VICTORIA’S BIG HOUSING BUILD

**Purpose**

To facilitate the use and development of land for housing projects funded by Victoria’s Big Housing Build program.

To ensure that development does not unreasonably impact on the amenity of adjoining dwellings.

**Application**

This clause applies to the use or development of land that is:

- Funded wholly or partly, under Victoria’s Big Housing Build program; and
- Carried out by or on behalf of the Director of Housing.

This clause does not apply to:

- The subdivision of land.
- The use or development of land in an industrial zone, rural zone or Port Zone.
- A use or development to which clauses 51.01 or 45.12, or any schedule to the clauses apply.
- A use or development that would not require a permit under a provision of this planning scheme were it not for the exemption in clause 52.20-2.
- A use or development that is inconsistent with an applicable Statement of Planning Policy.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.

In this clause, *Director of Housing* means ‘Director of Housing’ as defined in the *Housing Act 1993* and the body corporate established under the *Housing Act 1993*.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this clause 52.20 applies to if requirements of clause 52.20 are met.

This exemption does not apply to a requirement in clauses 44.06, 45.03, 45.07, 45.08, 51.03 or 52.02, or in any schedule to those clauses.

**Use and development requirements**

The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the responsible authority.

The use and development of land to be carried out to the satisfaction of the responsible authority must not commence until funding under Victoria’s Big Housing Build program is approved.

**Consultation requirements**

Before the use or development commences:

- Public consultation, and consultation with the relevant municipal council, must be undertaken.
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the responsible authority.
The requirements of clause 52.20-4 must be undertaken to the satisfaction of the responsible authority and may be varied or waived by the responsible authority.

**Other pre-commencement requirements**

Before the use or development commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority:

- Written confirmation from the Department of Health and Human Services or the Director of Housing that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.

- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.

- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.

- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.

- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.

- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.

- A report that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59. The report must address how a proposed use that is not a dwelling or residential building is in conjunction with that use.

- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.

- A schedule of works and development including staging and the expected commencement and completion times.

- A report that details how the proposed development responds to the development standards of:
  - Clause 52.20-6 for the construction or extension of a dwelling.
  - Clause 52.20-6 and clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of clauses 52.20-6.14 and 52.20-6.18 do not apply to an apartment development or residential building.

- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
- A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
- A copy of any report, plan or other document required to be prepared under those conditions.

- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the responsible authority considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the responsible authority.

### Development standards for dwellings and buildings

#### 52.20-6

##### Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

#### 52.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 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.

### Table 1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Development context</td>
<td>Minimum setback from front street (metres)</td>
<td>Minimum setback from a side street (metres)</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.</td>
<td>Front walls of new development facing the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

52.20-6.3 Permeability

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

52.20-6.4 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.

52.20-6.5 Access

The width of accessways or car spaces that front existing streets should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces.
The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.

52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the responsible authority.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways 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 accessway in public carparks 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 wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking 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 percent 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.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.
### Table 2: Minimum dimensions of car parking spaces and accessways

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45°</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

*Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.
Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

**Gradients**

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

**Table 3: Ramp gradients**

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 percent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

**Mechanical parking**

Mechanical parking may be used to meet the carparking standard provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

**Urban design**

Ground level carparking, garage doors and accessways must not visually dominate public space. Carparking 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 art works.

Design of carparks 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.

**Safety**

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.
Pedestrian access to carparking 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.

**Landscaping**

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

### 52.20-6.8 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 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. Diagram 2 details the standard.

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 setbacks of this standard.

Landings having 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 setbacks of this standard.

**Diagram 2 Side and rear setbacks**
52.20-6.9  **Walls on boundaries**

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 lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

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 should 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.

52.20-6.10  **Daylight to existing windows**

Buildings opposite an existing habitable room window should 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 should be 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.

Diagram 3 Daylight to existing windows

52.20-6.11  **North-facing windows**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 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, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

**Diagram 4 North-facing windows**

![North-facing windows diagram](image)

**52.20-6.12 Overshadowing open space**

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**52.20-6.13 Overlooking**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be 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 with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

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 should be:

- 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.

**Diagram 5 Overlooking open space**

52.20-6.14 **Noise impacts**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

52.20-6.15 **Daylight to new windows**

A window in a habitable room should be located to face:

- 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.

52.20-6.16 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

52.20-6.17 Solar access to open space

The private open space should be located on the north side of the dwelling if appropriate. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

Diagram 6 Solar access to open space

52.20-6.18 Storage

A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

52.20-6.19 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:
- 2 metres for streets in a Road Zone, Category 1, and
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

52.20-6.20 Common property

Developments should clearly delineate public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.

52.20-6.21 Site services

The design and layout of buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.
Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.
Bin and recycling enclosures should be located for convenient access by residents.
Mailboxes should be provided and located for convenient access as required by Australia Post.

52.20-7 Development standards for apartments

52.20-7.1 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is optimised.
Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
</tbody>
</table>
### NatHERS climate zone

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M2 per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

*Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).*

#### 52.20-7.2 Communal open space

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

#### 52.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

#### 52.20-7.4 Deep soil areas and canopy trees

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in the Table 5. If the development cannot provide the deep soil areas and canopy trees specified in Table 5 an equivalent canopy cover should be achieved by providing either:
• Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.

• Vegetated planters, green roofs or green facades.

**Table 5 Deep soil areas and canopy trees**

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

*Note:* Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

**52.20-7.5 Integrated water and stormwater management**

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

• Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).

• Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

**52.20-7.6 Building setback**

The built form of the development should respect the existing urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

52.20-7.7 Noise impacts

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table 6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 6 Noise influence area

<table>
<thead>
<tr>
<th>Noise Source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*
52.20-7.8 Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 7.

Table 7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Door opening</strong></td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower</td>
</tr>
<tr>
<td><strong>Door design</strong></td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td><strong>Circulation area</strong></td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td><strong>Path to circulation area</strong></td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td><strong>Shower</strong></td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td><strong>Toilet</strong></td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

52.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.
The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

52.20-7.10 Private open space

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or

- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or

- A balcony with an area and dimensions specified in Table 8 and convenient access from a living room, or

- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

Table 8 Balcony size

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

52.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9.

Table 9 Storage

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
</tbody>
</table>
52.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

52.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

**Table 10 Bedroom dimensions**

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table 11.
Table 11 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

52.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. 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.
- The kitchen is located furthest from the window.
- 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.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

52.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

52.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. At least 40 per cent of dwellings should provide effective cross ventilation that has:

- 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 area.

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

52.20-7.17 Integration with the street

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.
Native vegetation requirements

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with the application requirements 1, 5 and 9 in Table 4 of the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017) must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

- The biodiversity impacts from the native vegetation must be offset in accordance with the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017).

- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning.

The Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) may vary the timing of the offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for a project may be reconciled at the completion of a project in accordance with the Assessor’s handbook – Applications to remove, destroy or lop native vegetation (Department of Environment, Land, Water and Planning, October 2018) to the satisfaction of Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1 and 5 in Table 4 of the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017) must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

The requirements of this clause may be satisfied for separate components or stages of a development. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

In this clause, **levy area** has the same meaning as in the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020.