 1994*.

8. PROPOSED DEVELOPMENT.

The proposal is to construct two (2) side by side double storey townhouses with associated works. The existing crossover will be retained, and a new crossover to the south west is proposed to be constructed. One site tree is proposed to be lost. The impact upon the health of the retained trees will need to be assessed to current industry standards.

9. OBSERVATIONS.

The site is approximately 596.5 sq metres in size, and the topography is flat.

The site is currently a vacant parcel of land with one (1) tree onsite (figure 2).

Five (5) trees were assessed in this report. One (1) tree is located on the subject site and four (4) trees are located in the adjoining third party properties.

Subject Site Trees:

Tree 2 (Jacaranda) is 5m high, and is in good health and condition. It is located in a poor position.

Third Party Trees:

Tree 1 (Manchurian Pear) is located in the council owned nature strip. It is a young tree and is 3m high. It is in good health and condition, and forms a homogenous planting within Shepherd Street.

Tree 3 (Blackwood) is located in the adjoining property to the east. It is 5m high, and is in good health and condition.

Tree 5 (Jacaranda) is located in the adjoining property to the east. It is 2m high, and is in good health and condition. It is located within a small garden bed area in a poor position.

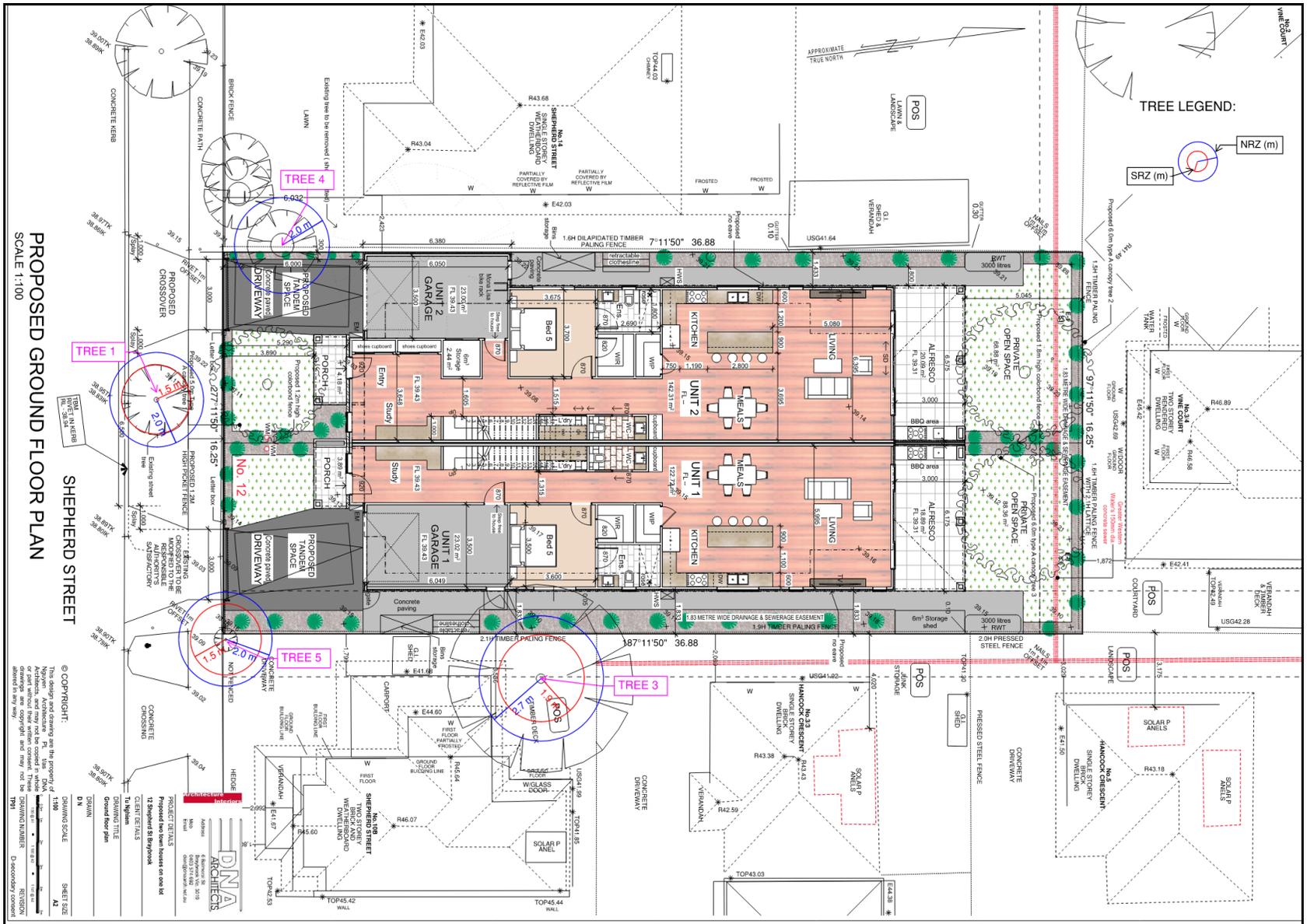
Tree 4 (Yucca) is located in the adjoining property to the west, and is in good health. It is a monocot with a confined fibrous root system.



Figure 2: Site Frontage

The detail of each individual tree assessment is provided in the Tree Data Table in Appendix 1. The tree numbers correspond with the trees numbered on the Aerial Site Map and the Proposed Development Tree Impact Plan.

10. PROPOSED DEVELOPMENT TREE IMPACT PLAN.



11. TREE RETENTION SUMMARY.

When assessing a site the arborist must exercise their experience and expertise with respect to the types of trees that are deemed suitable for retention. Trees that are to be preserved should continue to enhance the character of the area while being an asset to the site in the long term.

- Low retention value trees are generally unsuitable for retention.
- Medium retention value trees can be retained if the site constraints can accommodate their retention.
- High retention value trees are recommended for retention.
- Third party trees must be retained.

The following trees were assessed for their health, structure, condition and ULE. They have been given the following retention values:

- **Tree 2** is of Medium Retention Value. It has some beneficial attributes that may benefit the site in relation to amenity, but is limited to by some degree by its future growth potential at the site. It can be retained if site constraints can accommodate its retention, or it is located outside of the development area.
- **Trees 1, 3, 4 and 5** are located in the adjoining properties. They *must be* retained and protected (not damaged) as they are third party property, unless the owners of the property give written approval to remove the trees, subject to council approval.

The trees that are to be retained throughout the development will require tree protection during construction. The best practice is to protect the trees by applying the apportioned Tree Protection Zones (TPZ) stated in Appendix 3 (Tree Protection Measures).

12. PROPOSED DEVELOPMENT TREE IMPACT ASSESSMENT.

12.1 TREE REMOVAL.

Tree 2 (Jacaranda) is a small sized tree (5m high) that is in a poor location close to the neighbouring house. It is directly located within the proposed footprint of unit 2's garage and it cannot be retained. It can be readily replaced once the development is complete.

12.2 NO DEVELOPMENT ENCROACHMENT.

The development encroachment is outside of the TPZ area of the retained **trees 1, 3, 4 and 5**, therefore zero impact will occur to their health.

Tree 5 is a recent new planting. It would have a confined root system in the neighbouring site and not what is depicted in AS4970-2025. No harm is predicted from unit 1's driveway (see 16 - Tree Photos).

Tree 4 is a hardy Yucca. It is a monocot and is known for its confined fibrous root system. The root system would be more confined within the neighbouring site, and not what is stated in AS4970-2025.

No harm is predicted to occur to **tree 4** from unit 2's driveway.

13. PERMIT REQUIREMENTS.

There are zero (0) trees listed on the Maribyrnong City Council 'Significant Tree Register List', developed in 2021.

Under Clause 52.37, a planning permit is required to lop, remove, or destroy **tree 2**.

Tree 1 is protected by the Maribyrnong City Council Street Tree Policy.

14. CONCLUSIONS & RECOMMENDATIONS.

Five (5) trees were assessed in this report. One (1) tree is located on the subject site and four (4) trees are located in the adjoining third party properties. The proposal is to construct two (2) side by side double storey townhouses with associated works. The existing crossover will be retained, and a new crossover to the south west is proposed to be constructed.

- It is proposed to remove **tree 2**.
- It is proposed to retain trees **1, 3, 4** and **5**.

- Retained trees may be damaged by direct and indirect impacts. Implement tree protection fencing & signage for **tree 1** in accordance with *AS4970-2025 'Protection of Trees on Development Sites'* as per Appendix 3 in this report.

- Any underground services like water, sewerage, electricity open trenches and entry pits must be located outside of the TPZ area of retained trees. If underground services or entry pits are to be routed within a TPZ area they must be installed by directional boring with the top of the bore to be a minimum depth of 600mm below the existing grade, or manually excavated by hand or by non-destructive digging (hydro-excavation) under direct arborist supervision with photographs and documented. Machinery access and entry pits must be located outside the TPZ area.

Chris Walshe

Managing Director & Consulting Arborist
(AQF Level 5 & 8)

I have thirty one (31) years' experience in the field of Arboriculture, both as a practicing and consulting arborist.

Qualifications:

Graduate Certificate of Arboriculture (Melbourne University)

Diploma of Horticulture (Arboriculture).

Certified Arborist International Society of Arboriculture Member (ISA) Member # 210036 & Arboriculture Australia.

Tree Risk Assessment Qualification (TRAQ) International Society of Arboriculture (ISA) (2025-2030)

Victorian Tree Industry Organization (VTIO) Member

15. REFERENCES.

AS4970-2009 'Protection of Trees on Development Sites'. Australian Standards. Sydney, Australia.

AS4373-2007 'Pruning of Amenity Trees'. Australian Standards. Sydney, Australia.

16. TREE PHOTOS.



APPENDIX 1... TREE DATA TABLE.

ID#	Botanical Name	Common Name	Origin	Age Class	Height X Width (m)	Health	Structure	Form	ULE	DSH (cm)	SRZ (m)	NRZ (m)	Retention Value	Comments
1	<i>Pyrus ussuriensis</i>	Manchurian Pear	Exotic	Young	3x3	Good	Good	Good	Long	8	1.5	2	Third Party	Street tree
2	<i>Jacaranda mimosifolia</i>	Jacaranda	Exotic	Semi	5x6	Good	Fair	Fair	Medium	23	1.9	2.7	Medium	
3	<i>Acacia melanoxylon</i>	Blackwood	Planted Victorian	Semi	5x6	Good	Fair	Fair	Short	16	1.6	2	Third Party	Neighbours
4	<i>Yucca elephantipes</i>	Yuuca	Exotic	Mature	4x3	Good	Fair	Fair	Medium	*35	-	2	Third Party	Neighbours, Monocot
5	<i>Jacaranda mimosifolia</i>	Jacaranda	Exotic	Young	2x2	Good	Fair	Fair	Medium	4	1.5	2	Third Party	Neighbours

*= tree with multi stem measurements. SRZ= Structural Root Zone, radius. NRZ= Notional Root Zone, radius. DSH= Diameter measured at 1.4m high from grade
 ULE= Useful Life Expectancy

APPENDIX...2 PROTECTION OF TREES AS PER AS4970-2025.

The Australian Standard AS4970-2025 'Protection of Trees on Development Sites' is the preferred method of tree protection.

The Notional Root Zone (NRZ) is calculated for each tree by multiplying its Diameter at Standard Height (DSH) by 12.

The NRZ is a starting point for determining the Tree Protection Zone (TPZ) area.

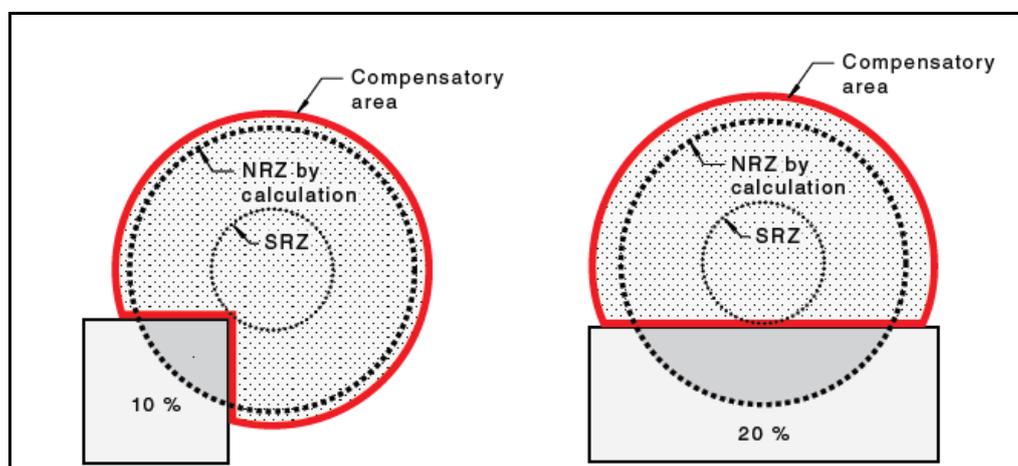
The TPZ should be determined using the considerations and encroachments and relevant factors discussed below:

Location and distribution of the roots, Potential loss of root mass resulting from encroachment, Tree species and tolerance to root disturbance, will the works result in temporary or permanent loss of available soil volume, age, health, current size and protected size of the tree. Presence of other trees with overlapping NRZ or grafted roots, proposed staging and timing of excavation and root cutting, lean and stability of tree and proposed tree maintenance and tree care activities. Soil characteristics and volume, topography and drainage, presence of existing or past structures or obstacles.

Minor encroachment: of less than 10% of the TPZ and outside the SRZ is deemed to be minor encroachment and is unlikely that there will be significant impact to tree health and longevity.

Moderate encroachment: greater than 10% and less than or equal to 20% of the NRZ and is outside the SRZ. Project Arborist engagement shall be engaged to review proposed impact and undertake any other necessary investigation to demonstrate how the tree will remain viable.

Major encroachment: greater than 20% of the area of the NRZ or inside the SRZ. Project Arborist engagement shall be engaged to explore alternative designs and/or demonstrate that the tree will remain viable, taking into consideration the relevant factors. SRZ encroachment should be avoided as this area is needed for the trees stability and is not related to tree health.



Example of Minor and Moderate NRZ encroachment and compensatory offset (image from AS4970-2025)

Tree Protection Zone (TPZ) is now known as the area designated on site that is isolated from construction impact or managed so that the tree remains viable.

Determined by the project arborist, it begins with the Notional Root Zone (NRZ) and is adjusted based on the tree, site and encroachment characteristics that influence what area should and can be protected on site. This should include the crown above the ground along with below ground environments.

APPENDIX...3 TREE PROTECTION FENCING AND MEASURES.

Tree Protection Fencing:

- The Tree Protective fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres and consist of chain mesh or similar fence with 1.8 metre support posts (eg. Concrete feet) every 3-4 metres apart.
- The fence should restrict access to the enclosed portion of the TPZ. Semi permeant fences or options that make it difficult to move the fence should be considered where appropriate.
- Fencing must comply with Australian Standards AS4687-2007 *Temporary fencing and hoardings*.
- Once erected the fence must not be removed or altered without approval by the project arborist except in accordance with the Tree Protection Specifications (TPS).

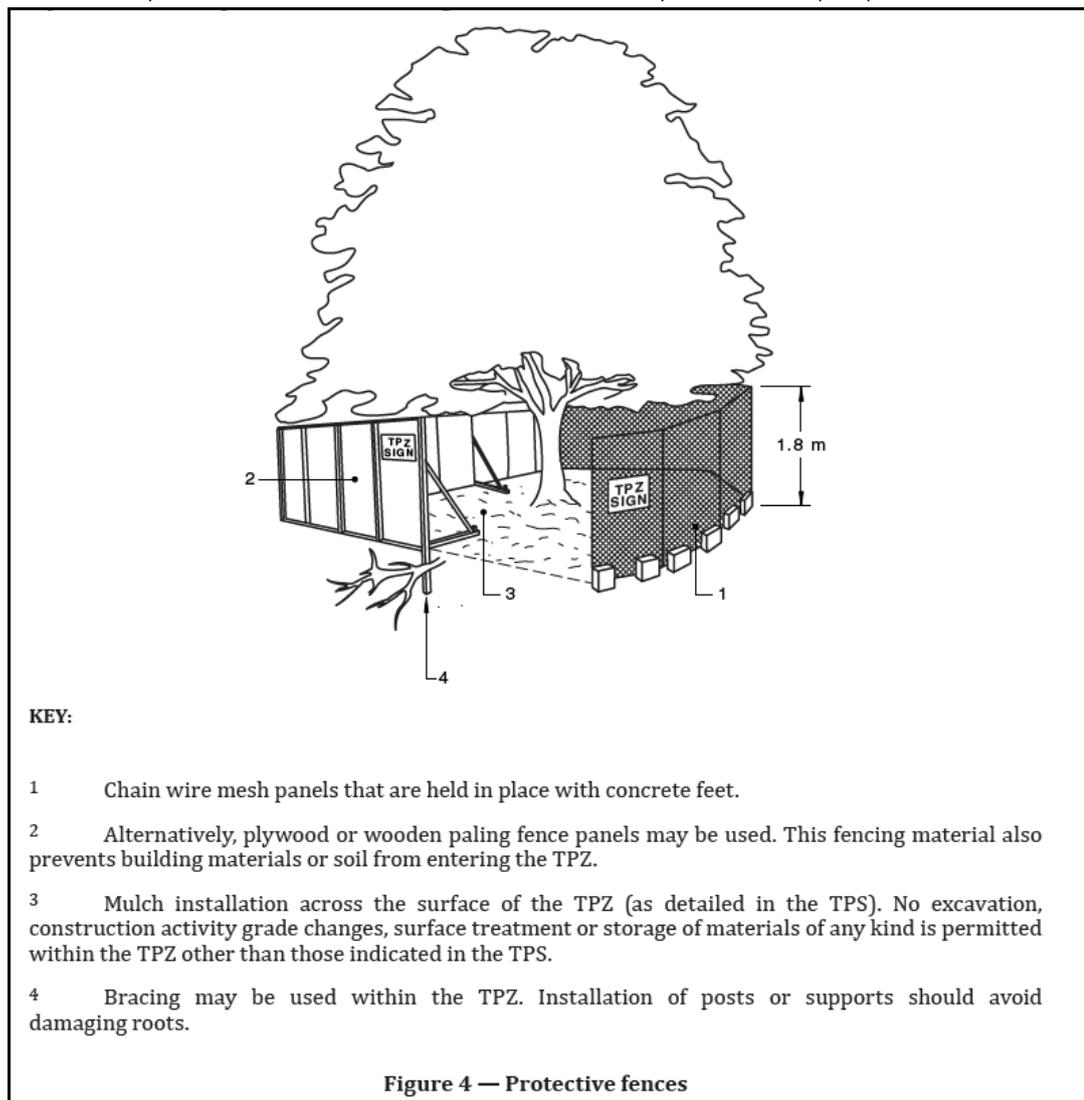


Image taken from AS4970-2025 Tree Protection Zone Fencing

Signage:

- Fixed signs are to be provided on all visible sides of the Tree Protection Zone Fencing clearly stating “Tree Protection Zone”- NO ACCESS, or similar wording, to the satisfaction of the responsible authority
The sign should be minimum A3 size.

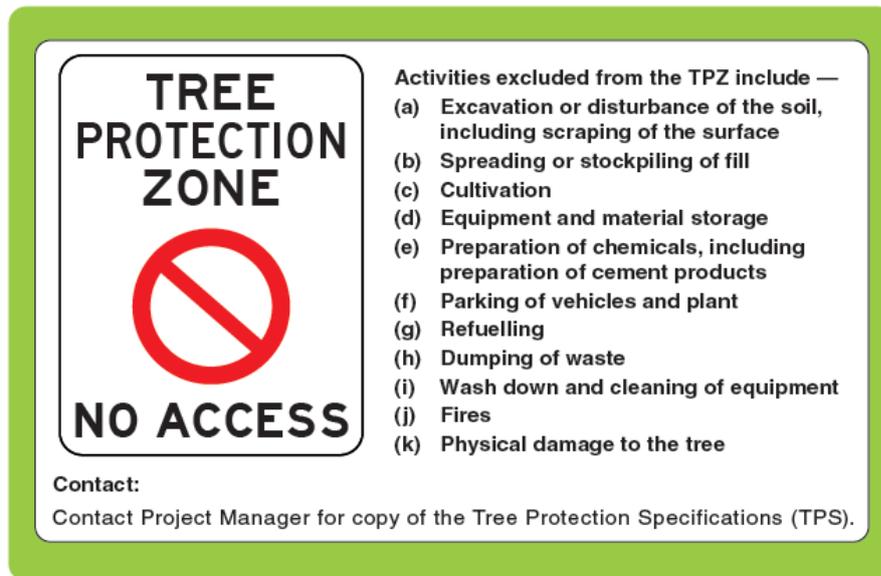


Image taken from AS4970-2025 Tree Protection Zone Fencing

Weed Control and Mulched within TPZ:

- Any weeds located within the Tree Protection Zone are to be removed and the area mulched with 100mm in depth of coarse grade mulch or like (Preferably arborist mulch) this will retain moisture and reduce the impact of compaction.

Irrigation:

- The TPZ area must be irrigated during the drier months (Oct- April) with 1 litre of clean water for every 1cm of trunk girth measured at the trunk/soil interface on a weekly basis.

Access to Tree Protection Zone:

- Should temporary access be necessary within the TPZ during the construction period, the responsible authority must be informed prior to relocating the fence (as appropriate ground protection measures must be implemented).

Tree Protection Zone Restrictions:

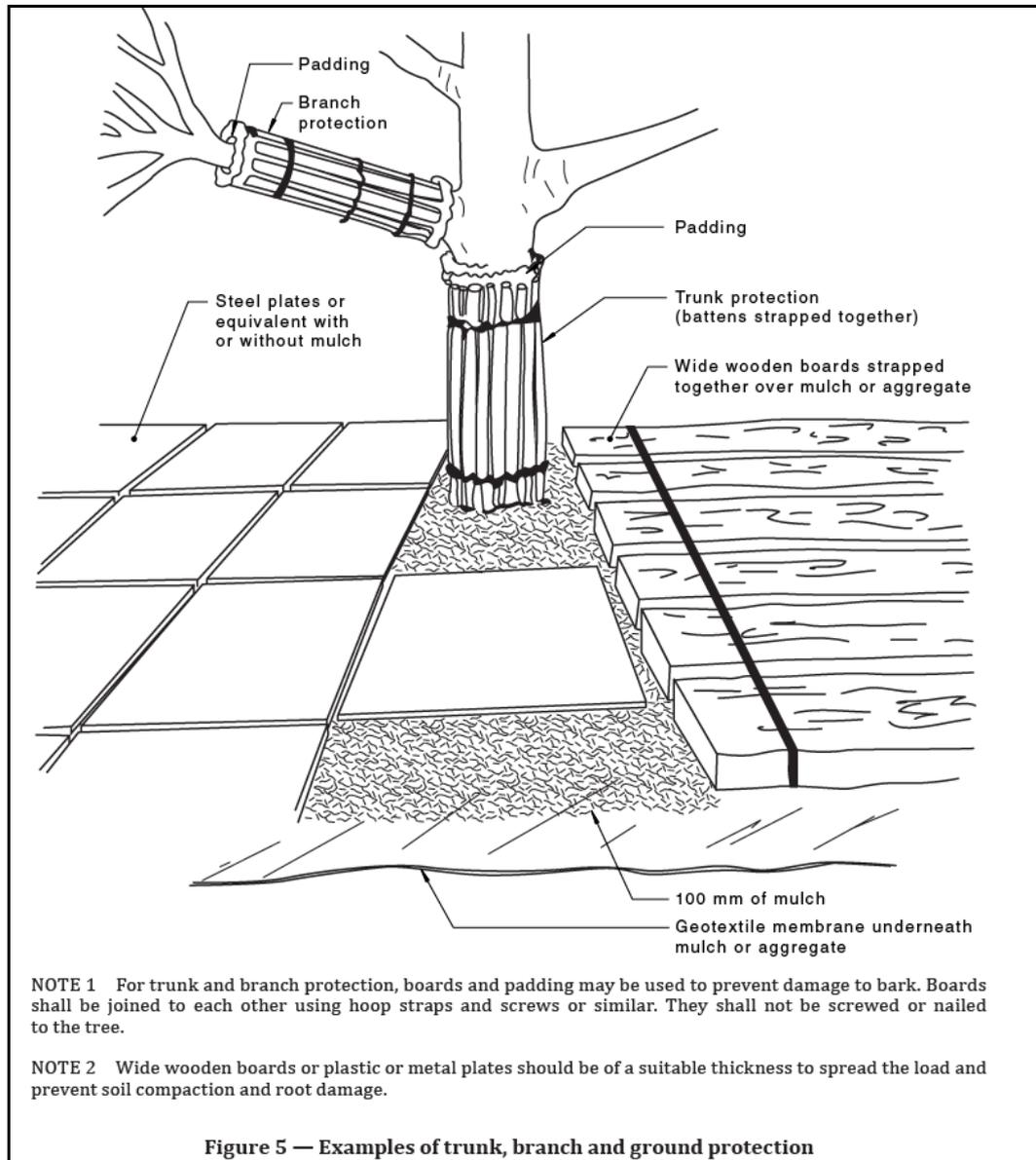
- No building materials or equipment stored within the TPZ area.
- No Servicing and refueling of equipment and vehicles
- No storage of fuel, oil dumps or chemicals
- No attached of any device like nails, screws or temporary services fixed to the tree trunk.
- No open cut trenches or excavation works (whether or not laying services)
- No changes to the existing soil grade.
- No temporary buildings and works and any unauthorized entry by any person, vehicle or machinery.

Provision of Services:

- Any underground services like water, telephone, sewerage, electricity open trenches and entry pits must be located outside of the TPZ area of retained trees. If underground services or entry pits are to be routed within a TPZ area they must be installed by directional boring with the top of the bore to be a minimum depth of 600mm below the existing grade, or manually excavated by hand or by non-destructive digging (hydro-excavation) under direct arborist supervision with photographs and documented.

Ground Protection:

- If the area within the TPZ is to be accessed during construction phase then the area will need ground protection. Boarding made out of hardwood wooden boards at least 5cm thick and should be strapped together or can be Trak Mats. Measures may include a permeable membrane, such as a geotextile, to cover the TPZ area and ideally placed over a layer of mulch or coarse gravel at 100mm thick to prevent soil compaction.



Example of Trunk, Branch & Ground Protection Measures (Extract Images from AS4970-2025.)

Management of Works:

- A suitably qualified Arborist (AQF Level 5 or higher) must supervise or undertake all approved activity within the calculated Tree Protection Zone of a retained tree.
- Any root severance within the Tree Protection Zone must be undertaken by the Project Arborist only using a clean, sharp sterile pruning saw or secateurs.
- There must be no root pruning in the Structural Root Zone (SRZ) unless consent is received in writing from the responsible authority and there must be no root pruning with the Tree Protection Zone for works other than those endorsed by the responsible authority.

-
- All and any excavations within the Tree Protection Zone of retained trees must be undertaken by hand or dug by approved non destructive techniques (like Hydro Excavation) suitable within the vicinity of trees in accordance with AS4373-2007 '*Pruning of Amenity Trees*' and must only be undertaken by or under direct Arborist supervision by a suitably qualified arborist for endorsed works or for works subsequently approved by the responsible authority.

Tree Pruning:

- Any and all pruning works must be carried out by a qualified Arborist (minimum AQF Level 3 or greater) in accordance with AS4373-2007 '*Pruning of Amenity Trees*'.
- It must be undertaken in accordance with necessary permissions and must be restricted to the removal of no greater than 15% of the total live canopy (Unless permits indicate otherwise). Photos may be required to mark up pruning target points in the report for approval from the responsible authority.

Landscaping:

- All landscaping within the Tree Protection Zone radii must be on the existing soil grade and with minimal impervious surfaces.
- No vehicles, machinery are to enter the Tree Protection Zone Area unless adequate ground protection measures are implemented.
- All post holes for planting must be dug by hand and any roots greater than 40mm encountered the hole should be offset to avoid root damage or severance.

Mulch:

- Provide 100mm thick coarse mulch (Tree Mulch Preferred) to the surface area within a Tree Protection Zone (TPZ) for retained trees on the subject site. This will be able to retain water and absorb rainfall, and not restrict water entry and reduce compaction effects. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of construction area and provide water weekly in dry periods.

APPENDIX 4... TREE DESCRIPTORS.

Status	Description:
Exotic	Tree species originates in a country other than Australia.
Australian Native	Tree species originates within Australia.
Victorian Native	Tree species originates within Victoria, but not within local environment. Could be planted and not indigenous a (component of EVC benchmark)
Indigenous	Tree species originates within the local environment, could be remnant. (component of EVC benchmark)
Palm	A woody Monocotyledon not a woody structure.

Age	Description:
Young	Juvenile or recently planted approximately 1-7 years.
Semi Mature	Tree actively growing.
Maturing	Tree has reached expected size in situation.
Senescent/OM	Tree is over mature and has started to decline.
Dead	Tree is dead

Health	Description:
Good	Foliage of tree is entire, with good colour, very little sign of pathogens and of good density. Growth indicators are good i.e. extension growth of twigs and wound wood development. Minimal or no canopy die back (deadwood).
Fair	Tree is showing one or more of the following symptoms; < 25% dead wood, minor canopy die back, foliage generally with good colour though some imperfections may be present. Minor pathogen damage present, with growth indicators such as leaf size, canopy density and twig extension growth typical for the species in this location.
Poor	Tree is showing one or more of the following symptoms of tree decline; > 25% deadwood, canopy die back is observable, discoloured or distorted leaves. Pathogens present, stress symptoms are observable as reduced leaf size, extension growth and canopy density. Woundwood development is not apparent.
Dead/Dying	Tree is in severe decline; > 55% deadwood, very little foliage, mostly epicormic shoots, minimal to no extension growth.

Structure	Description:
Good	Trunk and scaffold branches show good taper and attachments with no defects evident in trunk or branches. Primary limbs are well defined with balanced crown. Tree is a good example of the species with a well-developed form. Unlikely to suffer trunk or branch failure under normal conditions.
Fair	Tree shows some minor structural flaws in the structure of the crown. The crown may be slightly Asymmetrical with some branch unions exhibiting minor structural flaws. If one stem may be on a slight lean from tree aspect or exhibiting minor structural flaws. Typical for its specie.
Poor	Is a poorly structured crown, with major structural defects, damage to trunk, large cavities and decay. Co-dominant stems could be present, with included bark or poor structure with likely points of failure. Branch unions may be poorly attached or with major faults at attachment. Possible root damage may occur.
Hazardous	Tree is an immediate hazard with poor crown, active cracks in unions, root plate heaving/lifting or damaged with potential to fail, this should be rectified ' <i>as soon as possible</i> ' or fenced off immediately.

Form	Description:
Good	Canopy full and symmetrical canopy spread and trunk form or pruning has been done in accordance to AS4373-2007. Typical trait for the specie.
Fair	Minor asymmetry or slightly overextended and/or weighted limbs with evidence of pruning undertaken to accordance of AS4373-2007. Considered typical for species in situation.
Poor	Major asymmetry and/or misshapen not typical for species, Could be storm damaged or had significant structural failures that has compromised structural integrity. Could also be stump re-growth from cut tree.

Useful Life Expectancy (ULE)	Description:
Long (25+ years)	Generally a young to semi mature tree or a moderate to long lived specie. Trees that are in fair-good condition and is structurally sound with a low hazard potential and well suited to its growing environment and future growth requirements. Trees could be of special significance for historical, culturally, or rarity reasons that would warrant extra efforts to secure its long term retention
Medium (11-25 y)	Tree is displaying normal growth characteristics and/ or growing in a modified environment that will likely provide useful Amenity for 11-25 years. It may be in fair condition with a moderate lifespan combined with appropriate management can remain an asset in the landscape for the next 11-25 years.
Short (6-10 years)	Trees is exhibiting fair to poor health with low levels of canopy density typical for specie. It's not expected to maintain current density levels or improve health levels. It provides limited amenity for no more than 10 years due to environmental stresses, pest or diseases, poor site conditions or indirect damage. Could be a short lived species or storm damaged or defective trees that can be made suitable for retention by practicable pruning practices or to remain as a habitat tree.
Remove (1-5 years)	Trees that appear to be an increased risk level that would need to be removed within the next for 5 years. Chronic decline in canopy with >50% typical canopy density, could be mostly epicormics growth related to environmental stresses, pest or diseases, poor site conditions or indirect damage. Structural defects of branch unions that may have poor attachments or faulty and may predispose to failure.
Dead (<1 year)	Tree is dead or mostly dead and should be generally removed as it cannot be managed in short term. Tree has no amenity value and is considered a hazard in its location. Remove and Replace.

Retention Value	Description:
High	Trees with the potential to positively contribute to the site due to their botanical, horticultural, historical or local significance in combination with good characteristics of structure, health and future development. Every effort should be made to retain tree.
Medium	Trees with some beneficial attributes that may benefit the site in relation to botanical, horticultural, historical or local significance but may be limited to some degree by their future growth potential at the site by maintenance requirements now or in the future. These trees should be considered for retention if possible within the development design or removed depending on design preference.
Low	Trees that offer little in terms of contributing to the future landscape for the reasons of poor health or structural condition, species suitability in relation to unacceptable growth habit, noxious, poisonous or weed species or Short-Remove ULE or a combination of these characteristics. Recommend for removal.
Third Party	Third Party Trees must be retained and protected as they are not located on the subject site. Ownership maybe classified as residential or council owned. Despite where ownership lies, these trees must be retained and protected including the roots beneath the surface even if they extend into the subject site.

Diameter at Standard Height (DSH)	The trunk diameter of the tree measured with a (yamano) diameter tape at 1.4 metres above grade.
Structural Root Zone (SRZ)	The SRZ is calculated from the diameter of above the root flare or tree base at grade. It is the volume of soil and tree roots required for the tree stability. Excavation or damage to this area may cause severe decline, death or lead to catastrophic tree failure from wind throw. It is not related to tree health. The measurement is given in meters in a radius from the centre of tree.
Notional Root Zone (NRZ)	The NRZ is an area that is required for the tree to remain viable (healthy) The NRZ radius is calculated for each tree by multiplying its diameter at standard height. DSH by 12. Radius of the NRZ = DSH x 12 The NRZ for palms, cycads, tree ferns and the like, is not calculated but shall not be less than 2metres.
Tree Protection Zone (TPZ)	The NRZ is a starting point for determining the TPZ. Some of the following factors should be determined using considerations and relevant factors discussed below: Location and distribution of the roots, Potential loss of root mass resulting from encroachment, Tree species and tolerance to root disturbance, will the works result in temporary or permanent loss of available soil volume, Age, health, current size and protected size of the tree. Presence of other trees with overlapping NRZ or grafted roots, Proposed staging and timing of excavation and root cutting, lean and stability of tree, crown shape and size, soil characteristics and volume, topography and drainage, presence of existing or past structures or obstacles.

ASSUMPTIONS AND LIMITING CONDITIONS

Any legal description provided to **CHTS** is assumed to be correct. **CHTS** assumes any title and ownership to any property are correct. No responsibility is taken for matters outside the control of **CHTS**.

Climbing High Tree Services assume that any property or project is not in violation of any applicable codes, standards or Responsible Authority regulations.

Climbing High Tree Services has taken care in obtaining all information from reliable sources. All data has been verified in so far as possible, however **CHTS** can neither guarantee nor be responsible for the accuracy of the information provided by others not directly under the control of Climbing High Tree Services.

No **Climbing High Tree Service employee** shall be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of additional fee for such services.

Alteration of any part of this report not undertaken by **CHTS** invalidates the entire report.

The report is to be read as a complete document. Loss of any part of this report invalidates the entire report.

The report or contents of this report shall not be used, or published, by any party except the person/s to whom it is addressed, without written approval from **Climbing High Tree Services**.

This report and any values expressed herein represent the opinion of **CHTS** consultant and any fee charged by **CHTS** is in no way conditional on the reporting of a specified value, a stipulated result, the occurrence of a subsequent event or upon any finding report.

Sketches, Diagrams, Graphs and photographs in this report, being intended as visual aids, are not necessary to scale and should not be construed as engineering or architectural drawings, reports or surveys.

CHTS denotes= Climbing High Tree Service.

117 SMITH STREET
THORBURY, VIC 3071
PH: (03) 9416 8770 1800 941010
Email: natascha@sitematters.com.au
www.sitematters.com.au

SITE MATTERS

TOWN PLANNING & SITE ANALYSIS
CONSULTANTS



No. 12 Shepherd Street, Braybrook

Application No. TP440/2025

Clause 55 Assessment Response Statement
to the objectives and standards of the
Maribyrnong Planning Scheme

Construction of two dwellings in a side by side
configuration with on site car parking and
associated landscaping

Revision A

February 2026

Planning permit submission

TABLE OF CONTENTS

	Page Number	
1.0	INTRODUCTION	1.
2.0	THE SUBJECT SITE	1.
3.0	THE PROPOSED DEVELOPMENT	2.
3.1	Two dwellings on a lot	
3.2	Dwelling Layout	
3.3	Building Materials	
3.4	Open Space Allocation	
3.5	Car parking provision	
4.0	PLANNING CONTROLS	5.
4.1	The Zoning of the land	
	Clause 32.08 General Residential Zone (GRZ1)	
	Clause 32.08-1 Neighbourhood character objective	
	Clause 32.08-2 Table of uses	
	Response to Clause 32.08-2 Table of Uses	
	Clause 32.08-4 Construction or extension of a dwelling, small second dwelling or residential building	
	Minimum garden requirement	
	Response to Clause 32.08-4 Construction or extension of a dwelling, small second dwelling or residential building	
	Clause 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings	
	Permit requirement	
	Response to Clause 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings	
	Clause 32.08-8 Requirement of Clause 55	
	Schedule 1 to Clause 32.08 General Residential Zone	
	General Residential Areas	
	Clause 32.08-10 Buildings and works associated with a Section 2 Use	
	Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building	
	Building height if land is subject to inundation	
	Response to Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building	
	Clause 32.08-12 Application requirements	
	Response to Clause 32.08-12 Application requirements	
	Clause 32.08-13 Exemption from notice and review	
	Clause 32.08-14 Decision guidelines	
	General	
	Dwellings, small second dwelling and residential buildings	

4.2	Particular Provisions	11.
	Clause 52.06 Car Parking	
	Purpose	
	Clause 52.06-1 Scope	
	Clause 52.06-2 Provision of car parking spaces	
	Clause 52.06-3 Permit requirement	
	Clause 52.06-5 Number of Car parking spaces required	
	Response to Clause 52.06-5 Number of car parking spaces required	
	Clause 52.06-8 Design Standard for car parking	
	Design Standard 1: Access ways	
	Response to Design Standard 1: Access ways	
	Design Standard 2: Car parking Spaces	
	Response to design Standard 2: Car parking spaces	
	Design Standard 5: Urban Design	
	Response to Design Standard 5: Urban Design	
	Design Standard 6: Safety	
	Response to Design Standard 6: Safety	
	Clause 55 Two or more dwellings on a lot and residential buildings	
	Purpose	
	Application	
	Operation	
	Objectives	
	Standards	
	Decision guidelines	
	Requirements	
	Exemptions	
	Clause 55.01 Application requirements	
	Response to Clause 55.01 Application requirements	
5.0	ASSESSMENT RESPONSE STATEMENT TO THE OBJECTIVES AND STANDARDS OF CLAUSE 55	18.
	Clause 55.02 Neighbourhood Character	
	Clause 55.02-1 Street setback objectives	
	Clause 55.02-2 Building height objective	
	Clause 55.02-3 Side and rear setbacks objective	
	Clause 55.02-4 Walls on boundaries objectives	
	Clause 55.02-5 Site coverage objective	
	Clause 55.02-6 Access objective	
	Clause 55.02-7 Tree canopy objectives	
	Clause 55.02-8 Front fences objective	
	Clause 55.03 Liveability	
	Clause 55.03-1 Dwelling diversity objective	
	Clause 55.03-2 Parking location objective	
	Clause 55.03-3 Street integration objective	
	Clause 55.03-4 Entry objectives	
	Clause 55.03-5 Private open space objectives	
	Clause 55.03-6 Solar access to open space objective	
	Clause 55.03-7 Functional layout objective	
	Clause 55.03-8 Room depth objective	
	Clause 55.03-9 Daylight to new windows objective	
	Clause 55.03-10 Natural ventilation objectives	
	Clause 55.03-11 Storage Objective	
	Clause 55.04 External Amenity	

Clause 55.04-1 Daylight to existing windows objective
Clause 55.04-2 Existing north-facing windows objective
Clause 55.04-3 Overshadowing secluded open space objective
Clause 55.04-4 Overlooking objective
Clause 55.04-5 Internal views objective
Clause 55.05 Sustainability
Clause 55.05-1 Permeability and stormwater management objective
Clause 55.05-2 Overshadowing domestic solar systems objective
Clause 55.05-3 Roof top energy generation area objective
Clause 55.05-4 Solar protection to new north-facing windows
Clause 55.05-5 Waste and recycling objectives
Clause 55.05-6 Noise impacts objective

6.0 CONCLUSION 45.

APPENDICES

Appendix 1: Site description plan to show the location of the site and the uses in the immediate and surrounding area

Appendix 2: Photographs of the site and the immediate and surrounding area.

Appendix 3: Design response plan to show the development in the context of the site and the immediate and surrounding area

Appendix 4: Design response streetscape elevation to show the development in the context of the site and the immediate and surrounding area

Appendix 5: Clause 55 Statement Checklist

1.0 INTRODUCTION

This planning submission has been prepared for the property situated at No. 12 Shepherd Street, Braybrook. Development plans prepared by DNA Architects for the development of the land for two (2) dwellings in a side by side configuration with on site car parking and associated landscaping have been reviewed and are commented on in this planning submission.

Pursuant to the Maribyrnong Planning Scheme, the subject site is situated within a General Residential Zone – Schedule 1 (GRZ1) with a Development Contributions Plan Overlay – Schedule 2 (DCPO2). There are no heritage or other overlay controls applicable to the site.

This planning submission highlights the development's ability to comply with the relevant Clauses of the Maribyrnong Planning Scheme, Clause 32.08 General Residential Zone, Clause 52.06 Car Parking and Clause 55 Two or more dwellings on a lot and residential buildings.

In the course of preparing the assessment the subject site and environs have been inspected, a detailed Site description plan formulated, (Plan No. 1 of 3, Ref. No. 25 1103 prepared by Site Matters Pty Ltd) to determine the existing conditions of the site and the pattern of development in the immediate and surrounding area. A design response plan (Plan No. 2 of 3, Ref. No. 25 1103 prepared by Site Matters Pty Ltd) to demonstrate how the proposed design of the development derives from and responds to the neighbourhood and site description.

A Clause 55 assessment response statement, identifying which standards are met and which are not form part of this planning submission. Where a standard is not met, the submission provides a justification demonstrating how the development meets the relevant objective, with reference to the applicable decision guidelines. A summary of all standards - both met and unmet - is provided in Appendix 5 (Clause 55 Statement Checklist).

2.0 THE SUBJECT SITE

The subject site is situated along the north side of Shepherd Street, Braybrook and comprises a rectangular shaped vacant block of land with a north south alignment with a frontage width of 16.25 metres along the Shepherd Street frontage with a length of 36.88 metres along the west and east boundaries covering a total site area of 599.5 square metres. A 1.83 metre wide easement extends along the length of the east boundary and along the rear north boundary. (Refer to Appendix 1 for Site description plan to show the location of the site and the uses in the immediate and surrounding area).

The site is void of any significant landscaping. There is a medium sized ornamental tree along the south west corner of the site along the perimeter of the west boundary. There are no mature significant trees that have been removed from the site within the last 12 months.

The site has abuttal to five separate residential allotments along the west, north and east boundaries with an approximate fall of 180mm from the north west to the south east extending the length of the site. The topography of the land is that it is flat. There are minimal height variations between the site and adjoining properties.

A 3.0 metre wide concrete vehicle access way is situated along the south east corner of the site along the Shepherd Street frontage that can be utilised to provide vehicle access onto the site.

There are no services along the Shepherd Street frontage that may restrict vehicle access onto the site if a new vehicle crossing was to be constructed along the frontage. There is a medium sized ornamental nature strip tree located centrally along the Shepherd Street frontage that contributes to the landscape character of the area.

Shepherd Street has a west east alignment with vehicle access to Vine Street to the west and Hancock Crescent to the east. Concrete footpaths with wide grassed nature strips with medium to mature sized evergreen and deciduous nature strip trees contribute to the landscape character of the area. (Refer to Appendix 2 for photographs of site and dwellings in the immediate and surrounding area).

3.0 THE PROPOSED DEVELOPMENT

3.1 Two dwellings on a lot

The construction of two (2) dwellings in a side by side configuration (two or more dwellings on a lot) with on site car parking and associated landscaping. (Refer to Appendix 3 for design response plan to show the development in the context of the site and the immediate and surrounding area).

3.2 Dwelling Layout

The dwellings will be two storeys in height with a direct street frontage to Shepherd Street. Dwelling 1 concentrated along the east elevation of the site will comprise at ground floor level an entrance study foyer, a hallway, amenities, a bedroom and an open layout kitchen, meals and living room area with direct access to an outdoor Alfresco area and the secluded private open space. At first floor level the dwelling will comprise a landing hallway sitting room, amenities and four bedrooms. Dwelling 1 will comprise five bedrooms and a first floor level sitting room.

Dwelling 2 concentrated along the west elevation of the site will comprise at ground floor level an entrance study foyer, a hallway, amenities, a bedroom and an open layout kitchen, meals and living room area with direct access to an outdoor Alfresco area and the secluded private open space. At first floor level the dwelling will comprise a landing hallway sitting room, amenities and four bedrooms. Dwelling 2 will comprise five bedrooms and a first floor level sitting room.

The first floor level building envelope of each dwelling is setback sufficient distance from the side and rear boundaries, from the ground floor level side elevations and from the street frontage to provide recess and articulation along the main front facade.

The proposed dwellings utilise attached wall construction at ground and first floor level designed in north south alignment to be in keeping with the subdivision and dwelling layout of dwellings to the west and east with feature projecting single storey rectangular boxed framed entrances along the front façade to create visual interest.

As part of the assessment, the following development summary has also been provided: -

Development Summary	
Site Area	599.2 square metres
Number of dwellings	2
Building site coverage	59.75%
Number of bedrooms	
Dwelling 1	Five bedrooms and first floor level sitting room
Dwelling 2	Five bedrooms and first floor level sitting room
Secluded private open space	
Dwelling 1	88.36m ²
Dwelling 2	68.88m ²
Percentage of garden area	32.7%
Impervious area	76%
Common property	Two separate allotments
Parking on site	Four car parking spaces

3.3 Building Materials

The proposed development interprets the traditional architectural dwelling styles and the built form in the area in a modern, contemporary and innovative design that will make a positive contribution to the streetscape character of the area. The building materials proposed for the development are a juxtaposition of elements typically found in the immediate and surrounding environment and have the dual purpose of softening the appearance of the development whilst providing different textures, which are in keeping with the streetscape.

The dwelling style, setback from side and rear boundaries, use of boundary wall along the west boundary and use of different building materials at ground and first floor level makes a positive contribution to the neighbourhood and streetscape character of the area. The use of vertical and horizontal symmetry creates visual interest and contributes to the neighbourhood and streetscape character of the area. (Refer to Appendix 4 for design response streetscape elevation to show the development in the context of the site and the immediate and surrounding area).

The building materials proposed for the dwellings include selected face brickwork to ground floor level walls with sections of render finish, weatherboard cladding to first floor level walls, selected colorbond roof at 22.5 degree pitch, selected powder coated aluminium windows, selected panel lift door to garages and feature projecting single storey rectangular front façade elements. The height and width, massing and detailing, vertical and horizontal symmetry contributes to increased complexity in the built form.

3.4 Open Space Allocation

Each dwelling has direct access to an outdoor roofed Alfresco area and the secluded principal private open space from the main ground floor level open layout kitchen, meals and living room area. The open space for each dwelling has sufficient width and dimension to provide for lawn cover, ground covers, the planting of a canopy tree, the recreational needs of the occupants and site facilities.

The dwellings have been designed to connect the main indoor living room areas with the outdoor recreation areas and provide a positive interface and outlooks. The secluded private open space is an extension of the main indoor living room areas to be utilised for outdoor recreation. The area and width of the open space is of sufficient size and area to receive direct access to sunlight.

3.5 Car Parking Provision

Vehicle accommodation and access will not dominate the neighbourhood and streetscape character of the area. There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling. The development provides for a total of four on site car parking spaces.

The garages have been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling. The garages for each of the dwellings will be setback 6.0 metres from the Shepherd Street frontage setback behind the front façade of the dwellings and will not project forward of the front building line.

The existing 3.0 metre wide vehicle access way along the south east corner of the site along the Shepherd Street frontage will be modified and utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 1 independent of dwelling 2.

A new 3.0 metre wide vehicle access way will be constructed along the extreme south west corner of the site along the Shepherd Street frontage to be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 2 independent of dwelling 1. There are no services that have to be removed to accommodate the construction of a new vehicle access way along the Shepherd Street frontage. The construction of a new vehicle access does not warrant the removal of the nature strip tree to facilitate the proposed design.

The vehicle access way for each dwelling will be concrete paved designed to be in keeping with the development. Ground covers and landscaping beds along the west and east elevation of each access way will soften the driveways edges, reduce hard paving surfaces and be designed to blend in be in keeping with the landscaping/lawn area within the front setback of each dwelling.

Each vehicle access way will have a corner splay at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area will be clear of visual obstructions adjacent to landscaped areas which are less than 900mm in height.

The introduction of a new vehicle access ways along the Shepherd Street frontage will not impact on the neighbourhood or streetscape character of the area. The access ways along the frontage of the site are spaced apart 6.5 metres to provide greater opportunities for landscaping along the frontage, reduce hard paving surfaces and connect the development with the neighbourhood and streetscape character of the area.

Clause 32.08-2 Table of uses

Section 1 – Permit not required

Use	Condition
Dwelling (other than Bed and breakfast)	

A dwelling (other than bed and breakfast) is a section 1 use, as of right. A planning permit is not required to use the land for the purpose of a dwelling.

Pursuant to the Maribyrnong Planning Scheme, a dwelling is defined as, a building used as a self-contained residence, which must include:

- a) a kitchen sink;
- b) food preparation facilities;
- c) a bath or shower; and
- d) a toilet and wash basin

It includes outbuildings and works normal to a dwelling.

Response to Clause 32.08-2 Table of uses

The site will be developed with two new two storey attached dwellings in a side by side configuration each with a direct street frontage to Shepherd Street comprising a kitchen sink, food preparation facilities, a bath and shower and a toilet and wash basin and complies with this definition and therefore does not require planning approval for the use of a dwelling under the General Residential Zone.

Clause 32.08-4 Construction or extension of a dwelling, small second dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden areas as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400-500 square metres	25%
501-650 square metres	30%
Above 650 square metres	35%

This does not apply to:

- An application to construct or extend a dwelling, small second dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;

-
- The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
 - An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Response to Clause 32.08-4 Construction of extension of a dwelling, small second dwelling or residential building

The subject site has a total site area of approximately 599.52 square metres. The total garden area, including side paths of in excess of 1.0 metre, the rear secluded private open space area and the front garden area covers a total garden area of 196.26 square metres which equates to 32.7 percent of the site and meets the minimum area requirement.

Clause 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot
- Construct two or more dwellings on a lot
- Extend a dwelling if there are two or more dwellings on the lot
- Construct or extend a dwelling if it is on common property
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

A development of four storeys, excluding basement, must meet the requirements of Clause 57.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

Response to Clause 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

It is proposed to construct two new two storey attached dwellings in a side by side configuration each with a direct street frontage to Shepherd Street (two or more dwellings on a lot) with on site car parking and associated landscaping and therefore planning approval is required under this Clause of the Maribyrnong Planning Scheme.

Clause 32.08-8 Requirements of Clause 55

The schedule to this zone may specify the requirements of the following standards: -

- Street setback
- Site Coverage
- Private open space
- Front fence height

Schedule 1 to Clause 32.08 General Residential Zone, General Residential Areas does not specify any of the standards, therefore the requirements set out in the relevant standard of Clause 55 applies.

Schedule 1 to Clause 32.08 General Residential Zone

General Residential Areas

1.0 Neighbourhood Character objectives

None specified

2.0 Construction or extension of a dwelling or residential building – minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement

No

3.0 Requirements of Clause 55

	Standard	Requirement
Minimum street setback	B2-1	None specified
Site coverage	B2-5	None specified
Private open space	B3-5	None specified
Front fence height	B2-8	None specified

4.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

None specified

5.0 Application requirements

None specified

6.0 Decision guidelines

None specified

Clause 32.08-10 Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Response to Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

There is no maximum height specified in the schedule to this zone, if no maximum height is specified in the schedule to the zone: -

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

The proposed dwellings will be two storeys in height at an overall maximum height of 7.52 metres to the top of the pitch of the roof from natural ground level and does not exceed a building height of 11 metres and contains no more than 3 storeys at any point.

The slope and fall of the land will not affect the height of the proposed development. The height of the development can readily be absorbed in this neighbourhood context. The development will not have a visual impact on adjoining properties or when viewed from the street. The proposed development meets the requirements of Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building.

Clause 32.08-12 Application requirements

An application must be accompanied by the following information, as appropriate:

- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the site description and design response as required in Clause 55.

Response to Clause 32.08-12 Application requirements

A site description plan and design response plan prepared by Site Matters Pty Ltd form part of this planning submission.

Clause 32.08-13 Exemption from notice and review

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings An application under clause 32.08-7 is exempt from the decision requirements of section 64(1), (2) and (3) and 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.

Clause 32.08-14 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.

-
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Dwellings, small second dwellings and residential buildings

- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.

A response to the objectives, standards and decision guidelines of Clause 55 of the Maribyrnong Planning Scheme forms part of this submission at Section 5.

4.2 Particular Provisions

Clause 52.06 Car Parking

Purpose

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-1 Scope

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot; or
- the construction and use of a small second dwelling.

Clause 52.06-2 Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Clause 52.06-3 Permit requirement

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this Clause

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

Clause 52.06-5 Number of Car parking space required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

Table 1 Car parking requirement

Use	Column A	Column B	Car parking measure Column C
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	1	For visitors to every 5 dwellings for developments of 5 or more dwellings

Response to Clause 52.06-5 Number of Car parking space required

The site will be developed with two new two storey attached dwellings in a side by side configuration. Each dwelling will comprise five bedrooms and a first floor level sitting room. Based on the above car parking requirements the proposed development requires a total of four on site car parking spaces.

There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling. There is provision on site for a total of four on site car parking spaces. The proposed development provides the required number of car parking spaces and meets Clause 52.06-5 Number of car parking spaces required.

Clause 52.06-8 Design Standards for car parking

Plans prepared in accordance with Clause 52.06-7 must meet the design standards of Clause 52.06-8, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design Standard 1: Access ways

Access ways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end access way in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheelbase of 2.8 metres.
- If the access way serves four or more car spaces or connects to a road in a Road Zone, the access way must be designed so that cars can exit the site in a forward direction.

-
- Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the access way serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
 - Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an access way to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the access way may include the road.

Response to Design Standard 1: Access ways

The existing 3.0 metre wide vehicle access way along the south east corner of the site along the Shepherd Street frontage will be modified and utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 1 independent of dwelling 2.

A new 3.0 metre wide vehicle access way will be constructed along the extreme south west corner of the site along the Shepherd Street frontage to be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 2 independent of dwelling 1. There are no services that have to be removed to accommodate the construction of a new vehicle access way along the Shepherd Street frontage. The construction of a new vehicle access does not warrant the removal of the nature strip tree to facilitate the proposed design.

The vehicle access way for each dwelling will be concrete paved designed to be in keeping with the development. Ground covers and landscaping beds along the west and east elevation of each access way will soften the driveways edges, reduce hard paving surfaces and be designed to blend in be in keeping with the landscaping/lawn area within the front setback of each dwelling.

Each vehicle access way will have a corner splay at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area will be clear of visual obstructions adjacent to landscaped areas which are less than 900mm in height.

The introduction of a new vehicle access ways along the Shepherd Street frontage will not impact on the neighbourhood or streetscape character of the area. The access ways along the frontage of the site are spaced apart 6.5 metres to provide greater opportunities for landscaping along the frontage, reduce hard paving surfaces and connect the development with the neighbourhood and streetscape character of the area. The proposed development meets the requirements of Design Standard 1: Access ways.

Design Standard 2: Car parking spaces

Car parking spaces and access ways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimension of car parking spaces and access ways

Angle of car parking space to accessway	Access width	way	Car space width	Car space length
45 degrees	3.5m		2.6m	4.9m

Response to Design Standard 2: Car parking spaces

There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling. The one car space garage for each dwelling will be 3.5 metres in width and 6.0 metres in length measured internally clearances.

The associated visitor car parking space for each dwelling will be 2.6 metres in width and 5.4 metres in length setback 500mm from the entrance door of the garages. The car parking space dimensions for each dwelling meets the dimension requirements of the Design Standard 2: Car parking spaces.

Design Standard 5: Urban Design

Ground level car parking, garage doors and access ways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Response Design Standard 5: Urban Design

The garages have been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling. The garages for each of the dwellings will be setback 6.0 metres from the Shepherd Street frontage setback behind the front façade of the dwellings and will not project forward of the front building.

The setback of the garages from the Shepherd Street frontage combined with the side setback of 1.8 metres from the east boundary for the garage of dwelling 1 reduces the visual dominance along the Shepherd Street interface. The proposed development meets the requirements of Design Standard 5: Urban Design.

Design Standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Response to Design Standard 6: Safety

Car parking facilities are convenient to dwellings and secure, allow surveillance from windows and do not obscure the view between the street and the front windows. The internal layout of each dwelling and the location of the garages and associated visitor car parking space for each dwelling will ensure that the emission of noise from occupants or their vehicles will not detract from the amenity of adjoining residents.

Each garage has rear door access to the side setback area for ventilation and separate door access to the internal hallway of each dwelling for improved safety security. The proposed development meets the requirements of Design standard 6: Safety.

The provision of four on site car parking spaces is considered appropriate for the site based on the number of rooms of each dwelling, the site's proximity to public transport and the likely end users. The proposed development meets the purpose of Clause 52.06 Car parking.

Clause 55 Two or more dwellings on a lot and residential buildings

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that responds to the site and the surrounding area.

Application

Provisions in this clause apply to an application to the classes of applications specified in clauses:

- 32.04-7, Mixed Use Zone,
- 32.05-8, Township Zone,
- 32.07-6, Residential Growth Zone,
- 32.08-7, General Residential Zone,
- 32.09-7, Neighbourhood Residential Zone,
- 32.10-5, Housing Choice and Transport Zone.

The objective contained in clause 55.03-1 does not apply to a development of less than 10 dwellings.

The objective contained in clause 55.05-3 does not apply to an apartment development or residential building.

The objectives contained in clauses 55.03-12 and 55.05-7 do not apply to the construction or extension of:

- A dwelling that is not in, or does not form part of, an apartment development; or
- A residential building.

Operation

The provisions of this clause contain:

Objectives. An objective describes the outcome to be achieved in the completed development.

Standards. A standard contains the requirements to meet the corresponding objective.

If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

Decision guidelines. If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

Requirements

A development must meet all of the applicable objectives contained in this clause.

If a development meets a standard:

- The corresponding objective is deemed to be met;
- The responsible authority is not required to consider the corresponding decision guidelines.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and
- Section 84B(2)(b) to (jb) of the Act.

Clause 55.01 Application Requirements

An application to which this clause applies must be accompanied by:

- A site description
- A design response
- 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.

Response to Clause 55.01 Application Requirements

A site description and a design response as described in Clause 55.01 Application requirements of the Maribyrnong Planning Scheme prepared Site Matters Pty Ltd forms part this planning submission. (Refer to attached Site description plan, design response plan and design response streetscape elevation to show the development in the context of the site and neighbouring properties).

5.0 ASSESSMENT RESPONSE STATEMENT TO THE OBJECTIVES AND STANDARDS OF CLAUSE 55 – MARIBYRNONG PLANNING SCHEME

In addition to the site description and design response, this submission includes a Clause 55 assessment outlining compliance with each standard (refer to Appendix 5 - Clause 55 Checklist). Where a standard is not met, justification is provided to demonstrate how the corresponding objective is achieved, with reference to the relevant decision guidelines.

CLAUSE 55.02 NEIGHBOURHOOD CHARACTER

Clause 55.02-1 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.

Standard B2-1

Walls of buildings are setback 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

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

There is no distance specified in the schedule to the zone, therefore the distance specified in Table B2-1 is applicable to the development.

Table B2-1 Street Setback

Development Context	Minimum setback from street (metres)	Minimum setback for a side street
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	Not applicable

The site has abuttal to two separate residential allotments along the east and west boundary. The allotment to the east has a north south alignment and has been developed with a two storey dwelling with a direct street frontage to Shepherd Street. The dwelling to the east has a front setback of 3.0 metres to the front wall of the dwelling from the Shepherd Street frontage.

The allotment to the west has a north south alignment and has been developed with a single storey detached weatherboard dwelling with a direct street frontage to Shepherd Street. The dwelling to the west has a front setback of 6.0 metres to the front wall of the dwelling from the Shepherd Street frontage.

Based on the front setback development context of the buildings to the east and west, the required front setback for the proposed development is a 4.5 metre front setback or 6 metres whichever is the lesser. In this instance the 4.5 metre front setback is applicable to the development.

The proposed dwellings will each have a direct street frontage to Shepherd Street. The proposed development will have a transitional front setback of between 5.29 metres to the front wall of the dwellings to 6.0 metres to the front wall of the garages with projecting single storey rectangular boxed framed entrance that projects 1.4 metres into the front setback at a height of 3.48 metres. The proposed development meets the required setback at Table B2-1 Street setback.

The front setback proposed for the development takes into consideration the front setback of dwellings to the east and west of the site, along the north and south side of Shepherd Street, is well connected into the neighbourhood and maintains the front garden area. The front setback will not impact on the neighbourhood and streetscape character of the area.

There are no mature significant trees on site that need to be removed to accommodate the front setback. The front garden area of each dwelling is of sufficient size and area for the planting of a canopy tree that will contribute to the landscape character of the area.

The front setback proposed for the development provides a transitional front setback along the streetscape with minimal impact on the neighbourhood and streetscape character of the area or the adjoining properties to the east and west and along the north and south side of Shepherd Street. The front setback is in keeping with the front setback of the dwellings in the immediate and surrounding area. The front setback of the development meets Standard B2-1 Street setback.

Clause 55.02-2 Building height objective

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

Standard B2-2

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.

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

There is no maximum height specified in the schedule to this zone, if no maximum height is specified in the schedule to the zone: -

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

The proposed dwellings will be two storeys in height at an overall maximum height of 7.52 metres to the top of the pitch of the roof from natural ground level and does not exceed a building height of 11 metres and contains no more than 3 storeys at any point.

The slope and fall of the land will not affect the height of the proposed development. The height of the development can readily be absorbed in this neighbourhood context. The development will not have a visual impact on adjoining properties or when viewed from the street. The proposed development meets the requirements of Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building and Standard B2-2 Building Height.

Clause 55.02-3 Side and rear setbacks objective

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

Standard B2-3

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 setback in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

- **B2-3.1:**

The building is setback 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.

Sunblinds, verandahs, porches, eaves, fascias, 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

Side and rear setbacks at ground floor level

At ground floor level the proposed development will have maximum average wall heights that vary from 3.2 metres to 3.5 metres to the underside of the eaves and parapets. Pursuant to the standards of Diagram B2-3-1 the proposed development requires zero side and rear setbacks.

At ground floor level dwelling 1 concentrated along the east elevation of the site will be setback 1.83 metres from the east boundary with a setback of 8.0 metres from the rear north boundary to the rear wall of the dwelling.

Dwelling 2 concentrated along the west elevation of the site will be setback 1.43 metres from the west boundary, except for the associated single storey garage wall that will be built to the west boundary with a setback of 8.0 metres from the rear north boundary to the rear wall of the dwelling.

The proposed development provides separation from the neighbouring dwellings to the east and west to reflect the character of the area. The ground floor level setbacks from the east, north and west boundaries maintains and reinforces the side boundary setback pattern and the existing rhythm of dwelling spacing between dwellings. The ground floor level setbacks of the proposed development from the side and rear boundaries meets the setback standards of Diagram B2-3.1 Side and rear setbacks.

Side and rear setbacks along the west boundary

The associated single storey garage wall of dwelling 2 will be built to the west boundary sited adjacent to the side setback area of the dwelling to the west. The garage wall along the west boundary will be an average wall height of 3.1 metres and meets the setback standards of Diagram B2-3.1 Side and rear setbacks.

There is a habitable room window directly opposite where the proposed single storey garage wall along the west boundary will be sited. The dwelling to the west is setback 2.4 metres from the common boundary. The habitable room window along the east elevation of the dwelling to the west will maintain direct access to daylight and in excess of 1 metre clearances to the sky. There are no walls that will be sited adjacent to the secluded private open space of the dwelling to the west.

The height and siting of the wall along the west boundary will not impact on the amenity of the occupants of the dwelling to the west by way of access to daylight to habitable room windows and overshadowing the secluded private open space.

Walls built to one common side boundary forms part of the neighbourhood and streetscape character of the area. There is no need to increase the height of the wall on the boundary to screen a box gutter. There are no retaining walls proposed. The amenity of the occupants of the adjoining dwelling to the west will be protected. There are no walls that will be built to the east and rear north boundary of the site.

Side and rear setbacks at first floor level

At first floor level the proposed dwellings will have average wall heights of 6.3 metres to the underside of the eaves. Pursuant to the standards of Diagram B2-3-1, the first floor level of each dwelling requires a setback of 1.81 metres from the side and rear boundaries.

At first floor level dwelling 1 concentrated along the east elevation of the site will be setback between 2.58 metres to 3.58 metres from the east boundary with an extensive rear setback of 8.12 metres from the rear north boundary. Dwelling 2 concentrated along the west elevation will be setback between 2.18 metres to 3.46 metres from the west boundary with an extensive rear setback of 8.12 metres from the rear north boundary.

The varied and increased first floor level setbacks of the development from the east, north and west boundaries softens the visual bulk of the development when viewed from neighbouring properties consistent with the neighbourhood character of the area.

The proposed development is articulated and recessed at first floor level from the main ground floor level east, north and west elevations to provide first floor level relief and articulation. The upper level of the development is setback and visually recessive to respect the predominant single and two storey character of the streetscape. The first floor level setbacks from the east, north and west boundaries meet the setback standards of Diagram B2-3-1 relative to the height of the walls.

Habitable room windows of dwellings to the east, north and west are setback sufficient distance from the site and from where the proposed dwellings will be sited and will maintain direct access to daylight. Access to daylight to adjoining habitable room windows of adjoining properties will not be affected by the proposed development.

The first floor level setbacks of the dwellings from the side and rear boundaries combined with the attached wall construction at ground floor level and first floor level, the location and allocated secluded private open space of the dwellings to the east and north and the large area of the secluded private open space of the dwelling to the west ensures that the adjoining properties to the east, north and west are protected from significant overshadowing. (Refer to shadow diagrams).

The proposed development meets the setback standards of Diagram B2-3.1 Side and rear setbacks at ground and first floor level and meets Standard B2-3 Side and rear setbacks.

Clause 55.02-4 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

Standard B2-4

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.

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.

A shed structure abuts the boundary on the abutting allotment to the west. There are no walls that abut the boundary on the abutting allotments to the east and rear north boundary.

The proposed development is setback sufficient distance from the side and rear boundaries, except for the associated single storey garage wall of dwelling 2 that will be built to the west boundary.

Length of walls along the west boundary

The site has a length of 36.88 metres along the west boundary. Based on the above standard the maximum permissible length of wall allowed along the west boundary is a total length of 16.7 metres along the west boundary.

The associated single storey garage wall of dwelling 2 will be built to the west boundary sited adjacent to the side setback area of the dwelling to the west. The garage wall along the west boundary will be an average wall height of 3.1 metres and extends for a length of 6.38 metres and meets the length of walls on boundaries.

There is a habitable room window directly opposite where the proposed single storey garage wall along the west boundary will be sited. The dwelling to the west is setback 2.4 metres from the common boundary. The habitable room window along the east elevation of the dwelling to the west will maintain direct access to daylight and in excess of 1 metre clearances to the sky. There are no walls that will extend adjacent to the secluded private open space of the dwelling to the west.

The length, height and siting of the wall along the west boundary will not impact on the amenity of the occupants of the dwelling to the west by way of access to daylight to habitable room windows and overshadowing the secluded private open space.

There are no walls that will extend along the east and rear north boundary to maintain the characteristic rhythm of dwelling spacing. The length of the wall along the west boundary is respectful of the neighbourhood setting.

Walls, outbuildings and garage structures that extend along the common side and rear boundaries form part of the neighbourhood and streetscape character of the area. The proposed development meets Standard B2-4 Walls on boundaries.

Clause 55.02-5 Site coverage objective

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site

Standard B2-5

The site area covered by buildings should 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.

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
Neighbourhood Residential Zone	60 per cent
Township Zone	60 per cent
General Residential Zone	65 per cent
Residential Growth Zone	70 per cent
Mixed Use Zone	70 per cent
Housing Choice and Transport zone	70 per cent

There is no site coverage specified in the Schedule to the General Residential Zone, General Residential Areas. The subject site is zoned General Residential Zone whereby the 65 percent site coverage is applicable to the subject site.

The total building site coverage for the proposed development is 59.75 percent, which is significantly less than the 65 percent permitted in the standard. The site coverage achieved on site is acceptable in this neighbourhood setting.

There are no constraints imposed by existing development or the features of the site. The site has a north south alignment with abuttal to five separate residential allotments along the east, north and west boundaries. The proposed development is setback sufficient distance from the side and rear boundaries, except for the associated single storey garage wall of dwelling 2 that will be built to the west boundary consistent and in keeping with the neighbourhood setting.

The proposed development has been designed to have minimal impact on the adjoining properties to the east, north and west designed to follow the subdivision pattern and dwelling layout of dwellings in the immediate and surrounding area. The proposed development meets Standard B2-5 Site Coverage.

Clause 55.02-6 Access objective

To ensure the number and design of vehicle crossovers responds to the neighbourhood character

Standard B2-6

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.

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.

Vehicle access to and from the development is safe, manageable and convenient. The access way has been designed to allow convenient, safe and efficient vehicle movements and connections with the street network.

Access way along the Shepherd Street frontage

The site has a frontage width of 16.25 metres along the Shepherd Street frontage. The existing 3.0 metre wide vehicle access way along the south east corner of the site along the Shepherd Street frontage will be modified and utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 1 independent of dwelling 2.

A new 3.0 metre wide vehicle access way will be constructed along the extreme south west corner of the site along the Shepherd Street frontage to be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 2 independent of dwelling 1. There are no services that have to be removed to accommodate the construction of a new vehicle access way along the Shepherd Street frontage. The construction of a new vehicle access does not warrant the removal of the nature strip tree to facilitate the proposed design.

Based on the above standard if the width of the street frontage is less than 20 metres, the width of the access way should not exceed 40 per cent of the street frontage. The width of the access ways equate to 36.9 percent of the frontage and does not exceed the required 40 percent and is considered acceptable in this neighbourhood setting.

The vehicle access way for each dwelling will be concrete paved designed to be in keeping with the development. Ground covers and landscaping beds along the west and east elevation of each access way will soften the driveways edges, reduce hard paving surfaces and be designed to blend in be in keeping with the landscaping/lawn area within the front setback of each dwelling.

Each vehicle access way will have a corner splay at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area will be clear of visual obstructions adjacent to landscaped areas which are less than 900mm in height.

The introduction of a new vehicle access ways along the Shepherd Street frontage will not impact on the neighbourhood or streetscape character of the area. The access ways along the frontage of the site are spaced apart 6.5 metres to provide greater opportunities for landscaping along the frontage, reduce hard paving surfaces and connect the development with the neighbourhood and streetscape character of the area.

The development of the land for two new two storey attached dwellings in a side by side configuration with on site car parking and two vehicle access ways along the Shepherd Street frontage will not impact on traffic movements or increase traffic generation in the area. The width of the site along the Shepherd Street frontage ideally lends itself for two separate spaced apart vehicle access ways with minimal impact on the public realm.

The number and design of the vehicle access ways along the Shepherd Street frontage respects the neighbourhood and streetscape character of the area. The location of the access ways maximises the retention of on street car-parking spaces. The proposed development provides access for service, emergency and delivery vehicles. The proposed development meets Standard B2-6 Access objective.

Clause 55.02-7 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.

Standard B2-7

Provide a minimum canopy cover as specified in Table B2-7.1

Table B2-7.1 Canopy cover

Site area	Canopy cover
1000 square metres or less	10% of site area
More than 1000 square metres	20% of site area

Existing trees to be retained meet all of the following:

- Has a height of at least 5 metres,
- Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
- Has a trunk that is located at least 4 metres from proposed buildings.

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

Existing trees that are retained can be used in calculating canopy cover

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

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

Provide at least one new or retained tree in the front setback and the rear setback.

Trees are located in either:

- An area of deep soil as specified in Table B2-7.2; or
- A planter as 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.

The subject site has a total site area of 599.52 square metres which is 1000.0 square metres or less requiring 10% of the site area for canopy cover. The site is currently vacant with a tree along the perimeter of the south west boundary. The proposed development warrants the removal of the tree on site.

The proposed development provides for the planting of one Type A Canopy tree within the front setback of dwelling 2 and one Type A Canopy tree in the secluded private open space of each dwelling. The proposed development will provide for the planting of a total of three Type A canopy trees with a total site canopy coverage of 67.96 square metres which is more than 10% of the site area. The required canopy coverage has been achieved. The proposed development meets Standard B2-7 Tree canopy.

Clause 55.02-8 Front fences objective

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard B2-8

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

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

There is no front fence height specified in the schedule to this zone. A front fence does not bind the site along the Shepherd Street frontage.

A new low 1.2 metre high picket fence is proposed along the Shepherd Street frontage with automatically controlled sliding gates. The height and materiality of the front fence along the Shepherd Street frontage maintains the openness of front boundary treatments, the view of established front gardens and tree-lined streets, and the presentation of dwellings to the street.

The proposed development maintains and strengthens the garden dominated streetscape character and landscaped setting of the area. The front fence is in keeping with the architectural style and building materials of the proposed development. The proposed development meets Standard B2-8 Front Fences.

Clause 55.03-1 Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3-1

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.
- 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.

The proposed dwellings will cater for a diverse and mixed population group. The open plan living area of the proposed dwellings, which incorporates two new two-storey attached dwellings with five bedrooms, ground floor level entrance study and first floor level sitting room provides an opportunity for a range of household types and sizes.

Each dwelling contains a kitchen, bath and shower, and a toilet and washbasin at ground floor level. The proposed development will cater for different household sizes and meets Standard B3-1 Dwelling diversity.

Clause 55.03-2 Parking location objective

To minimise the impact of vehicular noise within developments on residents.

Standard B3-2

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.

Car parking facilities are convenient to dwellings and secure, allow surveillance from windows and do not obscure the view between the street and the front windows. The internal layout of each dwelling and the location of the garages will ensure that the emission of noise from occupants or their vehicles will not detract from the amenity of adjoining residents.

Vehicle accommodation will not dominate the neighbourhood and streetscape character of the area. The garages have been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling.

The garages for each of the dwellings are setback behind the front façade of the dwellings and will not project forward of the front building line. The garages will setback 6.0 metres from the Shepherd Street frontage to provide a transition along the street interface. In addition the garage of dwelling 1 will be setback 1.8 metres from the east boundary to maintain rhythm of dwelling spacing and reduce vehicle dominance along the Shepherd Street interface.

There are no habitable room windows with an interface with the vehicle access way. The proposed development meets Standard B3-2 Parking Location.

Clause 55.03-3 Street integration objective

To integrate the layout of development with the street to support the safety and amenity of residents.

Standard B3-3

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.
- 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 are to 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

The proposed site layout will integrate well with and enhance the streetscape. In addition, a strong sense of address and privacy will be provided for future occupants. The proposed development will allow for a layout that is functional and capable of efficient maintenance.

Full length windows to the ground floor study of each dwelling and first floor bedroom of each dwelling will provide a direct view to the Shepherd Street streetscape, provide increased passive surveillance to the street and support the safety and amenity of residents.

Proposed prefabricated mailboxes will be installed along the frontage of each dwelling. The mailboxes will be in accordance with Australia Post requirements.

Site services including water and electricity metres will not be visible from the street. The water metres are located behind the front fence. The electricity metres are contained within the site along the side setback area of dwelling 1 and the side setback area of dwelling 2 setback in excess of 3 metres from the street frontage.

The position and layout of the new dwellings respects the privacy and amenity of adjoining properties. The proposed development meets Standard B3-3 Street Integration.

Clause 55.03-4 Entry objectives

To provide each dwelling, apartment development or residential building with its own sense of identity.

To provide entries with weather protection, safe design, natural light and ventilation.

Standard B3-4

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.
- Has an external covered area of at least 1.44 square metres with a minimum dimension of at least 1.2 metres over the entry door.

The dwellings each have its own sense of identity and address. The entry to each of the dwellings will be visible and accessible from Shepherd Street. The entrance to each dwelling has a direct line of sight from the street.

Full length windows to the ground floor level study of each dwelling ensures dwellings allow observation of adjacent streets and provide increased passive surveillance to the Shepherd Street frontage. The entrances are not obscured or isolated.

The entries provide for shelter and a sense of personal address with feature identifiable external covered front porch entrance that vary from 3.89 square metres for dwelling 1 and 4.18 square metres for dwelling 2 with a minimum dimension of at least 1.4 metres over the entry door for each dwelling.

The entrances incorporate features to enable casual surveillance of visitors and the street. The proposed development meets Standard B3-4 Dwelling entry.

Clause 55.03-5 Private open space objectives

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B3-5

A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone. 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.

If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;

- The area and dimensions specified in the schedule must be 25 square metres or less; and
- The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

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.

There is no area and dimension of the private open space or secluded private open space specified in the schedule to the zone. Open space on site for each dwelling is situated to the rear of each dwelling. The development will provide sufficient private open space for the reasonable recreation, service and storage needs of residents.

Dwelling 1 concentrated along the east elevation of the site will have direct access to 88.36 square metres of secluded private open with a minimum width of 5.0 metres along the rear north elevation (excluding the outdoor Alfresco area) with convenient access from the ground floor level open layout kitchen, meals and living room areas. The dwelling will have direct access to an outdoor roofed Alfresco area covering an area of 18.89 square metres.

Dwelling 2 concentrated along the west elevation will have direct access to 68.88 square metres of secluded private open space with a minimum width of 5.0 metres along the rear north elevation (excluding the outdoor Alfresco area) with convenient access from the ground floor level open layout kitchen, meals and living room areas. The dwelling will have direct access to an outdoor roofed Alfresco area covering an area of 20.09 square metres.

The open space for each dwelling has sufficient width and dimension to provide for lawn cover, the planting of a canopy tree, the recreational needs of the occupants and site facilities.

The width and area of the open space maintains the open space corridor of the dwellings to the west. The proposed dwellings have been designed to connect the main indoor living room areas with the outdoor recreation areas and provide a positive interface and outlooks. The secluded private of each of the dwellings are accessible from the inside of the dwelling.

An open-air clothes-drying facility is proposed along the side setback area of dwelling 1 along the east elevation and along the side setback area of dwelling 2 along the west elevation, not visible from the street. The proposed development meets Standard B3-5 Private open space.

Clause 55.03-6 Solar access to open space objective

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

Standard B3-6

The southern boundary of secluded private open space is 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.

The subject site has a north south alignment. Each dwelling will have direct access to north orientated secluded private open space. The area and width of the open space is of sufficient size and area to receive adequate amount of sunlight. The proposed development meets Standard B3-6 Solar access to open space.

Clause 55.03-7 Functional layout objective

To ensure dwellings provide functional areas that meet the needs of residents.

Standard B3-7

Bedrooms:

- Meet the minimum internal room dimensions specified in Table B3-7.1; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

Table B3-7.1 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedrooms	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Main bedrooms and all other bedrooms provide the minimum width internal room dimensions in addition to a separate area to accommodate a wardrobe. All bedrooms meet the minimum internal room dimensions specified in Table B3-7.1 Bedroom dimensions.

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

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 metres
2 or more bedroom dwelling	3.6 metres	12 metres

Each dwelling has an open layout kitchen, meals and living room area. The living room area of dwelling 1 will have minimum width of 5.9 metres covering an area of 29.5 square metres. The living room area of dwelling 2 will have a minimum width of 6.3 metres covering an area of 31.9 square metres. The living room area dimensions for each dwelling meet the minimum internal room dimensions specified in Table B3-7.2 Living area dimensions. The proposed development meets Standard B3-7 Functional layout.

Clause 55.03-8 Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard B3-8

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.

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.

The depth of each single aspect room ensures adequate daylight into habitable room windows. Each dwelling will have excellent daylight to habitable spaces with glazing to all windows. The proposed development meets Standard B3-8 Room Depth.

Clause 55.03-9 Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard B3-9

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.

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.

The proposed development has been designed to provide adequate daylight into new habitable room windows. Habitable room windows of the proposed dwellings have north, west, south and east orientation.

The side setbacks from the east boundary for dwelling 1 and from the west boundary for dwelling 2 provide light infiltration to the ground floor level open layout kitchen, meals and living room areas.

Full length glass sliding doors along the rear north elevation of each dwelling have been designed to face an outdoor Alfresco area and the secluded private open space area to provide light infiltration to the main ground floor level open layout kitchen, meals and living room area.

First floor level habitable room windows along the east, north, west and south elevation of each dwelling will provide light infiltration to first floor level hallway, sitting room, amenities and bedrooms. The first floor level setbacks from the east, north and west boundaries at first floor level provide light infiltration to first floor level habitable room windows. The proposed development meets Standard B3-9 Daylight to new windows objective.

Clause 55.03-10 Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B3-10

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.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

The dwellings have been designed in a west east alignment. The layout of the dwellings maximises openable windows and doors in external walls of each of the dwellings where appropriate.

The proposed dwelling 1 has openable windows and doors along the north, east and south elevations at ground floor level to provide for a breeze path of on in excess of 16.7 metres. First floor level openable habitable room windows along the north, east and south will provide a breeze path through dwelling 1 of in excess of 25.2 metres.

The proposed dwelling 2 will have openable windows and doors along the north, west and south elevations at ground floor level to provide for a breeze path of in excess of 16.7 metres. First floor level openable habitable room windows along the north, west and south elevation will provide a breeze path through the dwelling of in excess of 25.2 metres.

The breeze path is measured between the ventilation openings on different orientations of the dwelling. Each dwelling has strong sense of spatial flow. All living rooms and bedrooms are effectively ventilated through access to natural ventilation. Effective cross ventilation is achieved when the inlet and outlet have the same area allowing air to be drawn through the dwelling using opposite air pressure on each side of the dwelling. The proposed development meets Standard B3-10 Natural ventilation.

Clause 55.03-11 Storage Objective

To provide adequate storage facilities for each dwelling.

Standard B3-11

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.

Each dwelling has convenient access to 6 cubic metres of accessible, secure storage space in the secluded private open space of dwelling 1 and separate storage area adjacent to the garage in the hall way of dwelling 2. The storage facilities will not be visible from the street. The proposed development provides adequate storage facilities for each dwelling. The proposed development meets Standard B3-11 Storage.

CLAUSE 55.04 EXTERNAL AMENITY

Clause 55.04-1 Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

Standard B4-1

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.

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.

The site has abuttal to five separate residential allotments along the east, north and west boundaries. Habitable room windows along the west elevation of the dwellings to the east are setback between 2.0 metres to 2.3 metres from the common boundary. Habitable room windows along the south elevation of the dwelling to the north are setback 2.2 metres from the common boundary and habitable room windows along the east elevation of the dwelling to the west are setback 2.4 metres from the common boundary.

The habitable room windows of the dwellings to the east, north and west are setback sufficient distance from the site and from where the proposed dwellings will be sited and will maintain direct access to daylight and in excess of 1 metre clearances to the sky.

The ground and first floor level setbacks of the proposed dwellings from the east, north and west boundaries ensures habitable room windows of adjoining properties maintain direct access to daylight and in excess of 1 metre clearances to the sky. The proposed development meets Standard B4-1 Daylight to existing windows

Clause 55.04-2 Existing north-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B4-2

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.
- For new buildings that meet the Standard B2-3.2 setback, the building is setback 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.

The site has a north south alignment. There are no north facing windows within 3 metres of the proposed development. The proposed development meets Standard B4-2 Existing north facing windows.

Clause 55.04-3 Overshadowing secluded open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-3

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.

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.

The site has abuttal to five separate residential allotments along the east, north and west boundary. The shadow analysis indicates that the principal private open space of the adjoining properties to the east, north and west will receive a minimum of five hours of direct sunlight between 9am and 3pm on the 22 September. (Refer to shadow diagrams).

The large area of the open space of the dwelling to the west, the northern orientation of the allotment to the north and the area and located of the secluded private open space of the dwellings to the east combined with the first floor level setbacks of the proposed two storey dwellings from the side and rear boundaries and the siting of the first floor level building envelope ensures the principal private open space of the dwellings to the east, north and west receives adequate amount of sunlight. There will be minimal reduction of sunlight to the secluded private open space of the dwellings to the east, north and west.

Sunlight penetration to the secluded private open space of the proposed dwellings will receive adequate amount of sunlight for the recreational needs of future occupants. The proposed development meets Standard B4-3 Overshadowing secluded private open space.

Clause 55.04-4 Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

Standard B4-4

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.

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

In Clause 55.04-4 a habitable room does not include a bedroom. Each dwelling will comprise four bedrooms and a sitting room at first floor level. The first floor level habitable room windows of the sitting room of each dwelling will have obscure glass to a sill height of 1.7 metres above first floor level and clear glazing above to prevent any potential internal overlooking the east and west.

There are first floor level habitable room windows along the south elevation of each dwelling with direct outlooks to Shepherd Street. These habitable room windows articulate the façade of each dwelling along the street interface, create visual interest and provide increased surveillance to the street.

There are no overlooking concerns from the ground floor level habitable room windows. The height of the boundary fences along the east, north and west boundaries will act as a screening device and mitigate any potential ground floor level overlooking. The proposed development meets Standard B4-4 Overlooking.

Clause 55.04-5 Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B4-5

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.

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.

Each dwelling will have a first floor level bedroom window along the rear north elevation. In Clause 55.04-5 a habitable room window does not include a bedroom. There is no requirement for screening devices to the first floor level bedroom windows along the north elevation of each dwelling to prevent internal views into the secluded private open space and habitable room windows of dwellings within the development.

The proposed dwellings have been designed to limit the views into the secluded private open space and habitable room windows of each proposed dwelling. A new dividing 1.8 metre high colorbond fence is proposed between the dwellings to prevent and mitigate any potential ground floor level overlooking within the development. The proposed development meets Standard B4-5 Internal views.

CLAUSE 55.05 SUSTAINABILITY

Clause 55.05-1 Permeability and stormwater management objective

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.

Standard B5-1

The site area covered by the pervious surfaces is at least 20 percent of the site.

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.

Note: A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective- Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.

- 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.

At least 20 per cent of the site will not be covered by impervious surfaces. The proposed development will not cause an increase in stormwater runoff. The side and rear setback areas, the ground floor level setbacks of the dwellings from the east, north and west boundaries, the area of the secluded private open space of each dwelling and the front garden of each dwelling have the capacity to absorb run off.

The proposed development avoids long gun barrel driveways and hard paving surfaces with each dwelling having its own separate vehicle and pedestrian access with opportunities for landscaping within the side setback areas and within the front setback of each dwelling. (Refer to Storm Report and WSUD Plan). The proposed development meets Standard B5-1 Permeability and stormwater management.

Clause 55.05-2 Overshadowing domestic solar systems objective

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.

Standard B5-2

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 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.

This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.

In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

The subject site is situated in a General Residential Zone with abuttal to five separate residential allotments along the east, north and west boundaries. There are no domestic solar energy systems on the roofs of the neighbouring properties to the west and north.

The site has abuttal to three separate residential allotments along the east boundary. The allotment immediately to the east at No. 3 Hancock Crescent, Braybrook has a west east alignment and has been developed with three dwellings extending the length of this allotment. There is a domestic solar energy system on the roof of No. 3/1 Hancock Crescent. This dwelling is setback 2.0 metres from the common boundary.

The objective of Clause 55.05-2 is to ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on adjoining lots. While some limited overshadowing will occur, the proposal achieves the intent of the objective and responds appropriately to the decision guidelines.

The adjoining property at No. 3/1 Hancock Crescent contains a rooftop domestic solar energy system with a total area of approximately 7.90 square metres, located approximately 4.0 metres from the common boundary. This positioning demonstrates that the system has been sited to optimise solar access and operational efficiency, consistent with the considerations of the decision guidelines.

Dwelling 1 concentrated along the east elevation of the site will have a wall height of 6.32 metres to the underside of the eaves at first floor level. In accordance with Standard B5-2, this height generates a required setback of 1.82 metres from the east boundary. The proposed first floor setback ranges from 2.58 metres to 3.58 metres, exceeding the minimum requirement and increasing adjacent to the location of the solar energy system. This design response appropriately moderates potential overshadowing impacts.

The shadow diagrams confirm that at 4:00pm on 22 September, a limited portion of the solar array (approximately 1.65 square metres) will be affected by shadowing. The majority of the system will continue to receive direct sunlight throughout the key solar access period between 9:00am and 4:00pm. Given the extent, timing and limited area of overshadowing, the proposal maintains reasonable solar access to the existing system.

On balance, the proposed building setbacks, increased separation adjacent to the solar installation, and the limited nature of overshadowing demonstrate that the objective of Clause 55.05-2 is met. The design has appropriately considered the siting and efficiency of the existing domestic solar energy system and satisfies the relevant decision guidelines.

Clause 55.05-3 Roof top energy generation area objective

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Standard B5-3

In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- Has a minimum dimension of 1.7 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.

Table B5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres
4 or more bedroom dwelling	34 square metres

This standard does not apply to apartments and residential buildings.

Each dwelling proposed for the site will comprise five bedrooms and a first floor level sitting room. Based on the above standard each dwelling requires a minimum roof area of 34 square metres to enable the future installation of a solar energy system.

The rooftop solar energy area provided on the roof of each proposed dwelling to enable the future installation of a solar energy system will cover an area of 34.0 square metres. The proposed development meets Standard B5-3 Roof top energy generation area.

Clause 55.05-4 Solar protection to new north-facing windows

To encourage external shading of north facing windows to minimise summer heat gain.

Standard B5-4

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.

The proposed dwellings have been designed and orientated in a north south alignment. The north facing ground floor level glass sliding door along the north elevation of each dwelling will have a roofed Alfresco area above the glass sliding doors. The first floor level north facing windows of each dwelling will be shaded by fixed 450mm eave shading devices along the north elevation to minimise summer heat gain.

The external shading for the proposed dwellings have been designed and integrated into the building design to optimise solar access and thermal comfort. The proposed development meets B5-4 Solar protection to new north-facing windows.

Clause 55.05-5 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.

Standard B5-5

Dwelling (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

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling	1.8 square metres	0.8 metre	1.8 metres
Shared bin storage area for 3 dwelling or less	5.4 square metres	0.8 metre	1.8 metres
Shared bin storage area for 4 or more dwellings	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres

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.

Dwelling 1 will have an allocated bin storage area of 1.8m² along the east side setback area and dwelling 2 will have an allocated bin storage area of 1.8m² along the west side setback area to accommodate individual bins. Each bin storage area will have a tap for bin washing.

The bins will be located to the front of the properties on collection days only. Each dwelling has an allocated bin for waste and recycling adequate in size, durable and waterproof located for convenient access by residents. The proposed development meets Standard B5-5 Waste and Recycling.

Clause 55.05-6 Noise impacts objective

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

Standard B5-6

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.

The proposed development has been designed to contain noise sources within the development and to protect residents from external noise. There are no mechanical plants proposed immediately adjacent to bedrooms.

The proposed dwellings will be constructed in selected face brick work to ground floor level walls with sections applied render finish and weatherboard cladding to first floor level walls. This will help accommodate any noise concerns and construction will comply with F(5) of the Building Code of Australia.

Noise sensitive rooms and secluded private open spaces of each dwelling have been designed and sited to take into consideration noise sources on immediately adjacent properties.

The site is not situated close to a busy road, railway line or industry. Habitable room windows will be appropriately insulated to protect the amenity of any future occupants from potential noise sources. The proposed development meets Standard B5-6 Noise Impacts.

6.0 CONCLUSION

Based on this planning submission and the accompanying Clause 55 Assessment Response Statement, it is demonstrated that the proposal complies with all relevant objectives and standards of Clause 55 of the Maribyrnong Planning Scheme, with no variations proposed to any of the standards.

The proposed development will supplement housing choice available within the area and as such is in conformity with the purpose of the General Residential Zone (GRZ1) and the objectives of urban consolidation.

The proposed development is innovative and site specific designed development that is respectful of the residential form of the streetscape and respects the amenity of adjoining properties.

The development as a whole is an integral and attractive contribution to the area that is an appropriate form of infill development for the site and the immediate and surrounding area, the variety of architectural dwelling styles and types in the area and the minimal impact on the amenity of the occupants of the dwellings to the east, north and west.

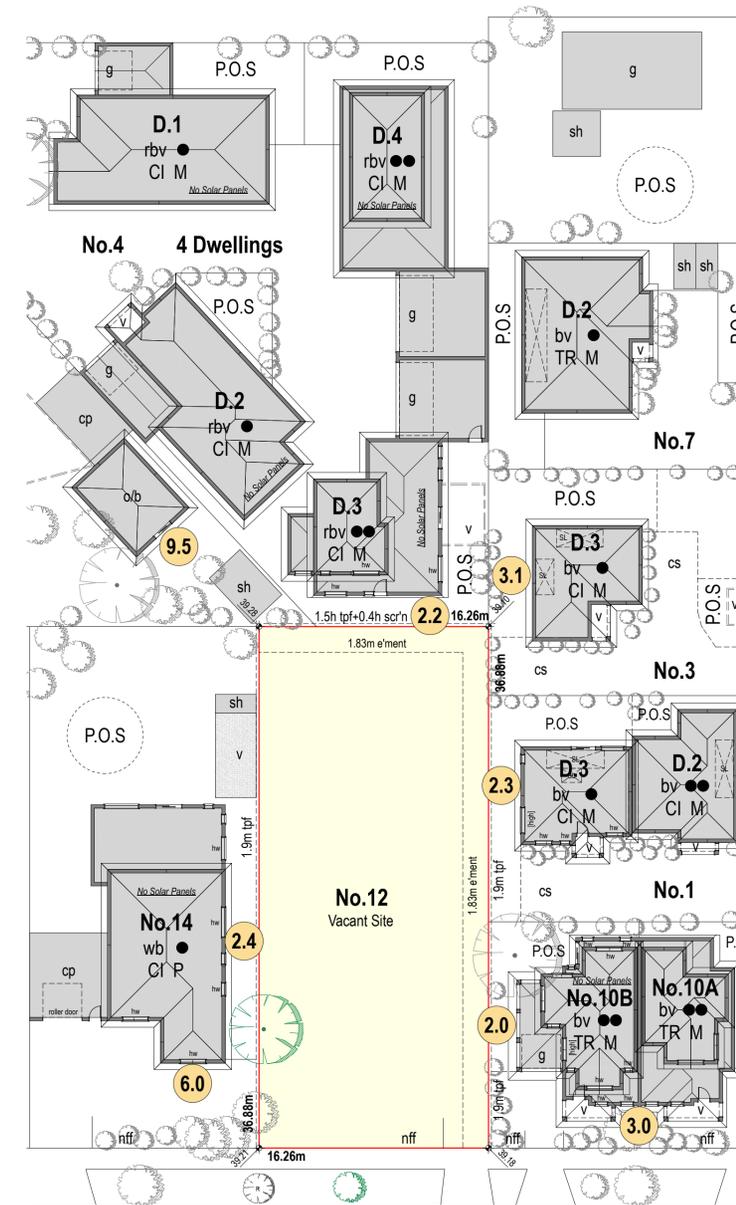
Natascha Placencio
Director – Planning Consultant

Clause 55 - Two or more dwellings on a lot and Residential Buildings

SITE DESCRIPTION PLAN



STREETScape VIEW OF THE SITE



Site 1:250

NEIGHBOURHOOD & SITE LEGEND

In relation to the neighbourhood

Building materials and height:

bv	Brick Veneer Construction	●	Single Storey
cc	Concrete Construction	●●	2 Storey
wb	Weatherboard Construction	●●●	3 Storey
rbv	Rendered Brick Construction		
fc	Fibro Construction		
ci	Corrugated iron		

Architectural styles & roof materials:

P	Period Style	TR	Tiled Roof
M	Modern Contemporary	CI	Corrugated Iron Roof

Fencing:

cif	Corrugated iron fence	sf	Steel fence
wf	Wire fence	b/sf	Brick / steel fence
pf	Picket fence	b/tf	Brick / timber fence
bf	Solid brick fence	b/pf	Brick / picket fence
tf	Timber fence	rw	Retaining wall
tpf	Timber paling fence	nff	No front fence

Other Notable Features:

1.0	Setback from front and side boundaries	vu	Verandah Under
v	Verandah	c	Canopy
perg	Pergola	ob	Outbuilding
sh	Shed	gu	Garage Under
g	Garage	cpu	Carport Under
cp	Carport	balc	Balcony
cs	Carspace		

In relation to the site (as indicated on plan)

Approx. site area 599.52m sq.*
 Site shape, orientation and easements
 Levels of site and surrounding properties
 Location of existing buildings on site
 Location and height of walls built to the boundary
 The use of surrounding buildings (residential unless otherwise indicated)

h/w	Habitable room windows only which have an outlook to the site within 9m
P.O.S.	Secured private open space which have an outlook to the site within 9m

Location of trees on site

●	Small to Medium ornamental trees & shrubs
○	Mature significant canopy trees
○	Recently removed trees

No contaminated soils

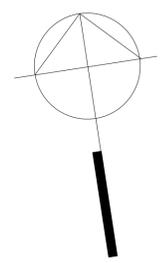
Street frontage features

D	Drainage pit		Railway/LRT
T	Telecommunication pit	⊗	Water valve
P	M.M.B.W. pit	⊕	Telstra Bollard
E	Electricity pit	⊗	Traffic Control Box
U	Utility Pole	⊗	Sanitary Sewer Manhole
S	Street sign	⊗	Sewer Inspection Chamber
F	Fire hydrant	⊗	Postal Box
		⊗	Solar Panel

Kerb crossovers as indicated
Street trees as indicated

* Denotes to be confirmed by the Designer or the Owner

Approx. 180mm Landfall*



Notation:
 (COS) Where access and visibility to adjoining properties is restricted indicatives are shown. It is recommended a site visit is carried out by the designer. This drawing should not be used as a feature survey and is intended as a neighbourhood and site description plan for town planning purposes only.
 Although every endeavour has been made to provide correct dimensions and details of adjoining properties, it is policy of Site Matters that it shall not trespass unless written consent is provided. Where consent is not given, estimates are provided on plan.
 Copyright: All rights reserved. This drawing remains the property of SITE MATTERS and is only to be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted in any form or by any means without the explicit written authority of SITE MATTER.
 Unauthorised use of this document in any form whatsoever is prohibited.

SITE MATTERS
 SITE ANALYSIS CONSULTANTS
 Ph. 9388 8365 Fax. 9388 8369

Proposed **Unit Development**

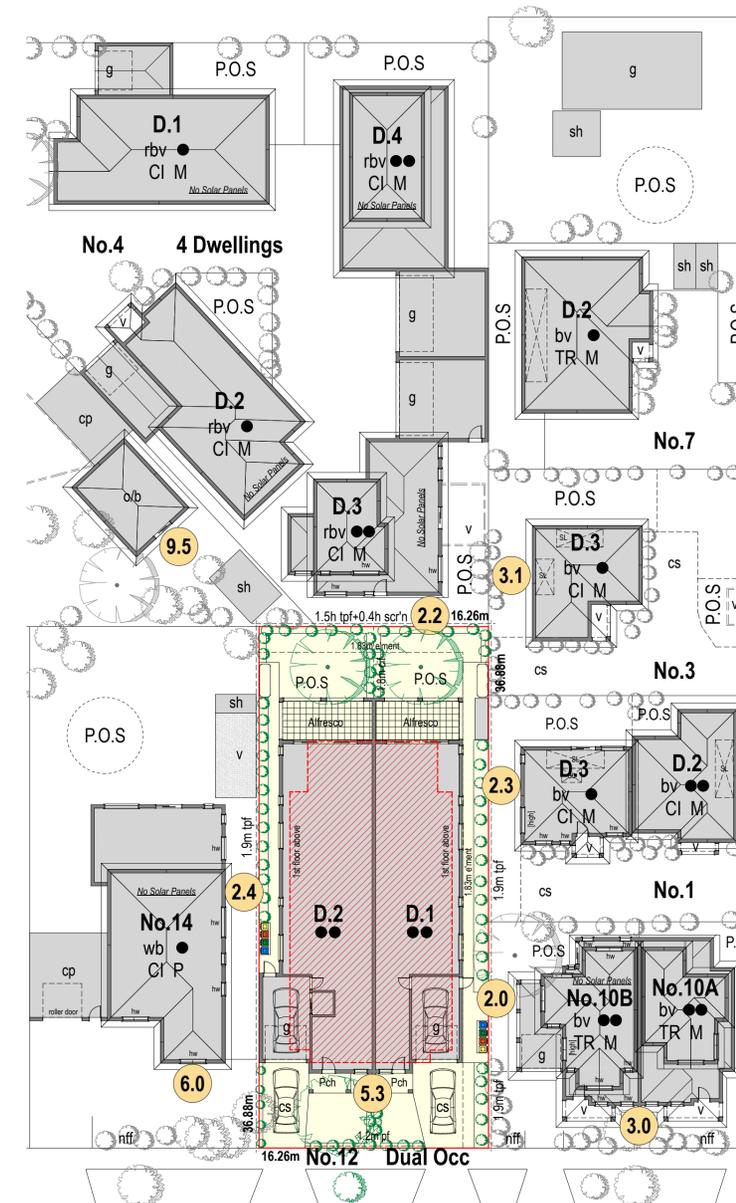
Address **12 Shepherd Street**
Braybrook

Date **November 2025** Drawn by **HT**

Sheet no. **1** Scale **1:500** Ref. no. **25 1103**

Clause 55 - Two or more dwellings on a lot and Residential Buildings

DESIGN RESPONSE PLAN



NEIGHBOURHOOD & SITE LEGEND

In relation to the neighbourhood

Building materials and height:

bv	Brick Veneer Construction	●	Single Storey
cc	Concrete Construction	●●	2 Storey
wb	Weatherboard Construction	●●●	3 Storey
rbv	Rendered Brick Construction		
fc	Fibro Construction		
ci	Corrugated iron		

Architectural styles & roof materials:

P	Period Style	TR	Tiled Roof
M	Modern Contemporary	CI	Corrugated Iron Roof

Fencing:

cif	Corrugated iron fence	sf	Steel fence
wf	Wire fence	b/sf	Brick / steel fence
pf	Picket fence	b/tf	Brick / timber fence
bf	Solid brick fence	b/pf	Brick / picket fence
tf	Timber fence	rw	Retaining wall
tpf	Timber paling fence	nff	No front fence

Other Notable Features:

1.0	Setback from front and side boundaries	vu	Verandah Under
v	Verandah	c	Canopy
perg	Pergola	ob	Outbuilding
sh	Shed	gu	Garage Under
g	Garage	cpu	Carport Under
cp	Carport	balc	Balcony
cs	Carspace		

In relation to the site (as indicated on plan)

Approx. site area 599.52m sq.*
 Site shape, orientation and easements
 Levels of site and surrounding properties
 Location of existing buildings on site
 Location and height of walls built to the boundary
 The use of surrounding buildings (residential unless otherwise indicated)

hw	Habitable room windows only which have an outlook to the site within 9m
P.O.S.	Secured private open space which have an outlook to the site within 9m

Location of trees on site

●	Small to Medium ornamental trees & shrubs
○	Mature significant canopy trees
○	Recently removed trees

No contaminated soils

Street frontage features

D	Drainage pit	⊞	Railway/LRT
T	Telecommunication pit	⊞	Water valve
P	M.M.B.W. pit	⊞	Telstra Bollard
E	Electricity pit	⊞	Traffic Control Box
U	Utility Pole	⊞	Sanitary Sewer Manhole
S	Street sign	⊞	Sewer Inspection Chamber
F	Fire hydrant	⊞	Postal Box
		⊞	Solar Panel

Kerb crossovers as indicated
Street trees as indicated

*** Denotes to be confirmed by the Designer or the Owner**

Site 1:250

Approx. 180mm Landfall*

Notation:
 (COS) Where access and visibility to adjoining properties is restricted indicatives are shown. It is recommended a site visit is carried out by the designer. This drawing should not be used as a feature survey and is intended as a neighbourhood and site description plan for town planning purposes only.
 Although every endeavour has been made to provide correct dimensions and details of adjoining properties, it is policy of Site Matters that it shall not trespass unless written consent is provided. Where consent is not given, estimates are provided on plan.
 Copyright: All rights reserved. This drawing remains the property of SITE MATTERS and is only to be used for its commissioned purpose. No part of this document may be reproduced, modified or transmitted in any form or by any means without the explicit written authority of SITE MATTER.
 Unauthorised use of this document in any form whatsoever is prohibited.

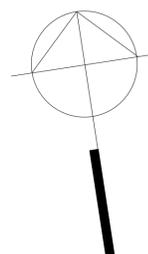
SITE MATTERS
 SITE ANALYSIS CONSULTANTS
 Ph. 9388 8365 Fax. 9388 8369

Proposed **Unit Development**

Address **12 Shepherd Street**
Braybrook

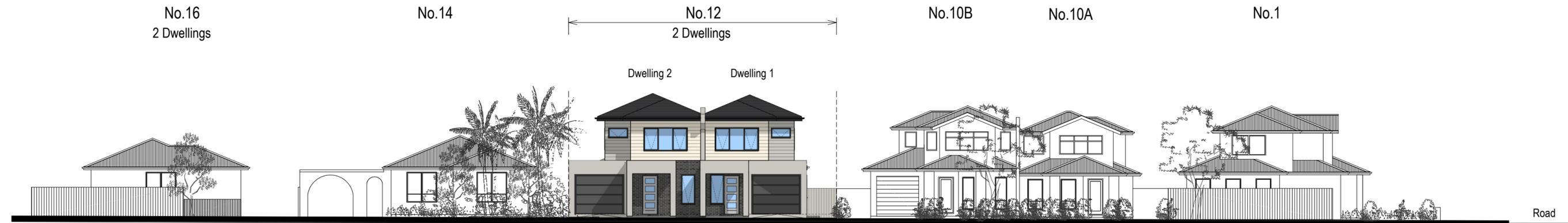
Date **December 2025** Drawn by **HT**

Sheet no. **2** Scale **1:500** Ref. no. **25 1103**



Clause 55 - Two or more dwellings on a lot and Residential Buildings

DESIGN RESPONSE STREETScape ELEVATION



Shepherd Street Elevation

SITE MATTERS SITE ANALYSIS CONSULTANTS		
Ph. 9388 8365 Fax. 9388 8369		
Proposed	Unit Development	
Address	12 Shepherd Street Braybrook	
Date	Amended February 2026	Drawn by HT
Sheet no.	3	Scale 1:200 Ref. no. 25 1103

THE SITE



THE SITE

STREETSCAPE VIEW ALONG THE NORTH SIDE OF SHEPHERD STREET, BRAYBROOK.



DIRECTLY OPPOSITE

STREETSCAPE VIEW ALONG THE SOUTH SIDE OF SHEPHERD STREET, BRAYBROOK.



INTERFACE ALONG THE WEST BOUNDARY OF THE SITE



INTERFACE ALONG THE EAST BOUNDARY OF THE SITE



INTERFACE ALONG THE REAR NORTH BOUNDARY OF THE SITE

CLAUSE 55 STATEMENT CHECKLIST

SITE: NO. 12 SHEPHERD STREET, BRAYBROOK
PROPOSAL: TWO DWELLINGS ON A LOT

Where all the applicable standards shaded in grey are met, an objector has no right of appeal

Standard	Is standard fully met	Does an objector have a right of appeal	Standard not met (refer to written statement)
Standard B2-1 Street setback (Clause 55.02-1)	Yes	No – standard met	
Standard B2-2 Building Height (Clause 55.02-2)	Yes	No - standard met	
Standard B2-3 Side and rear setbacks (Clause 55.02-3)	Yes	No - standard met	
Standard B2-4 Walls on boundaries (Clause 55.02-4)	Yes	No - standard met	
Standard B2-5 Site Coverage (Clause 55.02-5)	Yes	No - standard met	
Standard B2-6 Access (Clause 55.02-6)	Yes	No - standard met	
Standard B2-7 Tree Canopy (Clause 55.02-7)	Yes	No - standard met	
Standard B2-8 Front Fences (Clause 55.02-8)	Yes	No - standard met	
Standard B3-1 Dwelling Diversity (Clause 55.03-1)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-2 Parking Location (Clause 55.03-2)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-3 Street Integration (Clause 55.03-3)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-4 Entry (Clause 55.03-4)	Yes	No, irrespective of whether the standard is met or not	

Standard	Is standard fully met	Does an objector have a right of appeal	Standard not met (refer to written statement)
Standard B3-5 Private Open space (Clause 55.03-5)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-6 Solar access to open space (Clause 55.03-6)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-7 Functional layout (Clause 55.03-7)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-8 Room depth (Clause 55.03-8)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-9 Daylight to new windows (Clause 55.03.9)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-10 Natural Ventilation (Clause 55.03-10)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-11 Storage (Clause 55.03-11)	Yes	No, irrespective of whether the standard is met or not	
Standard B3-12 Accessibility for apartment developments (Clause 55.03-12)	Yes	No, irrespective of whether the standard is met or not	
Standard B4-1 Daylight to existing windows (Clause 55.04-1)	Yes	No - standard met	
Standard B4-2 Existing north facing windows (Clause 55.04-2)	Yes	No - standard met	
Standard B4-3 Overshadowing secluded private open space (Clause 55.04-3)	Yes	No - standard met	
Standard B4-4 Overlooking (Clause 55.04-4)	Yes	No - standard met	
Standard B4-5 Internal views (Clause 55.04-5)	Yes	No, irrespective of whether the standard is met or not	

Standard	Is standard fully met	Does an objector have a right of appeal	Standard not met (refer to written statement)
Standard B5-1 Permeability and stormwater management (Clause 55.05-1)	Yes	No, irrespective of whether the standard is met or not	
Standard B5-2 Overshadowing domestic solar energy systems (Clause 55.05-2)	Yes	No - standard met	
Standard B5-3 Rooftop solar energy generation area (Clause 55.05-3)	Yes	No, irrespective of whether the standard is met or not	
Standard B5-4 Solar protection to new north facing windows (Clause 55.05-4)	Yes	No, irrespective of whether the standard is met or not	
Standard B5-5 Waste Water and recycling (Clause 55.05-5)	Yes	No, irrespective of whether the standard is met or not	
Standard B5-6 Noise impacts (Clause 55.05-6)	Yes	No, irrespective of whether the standard is met or not	
Standard B5-7 Energy efficiency for apartment developments (Clause 55.05-7)	Not Applicable	No, irrespective of whether the standard is met or not	Not Applicable