

**Report to the Future Melbourne Committee****Agenda item 6.1****Ministerial Planning Referral: TPM-2022-21  
218-246 Macaulay Road and 23-35 Boundary Road, North Melbourne**

6 February 2024

**Presenter:** Marjorie Kennedy, Acting Director Planning and Building**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial Planning Application seeking approval for the development of land at 218-246 Macaulay Road and 23-35 Boundary Road, North Melbourne (refer Attachment 2 – Locality Plan).
2. The application proposes the construction of a multi-storey, mixed use development including dwellings, retail and a supermarket, a reduction in car parking requirements and alterations to access to a road in a Transport Zone (TZ2) (refer Attachment 3 – Selected Plans).
3. The applicant is Ceapal Pty Ltd (c/- Contour Consultants Pty Ltd), the owners are Ceapal Pty Ltd, and Rothelowman have designed the buildings.
4. The site is located in the Commercial Zone – Schedule 1 (C1Z), Design and Development Overlay – Schedule 63 (DDO63), Design and Development Overlay – Schedule 26 (DDO26), Environmental Audit Overlay (EAO) and Development Contributions Plan Overlay – Schedule 2 (DCPO2). Boundary Road also forms part of a Transport Zone, Category 2 Road.
5. The Department of Transport and Planning (DTP), on behalf of the Minister, has given formal notice of the application to Council and requested comment and advice.

**Key issues**

6. The key issues in the consideration of this application are the design and detail of the buildings having regard to surrounding built form and scale, the proposed community benefit and compliance with the objectives of the Macaulay Urban Renewal Area (DDO63).
7. The layout and design of the buildings sit comfortably within the broader North Melbourne and the Macaulay Urban Renewal Area context. The buildings have been designed in a way so they minimise off site amenity impacts and generally align with the preferred built form outcomes including street wall heights and upper level setbacks detailed in the DDO63.
8. The application includes a north - south and an east – west through link that run along the west and north boundaries. These links will be open to the public. The provision of affordable housing, nine per cent deep soil planting and improved pedestrian integration at the Macaulay Road and Boundary Road intersection is also proposed.
9. A positive mix of uses is proposed onsite, including accommodation (dwellings), retail and a supermarket. All car parking is underground in a basement with access via one crossover to Macaulay Road and egress through to Boundary Road. No street trees are proposed to be removed.
10. The proposal will not result in unacceptable amenity impacts to adjoining properties and shadowing impacts to Clayton Reserve and Canning Street Reserve will be mitigated.
11. Conditions are recommended for inclusion on the permit to ensure sufficient detail is provided for a high quality façade, public access of the links and prevention of shadowing to neighbouring reserves.

**Recommendation from management**

12. That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that the Melbourne City Council does not object to the application subject to the conditions outlined in the delegate report (refer to Attachment 4 of the report from management).

**Attachments:**

1. Supporting Attachment (Page x of 88)
2. Locality Plan (Page x of 88)
3. Selected Plans (Page x of 88)
4. Delegate Report (Page x of 88)

## Supporting Attachment

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### Legal

1. The Minister for Planning is the Responsible Authority (RA) for planning permit applications located within the City of Melbourne where the development exceeds a gross floor area of 25,000 square metres; and is therefore the RA for this application.
2. The application is not exempt from the notice requirements of sections 52(1)(a), (b) and (d), the decision requirements of sections 64(1), (2) and (3), and the review rights of section 82(1) of the *Planning and Environment Act 1987* (the Act). Council therefore has formal status under the Act and has both notice and appeal rights in relation to the application.
3. This application is not exempt from public notice and in accordance with section 52(1)(b) of the Act, DTP) has given formal notice of the application to Council.

### Finance

4. There are no direct financial issues arising from the recommendations contained within this report.

### Conflict of interest

5. No member of Council staff, or other person engaged under a contract, involved in, advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

### Health and Safety

6. Relevant planning considerations such as traffic and waste management, potential amenity impacts and potentially contaminated land that could impact on health and safety have been considered within the planning permit application and assessment process. No other health and safety issues or opportunities have been identified.

### Stakeholder consultation

7. DTP, on behalf of the Minister for Planning, has given formal notice of the application to Council and requested comment and advice to support DTP in completing an assessment and the Minister in making a decision.
8. Council officers have not undertaken public notice of the application or referred this to any other referral authorities. This is the responsibility of DTP acting on behalf of the Minister for Planning.
9. DTP have advised that it has received one objection.

### Relation to Council policy

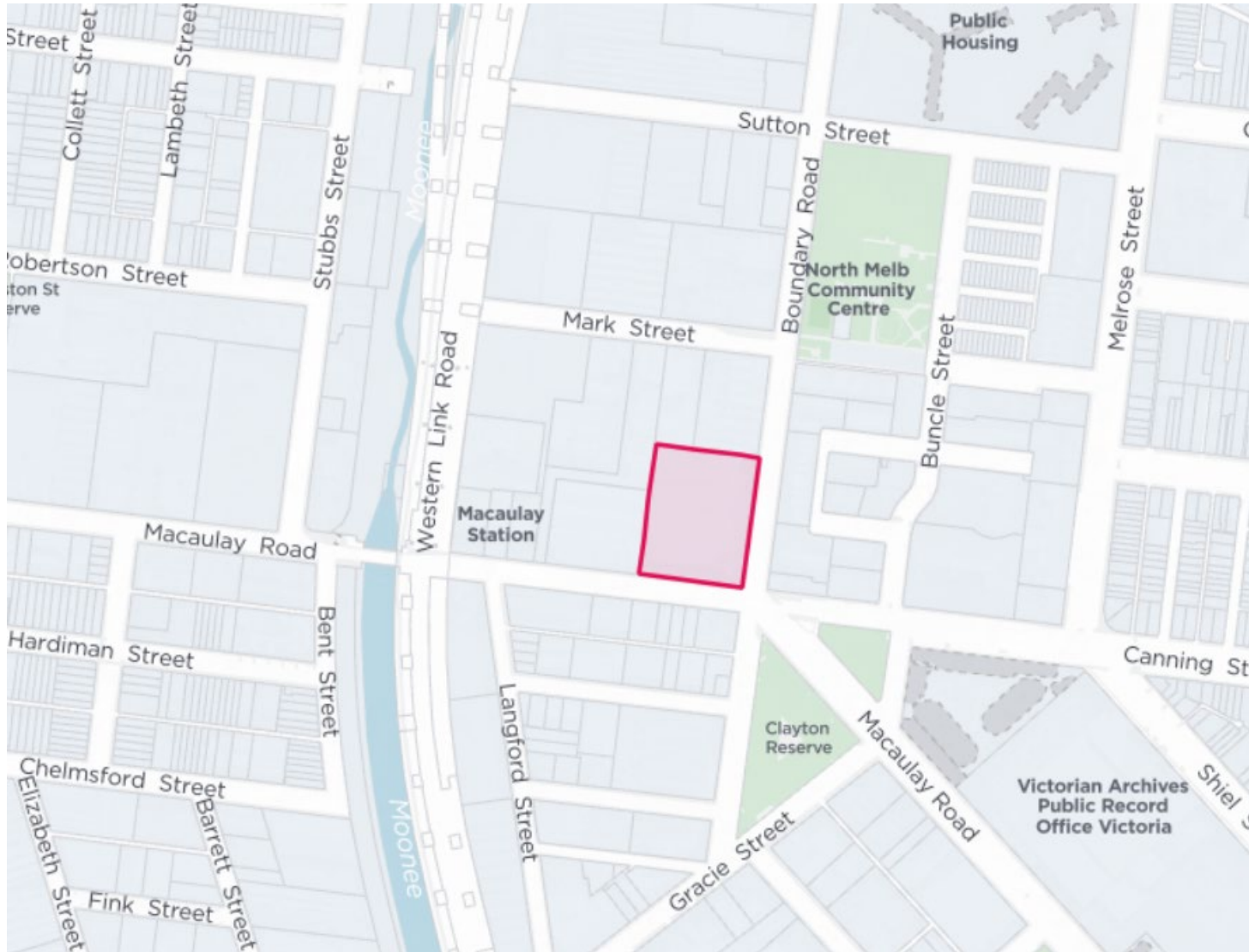
10. Relevant Council policies are discussed in the attached delegate report (refer Attachment 4).

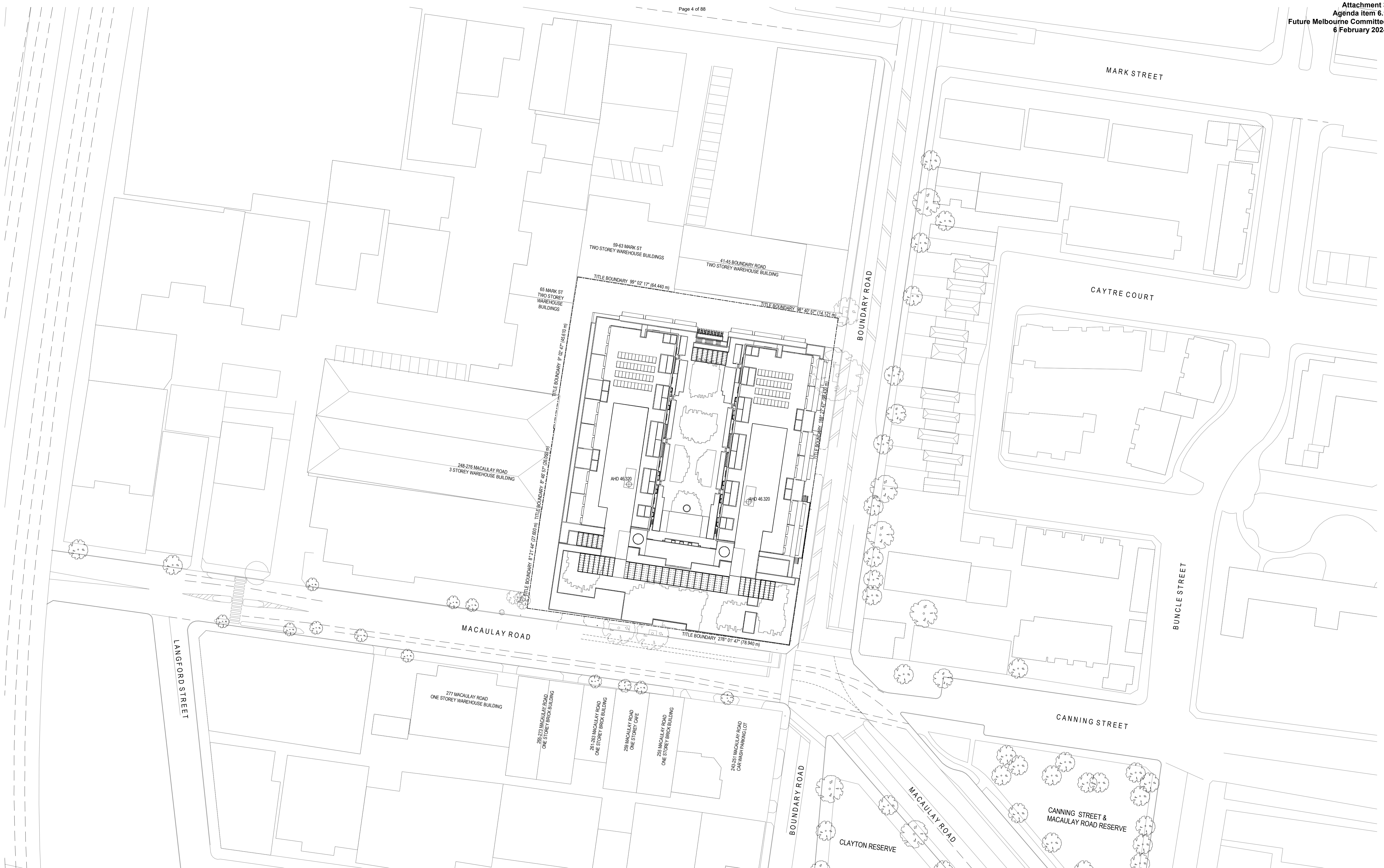
### Environmental sustainability

11. The Sustainability Management Plan (SMP) report submitted with the application confirms the proposed development will generally achieve the relevant performance measures set out in Clauses 15.01-2L-01 (Energy, Water and Waste Efficiency) and 19.03-3L (Stormwater management (water sensitive urban design)) of the Melbourne Planning Scheme.
12. Permit conditions requiring implementation of the SMP initiatives are recommended.

# Locality Plan

## 218 - 246 Macaulay Road and 23-35 Boundary Road, North Melbourne





**TOWN PLANNING**

Revisions	Date	Description	Author
-	08.09.22	Town Planning	HB
A	16.09.22	Town Planning	HB
B	09.12.22	Revised Town Planning	SB
C	24.03.23	RFI Response	JR
D	27.11.23	RFI Response	JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Symbol	Description
AHD	⊕	AUSTRALIAN HEIGHT DATUM
NGL	⊕	NATURAL GROUND LEVEL
RL	⊕	RELATIVE LEVEL
EOT	⊕	END OF TRIP
LP	⊕	LIGHTPOLE
MB	⊕	MOTORBIKE SPACE
NHW	⊕	NON HABITABLE WINDOW
OG	⊕	75% OBSCURE GLAZING
PP	⊕	POWER POLE
SIL	⊕	SKYLIGHT
SS	⊕	STREET SIGN
TL	⊕	TRAFFIC LIGHT
XO	⊕	CROSS OVER
C	⊕	CUPBOARD
K	⊕	KITCHEN
L	⊕	LAUNDRY
PS	⊕	PRIVACY SCREEN
R	⊕	ROBE
ST	⊕	STORE
T	⊕	TERRACE

**Macaulay Road Site Plan**

218-246 Macaulay Road, North Melbourne

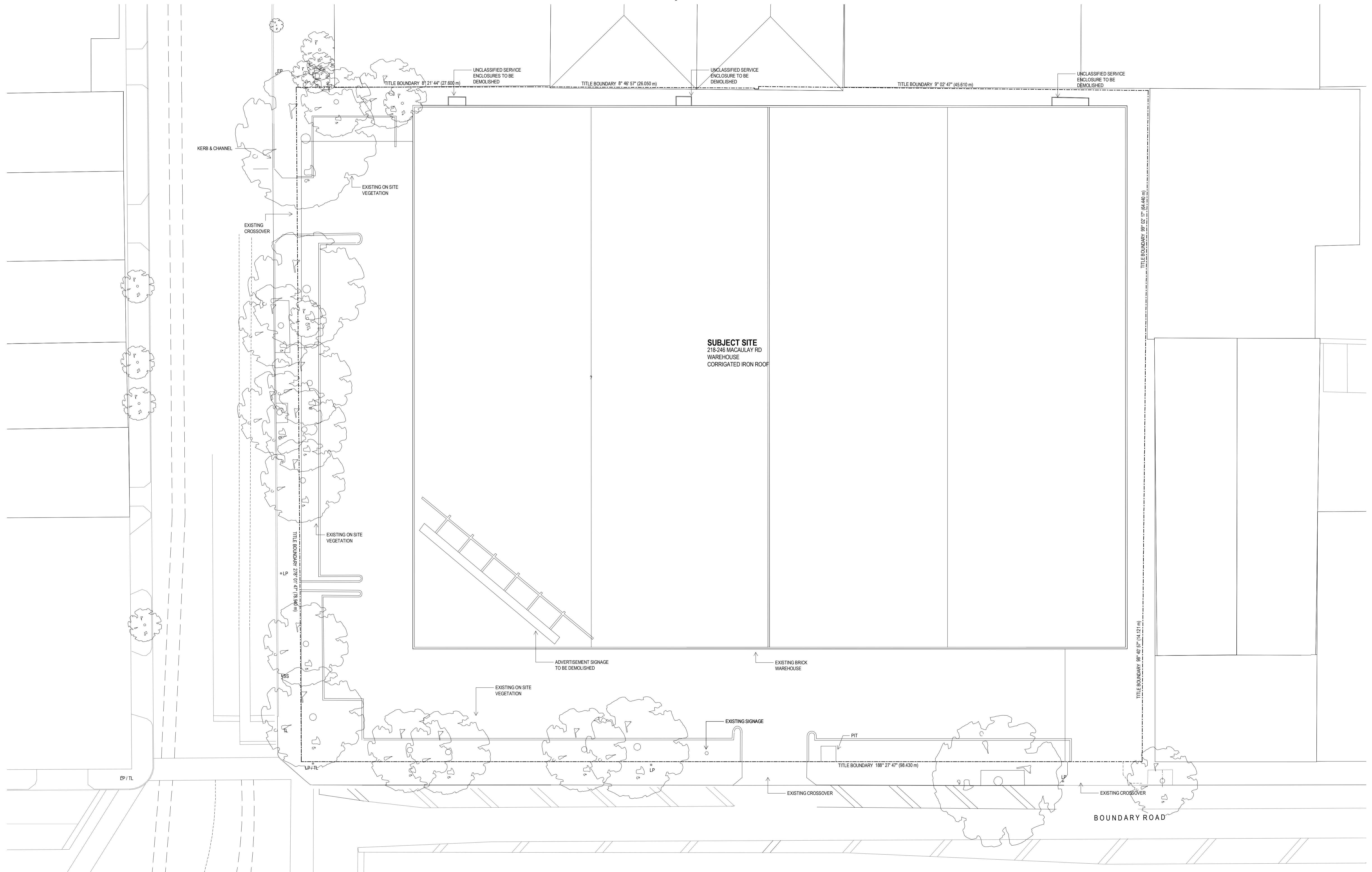
Project No / **220068** Author / **JR** Scale: @ A1 / **1 : 500** Drawing No. / **TP00.01**



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**SUBJECT SITE**  
 218-246 MACAULAY RD  
 WAREHOUSE  
 CORRIGATED IRON ROOF

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend		Project	
AHD	AUSTRALIAN HEIGHT DATUM	GW	GENERAL WASTE
NGL	NATURAL GROUND LEVEL	MR	MIXED RECYCLING
RL	RELATIVE LEVEL	G	GLASS RECYCLING
EOT	END OF TRIP	O	ORGANIC WASTE
LP	LIGHTPOLE	EW	ELECTRONIC WASTE
MB	MOTORBIKE SPACE	C	CUPBOARD
NHW	NON HABITABLE WINDOW	K	KITCHEN
OG	75% OBSCURE GLAZING	L	LAUNDRY
PP	POWER POLE	PS	PRIVACY SCREEN
SIL	SKYLIGHT	R	ROBE
SS	STREET SIGN	ST	STORE
TL	TRAFFIC LIGHT	T	TERRACE
XO	CROSS OVER		

**Macaulay Road**  
 218-246 Macaulay Road, North Melbourne

Drawing **Existing Conditions**

Project No **220068** Author **DT**

Scale: @ A1 **1 : 200**

Drawing No **TP00.02**

**A**

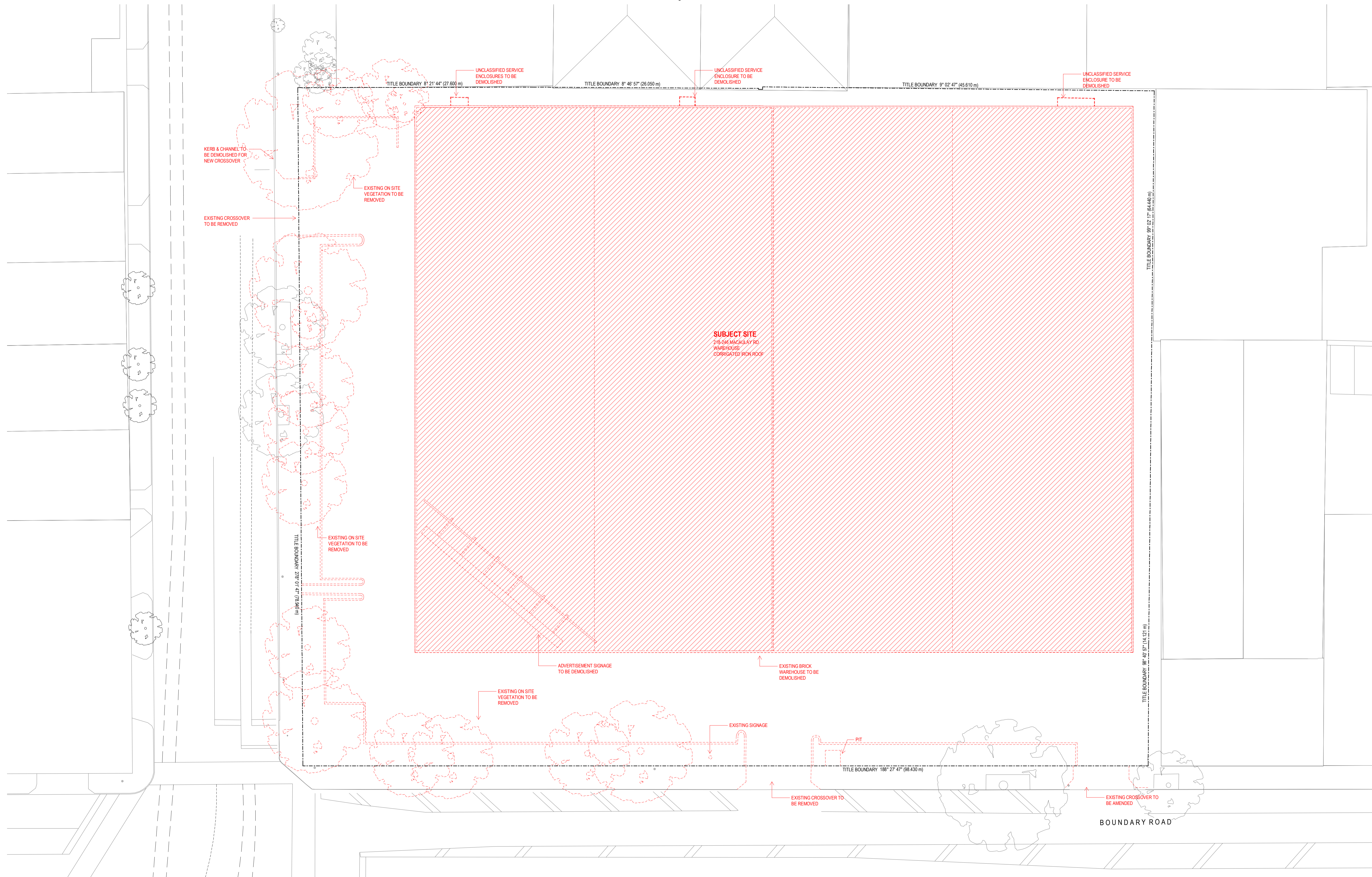
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**TOWN PLANNING**

Revisions	Date	Description
-	24.03.23	RFI Response
A	27.11.23	RFI Response

JR  
JR



### TOWN PLANNING

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HB  
HB  
JR

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Legend		Project	
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NGL	NATURAL GROUND LEVEL	MR	MIXED RECYCLING
RL	RELATIVE LEVEL	G	GLASS RECYCLING
EOT	END OF TRIP	O	ORGANIC WASTE
LP	LIGHTPOLE	EW	ELECTRONIC WASTE
MB	MOTORBIKE SPACE	C	CUPBOARD
NHW	NON HABITABLE WINDOW	K	KITCHEN
OG	75% OBSCURE GLAZING	L	LAUNDRY
PP	POWER POLE	PS	PRIVACY SCREEN
SIL	SKYLIGHT	R	ROBE
SS	STREET SIGN	ST	STORE
TL	TRAFFIC LIGHT	T	TERRACE
XO	CROSS OVER		

Macaulay Road

218-246 Macaulay Road, North Melbourne

Demolition Plan

Project No 220068

Author DT

Scale: @ A1 1 : 200

Drawing No. TP00.03

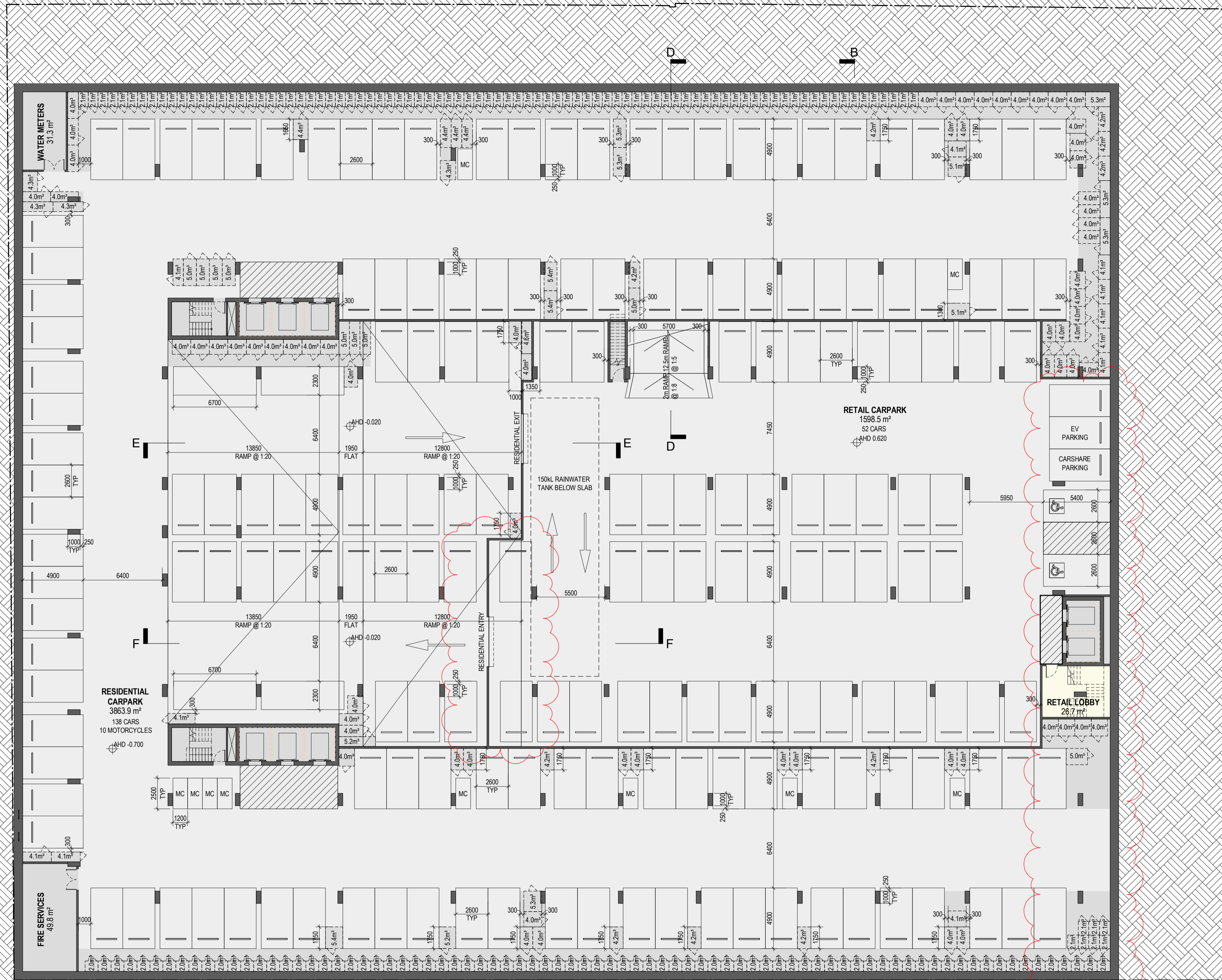
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HB  
HB  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Symbol	Description
AHD	Symbol	AUSTRALIAN HEIGHT DATUM
NGL	Symbol	NATURAL GROUND LEVEL
RL	Symbol	RELATIVE LEVEL
EOT	Symbol	END OF TRIP
LP	Symbol	LIGHTPOLE
MB	Symbol	MOTORBIKE SPACE
NHW	Symbol	NON HABITABLE WINDOW
OG	Symbol	75% OBSCURE GLAZING
PP	Symbol	POWER POLE
S/L	Symbol	SKYLIGHT
SS	Symbol	STREET SIGN
TL	Symbol	TRAFFIC LIGHT
XO	Symbol	CROSS OVER
GW	Symbol	GENERAL WASTE
MR	Symbol	MIXED RECYCLING
G	Symbol	GLASS RECYCLING
O	Symbol	ORGANIC WASTE
EW	Symbol	ELECTRONIC WASTE
C	Symbol	CUPBOARD
K	Symbol	KITCHEN
L	Symbol	LAUNDRY
PS	Symbol	PRIVACY SCREEN
R	Symbol	ROBE
ST	Symbol	STORE
T	Symbol	TERRACE

Project / **Macaulay Road**

Drawing / **Basement**

Project No / **220068**

Author / **JR/DT**

Scale: @ A1 / **1 : 200**

Drawing No. / **TP01.01**

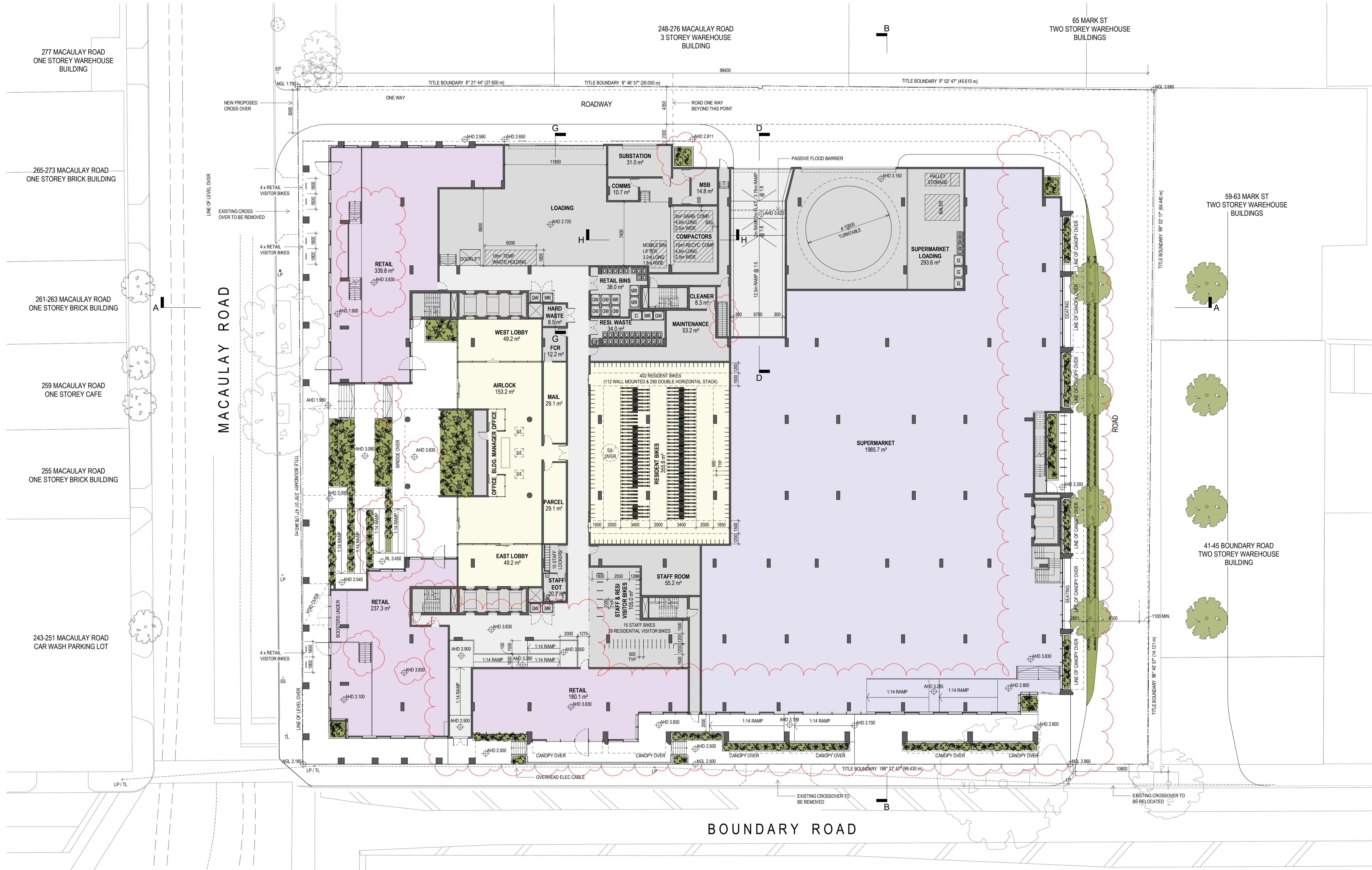
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	E	27.11.23	RFI Response

HB  
SB  
JR  
SB

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	AHD	NGL	RL	EOT	LP	LP	MB	NHW	OG	PP	SL	SS	TL	XO
	AUSTRALIAN HEIGHT DATUM	NATURAL GROUND LEVEL	RELATIVE LEVEL	END OF TRIP	LIGHTPOLE	LIGHTPOLE	MOTORBIKE SPACE	NON HABITABLE WINDOW	75% OBSCURE GLAZING	POWER POLE	SKYLIGHT	STREET SIGN	TRAFFIC LIGHT	CROSS OVER
	GW	MR	G	O	EW	C	K	L	PS	R	ST	T		
	GENERAL WASTE	MIXED RECYCLING	GLASS RECYCLING	ORGANIC WASTE	ELECTRONIC WASTE	CUPBOARD	KITCHEN	LAUNDRY	PRIVACY SCREEN	ROBE	STORE	TERRACE		

Macaulay Road

218-246 Macaulay Road, North Melbourne

Ground

Project No 220068

Author JR/LB

Scale: @ A1 1 : 200

Drawing No. TP01.02

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HB	Horizontal Boundary
SB	Street Boundary
JR	Joint Right-of-Way
SB	Street Boundary
JR	Joint Right-of-Way

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Symbol	Description
AHD	Circle with cross	AUSTRALIAN HEIGHT DATUM
NGL	Circle with dot	NATURAL GROUND LEVEL
RL	Circle with horizontal line	RELATIVE LEVEL
EOT	Circle with vertical line	END OF TRIP
LP	Circle with diagonal line	LIGHTPOLE
MB	Circle with square	MOTORBIKE SPACE
NHW	Circle with triangle	NON HABITABLE WINDOW
OG	Circle with diamond	75% OBSCURE GLAZING
PP	Circle with hexagon	POWER POLE
SL	Circle with octagon	SKYLIGHT
SS	Circle with star	STREET SIGN
TL	Circle with cross	TRAFFIC LIGHT
XO	Circle with X	CROSS OVER
GW	Square	GENERAL WASTE
MR	Triangle	MIXED RECYCLING
G	Circle	GLASS RECYCLING
O	Square	ORGANIC WASTE
EW	Circle	ELECTRONIC WASTE
C	Circle	CUPBOARD
K	Circle	KITCHEN
L	Circle	LAUNDRY
PS	Circle	PRIVACY SCREEN
R	Circle	ROBE
ST	Circle	STORE
T	Circle	TERRACE

Macaulay Road

218-246 Macaulay Road, North Melbourne

Level 1

Project No / 220068

Author / JR/LB

Scale: @ A1 / 1 : 200

Drawing No. / TP01.03

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248-276 MACAULAY ROAD  
3 STOREY WAREHOUSE  
BUILDING

65 MARK ST  
TWO STOREY WAREHOUSE  
BUILDINGS

277 MACAULAY ROAD  
ONE STOREY WAREHOUSE  
BUILDING

265-273 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

261-263 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

259 MACAULAY ROAD  
ONE STOREY CAFE

255 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

243-251 MACAULAY ROAD  
CAR WASH PARKING LOT

59-63 MARK ST  
TWO STOREY WAREHOUSE  
BUILDINGS

41-45 BOUNDARY ROAD  
TWO STOREY WAREHOUSE  
BUILDING

MACAULAY ROAD

BOUNDARY ROAD



TOWN PLANNING

Revisions	Date	Description
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HB  
HB  
SB  
JR  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Symbol	Description
AHD	AUSTRALIAN HEIGHT DATUM	GENERAL WASTE
NGL	NATURAL GROUND LEVEL	MIXED RECYCLING
RL	RELATIVE LEVEL	GLASS RECYCLING
EOT	END OF TRIP	ORGANIC WASTE
LP	LIGHTPOLE	ELECTRONIC WASTE
MB	MOTORBIKE SPACE	CUPBOARD
NHW	NON HABITABLE WINDOW	KITCHEN
OG	75% OBSCURE GLAZING	LAUNDRY
PP	POWER POLE	L
SS	SKYLIGHT	PS
SS	STREET SIGN	R
TL	TRAFFIC LIGHT	ST
XO	CROSS OVER	T

Macaulay Road

Drawing/ Level 2

Project No/ 220068

Author/ JR/LB

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Drawing No./

TP01.04

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248-276 MACAULAY ROAD  
3 STOREY WAREHOUSE  
BUILDING

65 MARK ST  
TWO STOREY WAREHOUSE  
BUILDINGS

277 MACAULAY ROAD  
ONE STOREY WAREHOUSE  
BUILDING

265-273 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

261-263 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

259 MACAULAY ROAD  
ONE STOREY CAFE

255 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

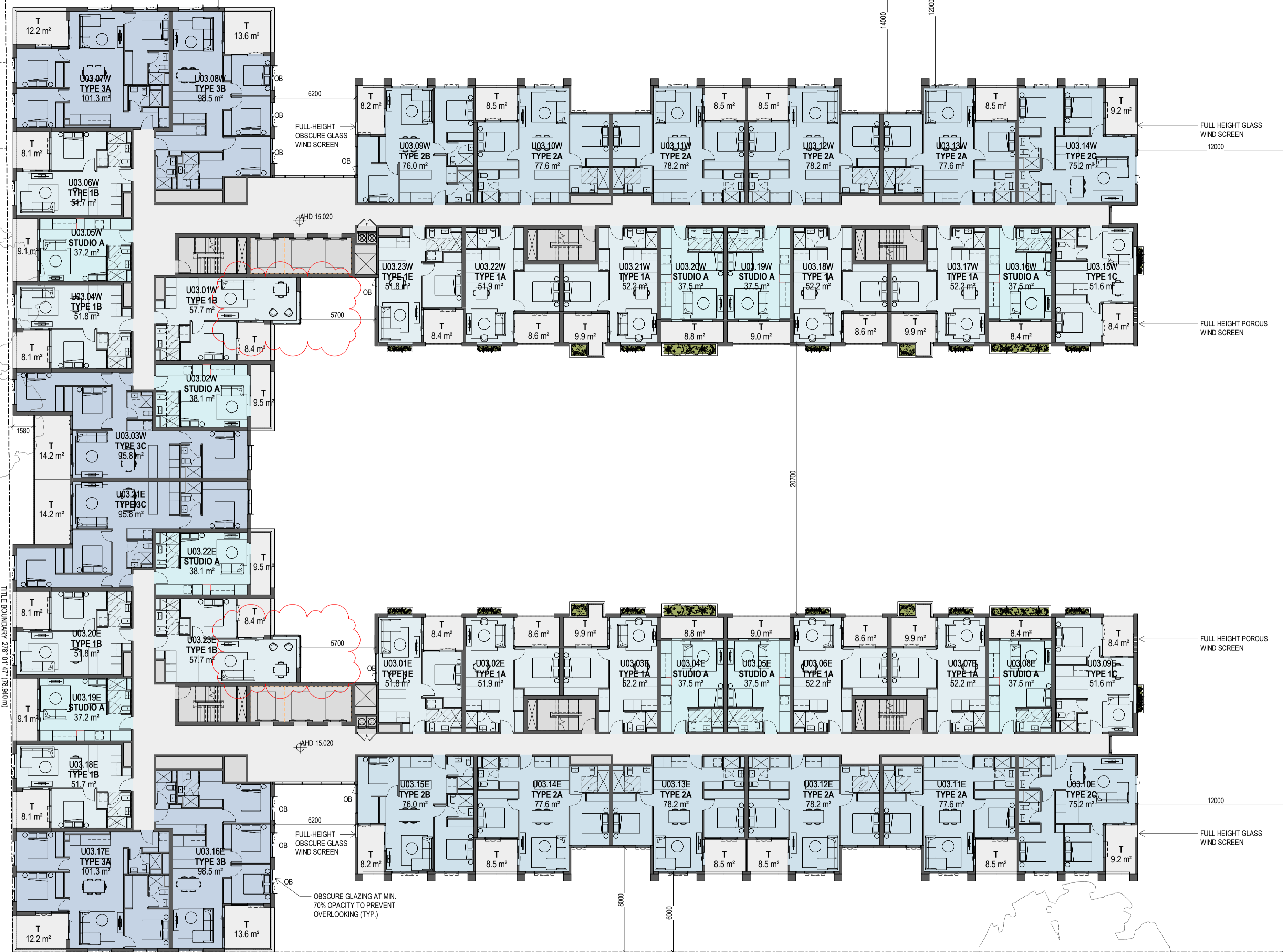
243-251 MACAULAY ROAD  
CAR WASH PARKING LOT

59-63 MARK ST  
TWO STOREY WAREHOUSE  
BUILDINGS

41-45 BOUNDARY ROAD  
TWO STOREY WAREHOUSE  
BUILDING

MACAULAY ROAD

BOUNDARY ROAD



TOWN PLANNING

Revisions	-	24.03.23	RFI Response
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JR  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	AHD	AUSTRALIAN HEIGHT DATUM	GW	GENERAL WASTE
	NGL	NATURAL GROUND LEVEL	MR	MIXED RECYCLING
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	EOT	END OF TRIP	O	ORGANIC WASTE
	LP	LIGHTPOLE	EW	ELECTRONIC WASTE
	MB	MOTORBIKE SPACE	C	CUPBOARD
	NHW	NON HABITABLE WINDOW	K	KITCHEN
	OG	75% OBSCURE GLAZING	L	LAUNDRY
	PP	POWER POLE	PS	PRIVACY SCREEN
	SIL	SKYLIGHT	R	ROBE
	SS	STREET SIGN	ST	STORE
	TL	TRAFFIC LIGHT	T	TERRACE
	XO	CROSS OVER		

Macaulay Road

Drawing / Level 3

Project No / 220068

Author / JR/DT

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Drawing No. / TP01.05

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248-276 MACAULAY ROAD  
3 STOREY WAREHOUSE  
BUILDING

65 MARK ST  
TWO STOREY WAREHOUSE  
BUILDINGS

277 MACAULAY ROAD  
ONE STOREY WAREHOUSE  
BUILDING

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ONE STOREY BRICK BUILDING

261-263 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

259 MACAULAY ROAD  
ONE STOREY CAFE

255 MACAULAY ROAD  
ONE STOREY BRICK BUILDING

243-251 MACAULAY ROAD  
CAR WASH PARKING LOT

59-63 MARK ST  
TWO STOREY WAREHOUSE  
BUILDINGS

41-45 BOUNDARY ROAD  
TWO STOREY WAREHOUSE  
BUILDING

MACAULAY ROAD

BOUNDARY ROAD



TOWN PLANNING

Revisions	-	24.03.23	RFI Response
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JR  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	AHD	AUSTRALIAN HEIGHT DATUM	GW	GENERAL WASTE
	NGL	NATURAL GROUND LEVEL	MR	MIXED RECYCLING
	RL	RELATIVE LEVEL	G	GLASS RECYCLING
	EOT	END OF TRIP	O	ORGANIC WASTE
	LP	LIGHTPOLE	EW	ELECTRONIC WASTE
	MB	MOTORBIKE SPACE	C	CUPBOARD
	NHW	NON HABITABLE WINDOW	K	KITCHEN
	OG	75% OBSCURE GLAZING	L	LAUNDRY
	PP	POWER POLE	PS	PRIVACY SCREEN
	SIL	SKYLIGHT	R	ROBE
	SS	STREET SIGN	ST	STORE
	TL	TRAFFIC LIGHT	T	TERRACE
	XO	CROSS OVER		

Macaulay Road

Level 4

Project No / 220068 Author / JR/DT Scale: @ A1 / 1 : 200

Drawing No. / TP01.06

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TOWN PLANNING

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

JR  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	AHD AUSTRALIAN HEIGHT DATUM	GW GENERAL WASTE	Project
	NGL NATURAL GROUND LEVEL	MR MIXED RECYCLING	Macaulay Road
	RL RELATIVE LEVEL	G GLASS RECYCLING	Level 5
	EOT END OF TRIP	O ORGANIC WASTE	218-246 Macaulay Road, North Melbourne
	LP LIGHTPOLE	EW ELECTRONIC WASTE	
	MB MOTORBIKE SPACE	C CUPBOARD	
	NHW NON HABITABLE WINDOW	K KITCHEN	
	OG 75% OBSCURE GLAZING	L LAUNDRY	
	PP POWER POLE	PS PRIVACY SCREEN	
	SIL SKYLIGHT	R ROBE	
	SS STREET SIGN	R ROBE	
	TL TRAFFIC LIGHT	ST STORE	
	XO CROSS OVER	T TERRACE	

Macaulay Road

Drawing / Level 5

Project No / 220068

Author / JR/LB

Scale: @ A1 / 1 : 200

Drawing No. / TP01.07

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### TOWN PLANNING

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SB  
JR  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Project
AHD AUSTRALIAN HEIGHT DATUM	GW GENERAL WASTE
NGL NATURAL GROUND LEVEL	MR MIXED RECYCLING
RL RELATIVE LEVEL	G GLASS RECYCLING
EOT END OF TRIP	O ORGANIC WASTE
LP LIGHTPOLE	EW ELECTRONIC WASTE
MB MOTORBIKE SPACE	C CUPBOARD
NHW NON HABITABLE WINDOW	K KITCHEN
OG 75% OBSCURE GLAZING	L LAUNDRY
PP POWER POLE	PS PRIVACY SCREEN
SL SKYLIGHT	R ROBE
SS STREET SIGN	R ROBE
TL TRAFFIC LIGHT	ST STORE
XO CROSS OVER	T TERRACE

### Macaulay Road

218-246 Macaulay Road, North Melbourne

### Level 6

Project No / 220068

Author / JR/LB

Scale: @ A1 / 1 : 200

Drawing No. / TP01.08

B

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TOWN PLANNING

Revisions	-	09.12.22	Revised Town Planning	SB
	A	24.03.23	RFI Response	JR
	B	27.11.23	RFI Response	JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	AHD	AUSTRALIAN HEIGHT DATUM	GW	GENERAL WASTE	Project
	NGL	NATURAL GROUND LEVEL	MR	MIXED RECYCLING	
	RL	RELATIVE LEVEL	G	GLASS RECYCLING	
	EOT	END OF TRIP	O	ORGANIC WASTE	
	LP	LIGHTPOLE	EW	ELECTRONIC WASTE	
	MB	MOTORBIKE SPACE	C	CUPBOARD	
	NHW	NON HABITABLE WINDOW	K	KITCHEN	
	OG	75% OBSCURE GLAZING	L	LAUNDRY	
	PP	POWER POLE	PS	PRIVACY SCREEN	
	SL	SKYLIGHT	R	ROBE	
	SS	STREET SIGN	ST	STORE	
	TL	TRAFFIC LIGHT	T	TERRACE	
	XO	CROSS OVER			

Macaulay Road Level 7-11

Project No/ 220068 Author/ JR/LB Scale: @ A1/ 1 : 200 Drawing No./ TP01.09

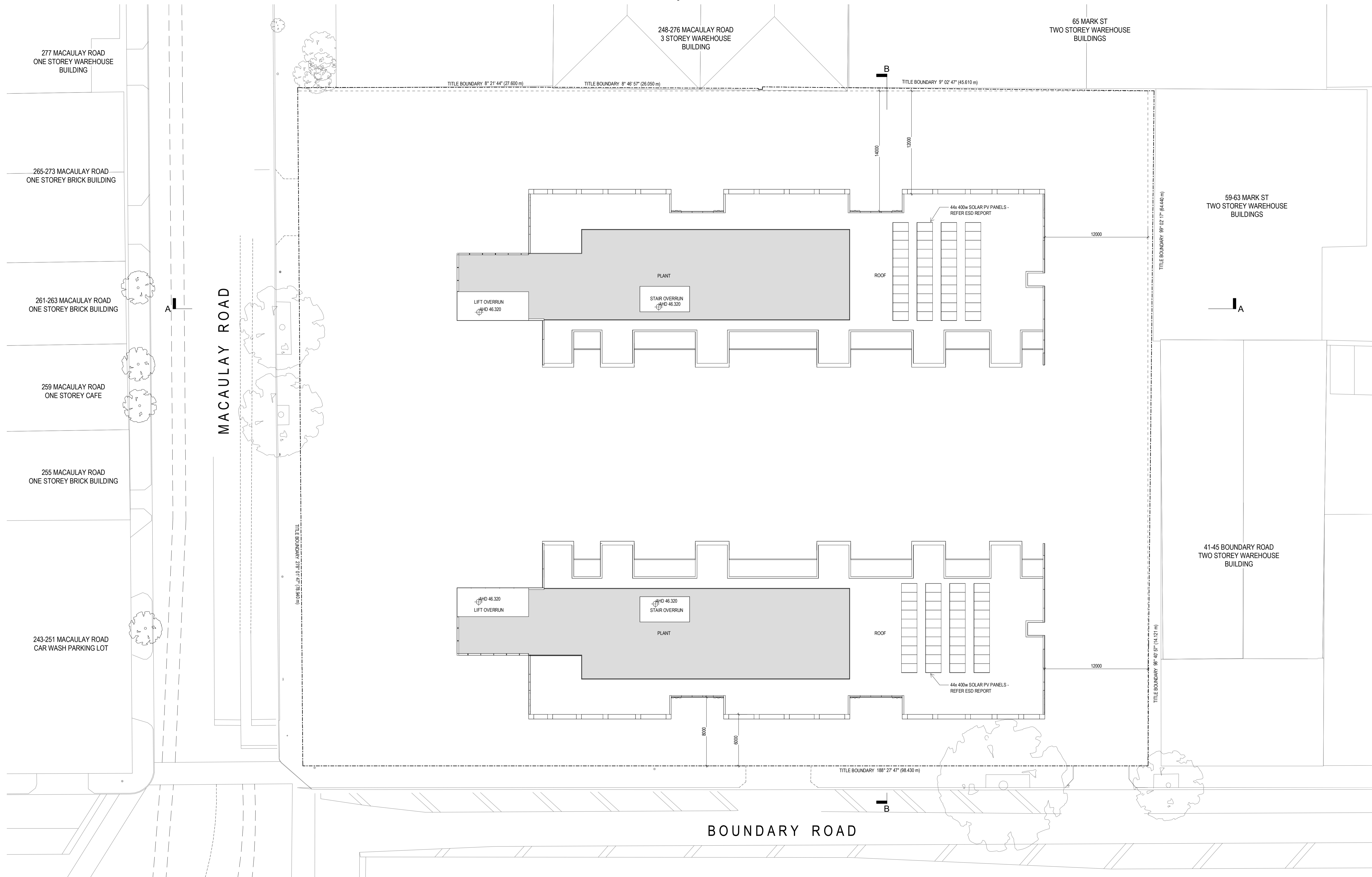
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### TOWN PLANNING

Revisions	Date	Description	Author
-	08.09.22	Town Planning	HB
A	16.09.22	Town Planning	HB
B	09.12.22	Revised Town Planning	SB
C	24.03.23	RFI Response	JR
D	27.11.23	RFI Response	JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Symbol	Description
AHD	Symbol	AUSTRALIAN HEIGHT DATUM
NGL	Symbol	NATURAL GROUND LEVEL
RL	Symbol	RELATIVE LEVEL
EOT	Symbol	END OF TRIP
LP	Symbol	LIGHTPOLE
MB	Symbol	MOTORBIKE SPACE
NHW	Symbol	NON HABITABLE WINDOW
OG	Symbol	75% OBSCURE GLAZING
PP	Symbol	POWER POLE
SL	Symbol	SKYLIGHT
SS	Symbol	STREET SIGN
TL	Symbol	TRAFFIC LIGHT
XO	Symbol	CROSS OVER
GW	Symbol	GENERAL WASTE
MR	Symbol	MIXED RECYCLING
G	Symbol	GLASS RECYCLING
O	Symbol	ORGANIC WASTE
EW	Symbol	ELECTRONIC WASTE
C	Symbol	CUPBOARD
K	Symbol	KITCHEN
L	Symbol	LAUNDRY
PS	Symbol	PRIVACY SCREEN
R	Symbol	ROBE
ST	Symbol	STORE
T	Symbol	TERRACE

Project / **Macaulay Road**

Drawing / **Roof**

Project No / **220068**

Author / **JR/DT**

Scale: @ A1 / **1 : 200**

Drawing No. / **TP01.14**

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**TOWN PLANNING**

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

27/11/2023 1:09:30 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
EOT	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

**Macaulay Road**

218-246 Macaulay Road, North Melbourne

**South Elevation (Macaulay Rd)**

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Project No / **220068**

Author / **LB**

Scale: @ A1 / **1 : 200**

Drawing No. / **TP02.01**

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East Elevation

TOWN PLANNING

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

27/11/2023 1:09:58 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
MC01	METAL CLADDING - 75% OBSCURE
MC02	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
ET	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Macaulay Road

218-246 Macaulay Road, North Melbourne

East Elevation (Boundary Rd)

Project No / 220068

Author / LB

Scale: @ A1 / 1 : 200

Drawing No. / TP02.02

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North Elevation

TOWN PLANNING

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

27/11/2023 1:10:22 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
ET	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Macaulay Road

2180-246 Macaulay Road, North Melbourne

Drawing / North Elevation

Project No / 220068

Author / LB

Scale: @ A1 / 1 : 200

Drawing No. / TP02.03

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**TOWN PLANNING**

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

27/11/2023 1:10:46 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
ET	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Project / **Macaulay Road**

218-246 Macaulay Road, North Melbourne

Drawing / **West Elevation**

Project No / **220068** Author / **LB**

Scale: @ A1 / **1 : 200**

Drawing No. / **TP02.04**

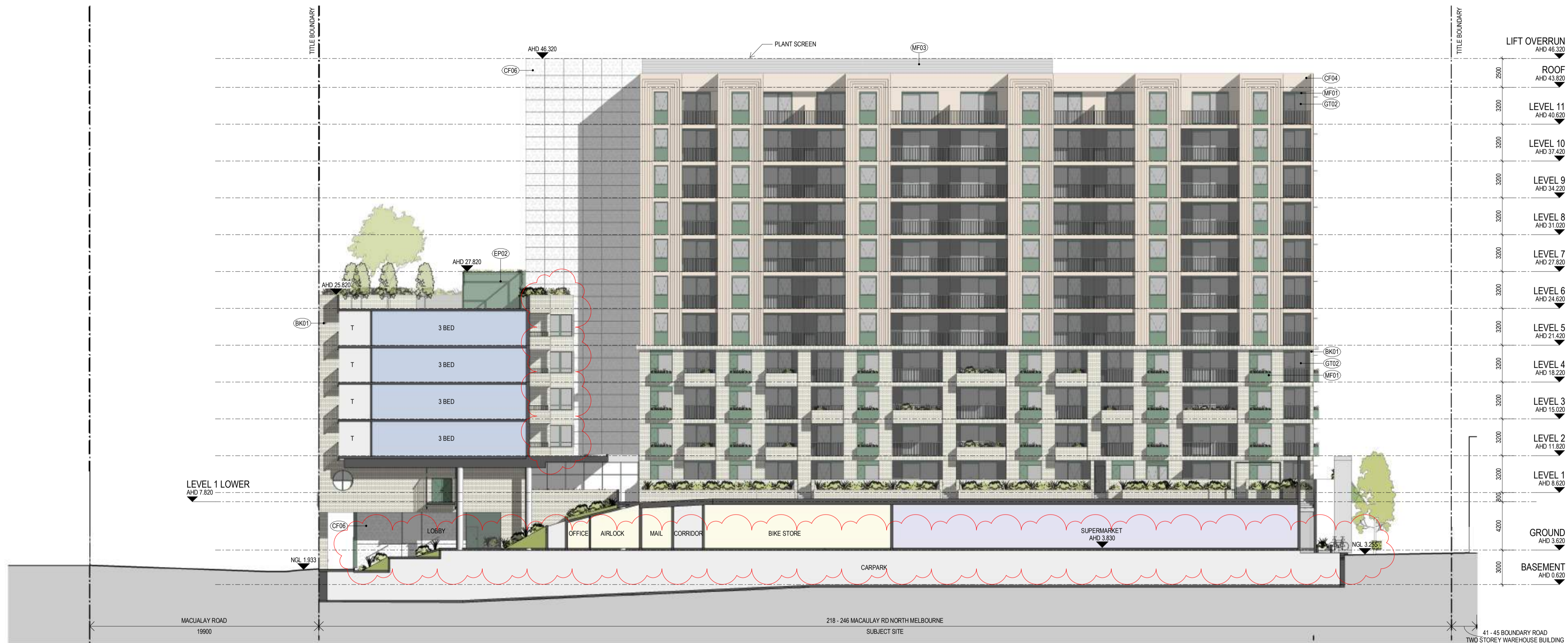
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**TOWN PLANNING**

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

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Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

Code	Description
GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
ET	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Project / **Macaulay Road**

218-246 Macaulay Road, North Melbourne

Drawing / **East Courtyard Elevation**

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Project No / **220068**

Author / **LB**

Scale: @ A1 / **1 : 200**

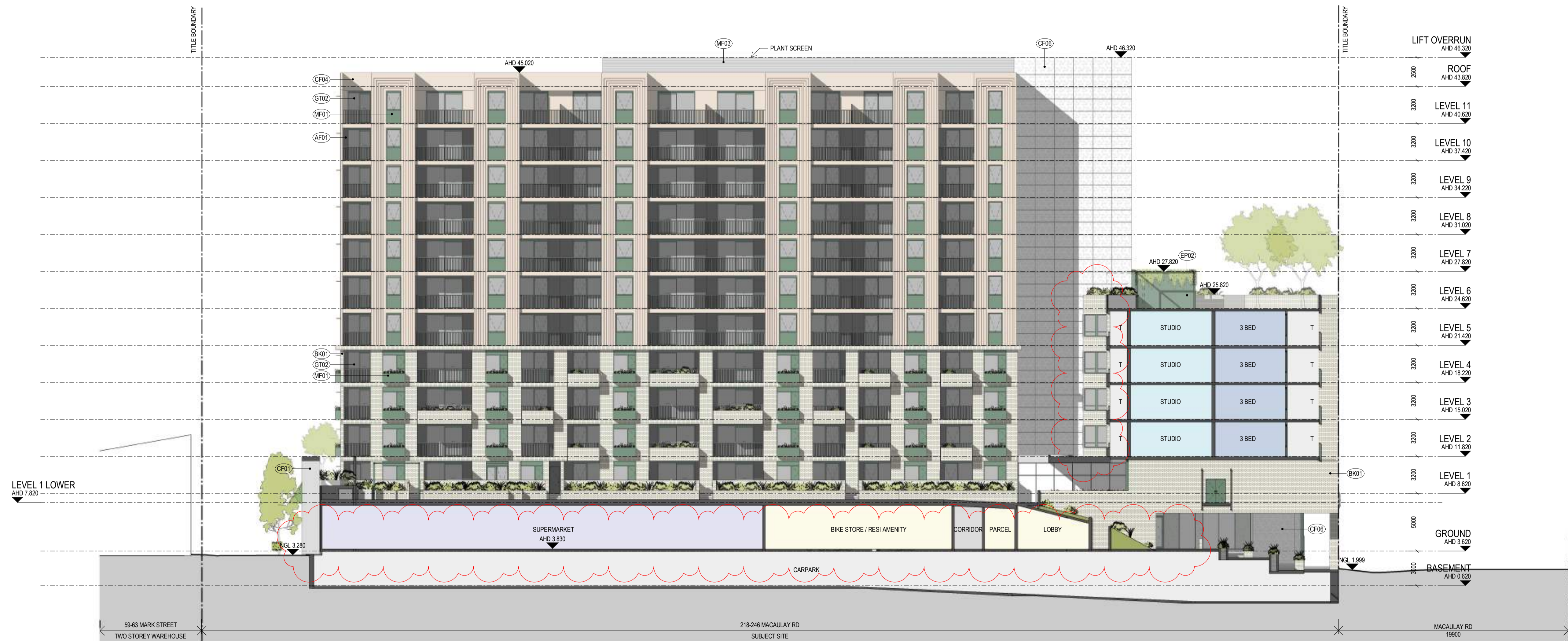
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**TOWN PLANNING**

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

29/11/2023 4:51:10 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

Code	Description
GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
ET	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Project / **Macaulay Road**

218-246 Macaulay Road, North Melbourne

Drawing / **West Courtyard Elevation**

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Project No / **220068**

Author / **LB**

Scale: @ A1 / **1 : 200**

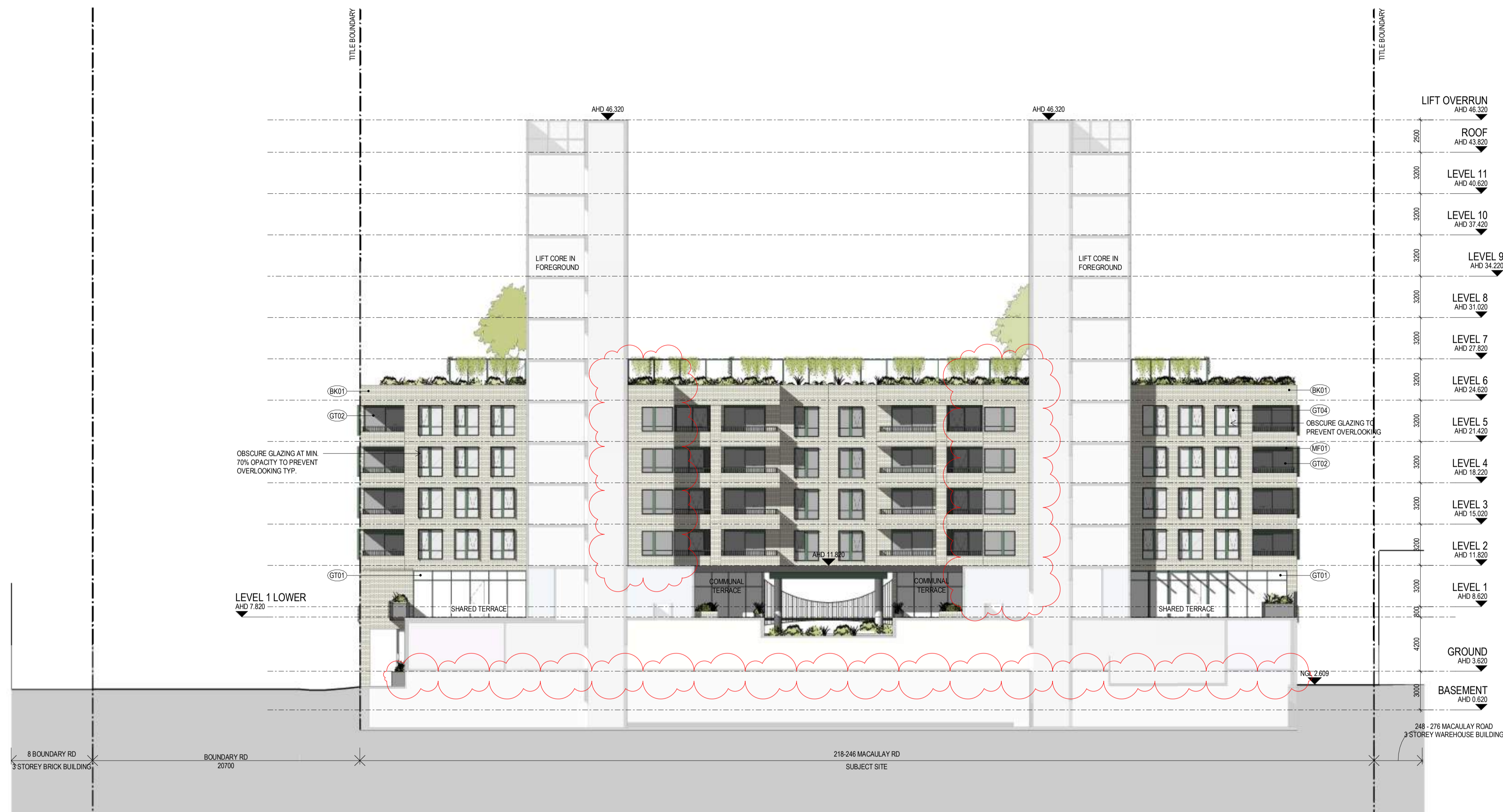
Drawing No. / **TP02.06**

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**TOWN PLANNING**

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

27/11/2023 1:11:31 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BK01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NGL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
ET	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Project / **Macaulay Road**

218-246 Macaulay Road, North Melbourne

Drawing / **South Courtyard Elevation**

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Project No / **220068**

Author / **LB**

Scale: @ A1 / **1 : 200**

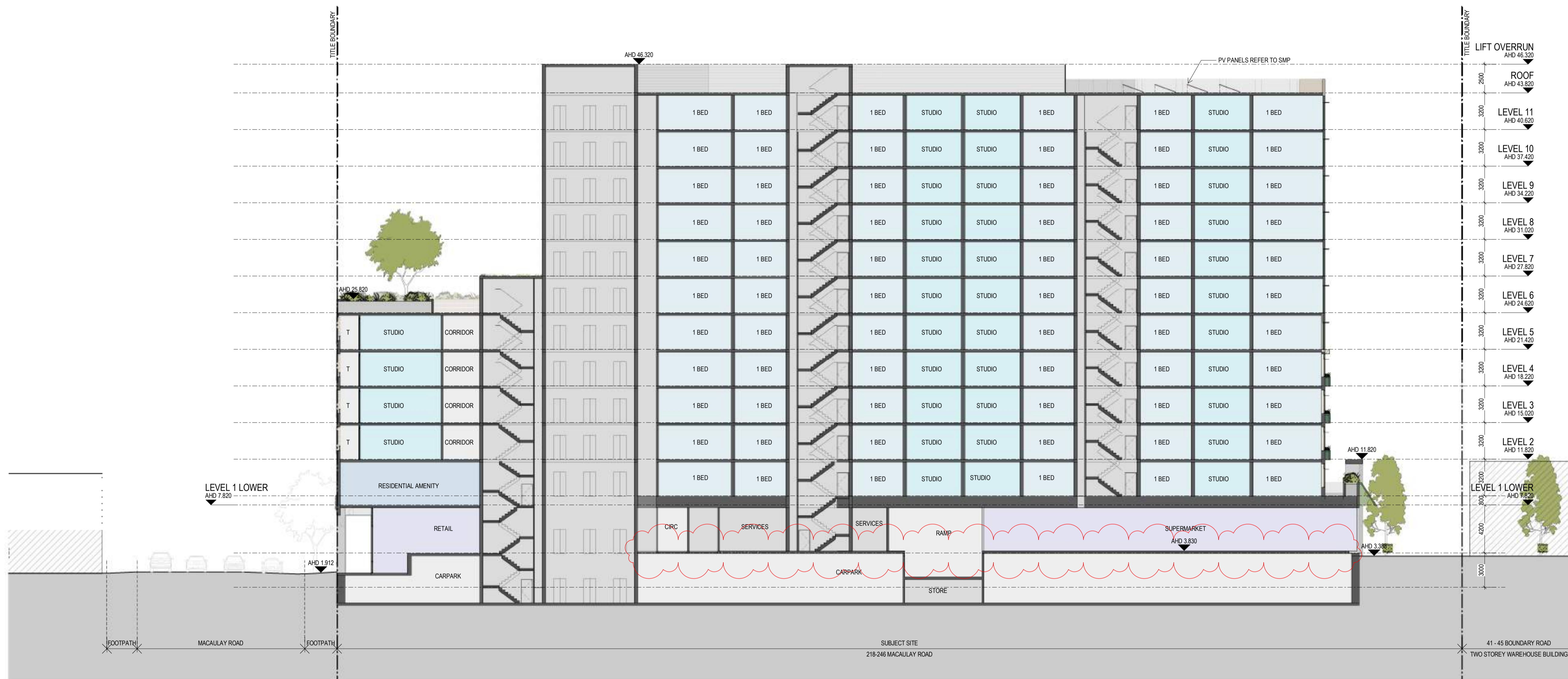
Drawing No. / **TP02.07**

**A**

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**TOWN PLANNING**

Revisions	Date	Description
-	08.09.22	Town Planning
A	16.09.22	Town Planning
B	09.12.22	Revised Town Planning
C	24.03.23	RFI Response
D	27.11.23	RFI Response

29/11/2023 4:51:20 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	GT01 GLAZING - CLEAR
AF02	APPLIED FINISH - DARK GREEN	GT02 GLAZING - GREY
BF01	BRICK FINISH	GT03 GLAZING - PATTERNED
CF01	CONCRETE - SMOOTH - LIGHT GREY	GT04 GLAZING - 75% OBSCURE
CF02	CONCRETE - RIBBED - LIGHT GREY	MC01 METAL CLADDING - DARK GREEN
CF03	CONCRETE - TEXTURED - LIGHT GREY	MF01 METAL FINISH - DARK GREEN
CF04	CONCRETE - SMOOTH - CLAY	MF02 METAL FINISH - MID GREEN
CF05	CONCRETE - RIBBED - CLAY	MF03 METAL FINISH - LIGHT GREY
CF06	CONCRETE - PATTERNED - GREY	MF04 METAL FINISH - BLACK
CF07	CONCRETE - RIBBED - MID GREY	TL01 TILE FINISH - TEXTURED - GREEN
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	GW GENERAL WASTE
NGL	NATURAL GROUND LEVEL	MR MIXED RECYCLING
RL	RELATIVE LEVEL	G GLASS RECYCLING
EDT	END OF TRIP	O ORGANIC WASTE
LP	LIGHTPOLE	EW ELECTRONIC WASTE
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	C CUPBOARD
OG	75% OBSCURE GLAZING	K KITCHEN
PP	POWER POLE	L LAUNDRY
SIL	SKYLIGHT	PS PRIVACY SCREEN
SS	STREET SIGN	R ROBE
TL	TRAFFIC LIGHT	ST STORE
XO	CROSS OVER	T TERRACE

**Macaulay Road**

218-246 Macaulay Road, North Melbourne

**Section A**

Project No / **220068**

Author / **JR/DT**

Scale: @ A1 / **1 : 200**

Drawing No. / **TP03.01**

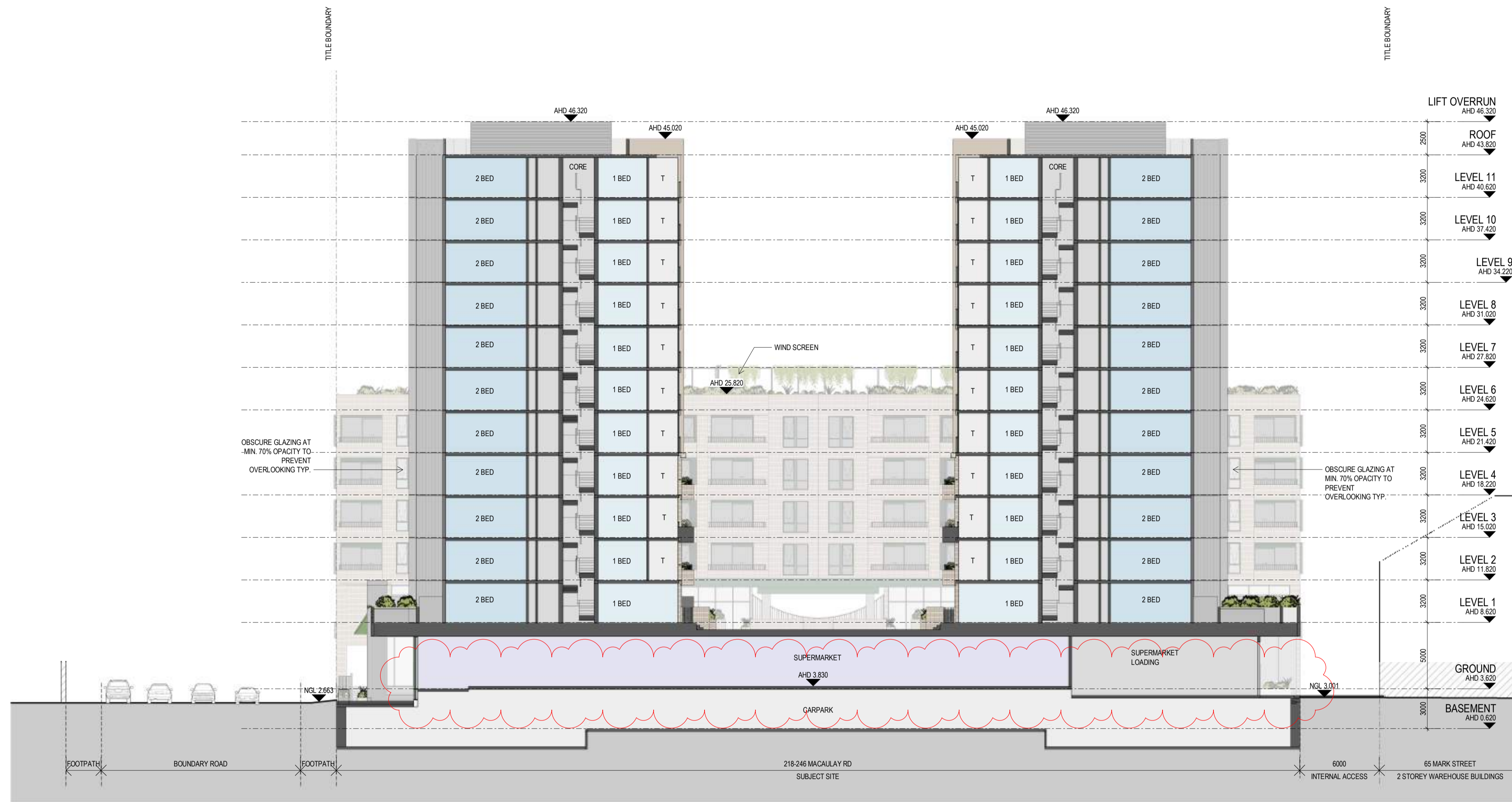
**D**

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**TOWN PLANNING**

Revisions / - 24.03.23 RFI Response  
 A 27.11.23 RFI Response

29/11/2023 4:51:32 PM

Materials	Code	Description
AF01	APPLIED FINISH - DARK GREY	
AF02	APPLIED FINISH - DARK GREEN	
BF01	BRICK FINISH	
CF01	CONCRETE - SMOOTH - LIGHT GREY	
CF02	CONCRETE - RIBBED - LIGHT GREY	
CF03	CONCRETE - TEXTURED - LIGHT GREY	
CF04	CONCRETE - SMOOTH - CLAY	
CF05	CONCRETE - RIBBED - CLAY	
CF06	CONCRETE - PATTERNED - GREY	
CF07	CONCRETE - RIBBED - MID GREY	
EP01	EXTERNAL PAINT - DARY GREY	
EP02	EXTERNAL PAINT - DARK GREEN	

GT01	GLAZING - CLEAR
GT02	GLAZING - GREY
GT03	GLAZING - PATTERNED
GT04	GLAZING - 75% OBSCURE
MC01	METAL CLADDING - DARK GREEN
MF01	METAL FINISH - DARK GREEN
MF02	METAL FINISH - MID GREEN
MF03	METAL FINISH - LIGHT GREY
MF04	METAL FINISH - BLACK
TL01	TILE FINISH - TEXTURED - GREEN

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	Code	Description
AHD	AUSTRALIAN HEIGHT DATUM	
NSL	NATURAL GROUND LEVEL	
RL	RELATIVE LEVEL	
EOT	END OF TRIP	
LP	LIGHTPOLE	
MB	MOTORBIKE SPACE	
NHW	NON HABITABLE WINDOW	
OG	75% OBSCURE GLAZING	
PP	POWER POLE	
SIL	SKYLIGHT	
SS	STREET SIGN	
TL	TRAFFIC LIGHT	
XO	CROSS OVER	
GW	GENERAL WASTE	
MR	MIXED RECYCLING	
G	GLASS RECYCLING	
O	ORGANIC WASTE	
EW	ELECTRONIC WASTE	
C	CUPBOARD	
K	KITCHEN	
L	LAUNDRY	
PS	PRIVACY SCREEN	
R	ROBE	
ST	STORE	
T	TERRACE	

Project / **Macaulay Road**

218-246 Macaulay Road, North Melbourne

Drawing / **Section B**

Project No / **220068**

Author / **LB**

Scale: @ A1 / **1 : 200**

Drawing No. / **TP03.02**

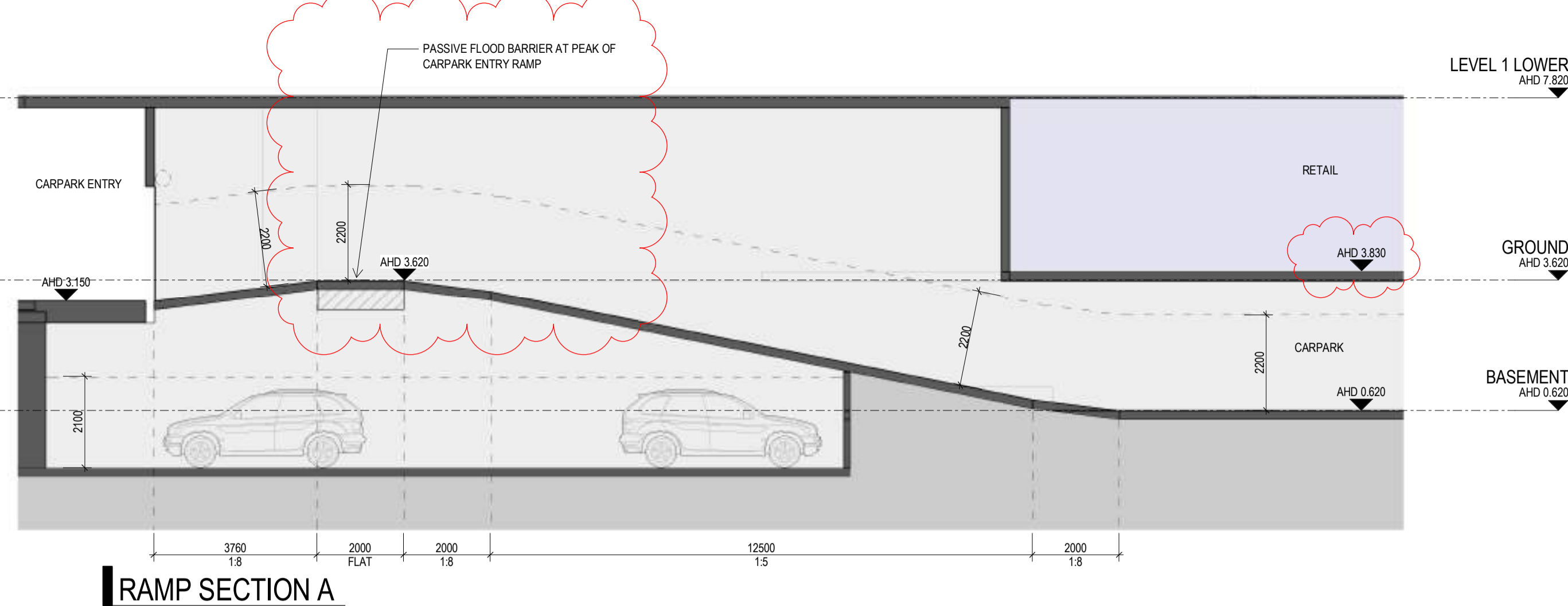
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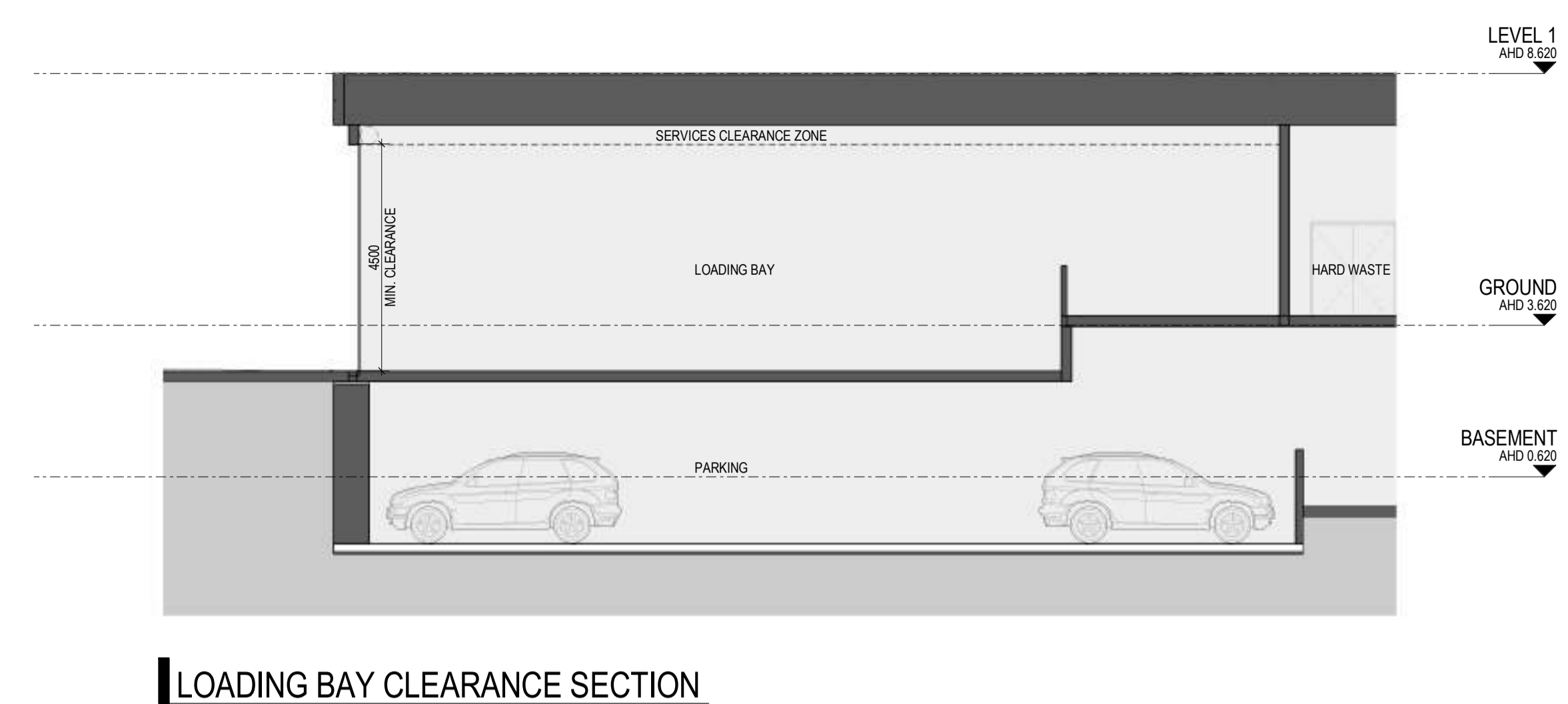
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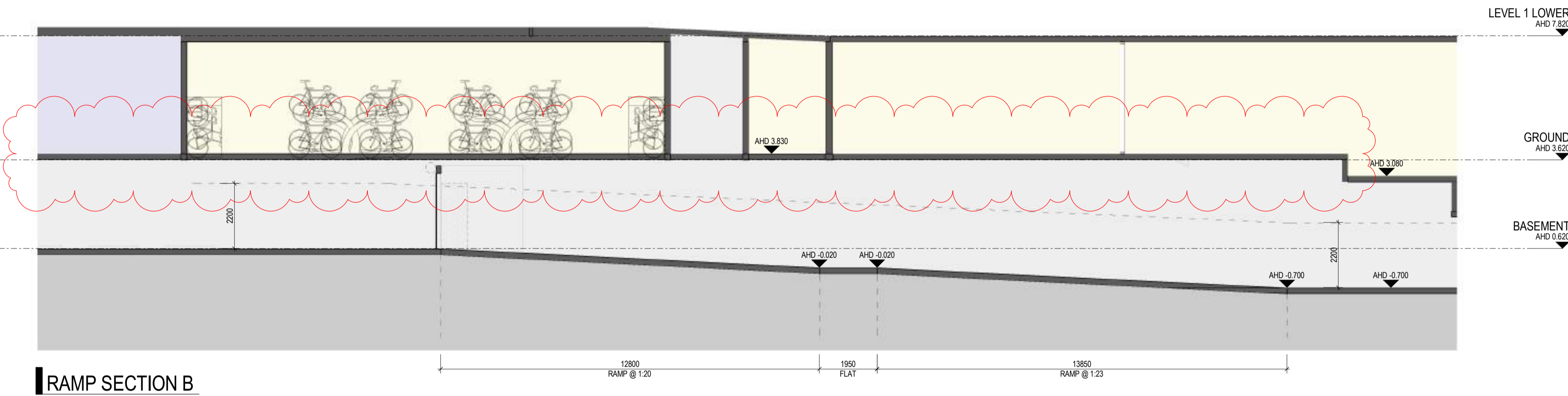




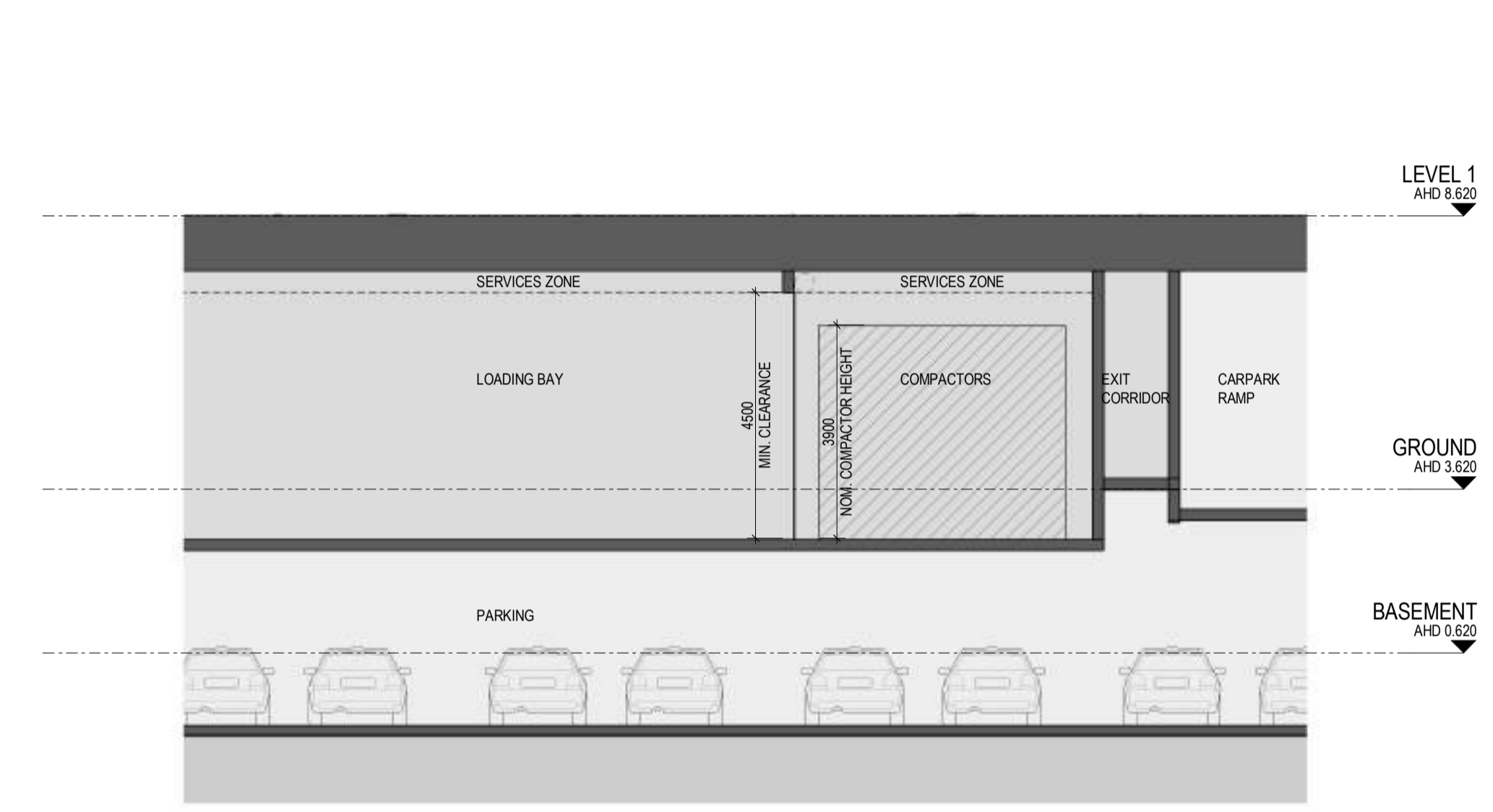
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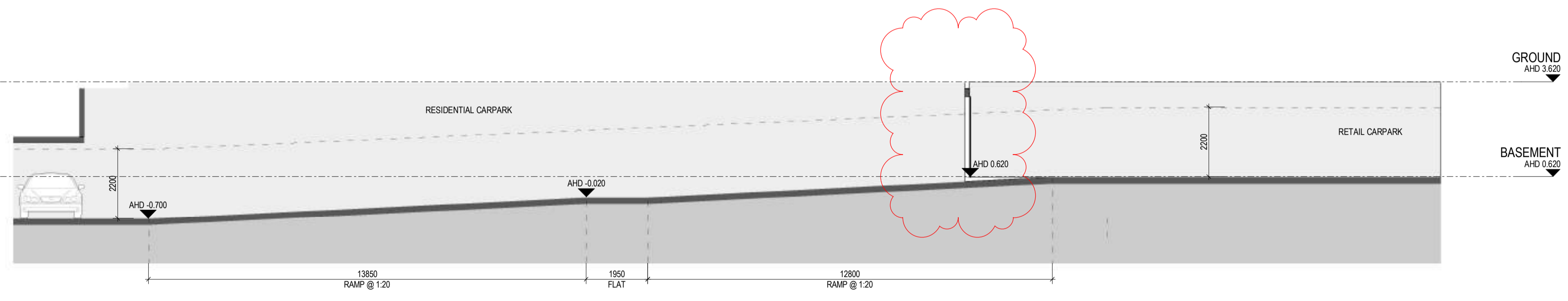
LOADING BAY CLEARANCE SECTION



RAMP SECTION B



COMPACTOR CLEARANCE SECTION



RAMP SECTION C

TOWN PLANNING

Revisions / - 24.03.23 RFI Response  
A 27.11.23 RFI Response

JR  
JR

NOTE: REFER TO LANDSCAPE DRAWINGS BY TRACT FOR LANDSCAPE DESIGN

Legend	AHD AUSTRALIAN HEIGHT DATUM	GW GENERAL WASTE
	NGL NATURAL GROUND LEVEL	MR MIXED RECYCLING
	RL RELATIVE LEVEL	G GLASS RECYCLING
	EDT END OF TRIP	O ORGANIC WASTE
	LP LIGHTPOLE	EW ELECTRONIC WASTE
	MB MOTORBIKE SPACE	
	NHW NON HABITABLE WINDOW	C CUPBOARD
	OG 75% OBSCURE GLAZING	K KITCHEN
	PP POWER POLE	L LAUNDRY
	SIL SKYLIGHT	PS PRIVACY SCREEN
	SS STREET SIGN	R ROBE
	TL TRAFFIC LIGHT	ST STORE
	XO CROSS OVER	T TERRACE

Project / Macaulay Road

Drawing / Ramp Section

Project No / 220068

Author / LB

Scale: @ A1 / 1 : 100

Drawing No. / TP03.04

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LEVEL	GFA (Excluding Terrace)	Parking	NSA Residential	GLA Supermarket	NLA Retail/Commercial	Residential Amenities	Circulation & Services	Communal Terrace	Terrace POS	Studio	1 Bed	2 Bed	3 Bed	Totals
Not Placed	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0	0	0	0	0
BASEMENT	6490.4 m <sup>2</sup>	5462.4 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	1028.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0	0	0	0	0
GROUND	5225.2 m <sup>2</sup>	131.5 m <sup>2</sup>	0.0 m <sup>2</sup>	1985.7 m <sup>2</sup>	757.2 m <sup>2</sup>	0.0 m <sup>2</sup>	2350.8 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0	0	0	0	0
LEVEL 1	3396.7 m <sup>2</sup>	0.0 m <sup>2</sup>	1775.9 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	1186.0 m <sup>2</sup>	434.8 m <sup>2</sup>	1213.7 m <sup>2</sup>	1019.0 m <sup>2</sup>	6	12	12	0	30
LEVEL 2	3437.5 m <sup>2</sup>	0.0 m <sup>2</sup>	2840.4 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	597.1 m <sup>2</sup>	0.0 m <sup>2</sup>	430.9 m <sup>2</sup>	10	18	12	6	46
LEVEL 3	3435.9 m <sup>2</sup>	0.0 m <sup>2</sup>	2839.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	596.9 m <sup>2</sup>	0.0 m <sup>2</sup>	429.4 m <sup>2</sup>	10	18	12	6	46
LEVEL 4	3437.5 m <sup>2</sup>	0.0 m <sup>2</sup>	2840.4 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	597.1 m <sup>2</sup>	0.0 m <sup>2</sup>	430.9 m <sup>2</sup>	10	18	12	6	46
LEVEL 5	3427.2 m <sup>2</sup>	0.0 m <sup>2</sup>	2830.4 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	596.9 m <sup>2</sup>	0.0 m <sup>2</sup>	426.1 m <sup>2</sup>	10	18	12	6	46
LEVEL 6	2224.8 m <sup>2</sup>	0.0 m <sup>2</sup>	1765.1 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	459.7 m <sup>2</sup>	1348.5 m <sup>2</sup>	259.4 m <sup>2</sup>	6	12	12	0	30
LEVEL 7	2187.9 m <sup>2</sup>	0.0 m <sup>2</sup>	1765.1 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	422.8 m <sup>2</sup>	0.0 m <sup>2</sup>	259.4 m <sup>2</sup>	6	12	12	0	30
LEVEL 8	2187.9 m <sup>2</sup>	0.0 m <sup>2</sup>	1765.1 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	422.8 m <sup>2</sup>	0.0 m <sup>2</sup>	259.4 m <sup>2</sup>	6	12	12	0	30
LEVEL 9	2187.9 m <sup>2</sup>	0.0 m <sup>2</sup>	1765.1 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	422.8 m <sup>2</sup>	0.0 m <sup>2</sup>	259.4 m <sup>2</sup>	6	12	12	0	30
LEVEL 10	2187.9 m <sup>2</sup>	0.0 m <sup>2</sup>	1765.1 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	422.8 m <sup>2</sup>	0.0 m <sup>2</sup>	259.4 m <sup>2</sup>	6	12	12	0	30
LEVEL 11	2187.9 m <sup>2</sup>	0.0 m <sup>2</sup>	1765.1 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	422.8 m <sup>2</sup>	0.0 m <sup>2</sup>	259.4 m <sup>2</sup>	6	12	12	0	30
ROOF	90.2 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	90.2 m <sup>2</sup>	0.0 m <sup>2</sup>	0.0 m <sup>2</sup>	0	0	0	0	0
TOTAL	42104.8 m <sup>2</sup>	5593.9 m <sup>2</sup>	23716.6 m <sup>2</sup>	1985.7 m <sup>2</sup>	757.2 m <sup>2</sup>	1186.0 m <sup>2</sup>	8865.4 m <sup>2</sup>	2562.2 m <sup>2</sup>	4292.5 m <sup>2</sup>	82	156	132	24	394
										20.8%	39.6%	33.5%	6.1%	100%

\*For preliminary feasibility purposes. Areas are not to be used for purpose of lease or sale agreements. Layouts may not comply with building regulations or other regulatory requirements. The information contained in this schedule is believed to be correct at the time of printing. Areas are generally measured in accordance with the Property Council of Australia Method of Measurement.

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LEVEL	CARPARKS			MOTORBIKE /SCOOTER PARK	BICYCLE PARKS	STORES
	RESIDENTIAL	RETAIL	TOTAL			
BASEMENT	138	52	190	10	0	290
GROUND	0	0	0	0	484	0

CROSS VENT APARTMENTS  
TOTAL: 198

ADAPTABLE APARTMENTS  
TOTAL: 224

## TOWN PLANNING

Revisions	Date	Description	Author
-	08.09.22	Town Planning	HB
A	16.09.22	Town Planning	HB
B	09.12.22	Revised Town Planning	SB
C	24.03.23	RFI Response	JR
D	27.11.23	RFI Response	JR

Project / **Macaulay Road**

Drawing / **Development Summary**

Project No / **220068**

Author / **JR/DT**

Scale: @ A1

Drawing No. / **TP05.01**

**D**

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218-246 Macaulay Road, North Melbourne

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# Shadow Analysis

## 22nd September

The following shadow diagrams represent times as noted for the equinox on the 22nd September.

Disclaimer: Survey topography, building heights and fence heights used to produce these shadow diagrams have been produced by others. Shadow diagrams have been calculated and drawn to the best of our ability with all due care taken to ensure their accuracy.

## 9am & 10 am



9 AM



10 AM



# Shadow Analysis

## 22nd September

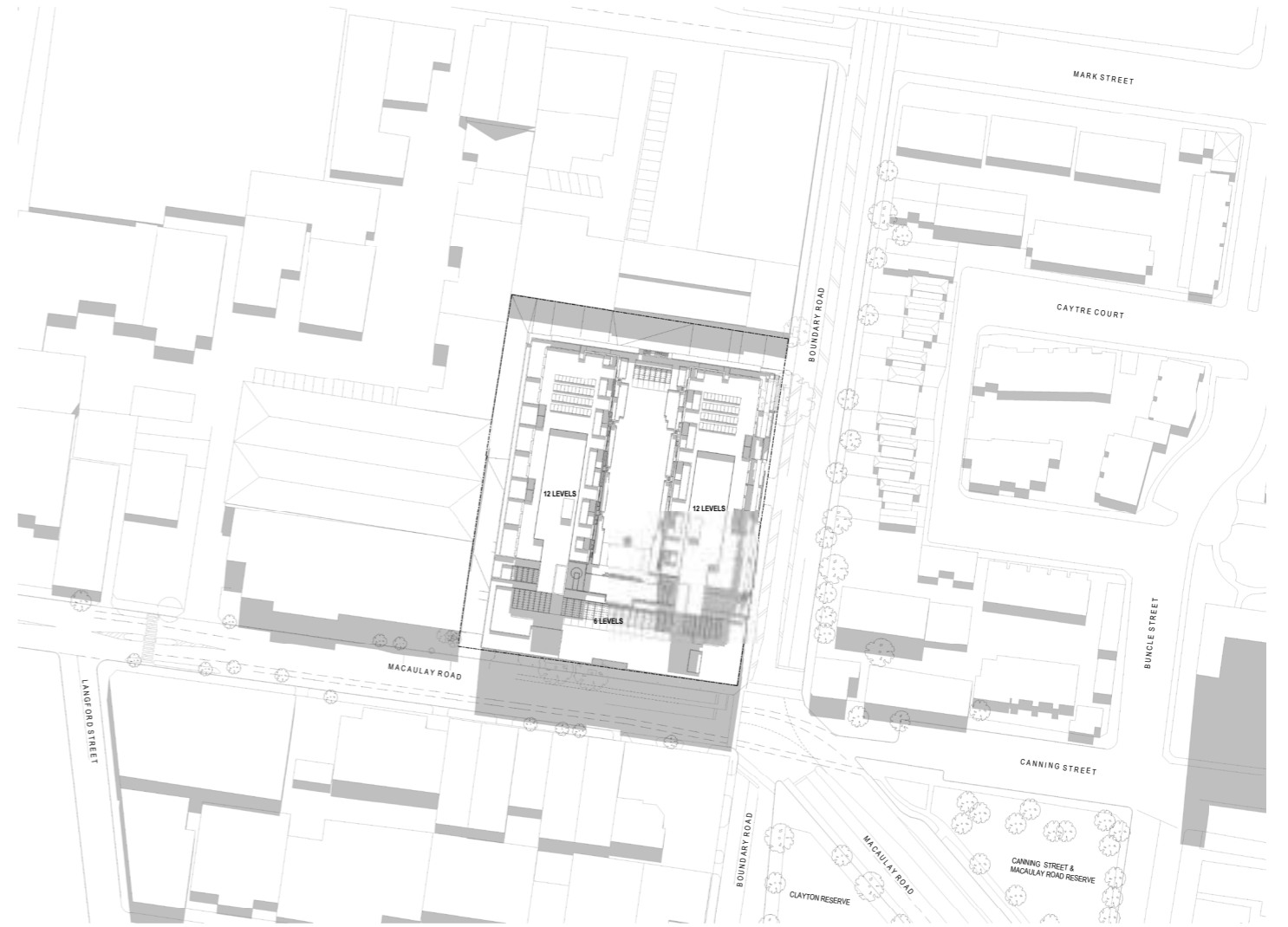
The following shadow diagrams represent times as noted for the equinox on the 22nd September.

Disclaimer: Survey topography, building heights and fence heights used to produce these shadow diagrams have been produced by others. Shadow diagrams have been calculated and drawn to the best of our ability with all due care taken to ensure their accuracy.

# 11am & 12 pm



11 AM



12 PM



# Shadow Analysis

## 1 pm & 2 pm

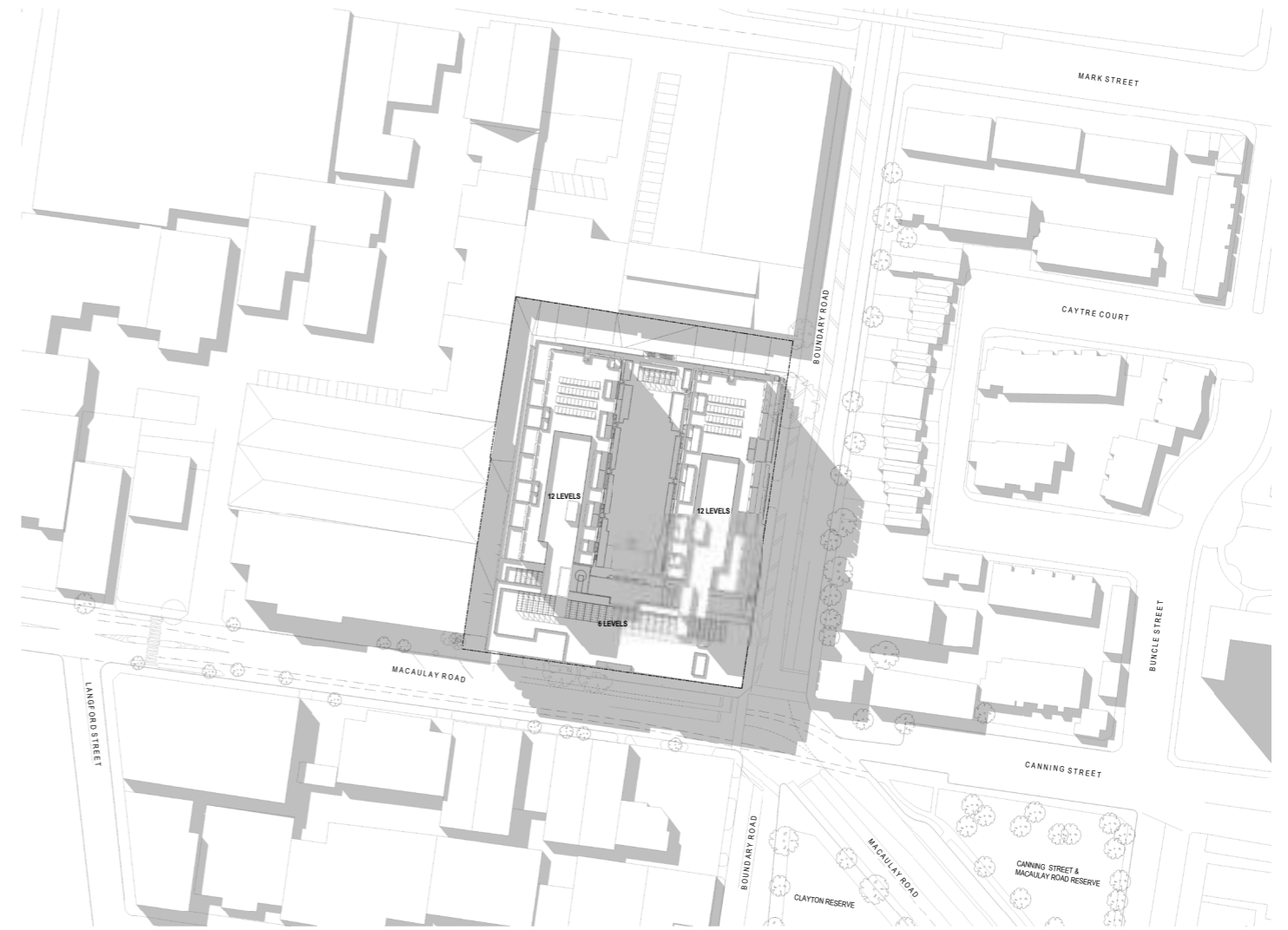
### 22nd September

The following shadow diagrams represent times as noted for the equinox on the 22nd September.

Disclaimer: Survey topography, building heights and fence heights used to produce these shadow diagrams have been produced by others. Shadow diagrams have been calculated and drawn to the best of our ability with all due care taken to ensure their accuracy.



1 PM



2 PM



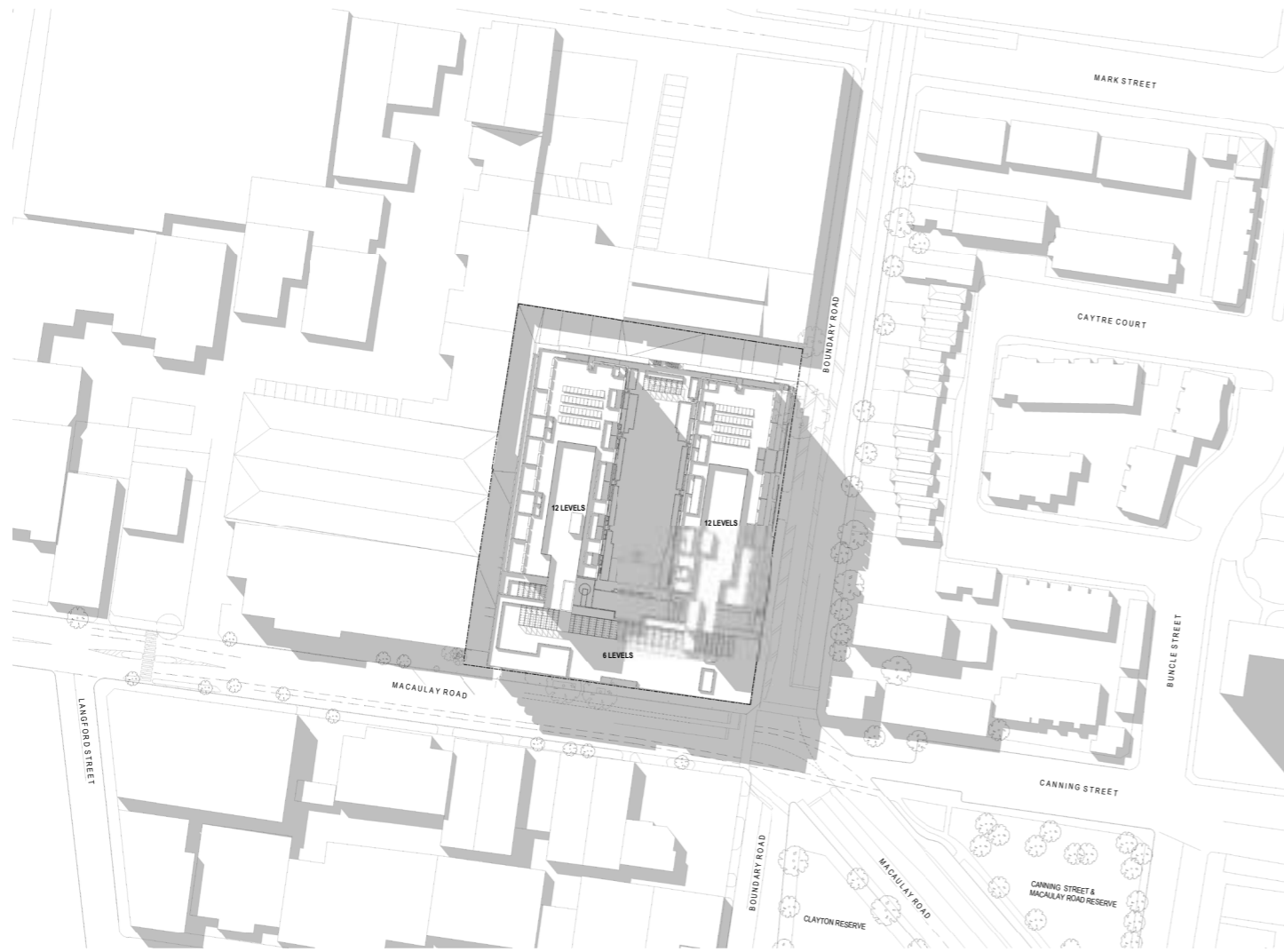
# Shadow Analysis

## 3 pm

### 22nd September

The following shadow diagrams represent times as noted for the equinox on the 22nd September.

Disclaimer: Survey topography, building heights and fence heights used to produce these shadow diagrams have been produced by others. Shadow diagrams have been calculated and drawn to the best of our ability with all due care taken to ensure their accuracy.



3 PM



## PLANNING REPORT

### MINISTERIAL PLANNING REFERRAL

<b>Application number:</b>	TPM-2022-21
<b>DTP application number:</b>	PA2201857
<b>Applicant:</b>	Ceapal Pty Ltd c/o Contour Consultants Pty Ltd
<b>Owner:</b>	Ceapal Pty Ltd
<b>Architect:</b>	Rothelowman
<b>Address:</b>	218-246 Macaulay Road and 23-35 Boundary Road, NORTH MELBOURNE
<b>Proposal:</b>	Construction of a multi-storey, mixed use development including dwellings, retail and a supermarket, a reduction in car parking requirements and alterations to access to a road in a Transport Zone (TZ2)
<b>Cost of works:</b>	\$105,750,000
<b>Date of application:</b>	28 October 2022
<b>Responsible officer:</b>	Kimberly Martin, Principal Urban Planner

## 1 SUBJECT SITE AND SURROUNDS

### 1.1 The subject site

This planning permit application (application) relates to the lands at 218-246 Macaulay Road and 23-35 Boundary Road, North Melbourne (subject site) and is located on the north side of Macaulay Road and west side of Boundary Road. Specifically, the site is located at the five-way interchange to Macaulay and Boundary Roads.

Comprising four (4) separate titles, the subject site is formally described per below:

- Common Property (CM) on Registered Plan of Strata Subdivision 17165
- Lot 1 on Registered Plan of Strata Subdivision 17165
- Lot 2 on Registered Plan of Strata Subdivision 17165
- Lot 3 on Registered Plan of Strata Subdivision 17165

The land is not affected by any covenants or agreements.

The subject site is a rectangular shaped allotment with a frontage to Macaulay Road of approximately 78.84 metres and a frontage to Boundary Road of approximately 98.43 metres yielding an overall site area of 7811 square metres. The site topography falls approximately 1 metre from the north to the south of the site.



The subject site is currently occupied by a brick warehouse and office building, constructed circa 1980. The building occupies the majority of the site with the remaining areas utilises for car parking and vehicular access. The subject site currently has vehicle access points from Macaulay Road and two to Boundary Road. The site is located within the Principal Public Transport Network (PPTN). Additionally, the site is located adjacent to a Transport Zone 2 (TRZ2) of which includes Boundary Road and the south east alignment of Macaulay Road (from the signalised intersection).

Three (3) street trees are located adjacent to the subject site, two (2) Elm '*Ulmus sp.*' (Asset ID: 1290300 and 1290299) to the Macaulay Road frontage and one (1) London Plane '*Platanus x acerifolia*' (Asset ID: 1290237) to Boundary Road. No street trees are proposed to be removed to facilitate this development.

Inspections of the subject site and surrounding area were undertaken, including the below site photography undertaken on 11 January 2024.



Figure 1 - View of the subject site from the Macaulay Road and Boundary Road intersection



Figure 2 - View of south boundary (Macaulay Road) of the subject site



Figure 3 - Partial view of east boundary (Boundary Road) of the subject site





Figure 4 - View of south eastern corner of existing building on the subject site



Figure 5 - View of north eastern corner of building on the subject site (where the northern link is proposed)

## 1.2 The surrounds

The subject site is located within the Macaulay Urban Renewal Area which is primarily characterised by low-density manufacturing, wholesale and storage activities. It straddles the north-western edge of the Central City area and while there are several large underutilised industrial sites, the renewal area is recognised as being in transition; undergoing extensive redevelopment that will transform former industrial sites either side of the Moonee Ponds Creek.

The site is located on Macaulay Road, the primary east-west axis connecting North Melbourne to Kensington. Broadly, the site is well served by public transport, including Macaulay Train Station being 170 metres west of the site and Bus Route #402 that connects Footscray Train Station and East Melbourne located to the west of the site in front of 288 – 294 Macaulay Road.

In terms of direct abutments:

- Located directly to the north of the subject site is 41-45 Boundary Road, a double storey building currently occupied by an education facility. In addition, 3/59-63 Mark Street is occupied by a double storey warehouse.
- Directly to the east of the site, is Boundary Road, an arterial two-way road and typically comprises one-lane in each direction, widening on approaches to key intersections to provide turn lanes. It has a road reserve of 20 metres (approximately) and is subject to a 60 km/h speed limit. Parallel car parking is provided on both sides of the road. Footpaths are located on both sides of the



road. Controlled pedestrian crossing facilities are provided at the Boundary Road / Macaulay Road signalised intersection.

- Beyond Boundary Road to the east is a series of buildings including:
  - 13-35 Catyre Crescent - a double storey townhouse located behind a tall brick fence of which extends along the Macaulay Road frontage
  - 11 Catyre Crescent – a two storey apartment building
  - 2 Boundary Road – a double storey hotel (formerly Hotel Kensington).
- Directly to the south of the site is Macaulay Road, a two-way road and typically provides one-lane in each direction, widening on approaches to key intersections to deliver turn lanes. It has a road reserve of 20 metres (approximately). The speed limit in the vicinity of the subject site is 50 km/h. Footpaths are located on both sides of the road. Controlled pedestrian crossing facilities are provided at the Boundary Road / Macaulay Road signalised intersection.
- Across Macaulay Road to the south are a number of properties located within the Special Use Zone. These include:
  - 265-273 Macaulay Road – a commercial office
  - 261-263 Macaulay Road – a commercial office
  - 257-259 Macaulay Road – a delicatessen / café
  - 253-255 Macaulay Road – a commercial office
  - 243-251 Macaulay Road – a car wash.
- To the site's west at 48 – 276 Macaulay Road is National Storage is a two storey self-storage facility.



Figure 6 - Aerial view of the subject site and surrounds





Figure 7 - Land zoning map

## 2 LAND PARTICULARS

### 2.1 Archaeology and Heritage Inventory

The subject site is not included in the [Victorian Heritage Inventory](#).

### 2.2 Aboriginal Cultural Heritage

The land is included in an area of Aboriginal Cultural Heritage Sensitivity, as defined by the *Aboriginal Heritage Regulations 2018* (Regulations), by virtue of the site being located within close proximity to a waterway (Moonee Ponds Creek)<sup>1</sup>.

Pursuant to Regulation 7 of the Regulations, a Cultural Heritage Management Plan (CHMP) is required for an activity if:

- a) *All or part of the activity area for the activity is an area of cultural heritage sensitivity<sup>2</sup>; and*
- b) *All or part of the activity is a high impact activity.*

If only one of these two conditions apply, then the preparation of a mandatory CHMP is not required. In this case, pursuant to Division 5 of the Regulations the proposed activity is a *high impact activity*<sup>3</sup>.

Division 2 of the Regulations lists exempt activities. A review shows that the activity is not an exempt activity.

Divisions 3 and 4 of the Regulations list areas of cultural heritage sensitivity. These are also shown on the Aboriginal Cultural Heritage Register Information System (ACHRIS). A review of both the Regulations and ACHRIS shows that all of the activity area is an area of cultural heritage sensitivity pursuant to Regulation 26 (1)(2).

Since a portion of the activity area is an area of cultural heritage sensitivity and the activity is a high impact activity, a mandatory CHMP is required. However, if the area of cultural heritage sensitivity has been subject to significant ground disturbance (SGD), then a mandatory CHMP is not required.

<sup>1</sup> (1) Subject to subregulation (2), a waterway or land within 200 metres of a waterway is an area of cultural heritage sensitivity. (2) If part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

<sup>2</sup> Cultural heritage sensitivity are specified in Division 3 and Division 4 of Part 2 of the Regulations

<sup>3</sup> Regulations 46 (1)(a)(b)(iii)(xviii)(xxi)(xxiii)



The application was accompanied by a letter of advice prepared by *Jem Archaeology Pty Ltd*, dated 23 February 2023. In their letter it was determined that SGD has occurred in the activity area for the following reasons:

1. *Historical aerial imagery demonstrates that the activity area has been subject to modification as early as 1945...*
2. *By 1945, the entirety of the activity area was developed into a potential mix of industrial, commercial and residential uses. At least seven built structures were present within the activity area. Conditions within the activity area remained generally consistent through to 1976...*
3. *From 1981 the existing warehouse structure and surrounding hardstand currently present within the activity area was developed...*
4. *There was no vegetation present within the activity area at this time. Satellite imagery shows that by March 2000 the activity area closely resembled current conditions, with vegetation and tree growth the only observable changes.*

They concluded that the proposed activity at 218-246 Macaulay Road and 23-35 Boundary Road, North Melbourne does not require the preparation of a mandatory CHMP because *"while part of activity area is a legislated area of cultural heritage sensitivity pursuant to Regulation 26 (1)(2), and the activity is a high impact activity pursuant to Regulation No. 46 (1)(a)(b)(iii)(xviii)(xxi)(xxiii), significant ground disturbance has occurred within the activity area"*.

It is the responsibility of the Minister for Planning as the Responsible Authority to determine if a CHMP is required.

### **3 BACKGROUND AND HISTORY**

#### **3.1 Pre-application discussions**

There have been several pre-application meetings held for this site of which included various built form propositions.

There was no pre-application meeting held for this particular application / proposed development scheme.

#### **3.2 Planning Permit History**

There is no directly relevant history or background for this application.

### **4 PROPOSAL**

#### **4.1 Proposal Summary**

The application seeks permission for the construction of a multi-storey, mixed use development including dwellings, retail and a supermarket, a reduction in car parking requirements and alterations to access to a road in a Transport Zone (TZ2).

The key components of the proposal are summarised below:

- Buildings and works associated with the construction of a 6-12 storey mixed use building over a single level basement.
- Built form presents as 6 storey building to Macaulay Road and two attached 12 storey buildings that extend in a north - south alignment with a large central 'void', creating a built form 'U' shape.
- The use of the land as accommodation (394 dwellings), retail and shop (supermarket).
- Construction of two new publicly accessible links (laneways) along the north and west boundary alignments.



- Reduction in the standard car parking requirement.
- Alteration to the access to a Transport 2 Zone.

Details of the proposal can be summarised, as per Table 1, as follows:

<b>Table 1: Proposal Summary</b>	
<b>Gross Floor Area (GFA)</b>	42,104.8 m <sup>2</sup> total GFA. 35,614.4 m <sup>2</sup> GFA excluding the basement.
<b>Floor Area Ratio</b>	4.55:1
<b>Building Height</b>	<b>Boundary Road:</b> 12 storeys / 42.7 m <b>As from New 'North' Road:</b> 12 storeys / 42.7 m <b>New 'West' Road:</b> 12 storeys / 42.7 m
<b>Street Wall Heights</b>	<b>Macaulay Road:</b> 6 storeys / 22.2 m
<b>Setbacks</b>	<b>Macaulay Road</b> <ul style="list-style-type: none"> <li>• Setback to Macaulay Road - On boundary</li> </ul> <b>Boundary Road</b> <ul style="list-style-type: none"> <li>• Setback to Boundary Road – Level 1 above – minimum 6 m</li> </ul> <b>North</b> <ul style="list-style-type: none"> <li>• Setback to north boundary – minimum 9 metres (majority 12 m)</li> </ul> <b>West</b> <ul style="list-style-type: none"> <li>• Setback to west boundary – minimum 6 metres (majority 12 and 14 m)</li> </ul>
<b>Dwellings</b>	A total of 394 dwellings (224 adaptable) are proposed comprising: <ul style="list-style-type: none"> <li>• Studio: 82 dwellings</li> <li>• One-bedroom: 156 dwellings</li> <li>• Two-bedroom: 132 dwellings</li> <li>• Three-bedroom: 24 dwellings</li> </ul>
<b>Communal Areas</b>	Internal centralised communal courtyard area: 1213.7 m <sup>2</sup> (Level 1) Internal communal area: 1186 m <sup>2</sup> (Level 1) Communal terrace area: 1348.5 m <sup>2</sup> (Level 6) Total communal areas: 3748.2 m <sup>2</sup>
<b>Affordable Housing</b>	4 per cent at a 35 per cent discount of market value or rent
<b>Deep Soil Planting</b>	9 per cent or 700 m <sup>2</sup> (in the form of garden beds)
<b>Landscaping</b>	Provided in the form of garden beds and planters, deep soil zones and canopy creepers Total planting area – 1560 m <sup>2</sup> Total planting across site – 20 per cent 77 trees proposed (2 x Type 'B' – 8 metre height and spread with minimum 28 m <sup>3</sup> of soil)
<b>Waste</b>	Residential waste – Council collection Commercial waste – Private collection
<b>Materials</b>	Brick, concrete, metal and glazing
<b>Storage Cages</b>	290 provided at basement level



<b>'Retail' floor space</b>	Total 757.2 m <sup>2</sup> across three tenancies
<b>Shop 'Supermarket' floor space</b>	1985.7 m <sup>2</sup>
<b>Links (Laneways)</b>	Proposed publicly accessible links (laneways) constructed along north and west site alignment
<b>Car parking</b>	190 (138 residential and 52 retail)
<b>Motorcycle spaces</b>	10
<b>Bicycle parking</b>	484
<b>Vehicle access / egress</b>	Vehicle access via a crossover on Macaulay Road through to the one way new road along western alignment of site. Vehicle egress via Boundary Road.
<b>Loading / unloading</b>	Loading / unloading and waste collection areas accessed via basement from new west boundary access link.

Development renders of the proposal are provided below.



Figure 8 - Render of proposal as viewed from the intersection of Macaulay Road and Boundary Road





Figure 9 - Render of Boundary Road



Figure 10 - Render of north eastern corner from proposed north link



## 4.2 Documents considered in assessment

The documents which have been considered in this assessment are identified in Table 2 below:

<b>Table 2: Documents Considered in Assessment</b>		
<b>Document</b>	<b>Author</b>	<b>Date</b>
Town Planning Report	Contour Consultants	March 2023
Clause 58 Assessment	Contour Consultants	March 2023
Urban Context and Site Analysis	Rothelowman	September 2022
Architectural Plans and Renders	Rothelowman	Various
Winter Solstice Shadows	Rothelowman	31 March 2023
Letter of Advice – Cultural Heritage	Jem Archaeology	23 February 2023
Landscape Concept	Tract	22 March 2023
Traffic Impact Assessment	Stantec Australia Pty Ltd	31 March 2023
Waste Management Plan	Leigh Design	3 April 2023
Green Travel Plan	Stantec Australia Pty Ltd	16 March 2023
Accessibility Report	Before Compliance Pty Ltd.	15 February 2023
Pedestrian Wind Study	RWDI Australia Limited	30 March 2023
Sustainability Management Plan	GIW Environmental Solutions	28 March 2023
Acoustic Report	RWDI Australia Limited	30 March 2023
Information Responses (in the form of cover letters)	Contour Consultants	27 September 2022 9 December 2022 31 March 2023 26 May 2023 20 October 2023 22 December 2023
Survey Plan – Building Height	Hellier McFarland	10 January 2023

## 5 STRATEGIC FRAMEWORK AND STATUTORY CONTROLS

### 5.1 Policy Framework

Table 3 identifies the following provisions of the Melbourne Planning Scheme that apply:

<b>Table 3: Strategic Framework</b>	
<b>Section</b>	<b>Policy</b>
<b>Municipal Planning Strategy</b>	<ul style="list-style-type: none"> <li>• Clause 2.02: Vision</li> <li>• Clause 2.03: Strategic Directions</li> <li>• Clause 2.04: Strategic Framework Plans <ul style="list-style-type: none"> <li>○ Clause 2.04-7: Arden and Macaulay Plan</li> </ul> </li> </ul>



**Planning Policy Framework**

- Clause 11: Settlement
  - Clause 11.02: Managing Growth
  - Clause 11.03: Planning for Places
  - Clause 11.03-6L-10: North Melbourne
- Clause 13: Environmental Risks and Amenity
  - Clause 13.03: Floodplains
  - Clause 13.05: Noise
  - Clause 13.06: Air Quality
  - Clause 13.07: Amenity, Human Health and Safety
  - Clause 13.07-1S – Land Use Compatibility
  - Clause 13.07-1L-03 – Land Use Compatibility
- Clause 15: Built Environment and Heritage
  - Clause 15.01: Built Environment
  - Clause 15.01-1S – Urban Design
  - Clause 15.01-1R – Urban Design – Metropolitan Melbourne
  - Clause 15.01-1L-03: Sunlight to Public Spaces
  - Clause 15.01-1L-04 – Urban Design
  - Clause 15.01-1L-05: Urban design outside the Capital City Zone
  - Clause 15.01-2S – Building Design
  - Clause 15.01-2L-01: Energy and resource efficiency
  - Clause 15.01-5S – Neighbourhood Character
  - Clause 15.02 Sustainable Development
- Clause 16: Housing
  - Clause 16.01: Residential Development
- Clause 17: Economic Development
  - Clause 17.01: Employment
  - Clause 17.02: Commercial
  - Clause 17.03: Industry
- Clause 18: Transport
  - Clause 18.01: Land Use and Transport
  - Clause 18.02: Movement Networks
- Clause 19: Infrastructure
  - Clause 19.02: Community Infrastructure
  - Clause 19.03: Development Infrastructure
  - Clause 19.03-3L: Stormwater management (Water sensitive urban design)



## 5.2 Zone and Overlays

### 5.2.1 Commercial Zone – Schedule 1

The subject sites are located within the Commercial Zone – Schedule 1 (C1Z). The purpose of the C1Z is:

*"To implement the Municipal Planning Strategy and the Planning Policy Framework.*

*To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*

*To provide for residential uses at densities complementary to the role and scale of the commercial centre."*

### 5.2.2 Design and Development Overlay – Schedule 63 (Area A8)

DDO63: Macaulay Urban Renewal Area, Kensington and North Melbourne sets expectations for future built form in the Macaulay urban renewal area. This site is located in 'Area A8'.

Broadly, if development satisfies the built form requirements, built form outcomes and design objectives of DDO63, it is considered that the development will also address relevant policy settings for urban design and built form in the Planning Policy Framework.

Design objectives which are relevant to the proposed development are as follows:

- *To create a compact, high density, predominantly mid-rise, 6 – 12 storey walkable neighbourhood that steps down at the interface with the low scale surrounding established residential neighbourhoods.*
- *To provide for higher development that delivers identified demonstrable benefits on large sites that do not interface with the low scale surrounding established residential neighbourhoods.*
- *To create urban streetscapes that are defined by a generally consistent plane of building facades that enclose streets but allow daylight and sunlight to penetrate to the streets and to lower building levels.*
- *To ensure that built form elements above the street wall are visually recessive and do not contribute to visual bulk.*
- *To encourage the ground floor of buildings to be designed so that they can be used for a variety of uses over time.*

The development's response to the built form controls of this DDO are divided into building height, setbacks and design detail. A detailed assessment of the application against this DDO is contained in Section 9.3.1 of this report.

### 5.2.3 Design and Development Overlay – Schedule 26

Schedule 26 to the Design and Development Overlay (North Melbourne, West Melbourne and Arden-Macaulay Noise Attenuation Area) states that a building accommodating a noise-sensitive use must:

*Be designed and constructed to include noise attenuation measures. These noise attenuation measures must achieve a maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms, with all windows and doors closed, unless there is no suitable air conditioning and/or mechanical ventilation, in which case the maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms must be achieved with all the windows half open and the doors closed.*

*Be fitted with suitable air conditioning and / or mechanical ventilation system to the satisfaction of the responsible authority unless the maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms can be achieved with all the windows half open and the doors closed.*

*Have walls, roof, windows, doors and external glazing and the air conditioning or ventilation system designed by a qualified acoustical consultant who must certify that the incorporation of the design features recommended by the consultant will achieve a maximum noise level in unfurnished and uncarpeted habitable rooms of 35dB(A)Leq, based on the external noise levels measured by the consultant as part of a noise level assessment conducted to the satisfaction of the responsible authority.*

The Acoustic Report dated 30 March 2023 by *RWDI Australia Pty Ltd (RWDI)* includes recommendations for minimum glazing performance and wall treatments to achieve the required acoustic environment. Conditions requiring these recommendations to be shown on Architectural Drawings will be recommended for inclusion on any permit that may issue.

#### **5.2.4 Environmental Audit Overlay**

The subject site is covered by an Environmental Audit Overlay (EAO), which has the following purpose:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

The EAO stipulates that, before the construction or carrying out of works in association with a sensitive use must provide either:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* stating that the environmental conditions of the land are suitable for the use or proposed use.

As a number of industry uses occur on and adjoining the site, and having regard to the provisions of *Planning Practice Note 30 - Potentially Contaminated Land* it is considered that the site is likely to be contaminated. For that reason, appropriate conditions requiring either an environmental audit statement or certificate of environmental audit will therefore be recommended.

#### **5.2.5 Development Contribution Plan Overlay – Schedule 2**

Schedule 2 to the Development Contributions Overlay (DCPO2) requires a permit holder to enter into a legal agreement with the City of Melbourne to make development contributions.

The interim DCPO will allow for the collection of development contributions to contribute to the funding of new infrastructure until a permanent DCPO or ICP is established.

A condition for the permit holder to enter a Section 173 Agreement with Council to enable payment of applicable Development Contributions will therefore be recommended.



### 5.3 Statutory Controls

Table 4 summarises the planning controls and requirements of the Melbourne Planning Scheme applying to the subject site and proposed development:

<b>Table 4: Planning Controls</b>	
<b>Clause</b>	<b>Permit Trigger</b>
<p><b>Clause 34.01</b> Commercial Zone – Schedule (C1Z)</p>	<p><b>Buildings and Works – Permit Required</b> Pursuant to Schedule 1 of Clause 34.01-4, a permit is required to construct a building or construct or carry out works.  An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.</p> <p><b>Accommodation 'dwellings' Land Use – Permit Required</b> Clause 34.01-1 of the C1Z states, '<i>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).</i>' The ground floor accommodation frontage exceeds 2 metres and therefore a planning permit is required for the use of the land as accommodation 'dwellings'.</p> <p><b>Retail and Shop - Permit Not Required</b> Retail - Pursuant to Clause 34.01-1, a planning permit is not required for the use of the land as 'Retail'.  Shop (Supermarket) - Pursuant to Clause 34.01-1, a planning permit is not required for the use of the land as a 'Shop' including a 'Supermarket'.</p>
<p><b>Clause 43.02</b> Design and Development Overlay – Schedule 63 <i>Macaulay Urban Renewal Area, Kensington and North Melbourne</i> (DDO63 – Area A8)</p>	<p><b>Buildings and Works – Permit Required</b> Pursuant to Schedule 63 of Clause 43.02, a permit is required to construct a building or carry out works.  The provisions of this Schedule relate to building height, street wall height, upper level setbacks, active street frontages, weather protection and façade treatment, connectivity and laneways, and heritage.</p>
<p><b>Clause 43.02</b> Design and Development Overlay – Schedule 26 (DDO26)</p>	<p><b>Buildings and Works – Permit Required</b> A permit is required for buildings and works associated with new, refurbished or converted developments for noise sensitive uses.  The provisions of this schedule relate to building design and pre-construction noise measurement, and verification testing.</p>
<p><b>Clause 45.06</b> Development Contributions Plan Overlay – Schedule 2 (DCPO2)</p>	<p>A permit may be granted to construct a building or construct and carry out works before a development contributions plan has been prepared to the satisfaction of the Responsible Authority if any of the following apply:</p>

	<ul style="list-style-type: none"> <li>An agreement under Section 173 of the Planning and Environment Act 1987 has been entered into with the Responsible Authority that makes provision for development contributions.</li> </ul> <p>It is recommended that a condition on any permit issued requires the permit holder to enter an agreement under Section 173 of the <i>Planning and Environment Act 1987</i> that makes provision for development contributions to be entered into before the commencement of the development.</p>
<p><b>Clause 45.03</b> Environmental Audit Overlay (EAO)</p>	<p>Clause 45.03-1 specifies that before a sensitive use commences:</p> <ul style="list-style-type: none"> <li>A preliminary risk screen assessment statement in accordance with the <i>Environment Protection Act 2017</i> must be issued stating that an environmental audit is not required for the use or the proposed use; or</li> <li>An environmental audit statement under Part 8.3 of the <i>Environment Protection Act 2017</i> must be issued stating that the land is suitable for the use or proposed use; or</li> <li>A certificate of environmental audit must be issued for the land in accordance with Part IXD of the <i>Environment Protection Act 1970</i>; or</li> <li>A statement of environmental audit must be issued for the land in accordance with Part IXD of the <i>Environment Protection Act 1970</i> stating that the environmental conditions of the land are suitable for the use or proposed use.</li> </ul> <p>Recommended conditions should be included on any permit being granted to ensure these requirements are satisfied prior to the commencement of the development.</p>

#### 5.4 Particular Provisions

Table 5 summarises the particular provisions of the Melbourne Planning Scheme applying to the subject site and proposed development:

<b>Table 5: Particular Provisions</b>	
<p><b>Clause 52.06</b> Car Parking</p>	<p><b>Permit Required</b></p> <p>Pursuant to Clause 52.06-3, a permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5. Car parking should be designed in accordance with the design standards within Clause 52.06.</p> <p>The application has a statutory car parking requirement of 543 car spaces comprising 99 spaces for the supermarket, 26 spaces for the retail and 418 spaces for the dwellings.</p> <p>The application proposes a total of 190 spaces (138 residential and 52 retail) across the site. Accordingly, a permit is required for a reduction in car parking requirements.</p>
<p><b>Clause 52.34</b> Bicycle Facilities</p>	<p><b>Permit Not Required</b></p> <p>Pursuant to Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage have been provided on the land. Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.</p> <p>Pursuant to Clause 52.34 (Bicycle Facilities), the proposal would need to provide a total of 130 bicycle parking spaces, including 79 dwelling spaces, 39 dwelling visitor spaces, 3 supermarket employee spaces, 4 supermarket</p>



	<p>visitor spaces, 3 retail employee spaces and 2 retail visitor spaces. This triggers the requirements for end of trip facilities which have been provided.</p> <p>A total of 484 bicycle spaces are proposed along with end of trip facilities, as such a permit is not required.</p>
<p><b>Clause 52.29</b> Land Adjacent to the Principal Road Network</p>	<p><b>Permit Required</b></p> <p>Pursuant to Clause 52.29, a permit is required to create or alter access to a road in a Transport Zone 2 (Boundary Road / Macaulay Road).</p> <p>Referral to Department of Transport and Planning is the responsibility of the Minister for Planning.</p>
<p><b>Clause 53.18</b> Stormwater Management in Urban Development</p>	<p>Pursuant to Clause 53.018-1, the provisions of Stormwater Management in Urban Development applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works.</p>
<p><b>Clause 58</b> Apartment Developments</p>	<p>Clause 58 (Apartment Developments) applies to applications for the construction of an apartment development in the Commercial 1 Zone.</p>

## 5.5 General Provisions

Table 6 summarises the general provisions of the Melbourne Planning Scheme applying to the subject site and proposed development.

<b>Table 6: General Provisions</b>	
<p><b>Clause 65</b> Approval of an application or plan</p>	<p>The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this Clause, which include the matters set out in Section 60 of the <i>Planning and Environment Act 1987</i>.</p>
<p><b>Clause 66.02-11</b> Use and Development Referrals (Land use and transport integration)</p>	<p>Pursuant to Clause 66.02-11 (Integrated Public Transport Planning), an application to subdivide land, to construct a building or to construct or carry out works for a residential development comprising 60 or more dwellings or lots must be referred to Head, Transport for Victoria as a determining referral authority.</p> <p>Referral to Head, Transport for Victoria is the responsibility of the Minister for Planning.</p>
<p><b>Clause 66.03</b> Referral of Permit Applications Under Other State Standard Provisions</p>	<p>Pursuant to Clause 66.03, an application to create or alter access to, Roads Corporation or to subdivide land adjacent to, a road declared as a freeway or an arterial road Clause 52.29 under the <i>Road Management Act 2004</i>, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause must be referred to Roads Corporation (Department of Transport and Planning) as a determining referral authority.</p> <p>Referral to Department of Transport and Planning is the responsibility of the Minister for Planning.</p>

<p><b>Clause 72.01</b> Responsible Authority for this Planning Scheme</p>	<p>The Minister for Planning is the responsible authority for this application as the gross floor area (GFA) of the development exceeds 25,000 square metres. The Minister for Planning has formally notified the Melbourne City Council as an interested party, seeking Council's recommendation on the application, including recommended permit conditions.</p>
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**6 STRATEGIC DOCUMENTS AND AMENDMENTS**

**6.1 Arden-Macaulay Structure Plan 2012**

The [Arden-Macaulay Structure Plan 2012](#) (AMSP) is a reference document in DDO63.

The key directions of the AMSP are as follows:

- *Develop Arden Central as a new extension of Melbourne’s Central City.*
- *Develop three new local centres within a mixed use neighbourhood.*
- *Expand transport connectivity to and within Arden-Macaulay.*
- *Upgrade the Moonee Ponds Creek parkland corridor and establish five new parks.*
- *Make Arden-Macaulay energy, water and waste efficient.*

As illustrated in the *Figure 2.10 Long-term land use strategy* map on page 35 of the document (refer Figure 11 extract below), the subject sites are within an area designated for ‘Mixed-use activities’. The 2012 Structure Plan also nominates this section of Macaulay Road as an ‘Activity Corridor – primary street frontage’.

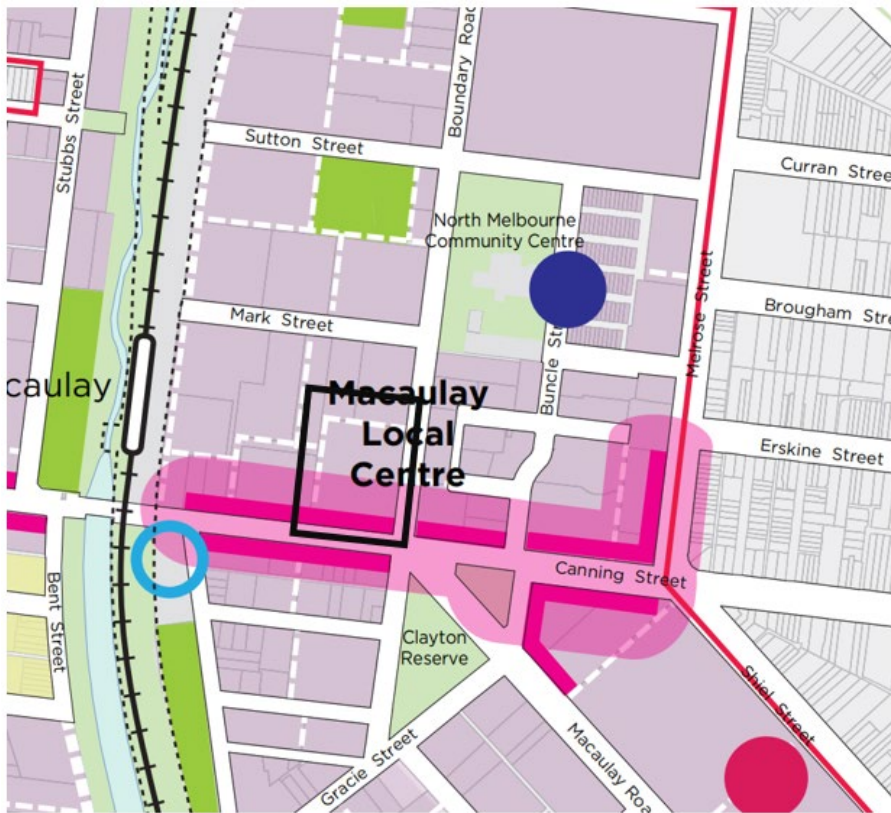


Figure 11 - Excerpt from the AMSP showing the location of the sites within the long term land use strategy (showing marked with black outline) (Source: AMSP)



## 6.2 Macaulay Structure Plan 2021

On 9 November 2021, the Future Melbourne Committee (FMC) endorsed the final [Macaulay Structure Plan](#) (MSP), subject to changes.

The MSP supersedes the AMSP and sets the vision for the renewal of Macaulay as a mixed-use, mid-rise neighbourhood with a distinct inner urban character. It provides a framework for future growth and development, including built form and density, open space, street networks, affordable housing, community spaces and development contributions over the next 30 years.

The subject site is located in the 'Boundary Precinct'. Excerpts (not exhaustive) from the MSP highlighting the Vision for the Boundary Precinct are provided below:

### Density and built form

*Larger sites that can deliver multiple buildings will adopt a diversity of forms, typologies, building and street wall heights, and architectural language. The use of multiple design practices working together can assist in achieving this outcome.*

*Some tall and slender tower forms built to the street frontage will be encouraged on larger sites to enable the delivery of new streets and open spaces and to reduce bulk and overshadowing impacts.*

*Buildings with a wide street frontage will be broken up into smaller vertical sections, with a range of street wall heights and articulation of building elements of sufficient depth to provide modulation and interest in the street facade.*

### Activities and uses

*Boundary Precinct will be a mixed use area with retail uses focused along Boundary and Macaulay roads, and commercial uses on Racecourse Road. Some of these uses will extend around building corners into the quieter, greener side streets, providing an opportunity for smaller scale retail and commercial space.*

*Affordable housing will be delivered alongside a mix of dwelling types including housing for families and larger households.*

*The mix of activities and uses will be achieved by rezoning the area from the Mixed Use Zone and Commercial 1 Zone to a tailored land use zone such as the Special Use Zone or equivalent (see Part Two: The Framework for more information).*

...

The MSP 'Vision' for the Boundary Precinct is proposed to be implemented by rezoning land to the Special Use Zone, to encourage more commercial activity closer to the proposed local activity centre proximal to the subject site, and by application of a Design and Development Overlay.

In addition to new land use and built form controls, the MSP supports the introduction of a Parking Overlay over the Boundary Precinct that would impose a maximum (rather than minimum) car parking requirement for new uses, encouraging the transition away from private motor vehicle use and toward alternative forms of transport.

## 6.3 Planning Scheme Amendments

The following Planning Scheme Amendments are considered relevant in the consideration of this application:

### 6.3.1 Planning Scheme Amendment C417: Macaulay Urban Renewal Precinct

On 14 June 2022, the FMC resolved to, amongst other things, request that the Minister for Planning:

- Requests authorisation from the Minister for Planning under the Planning and Environment Act 1987, to prepare and exhibit Planning Scheme Amendment C417.
- Requests the Minister for Planning apply the controls contained within Amendment C417 on an interim basis (C433), under Section 20(4) of the Planning and Environment Act 1987.
- Requests the Lord Mayor write to the Minister for Planning requesting the introduction of state-wide controls that manage vulnerable land uses in flood prone areas.
- Authorises the General Manager Strategy, Planning and Climate Change to:
  - Add Clause 11.03-6L Macaulay (refer Attachment 4 of the report from management) to Planning Scheme Amendment C417 once the Planning Policy Framework Translation has been gazetted.
  - Make changes to Amendment C417, consistent with the endorsed Macaulay Structure Plan 2021, to obtain authorisation.
  - Make any required policy neutral changes to the amendment documentation prior to exhibition, should other amendments that affect the same provisions in the Melbourne Planning Scheme be gazetted prior to the public exhibition of this amendment.
  - Make any further minor editorial and referencing changes to Planning Scheme Amendment C417 as required.

Planning Scheme Amendment C417 (C417) seeks to translate the recommendations of the MSP into a new planning framework for Macaulay (including the 'Boundary Precinct', which the subject sites are located in).

C417 seeks to make the following changes to the planning scheme relevant to the subject site:

- Rezoning the land from Commercial Zone to Special Use Zone (with a new local schedule to this control; Schedule 8).
- Deleting the Design and Development Overlay Schedule 63 that applies to the subject site and then applying Design and Development Overlay Schedule 75 to both the subject site and surrounding Boundary Precinct. Key new / varied controls include:
  - A mandatory Floor Area Ratio (FAR) of 4:1
  - Preferred maximum building heights of between 6 storeys (along street frontages) and 12 storeys (the remainder of the land)
  - Preferred maximum street wall heights of:
    - 5 storeys along Macaulay Road
    - 6 storeys along Boundary Road
    - 5 storeys to northern 18 metre road
    - 3 storeys to western 12 metre road.
  - A preferred minimum setback above the street wall of 5 metres.
  - A preferred minimum 7.5 metre setback from side and rear boundaries for habitable rooms.



- Provision of a 12 metre wide street along the west boundary of the site.
  - Provision of an 18 metre wide street along the north boundary of the site.
  - A mandatory overshadowing control, which requires that any future development does not increase overshadowing of the footpath on the southern side of Macaulay Road on 22 September between 11am and 2pm.
  - Mandatory wind requirements for buildings over 20 metres in height.
  - Minimum floor-to-floor and floor-to-ceiling heights for residential and non-residential levels and car parks of which the proposal generally aligns.
  - A range of built form controls and guidelines relating to streetscape interfaces, appearance, materiality and car parking.
- Applying Parking Overlay Schedule 16 to the subject site to support modal shifts by requiring consideration of all forms of parking including car parking, bicycle parking and end-of-trip facilities, electric vehicle ready spaces, and car-share and accessible spaces.
  - Incorporating a proposed Local Activity Centre across the northern portion of the subject site.
  - Introducing a new Incorporated Document, 'Macaulay – Stubbs and Boundary Precincts New and Widened Streets and Laneways Alignments and Cross-Sections, June 2022'.

As of the date of this report the Minister for Planning has not made a decision on the interim request for controls or, authorised C417 for preparation or public exhibition. C417, having not been publicly exhibited or reviewed by an independent Panel, is therefore not a 'seriously entertained' Planning Scheme Amendment.



Figure 122 - Preferred Maximum Building Height (left) and Street Wall Height (right) maps from the proposed DDO75

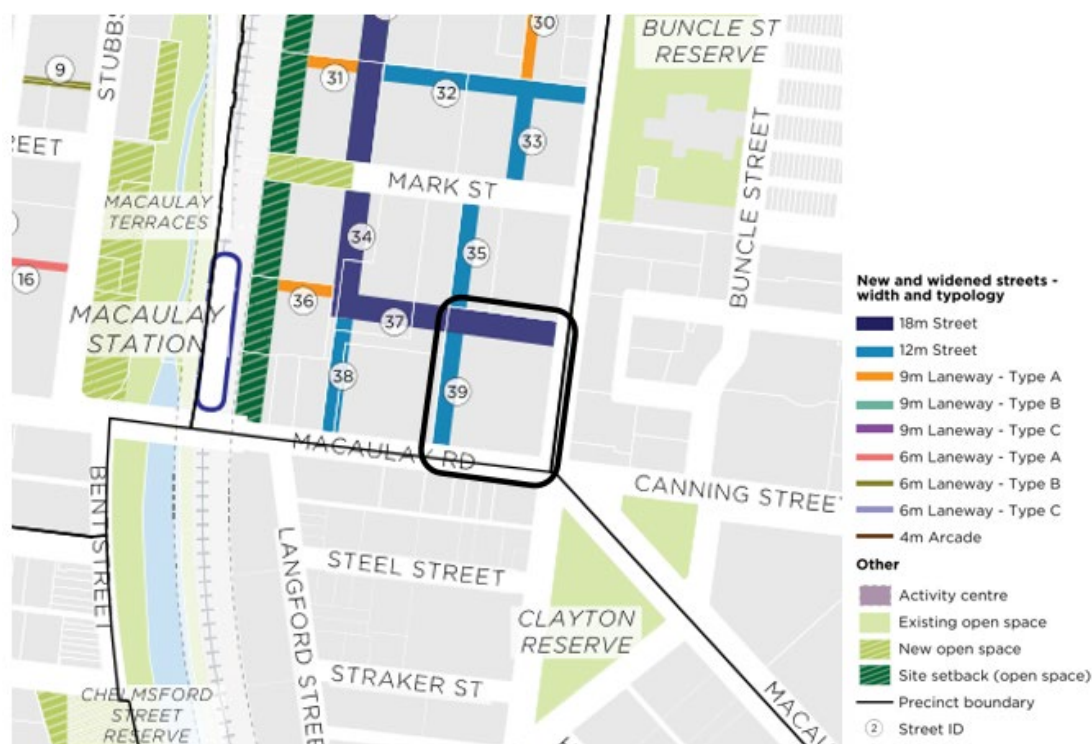


Figure 133 - Macaulay - Stubbs and Boundary Precincts Map of New and Widened Streets – Alignment and Width Typology extract

### 6.3.2 Planning Scheme Amendment C455melb: Expiry to DDO63

This amendment was gazetted on 28 September 2023 and extends the expiry date of the Design and Development Overlay - Schedule 63 until 29 September 2025.

### 6.3.3 Planning Scheme Amendment C384: Inundation Overlays

On 3 August 2021, the Future Melbourne Committee resolved to request authorisation from the Minister for Planning to prepare and exhibit Melbourne Planning Scheme Amendment C384: Inundation Overlays and the Good Design Guide (C384). Authorisation was granted and the Amendment was publicly exhibited from 13 October 2021 to 29 November 2021.

On 2 August 2022, the Future Melbourne Committee resolved to request the Minister for Planning appoint an independent Panel to consider all submissions received during the public exhibition of the Amendment.

An independent Panel appointed by the Minister for Planning considered all submissions received in relation to C384 at a hearing in October 2022, and issued its report 20 December 2022, which was released to the public on 10 January 2023.

For the current matter, C384 seeks:

- Apply a new Land Subject to Inundation Overlay – Schedule 3 (LSIO) to the subject site (as shown in Figure 14); and
- By consequence, establish Melbourne Water as a determining referral authority.

A component of C384 also dealt with the interaction between flooding and building design with reference to the *Good Design Guide for Flood Affected Areas in Fishermans Bend, Arden and Macaulay*.

C384 was the subject of Section 39 proceedings at the Victorian Civil and Administrative Tribunal (VCAT) which were struck out on 11 August 2023. The matter has been appealed to the Supreme Court of Victoria and is awaiting hearing.



Any consultation or referral to Melbourne Water is the responsibility of the Minister for Planning.

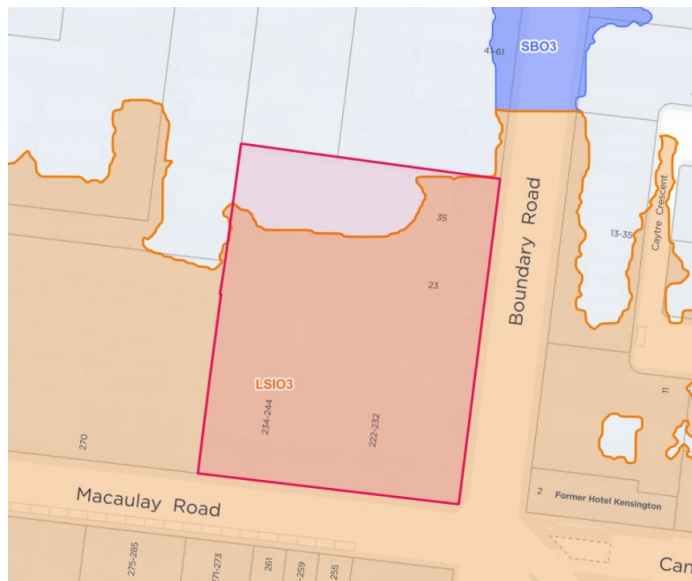


Figure 14 - Extract of the proposed LSIO3 (subject to change) over the sites

### 6.3.4 Amendment C415melb – Sunlight to Public Open Spaces

Planning Scheme Amendment C415melb Sunlight to Public Open Spaces (formerly C278) is a 'seriously entertained' planning scheme amendment, relevant to the proposed development.

Amendment C415melb introduces new planning scheme controls into the Scheme to protect winter sunlight access to public parks. Specifically, this amendment proposes to introduce [Design and Development Overlay – Schedule 8 \(DDO8\)](#) to the subject site.

Clayton Reserve and Canning Street and Macaulay Road Reserve, located to the south east of the site are a 'Park Type 2' for the purpose of applying the proposed building controls under DDO8 to the Site.

Pursuant to the proposed DDO8, a permit cannot be granted for buildings and works which would cast additional shadow onto the park between 10am and 3pm on June 21 beyond the existing shadow or allowable shadow (whichever is greater).

### 6.3.5 Amendment VC242 (Significant Economic Development)

Amendment VC242 was gazetted on 20 September 2023 introducing, amongst other changes, a new provision at Clause 53.22 (Significant Residential Development with Affordable Housing). This is a voluntary pathway that an Applicant can elect to utilise.

The following transitional provision is included at Clause 53.23-7:

*Clause 53.23 does not apply to:*

- *An application for a permit lodged before the approval date of Amendment VC242.*
- *An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.*

The application was originally lodged on 28 October 2022, prior to the approval date of Amendment VC242 (20 September 2023). Therefore, due to the transitional provision underlined above, the application is not affected by VC242 and Clause 53.23.

It is also noted that the application would not have been an eligible project under the criteria set out at Clause 53.23-1 as while it involves accommodation with an estimated cost of development exceeding \$50,000,000, at least 10 per cent of the total number of dwellings in the development is not affordable housing (4 per cent is proposed).

### **6.3.6 Amendment VC250 (Residential Reticulated Gas Service Connection)**

Amendment VC250 was gazetted on 1 January 2024 and updated Clauses 15.01-2S and Clause 15.01-3S by providing consistent state level policy with the prohibition of new gas connections, amending Clause 52.20, Clause 53.20, Clause 55.02, Clause 56.09 and Clause 58.02 to remove the optional requirement for a gas connection, amending Clause 65.02 to ensure the provision of gas is not assessed when it is prohibited and introducing Clause 53.03 - Residential Reticulated Gas Service Connection with the purpose of prohibiting residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

The following transitional provision is included at Clause 53.03-5 which states:

*The requirements of this clause introduced by Amendment VC250 do not apply to:*

- An application lodged before the approval date of Amendment VC250.
- An application for an amendment to a permit under section 72 of the Act with respect to a permit issued in accordance with the above transitional provision.

As the application was lodged prior to the approval date of Amendment VC250, the application is not affected by VC50 and Clause 53.23.

## **7 PUBLIC NOTIFICATION**

The Minister for Planning is the Responsible Authority for development applications that exceed 25,000 m<sup>2</sup> in gross floor area. The Department of Transport and Planning (DTP) has referred the application to the City of Melbourne for comment and advice.

This application was not exempt from public notice and in accordance with Section 52(1)(b) of the *Planning and Environment Act 1987*, DTP have given notice of the application to the City of Melbourne.

DTP have advised that they have received one (1) objection. It is understood that the concerns raised in the objection included overshadowing, car parking, traffic congestion and the lack of apartment diversity.

Public notification is the responsibility of the Minister for Planning (DTP).

## **8 INTERNAL REFERRAL COMMENTS**

### **8.1 City Design**

Council's City Design team were integral in the design evolution of the proposal and provided feedback on multiple occasions in response to changes made by the Applicant through the process. As a result, City Design are generally supportive of the application subject to further detail contained in a Façade Strategy relating to the proposed 'lantern' detail.

#### **Planner response**

Standard conditions have been included in the recommendation at Condition 7 (Façade Strategy).

### **8.2 City Planning (Strategy)**

Council's City Planning (Strategy) team reviewed the proposal and raised concerns relating to the proposed links (laneways) along the west and north boundaries of the site. Specifically, they raised concerns that the proposed links (laneways) have not



been provided to accord with the width of the roads as sought by C417. In addition, they made comments in relation to the building's interface to the northern link and a desire to amend the built form to respond to the ground level design outcome sought by C417.

### **Planner response**

Amendment C417 has been adopted by Council for authorisation, but has not yet progressed any further with the Minister, therefore it has limited statutory weight. The proposed design response has responded to the controls in the scheme and has also provided a response that aligns with the intent of the Amendment. This is further discussed in Section 8.3.7 of this report.

## **8.3 Traffic Engineering**

Council's Traffic Engineers reviewed the proposed development and Traffic Impact Assessment (TIA) and made the following observations:

- *110 car parking spaces must be provided for the use of supermarket customers*
- *10 car share and electric charging spaces must be provided on site*
- *LED "Watch for bikes" sign must be installed in Macaulay Rd facing exiting drivers, to be activated by approaching cyclists*
- *No Right Turn signage and other measures must be installed at the intersections of the new roads with both Macaulay Rd and Boundary Rd, subject to DTP approval.*
- *Formal Road Safety Audit must be undertaken, including the proposed access/loading arrangements, internal layout, vehicular circulation within the site and the new roads. The findings of the Audit must be incorporated into the design at the developer's expense*
- *Loading Management Plan (LMP) must be prepared, specifying how the access/egress of loading vehicles is to be managed*
- *Dock Manager must be employed, responsible for controlling the operation of the loading bay and unloading of goods. The design of the loading areas, including all space dimensions, grades and height clearances, should comply with Clause 65.01 of the MPS and AS2890.1:2018.*

### **Planner response**

Conditions relating to car share and electric charging, signage, Road Safety Audit, Loading Management Plan and Dock Manager have been included in the recommendation at Conditions 40 to 47.

The number of car parking spaces is discussed in Section 9.5.1 of this report.

## **8.4 Civil Infrastructure**

Council's Civil Infrastructure team reviewed the proposal and sought to raise concern to the proposed links (laneways) widths, having specific regard to the precinct delivery model sought by C417. In their comments they also noted a desire for the corner splay to Macaulay Road and Boundary Road be increased to provide for sufficient capacity for pedestrian movements, improve DDA access and improve visibility at the intersection. It was also noted that they did not want to see the construction of basements under any proposed roads to be vested in Council. Despite their concerns, they afforded clear recommended conditions in relation to drainage, functional layout, road design, footpaths and lighting.

### **Planner response**

The concerns as they related to the proposed road / link widths have not been included however conditions in relation to drainage, functional layout, road design, footpaths and lighting have been included in the recommendation at Conditions 49 to 63.

## 8.5 Waste Engineering

Council's Waste Engineering team reviewed the Waste Management Plan (WMP) and identified the following items to be addressed:

- The sub total figures in Table 1 for residential waste are incorrect. Please recalculate and adjust bin numbers and / or compactor sizing accordingly.
- Council now accepts the use of 660 L residential glass bins. Please use 660 L glass bins in place of 240 L glass bins.
- Table 1 shows that the supermarket will generate 26,450 L of recycling per week, yet only 2 x 240 L recycling bins collected 3 times per week have been nominated for use. Please ensure that cardboard generation rates are shown as a separate item to the commingled recycling generation rate, and ensure that there are adequate commingled recycling bins for the resulting commingled recycling generation rate.

### Planner response

These conditions have been included in the recommendation which require the above changes to the WMP and Architectural Drawings, refer to Conditions 13 to 16.

## 8.6 Land Survey

The application was referred to Land Survey who had no objections to the application, however, recommended that the following conditions be included on any permit issued:

- *Prior to the occupation of the development, the land titles must be consolidated, to the satisfaction of the Responsible Authority.*
- *Prior to occupation, all internal laneways and accessways which provide a main entry point into a ground floor tenancy must be named in accordance with the Geographic Place Names Act 1998 to provide appropriate street addressing.*
- *Any proposed road name must comply with the Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016.*
- *Amended plans must be submitted which show dimensioned car parking spaces and access ways.*
- *Where storage cages are not independently accessed and relies on access over an adjoining car space, they must be in used in association with that car space for which access is relied and must be assigned to a single unit or tenancy within the development.*
- *All service cupboards must be independently accessed and must not rely on access over an abutting car parking space. In instances where access is relied on an abutting car parking space, the abutting car parking space must be removed to provide for adequate access.*

### Planner response

These conditions have been included in the recommendation at Conditions 8 to 12.

## 8.7 Environmentally Sustainability Design

Council's ESD Officer notes that the development commits to a level of sustainability that meets the objectives of Clause 15.01-2L-01 Energy and resource efficiency and Clause 19.03-3L Stormwater management (Water sensitive urban design) of the Melbourne Planning Scheme; however, they have recommended some changes be made by way of an amended Sustainable Management Plan (SMP) be provided prior to the commencement of development and a report confirming the implementation of the SMP prior to the occupation of any building.

### Planner response

These conditions have been included in the recommendation at Conditions 17 to 19.



## 8.8 Urban Forest and Ecology

Council's Urban Forester reviewed and provided recommended conditions relating the provision of a Tree Protection Plan (TPP).

### Planner response

These conditions have been included in the recommendation at Conditions 32 to 39.

## 9 ASSESSMENT

### 9.1 Key Issues

The key issues for consideration in the assessment of the application, having regard to the relevant planning controls affecting the site, include:

- The land use response to the Commercial Zone.
- Whether the proposed development satisfies built form requirements, design objectives and built form outcomes.
- Whether or not the proposed community benefit is adequate.
- Whether the design of apartments and communal areas within the development will meet the requirements of Clause 58 (Apartment Developments).
- Whether the parking (car and bicycle) provision is acceptable.
- Whether the sustainability provision is acceptable.

### 9.2 Proposed Land Use

The proposed development seeks to use the land for the purposes of dwellings, retail and a supermarket (shop). As noted in Section 5.3 of this report, both retail and shop (supermarket) are Section 1 uses that do not require planning approval.

A planning permit is required to use the land for dwellings as the ground floor frontage exceeds 2 metres.

The C1Z seeks to *"...To provide for residential uses at densities complementary to the role and scale of the commercial centre.."*

The proposed use of the land for the purposes of dwellings addresses the purpose sought for North Melbourne and is supported by both the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) by virtue of the following:

- The application proposes a mix of dwelling typologies which will support delivering the envisaged mix of land uses in North Melbourne.
- The mix of dwelling typologies of which includes 20.8 per cent as studios, 39.6 per cent as one-bedroom, 33.5 per cent as two-bedroom and 6.1 per cent as three-bedrooms across the entirety of the development will also assist in creating homes for a variety of different demographics be it single person, pairs, groups and families.
- The incorporation of affordable housing assists in supporting a positive development outcome for the area. An increase in affordable housing stock of high quality is an outcome encouraged by the Scheme (Clause 02.03-5 'Housing'), by the City of Melbourne and the Victorian State Government. This fosters a good social outcome for North Melbourne and supports a range of demographics.

The proposed use of the land for dwellings is considered to be a positive response to the general purpose and outcomes sought for the North Melbourne precinct and warrants support.

### 9.3 Built Form Response

#### 9.3.1 Design and Development Overlay – Schedule 63 (Areas 8)

The development's response to the built form controls of DDO63 (Design Objectives set out in Section 5.2.2 of this report) are divided into building height, setbacks and design detail. A comprehensive assessment of the proposed development against the built form requirements and built form outcomes of DDO63 (with reference to the design objectives) has been undertaken below.

#### Building height

Tables 1 and 2 (below) to DDO63 provide the following height controls and built form outcomes, which the proposed development should / must achieve:

Area	Preferred Max Height	Absolute Max Height	Built Form Outcomes
8	9 Storeys	12 Storeys	<ul style="list-style-type: none"> <li>• Deliver a scale of development that provides street definition and a pedestrian friendly scale.</li> <li>• Deliver a scale of development that provides appropriate access to sunlight and daylight.</li> <li>• Deliver a scale of development at the interface with established low-scale residential development that provides an appropriate transition in height and minimises the visual impact of upper levels.</li> </ul>
All areas			<ul style="list-style-type: none"> <li>• Ensure laneways have appropriate levels of access to daylight and sunlight.</li> <li>• Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.</li> <li>• Deliver a scale of development setbacks from the Moonee Ponds Creek environs which respond appropriately to creek / public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.</li> <li>• Where development respond to flood risk by providing ramp structures or other measures, flood mitigation measure, high quality urban design outcomes must be provided at the building and public interfaces.</li> </ul>

Table 1 - DDO63 Building Height Controls

#### Review against Preferred Maximum Building Height of DDO63 (Area 8)

The proposed development cannot exceed the '*absolute maximum height*' of DDO63 which is 12-storeys and a maximum development at the frontage (street wall) of 6 storeys.

The development proposes a 6 and 12-storey building, excluding the roof equipment. DDO63 states:

*The specified building height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other architectural features and equipment provided the following criteria are met:*



- The equipment is located in a position on the roof so as to minimise overshadowing of neighbouring properties and public spaces.
- The equipment is designed to the satisfaction of the responsible authority.

The basement therefore cannot project more than 1.2 metres above the natural ground level (NGL), otherwise it would constitute a storey.

A 'storey' pursuant to Clause 73.01 of the Scheme is:

*That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.*

A recommended condition will require sectional diagrams be provided to show the built form for both the 6 and 12 storey components as compliant with the DDO63 requirements.



Figure 145 - Survey Plan with levels

The rooftop plant and equipment is located centrally and has been located in an attempt to mitigate any impact which is considered to meet the criteria above.

While the proposal meets the 'absolute maximum height' by proposing a 12-storey building, the proposal exceeds the 'preferred maximum height' of 9 storeys by seeking an uplift of three (3) storeys, as shown in Figure 16.



Figure 16 - Storeys above preferred building height

As the proposal exceeds the preferred building height, the proposal must demonstrate a "... benefit to the broader community..."

In summary, the DDO63 seeks to ensure that new development is compatible with the scale and character of the precinct and preserves the amenity of pedestrian streets and lanes while offering a benefit to the broader community.

As discussed throughout this report, the site is strategically located within the AMSP and proposed MSP area which is identified to undergo a significant change in density and land use.

It is considered that the height of the proposed buildings are acceptable due to the following:

- It comprises a site responsive, mid-rise, higher density residential development on a large corner site.
- The buildings maintain appropriate setbacks to the surrounding built form and the appearance of the buildings will not unduly impact on the amenity enjoyed by surrounding occupants.
- The development would sit comfortably in the context of the existing, approved and proposed built form within this portion of Macaulay Road and Boundary Road.
- The scale, form and function of the proposed building, together with the inclusion of a range of non-residential uses fronting both streets would provide a high level of pedestrian amenity.
- Macaulay Road is located directly to the south, and the submitted shadow analysis only provided the 'proposed' shadows cast by the development. The proposed shadows show that there is little 'proposed' impact to shadow on Macaulay Road as a result of the development.
- The layout of the development maximises opportunities for passive surveillance and interaction with the street.
- The proposals through links (laneways) and affordable housing offer (which constitute its primary public benefits) are discussed at Section 9.3.7 of this report.



### Review against Building Height Outcomes sought by DDO63 (Area 8)

As noted, the height of the proposed development has been managed through the building's massing to appropriately respond to the built form outcomes for Area 8 of DDO63.

The 12-storey height of the proposed development, which has been modulated by building separation, innovative and meaningful rebates in the building floorplate, will present a continuous building mass that can aptly absorb the uplift in height. The development profile with therefore:

- Provide street definition at a pedestrian friendly scale.
- Provide an appropriate transition in height to surrounding lower-scale built form (including warehouses to the north).
- Minimise the visual impact of upper levels.

Beyond the design objectives and built form outcomes of DDO63 which emphasise the need for moderation of visual bulk, the proposed design finds support in the policies and strategies of the PPF, including relevant policy documents such as the *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017)*.

### Street Wall and Setbacks

DDO63 – Area 8 provides the following assessment criteria for street wall heights and setbacks, relevant to the subject site:

- *A permit cannot be granted to increase the Street Wall Height in Table 3.*
- *Development should be setback from all streets identified in Map 1 in accordance with Table 3. This applies even if the site does not have frontage to the identified street.*
- *Buildings should be built to street edge at ground level to provide a clearly delineated and fronted public realm.*
- *Buildings should be setback from existing low scale residential development in accordance with Table 3.*

#### Excerpt from Table 3: Street wall height and setbacks of DDO63

Interface type shown on Map 1	Street wall height Setback of buildings above street wall
20 and 30 metre wide renewal street	Development at the frontage must not exceed a height of 6 storeys. Development should be set back 1 metre for every metre of height above 20 metres.

Table 2 - Excerpt of Table 3 of DDO63

The proposal has a street wall on the Macaulay Road frontage which is proposed at 6 storeys. The proposal also includes a street wall height of one storey to Boundary Road.

### Northern Interface

The northern interface has an above podium setback of 12 metres from the proposed northern road. This complies with the setback requirements and is aided by the proposed through link.

### Western Interface

The interface along the western aspect, to the new proposed through link has a setback that ranges from 6 metres (to the built form element that presents to Macaulay Road)

and 12 to 14 metres for the westernmost portion of the development. This complies with the setback requirements and is aided by the proposed through link.

### **Eastern Interface**

The eastern interface is setback 6 to 8 metres above the single level podium that presents to Boundary Road. The built form to this interface does not meet the desired setback (development should be set back 1 metre for every metre of height above 20 metres) as preferred in Table 3 of DDO63. Despite failing to meet the setback requirements that would result in a stepped building presentation, the built form is presented as a single plane to Boundary Road, the overall form holds the corner, provides for a cohesive design response and is considered acceptable.

As a result, the proposed setbacks are considered adequate to achieve a built form outcome that aligns with DDO63.

### **Active Street Frontages**

The following assessment criteria for active street frontages relevant to the site are:

- *A building in a Commercial Zone, with ground-level frontage should provide:*
  - *At least 5 metres or 80 per cent of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises, or as other uses, customer service areas and activities, which provide pedestrian interest and interaction.*
  - *Clear glazing (security grilles must be transparent).*
  - *A building with ground-level frontage to a street identified on Map 2 should present an attractive pedestrian oriented frontage with commercial uses where practical.*
  - *Buildings with ground-level frontage to all other streets, should provide an active and physically connected street interface, for example by providing multiple entrances off the street.*

The development proposes three retail spaces at ground level along with a supermarket. The response provided at ground level provides a connection to the street, activating a space that currently has no street virtue. This is considered a significant improvement from the current condition.

### **Weather Protection and Facade treatment**

DDO63 provides the following assessment criteria for façade treatment for Macaulay Road:

*The articulation of a building façade should express a fine grain variety and modulation that assists in reducing the visual dominance of buildings, particularly a wide street frontage. Expressing the vertical elements is encouraged to further minimise the dominance of wide building frontages.*

Elevation plans provided with the application give an impression of the colours, materials and fenestration of the development at upper levels and provide some information about the important ground-level facades. Based on the information provided, the development's response to DDO63's requirement for building façades to express 'fine grain' elements (and particularly for wide street frontages) is considered acceptable. Further clarifications can be provided by way of a recommended condition relating to a façade strategy.

In addition, it is considered that the weather protection as required to Macaulay Road has been provided by way of a Level 1 overhang to both Macaulay Road and as the built form wraps around to Boundary Road.



## **Connectivity and laneways**

The AMSP shows a 'laneway connection' to both the west and north alignment of the site. The Applicant has sought to provide publicly accessible links (laneways) (for vehicles and pedestrians) in these locations.

### **9.3.2 Clause 58 (Apartment Developments)**

This application has been assessed against Clause 58. The following Objectives of Clauses 58 relate to the developments response to its context and other built form considerations:

- Clause 58.02-1 – Urban Context Objectives
- Clause 58.02-2 – Residential Policy Objectives
- Clause 58.02-3 – Dwelling Diversity Objectives
- Clause 58.02-4 – Infrastructure Objective
- Clause 58.02-5 – Integration with the Street Objective
- Clause 58.03-1 – Energy Efficiency Objectives
- Clause 58.03-5 – Landscaping Objectives
- Clause 58.03-7 – Parking Objectives
- Clause 58.03-6 – Access Objective
- Clause 58.03-8 – Integrated Water and Stormwater Management Objectives
- Clause 58.04-1 – Building Setback Objective
- Clause 58.04-3 – Noise Impact Objectives
- Clause 58.04-4 – Wind Impacts Objectives
- Clause 58.06-4 – External Walls and Materials Objective

The assessment against Clauses 58 confirms that the proposed development is able to meet all Standards identified above other than Clause 58.03-5 – Landscaping. This variation, which is discussed below.

## **Landscaping**

Clause 58.03-5 provides the following objectives, which the proposed development must meet:

*“To encourage development that respects the landscape character of the neighbourhood.*

*To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.*

*To provide appropriate landscaping.*

*To encourage the retention of mature vegetation on the site.*

*To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.”*

In this instance, the corresponding Standard D10 requires the provision of deep soil areas comprising at least 15 per cent of the site area. The site has an area of 7811 square metres which requires the provision of 1172 square metres of deep soil.

Basement parking or roadway is proposed to the extent of the site area, negating the opportunity for deep soil planting in natural ground. In lieu of this, the landscape design

includes extensive areas of 'on structure' planting to ground level, Level 1 and Level 6 including areas of 'deep soil'.

Two BADS Type 'B' trees located within the required soil depth and volume on Level 1 and Level 6. The total proposed 'deep soil' planting area is 9 per cent, a shortfall of 6 per cent from the requirement of Clause 58.03-5. It is considered that the proposal generally meets the Objectives at Clause 58.03-5 based on the following:

- The local area does not have an established landscape character and is one where large-format warehouse buildings are prevalent and there is generally no identifiable landscape character.
- The proposal includes a high quality landscape design response comprising both hard and soft elements throughout the communal areas and pedestrian / vehicle links (laneways).
- Extensive planting above the basement, vertical planting and planter beds increase the amount of green space within the development.
- The landscape drawing package submitted as part of the application includes several plant species (Type B trees) that would reach upwards of 7 and 10 metres at maturity, including *Allocasuarina littoralis* 'Black Sheoak', *Tristania psis laurina* 'Luscious' 'Kanooka', *Corymbia citridora* 'Scentuous' 'Dwarf Scented Gum'. Several other medium trees are noted in the planting schedule.

For the reasons detailed above, it is considered that the proposal allows for an appropriate landscape design outcome and provides for an overall increase in the landscaping area from that of the existing conditions.

### **9.3.3 Built Form Related Local Policy**

#### **Urban Design**

Clause 15.01-1L-05 (Urban Design outside the Capital City Zone) provides guidance on the design of new buildings in areas such as North Melbourne. Key Objectives that relate to the proposal seek:

- *To ensure that the scale, siting, massing and bulk of development complements the adjoining and nearby built form, and relates to the prevailing patterns of height and scale of existing development in the surrounding area.*
- *To ensure that buildings on prominent sites are designed to achieve a high standard of design that reflects the importance of their location and extent of their visibility.*
- *To ensure that building design at the ground floor frontages creates and improves pedestrian interest and engagement.*
- *To prioritise pedestrian movement and amenity and strengthen networks of pedestrian pathways.*
- *To minimise the adverse impacts of wind in surrounding public spaces and provide weather protection.*

As identified in Section 8.1 of this report, Council's City Design team are supportive of the design of the proposal. There has been significant discussion undertaken in response to the comments provided by Council's City Design team which has resulted in adaptations in the built form, resulting in positive improvements to the overall development in line with the design objectives for the area. As such, subject to the resolution of the proposed materiality which forms part of the recommended conditions, the proposal is supported.



## Sunlight to public places

Clause 15.01-1L-03 (Sunlight to Public Spaces) seeks:

- *'To protect, and where possible, increase the level of sunlight to public spaces during the times of the year when the intensity of use is at its highest.'*
- *'To ensure that overshadowing from development does not result in significant loss of sunlight and diminish the enjoyment of public spaces for pedestrians.'*
- *'To create and enhance public spaces to provide sanctuary, visual pleasure and a range of recreation and leisure opportunities.'*

The proposal must therefore meet the following strategy:

*'Development should not unreasonably reduce the amenity of public spaces by casting additional shadows on any public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, open spaces associated with a place of worship and privately owned plazas accessible to the public between 11.00 am and 2.00 pm on 22 September.'*

The shadow diagrams submitted as part of the application indicate that the proposed development will not result in any overshadowing of Clayton Reserve between 11am and 2pm on 22 September.

Given the increased built form proposed on the subject site, there will be additional shadow cast by the development throughout the day, including along both Macaulay Road and Boundary Road, noting the controls on the site and envisaged built form under the DDO63, some overshadowing is to be expected. Despite the increase in shadowing to existing conditions, the shadow impact is anticipated by the maximum height limit in DDO63 and will not unreasonably reduce the amenity of the public spaces surrounding the subject site.

### 9.3.4 Overshadowing

As noted in Section 6.3.4 of this report, Planning Scheme Amendment C415 (formerly C278) is a seriously entertained Amendment that seeks to apply the Design and Development Overlay, Schedule 8 (DDO8) to the site and surrounds.

Clayton Reserve and Canning Street and Macaulay Road Reserve, located approximately 45 metres southeast of the site is a 'Type 2' park seeking '*...must not cast additional shadow onto the park between 10am and 3pm on June 21 beyond the existing shadow*'. For the purposes of applying the below requirements of the proposed DDO8:

Existing shadow is defined by the proposed DDO8 as follows:

*'...any shadow cast by existing buildings and works.'*

Allowable shadow is defined by the proposed DDO8 as follows:

*'Allowable shadow means the shadow that would be cast on the park between 10am and 3pm:*

- *By street walls built to the street wall height on land near a park.*
- *If no street wall height requirement applies, buildings built to the maximum building height requirement on land near the park.*

Table 1

Park type on Maps 1-10	Hours and date
1	Buildings and works must not cast additional shadow onto the park between 10am and 3pm, on June 21 beyond the existing shadow.
2	Buildings and works must not cast additional shadow onto the park between 10am and 3pm on June 21 beyond the existing shadow or allowable shadow or the combination of the existing shadow and allowable shadow (whichever is the greatest).
3 East	Buildings and works must not cast additional shadow onto the park between 10am and 2pm, June 21 beyond the existing shadow.
3 West	Buildings and works must not cast additional shadow onto the park between 12 noon and 3pm, June 21 beyond the existing shadow.

The adjacent sites along Macaulay Road located directly north of Clayton Reserve and Canning Street Reserve are also located in DDO63 – Area 8 which has a maximum building height 12 storeys and street wall height of 6 storeys.

Shadow diagrams provided by the Applicant show that there is shadow to the northernmost portion of Clayton Reserve from 2pm to 3pm on June 21 (winter solstice).

Insufficient information has been provided to determine if the proposal would comply with the requirements of the proposed DDO8 under Amendment C415 as it does not exceed the ‘existing’ or ‘allowable’ shadow cast on Clayton Reserve and Canning Street Reserve on June 21 between 10am and 3pm. The concern is raised insofar that there is likely a need for modifications to the elements above the street wall (setbacks or height reductions) to ensure no additional shadow is cast. A recommended condition will require the provision of updated shadow diagrams with plans submitted for endorsement to ensure this compliance with C415melb – Sunlight to Public Open Spaces is achieved.

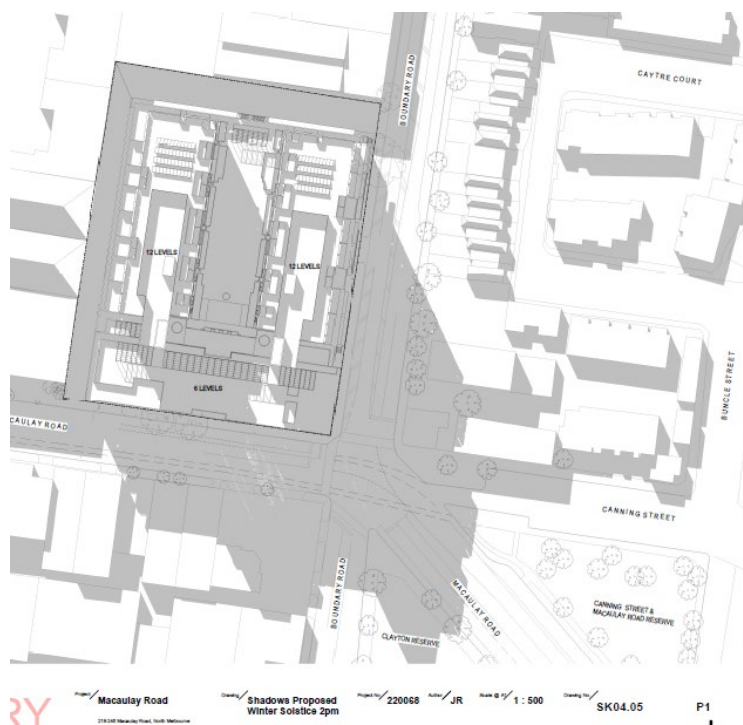


Figure 157 - Shadow diagram - 2pm on 21 June





Figure 18 - Shadow diagram - 3pm on 21 June

### 9.3.5 Equitable Development

It is considered that the layout of the proposed development would allow for the equitable development of the properties to the west and the north; noting the following:

- The proposed development does not rely on borrowed outlook over any neighbouring property.
- Setbacks to the northern and westernmost side of the site are generous.
- The proposed buildings are set back at least 6 to 12 metres from the western and northern boundary; which if replicated, would allow a building separation of 12 + metres.
- A north-south and east-west through link is provided along the northern and western boundaries for the purposes of vehicle and pedestrian movements. This negates the need for a similar link on the eastern and southern portion of the neighbouring site whereby only footpath and WSUD treatments would be required.

### 9.3.6 Community Benefit

As noted earlier in this report, all developments that exceed the preferred maximum height in Table 1 of DDO63 must provide a '*demonstrable benefit to the broader community*' including:

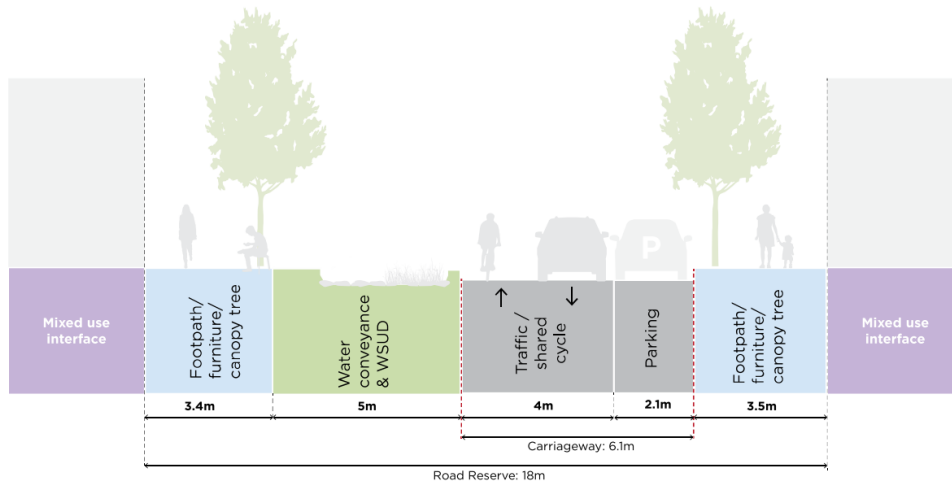
- *Exceptional quality of design.*
- *A positive contribution to the quality of the public realm.*
- *High quality pedestrian links where needed.*
- *Good solar access to the public realm.*

The proposal seeks to address this requirement through the construction of publicly accessible links (laneways) and provision of affordable housing. This is discussed below.

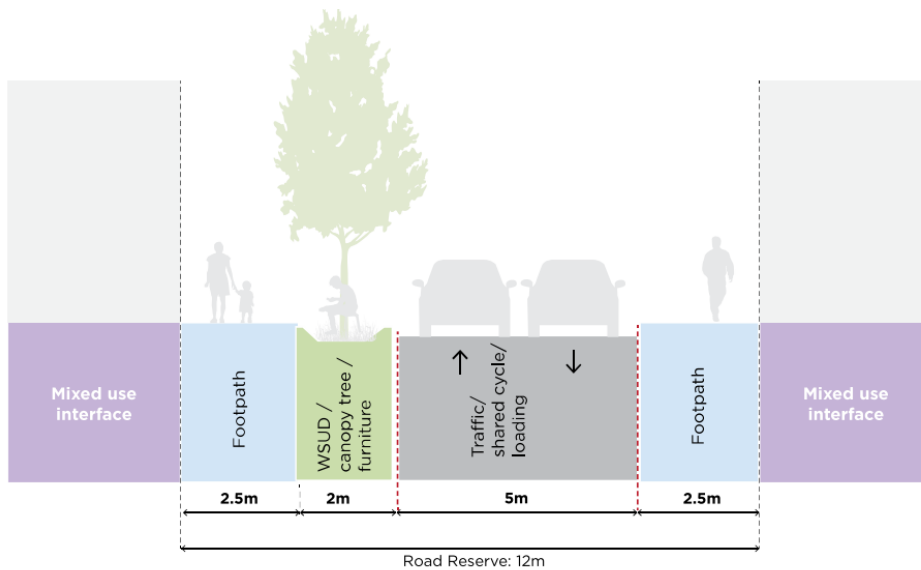
**Publicly Accessible Links (Laneways)**

The Permit Applicant has sought the construction of two publicly accessible links (laneways) to form part of the community benefit associated with the uplift sought to develop the site.

As noted in Section 6.3.1 of this report, C417 seeks to have a new 18 metre wide street located entirely along the north boundary of the site and a 12 metre wide street provided along the west boundary of the site. The cross sections of the streets, as contained in the "Incorporated Document "Macaulay – Stubbs and Boundary Precincts – New and Widened Streets and Laneways – Alignments and Cross-Sections, June 2022" are provided in Figure 19 and 20.



NEW STREET (18m)  
 Figure 16 - New Street (18m) Section



NEW STREET (12m)  
 Figure 170 - New Street (12m) Section

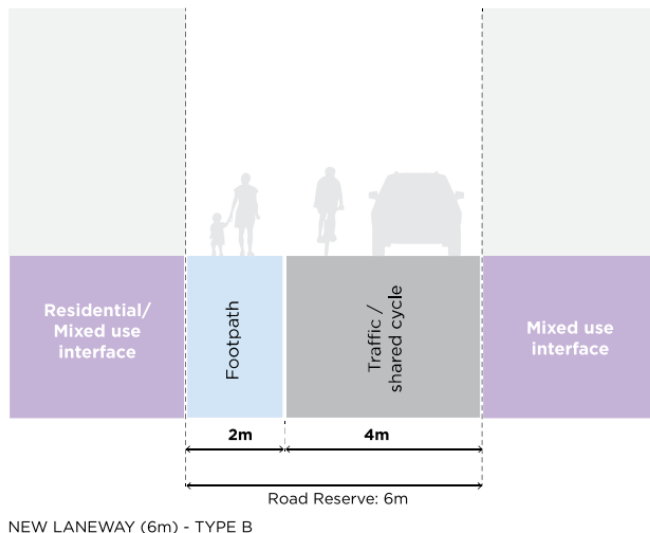


The application includes two publicly accessible links (laneways) of the following composition:

- A 9 metre wide link along the northern property boundary, consisting of:
  - 2 metre wide footpath (impeded by structure columns)
  - 1.3 metre landscaping
  - 5.8 metre wide link for vehicles.
- A 6 metre wide link along the western property boundary, consisting of:
  - Partial 2 metre wide footpath
  - 4.35 metre wide link for vehicles.

The proposed link composition does not directly align with the street and laneway typologies sought by C417. The proposed north boundary link is akin more so to the 'New Street 12m', as shown in Figure 20. This would mean that when the neighbouring properties to the north are developed, to complete the 'street', a footpath of at least 2.5 metres would be required.

The proposed link to the west of the site, would be considered a 'Type B – New Laneway' as per C417, as shown below.



NEW LANEWAY (6m) - TYPE B

Figure 21 - New Laneway (6m) Section

The alignment of both the west and north boundary links (laneways) follow that of the new streets sought by C417; and will provide for a valuable vehicle and pedestrian connection from Macaulay Road through to Boundary Road.

While the new through link network is not provided in accordance with the dimensional outcomes sought by the Amendment, the intent to provide a network that aids in the relief of vehicle movement through the Macaulay and Boundary Road intersection, provides for a potential connection through to Macaulay Station and generally relieves the surrounding road network will still be achieved, albeit at a reduced width.

Therefore, on balance the proposed connections are considered acceptable and generally in accordance with the strategic intent of Amendment C417. The outcome is not envisaged to compromise the orderly development of the area particularly as it still provides for the ability for the full cross sections to be achieved when the adjoining sites are developed.

The proposed pedestrian links (laneways) are considered to deliver a tangible community benefit, and should be secured via a Section 173 Agreement with Council ensuring that they are both publicly accessible.

In addition, a recommended condition of permit will require the basement floor plan amended to provide dimensions to boundaries and to ensure a 1.5m clearance under the laneway.

### **Affordable Housing**

In addition to the proposed publicly accessible links (laneways), the application proposes the provision of affordable housing at 4 per cent at a minimum of 35 per cent discount of market value or rent.

Despite affordable housing not currently being mandated by the Melbourne Planning Scheme for the subject site, the 4 per cent proposition is not considered a sufficient public offering for this proposal given the scale of the development and surrounding recent approvals (of which included an element of affordable housing). Having regard to this and to ensure a meaningful affordable housing offering, a recommended condition will include a 6 per cent contribution at a minimum of 35 per cent discount of market value or rent. This could be secured by way of a Section 173 Agreement.

### **9.4 On and Off Site Amenity**

The following Objectives of Clause 58 (Apartment Developments) relate to a development's onsite and internal amenity:

- Clause 58.03-2 – Communal Open Space Objective
- Clause 58.03-3 – Solar Access to Communal Open Space Objective
- Clause 58.03-4 – Safety Objective
- Clause 58.04-2 – Internal Views Objective
- Clause 58.05-1 – Accessibility Objective
- Clause 58.05-2 – Building Entry and Circulation Objectives
- Clause 58.05-3 – Private Open Space Objective
- Clause 58.05-4 – Storage Objective
- Clause 58.06-1 – Common Property Objectives
- Clause 58.06-2 – Site Services Objective
- Clause 58.06-3 – Waste and Recycling Objective
- Clause 58.07-1 – Functional Layout Objective
- Clause 58.07-2 – Room Depth Objective
- Clause 58.07-3 – Windows Objective
- Clause 58.07-4 – Natural Ventilation Objective

The assessment against Clause 58 confirms that the proposed development is able to meet all Standards identified above other than Clause 58.07-1 – Functional Layout. This variation is discussed below.

### **Functional Layout**

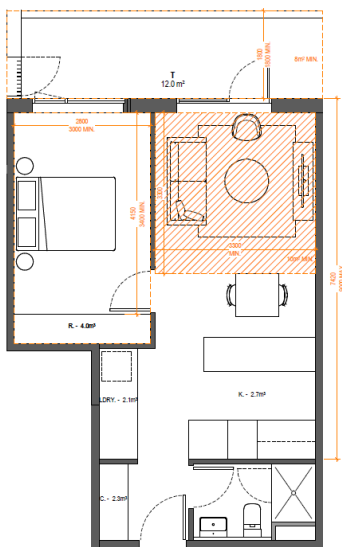
Clause 58.07-1 (Functional Layout) seeks to '*ensure dwellings provide functional areas that meet the needs of residents.*' Standard D24 provides the following dimensional requirements for a 'bedroom':



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

The Standard also provides for minimum internal dimensions for living areas, of which the proposal meets.

Dwelling type 1D fails to meet the minimum dimension requirements by providing a bedroom that is 2.8 metres x 4.15 metres whereby the minimum width is 3 metres (a 0.2 metre variation). Dwelling type 1D is proposed to occur in two instances across the entirety of the development. In this instance the variation is considered acceptable on the basis that they are of low occurrence and an addition 0.75 metre in depth is provided – ensuring the room remains functional.



UNIT TYPE 1D

Figure 182 - 'Type 1D' 1 Bedroom Apartment layout.

## 9.5 Parking

### 9.5.1 Car Parking

The statutory requirements for the provision of car parking are set out in Clause 52.06 of the Melbourne Planning Scheme, with parking rates specified in Table 1 to Clause 52.06-5. As the subject site is located adjacent the Principal Public Transport Network (PPTN), Column B rates apply. Accordingly, the proposed development is required to provide a total of 543 car parking spaces including 26 spaces for the retail, 99 spaces for the supermarket (shop) and 418 for the dwellings.

The application proposes a total of 190 spaces comprising 138 residential and 52 supermarket / retail spaces, requiring a reduction in the standard car parking requirement.

### Car Parking Demand

Clause 52.06-7 requires an application to reduce the standard car parking requirement to be accompanied by a Car Parking Demand Assessment. This must assess the car parking demand likely to be generated by the proposed new use.

The application included a Traffic Impact Assessment prepared by *Stantec*, which provides such an analysis, including a survey. It puts forward reasons why the proposal should be supported with reference to the appropriate decision guidelines and policies.

### **Appropriateness of providing fewer car spaces than the number likely to generate**

In considering whether to reduce car parking on the site, Clause 52.06-7 suggests the consideration of (amongst others):

- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
- *Access to or provision of alternative transport modes to and from the land.*

State policy at Clause 18.02-4S seeks to ensure ‘...an adequate supply of car parking...’ and Clause 18.01-1L.09 seeks to ‘support the reduction or waiving of car parking for new uses and developments, which have good access to public transport.’

The site takes benefit from close proximity to public transport. Critically, Traffic Engineers note:

*“If the Arden-Macaulay structure plan is to succeed with its vision of reducing car dependency, the developments with reduced car parking provision should be encouraged...”*

Council's Traffic Engineers have recommended (amongst other things) that 110 car parking spaces must be provided for the use of supermarket.

It is considered that the reduction in the car parking requirement is acceptable on the basis that the site is well located to goods and services, including public transport, bicycle parking provided in excess of the provisional requirement.

In addition, it is considered the proposed car share parking space as currently shown on the plans is sufficient for the proposed development. A recommended condition of permit will require electric vehicle charging infrastructure must be provided in the car park to enable charging to occur within the basement in the future.

### **Parking Overlay – Schedule 16 (C417)**

Further, it is pertinent to note that C417 (while it currently has no statutory weight) proposes the application of a new Schedule 16 to the Parking Overlay (PO16).

The maximum car parking rates of the proposed PO16 are substantially lower than the current minimum rates at Clause 52.06. By applying PO16, the required number of car parking spaces required would be approximately 157 spaces. The provision of 190 spaces as proposed would be an increase on the rates per PO16 and as such a planning permit would be required to provide in excess of the above if C417 were implemented into the Scheme.

### **9.5.2 Bicycle Parking**

A statutory requirement of 130 spaces (comprising 85 resident / employee spaces and 45 visitor / shopper spaces) in accordance with Clause 52.34-5 (Bicycle Facilities) is required. The development proposes 484 bicycle spaces across the entirety of the site in the following way:

- 402 resident spaces, 15 staff spaces and 39 resident visitors contained securely internal to the building.
- 28 retail / shop visitor spaces provided in the form of hoops at the ground level, outside the building.



This is well in excess of the statutory requirement and is an appropriate outcome given the strategic location of the site and substantial car parking reduction.

A recommended condition will require that all bicycle spaces be clearly noted on the plans, noting that the 16 spaces provided along the northern aspect of the development are not clearly indicated.

In addition to the bicycle spaces as required by Clause 52.34-5, one shower (end of trip) facility is required for the first five employee bicycle spaces and one shower for each subsequent 10 employee bicycle parking spaces (if five or more employee bicycle spaces are required). Application of the above rates to the employee bicycle parking requirement (six bicycle spaces) results in the proposal having a statutory requirement for one shower and change room. This requirement has been satisfied with the provision of one end of trip facility provided at the ground level near to the bicycle storage areas.

### **9.5.3 Motorcycle Parking**

A total of 10 motorcycle spaces are proposed in the basement car parking area. This is supported.

## **9.6 Sustainability**

### **9.6.1 Energy, Water and Waste Efficiency**

Policy at Clause 15.01-2L-01 encourages buildings that:

- *Minimise greenhouse gas emissions and maximise energy efficiency.*
- *Minimise mains potable water consumption and encourage the use of alternative water sources, such as rainwater and grey water.*
- *Provide the facilities that will enable building users and occupants to reduce waste sent to landfill, maximise the recycling and reuse of materials and support the municipality's progress towards becoming a resource and material-efficient city.*

As noted at Section 8.7 of this report, Council's ESD Officer has reviewed the proposal, including the Sustainable Management Plan (SMP) and found it to be generally in accordance with Clause 15.01-2L-01 - Energy and resource efficiency).

Conditions have been recommended which would resolve the outstanding detailed matters to ensure an acceptable ESD outcome.

With respect to waste management matters, Council's Waste Engineering Services Department has found the proposal to be acceptable, subject to recommended conditions.

### **9.6.2 Stormwater Management (Water Sensitive Urban Design)**

The objectives of Clause 19.03-3L include:

*"To achieve the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).*

*To promote the use of water sensitive urban design.*

*To mitigate the detrimental effect of development on downstream waterways.*

*To minimise peak stormwater flows and stormwater pollutants for the improved health of water bodies, including creeks, rivers and bays."*

Clause 19.03-3L provides that it is policy that development applications relating to new buildings incorporate water sensitive urban design that achieve the best practice water quality performance objectives set out in the *Urban Stormwater Best Practice Environmental Guidelines, CSIRO 1999 (or as amended)*.

The proposed development has been reviewed by Council's ESD Officer and is considered to generally comply with performance measures set out in Clause 19.03-3L or could be addressed via recommended conditions.

## **10 CONCLUSION**

For the reasons discussed in this report, it is considered that the proposal achieves an acceptable outcome having regard to the relevant provisions of the Melbourne Planning Scheme. It is considered that the proposal should be supported subject to conditions.

## **11 OFFICER RECOMMENDATION**

That the Future Melbourne Committee resolves to advise the Department of Transport and Planning that Melbourne City Council does not object to the planning permit application, subject to conditions set out below:

### **Amended Plans**

1. Prior to the commencement of the use and development (excluding any demolition or bulk excavation), an electronic set of plans drawn to scale and an updated development summary, must be submitted to the Responsible Authority in consultation with Melbourne City Council, generally in accordance with the plans prepared by Rothelowman dated 27 November 2023 (Drawings TP01.01 – TP05.01) but amended to show:
  - a) A notation confirming a minimum of 16 bicycle spaces provided at the northern ground floor.
  - b) An amended basement plan that provides dimensions, including setbacks from the basement to boundaries.
  - c) A section diagram showing a minimum 1.5 metre clearance (free of any building elements) between the north and west boundary links (laneways) finished surface and the top of the building's basement level below.
  - d) Electric vehicle charging infrastructure must be provided in the car park to enable charging within each space in the future.
  - e) Updated shadow diagrams that show no additional shadow onto Clayton Reserve and Canning Street Reserve on June 21 between 10am and 3pm, beyond the existing or allowable shadow of the maximum street wall requirement under Schedule 63 of the Design and Development Overlay.
  - f) Any changes to the buildings to achieve Condition 1e).
  - g) Sectional diagrams that show the following:
    - I. The street wall height does not exceed 6 storeys; and,
    - II. The maximum building height does not exceed 12 storeys.
  - h) Any changes to the buildings to achieve Condition 1g) i) and ii).
  - i) Notation on the Basement floor plan that the water tank is connected to toilets and irrigation.
  - j) Dimensioned car parking spaces and access ways.
  - k) Nomination of storage areas for each dwelling in accordance with Standard D21 associated with Clause 58.05-4 of the Melbourne Planning Scheme.
  - l) Any changes, technical information or plan notations (or otherwise) required as a consequence of any other condition in this Permit.



These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

### **Layout Not Altered**

2. The use and development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

### **Completion of Development**

3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

### **Glare**

4. Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.
5. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.

### **Retention of Architect**

6. Except with the written consent of the Responsible Authority, Rothelowman must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.

### **Façade Strategy**

7. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority in consultation with Melbourne City Council. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority in consultation with Melbourne City Council. The Façade Strategy must be generally in accordance with the development plans and must detail:
  - a) A concise description proposed materiality associated with lantern.
  - b) Further detail of the proposed 'GT03 – Glazing – Patterned'.
  - c) The proposed imagery associated with the lantern.
  - d) Elevation details at a scale of 1:50 illustrating ground floor details for all buildings, including entries, arched ways, brick tiles, and shopfront design.
  - e) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
  - f) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
  - g) A revised schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.

### **Land Survey**

8. Prior to the occupation of the development, the land titles must be consolidated, to the satisfaction of the Responsible Authority.
9. Prior to occupation, all internal laneways and accessways which provide a main entry point into a ground floor tenancy must be named in accordance with the *Geographic Place Names Act 1998* to provide appropriate street addressing.
10. Any proposed road name must comply with the Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016.
11. Where storage cages are not independently accessed and relies on access over an adjoining car space, they must be used in association with that car space for which access is relied and must be assigned to a single unit or tenancy within the development.
12. All service cupboards must be independently accessed and must not rely on access over an abutting car parking space. In instances where access is relied on an abutting car parking space, the abutting car parking space must be removed to provide for adequate access.

### **Waste Management**

13. Concurrent with the endorsement of plans under Condition 1, an amended WMP must be approved and endorsed by Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Leigh Design dated 3 April 2023, but amended to include or show:
  - a) Any changes as required by Condition 1 of this Permit.
  - b) The sub total figures in Table 1 for residential waste are incorrect. Please recalculate and adjust bin numbers and/or compactor sizing accordingly.
  - c) The use of use 660 L glass bins in place of 240 L glass bins.
  - d) Table 1 shows that the supermarket will generate 26,450 L of recycling per week, yet only 2 x 240 L recycling bins collected 3 times per week have been nominated for use. Cardboard generation rates are shown as a separate item to the commingled recycling generation rate, and ensure that there are adequate commingled recycling bins for the resulting commingled recycling generation rate.
14. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of Melbourne City Council – Waste and Recycling.
15. Once approved, the WMP will be endorsed and will form part of this permit. At all times waste management and collection must be carried out in accordance with the requirements of the approved and endorsed WMP to the satisfaction of Melbourne City Council – Waste and Recycling.
16. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council – Waste and Recycling.

### **Sustainable Management Plan**

17. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Sustainable Management Plan (SMP) prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. When approved, the amended SMP report will be endorsed and form part of this permit. The amended SMP report must be generally

in accordance with the SMP report prepared by GIW Environmental Solutions dated 30 March 2023, but modified to include or show:

- a) Any changes as required by Condition 1 of this Permit.
- b) Green Star assessment in accordance with Clause 15.01-2L-01.
- c) Provide evidence of Green Star Buildings registration.
- d) Daylight modelling to / for dwelling type 1B.
- e) All glazing to habitable areas including living spaces and bedrooms is to be shown as double glazed.
- f) Further sampling of NatHERS ratings (closer to 30%).

The Responsible Authority may consent in writing to vary any of these requirements.

18. Once approved, the SMP will be endorsed and will form part of this permit. The performance outcomes specified in the SMP must be achieved in the completed development. The SMP must not be altered or amended without the written consent of the Responsible Authority and Melbourne City Council.

#### **Implementation of Sustainable Management Plan Report**

19. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed SMP report, or similarly qualified persons or companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority and Melbourne City Council. The report must be to the satisfaction of the Responsible Authority and Melbourne City Council and must confirm and provide sufficient evidence that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.

#### **Landscape Architecture**

20. Concurrent with the endorsement of plans pursuant to Condition 1, an amended landscape plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority in consultation with Melbourne City Council. This plan must be generally in accordance with the plans prepared by Tract dated 22 March 2023 and must be updated to include:
  - a) Any changes as required by Condition 1 of this permit.
  - b) Further detail of the proposed 'over raised planters' including clear sections indicating soil volumes.
  - c) Quantity of proposed plant types to be updated in the schedule provided.
  - d) Discussion and strategies for how the green roofs will provide ecosystem services (i.e. maximising biodiversity, connectivity, deep soil planting, urban heat island prevention etc).
  - e) The Landscape Maintenance Plan should provide details of proposed maintenance regimes with provision for maintenance beyond the fifty two week period following Practical Completion. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority and Melbourne City Council.
21. Except with the prior written consent of the Responsible Authority and Melbourne City Council the approved landscaping must be implemented prior to the



occupation of the development. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.

## **Section 173 Agreements**

### *Affordable Housing*

22. Before the development starts (excluding any demolition), the landowner must enter into an agreement with the Responsible Authority and Melbourne City Council specified as parties to the agreement, under section 173 of the *Planning and Environment Act 1987*, to the satisfaction of both parties, for the delivery of affordable housing (as defined in the Act).
23. The agreement must be registered on title to the Land and the landowner must be responsible for the expense of preparation and registration of the agreement including the Responsible Authority and Melbourne City Council reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and ending of the agreement (where applicable).
24. The agreement must be in a form to the satisfaction of all parties and include covenants that run with the Land to:
  - a) Provide for the delivery of at least 6% of the total number of dwellings for affordable housing as defined by Section 3AA of the Act before the development is occupied. This may be provided by utilising one or more of the following mechanisms for the delivery of affordable housing:
    - i. Transferring dwellings within the development to a registered housing agency or other housing provider or trust entity approved by the Responsible Authority at a minimum 35% discount to market value; or
    - ii. Leasing dwellings within the development as affordable housing under the management of a registered housing agency or housing provider or trust approved by the Responsible Authority at a minimum 35% discount from market rent for a period of not less than 10 years for the building approved under this control. The overall value of the leased dwellings must be equivalent or higher to condition 13(a)(i); or
    - iii. Any other mechanism providing a contribution of equivalent or higher value to condition 13(a)(i) to the satisfaction of both parties.
  - b) Unless otherwise agreed in writing by the Responsible Authority and Melbourne City Council, the affordable housing delivered under condition 23(a) must:
    - i. Be delivered within the development approved by this planning permit;
    - ii. Take the form of one, two or three-bedroom dwellings generally representative of the approved dwelling mix unless otherwise agreed;
    - iii. Be functionally and physically indistinguishable from conventional dwellings within the development;
    - iv. Include access to all common facilities within the building at no extra fee for occupants of affordable housing dwellings; and
    - v. Allocate one or more bicycle parking space per dwelling for the life of the affordable housing.

- c) The agreement must include terms which provide for the manner in which the Affordable Housing is to be made, including the timing for and how the contribution is to be delivered and maintained.
- d) For the purposes of the agreement 'affordable housing' is to have the same meaning as the definition under the *Planning and Environment Act 1987*.

*Through Links (Laneways)*

25. Prior to the commencement of the development (excluding any demolition), the owner of the land must enter into a legal agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with Melbourne City Council. The agreement must provide the following:

- a) Give rights of public access to the north - south and east - west links (laneway) along the west and north boundary of the site that connects Macaulay Road to Boundary Road, 24 hours per day, 7 days per week.

The agreement must also contain such other conditions as may be advised by Council's Chief Legal Counsel.

The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

*Developer Contributions*

26. Before the commencement of development or works, excluding site remediation, the applicant must:

- a) Enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with Melbourne City Council; Register the agreement on the title(s) for the land in accordance with Section 181 of the *Planning and Environment Act 1987*; and
- b) Provide the Responsible Authority with the dealing number confirming the registration of the title.

The agreement must be in a form to the satisfaction of Melbourne City Council, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including Melbourne City Council's reasonable costs and expense (including legal expenses) incidental to the preparation, registration, enforcement and ending of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a) The developer to pay a development contribution of:
  - i. \$20,209 per dwelling
  - ii. \$229 per square metre of gross commercial floor area
  - iii. \$191 per square metre of gross retail floor area.

or other amount outlined within an approved development contribution plan to the satisfaction of Melbourne City Council.

- b) Require that development contributions are to be indexed quarterly from 1 January 2018 to the Price Index of the Output of the Construction Industries (Vic.) published by the Australian Bureau of Statistics (ABS).
  - i. Require registration of the Agreement on the titles to the affected lands as applicable.
- c) Confirm that contributions will be payable to Melbourne City Council.

- d) Require that where the Planning Permit authorises building and works and a subdivision of the Subject Land, full payment of the development contribution must be paid before the issue of a Statement of Compliance in respect of that subdivision or where the Planning Permit authorises buildings and works but not subdivision, the development contribution must be paid before the issue of either the certificate of occupancy (in the case of a building) or a certificate of completion (in the case of works).
- e) Confirm the procedure for reducing the contribution paid if the permanent development contributions plan for the area is less than the amount stipulated in the Section 173 Agreement.
- f) The agreement must make provision for its removal from the land following completion of the obligations contained in the agreement.

### **Noise Attenuation**

- 27. Concurrent with the endorsement of plans under Condition 1, the Acoustic Report prepared by RWDI Australia Limited dated 30 March 2023 must amended to reflect the changes as required by Condition 1.
- 28. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.

### **Wind Report**

- 29. Concurrent with the endorsement of plans under Condition 1, the Wind Assessment prepared by RWDI Australia Limited dated 30 March 2023 must amended to reflect the changes as required by Condition 1. Once approved and endorsed by the Responsible Authority. The report must outline the wind tests carried out by a suitably qualified expert on the approved development to ensure compliance with Standard D17 of Clause 58.04-4 of the Melbourne Planning Scheme to the satisfaction of the Responsible Authority. The recommendations of the report must be implemented at no cost to the Responsible Authority and must not include reliance on street trees.
- 30. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority. The report must not be altered or amended without the written consent of the Responsible Authority.

### **Construction Management Plan**

- 31. Prior to the commencement of the development, excluding site remediation, a detailed Construction Management Plan (CMP) must be submitted to and approved by Melbourne City Council – Construction Management Group.

The CMP must be prepared in accordance with Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:

- a) Management of public access and linkages around the site during construction.
- b) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian accessways).
- c) Any works within the adjoining street network road reserves.



- d) Sediment control and site drainage.
- e) Discharge of polluted waters.
- f) Public safety and site security.
- g) Hours of construction.
- h) Control of noise, dust and soiling of roadways.
- i) Collection and disposal of building and construction waste.
- j) Reasonable measures to ensure that disruption to adjacent public transport services are kept to a minimum.

## **Urban Forestry**

### *Tree Protection Plan*

32. Prior to the commencement of any works, including demolition and bulk excavation and following clarification of site access requirements for works, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority and Melbourne City Council (City of Melbourne Urban Forestry & Ecology). The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
- a) City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
  - b) Reference to the any finalised Construction and Traffic Management Plan, including any public protection gantries, loading zones and machinery locations.
  - c) Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and or construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
  - d) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
  - e) Full specifications of any pruning required to public trees with reference to marked images.
  - f) Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
  - g) Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release).

### *Additional Public Tree Plots*

33. Prior to the commencement of any works, a public tree plot plan must be provided to the satisfaction of the Melbourne City Council that shows new plots on Macaulay Road and Boundary Road. The plans must be accompanied by confirmation that any below ground services do not exit, or can be relocated, to enable plot construction.

### *Public Tree Removal / Pruning*

34. No public tree adjacent to the site can be removed or pruned in any way without the written approval of the Melbourne City Council. Should the removal of public trees be approved, the permit holder must submit detailed plans showing the

design and location of replacement tree plots to the satisfaction of the Melbourne City Council.

35. Approval for any tree removal is subject to the Tree Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
36. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a trees to be removed, must be met by the applicant / developer / owner of the site. Costs will be provided and must be agreed before Council will remove the subject trees.

#### *Public Tree Protection*

37. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority and Melbourne City Council.
38. Following the approval of a Tree Protection Plan (TPP), a bond equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond must be lodged by the Principal contractor. The bond value will be calculated by Council. Should any tree be adversely impacted by the works, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.

#### *New / Replacement Tree Plots*

39. All new or replacement tree plots must utilise structural soils to increase soil volume and rooting area.

### **Traffic Engineering**

#### *Car Parking Management Plan*

40. Concurrent with the endorsement of plans pursuant to Condition 1, a detailed Car Parking Management Plan must be prepared to the satisfaction of the Responsible Authority / City of Melbourne; allocating the provided car parking spaces amongst the dwellings, retail and supermarket premises and management of these. The plan must specify that all parking spaces are to remain in common ownership, with a minimum of one (1) car share space and one (1) accessible space available at all times, or as otherwise agreed by the Responsible Authority and Melbourne City Council.

#### *Road Safety Audit*

41. Prior to the commencement of the development, excluding demolition and bulk excavation, a desktop Road Safety Audit prepared by a suitably qualified professional must be provided to the satisfaction of the Responsible Authority and Melbourne City Council. The Road Safety Audit must address the following matters:
  - a) Vehicular / bicycle / pedestrian access arrangements
  - b) Loading arrangements
  - c) Internal circulation / layout
  - d) All works within the public.

When provided to the satisfaction of the Responsible Authority and Melbourne City Council the Road Safety Audit will be endorsed to form part of this permit.

#### *Loading Management Plan*

42. Prior to the commencement of works, excluding demolition and bulk excavation, a comprehensive Loading Management Plan (LMP) must be prepared to the satisfaction of the Responsible Authority and Melbourne City Council, specifying how the access / egress of loading vehicles is to be managed, so that any potential conflicts are satisfactorily addressed.

#### *Dock Manager*

43. A Dock Manager must be employed, responsible for controlling the operation of the loading bay and unloading of goods.

#### *Plan Details*

44. Prior to the occupation of the development, a LED 'Watch for bikes' sign must be installed on Macaulay Road facing exiting drivers, to be activated by approaching cyclists.
45. Prior to the occupation of the development, 'No Right Turn' signage and other measures must be installed at the intersections of the new links (laneways) with both Macaulay Road and Boundary Road.
46. The internal layout of the car park including all ramp grades / widths / transitions, dimensions of car spaces, aisle widths, height clearances, etc. must generally comply with the Melbourne Planning Scheme or the relevant Australian Standards (AS/NZS 2890.1:2004).
47. The design and dimensions of the bicycle parking must comply with the relevant Australian Standards / Bicycle Network guidelines.

#### **Green Travel Plan**

48. Prior to the occupation of the development, a Green Travel Plan (GTP) must be prepared by a suitably qualified person to the satisfaction of the Responsible Authority. The GTP must:
  - a) Describe the location in the context of alternative modes of transport and objectives for the GTP.
  - b) Outline GTP measures for the building including:
    - i. employee welcome packs to include public transport information
    - ii. other incentives for employees (i.e. provision of public transport discounts if available)
    - iii. cycle parking and facilities available
    - iv. GTP management
    - v. monitoring and review.

Once approved, the GTP will form part of the planning permit or any on-going management plan for the site to ensure the GTP continues to be implemented by the owners / management of the development site to the satisfaction of the Responsible Authority and Melbourne City Council.

#### **Civil Design**

##### *Drainage of projections*



49. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by Melbourne City Council Authority – City Infrastructure.

*Drainage system upgrade*

50. Prior to the commencement of the development, a stormwater drainage analysis and design with flood modelling, according to Macaulay Integrated Water Management Strategy, must be submitted to and approved by Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system. Where necessary, the City of Melbourne's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

*Groundwater management*

51. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with Melbourne City Council.

*Functional layout plan*

52. Concurrent with the endorsement of plans under Condition 1, a Functional Layout Plan for the proposed links (laneways) along and within the properties northern and western title boundaries in consultation with Melbourne City Council – City Infrastructure.

*Roads*

53. All portions of Macaulay and Boundary roads affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

*Sawn bluestone footpath*

54. The footpath adjoining the site along Macaulay Road must be upgraded in sawn bluestone together with associated works including the upgrade of kerb and channel, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

*Footpaths*

55. The footpath adjoining the site along Macaulay Road and Boundary Road must be reconstructed together with associated works including the upgrade of kerb and channel to sawn bluestone and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by Melbourne City Council – City Infrastructure.

*Street levels not to be altered*

56. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from Melbourne City Council – City Infrastructure.

*Existing street lighting not altered without approval*

57. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Interim lighting arrangements must be provided until the reinstatement / upgrade of public lighting is completed. Existing public street lighting must not be altered without first obtaining the written approval of Melbourne City Council.

*Public lighting*

58. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the Responsible Authority in consultation with Melbourne City Council, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in the adjacent streets. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority in consultation with Melbourne City Council – City Infrastructure.
59. The lighting plan must also provide for a minimum vertical clearance of 6 metres above and 2 metres below the surface pavement to allow installation of electrical conduits and wall-mounted lights.

*Construct and maintain access*

60. All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Melbourne City Council – City Infrastructure.

*Demolish and construct access*

61. Prior to the commencement of the use / occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

**Environmental Audit**

62. Prior to the commencement of the development (excluding any works necessary to undertake the assessment), a Preliminary Risk Screen Assessment (PRSA) of the site must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the Responsible Authority in accordance with section 205 of the *Environment Protection Act 2017* to the satisfaction of the Responsible Authority. The PRSA must respond to the matters contained in Part 8.3, Division 2 of the *Environment Protection Act 2017*.
63. If the PRSA referred to in Condition 64 of this Permit requires an Environmental Audit be undertaken, then prior to the commencement of the development (excluding any works necessary to undertake the audit), an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the Responsible Authority in accordance with section 210 of the *Environment Protection Act 2017* to the satisfaction of the Responsible Authority and in consultation with Melbourne City Council. The EAS must respond to the matters contained in Part 8.3, Division 3 of the *Environment Protection Act 2017* and must either:
  - a) state the site is suitable for the use and development allowed by this permit;

- b) state the site is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.
64. All the recommendations of the EAS referred to in Condition 65 of this Permit must be complied with to the satisfaction of the Responsible Authority for the full duration of any buildings and works on the land in accordance with the development and must be fully satisfied prior to the occupation of the development. Written confirmation of compliance must be provided by a suitably qualified environmental auditor in accordance with any requirements in the EAS.
65. If any of the conditions of the EAS referred to in Condition 66 of this Permit require ongoing maintenance or monitoring, prior to the commencement of the use and prior to the issue of a statement of compliance under the *Subdivision Act 1988* the owner of the land must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

### **Building appurtenances and services**

66. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority and Melbourne City Council or as otherwise exempt under the Melbourne Planning Scheme.
67. All building plant and equipment on the roofs, balcony areas and common areas are to be concealed to the satisfaction of the Responsible Authority and Melbourne City Council. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment, shall be to the satisfaction of the Responsible Authority.
68. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority and Melbourne City Council, unless otherwise approved to the satisfaction of the Responsible Authority and the Melbourne City Council.
69. Mailboxes and newspaper receptacles must be provided prior to the occupation of the development, including an additional mailbox for the body corporate (or similar management authority) if and when the development is subdivided or privately managed, to the satisfaction of the Responsible Authority and Melbourne City Council.
70. All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.
71. Prior to the occupation of the development, any privacy screening shown on the endorsed plans must be installed and must then be maintained to the satisfaction of the Responsible Authority and Melbourne City Council.
72. Prior to the occupation of the development, all new or extended walls on or facing the boundary of adjoining properties and / or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority and the Melbourne City Council. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority and Melbourne City Council.



### **3D digital model**

73. Prior to the commencement of the development, excluding bulk excavation, a 3D digital model of the development must be submitted to and approved by the Responsible Authority.

The model should be prepared having regard to the Advisory Note – 3D Digital Modelling Melbourne City Council. Digital Models provided to Council and other government organisations for planning purposes. The Council may also derive a representation of the model which is suitable for viewing and use within its own 3D modelling environment. In the event that substantial modifications are made to the building envelope, a revised 3D digital model must be submitted to and approved by the Responsible Authority.

### **Use and development time limit**

74. This permit will expire if one or more of the following circumstances apply:

- a) The development is not started within three (3) years of the date of this permit.
- b) The development is not completed within five (5) years of the date of this permit.
- c) The use is not started within five (5) years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The Responsible Authority may extend the time for completion of the permit if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

### **NOTES**

#### **Urban Forestry**

- A tree protection bond can be provided as a bank guarantee or by EFT. A bank guarantee must be:
  1. Issued to City of Melbourne, ABN: 55 370 219 287
  2. From a recognised Australian bank
  3. Unconditional (i.e. no end date)
  4. Executed (i.e. signed and dated with the bank stamp)
- If the bond is to be lodged as an EFT, Council's bank details will be provided on request.
- An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au) to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.
- Any pruning works identified in the Tree Protection Plan will be undertaken once the Tree Protection Bond is lodged, all permits issued and works are ready to commence.
- On completion of the works, the bond will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the public trees have not been affected by the works.

### **Traffic**

The City of Melbourne (CoM) will not change on-street parking restrictions to accommodate the servicing, delivery and parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements. However, new parking restrictions may be introduced in the surrounding streets at the discretion of CoM. As per Council's policy, new developments in this area that increase the density of residential development are not entitled to resident parking permits. Therefore, the residents of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions."

### **Civil Design**

All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the Responsible Authority – City Infrastructure.

### **Projections**

All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the City of Melbourne's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.

### **Building Approval Required**

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

### **Other Approvals May be Required**

This Planning Permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

### **Parking Permits**

The owners and occupiers of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.