

**Report to the Future Melbourne (Planning) Committee**

Agenda item 6.1

**Planning Permit Application: TP-2018-360  
369-391 and 393-399 Macaulay Road, Kensington**

13 November 2018

**Presenter:** Evan Counsel, Acting Manager Planning and Building

**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of a planning permit application seeking approval for part demolition, alterations and additions for an eight-storey mixed-use building including a shop greater than 150m<sup>2</sup> and a reduction of car parking at 369-391 and 393-399 Macaulay Road, Kensington (refer Attachment 2 - Locality Plan).
2. The applicant is Make Ventures Pty Ltd c/- Planning Property Partners Pty Ltd, the owner is Chestnut Hall Pty Ltd and the architect is Fieldwork.
3. The land is located within the Arden Macaulay Urban Renewal Area within the Mixed Use Zone (MUZ) and is affected by Heritage Overlay Schedule 251 (HO251), Design and Development Overlay Schedule 63 Area 3 (DDO63-A3), Land Subject to Inundation Overlay Schedule 1 (LSIO1), and the Environmental Audit Overlay (EAO).
4. Public notice was undertaken and a total of 43 objections have been received.

**Key issues**

5. Key issues for consideration are: land use as a shop; built form; amenity impacts and equitable development; Clause 58 Better Apartments Design Standards; parking, loading, traffic and waste; environmentally sustainable design; potentially contaminated land and land subject to inundation.
6. While the development exceeds the preferred maximum height and upper level setbacks, it achieves the design objectives and built form outcomes of DDO63-A3 and provides a demonstrable benefit to the broader community, most notably 10 per cent of dwellings are to be provided to key workers with a 20 per cent rent discount.
7. The development includes the adaptive reuse of the C and D graded heritage buildings and a contemporary addition with a simple, unified architectural expression. The development features an east-west open corridor (5m wide), which ensures 93 per cent of dwellings are dual-aspect.
8. The development will not unreasonably impact on the amenity or equitable development of the adjoining properties, subject to a condition requiring a 4.5 metres upper level setback from the centre of Little Hardiman Street and the lower levels of the building being screened to prevent unreasonable overlooking.
9. A reduction of car parking is acceptable having regard to Macaulay Train Station 200m east; Kensington Train Station 270m west; Bus Route 402 that stops in front of the site; the site's proximity to activity centres, community infrastructure and public open space; ABS Census data for car ownership in the area; the availability of on-street parking for visitors in the evenings and weekends; a condition to increase the size of the basement and the bicycle parking rate to two spaces per dwelling.
10. Melbourne Water and Transport for Victoria do not object to the proposal, subject to conditions.

**Recommendation from management**

11. That the Future Melbourne Committee resolves that a Notice of Decision to Grant a Permit be issued subject to the conditions set out in the Delegate Report (refer Attachment 4).

**Attachments:**

1. Supporting Attachment (Page 2 of 75)
2. Locality Plan (Page 3 of 75)
3. Plans (Page 4 of 75)
4. Delegate Report (Page 41 of 75)

## Supporting Attachment

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### Legal

1. Division 1 of Part 4 of the *Planning and Environment Act 1987 (Act)* sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.
2. As objections have been received, sections 64 and 65 of the Act provide that the responsible authority must give the applicant and each objector notice in the prescribed form of its decision to either grant a permit or refuse to grant a permit. The responsible authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the VCAT for a review of the decision or, if an application for review is made, until the application is determined by the VCAT.

### Finance

3. There are no direct financial issues arising from the recommendations contained in this report.

### Conflict of interest

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

### Occupational Health and Safety

5. A planning permit application requires a Construction and Traffic Management Plan. The purpose of this Plan is to ensure the health and safety of those working, residing and travelling within proximity of the location are addressed.
6. Matters including waste, noise and land contamination that could impact on health and safety are also dealt with within the planning permit application process where applicable.

### Stakeholder consultation

7. Public notice of the application has been undertaken pursuant to Section 52 of the Act 1987.

### Relation to Council policy

8. Relevant Council planning policies are discussed in the Delegate Report (refer Attachment 4).

### Environmental sustainability

9. The Environmentally Sustainable Design (ESD) Report submitted with the application demonstrates that the development will achieve the ESD performance requirements of Clause 22.19 (Energy, Water and Waste Efficiency) and Clause 22.23 (Stormwater Management).
10. Permit conditions requiring implementation of the ESD initiatives are recommended.

# Locality Plan

369-391 and 393-399 Macaulay Road, Kensington



# MACAULAY ROAD KENSINGTON

## 393-399 MACAULAY ROAD KENSINGTON 3031

### TOWN PLANNING DRAWINGS

Attachment 3  
 Agenda Item 6.1  
 Future Melbourne Committee  
 13 November 2018

#### ARCHITECTURAL DRAWINGS SCHEDULE

NO.	DRAWING NAME
TP0-000	COVER PAGE
TP0-001	DEVELOPMENT SUMMARY   BADS
TP1-101	NEIGHBOURHOOD & SITE PLAN
TP1-102	DEMOLITION PLAN & ELEVATIONS
TP2-101	LOWER GROUND FLOOR PLAN
TP2-102	GROUND FLOOR PLAN
TP2-103	LEVEL 1 PLAN
TP2-104	LEVEL 2 PLAN
TP2-105	LEVEL 3 PLAN
TP2-106	LEVEL 4 PLAN
TP2-107	LEVEL 5 PLAN
TP2-108	LEVEL 6 PLAN
TP2-109	LEVEL 7 PLAN
TP2-110	ROOF PLAN
TP3-101	NORTH ELEVATION
TP3-102	WEST ELEVATION
TP3-103	SOUTH ELEVATION
TP3-104	EAST ELEVATION
TP4-101	SECTION A
TP4-102	SECTION B
TP4-103	SECTION C
TP4-104	SECTION D (CARPARK RAMP)
TP4-105	AXONOMETRIC
TP5-101	SHADOW DIAGRAM 9AM
TP5-102	SHADOW DIAGRAM 10AM
TP5-103	SHADOW DIAGRAM 11AM
TP5-104	SHADOW DIAGRAM 12PM
TP5-105	SHADOW DIAGRAM 1PM
TP5-106	SHADOW DIAGRAM 2PM
TP5-107	SHADOW DIAGRAM 3PM
TP6-101	BADS C58 - 1BR APARTMENTS
TP6-102	BADS C58 - 1 & 2BR APARTMENTS
TP6-103	BADS C58 - 2BR APARTMENTS
TP6-104	BADS C58 - 2 & 3BR APARTMENTS

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN MILLIMETRES AND LEGS ARE IN METRES. DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCY TO DOCUMENTATION AND WAIT FOR INSTRUCTIONS PRIOR TO COMMENCEMENT OF WORK. BEFORE COMMENCING THE CONTRACTOR SHALL CONFERENCE WITH ARCHITECT TO VERIFY ALL DIMENSIONS. ALL SERVICES TO BE CONFIRMED WITH SERVICE DOCUMENTATION AND CHECK INSTALLATION POSITIONS PRIOR TO COMMENCEMENT OF WORK. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF THE DRAWINGS ISSUED BY THE ARCHITECT AND RELEVANT CONSULTANT. BUILDING TO BE SECT BY LONDON LAMB SURVEYORS WITH TITLE REEVALUATION TO BE CARRIED OUT AT THE TIME OF BUILD.

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REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

# FIELDWORK

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 Victoria, 3066, Australia  
 hello@fieldworkprojects.com.au  
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Project Number  
**170026**  
 Client  
**MAKE VENTURES**  
 Project Name  
**MACAULAY ROAD KENSINGTON**  
 Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

Drawing Name  
**COVER PAGE**  
 Date  
**10/04/2018**  
 Status  
**TOWN PLANNING**

Scale  
**@ A1**  
 Drawing Number  
**TPO-000**  
 Revision  
**A**



DEVELOPMENT SUMMARY

SITE AREA SUMMARY	
SITE AREA	1,550.87
	<b>1,550.87 m<sup>2</sup></b>

CAR PARKING SUMMARY	
CAR SPACE IN CAR STACKER	52
	<b>52</b>

BIKE PARKING SUMMARY		
FLOOR MOUNTED BIKE HOOP	GROUND	6
FLOOR MOUNTED BIKE HOOP	LOWER GROUND	19
WALL MOUNTED BIKE HOOP	LOWER GROUND	21
		<b>71</b>

STORAGE SUMMARY	
1BR STORAGE (4m3)	5
2BR STORAGE (6m3)	55
3BR STORAGE (6m3)	13
	<b>73</b>

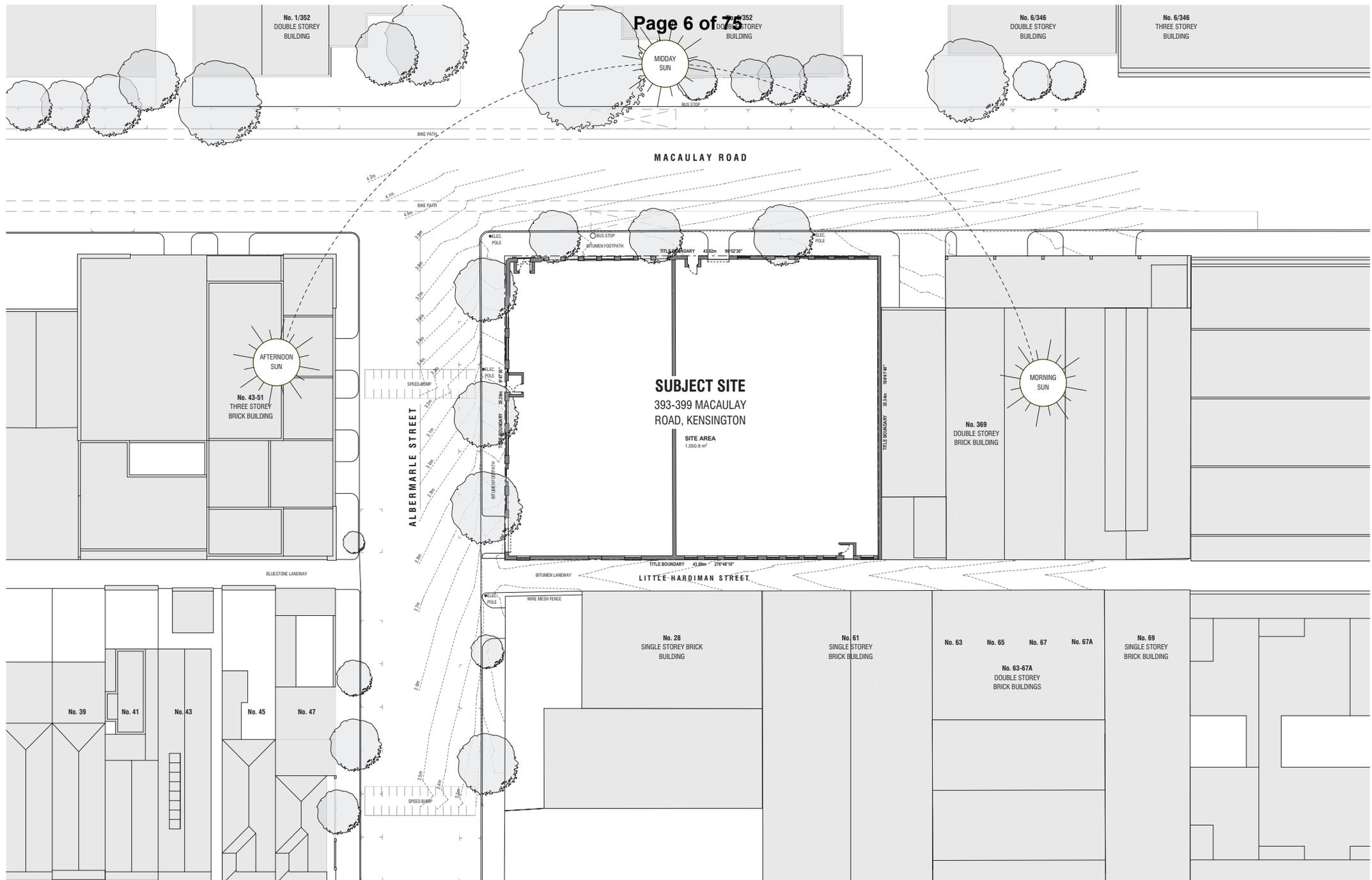
RESIDENTIAL UNIT COUNT	
1 BED APT	1
2 BED APT	55
3 BED APT	13
STUDIO	4
	<b>73</b>

TOTAL RESIDENTIAL AREA SUMMARY	
1 BED APT	56.17
2 BED APT	4,077.86
3 BED APT	1,305.01
BALCONY	628.42
STUDIO	211.73
TERRACE	468.35
	<b>6,745.54 m<sup>2</sup></b>

TOTAL AREA SUMMARY   BY USE	
1 BED APT	56.17
2 BED APT	4,077.86
3 BED APT	1,305.01
BALCONY	628.42
CAR PARKING	790.11
CIRCULATION	901.45
COMMERCIAL	103.89
COMMUNAL ROOM	457.50
COMMUNAL TERRACE	66.14
COMMUNAL WORKSHOP	39.50
CORE	35.85
3 BED APT	199.81
BALCONY	63.34
CIRCULATION	138.63
CORE	22.20
SERVICES	17.86
TERRACE	180.37
	<b>1,056.26 m<sup>2</sup></b>
LEVEL 02	
2 BED APT	583.43
3 BED APT	199.81
BALCONY	63.34
CIRCULATION	138.63
CORE	22.20
SERVICES	17.86
TERRACE	180.37
	<b>1,056.23 m<sup>2</sup></b>
LEVEL 03	
2 BED APT	583.72
3 BED APT	200.32
BALCONY	114.19
CIRCULATION	112.66
CORE	22.20
SERVICES	17.86
	<b>9,578.51 m<sup>2</sup></b>

TOTAL AREA SUMMARY   BY STORY	
GROUND	
CAR PARKING	790.11
COMMERCIAL	457.50
COMMUNAL WORKSHOP	35.85
CORE	29.40
LOBBY	134.45
SERVICES	78.29
STORAGE	18.98
	<b>4,544.58 m<sup>2</sup></b>
LEVEL 01	
1 BED APT	56.17
2 BED APT	650.34
3 BED APT	103.89
CIRCULATION	207.61
CORE	22.20
SERVICES	18.31
STUDIO	211.73
TERRACE	468.35
	<b>1,550.87 m<sup>2</sup></b>
LEVEL 02	
2 BED APT	583.43
3 BED APT	199.81
BALCONY	63.34
CIRCULATION	138.63
CORE	22.20
SERVICES	17.86
TERRACE	180.37
	<b>1,056.23 m<sup>2</sup></b>
LEVEL 03	
2 BED APT	583.72
3 BED APT	200.32
BALCONY	114.19
CIRCULATION	112.66
CORE	22.20
SERVICES	17.86
	<b>1,050.95 m<sup>2</sup></b>
LEVEL 04	
2 BED APT	583.72
3 BED APT	200.32
BALCONY	114.19
CIRCULATION	112.66
CORE	22.20
SERVICES	17.86
	<b>1,050.95 m<sup>2</sup></b>
LEVEL 05	
2 BED APT	583.72
3 BED APT	200.32
BALCONY	114.19
CIRCULATION	112.66
CORE	22.20
SERVICES	17.86
	<b>1,050.95 m<sup>2</sup></b>
LEVEL 06	
2 BED APT	583.72
3 BED APT	200.32
BALCONY	114.19
CIRCULATION	112.66
CORE	22.20
SERVICES	17.86
	<b>1,050.95 m<sup>2</sup></b>
LEVEL 07	
2 BED APT	509.21
3 BED APT	200.03
BALCONY	106.32
CIRCULATION	104.57
COMMUNAL ROOM	66.14
COMMUNAL TERRACE	39.50
CORE	22.63
SERVICES	17.86
	<b>1,066.26 m<sup>2</sup></b>
	<b>9,578.51 m<sup>2</sup></b>

APARTMENT AREA SUMMARY											
1.01	2.08	4.09	6.10								
2 BED APT TERRACE	74.22	2 BED APT BALCONY	73.02	3 BED APT BALCONY	99.45	3 BED APT BALCONY	100.87				
	17.11		13.69		17.37		18.05				
	<b>91.33 m<sup>2</sup></b>		<b>86.71 m<sup>2</sup></b>		<b>116.82 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>				
1.02	2.09	4.10	7.01								
2 BED APT TERRACE	79.11	3 BED APT TERRACE	99.16	3 BED APT BALCONY	100.87	2 BED APT BALCONY	70.50				
	29.63		25.59		18.05		8.52				
	<b>108.74 m<sup>2</sup></b>		<b>124.75 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>		<b>79.02 m<sup>2</sup></b>				
1.03	2.10	5.01	7.02								
2 BED APT TERRACE	79.52	3 BED APT TERRACE	100.65	2 BED APT BALCONY	74.43	2 BED APT BALCONY	71.32				
	17.50		83.67		8.51		7.96				
	<b>97.02 m<sup>2</sup></b>		<b>184.32 m<sup>2</sup></b>		<b>82.94 m<sup>2</sup></b>		<b>79.28 m<sup>2</sup></b>				
1.04	3.01	5.02	7.03								
2 BED APT TERRACE	80.85	2 BED APT BALCONY	74.43	2 BED APT BALCONY	70.50	2 BED APT BALCONY	72.35				
	17.50		8.51		8.16		7.96				
	<b>98.35 m<sup>2</sup></b>		<b>82.94 m<sup>2</sup></b>		<b>78.66 m<sup>2</sup></b>		<b>80.31 m<sup>2</sup></b>				
1.05	3.02	5.03	7.04								
2 BED APT TERRACE	87.68	2 BED APT BALCONY	70.50	2 BED APT BALCONY	71.40	2 BED APT BALCONY	73.71				
	19.02		8.16		7.96		7.96				
	<b>106.70 m<sup>2</sup></b>		<b>78.66 m<sup>2</sup></b>		<b>79.36 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>				
1.06	3.03	5.04	7.05								
2 BED APT TERRACE	87.26	2 BED APT BALCONY	71.40	2 BED APT BALCONY	72.35	2 BED APT BALCONY	72.76				
	35.85		7.96		7.96		12.76				
	<b>123.11 m<sup>2</sup></b>		<b>79.36 m<sup>2</sup></b>		<b>80.31 m<sup>2</sup></b>		<b>87.49 m<sup>2</sup></b>				
1.07	3.04	5.05	7.06								
2 BED APT TERRACE	80.85	2 BED APT BALCONY	72.35	2 BED APT BALCONY	73.71	2 BED APT BALCONY	73.30				
	33.43		7.96		7.96		12.73				
	<b>114.28 m<sup>2</sup></b>		<b>80.31 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>		<b>86.03 m<sup>2</sup></b>				
1.08	3.05	5.06	7.07								
2 BED APT TERRACE	80.85	2 BED APT BALCONY	73.71	2 BED APT BALCONY	74.73	2 BED APT BALCONY	73.30				
	33.35		7.96		12.76		13.01				
	<b>114.20 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>		<b>87.49 m<sup>2</sup></b>		<b>86.31 m<sup>2</sup></b>				
1.09	3.06	5.07	7.08								
3 BED APT TERRACE	103.89	2 BED APT BALCONY	74.73	2 BED APT BALCONY	73.30	3 BED APT BALCONY	99.16				
	38.31		12.76		12.73		17.37				
	<b>142.20 m<sup>2</sup></b>		<b>87.49 m<sup>2</sup></b>		<b>86.03 m<sup>2</sup></b>		<b>116.53 m<sup>2</sup></b>				
1.10	3.07	5.08	7.09								
STUDIO TERRACE	50.32	2 BED APT BALCONY	73.30	2 BED APT BALCONY	73.30	3 BED APT BALCONY	100.87				
	9.65		12.73		12.73		18.05				
	<b>59.97 m<sup>2</sup></b>		<b>86.03 m<sup>2</sup></b>		<b>86.03 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>				
1.11	3.08	5.09	7.10								
STUDIO TERRACE	57.99	2 BED APT BALCONY	73.30	3 BED APT BALCONY	99.45	3 BED APT BALCONY	100.87				
	8.48		12.73		17.37		18.05				
	<b>66.45 m<sup>2</sup></b>		<b>86.03 m<sup>2</sup></b>		<b>116.82 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>				
1.12	3.09	5.10	7.11								
STUDIO TERRACE	49.41	3 BED APT BALCONY	99.45	3 BED APT BALCONY	100.87	3 BED APT BALCONY	100.87				
	11.97		17.37		18.05		18.05				
	<b>61.38 m<sup>2</sup></b>		<b>116.82 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>				
1.13	3.10	6.01	7.12								
STUDIO TERRACE	54.01	3 BED APT BALCONY	100.87	2 BED APT BALCONY	74.43	3 BED APT BALCONY	100.87				
	7.99		18.05		8.51		18.05				
	<b>62.00 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>		<b>82.94 m<sup>2</sup></b>		<b>118.92 m<sup>2</sup></b>				
1.14	4.01	6.02	7.13								
1 BED APT TERRACE	56.17	2 BED APT BALCONY	74.43	2 BED APT BALCONY	70.50	2 BED APT BALCONY	70.50				
	8.21		8.51		8.16		8.16				
	<b>64.38 m<sup>2</sup></b>		<b>82.94 m<sup>2</sup></b>		<b>78.66 m<sup>2</sup></b>		<b>78.66 m<sup>2</sup></b>				
2.01	4.02	6.03	7.14								
2 BED APT TERRACE	74.42	2 BED APT BALCONY	70.50	2 BED APT BALCONY	71.40	2 BED APT BALCONY	73.71				
	45.08		8.16		7.96		7.96				
	<b>119.50 m<sup>2</sup></b>		<b>78.66 m<sup>2</sup></b>		<b>79.36 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>				
2.02	4.03	6.04	7.15								
2 BED APT TERRACE	70.50	2 BED APT BALCONY	71.40	2 BED APT BALCONY	72.35	2 BED APT BALCONY	72.35				
	28.03		7.96		7.96		7.96				
	<b>98.53 m<sup>2</sup></b>		<b>79.36 m<sup>2</sup></b>		<b>80.31 m<sup>2</sup></b>		<b>80.31 m<sup>2</sup></b>				
2.03	4.04	6.05	7.16								
2 BED APT BALCONY	71.40	3 BED APT BALCONY	72.35	2 BED APT BALCONY	73.71	2 BED APT BALCONY	73.71				
	7.96		7.96		7.96		7.96				
	<b>79.36 m<sup>2</sup></b>		<b>80.31 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>				
2.04	4.05	6.06	7.17								
2 BED APT BALCONY	72.35	3 BED APT BALCONY	73.71	2 BED APT BALCONY	74.73	2 BED APT BALCONY	74.73				
	7.96		7.96		12.76		12.73				
	<b>80.31 m<sup>2</sup></b>		<b>81.67 m<sup>2</sup></b>		<b>87.49 m<sup>2</sup></b>		<b>87.49 m<sup>2</sup></b>				
2.05	4.06	6.07	7.18								
2 BED APT BALCONY	73.71	2 BED APT BALCONY	74.73	2 BED APT BALCONY							



THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN METRES AND UNLESS NOTED OTHERWISE, DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCY TO DOCUMENTATION AND ANY ASPECT OF INSTRUCTIONS PRIOR TO COMMENCEMENT OF WORK. BEFORE COMMENCING WORK, CONTRACTOR TO CONFIRM ALL SERVICES BY REFERENCE WITH SERVICE DOCUMENTATION AND CHECK PROVISIONS PRIOR TO COMMENCEMENT OF WORK. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT AND MANUFACTURER FOR HIS CONFIRMATION PRIOR TO THE RETURN OF THE DRAWINGS ISSUED BY THE ARCHITECT AND RELEVANT CONSULTANT. BUILDING TO BE SETBACK BY EXISTING LAND DIMENSIONS WITH TITLE REDEMPTIONMENT TO BE CARRIED OUT AT THE TIME OF BUILD.

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REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

**FIELDWORK**

150 Langridge Street, Collingwood  
 Victoria, 3066, Australia  
 info@fieldworkprojects.com.au  
 fieldworkprojects.com.au

Project Number  
**170026**  
 Client  
**MAKE VENTURES**  
 Project Name  
**MACAULAY ROAD KENSINGTON**  
 Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

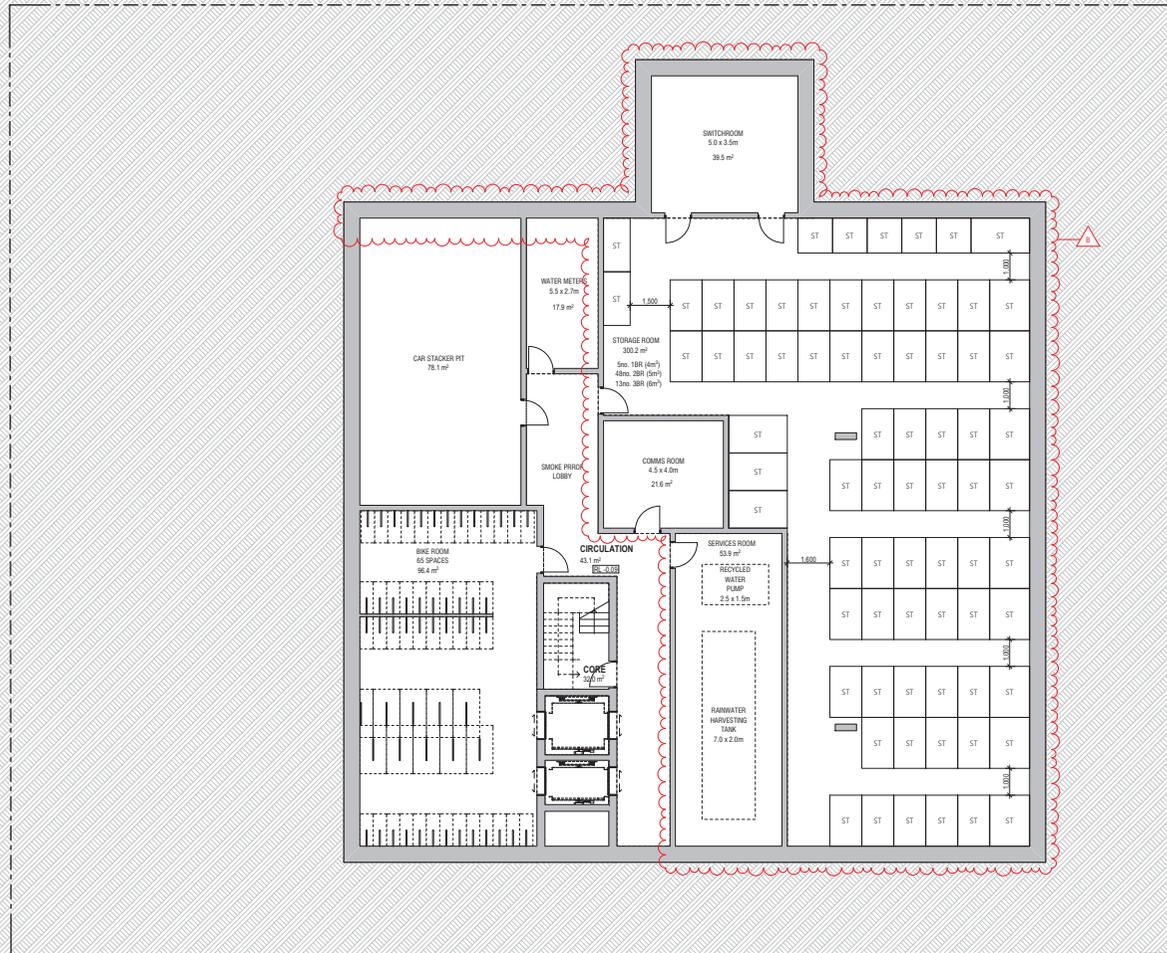
Drawing Name  
**NEIGHBOURHOOD & SITE PLAN**  
 Date  
**10/04/2018**  
 Status  
**TOWN PLANNING**

Scale  
**1:200 @ A1**  
 Drawing Number  
**TP1-101**  
**A**



Revision





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REV REASON  
 A TOWN PLANNING SUBMISSION  
 B SECTION 50 AMENDMENT

DATE  
 15/04/2018  
 15/07/2018

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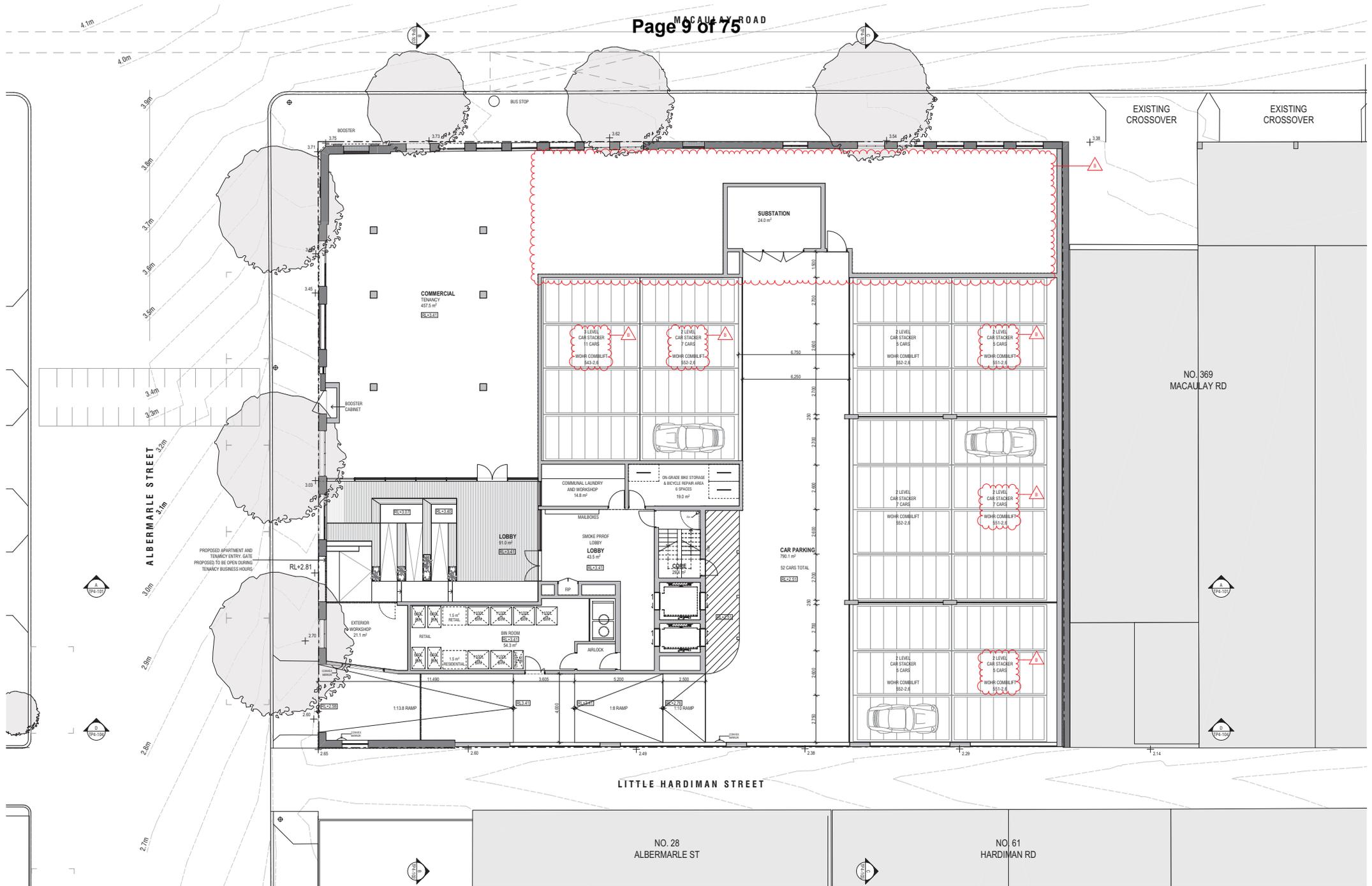
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**170026**  
 Client  
**MAK VENTURES**  
 Project Name  
**MACAULAY ROAD KENSINGTON**  
 Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

Drawing Name  
**LOWER GROUND FLOOR PLAN**  
 Date  
**12/07/2018**  
 System  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
 Drawing Number  
**TP2-101**  
 Revision  
**B**



Revision



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REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018
B	SECTION 50 AMENDMENT	12/07/2018

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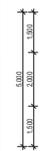
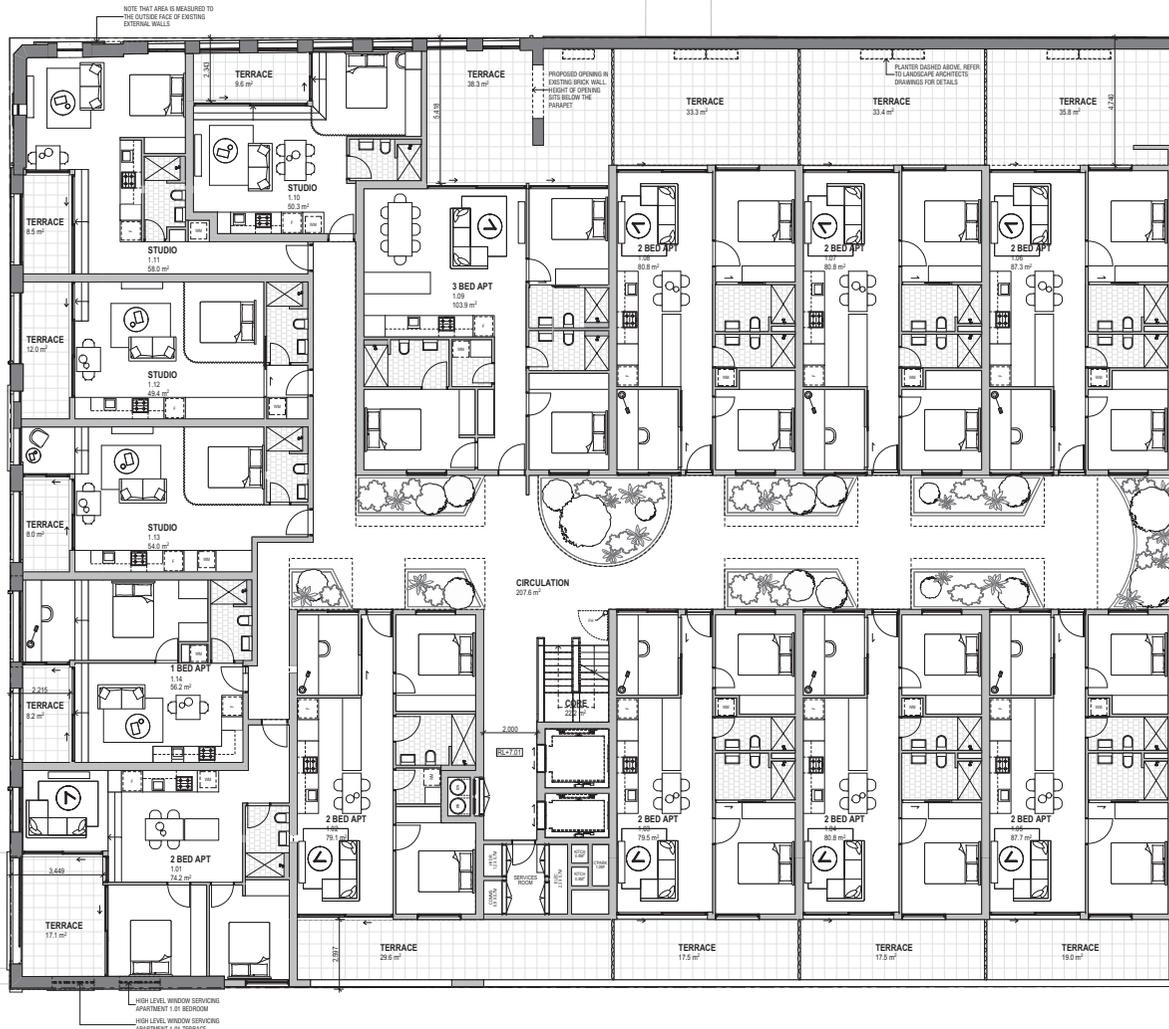
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Drawing Name  
**GROUND FLOOR PLAN**  
 Date  
**12/07/2018**  
 Status  
**TOWN PLANNING**

Scale  
**1:100 @ A1**

Drawing Number  
**TP2-102**

Revision  
**B**



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Drawing Name  
**LEVEL 1 PLAN**  
 Date  
**10/04/2018**  
 Status  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
 Drawing Number  
**TP2-103**  
**A**



Revision



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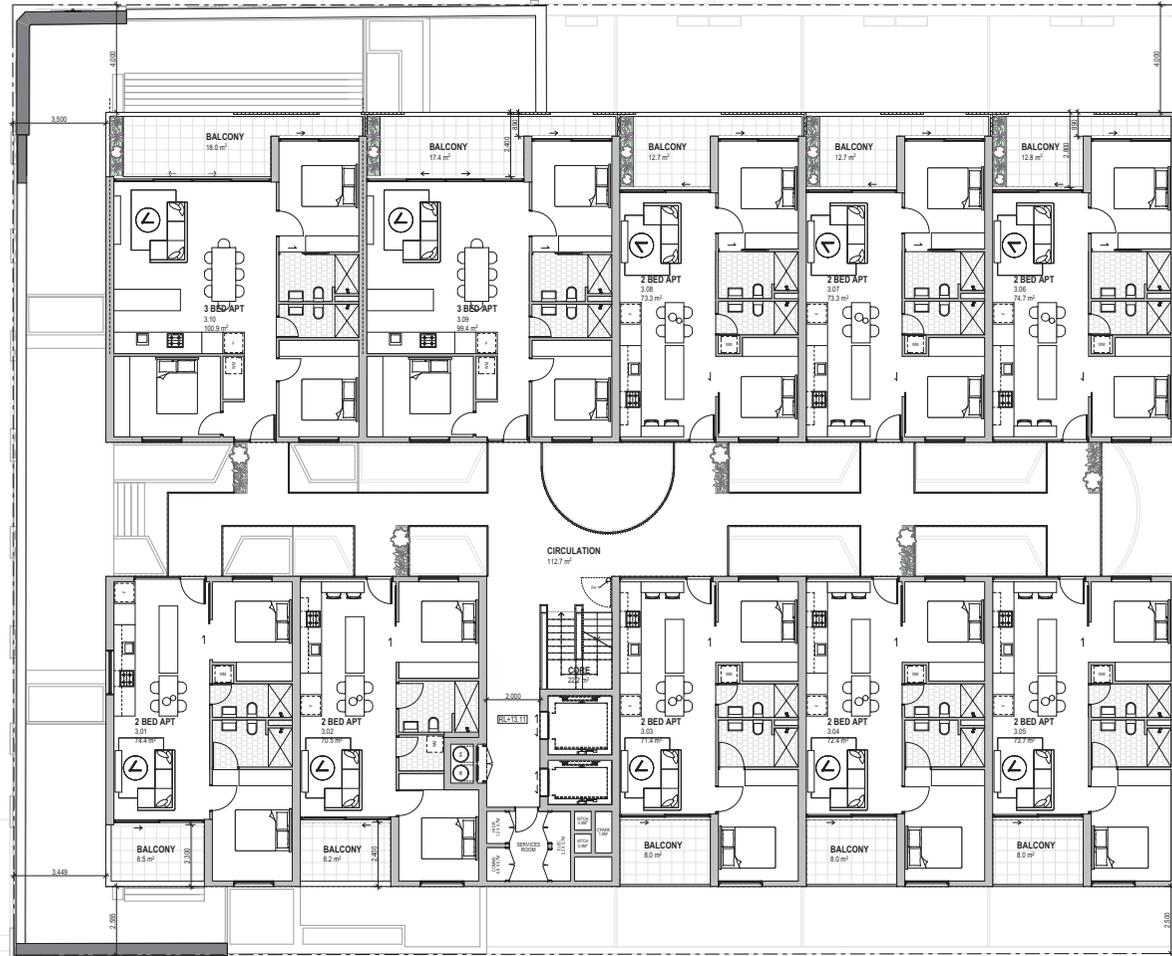
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Site Address  
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Drawing Name  
**LEVEL 2 PLAN**  
Date  
**10/04/2018**  
Status  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP2-104**  
Revision  
**A**



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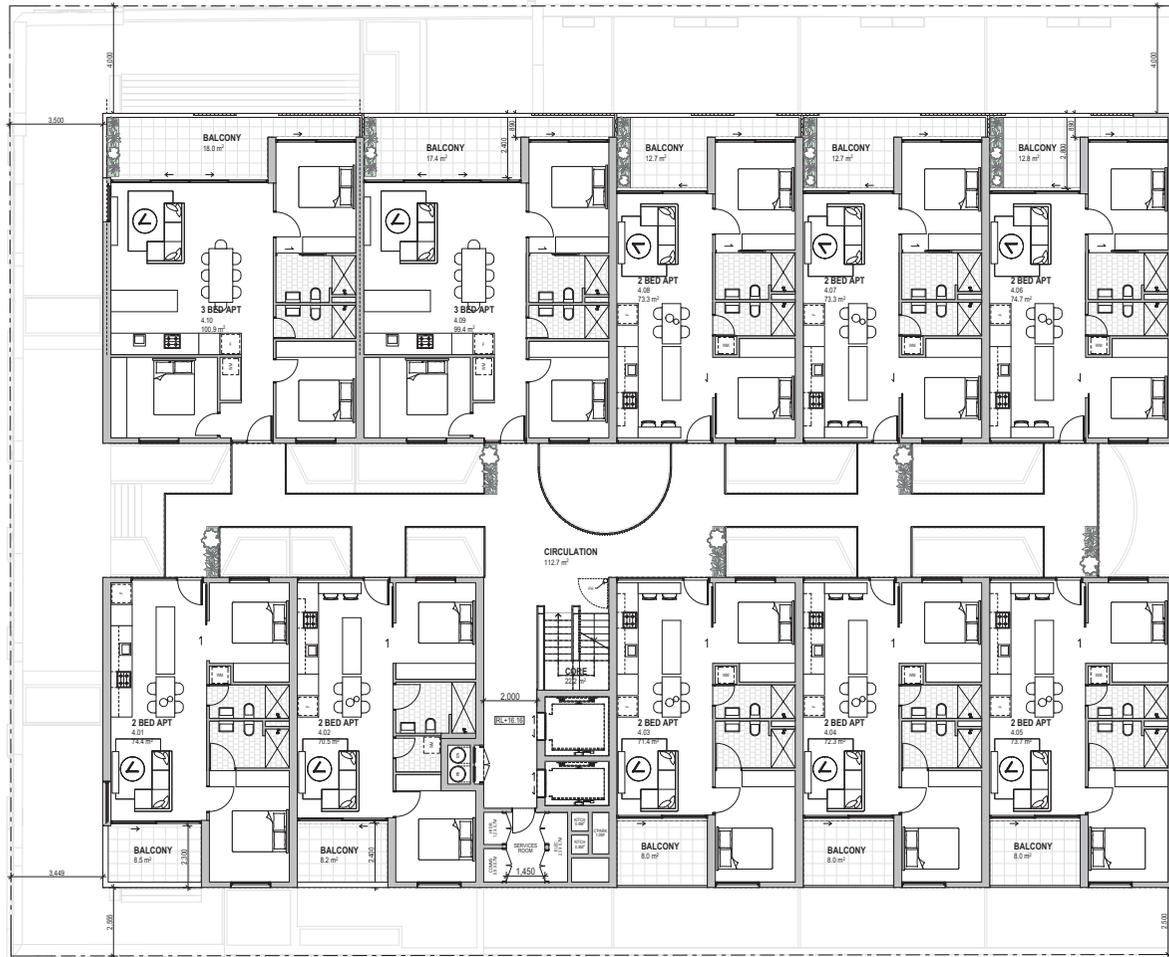
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Drawing Name  
**LEVEL 3 PLAN**  
Date  
**10/04/2018**  
System  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP2-105**  
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**A**



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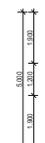
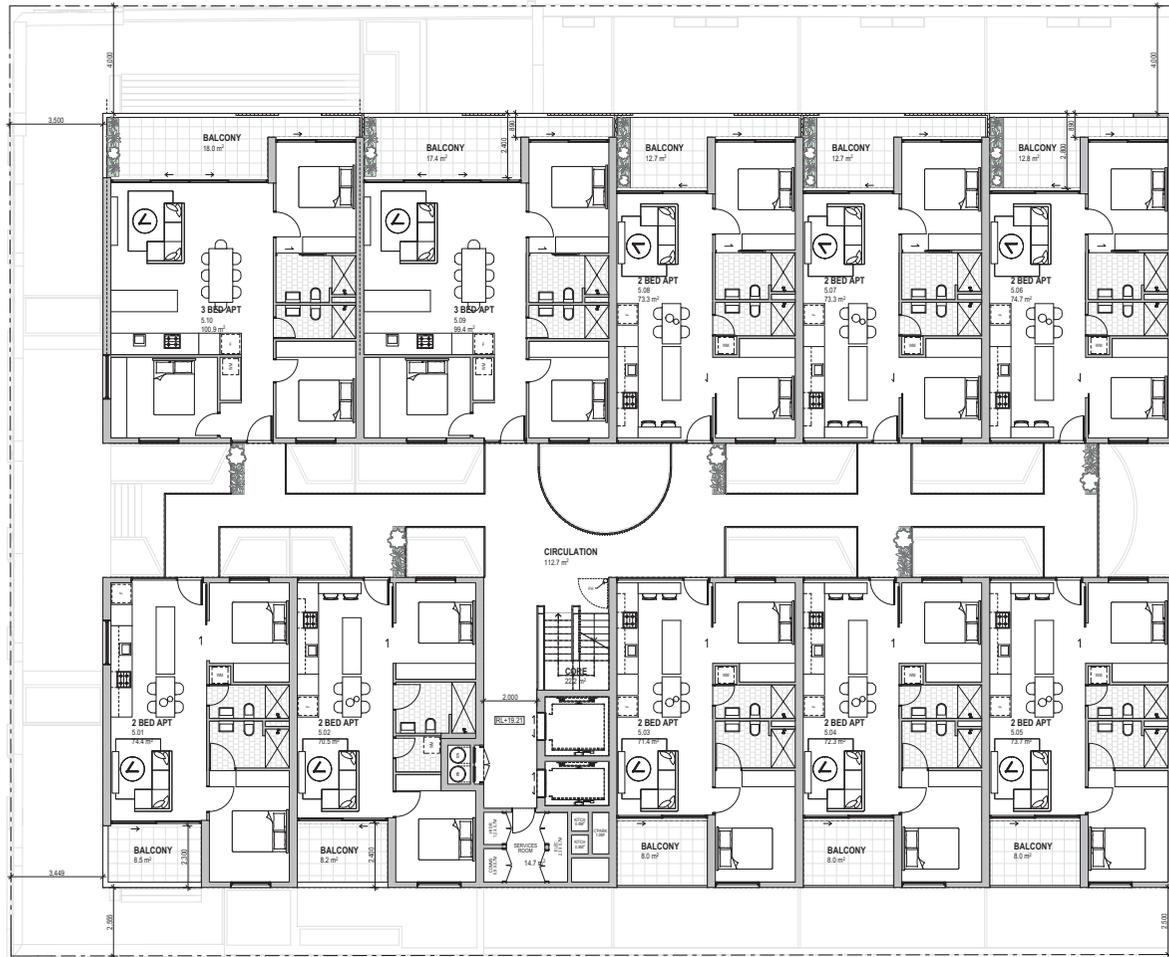
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Drawing Name  
**LEVEL 4 PLAN**  
Date  
**10/04/2018**  
System  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
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Revision  
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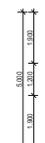
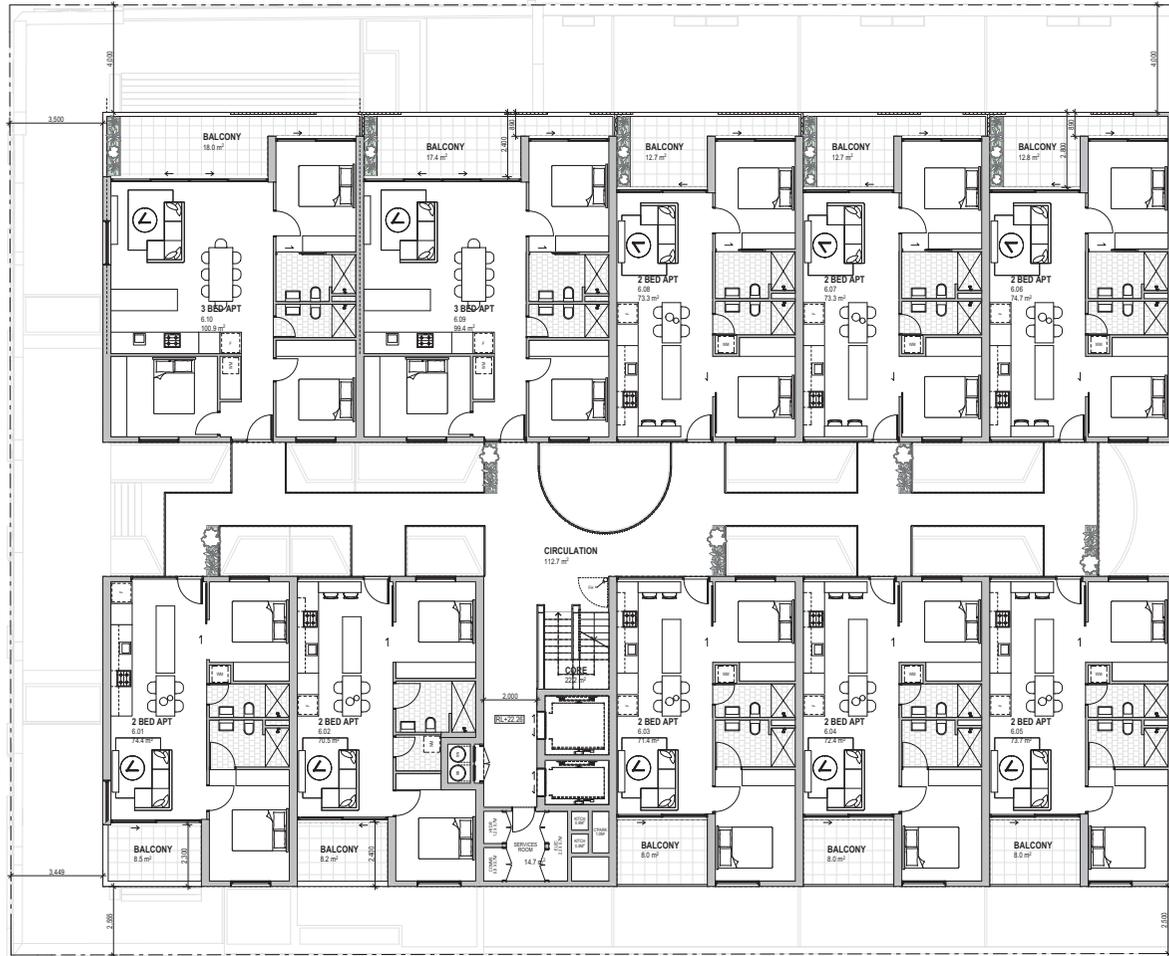
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Client  
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Drawing Name  
**LEVEL 5 PLAN**  
Date  
**10/04/2018**  
System  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP2-107**  
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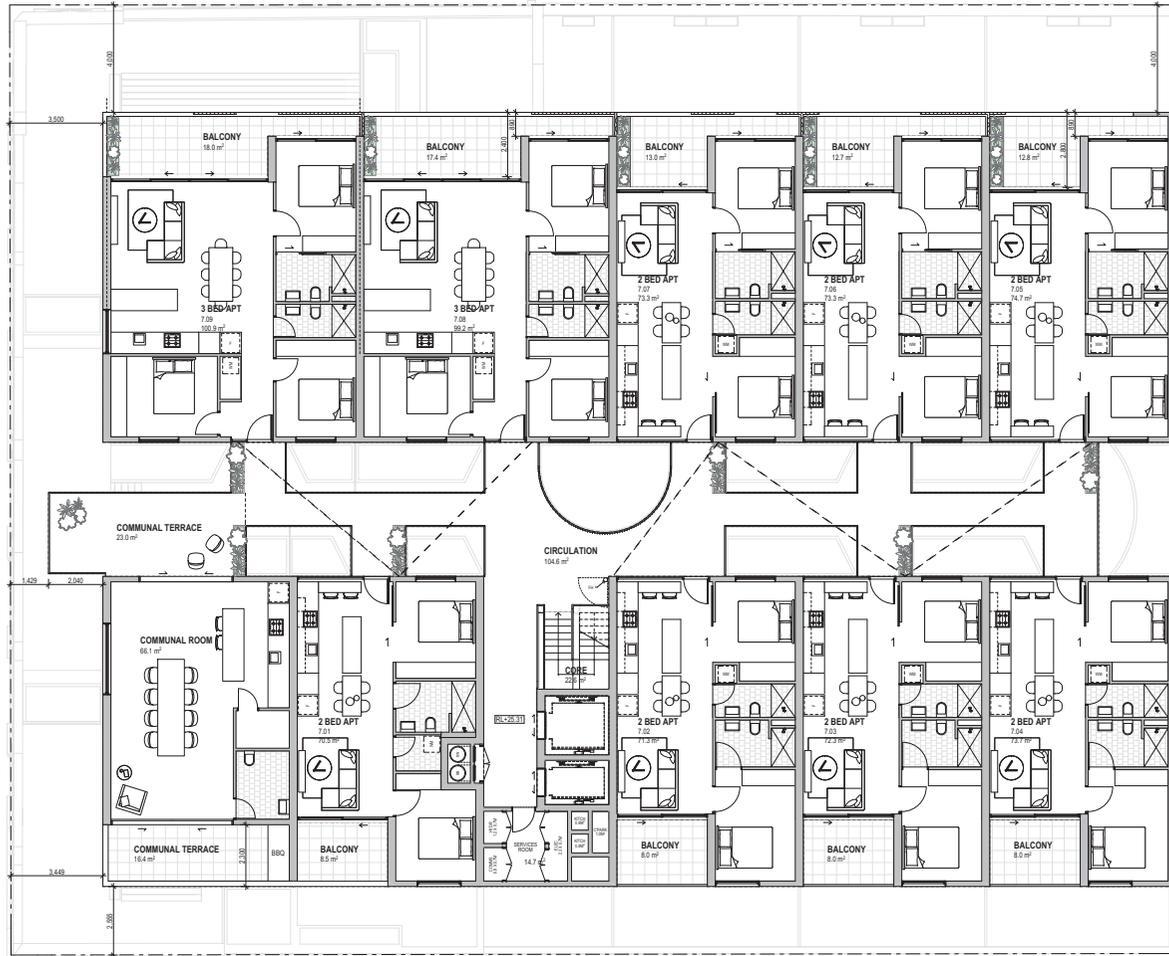
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Drawing Name  
**LEVEL 6 PLAN**  
Date  
**10/04/2018**  
Stems  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP2-108**  
Revision  
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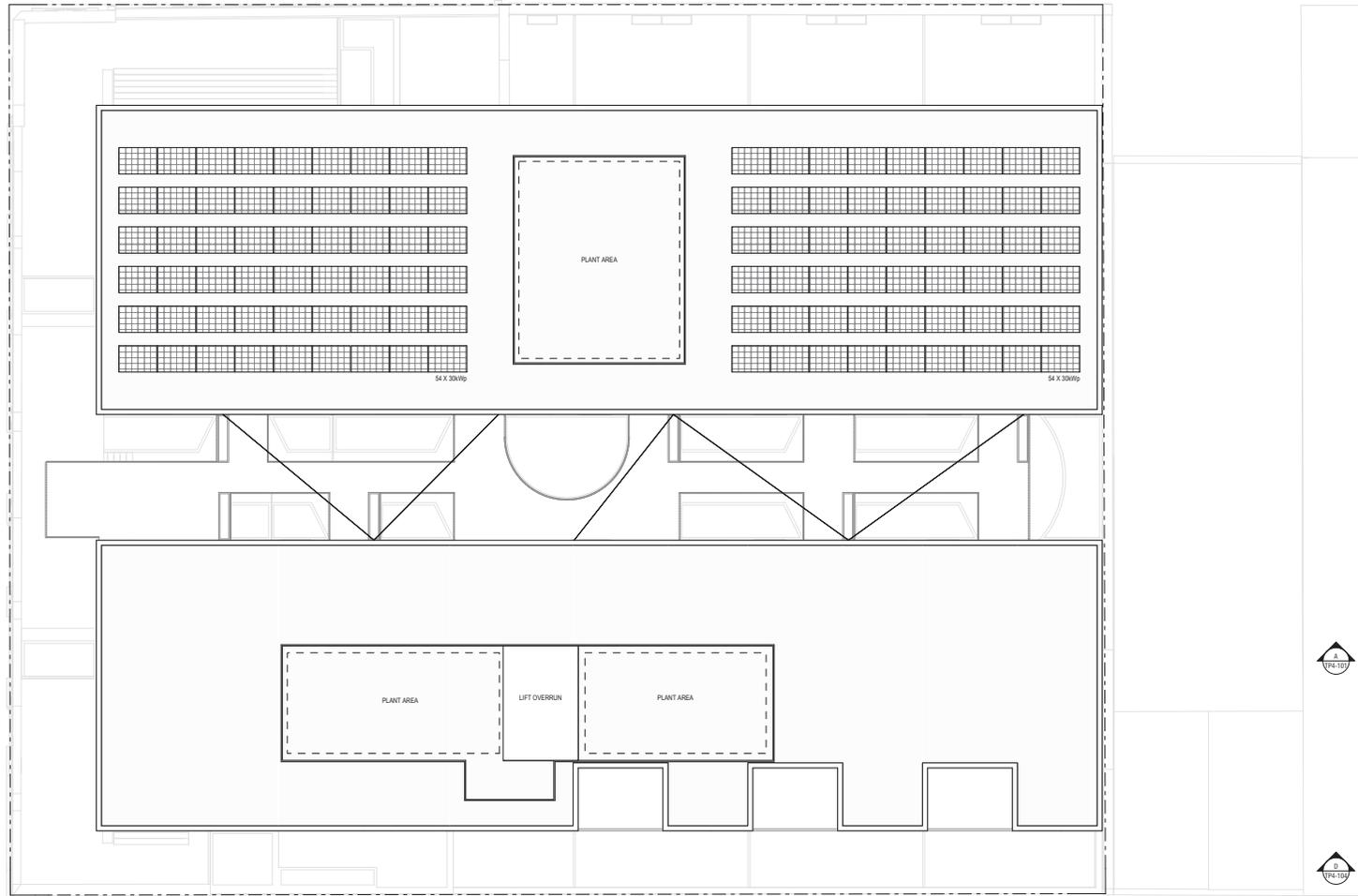
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Drawing Name  
**LEVEL 7 PLAN**  
Date  
**10/04/2018**  
System  
**TOWN PLANNING**

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**1:100 @ A1**  
Drawing Number  
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Site Address  
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Drawing Name  
**ROOF PLAN**  
Date  
**10/04/2018**  
System  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP2-110**  
Revision  
**A**



Revision

EXTERNAL FINISHES LEGEND	
FC001	FLAT CONCRETE
FC002	FINISH CONCRETE
GL001	GLASS GLASS
ST001	STAINLESS STEEL
PC001	PERF CORRUGATED MESH
WM001	WIRE MESH
HL001	WHITE HORIZONTAL LOUVER
PC002	PAINT COLOUR
PC003	PAINT COLOUR
PC004	PAINT COLOUR
PC005	PAINT COLOUR
PC006	PAINT COLOUR
PC007	PAINT COLOUR
PC008	PAINT COLOUR
PC009	PAINT COLOUR
PC010	PC SHEET
TL001	TILES
OP	OPENABLE WINDOW
FI	FIXED WINDOW



**PROPOSED NORTH ELEVATION**  
1:100

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A	TOWN PLANNING SUBMISSION	10/04/2018

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Drawing Name  
**NORTH ELEVATION**  
Date  
**10/04/2018**  
Stems  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP3-101**  
Revision  
**A**



EXTERNAL FINISHES LEGEND	
FC001	FLAT CONCRETE
FC002	FINISH CONCRETE
GL001	GLASS GLAZING
ST001	STAINLESS STEEL
PC001	PERF CORRUGATED MESH
WM001	WIRE MESH
WH001	WHITE HORIZONTAL LOUVER
PC002	PAINT COLOUR
PC003	PAINT COLOUR
PC004	PAINT COLOUR
PC005	PAINT COLOUR
PC006	PAINT COLOUR
PC007	PAINT COLOUR
PC008	PAINT COLOUR
PC009	PC SHEET
FL001	FLIES
OP	OPERABLE WINDOW
FX	FIXED WINDOW



**PROPOSED SOUTH ELEVATION**  
1:100

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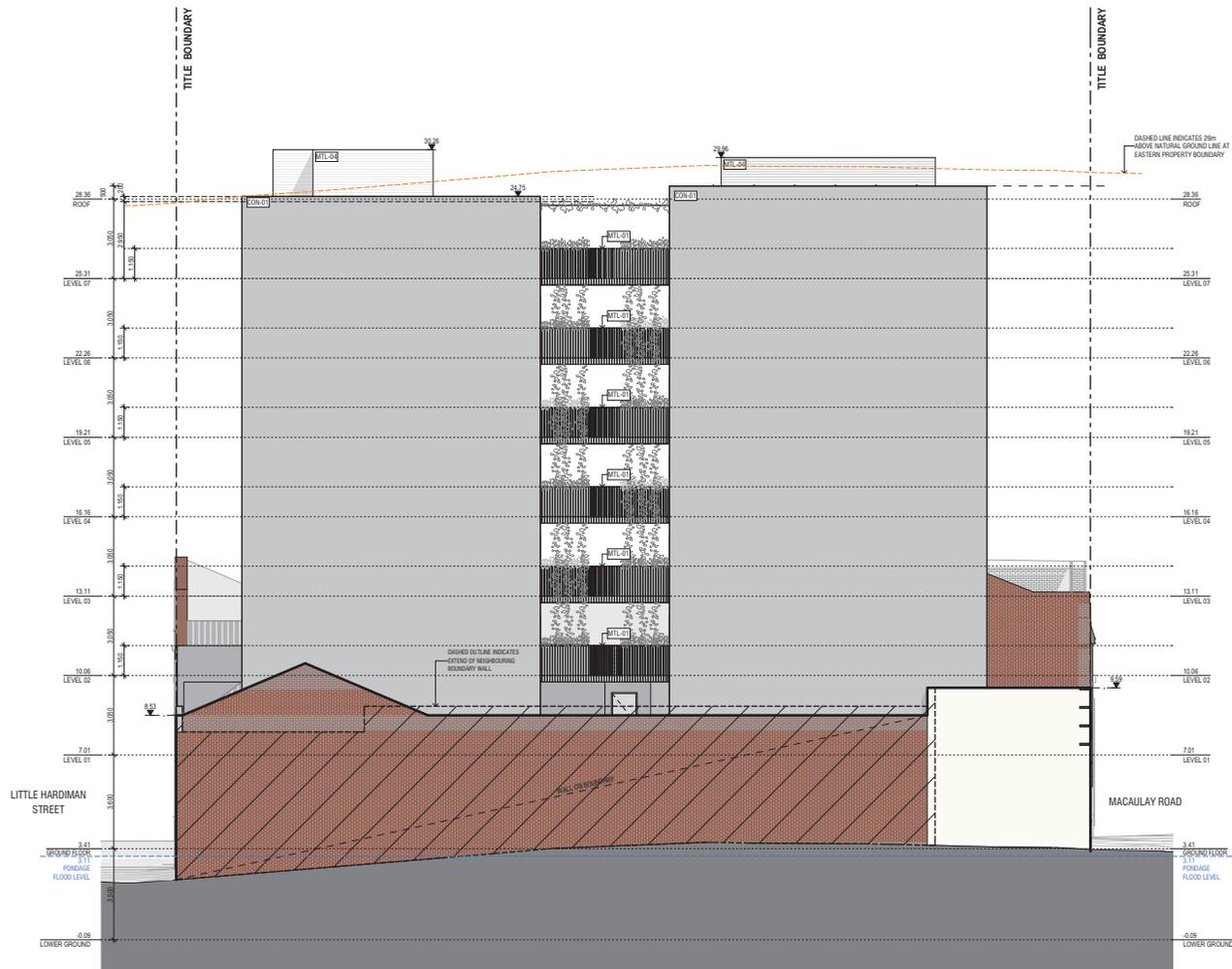
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Client  
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Project Name  
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Site Address  
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Drawing Name  
**SOUTH ELEVATION**  
Date  
**10/04/2018**  
System  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
Drawing Number  
**TP3-103 A**



EXTERNAL FINISHES LEGEND	
	PLAIN CONCRETE
	FORMED CONCRETE
	CLEAR GLASS
	GALVANISED STEEL
	PERF. CORRUGATED MESH
	WIRE MESH
	WHITE HORIZONTAL LOUVERS
	PAINT COLOUR
	TILES
	OP. OPERABLE WINDOW
	FIX. FIXED WINDOW



**PROPOSED EAST ELEVATION**  
1:100

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN MILLIMETRES AND LEVELS ARE IN METRES. DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONSULTATION TO THE ARCHITECT OF ANY DISCREPANCY TO DOCUMENTATION AND ANY PART OF INSTRUCTIONS FROM TO CONTRACTOR WITH WORK. BEFORE COMMENCING TO CONSTRUCT. ALL SERVICES TO BE INSTALLED WITH SERVICE DOCUMENTATION AND CHECK PROVISIONS PRIOR TO COMMENCEMENT OF WORK. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF THE DRAWINGS ISSUED BY THE ARCHITECT AND RELEVANT CONSULTANT. BUILDING TO BE SITED BY LOCATED LAND SURVEYORS WITH TITLE REINFORCEMENT TO BE CARRIED OUT AT THE TIME OF BUILD.

REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

**FIELDWORK**

150 Langridge Street, Collingwood  
Victoria, 3066, Australia  
hello@fieldworkprojects.com.au  
fieldworkprojects.com.au

Project Number  
**170026**  
Client  
**MAKE VENTURES**  
Project Name  
**MACAULAY ROAD KENSINGTON**  
Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

Drawing Name  
**EAST ELEVATION**  
Date  
**10/04/2018**  
Stems  
**TOWN PLANNING**

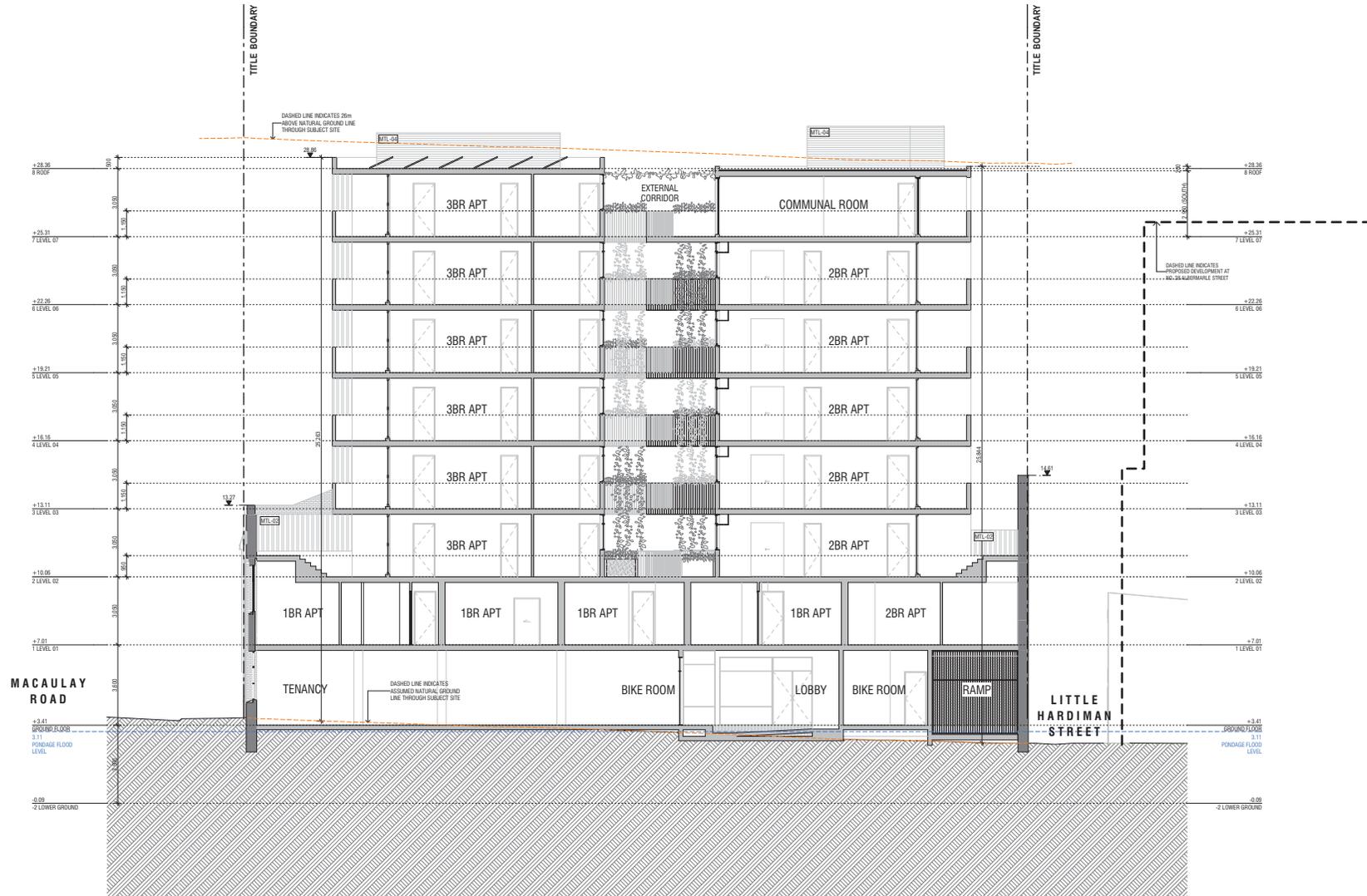
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Drawing Number  
**TP3-104**  
**A**



Revision



EXTERNAL FINISHES LEGEND	
	PLAIN CONCRETE
	FACED CONCRETE
	CLEAR GLASS
	GALVANISED STEEL
	PERF. CORRUGATED MESH
	WIRE MESH
	WHITE HORIZONTAL LOUVERS
	PAINT COLOUR
	PC SHEET
	TILES
	OP. OPERABLE WINDOW
	FIX. FIXED WINDOW



THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN MILLIMETRES AND LEGS ARE IN METRES. DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCIES TO DOCUMENTATION AND ANY ASPECT OF INSTRUCTIONS FROM TO CONTRACTOR WITH WORK. BEFORE COMMENCING TO COMMENCE ALL WORK. ALL SERVICES TO BE ACCORDANCE WITH SERVICE DOCUMENTATION AND CHECK PROVISIONS PRIOR TO COMMENCEMENT OF WORK. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF THE DRAWINGS SIGNED BY THE ARCHITECT AND RELEVANT CONSULTANT. HOLDING TO BE SECT BY LICENSED LAND SURVEYOR WITH TITLE REEVALUATION TO BE CARRIED OUT AT THE TIME OF BUILD.

REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

**FIELDWORK**

150 Langridge Street, Collingwood  
Victoria, 3066, Australia  
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Project Number  
**170026**  
Client  
**MAKE VENTURES**  
Project Name  
**MACAULAY ROAD KENSINGTON**  
Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

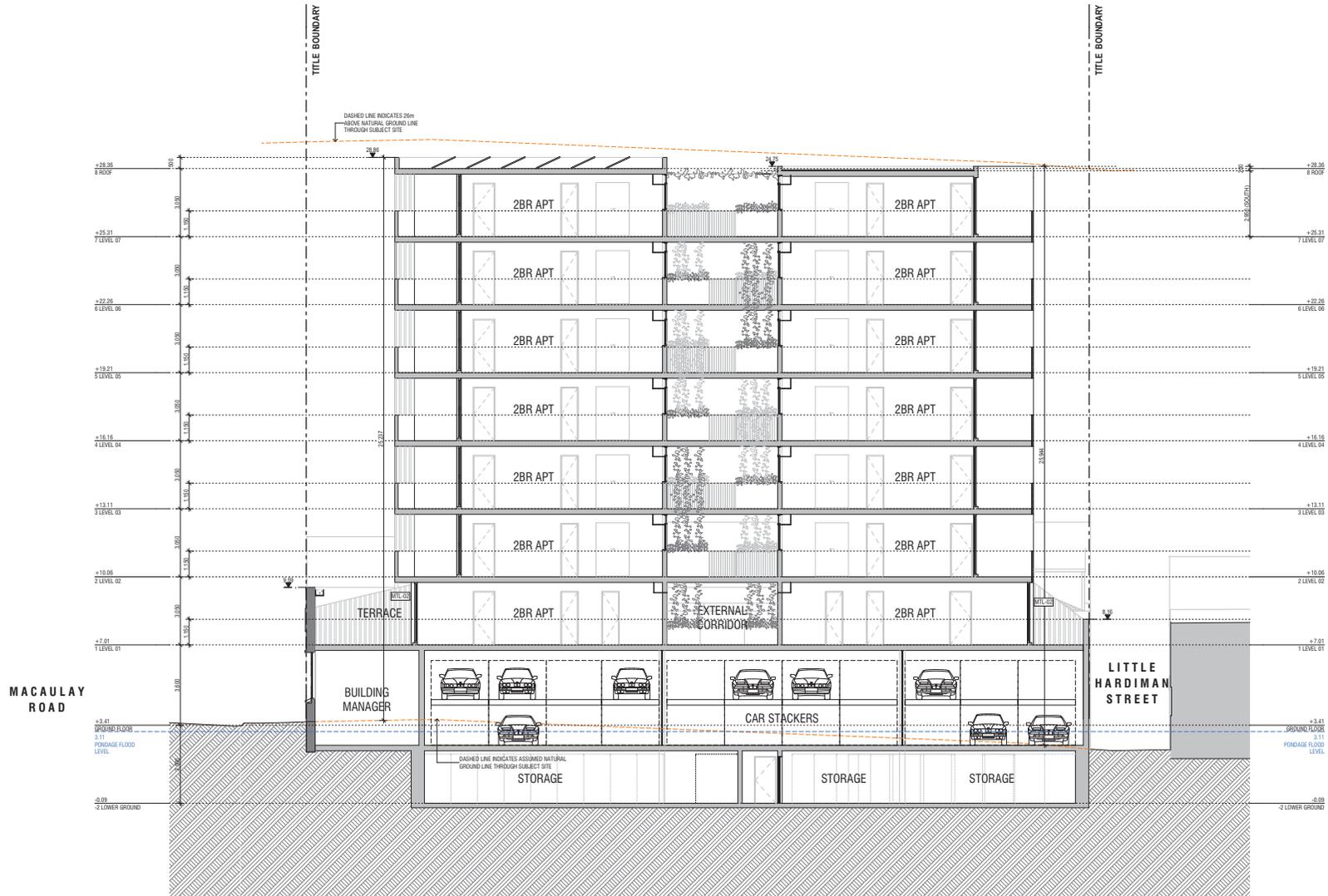
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**SECTION B**  
Date  
**10/04/2018**  
Status  
**TOWN PLANNING**

Scale  
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Drawing Number  
**TP4-102 A**



Revision

EXTERNAL FINISHES LEGEND	
FC001	FLAT CONCRETE
FC002	FINISH CONCRETE
FC003	CLAR GLASS
FC004	GALVANISED STEEL
FC005	PERF CORRUGATED MESH
FC006	WIRE MESH
FC007	WHITE HORIZONTAL LOUVER
FC008	PAINT COLOUR
FC009	PAINT COLOUR
FC010	PAINT COLOUR
FC011	PAINT COLOUR
FC012	PC SHEET
FC013	TILES
OP	OPERABLE WINDOW
FW	FIXED WINDOW



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REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

**FIELDWORK**

150 Langridge Street, Collingwood  
 Victoria, 3066, Australia  
 hel@fieldworkprojects.com.au  
 fieldworkprojects.com.au

Project Number  
**170026**  
 Client  
**MAKE VENTURES**  
 Project Name  
**MACAULAY ROAD KENSINGTON**  
 Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

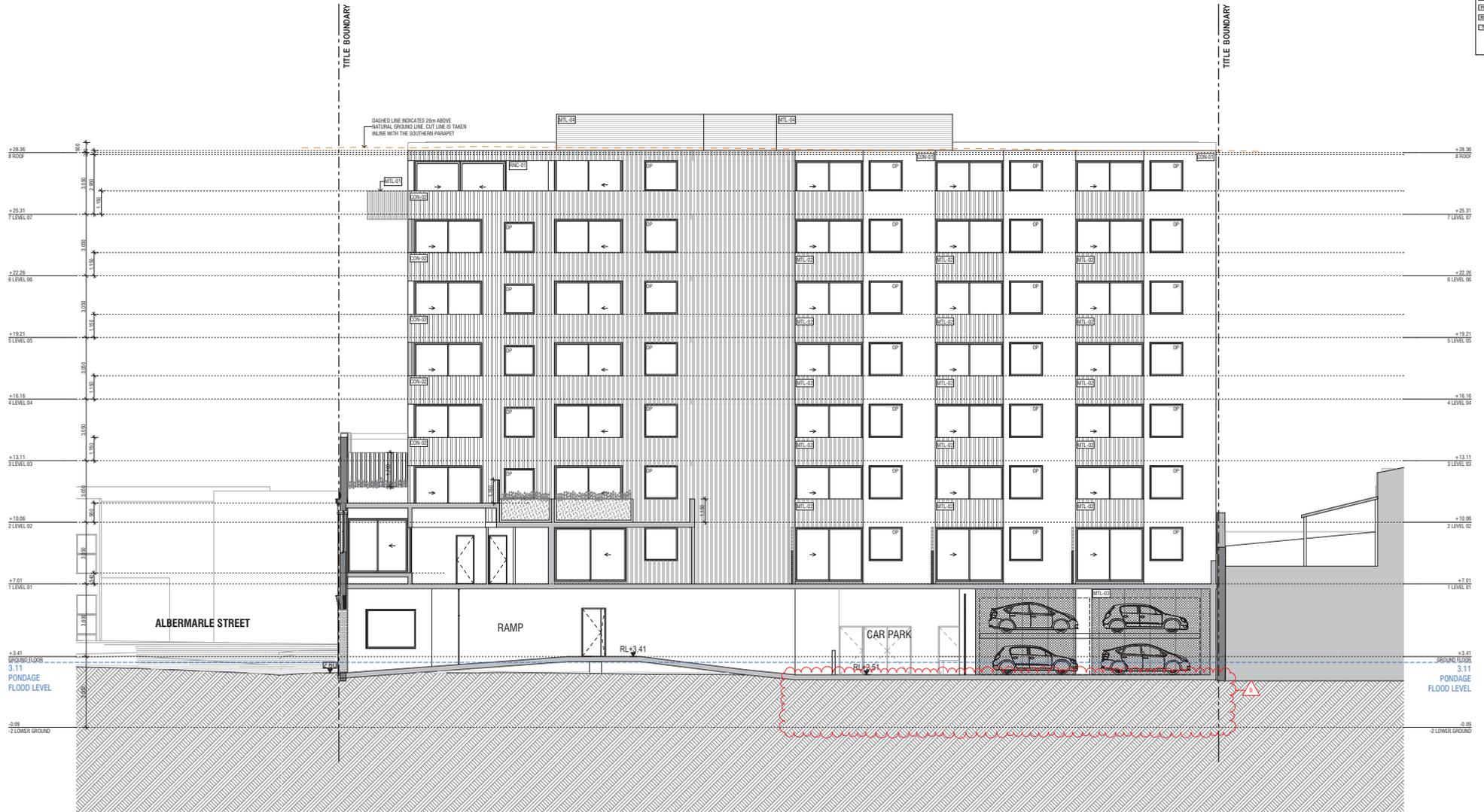
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 Date  
**10/04/2018**  
 Status  
**TOWN PLANNING**

Scale  
**1:100 @ A1**  
 Drawing Number  
**TP4-103 A**



Revision

EXTERNAL FINISHES LEGEND	
	PLAIN CONCRETE
	FACED CONCRETE
	CLEAR GLASS
	GALVANISED STEEL
	PERF. CORRUGATED MESH
	WIRE MESH
	WHITE HORIZONTAL LOUVERS
	PAINT COLOUR
	PC SHEET
	TILES
	OP - OPERABLE WINDOW
	FW - FIXED WINDOW



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REV	REASON
A	TOWN PLANNING SUBMISSION
B	SECTION 50 AMENDMENT

DATE  
16/04/2018  
12/07/2018

**FIELDWORK**

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Victoria, 3066, Australia  
hello@fieldworkprojects.com.au  
fieldworkprojects.com.au

Project Number  
**170026**  
Client  
**MAKE VENTURES**  
Project Name  
**MACAULAY ROAD KENSINGTON**  
Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

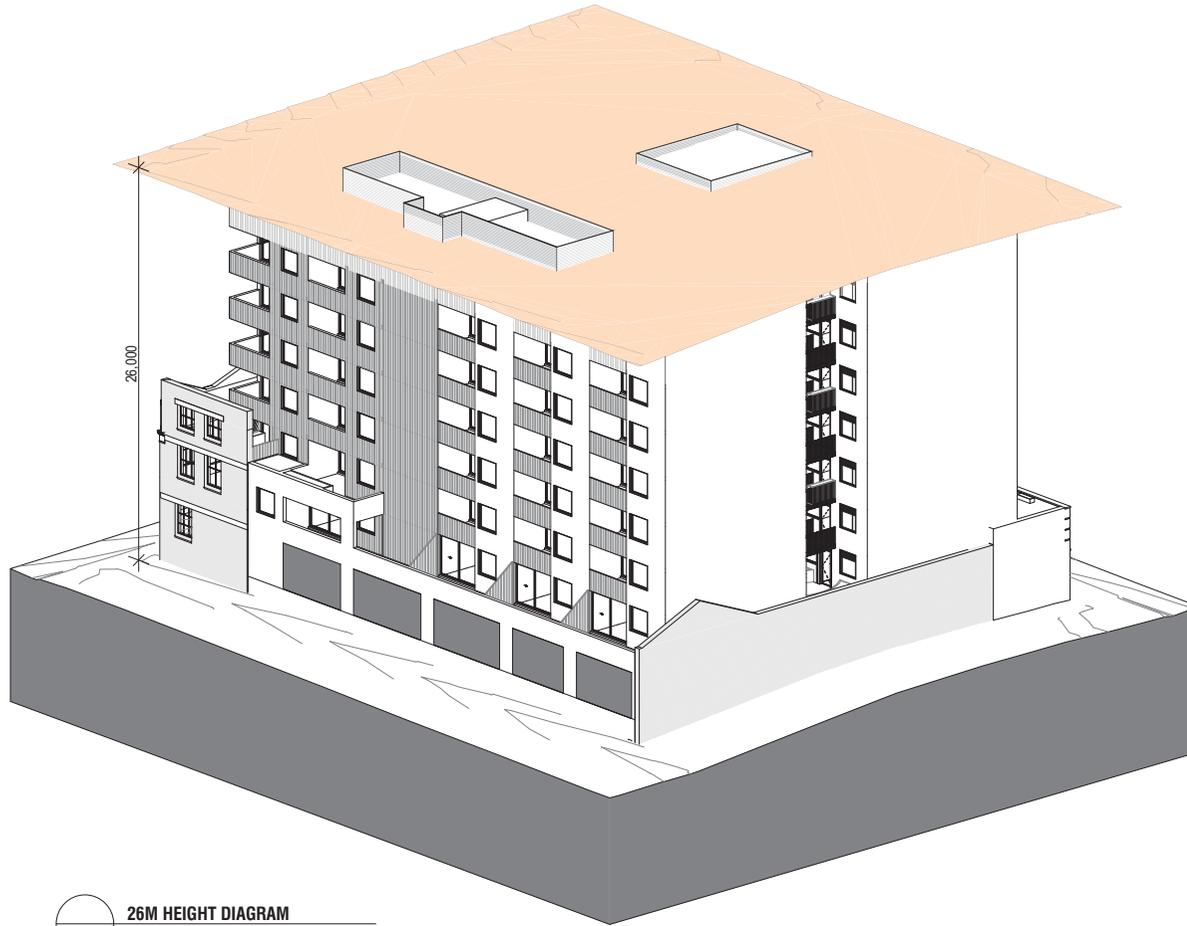
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Date  
**12/07/2018**  
Scale  
**TOWN PLANNING**

Scale  
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Drawing Number  
**TP4-104**  
**B**



Revision

EXTERNAL FINISHES LEGEND	
CC(1)	FLAT CONCRETE
CC(2)	FINISH CONCRETE
CG(1)	CLEAR GLASS
CS(1)	GALVANISED STEEL
CS(2)	PERF. CORRUGATED MESH
CS(3)	WIRE MESH
CS(4)	WHITE HORIZONTAL LOUVER
CS(5)	PAINT COLOUR
CS(6)	PAINT COLOUR
CS(7)	PAINT COLOUR
CS(8)	PAINT COLOUR
CS(9)	PAINT COLOUR
CS(10)	PC SHEET
CS(11)	GLASS
CS(12)	OF - OPERABLE WINDOW
CS(13)	FI - FIXED WINDOW



26M HEIGHT DIAGRAM  
1:200

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN MILLIMETRES AND LEGS ARE IN METRES. DO NOT SCALE OFF DRAWINGS. USE FIGURED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONSULT WITH THE ARCHITECT FOR ANY PROVISIONS TO DOCUMENTATION AND ANY SET OF INSTRUCTIONS PRIOR TO COMMENCING WORK. BEFORE COMMENCING TO CONSTRUCT, ALL SERVICES BE ACCORDANCE WITH SERVICE DOCUMENTATION AND CHECK PROVISIONS PRIOR TO COMMENCEMENT OF WORK. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT AND MANUFACTURER SHALL NOT COMMENCE PRIOR TO THE RETURN OF THE DRAWINGS SIGNED BY THE ARCHITECT AND RELEVANT CONSULTANT. BUILDING TO BE SET BY ADJACENT LAND SURVEYORS WITH TITLE RECONCILIATION TO BE CARRIED OUT AT THE TIME OF BUILD.

REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

**FIELDWORK**

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hello@fieldworkprojects.com.au  
fieldworkprojects.com.au

Project Number  
**170026**  
Client  
**MAKE VENTURES**  
Project Name  
**MACAULAY ROAD KENSINGTON**  
Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

Drawing Name  
**AXONOMETRIC**  
Date  
**10/04/2018**  
Status  
**TOWN PLANNING**

Scale  
**1:200 @ A1**  
Drawing Number  
**TP4-105**  
Revision  
**A**



Revision

No. 1/352  
DOUBLE STOREY  
BUILDING

Page 27 of 75 No. 6/352  
DOUBLE STOREY  
BUILDING

No. 6/346  
DOUBLE STOREY  
BUILDING

No. 6/346  
THREE STOREY  
BUILDING

SHADOWS CAST BY EXISTING ELEMENTS  
ADDITIONAL OVERSHADOWING  
BY PROPOSED ELEMENTS  
Notes:  
- SHADOWS ARE CALCULATED FOR EQUINOX (SEPT. 22)  
AT THE INDICATED PROJECT ADDRESS  
- NO ADDITIONAL OVERSHADOWING SHOWN FOR SUBJECT SITE

MACAULAY ROAD

SUBJECT SITE  
893-399 MACAULAY  
ROAD, KENSINGTON

No. 43-51  
THREE STOREY  
BRICK BUILDING

ALBERMARLE STREET

No. 369  
DOUBLE STOREY  
BRICK BUILDING

No. 367  
DOUBLE STOREY  
BRICK BUILDING

LITTLE HARDIMAN STREET

No. 28  
SINGLE STOREY BRICK  
BUILDING

No. 61  
SINGLE STOREY BRICK  
BUILDING

No. 71  
SINGLE STOREY BRICK  
BUILDING

No. 39-47  
SINGLE STOREY  
W/BOARD HOUSES

No. 39

No. 41

No. 43

No. 45

No. 47



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REV REASON  
A TOWN PLANNING SUBMISSION

DATE  
10/04/2018

FIELDWORK

150 Langridge Street, Collingwood  
Victoria, 3066, Australia  
hello@fieldworkprojects.com.au  
fieldworkprojects.com.au

Project Number  
170026  
Client  
MAKE VENTURES  
Project Name  
MACAULAY ROAD KENSINGTON  
Site Address  
393-399 MACAULAY ROAD KENSINGTON 3031

Drawing Name  
SHADOW DIAGRAM 9AM  
Date  
10/04/2018  
System  
TOWN PLANNING

Scale  
1:200 @ A1  
Drawing Number  
TP5-101 A



Revision

No. 1/352  
DOUBLE STOREY  
BUILDING

Page 28 of 75 No. 6/352  
DOUBLE STOREY  
BUILDING

No. 6/346  
DOUBLE STOREY  
BUILDING

No. 6/346  
THREE STOREY  
BUILDING

SHADOWS CAST BY EXISTING ELEMENTS  
ADDITIONAL OVERSHADOWING  
BY PROPOSED ELEMENTS  
Notes:  
- SHADOWS ARE CALCULATED FOR EQUINOX (SEPT. 22)  
AT THE INDICATED PROJECT ADDRESS  
- NO ADDITIONAL OVERSHADOWING SHOWN FOR SUBJECT SITE

MACAULAY ROAD

SUBJECT SITE  
893-399 MACAULAY  
ROAD, KENSINGTON

No. 43-51  
THREE STOREY  
BRICK BUILDING

ALBERMARLE STREET

No. 369  
DOUBLE STOREY  
BRICK BUILDING

No. 367  
DOUBLE STOREY  
BRICK BUILDING

LITTLE HARDIMAN STREET

No. 28  
SINGLE STOREY BRICK  
BUILDING

No. 61  
SINGLE STOREY BRICK  
BUILDING

No. 71  
SINGLE STOREY BRICK  
BUILDING

No. 39-47  
SINGLE STOREY  
W/BOARD HOUSES

No. 39

No. 41

No. 43

No. 45

No. 47

SPEED BUMP

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN METRES AND LEGS ARE IN METRES OR NOT SCALE OR DIMENSIONS. USE REQUIRED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCY TO DOCUMENTATION AND ANY ASPECT OF DISCREPANCY FROM TO CORRECTIVE WORK. BEFORE COMMENCING TO CONSTRUCT ALL SERVICES IN ACCORDANCE WITH SERVICE DOCUMENTATION AND CHECK PROVISIONS PRIOR TO COMMENCEMENT OF WORK. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT AND MANUFACTURER FOR HIS COMMENT PRIOR TO THE RETURN OF THE DRAWINGS ISSUED BY THE ARCHITECT AND RELEVANT CONSULTING ENGINEER TO BE REVIEWED BY ARCHITECT AND SUPERVISOR WITH THE RESPONSIBILITY TO CARRY OUT AT THE TIME OF BUILD.

REV REASON  
A TOWN PLANNING SUBMISSION

DATE  
10/04/2018

FIELDWORK

150 Langridge Street, Collingwood  
Victoria, 3066, Australia  
hello@fieldworkprojects.com.au  
fieldworkprojects.com.au

Project Number  
170026  
Client  
MAKE VENTURES  
Project Name  
MACAULAY ROAD KENSINGTON  
Site Address  
393-399 MACAULAY ROAD KENSINGTON 3031

Drawing Name  
SHADOW DIAGRAM 10AM  
Date  
10/04/2018  
System  
TOWN PLANNING

Scale  
1:200 @ A1  
Drawing Number  
TP5-102 A



Revision

No. 1/352  
DOUBLE STOREY  
BUILDING

Page 29 of 75 No. 6/352  
DOUBLE STOREY  
BUILDING

No. 6/346  
DOUBLE STOREY  
BUILDING

No. 6/346  
THREE STOREY  
BUILDING

SHADOWS CAST BY EXISTING ELEMENTS  
ADDITIONAL OVERSHADOWING  
BY PROPOSED ELEMENTS  
Notes:  
- SHADOWS ARE CALCULATED FOR EQUINOX (SEPT. 22)  
AT THE INDICATED PROJECT ADDRESS  
- NO ADDITIONAL OVERSHADOWING SHOWN FOR SUBJECT SITE

MACAULAY ROAD

SUBJECT SITE  
893-399 MACAULAY  
ROAD, KENSINGTON

No. 43-51  
THREE STOREY  
BRICK BUILDING

No. 369  
DOUBLE STOREY  
BRICK BUILDING

No. 367  
DOUBLE STOREY  
BRICK BUILDING

ALBERMARLE STREET

LITTLE HARDIMAN STREET

No. 28  
SINGLE STOREY BRICK  
BUILDING

No. 61  
SINGLE STOREY BRICK  
BUILDING

No. 71  
SINGLE STOREY BRICK  
BUILDING

No. 39-47  
SINGLE STOREY  
W/BOARD HOUSES

No. 39

No. 41

No. 43

No. 45

No. 47

SPEED BUMP

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REV REASON  
A TOWN PLANNING SUBMISSION

DATE  
10/04/2018

FIELDWORK

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Victoria, 3066, Australia  
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fieldworkprojects.com.au

Project Number  
170026  
Client  
MAKE VENTURES  
Project Name  
MACAULAY ROAD KENSINGTON  
Site Address  
393-399 MACAULAY ROAD KENSINGTON 3031

Drawing Name  
SHADOW DIAGRAM 11AM  
Date  
10/04/2018  
System  
TOWN PLANNING

Scale  
1:200 @ A1  
Drawing Number  
TP5-103  
Revision  
A



Revision

No. 1/352  
DOUBLE STOREY  
BUILDING

Page 30 of 75 No. 6/352  
DOUBLE STOREY  
BUILDING

No. 6/346  
DOUBLE STOREY  
BUILDING

No. 6/346  
THREE STOREY  
BUILDING

SHADOWS CAST BY EXISTING ELEMENTS  
ADDITIONAL OVERSHADOWING  
BY PROPOSED ELEMENTS  
Notes:  
- SHADOWS ARE CALCULATED FOR EQUINOX (SEPT. 22)  
AT THE INDICATED PROJECT ADDRESS  
- NO ADDITIONAL OVERSHADOWING SHOWN FOR SUBJECT SITE

MACAULAY ROAD

SUBJECT SITE  
893-399 MACAULAY  
ROAD, KENSINGTON

No. 43-51  
THREE STOREY  
BRICK BUILDING

ALBERMARLE STREET

No. 369  
DOUBLE STOREY  
BRICK BUILDING

No. 367  
DOUBLE STOREY  
BRICK BUILDING

LITTLE HARDIMAN STREET

No. 28  
SINGLE STOREY BRICK  
BUILDING

No. 61  
SINGLE STOREY BRICK  
BUILDING

No. 71  
SINGLE STOREY BRICK  
BUILDING

No. 39-47  
SINGLE STOREY  
W/BOARD HOUSES

No. 39

No. 41

No. 43

No. 45

No. 47

SPEED BUMP

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS. DIMENSIONS ARE IN MILLIMETRES AND LEGS ARE IN METRES. DO NOT SCALE OFF DRAWINGS. USE REQUIRED DIMENSIONS ONLY. CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCIES TO DOCUMENTATION AND ANY ASPECT OF INSTRUCTIONS PRIOR TO COMMENCEMENT OF WORK. WHERE NECESSARY, THE CONTRACTOR SHALL CONSULT WITH ARCHITECT AND MANUFACTURER OF MATERIALS TO BE SUPPLIED TO THE SITE. ALL SHOP DRAWINGS ARE TO BE SUBMITTED TO THE ARCHITECT AND MANUFACTURER FOR APPROVAL PRIOR TO THE RETURN OF THE DRAWINGS TO THE ARCHITECT AND RELEVANT CONSULTING ENGINEER TO BE SECT BY A LICENSED LAND SURVEYOR WITH THIS REASSESSMENT TO BE CARRIED OUT AT THE TIME OF ISSUE.

REV REASON  
A TOWN PLANNING SUBMISSION

DATE  
10/04/2018

FIELDWORK

150 Langridge Street, Collingwood  
Victoria, 3066, Australia  
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fieldworkprojects.com.au

Project Number  
170026  
Client  
MAKE VENTURES  
Project Name  
MACAULAY ROAD KENSINGTON  
Site Address  
393-399 MACAULAY ROAD KENSINGTON 3031

Drawing Name  
SHADOW DIAGRAM 12PM  
Date  
10/04/2018  
System  
TOWN PLANNING

Scale  
1:200 @ A1  
Drawing Number  
TP5-104 A



Revision



No. 1/352  
DOUBLE STOREY  
BUILDING

Page 32 of 75 No. 6/352  
DOUBLE STOREY  
BUILDING

No. 6/346  
DOUBLE STOREY  
BUILDING

No. 6/346  
THREE STOREY  
BUILDING

SHADOWS CAST BY EXISTING ELEMENTS  
ADDITIONAL OVERSHADOWING  
BY PROPOSED ELEMENTS  
Notes:  
- SHADOWS ARE CALCULATED FOR EQUINOX (SEPT. 22)  
AT THE INDICATED PROJECT ADDRESS  
- NO ADDITIONAL OVERSHADOWING SHOWN FOR SUBJECT SITE

MACAULAY ROAD

SUBJECT SITE  
893-399 MACAULAY  
ROAD, KENSINGTON

No. 43-51  
THREE STOREY  
BRICK BUILDING

ALBERMARLE STREET

No. 369  
DOUBLE STOREY  
BRICK BUILDING

No. 367  
DOUBLE STOREY  
BRICK BUILDING

LITTLE HARDIMAN STREET

No. 28  
SINGLE STOREY BRICK  
BUILDING

No. 61  
SINGLE STOREY BRICK  
BUILDING

No. 71  
SINGLE STOREY BRICK  
BUILDING

No. 39-47  
SINGLE STOREY  
W/BOARD HOUSES

No. 39

No. 41

No. 43

No. 45

No. 47

SPEED BUMP

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REV REASON  
A TOWN PLANNING SUBMISSION

DATE  
10/04/2018

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FIELDWORK

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fieldworkprojects.com.au

Project Number  
170026  
Client  
MAKE VENTURES  
Project Name  
MACAULAY ROAD KENSINGTON  
Site Address  
393-399 MACAULAY ROAD KENSINGTON 3031

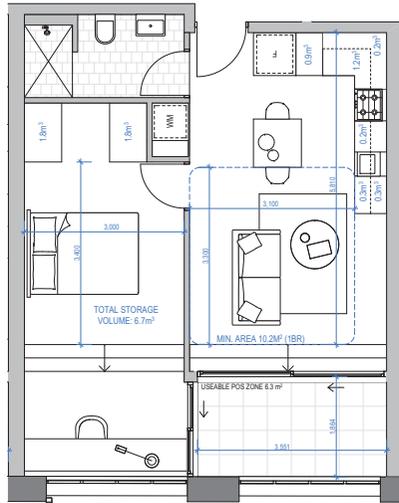
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Date  
10/04/2018  
System  
TOWN PLANNING

Scale  
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Drawing Number  
TP5-106  
Revision  
A



Revision

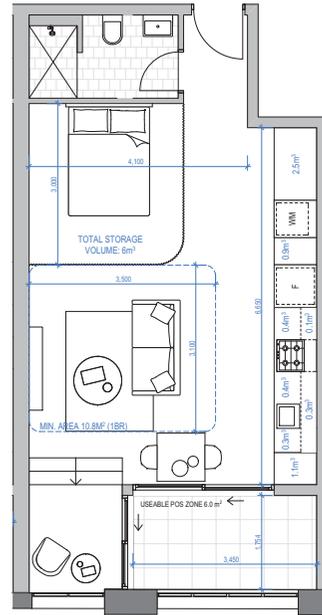




**APARTMENT TYPE 1A**  
1:50

1 NO. APARTMENTS  
APT: 1.14

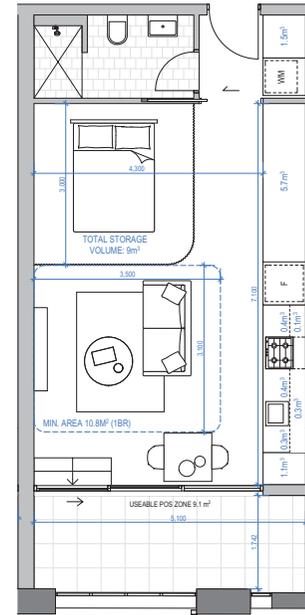
EXTERNAL STORAGE ALLOWANCE: 4m³  
INTERNAL STORAGE ALLOWANCE: 6.7m³  
ADAPTABLE: NO  
ACHIEVES CROSS FLOW VENTILATION: NO



**APARTMENT TYPE 1B**  
1:50

1 NO. APARTMENTS  
APT: 1.13

EXTERNAL STORAGE ALLOWANCE: 4m³  
INTERNAL STORAGE ALLOWANCE: 10.8m³  
ADAPTABLE: NO  
ACHIEVES CROSS FLOW VENTILATION: NO



**APARTMENT TYPE 1C**  
1:50

1 NO. APARTMENTS  
APT: 1.12

EXTERNAL STORAGE ALLOWANCE: 4m³  
INTERNAL STORAGE ALLOWANCE: 9m³  
ADAPTABLE: NO  
ACHIEVES CROSS FLOW VENTILATION: NO

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REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018

**FIELDWORK**

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Victoria, 3066, Australia  
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Project Number  
**170026**

Client  
**MAKE VENTURES**

Project Name  
**MACAULAY ROAD KENSINGTON**

Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

Drawing Name  
**BADS C58 - 1BR APARTMENTS**

Date  
**10/04/2018**

Drawn By  
**TOWN PLANNING**

Scale  
**1:50 @ A1**

Drawing Number  
**TP6-101**

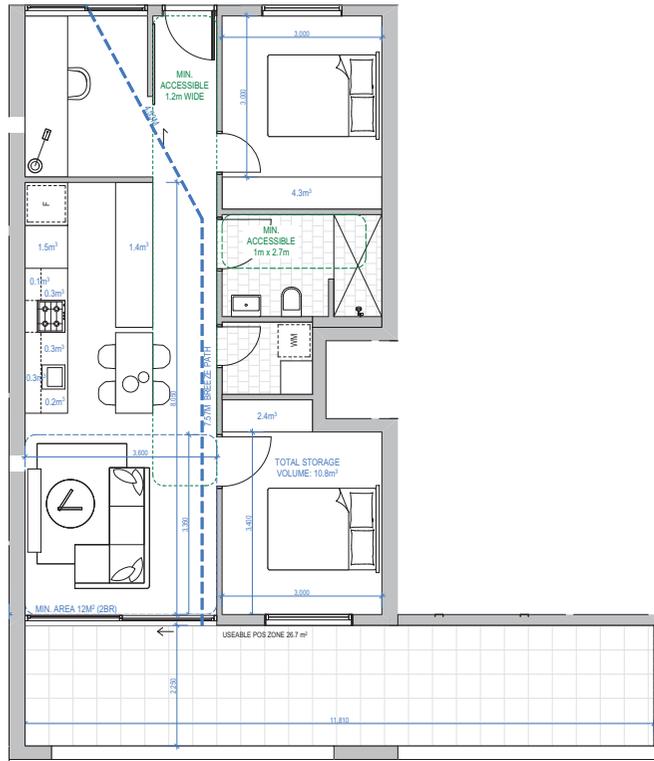
Revision  
**A**



Revision

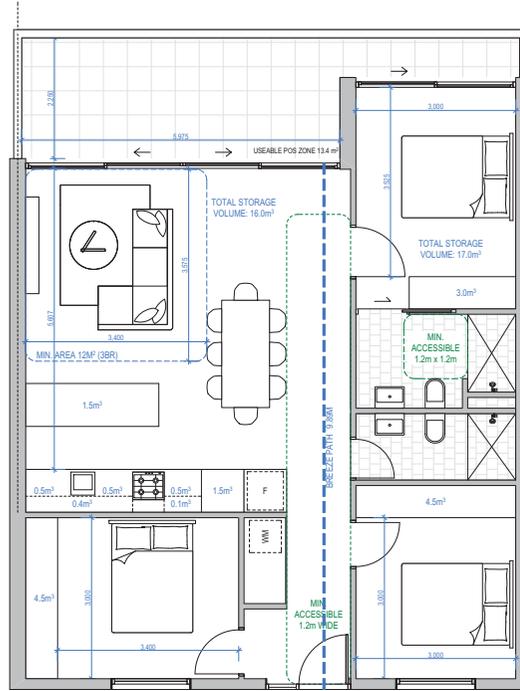






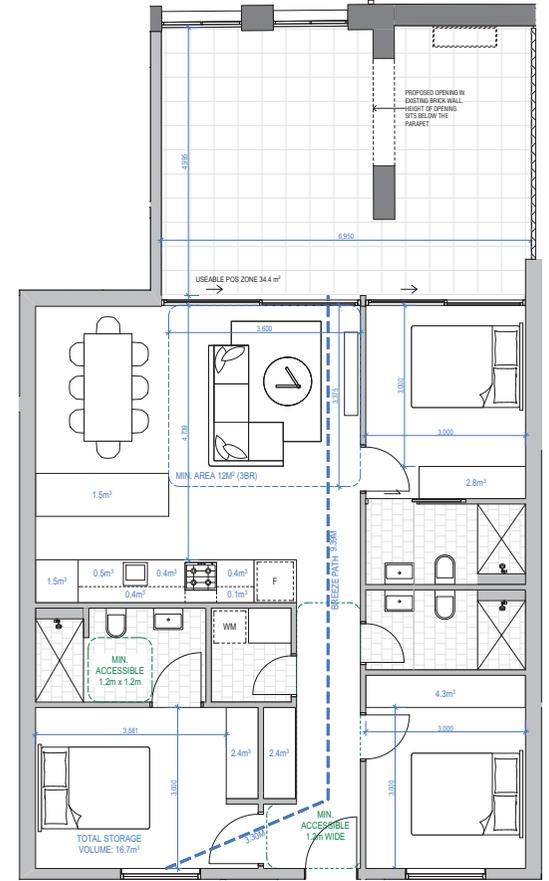
**APARTMENT TYPE 2G**  
1:50

1 NO. APARTMENTS  
APT: 1.02  
EXTERNAL STORAGE ALLOWANCE: 5m³  
INTERNAL STORAGE ALLOWANCE: 10.8m³  
ADAPTABLE: YES  
ACHIEVES CROSS FLOW VENTILATION: YES



**APARTMENT TYPE 3A**  
1:50

12 NO. APARTMENTS  
APT: 2.08, 2.10, 3.09, 3.10, 4.08, 4.10, 5.09, 5.10, 6.09, 6.10, 7.08 & 7.09  
EXTERNAL STORAGE ALLOWANCE: 6m³  
INTERNAL STORAGE ALLOWANCE: 17m³  
ADAPTABLE: YES  
ACHIEVES CROSS FLOW VENTILATION: YES



**APARTMENT TYPE 3B**  
1:50

1 NO. APARTMENTS  
APT: 1.09  
EXTERNAL STORAGE ALLOWANCE: 6m³  
INTERNAL STORAGE ALLOWANCE: 16.7m³  
ADAPTABLE: YES  
ACHIEVES CROSS FLOW VENTILATION: YES

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REV	REASON	DATE
A	TOWN PLANNING SUBMISSION	10/04/2018



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Project Number  
**170026**  
Client  
**MAKE VENTURES**  
Project Name  
**MACAULAY ROAD KENSINGTON**  
Site Address  
**393-399 MACAULAY ROAD KENSINGTON 3031**

Drawing Name  
**BADS C58 - 2 & 3BR APARTMENTS**  
Date  
**10/04/2018**  
Status  
**TOWN PLANNING**

Scale  
**1:50 @ A1**  
Drawing Number  
**TP6-104 A**



Revision



1. The heritage facade is retained and restored with a subtler shade of green to compliment the principal buildings material palette, while also accentuating the original details and lettering.
2. The building is constructed predominantly of precast panels, in which vertical ribs add depth and are a subtle reference to the parapet details of the heritage building below.
3. Corrugated perforated metal panels are used to shade the northern facade, and create an increased layer of privacy to the habitable rooms beyond. The perforated panels seamlessly match the ribs of the pre-cast panels, providing a softening aspect to the facade design.
4. Substantial planters located on the Level 2 terrace will support carefully chosen plant species to grow upward over the face of the concrete. Over time, this growth will spread over the lower and mid levels of the western facade.
5. In a playful gesture to the street, the extension of the Level 7 communal terrace projects outwards from the building face, giving residents an opportunity to enjoy views.
6. Existing street trees along both Macaulay Road and Albermarle Street are retained, ensuring the streetscapes maintain their current character.



1. Removal of bars and translucent glazing across the existing window openings. These considered openings will allow for greater light penetration to the proposed tenancies and communal functions at street level
2. The heritage facade is retained and restored with carefully chosen paint colours that accentuate the original details and lettering.
3. Corrugated perforated metal panels are used to shade the northern facade and create an increased layer of privacy to the habitable rooms beyond. The vertical corrugations marry those of the precast panels, creating a seamless appearance, with the change in texture and density used to differentiate the materials.
4. Balcony depth and planters allow for increased privacy for residents.
5. The heritage facade is retained and restored. Elevating the street level condition, while creating an improved neighborhood character.
6. The heritage facade is retained and restored. Existing openings at Level 1 are either glazed, or open with terraces beyond.

## Project Proposal



1. The building forms are separated by a 5m span, in which external walkways connect apartments through a lush vertical landscape.
2. The communal room is situated at the south-western corner of the building, with a large window that visually connects inhabitants with the activity of the street below.
3. The precast panels of the western facade are punctuated with openings, creating visual interest and a varied articulation, with consideration to neighboring property private open space
4. At ground level a range of commercial tenancies are introduced with an emphasis community uses to benefit new residents as well as local residents from the wider Kensington area.
5. At ground level the entrance lobby is created through an incision in the heritage building, carefully aligned between two existing columns so as to not disrupt the streetscape rhythm.
6. The heritage facade is retained and restored. Existing openings at Level 1 are either glazed, or open with terraces beyond.
7. Vehicular access is located off Albermarle Street at the south-western corner of the site, in the same location as the existing vehicular entry point.
8. Removal of bars and translucent glazing across the existing window openings. These considered openings will allow for greater light penetration to the proposed tenancies and communal functions at street level.

**DELEGATE REPORT**

<b>Application number:</b>	<b>TP-2018-360</b>
<b>Applicant / Owner / Architect:</b>	Make Ventures Pty Ltd / Chestnut Hall Pty Ltd / Fieldwork
<b>Address:</b>	369-391 and 393-399 Macaulay Road, Kensington
<b>Proposal:</b>	Part demolition, alterations and additions for an eight storey mixed use building including a shop greater than 150m <sup>2</sup> , and reduction of car parking
<b>Cost of works:</b>	\$22 million
<b>Date of original submission:</b>	27 April 2018
<b>Date of amended application (prior to public notice):</b>	12 July 2018
<b>Responsible officer:</b>	Ashley Treloar

**1 SUBJECT SITE AND SURROUNDS****1.1 Site**

The subject site comprises 393-399 Macaulay Road and part of 369-391 Macaulay Road, Kensington.

The site is located on the corner of Macaulay Road and Albermarle Street. The rear of the site adjoins Little Hardiman Street.

The site has a rectangular shape with 43.8m frontage to Macaulay Road, a 35.4m frontage to Albermarle Street and a total area of approximately 1,551m<sup>2</sup>.

The site has a 1.1m fall from north to south.

393-399 Macaulay Road is developed with a two to three storey former wool store building designed by Harry Norris. The heritage building has been afforded a C grading in a level 2 streetscape in the Heritage Places Inventory (March 2018). Melbourne Planning Scheme Amendment C258 proposes a significant grading.

369-391 Macaulay Road is developed with a single-storey building and a two storey building with undercroft parking. The single storey building has been afforded a D grading in a level 2 streetscape in the Heritage Places Inventory (March 2018). Melbourne Planning Scheme Amendment C258 proposes a contributory grading.

Historically, both buildings were used as offices, factories and stores for R Lohn & Co Pty Ltd and later the Kensington Community High School. The site is currently occupied by a video duplication business (Dex Audio).

Vehicle access is currently provided via two crossovers; one on Macaulay Road and one on Albermarle Street.

The site is formally described as:

- Lot 1 on Plan of Subdivision 139456. Volume 09461 Folio 130.
- Lot 2 on Plan of Subdivision 139456. Volume 09461 Folio 131.

The site is not affected by any easements or restrictive covenants. The northeast corner of Lot 2 is affected by an acquisition easement for the transmission of electricity; however this is outside of the subject site.

Planning Permit TP-2015-716 issued on 28 December 2017 allows consolidation of the lots; however this is yet to formally occur.

The site is located within an area of Aboriginal cultural heritage significance and is subject to flooding.

## **1.2 Adjoining properties**

### East

The site has one direct abuttal being the balance of 369-391 Macaulay Road. This land contains a two storey building with undercroft parking and a single storey extension setback from Macaulay Road to accommodate onsite parking.

### West

Over Albermarle Street, 43-51 Albermarle Street contains a red brick warehouse that has been converted into five, three storey dwellings.

### South

Over Little Hardiman Street, 28-30 Albermarle Street contains a single storey factory/warehouse. Planning Permit Application TP-2015-1203 proposes a six storey building containing a shop, office and dwellings.

### North

Over Macaulay Road, 352 Macaulay Road contains a warehouse complex of six, two storey units known as 'Cityside Industrial Estate'.

## **1.3 Surrounds**

The site is located within the Arden-Macaulay Urban Renewal Area, in proximity to Kensington and Macaulay Train Stations, the local shopping centre on Macaulay Road and the Moonee Ponds Creek Trail.

The city block bound by Macaulay Road (north), Hardiman Street (south), Bent Street (east) and Albermarle Street (west) is characterised by a mix of warehouses, townhouses and apartment buildings, namely the Kensington Warehouse Apartments. Section 2.2 of this report details relevant planning permits for developments within this city block that are yet to be constructed (up to six storeys high).

Beyond this, the land to the north is characterised by industrial properties with some emerging residential developments. The land to the south is characterised by low scale, fine grain residential neighbourhoods located within Heritage Overlay Schedule 9 (Kensington Precinct).

The site is well served by public transport, including Macaulay Train Station 200m east, Kensington Train Station 270m west and Bus Route #402 that stops in front of the site and connects Footscray Train Station and East Melbourne.

Macaulay Road has a 20.5m wide road reserve with a dedicated vehicle lane, bicycle lane and kerbside parking in each direction. The parking along the immediate frontage is restricted to 15 minutes (Monday to Friday 7.30am-6.30pm, Saturday 7.30am-12.30pm) but is generally unrestricted throughout the wider area.

Albermarle Street has a 19.5m wide road reserve with a dedicated vehicle lane and kerbside parking in each direction. The parking along the east side is restricted to 2P (Monday to Friday 7.30am-6.30pm, Saturday 7.30am-12.30pm). The parking along the west side is unrestricted.

Little Hardiman Street has a 3.7m wide road reserve and permits vehicle movement in an eastbound direction only. The north side is designated as 'No Parking'.

Several car share pods are located in the vicinity, with three pods located within 200m walking distance.

**Aerial Photograph (Source: Council's GIS 23 August 2018)**



**2 BACKGROUND AND HISTORY**

**2.1 Pre-application discussions**

Pre-application meetings were held prior to lodgement.

**2.2 Background to the application**

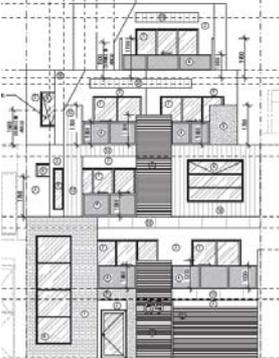
The application was amended prior to public notice on 12 July 2018 to increase the size of the retail unit by 49.2m<sup>2</sup> and reduce the car parking provision by 20 spaces.

**2.3 Planning application history**

There is no relevant planning application history for the subject site.

The following applications are relevant to the surrounds.

Address	Application	Description	Decision
347-367 Macaulay Road, Kensington	TP-2017-709	Construction of a six storey residential building	Permit 15/6/2018
 <p data-bbox="507 795 1066 828">Macaulay Road elevation (advertised drawing)</p>			
28-32 Albermarle Street, Kensington	TP-2015-1203	Construction of a six storey building containing a shop, office and dwellings	Under assessment
 <p data-bbox="507 1355 1066 1388">Albermarle Street elevation (amended drawing)</p>			
51-61 Hardiman Street, Kensington	TP-2016-1039	Construction of five, four storey townhouses and a six storey building containing a café and dwellings	Permit 28/3/2018
 <p data-bbox="507 2004 1066 2038">Hardiman Street elevation (condition 1 drawing)</p>			

69 Hardiman Street, Kensington	TP-2016-225	Construction of a five storey residential building	Permit 21/3/2017
 <p>Hardiman Street elevation (advertising drawing)</p>			

### 3 PROPOSAL

The application seeks planning permission for part demolition, alterations and additions for an eight storey mixed use building including a shop greater than 150m<sup>2</sup>, and reduction of car parking.

The plans that have been considered in this assessment are the advertised drawings by Fieldwork dated 10/4/2018, 12/4/2018 and 12/7/2018 (Revisions A and B).

Details of the proposal can be summarised as follows:

<b>GFA</b>	9,578.5m <sup>2</sup>
<b>Building height</b>	25.94m
<b>Number of storeys</b>	Eight
<b>Dwelling mix</b>	Studio: 4 (5.5%) One-bedroom: 1 (1.4%) Two-bedroom: 55 (75.3%) Three-bedroom: 13 (17.8%) Total: 73
<b>Communal areas</b>	Laundry 14.8m <sup>2</sup> (GF) Workshop 21.1m <sup>2</sup> (GF) Bike repair area 19.0m <sup>2</sup> (GF) Terrace/ clothes drying 48.0m <sup>2</sup> (L2) Communal room 66.1m <sup>2</sup> (L7) Terraces 23.0m <sup>2</sup> and 16.4m <sup>2</sup> (L7) Total: 121.0m <sup>2</sup> indoor and 87.4m <sup>2</sup> outdoor
<b>Commercial floor space</b>	457.5m <sup>2</sup>
<b>Car parking</b>	52
<b>Bicycle parking</b>	71
<b>Storage cages</b>	4m <sup>3</sup> storage cage: 5 5m <sup>3</sup> storage cage: 55 6m <sup>3</sup> storage cage: 13 Total: 73
<b>Vehicle access/egress</b>	Vehicle access/egress via a crossover on Albermarle Street adjoining the south boundary
<b>Loading/unloading</b>	None

### Demolition

- Retention of the north, east and west boundary walls, and the south boundary wall to a length of 8m from the corner of Albermarle Street.
- Demolition of the recessed entries, roller doors, windows, metal bars and cyclone mesh.
- Demolition of the internal elements and roof structures.

### Alterations and restorations

- The external walls of the heritage buildings will be restored with new doors and windows, external painting and repair works.

### Excavation

- Excavation to accommodate one basement level.

### Construction

- Construction of an eight storey addition (25.94m high excluding plant and equipment).
- The addition abuts the east boundary and is setback 4m from Macaulay Road, 3.5m from Albermarle Street and 2.5m from Little Hardiman Street.
- The building features a 5m wide east-west open corridor that is punctuated by lightwells.
- The addition has a flat roof with plant and equipment, including solar panels.
- The addition displays contemporary architecture with a clean and simple built form, ribbed concrete and perforated corrugated façade treatment.

### Building program

- The building has a single entrance on Albermarle Street and a lobby that is shared by the retail tenancy and dwellings.
- Vehicle access/egress is provided via a crossover on Albermarle Street adjoining the south boundary.
- The basement contains building services, storage cages and bike store.
- The ground floor contains:
  - A 457.5m<sup>2</sup> retail unit in the northeast corner adjoining the street frontages with access to the bin store through the lobby and car park.
  - Double and triple level car stackers in the southeast corner.
  - A communal laundry, workshop and bike store/ repair area for residents.
  - A central core with two lifts and a stair.
  - A bin room and substation.
- The upper levels provide for 73 dwellings including a mix of studios, one bedroom, two bedroom and three bedroom dwellings that range in size between 49m<sup>2</sup> and 103m<sup>2</sup>. A total of 93% of the dwellings are dual aspect.
- A communal room with a kitchen, dining, toilet and two terraces is located on level 7.

### Alternative housing model

- A total of 10% of the dwellings will be provided to key workers with a 20% discount applied to their rent. The applicant will work with a registered housing association to facilitate the selection of key workers.

Proposed Render (corner of Macaulay Road and Albermarle Street)



Proposed Render (Macaulay Road)



## 4 STATUTORY CONTROLS

The following provisions of the Melbourne Planning Scheme apply.

Planning Policy Framework	<p>Clause 11 – Settlement</p> <p>Clause 13 – Environmental Risks and Amenity</p> <p>Clause 15 – Built Environment and Heritage</p> <p>Clause 16 – Housing</p> <p>Clause 17 – Economic Development</p> <p>Clause 18 – Transport</p> <p>Clause 19 – Infrastructure</p>
Municipal Strategic Statement	<p>Clause 21.04 – Settlement</p> <p>Clause 21.06 – Built Environment and Heritage</p> <p>Clause 21.07 – Housing</p> <p>Clause 21.08 – Economic Development</p> <p>Clause 21.09 – Transport</p> <p>Clause 21.10 – Infrastructure</p> <p>Clause 21.16 – Proposed Urban Renewal Areas (Arden-Macaulay)</p>
Local Planning Policies	<p>Clause 22.05 – Heritage Places Outside the Capital City Zone</p> <p>Clause 22.17 – Urban Design Outside the Capital City Zone</p> <p>Clause 22.19 – Energy, Water and Waste Efficiency</p> <p>Clause 22.23 – Stormwater Management</p>

Statutory Controls	
<p>Clause 32.04 Mixed Use Zone</p>	<p>A permit is required to use the land for a shop (other than adult sex product shop) with a leasable floor area greater than 150m<sup>2</sup>.</p> <p>A permit is required to construct two or more dwellings on a lot and residential buildings.</p> <p>A permit is required to construct a building or construct or carry out works for a Section 2 use.</p> <p>An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.</p>
<p>Clause 43.01 Heritage Overlay Schedule 251</p>	<p>A permit is required to:</p> <ul style="list-style-type: none"> <li>• Demolish or remove a building.</li> <li>• Construct a building or construct or carry out works.</li> <li>• Externally alter a building by structural work, rendering, sandblasting or in any other way.</li> <li>• Externally paint a building.</li> </ul>
<p>Clause 43.02 Design and Development Overlay Schedule 63-A3</p>	<p>A permit is required to construct a building or construct or carry out works.</p> <p>Development should not exceed the preferred maximum height in Table 1.</p> <p>All applications to exceed the preferred maximum height in Table 1 must demonstrate each of the following:</p> <ul style="list-style-type: none"> <li>• A demonstrable benefit to the broader community that include among others:</li> </ul>

- 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.

A permit cannot be granted to exceed the absolute maximum height in Table 1 except in Area 5.

Table 1: Building heights

Area	Preferred maximum height	Absolute maximum height
A3	20m (six storeys)	26m (eight storeys)

Table 2: Built form outcomes

Area	Built form outcomes
A3	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p> <p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Protect the amenity of existing residential development by avoiding overlooking and overshadowing of private open space and minimising the visual impact of upper levels.</p>
All areas	<p>Ensure laneways have appropriate levels of access to daylight and sunlight.</p> <p>Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.</p> <p>Deliver a scale of development setback from the Moonee Ponds Creek environs which responds to the creek/ public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.</p> <p>Where development responds to flood risk by providing ramp structures or other flood mitigation measures, high quality urban design outcomes must be provided at the building and public interfaces.</p>

A permit cannot be granted to exceed the street wall height in Table 3.

Development should be setback from all streets in accordance with Table 3.

Table 3: Street wall height and setbacks

Interface type shown on Map 1	Street wall height Setbacks above street wall
20-30m wide renewal street (Macaulay Road and Albermarle Street)	<p>Development at the frontage must not exceed a height of six storeys.</p> <p>Development should be set back 1m for every metre of height above 20m.</p>
Laneway (Little Hardiman Street)	<p>Development along the laneway must not exceed a height of three-storeys.</p> <p>Development above the street wall should be setback 4m. In addition, development on the northern side of an east-west laneway should be setback 1m for every metre of height above the preferred maximum height.</p>

	A building with a ground level frontage to a street identified in Map 2 (Macaulay Road) should present an attractive pedestrian oriented frontage with commercial uses where practical and a veranda for weather protection unless this would cause detriment to the heritage building or streetscape.
Clause 44.04 Land Subject to Inundation Overlay Schedule 1	A permit is required to construct a building or construct or carry out works. An application must be referred to the relevant floodplain management authority under Section 55 of the Act.
Clause 45.03 Environmental Audit Overlay	Before a sensitive use (residential, childcare centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either: <ul style="list-style-type: none"> <li>• A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or</li> <li>• An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.</li> </ul>

Particular Provisions	
Clause 52.06 Car Parking	The car parking rate for a shop and a developments of five or more dwellings located within the Principal Public Transport Network is: <ul style="list-style-type: none"> <li>• 3.5 spaces to each 100m<sup>2</sup> of leasable floor area</li> <li>• 1 space to each one or two bedroom dwelling</li> <li>• 2 spaces to each three or more bedroom dwelling</li> </ul> The development contains: <ul style="list-style-type: none"> <li>• 457.5m<sup>2</sup> shop</li> <li>• 60 one and two-bedroom dwellings</li> <li>• 13 three-bedroom dwellings</li> </ul> The development generates a car parking requirement of 102 spaces, including 16 for the shop and 86 for the dwellings. The development provides 52 spaces and seeks a reduction of 50 spaces.
Clause 52.34 Bicycle Facilities	The bicycle parking rate for a shop and a development of four or more storeys is: <ul style="list-style-type: none"> <li>• 1 employee space for each 600m<sup>2</sup> of leasable floor area if the leasable floor area exceeds 1,000m<sup>2</sup></li> <li>• 1 shopper space to each 500m<sup>2</sup> of leasable floor area if the leasable floor area exceeds 1,000m<sup>2</sup></li> <li>• 1 resident space to each 5 dwellings</li> <li>• 1 visitor space to each 10 dwellings</li> </ul> The development generates a bicycle parking requirement of 22 spaces, including 15 resident spaces and 7 visitor spaces. The development provides 71 spaces (an oversupply of 49 spaces).
Clause 58 Apartment Developments	A development must meet all of the objectives and should meet all of the standards of this clause that apply to the application.

General Provisions	
Clause 65 Decision Guidelines	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> .
Clause 66 Referral and Notice Provisions	An application under the Land Subject to Inundation Overlay within the waterway management district of Melbourne Water Corporation must be referred to Melbourne Water Corporation (determining referral authority).  An application to construct a building or construct or carry out works for a residential development comprising 60 or more dwellings must be referred to Transport for Victoria (determining referral authority).

## 5 PUBLIC NOTIFICATION

It was determined that the proposal may result in material detriment. Public notice of the proposal was given by ordinary mail to the owners and occupiers of the surrounding properties and by erecting five notices on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

## 6 OBJECTIONS

A total of 43 objections were received, which raised the following concerns (summarised):

### Built form

- The development does not provide a demonstrable benefit to the broader community to justify exceeding the preferred building height.
- Eight storeys are inconsistent with the character of the surrounding area. It will dominate the streetscapes and fail to provide a graduation to the low scale residential neighbourhoods.
- The addition is not visually recessive and will result in visual bulk.

### Amenity impacts

- Overlooking.
- Overshadowing.

### Traffic and parking

- Insufficient onsite parking and increased demand for on street parking.
- Lack of onsite loading facilities.
- Traffic congestion and road safety concerns associated with increased traffic movements.
- The traffic survey does not consider approved developments or other planning applications in the local area.

### Other

- Inadequate communal open space.
- Overshadowing the pocket park to the southwest.
- The shop is inconsistent with the residential character of Albermarle Street.
- Increased demand for road, public transport and community infrastructure.
- Noise, disruption and traffic congestion during construction.
- Damage to the adjoining properties during construction.

## 7 INTERNAL REFERRALS

### 7.1 Urban Design

The application was referred to the Urban Design Team who advised that:

- In many ways this is a strong project with good amenity, ventilated corridors, ground floor activation etc.
- The upper level setbacks from Macaulay Road and Albermarle Street are supported, but the horizontal form behind the retained facades is not ideal (north elevation). The building should be broken-up to relate to the heritage form and retain a sense of grain and volume.

### 7.2 Heritage

The application was referred to the Heritage Advisor who advised that:

- It is accepted that industrial buildings pose different challenges when contemplating adaptive reuse. Industrial buildings however, are not simply facades when it comes to their heritage attributes. They typically have sawtooth roofs and large floor plates. Retention of at least one bay of this attached 'body' is equivalent to two rooms (8m depth).
- The addition does not achieve partial concealment and overwhelms the retained facades.
- A schedule of conservation works should be a condition of any permit.
- Any change of paint colour should be subject to evidence based research from the subject buildings, such that their facades are accurately restored.
- The paint should be removed from the face brick surfaces that were not intended to be painted.

### 7.3 Traffic

The application was referred to the Traffic Department and the following advice was provided:

#### 7.3.1 History

- There are a number of planning applications for residential developments in the immediate vicinity that are currently before or have been recently approved by Council and VCAT.
- The application was amended prior to advertising to increase the size of the retail unit by 49.2m<sup>2</sup> and reduce the car parking provision by 20 spaces. Details of the original submission and amended application are provided below.

Use	Original submission	Amended application (prior to advertising)	Difference
Studios	4	4	0
One-bedroom	1	1	0
Two-bedroom	55	55	0
Three-bedroom	13	13	0
Total dwellings	73	73	0
Retail	408.3m <sup>2</sup>	457.5m <sup>2</sup>	+49.2m <sup>2</sup>
Car parking	72 spaces	52 spaces	-20 spaces
MPS requirement	100 spaces	102 spaces	+2 spaces
Reduction sought	28 spaces	50 spaces	+22 spaces

### 7.3.2 Car parking

- The site is well served by public transport, including Macaulay Train Station 200m east, Kensington Train Station 270m west and Bus Route #402 that stops in front of the site and connects Footscray Train Station and East Melbourne.
- The Traffic Impact Assessment (TIA) by Traffix Group dated July 2018 includes spot surveys of on-street parking undertaken on Thursday 7<sup>th</sup> and Saturday 9<sup>th</sup> December 2017. The surveys indicate that on-street parking utilisation varies depending on the time and day of the week, with high demand observed during weekday business hours and lower demand observed in the evenings and on weekends. In the immediate vicinity (100m) there are 55 to 61 spaces which are almost fully occupied (95-96%) during weekday business hours and around 40% occupied in the evenings and on weekends. Much of this on-street parking is currently unrestricted.
- The TIA presents ABS Census data that demonstrates lower levels of car ownership in the area. This data indicates that approximately 70% of three-bedroom dwellings in Kensington have one vehicle or less and 92% of studios within wider Melbourne (due to the small sample size in Kensington) do not have a vehicle.
- While Engineering Services accepted the original reduction of car parking based on the site's proximity to public transport, the amended application to further reduce the parking provision by 20 spaces represents a significantly higher reduction and is not supported.
- There are a number of warehouses in the vicinity that have been recently approved or are currently proposed for residential development. Concern is raised that similar reductions of car parking could create an unsustainable situation where on-street parking in the immediate area that is largely unrestricted could be misused by the residents of these developments and disadvantage existing residents. If this occurs, Engineering Services would be required to review the on-street parking restrictions with a view to introducing stricter controls to eliminate such practices.
- It is recommended that one space is provided per dwelling to ensure that residents don't rely on on-street parking to accommodate their parking needs.
- A note should be included on any permit advising that residents will not be eligible for parking permits and will not be exempt from parking restrictions.
- It is noted that Council's car share policy, approved in 2015, sets a target of 2,000 on and off-street car share spaces by 2021. Such an ambitious target was approved because car share programs help reduce the number of privately owned vehicles on the road and in residential car parks. Research suggests that each car share vehicle reduces the number of privately owned vehicles by nine and each member's private vehicle usage by 50%. In order to meet the likely demand, several onsite car share spaces would be required.
- The spot surveys indicate that on-street parking is available in the evenings and on weekends when visitor demands are likely to peak.
- The TIA indicates that staff and customers to the retail unit are expected to utilise on-street parking. It is recommended however, that one space be allocated to the shop for staff. Retail staff are likely to generate a long-term parking demand throughout the day, which would be better accommodated onsite.

### 7.3.3 Access and layout

- Vehicle access/egress is via the existing crossover on Albermarle Street adjoining the south boundary and a 4m wide accessway that rises and descends to achieve a flood threshold.
- The accessway width and grades are compliant with Clause 52.06 and the internal layout allows vehicles to enter and exit in a forward direction.

- Access control is via a security gate set back 6m within the title boundary, which allows inbound vehicles to queue within the site without blocking the footpath.
- The TIA states that sight triangles cannot be provided due to the retention of the heritage facades and suggests convex mirrors. Convex mirrors are not approved traffic management devices in the public realm. An audible alarm/ flashing light is recommended which would be more effective in alerting pedestrians to outbound vehicles. A similar device could also be used to indicate to inbound vehicles that the 4m wide accessway is occupied by an outbound vehicle.
- While the existing crossover is located immediately adjacent to Little Hardiman Street, this is the existing arrangement, Little Hardiman Street accommodates low traffic volumes and the one-way restriction (eastbound) will minimise any potential conflicts.
- The layout of the car park generally meets the relevant Planning Scheme / Australian Standards, with the proposed car stackers being independent systems providing access to all residents as required.

#### **7.3.4 Traffic generation**

- The TIA adopts a daily traffic generation rate of three vehicle movements per dwelling and a peak hour trip generation rate of 0.3 vehicle movements per dwelling of which 70% is expected to be in the peak direction. These rates are consistent with Engineering Services' expectations for the site.
- This volume of traffic is not anticipated to have any adverse impact on the wider road network.

#### **7.3.5 Bicycle parking**

- Clause 52.34 requires at least 22 spaces, including 15 for residents and 7 for visitors.
- The development provides 71 spaces (an oversupply of 49). Of these, 65 are within the basement and are suitable for residents/staff. The remaining 6 are provided at ground level and are suitable for visitors/customers.
- It is recommended that the split be modified, such that 7 spaces are provided at ground level for visitors/customers.
- Adequate space has been set aside for the installation of vertical and at-grade spaces.
- Access to the bike room in the basement is via the passenger lifts. These lifts should have a clear internal width of at least 1.9m to accommodate bicycles.

#### **7.3.6 Loading**

- The TIA indicates that deliveries to the retail unit are likely to be made by smaller trucks and light weight vehicles and take place kerbside. There is no designated kerbside loading in proximity to the site. This may present a problem for deliveries and residents moving into/ out of the building. The applicant should not have an expectation that Council will modify existing parking restrictions to accommodate this need.

### **7.4 Waste**

The application was referred to the Waste Department who advised that:

- The Waste Management Plan (WMP) by Leigh Design Pty Ltd dated 16 April 2018 is unacceptable. The following items need addressing:
  - Given the heritage constraints, Council will perform twice weekly kerbside collection from Albermarle Street. One of the collections must coincide with the designated collection for the area.
  - Scaled drawings of the on-street bin location must be provided.
  - Residential and commercial bins must be stored in separate rooms.

- Hard waste must be located in a space that is accessible to residents and a minimum 2m<sup>2</sup> is required.

## **7.5 Civil**

The application was referred to Civil Design who recommended the following conditions:

- Drainage system upgrade (DET.12)
- Demolish and construct access (AC.02)
- Street levels not to be altered (AC.11)
- Street lighting not to be altered (AC.12)
- Macaulay Road and Albermarle Street footpaths

## **7.6 Land Survey**

The application was referred to Land Survey who advised that:

- The eastern boundary of the development site differs from the title.
- Planning Permit TP-2015-716 issued 28 December 2017 allows consolidation of the lots, but has not been registered at Land Use Victoria. The subdivision realigns the boundary between No. 369-391 and 393-399 Macaulay Road. The development occupies Lot 1 on the subdivision plan.
- A condition should be included on any permit requiring the land to be held under one registered title prior to commencement of development.

## **7.7 Urban Forest**

The application was referred to the Urban Forest team and the following advice was provided:

- The drawings show intent to retain all public trees on Macaulay Road and Albermarle Street with no building canopy that could restrict tree growth. The northern most tree on Albermarle Street has been recently removed due to damage sustained through vehicle contact. Other trees have been impacted due to the proximity of overhead utilities.
- Construction requirements are likely to result in impacts on public trees. As such, standard conditions are recommended.

# **8 EXTERNAL REFERRALS**

## **8.1 Melbourne Water**

The application was referred to Melbourne Water who did not object to the proposal, subject to the following conditions:

- The entry to the basement carpark as shown on the plans submitted must be maintained and set no lower than 3.41 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the location.
- All pedestrian entries to the building including entry lobbies to tenancy areas must be maintained and set no lower than 3.41 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the location.
- The main lobby, exterior workshop, bin room, lift and stair lobby and associated areas must be set no lower than 3.41 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the location.
- No pedestrian entries to the building (tenancy, substation and commercial building manager) will be permitted at the northwest corner of the property where the flood level is

3.81 metres to Australian Height Datum (AHD) (council flooding). All entries to these areas must be through an area set no lower than 3.41 metres to AHD.

- Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum (AHD), must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

Melbourne Water advice:

- This property is subject to flooding from both Melbourne Water's drainage system and Council's catchment overland flow. The pondage flood level from Melbourne Water's drainage system is 3.11 metres to AHD which covers the southern half of the property. Overland flow flood level from Council's catchment grades from 3.81 metres to AHD at the northwest corner of the property down to 3.34 metres to AHD at the northeast corner of the property, also the flood grades from 3.81 metres to AHD at the northwest corner down to 3.11 metres to AHD at mid-way south of the property along the west property boundary. Given that the current factories are boundary to boundary, the proposed development will not have a significant impact on flood flow and flood storage.

Potential issues:

- Flood depth will be up to 760mm at the carpark entrance; given that the flooding type is pondage it is expected that the duration of flooding above safety will be a lot longer than 2 hours. The reason being for requesting a single entrance to the carpark and other areas from Albermarle Street, where the flooding is less than 400mm deep.

## 8.2 Transport for Victoria

The application was referred to Transport for Victoria who did not object to the proposal, subject to the following condition:

- The permit holder must take all reasonable steps to ensure that disruption to bus operation along both the Macaulay Road and Albermarle Street frontages is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing customerservice@ptv.vic.gov.au.

## 9 ASSESSMENT

The key issues in the assessment of the application are:

- Land use - shop with a leasable floor area greater than 150m<sup>2</sup>.
- Built form - height, scale and design having regard to heritage, neighbourhood character and the design objectives and built form controls in DDO63-A3.
- Amenity impacts and equitable development.
- Clause 58 and internal amenity.
- Parking, loading, traffic and waste.
- Potentially contaminated land.
- Environmentally sustainable design.
- Land subject to inundation.
- Aboriginal cultural heritage significance.
- Any other issues raised by the consultees and objectors.

## 9.1 Land use

A permit is required to use land as a shop with a leasable floor area greater than 150m<sup>2</sup> in the Mixed Use Zone (MUZ).

The development includes a 457.5m<sup>2</sup> retail unit on the ground floor adjoining Macaulay Road and Albermarle Street with access provided via the common entrance and lobby on Albermarle Street. The retail unit does not have an entrance on Macaulay Road due to Melbourne Water's requirements. It has direct access to the bin store through the lobby and car park. It does not have on site parking and relies on kerbside loading.

The retail use is consistent with the purpose of the MUZ, which provides for a range of residential, commercial and industrial uses and DDO63-A3, which encourages active and pedestrian oriented frontages with commercial uses along Macaulay Road.

The retail unit is compatible with the surrounding land uses, subject to conditions to limit the operating hours to 7am to 9pm seven days a week, and require a revised Waste Management Plan and a car parking space for staff in accordance with Engineering Services' referral comments.

Engineering Services do not object to kerbside loading, but note that there is no designated kerbside loading in proximity to the site and this may present a problem for deliveries. The applicant is advised that Council will not modify existing parking restrictions to accommodate this need.

## 9.2 Built form

### 9.2.1 Demolition

The site is located within Heritage Overlay Schedule HO251.

Clause 22.05 encourages the retention of the front part of C and many D graded buildings, which is generally considered to be the front two rooms in depth.

393-399 Macaulay Road is graded C and 369-391 Macaulay Road is graded D in the Heritage Places Inventory (March 2018). Amendment C258 proposes a significant and contributory grading, respectively.

The application proposes demolition of the internal elements, roof structures and the south boundary wall, except for an 8m long return from the corner of Albermarle Street (retention of the north, east and west boundary walls).

Council's Heritage Advisor did not support the extent of demolition and recommended that at least one bay of the roof structure and floor plates be retained.

While the roof structure and floor plates contribute to the three dimensional form of the buildings, their demolition is acceptable because:

- There are no internal controls in this instance.
- The roof structures are largely concealed behind the parapets and adjoining buildings with limited visibility from the public realm.
- The interiors are not readily appreciated from the public realm given the window coverings and sill heights.
- The extent of demolition proposed is required to achieve appropriate re-development and adaptable re-use of the heritage building that includes the long-term conservation of the most significant heritage fabric, albeit in an altered form.
- The development will retain the Macaulay Road and Albermarle Street facades and an 8m long section of the Little Hardiman Street façade, which will maintain the character and appearance of the buildings and their contribution to the streetscapes.

- A condition requiring a structural engineer's report is recommended to ensure that the retained portions of the buildings are supported during demolition and construction.

### 9.2.2 Alterations to the retained facades

Clause 22.05 requires that the renovation of visible parts of graded buildings form part of an authentic restoration or reconstruction process, or should not preclude it at a future date. Where there is no evidence of what a building originally looked like, renovations should be respectful of an interpretive modern design.

The application includes works to:

- Replace the doors and roller door on Macaulay Road with windows.
- Lower the sill heights on Albermarle Street by 7-8 brick courses.
- Re-purpose the door and roller door on Albermarle Street.
- Replace the window frames and glazing.
- Repair the render to 393-399 Macaulay Road and paint it light green.

Council's Heritage Advisor recommended that the paint be removed from the face brick that was not intended to be painted. This was relayed to the applicant, but they ultimately decided not to incorporate this recommendation. On balance, the proposed painting is acceptable as it does not apply paint to any unpainted surfaces and the light green colour is sympathetic to the red brick at 393-399 Macaulay Road.

Council's Heritage Advisor did not object to the alterations to the doors and windows, which have been altered and are largely non-original. Lowering the sill heights on Albermarle Street will not unreasonably affect the character and appearance of the host building and will significantly improve the active frontages, passive surveillance and internal amenity.

Permit conditions requiring a schedule of conservation works and 1:20 drawings of the fenestration and façade details at key junctions are recommended.

### 9.2.3 Height, scale and design

#### DDO63-A3

The site is affected by Design and Development Overlay Schedule 63 Area 3 (DDO63-A3).

DDO63 contains the following design objectives:

- *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.*

An assessment against the building height, built form outcomes and demonstrable benefits to the broader community is provided in the table below.

Area	Preferred maximum height	Absolute maximum height	Built form outcomes
A3	20m (6 storeys)	26m (8 storeys)	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p> <p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Protect the amenity of existing residential development by avoiding overlooking and overshadowing of private open space and minimising the visual impact of upper levels.</p>
All areas			<p>Ensure laneways have appropriate levels of access to daylight and sunlight.</p> <p>Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.</p> <p>Deliver a scale of development setback from the Moonee Ponds Creek environs which responds to the creek/ public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.</p> <p>Where development responds to flood risk by providing ramp structures or other flood mitigation measures, high quality urban design outcomes must be provided at the building and public interfaces.</p>

**Assessment:**

DDO63 states that development should not exceed the preferred maximum height. Development that exceeds the preferred maximum height must demonstrate each of the following:

- A demonstrable benefit to the broader community that includes amongst others:
  - Exceptional design quality.
  - A positive contribution to the public realm.
  - High quality pedestrian links where needed.
  - Good solar access to the public realm.

A permit cannot be granted to exceed the absolute maximum height (except in Area 5).

Building height does not apply to building services provided:

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

The development is eight storeys and 25.94m high, excluding building services.

While the development exceeds the preferred maximum height, it achieves the design objectives and built form outcomes of DDO63-A3 and provides a demonstrable benefit to the broader community.

More specifically, the height of the development is acceptable because:

- It provides a mid-rise, higher density residential development on a large site that does not directly interface with low-scale residential neighbourhoods (as identified on Map 1 of DDO63).
- It sits comfortably in the context of the existing, approved and proposed built form within this city block, which are predominantly six storeys.
- The nearest single dwelling is 47 Hardiman Street to the southwest, which has a north-south orientation and forms the end of a row of single storey period dwellings. The development forms a backdrop to this streetscape and the separation between the buildings ensures that it does not dominate streetscape.

- The retained facades maintain the character and appearance of the heritage buildings and the pedestrian friendly scale.
- The addition is appropriately setback from the street frontages and articulated by window openings and an open corridor so as not to result in visual bulk. A condition requiring a façade strategy for the east elevation is recommended.
- The development will provide for the amenity and equitable development of the adjoining properties, subject to a condition to increase the upper level setback from Little Hardiman Street to 4.5m from the centre of the laneway.
- Little Hardiman Street is not conducive to pedestrians and is already overshadowed. It has a 3.7m wide road reserve and permits vehicle movement in an eastbound direction only. The north side is designated as 'No Parking'. There are no pedestrian entrances off the laneway, only vehicle access points. The laneway is expected to carry increasing vehicle movements and decreasing pedestrian movements over time.
- The size, layout and 3.4m high floor to ceiling ensure that the retail unit can be adapted for a variety of uses over time.
- The layout of the development maximises opportunities for passive surveillance and interaction with the street.
- The development presents high quality urban design while responding to Melbourne Water's requirements.

Further, the development satisfies the criteria for demonstrable benefits to the broader community to justify exceeding the preferred maximum height by 5.94m (two storeys). The demonstrable benefits to the broader community include:

- Exceptional design quality, including the adaptive reuse of the heritage buildings and a contemporary addition with a simple, unified architectural expression that maintains the prominence of the retained facades rather than being heavily articulated. The development is an appropriate response to the site and its surrounds. It provides a high level of internal amenity and does not unreasonably affect the equitable development of the adjoining properties.
- The exceptional design quality together with the 457.5m<sup>2</sup> retail unit and opportunities for passive surveillance and interaction with the street, make a positive contribution to the public realm.
- In this instance, an on-site public open space contribution is not feasible having regard to the heritage constraints and is not required having regard to the site's proximity to Moonee Ponds Creek, North Melbourne Football Ground, J.J. Holland Park and pocket parks in the local area.
- A through block link is not required as the site is located on the corner of Macaulay Road and Albermarle Street.
- The shadow analysis demonstrates that the development will not overshadow the pocket park to the southwest during relevant times and that Little Hardiman Street is already overshadowed throughout the day. While the development will overshadow the footpath on the west side of Albermarle Street between 9am and 10am on the 22 September, it will not unreasonably affect the amenity of the street and the shadow cast by the development after 11am will largely fall on existing shadow.
- The development provides a mix of one, two and three bedroom dwellings and a range of communal spaces, including a laundry, workshop, bike repair, terrace/ clothes drying and a communal room on the seventh floor with a kitchen, dining room and toilet and two terraces.
- The development provides an overall car parking rate of 0.7 spaces per dwelling (52 spaces for 73 dwellings) allocated as follows:
  - 0.7 space per one and two bedroom dwelling (excluding studios)
  - One space per three bedroom dwelling
- The development presents an opportunity to increase the size of the basement and increase the bicycle parking rate to two spaces per dwelling. Conditions are recommended to this effect.

- The development presents the preliminary design potential to achieve Green Star – 5 Star ‘Australian Excellence’, 104% Storm Rating, low operational and maintenance cost to assist long-term financial affordability, passive design to minimise active requirements, and optimal daylight, sunlight and natural ventilation for the health and wellbeing of residents.
- Internal amenity exceeds the requirements of the Better Apartment Design Standards. A total of 93% of the dwellings are accessible to people with limited mobility, over and above the 50% required by Standard D17.
- Significantly, the applicant has committed 10% of the dwellings to be provided to key workers with a 20% discount applied to their rent. The applicant will work with a registered housing association to facilitate the selection of key workers. Conditions are recommended to secure this alternative housing model with a Section 173 Agreement.

An assessment against the street wall height and upper level setbacks in DDO63 is provided below.

Interface type shown on Map 1	Mandatory street wall height Preferred upper level setback
20m and 30m wide renewal street (Macaulay Road and Albermarle Street)	Development at the frontage must not exceed a height of six storeys. Development above the street wall should be setback 1m for every metre of height above 20m.
Laneway (Little Hardiman Street)	Development along the laneway must not exceed a height of three storeys. Development above the street wall should be setback 4m. In addition, development on the north side of an east-west laneway should be setback 1m for every metre of height above the preferred maximum height.

**Assessment:**

The development does not exceed the mandatory street wall heights.

The retained facades and infill development along the south boundary provide:

- A one and two storey street wall to Macaulay Road,
- A two storey street wall to Albermarle Street, and
- A one, two and three storey street wall to Little Hardiman Street, albeit with taller parapets.

The development seeks a variation to the preferred upper level setbacks.

The addition is setback 4.0m from Macaulay Road, 3.5m from Albermarle Street and 2.5m from Little Hardiman Street.

A variation of the preferred upper level setbacks is acceptable because:

- The street wall heights to Macaulay Road and Albermarle Street are notably less than the mandatory street wall heights in DDO63.
- The addition ‘holds the corner’ of Macaulay Road and Albermarle Street while respecting the heritage significance of the host buildings.
- The maximum variations to the upper level setbacks from Macaulay Road and Albermarle Street are relatively minor (2m and 2.5m respectively).
- Increasing the setbacks to the sixth and seventh floors would result in a contrived envelope and have a negligible impact on the perceived scale.
- DDO63 includes built form controls to allow daylight and sunlight to penetrate laneways and lower building levels. A variation of the preferred upper level setback to Little Hardiman Street is acceptable, subject to a condition to increase the setback to 4.5m from the centre of the laneway, for the following reasons:

- The laneway is already overshadowed and is not conducive to pedestrians. As previously discussed, it has a 3.7m wide road reserve and permits vehicle movement in an eastbound direction only. The north side is designated as 'No Parking'. There are no pedestrian entrances off the laneway, only vehicle accesses. The laneway is expected to carry increasing vehicle traffic and decreasing pedestrian traffic.
- A 4.5m setback from the centre of a laneway and a 9m separation between buildings is acceptable for privacy, and for light and outlook for buildings of six and eight-storeys.
- The development will not adversely affect the amenity or equitable development of the adjoining sites as set out in section 9.3 of this report.

DDO63 encourages buildings with ground level frontages to Macaulay Road to present an attractive pedestrian oriented frontage with commercial uses where practical and verandas for weather protection unless this would cause detriment to the heritage building or streetscape.

The development achieves this through the adaptive reuse of the heritage buildings and the large retail unit, shared lobby and communal areas on the ground floor.

A veranda would be an inappropriate addition to the heritage buildings.

#### Clause 22.05 – Heritage Places Outside the Capital City Zone

Clause 22.05 requires the height and form of a building to respect the scale and character of adjoining buildings and streetscapes. Additions to graded buildings in level 2 streetscapes should be partially concealed.

In proximity to the site, Macaulay Road is a level 2 streetscape and Albermarle Street is an ungraded streetscape (Heritage Places Inventory, March 2018).

The development sits comfortably in the context of the existing, approved and proposed built form within the city block bound by Macaulay Road, Hardiman Street, Bent Street and Albermarle Street, which are predominantly six storeys.

Albermarle Street (19.5m wide) provides an appropriate separation to the three storey warehouse conversions at 43-51 Albermarle Street and the juxtaposition of the eight and three storey buildings is not unacceptable having regard to the different characteristics of the city blocks in which they will be viewed.

The nearest single dwelling is at 47 Hardiman Street to the southwest, which has a north-south orientation and forms the end of a row of single storey period dwellings. The development forms a backdrop to this streetscape and the separation between the buildings ensures that it does not dominate streetscape.

The first, second and third floors of the addition will be partially concealed from street level by the tall parapets, maintaining the prominence of the heritage buildings and a human scale.

Clause 22.05 requires an interpretive façade pattern, simplified details and respectful materials.

The addition has a simple, unified expression that maintains the prominence of the retained facades rather than being heavily articulated. The details have been kept to a minimum so not to detract from or compete with the heritage buildings. The façade patterns and materials, comprising ribbed concrete and perforated corrugated mesh are visually recessive above the prominent red brick base.

#### Clause 22.17 – Urban Design Outside the Capital City Zone

Clause 22.17 encourages site responsive development, acknowledging that any development is part of a larger setting. It is policy that building scale is considered in terms of building location and alignment, subdivision pattern and human scale. In areas where a desire for built form change has been identified, the scale of development is encouraged to respond to the preferred built form.

The site is located within the 'Arden-Macaulay Urban Renewal Precinct', which is identified for built form change and higher density development as set out in Clause 21.16 and DDO63.

It is policy that building forms and surface treatments are appropriately articulated to moderate apparent bulk and mass and avoid blank walls. The north, south and west elevations are appropriately articulated, however the east elevation presents two blank walls. Conditions are recommended to ensure that the east elevation is appropriately articulated and the addition is designed 'in the round'. It is noted that the Urban Design Team recommended that the north elevation be broken-up to relate to the heritage buildings and retain a sense of grain and volume. The applicant submitted a without prejudice north elevation which showed how this could be done, but it was considered to erode the architecture and the addition appeared piecemeal when viewed at an angle together with the east-west open corridor. It is noted that the DDO seeks a more robust built form to Macaulay Road and the proposed building mass above the lower heritage street walls, including the split building form along Albermarle Street, is considered an acceptable response in this instance.

It is policy that building frontages give prominence to principal streets and ground floor frontages in Mixed Use Areas are visually evident and directly engage with the street. The layout of the ground floor, including the location of the retail unit, common entrance and vehicle access gives prominence to the hierarchy of streets, while responding to Melbourne Water's requirements. The alterations to the retained facades, including lowering the window sills on Albermarle Street, will significantly increase the active frontages.

It is policy that traffic conflicts are minimised, that crossovers are limited to the minimum necessary for access requirements and alcoves that detract from safe pedestrian environments are discouraged. The development achieves this with a single vehicle access/egress on Albermarle Street. While the security gate to the car park is setback 6m from the street frontage to allow inbound vehicles to queue within the site, passive surveillance of this area is provided by the adjoining workshop and lobby.

It is policy that elements/services above the roof are absorbed within the overall building or included in the roof design. The building services have been considered as part of the overall design and do not result in an unattractive roofscape.

It is policy that development considers wind effects and provides weather protection where it is an established pattern. The development will not result in unreasonable wind impacts. A veranda would be an inappropriate addition to the heritage buildings.

New buildings are encouraged to provide opportunities to enhance the landscape features of the area. Street trees are a landscape feature of Macaulay Road and Albermarle Street and a condition requiring a tree protection plan is recommended. The balconies and open corridor provide opportunities for landscaping to soften the appearance of the development and enhance the landscape features of the area. A permit condition requiring a landscape plan for the communal areas is recommended.

### **9.3 Amenity impacts and equitable development**

The adopted policies encourage development that minimises detrimental impacts on residential properties and considers the development potential of adjoining sites.

#### **9.3.1 East**

The development does not have any adjoining residential interfaces. To the east, the balance of 369-391 Macaulay Road is developed with a two storey commercial building with undercroft parking and a single storey extension setback from Macaulay Road to accommodate onsite parking. The east boundary walls and the layout of the development, including the 5m wide east-west open corridor and the position of the windows and balconies provide for the equitable development of the balance of 369-391 Macaulay Road and ensure that the development does not rely on borrowed amenity.

### 9.3.2 South

To the south, over Little Hardiman Street, 28-30 Albermarle Street contains a single storey factory/warehouse. Planning Permit Application TP-2015-1203 proposes a six storey mixed use building with retail and office on the ground floor and dwellings on the upper levels. The development has a three storey street wall to Little Hardiman Street and a 4.5m upper level setback from the centre of the laneway.

51-61 Hardiman Street contains a warehouse and associated parking and loading. Planning Permit TP-2016-1039 issued on 28 March 2018 allows construction of five, four storey townhouses and a six storey mixed use building containing a café and dwellings. The development has a three storey street wall to Little Hardiman Street and a 4.5m upper level setback from the centre of the laneway.

63 Hardiman Street contains a three storey dwelling that forms part of a row of warehouse conversions between 63 and 67A Hardiman Street. The townhouses have pedestrian access from Hardiman Street and vehicle access from Little Hardiman Street. Lower ground provides car parking and undercroft storage. Private open space is provided by way of level 1 balconies at the front and level 2 balconies in the middle of the sites.

The proposed development at 369-391 and 393-399 Macaulay Road has a one to three storey street wall to Little Hardiman Street and a 4.33m to 4.38m upper level setback from the centre of the laneway. A condition is recommended to increase the setback to 4.5m from the centre of the laneway to provide a 9m separation between the buildings. A 9m separation is acceptable for privacy and light and outlook between eight and six storey buildings.

The lower levels of the development will have direct views (9m distance and 45 degree arch) into the habitable room windows on the opposite side of Little Hardiman Street at 63 Hardiman Street (existing) and 51-61 Hardiman Street (approved). A condition is recommended requiring that these windows and balconies be screened in order to prevent unreasonable opportunities for overlooking to occur.

The development will not unreasonably overshadow the secluded private open space at 63-67A Hardiman Street having regard to the shadow cast by the existing and approved built form.

### 9.3.3 West

To the west, over Albermarle Street, 43-51 Albermarle Street contains a red brick warehouse that has been converted into five, three storey dwellings with rooftop terraces.

47 Hardiman Street contains a single storey dwelling with a rear garage and backyard.

The proposed development will not unreasonably affect the amenity of these dwellings having regard to the 23m (minimum) separation provided by the 3.5m upper level setback and the 19.5m wide road reserve. The shadow diagrams demonstrate that the development will increase overshadowing only between 9am and 9.30am on 22 September and that the dwellings will continue to receive adequate sunlight throughout the day.

## 9.4 Clause 58 and internal amenity

The dwellings have flexible and functional layouts with generous sized and regular shaped rooms and balconies. A total of 93% of the dwellings are dual aspect and accessible to people with limited mobility. The open corridors punctuated with lightwells maximise light and natural ventilation and facilitate increased social interaction.

It follows that the development meets the objectives of Clause 58. Variations to the standards are discussed below.

### Standard D7 – Communal Open Space

Standard D7 requires that developments with 40 or more dwellings provide at least 2.5m<sup>2</sup> communal open space per dwelling or 250m<sup>2</sup>, whichever is lesser. This equates to 182.5m<sup>2</sup> communal open space for the development (73 dwellings).

The development provides 87.4m<sup>2</sup> communal open space and 121.0m<sup>2</sup> communal indoor space, including laundry, workshop, bike repair, terrace/ clothes drying and a 66.1m<sup>2</sup> communal room on the seventh floor with a kitchen, dining and toilet and two terraces.

A variation of Standard D7 is acceptable having regard to the variety of indoor and outdoor communal areas (208.4m<sup>2</sup> in total) and the size of the dwellings and balconies, many of which exceed the minimum standards.

#### Standard D10 – Landscaping

Table D2 to Standard D10 requires that the development provide 155.1m<sup>2</sup> deep soil areas with a minimum dimension of 6m and three medium trees or two large trees.

Standard D10 states that if the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

The development includes climbers and planter boxes to each of the common circulation areas, which is acceptable. A condition requiring a landscape plan is recommended for the communal areas.

#### Standard D10 – Building Setback

Standard D10 requires that development respond to the features of the site and surrounds, and be setback to provide adequate light and outlook to new windows and avoid direct views.

A condition is recommended to increase the upper level setback to 4.5m from the centre of Little Hardiman Street to provide a 9m separation to the approved and proposed residential buildings opposite. A 9m separation is acceptable for privacy and light and outlook between eight and six-storey buildings.

## **9.5 Parking, loading, traffic and waste**

### **9.5.1 Car parking provision**

The development contains a 457.5m<sup>2</sup> shop, 60 one and two bedroom dwellings and 13 three bedroom dwellings, which generate a statutory requirement of 102 spaces, including 16 for the shop and 86 for the dwellings.

The development provides 52 spaces and therefore seeks a reduction of 50 spaces, including 16 for the shop and 34 for the dwellings.

The 52 spaces will be allocated at a rate of one space per three bedroom dwelling and 0.7 spaces per one and two bedroom dwelling (excluding studios).

As proposed, 52 dwellings will have one space and 21 dwellings will be car free.

While Engineering Services object to the reduction of parking on the grounds that it could increase demand for on-street parking and disadvantage existing residents, the reduction of parking is acceptable having regards to:

- The State and Local planning policies that encourage sustainable transport modes and a reduction of parking for new uses and developments that have heritage constraints and good access to public transport (Strategies 1.4 and 1.5 of Clause 21.09-5).
- The site's proximity to public transport, including Macaulay Train Station 200m east, Kensington Train Station 270m west and Bus Route #402 that stops in front of the site and connects Footscray Train Station and East Melbourne. It is noted that 400m is generally accepted as a minimum reasonable walking distance.
- The site's proximity to activity centres, community infrastructure and public open space.

- ABS Census data that demonstrates lower levels of car ownership in the area.
- Residents of the development will not be eligible for parking permits and will not be exempt from parking restrictions.
- The availability of on-street parking for visitors in the evenings and weekends.
- It is anticipated that the shop will serve the local community and that the majority of staff and customers will already be in the area and/or travel by sustainable transport modes.
- The site presents an opportunity to increase the size of the basement and increase the bicycle parking rate to two spaces per dwelling. Permit conditions are recommended to this effect.
- A permit condition is recommended to provide one parking space for the retail unit, in accordance with Engineering Services' referral comments.

### **9.5.2 Bicycle parking provision**

The development generates a statutory requirement of 22 spaces, including 15 resident spaces and seven visitor spaces.

The development provides 71 spaces; 65 within the basement for residents and six at ground level for visitors.

While the development exceeds the statutory requirement and the storage cages, large balconies and open corridors provide additional opportunities for bicycle parking, the site presents an opportunity to increase the size of the basement and increase the bicycle parking rate to two spaces per dwelling, which will meet the likely demand and support the reduction of car parking. Permit conditions are recommended to this effect and to provide seven visitor spaces at ground level rather than six, in line with Engineering Services' referral comments.

### **9.5.3 Loading**

Clause 65.01 requires consideration of the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

The development relies on kerbside loading for shop deliveries and residents moving in to and out of the building.

While there is no designated kerbside loading in proximity to the site, Engineering Services did not object to kerbside loading.

### **9.5.4 Rubbish storage and collection**

Engineering Services did not object to the proposal subject to the submission of a revised waste management plan, including:

- Scaled drawings of the on-street bin location.
- Residential and commercial bins stored in separate rooms.
- A minimum 2m<sup>2</sup> hard waste in a space accessible to residents.

## **9.6 Potentially contaminated land**

The site is affected by an Environmental Audit Overlay.

Clause 45.03 requires that before a sensitive use commences (residential, child care, pre-school or primary school) or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or

- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

The applicant has requested that this be dealt with by condition.

### **9.7 Environmentally sustainable design**

Clause 22.19 requires that applications for buildings over 2,000m<sup>2</sup> GFA demonstrate that the building has the preliminary design potential to achieve the relevant performance measures set out in Clause 22.19-5.

Clause 22.19-5 requires that residential developments over 5,000m<sup>2</sup> GFA achieve:

- 1 point for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent.
- 5 star rating under a current version of the Green Building Council of Australia's Green Star – Multi Unit Residential rating tool or equivalent.

Clause 22.23-4 requires that applications be accompanied by a water sensitive urban design response.

The Environmentally Sustainable Design (ESD) Report by Atelier Ten dated April 2018 demonstrates that the development has the preliminary design potential to achieve Green Star – 5 Star 'Australian Excellence', 104% STORM Rating, low operational and maintenance costs to assist long-term financial affordability, passive design to minimise active requirements, and optimal daylight, sunlight and natural ventilation for the health and wellbeing of residents.

Conditions are recommended to ensure that the sustainability initiatives are achieved in the completed development.

### **9.8 Land subject to inundation**

The site is affected by the Land Subject to Inundation Overlay and the application was referred to Melbourne Water (determining authority), in accordance with Clauses 44.04 and 66.03.

Melbourne Water did not object to the proposal subject to the conditions set out in section 8.1 of this report.

### **9.9 Aboriginal cultural heritage significance**

The site is located within an area of Aboriginal cultural heritage significance.

The advice from Pragmatic Cultural Heritage Services dated 19 April 2018 concludes that site has been subject to significant ground disturbance and does not require a cultural heritage management plan because the activity area is no longer an area of cultural heritage sensitivity under the Aboriginal Heritage Act 2006.

### **9.10 Any other issues raised by the consultees or objectors**

Some objectors raised concern regarding noise and general disruption during construction. A permit condition requiring a construction management plan is recommended.

Some objectors raised concern regarding damage to the adjoining properties during construction, which is not a relevant planning consideration and is managed as part of the building permit process.

### **9.11 Conclusion**

The proposal is generally consistent with the relevant sections of the Melbourne Planning Scheme. It is recommended that a Notice of Decision to Grant a Permit is issued subject to the following conditions.

## 10 RECOMMENDATION

That a Notice of Decision to Grant a Permit be issued subject to the following conditions:

### Amended plans

1. Prior to the commencement of the development, including demolition and bulk excavation, two copies of plans, drawn to scale must be submitted to the Responsible Authority, generally in accordance with the drawings by Fieldwork received 12 July 2018, but amended to show:
  - a) A minimum of one onsite car parking space allocated to staff of the retail unit.
  - b) A flashing signalling system at the vehicle access/egress to alert pedestrians to outbound vehicles and indicate to inbound vehicles that the 4m wide accessway is occupied by an outbound vehicle.
  - c) A minimum of seven bicycle parking spaces at ground level for visitors.
  - d) The basement and associated bicycle store enlarged to accommodate a minimum bicycle parking rate of two spaces per dwelling.
  - e) Lift dimensions to clearly demonstrate a minimum internal width of at least 1.9m to accommodate bicycles.
  - f) The upper level setback from Little Hardiman Street increased to a minimum of 4.5m from the centre of the laneway.
  - g) A façade strategy for the east elevation to clearly demonstrate that it is appropriately articulated and does not present a blank wall.
  - h) All habitable room windows, balconies and terraces with direct views (within a 9m distance and 45 degree arch) to the habitable room windows and private open space of 63 Hardiman Street and the approved development at 51-61 Hardiman Street screened generally in accordance with Standard B22.
  - i) Any changes as required of the Structural Report required by condition 6.
  - j) Any changes as required by the conservation management plan required by condition 7.
  - k) Any changes as required by Melbourne Water's requirements required by conditions 17 to 21.
  - l) Any changes as required by the revised Waste Management Plan required by condition 26.
  - m) 1:20 drawings of the fenestration and façade details at key junctions.
  - n) Outward opening doors onto the public realm redesigned to comply with Council's Road Encroachment Guidelines.

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

### Endorsed plans

2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

### **Materials and finishes**

4. Prior to the commencement of the development, including demolition and bulk excavation, a schedule and samples of all external materials, colours and finishes including a colour render and notated plan/elevation must be submitted to and approved by the Responsible Authority.

### **Non-reflective glazing**

5. Glazing materials used on all external walls must be of a type that do not reflect more than 15% of visible light when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.

### **Structural report**

6. Prior to the commencement of the development, including demolition and bulk excavation, a report prepared by a suitably qualified Structural Engineer or equivalent, must be submitted to the Responsible Authority demonstrating the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to Melbourne City Council and be to the satisfaction of the Responsible Authority.

### **Conservation management plan**

7. Prior to the commencement of the development, including demolition and bulk excavation, a Conservation Management Plan for the heritage buildings must be submitted to and approved by the Responsible Authority. The Conservation Management Plan must include:
  - a) Detailed plans at an appropriate scale, which provide accurate and complete details of works to the retained facades, including but not limited to part demolition and new windows, doors, external painting and repair works.

When approved, the Conservation Management Plan will form part of the permit. Works to the heritage buildings approved under this permit must be undertaken in accordance with the Conservation Management Plan to the satisfaction of the Responsible Authority.

### **Land survey**

8. Prior to the commencement of development, including demolition and bulk exaction, the land must be held under one registered title to the satisfaction of the Responsible Authority.

### **Management plan for alternative housing model**

9. Prior to occupation of the development, a management plan for all dwellings detailing the parameters of rental payment/rate, purchase price and any associated annual increases to be agreed between the prospective tenant/owner and the housing provider (Assemble) at the point of contract must be submitted to the Responsible Authority. The management plan must also include provision of regular reporting to Council for all dwellings at (for example) years 1, 3 and 5.

Once endorsed by the Responsible Authority, the management plan will form part of the permit.

### **S173 Agreement for alternative housing model**

10. Prior to occupation of the development, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with Melbourne City Council and the housing provider (Assemble) to provide for the following:
  - a) At least 10% of the dwellings must be provided to 'key workers' with a 'moderate income' range consistent with Section 3AB of the *Planning and Environment Act 1987*.

- b) Rental discounts of at least 20% applied to the rental payments of 'key workers'.
- c) A methodology for the selection of 'key workers' to the satisfaction of the responsible authority.
- d) All dwellings on site must be delivered, managed, leased and sold in accordance with the approved 'management plan for alternative housing model' required by condition 9 of the permit.
- e) This restriction, as it applies to each individual dwelling, will expire at the point of sale of each individual dwelling.

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

### **Construction management plan**

11. Prior to the commencement of the development, including demolition and bulk excavation, a detailed demolition and construction management plan must be submitted to and be approved by the City of Melbourne – Construction Management Group. This demolition and construction management plan must be prepared in accordance with the City of Melbourne – Construction Management Plan Guidelines and is to consider the following:
- a) Staging of construction.
  - b) Management of public access and linkages around the site during construction.
  - c) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian accessways).
  - d) Any works within the adjoining street network road reserves.
  - e) Sediment control and site drainage.
  - f) Hours of construction.
  - g) Control of noise, dust and soiling of roadways.
  - h) Discharge of polluted waters.
  - 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.

### **Civil design**

12. Prior to the commencement of the development, including demolition and bulk excavation, a stormwater drainage system incorporating integrated water management design principles must be submitted to and approved by the Responsible Authority – Engineering Services. 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 the Responsible Authority – Engineering Services.
13. 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 Responsible Authority – Engineering Services.

14. The footpaths adjoining the site along Macaulay Road and Albermarle Street must be reconstructed together with associated works including the reconstruction or relocation of kerb and channel and/or services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.
15. Existing street levels in Macaulay Road and Albermarle Street must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Engineering Services.
16. 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. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – Engineering Services.

### **Melbourne Water**

17. The entry to the basement carpark as shown on the plans submitted must be maintained and set no lower than 3.41 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the location.
18. All pedestrian entries to the building including entry lobbies to tenancy areas must be maintained and set no lower than 3.41 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the location.
19. The main lobby, exterior workshop, bin room, lift and stair lobby and associated areas must be set no lower than 3.41 metres to Australian Height Datum (AHD) which is 300mm above the applicable flood level at the location.
20. No pedestrian entries to the building (tenancy, substation and commercial building manager) will be permitted at the northwest corner of the property where the flood level is 3.81 metres to Australian Height Datum (AHD) (council flooding). All entries to these areas must be through an area set no lower than 3.41 metres to AHD.
21. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum (AHD), must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

### **Transport for Victoria**

22. The permit holder must take all reasonable steps to ensure that disruption to bus operation along both the Macaulay Road and Albermarle Street frontages is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing customerservice@ptv.vic.gov.au.

### **Environmentally sustainable design**

23. The performance outcomes specified in the Environmentally Sustainable Design (ESD) Report by Atelier Ten dated April 2018 must be achieved in the completed development.
24. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed ESD Statement, must be documented by the author of the endorsed ESD statement in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.
25. Within six months of occupation of the development, a report must be provided to the satisfaction of the Responsible Authority, which details the designed initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed ESD Statement.

### **Waste management**

26. Prior to the commencement of the development, including demolition and bulk excavation, a revised Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The revised WMP must be generally in accordance with the WMP by Leigh Design Pty Ltd dated 16 April 2018, but amended to show:

- a) Council will perform twice weekly kerbside collection from Albermarle Street. One of the collections must coincide with the designated collection for the area.
- b) Scaled drawings of the on-street bin location.
- c) Residential and commercial bins stored in separate rooms.
- d) At least 2m<sup>2</sup> hard waste located in a space that is accessible to residents.

The WMP must not be altered without prior consent of the City of Melbourne – Engineering Services.

27. 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 the Responsible Authority.

### **Landscaping**

28. Prior to commencement of development, including demolition and bulk excavation, a scheme for landscaping and planting in connection with the communal areas must be submitted to and approved by the Responsible Authority. 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.

### **3D model**

29. Prior to the commencement of the development, excluding demolition and bulk excavation, a 3D digital model of the approved development must be submitted to and must be to the satisfaction of the Responsible Authority. The model should be prepared having regard to the Advisory Note - 3D Digital Modelling Melbourne City Council. Digital models provided to the Melbourne City Council may be shared with other government organisations for planning purposes. The Melbourne City 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 be to the satisfaction of the Responsible Authority.

### **Building appurtenances and services**

30. All building plant and equipment on the roofs, balcony areas and common areas are to be concealed to the satisfaction of the Responsible Authority. 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.

31. 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, unless otherwise approved to the satisfaction of the Responsible Authority.

32. All service pipes, apart from roof downpipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.

33. Heating and cooling units must not be located on balconies less than 9.5m<sup>2</sup>.

### Street trees

34. Prior to the commencement of the development, including demolition and bulk excavation, a Tree Protection Plan (TPP) for any public trees that may be affected by the development, must be provided to the satisfaction of the Responsible Authority – Urban Forestry & Ecology. The TPP must 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 finalised Construction and Traffic Management Plan, including any public protection gantries.
  - c) Site specific details of the temporary tree protection fencing to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.
  - d) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned tree. These must be provided for any utility connections or civil engineering works.
  - e) Full specifications of any pruning required to publicly owned trees.
  - f) Any special arrangements required to allow ongoing maintenance of publicly owned trees for the duration of the development.
  - g) Name and contact details of the project arborist who will monitor the implementation of the Tree Protection Plan for the duration of the development (including demolition).
  - h) Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release). Interim reports of monitoring must be provided to Council's email via [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au).
35. Following the approval of a Tree Protection Plan (TPP) a bank guarantee 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 demolition and construction activities. The bond amount will be calculated by Melbourne City Council and provided to the applicant/developer/owner of the site. Should any tree be adversely impacted on, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.
36. In the event that a construction management plan or traffic management plan changes any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed Tree Protection Plan (TPP), a revised TPP must be provided to the satisfaction of the Responsible Authority – Urban Forestry & Ecology. When approved, the revised TPP will be endorsed to form part of the permit and will supersede any previously endorsed TPP.
37. In the event that public trees are proposed for removal at any stage of the development, the applicant must submit plans for the approval of Melbourne City Council that show replacement and or additional tree plots of a larger size and increased soil volume than currently exists in the street frontages adjacent to the development.
38. All works, including demolition and bulk excavation, within the Tree Protection Zones 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.

### **Potentially contaminated land and remediation**

39. Prior to the commencement of the development, excluding demolition and bulk excavation, the owner of the site must provide either:
- a) A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970; or
  - b) A Statement of Environmental Audit under Section 53Z of the Environment Protection Act 1970. This Statement must specifically state that the site is suitable for the intended use(s) hereby permitted.

### **Car parking allocation**

40. Of the 52 car parking spaces, one space must be allocated to staff of the retail unit. The remaining 51 spaces must be allocated to the two and three bedroom dwellings, with no more than one space allocated to each dwelling.

### **Operating hours**

41. The shop (other than adult sex product shop) hereby permitted must only be open for the use between the hours of 7am to 9pm.

### **Development time limit**

42. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
  - b) The development is not completed within four 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 development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

### **Notes:**

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.

The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.

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.

All necessary approvals and permits are to be first obtained from Melbourne City Council and the works performed to the satisfaction of Melbourne City Council – Manager Engineering Services.

In accordance with the City of Melbourne Tree Retention and Removal Policy 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).

Please note that insurance bonds are not accepted by the City of Melbourne. 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.

At the time of lodgement of the bank guarantee written confirmation that identifies the name of the Project Arborist who will supervise the implementation of the Tree Protection Plan will be required in writing. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the project and a final completion report confirms that the health of the subject public trees has not been compromised.

All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a tree to be removed, must be met by the applicant/developer/owner of the site. The costs of these works will be provided and must be agreed to before council removes the subject trees.

Under the Resident Priority Parking Permit scheme, occupiers of the development approved by this permit are not eligible to obtain resident priority parking permits or visitor vouchers.

**Melbourne Water advice:**

This property is subject to flooding from both Melbourne Water's drainage system and Council's catchment overland flow. The pondage flood level from Melbourne Water's drainage system is 3.11 metres to AHD which covers the southern half of the property. Overland flow flood level from Council's catchment grades from 3.81 metres to AHD at the northwest corner of the property down to 3.34 metres to AHD at the northeast corner of the property, also the flood grades from 3.81 metres to AHD at the northwest corner down to 3.11 metres to AHD at mid-way south of the property along the west property boundary. Given that the current factories are boundary to boundary, the proposed development will not have a significant impact on flood flow and flood storage.