

# 218-246 Macaulay Road, North Melbourne

Date of Report: March 2023

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## 218-246 Macaulay Road, North Melbourne

Date of Report: March 2023

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# 1 Introduction

This Town Planning Report has been prepared on behalf of Ceapal Pty Ltd in support of the development of the land at 218-246 Macaulay Road, North Melbourne (the subject site) for the purpose of a mixed use development.

Specifically, the application proposes the construction of a 6-12 storey development incorporating a mix of land uses including dwellings, retail premises and a supermarket.

This report provides:

- A description of the site and its surrounds;
- An outline of the applicable statutory planning framework;
- An urban context and design response analysis;
- A description of the proposal; and
- An assessment of the proposal taking into account the relevant town planning considerations.

This report is prepared in accordance with the relevant provisions of the Melbourne Planning Scheme, including the applicable sections of the Municipal Strategic Statement and all relevant Local Policies.

The project team comprises:

**Rothe Lowman**  
Project Architects

**Contour Consultants Australia**  
Town Planners

**GIW Environmental Solutions**  
Sustainability

**Tract Consultants**  
Landscape Architects

**Stantec**  
Traffic Engineers

**Leigh Design**  
Waste Management

**JEM Archaeology**  
Cultural Heritage Consultants

**RWDI**  
Wind and Acoustic Consultants

**Hellier McFarland**  
Land Surveyors

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## 2 Subject Site and Surrounds

### 2.1 Subject Site

The subject site is located on the north-western corner of Macaulay Road and Boundary Road in North Melbourne and is approximately 170 metres to the east of Macaulay Railway Station.

The subject site is a rectangular shaped allotment, consisting of four parcels.

The land is formally described as:

- Lot CM on Registered Plan 17165
- Lot 1 on Registered Plan 17165
- Lot 2 on Registered Plan 17165
- Lot 3 on Registered Plan 17165

The site has a frontage to Macaulay Road of approximately 78.84 metres, a frontage to Boundary Road of approximately 98.43 metres, and a total site area of approximately 7,811m<sup>2</sup>.

The site is currently occupied by a brick warehouse, which covers the majority of the site, with the exception of concrete hard stand areas along the eastern and southern frontages.

Vehicular access is available via three crossovers, one to the south-western corner along Macaulay Road, and two located along the eastern boundary of the site to Boundary Road.

Trees are located along the southern and eastern boundaries of the site.

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## 2 Subject Site and Surrounds

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Figure 2.1  
Aerial View of Subject Site

Source: Nearmap, Photo Dated 1 January 2023



### 2.2 Surrounds

The immediate surrounding area is categorised by a mix of industrial, commercial and residential uses, and the properties immediately adjacent to the subject site can be described as follows:

#### North

- 41-45 Boundary Road, which is occupied by a double storey building used as an education facility.
- 3/59-63 Mark Street, which is occupied by a double storey warehouse.

#### East

- 13-35 Catyre Crescent, which includes double-storey townhouses which sit behind a tall brick fence extending along the Macaulay Road frontage.
- 11 Catyre Crescent, which is occupied by a two-storey apartment building.
- 2 Boundary Road, which is occupied by a double storey hotel (formerly Hotel Kensington).

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## 2 Subject Site and Surrounds

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### South

To the southern side of Macaulay Road are a number of properties within the Special Use Zone, including:

- 265-273 Macaulay Road, occupied by a commercial office.
- 261-263 Macaulay Road, occupied by a commercial office.
- 257-259 Macaulay Road, occupied by a delicatessen / café.
- 253-255 Macaulay Road, occupied by a mechanic.
- 243-251 Macaulay Road, occupied by a car wash.

### West

- 248-276 Macaulay Road, which is occupied by a double storey Store building occupied by National Storage.

Other services and facilities in proximity to the site include:

- Clayton Reserve and Canning Street and Macaulay Road Reserve, approximately 100m to the east.
- Macaulay Railway Station, approximately 130m to the west.
- Bus Route 402, with the nearest stop approximately 130m to the west.
- Woolworths North Melbourne, approximately 140m to the east.
- Moonee Ponds Creek Trail, approximately 230m to the west.
- North Melbourne Recreation Reserve, approximately 450m to the south-east.
- Kensington Railway Station, approximately 600m to the west.
- St Aloysius College, approximately 700m to the north-east.

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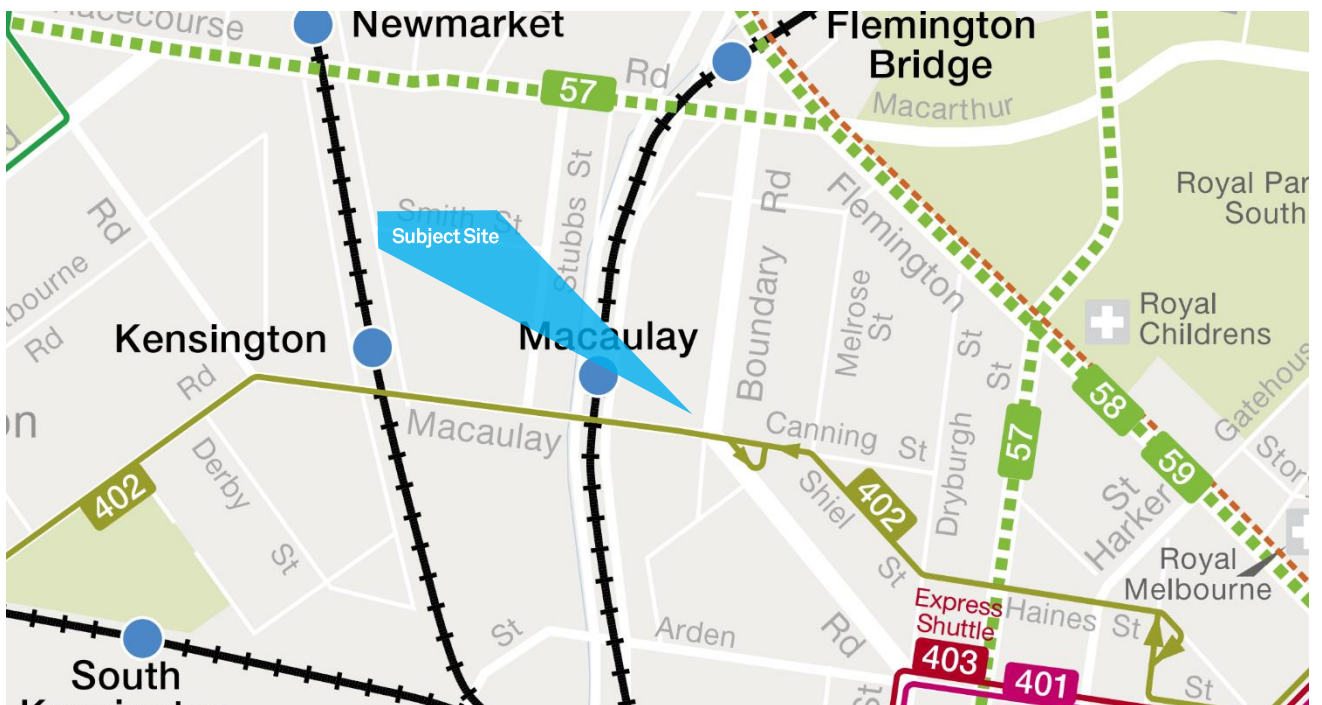
Figure 2.2  
Aerial View of Subject Site and Surrounds

Source: Nearmap, Photo Dated 1 January 2023



Figure 2.3  
Transport Map

Source: ptv.vic.gov.au



# 3 Statutory Planning Provisions

## 3.1 Municipal Planning Strategy

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The site is affected by the Melbourne Planning Scheme (the Planning Scheme) and the following Municipal Planning Strategy provisions are relevant:

- Clause 02.01 Context
- Clause 02.02 Vision
- Clause 02.03 Strategic Directions
  - Clause 02.03-1 Settlement
  - Clause 02.03-2 Environmental and landscape values
  - Clause 02.03-3 Environmental Risks and Amenity
  - Clause 02.03-4 Built Environment and Heritage
  - Clause 02.03-5 Housing
  - Clause 02.03-6 Economic Development
  - Clause 02.03-7 Transport
  - Clause 02.03-8 Infrastructure
- Clause 02.04 Strategic Framework Plans

Clause 02.03-1 identifies Macaulay as:

*'...an area in transition. Historically, an industrial area supporting the city's economy through manufacturing and production, the profile of business activity in the area has been changing. The Melbourne Metro station project and the proposed North Melbourne Station will lead to major change and urban renewal of the precinct. Important issues include the interface between on-going industrial and residential areas, and the interface between new development and existing residential areas. Sensitive use buffers will play an important role in protecting these uses.'*

Clause 02.03-4 (Built Environment and Heritage) notes that in managing the built environment, the Council will in all Urban Renewal Areas:

- *Provide a complementary transitional scale to adjoining areas where the built form character is to be maintained.*
- *Encourage a development pattern that is permeable and fine-grained.*

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Clause 02.03-4 also notes that in promoting sustainable development, the Council will:

- *Ensure an environmentally sustainable urban environment and building design that facilitates reduced greenhouse emissions, integrated water management, and efficient resource use and waste reduction.*
- *Ensure the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise.*
- *Encourage environmentally sustainable building design innovation.*
- *Encourage the connection of buildings to district energy, water and waste systems through a precinct-wide approach.*

Clause 02.03-5 (Housing) outlines that the Council will:

...

- *Encourage the most significant housing and population growth to the Central City and urban renewal areas.*
- *Ensure that new residential development achieves high standards of amenity including access to sunlight and daylight and protection from overlooking.*
- *Ensure social and physical infrastructure provision as part of residential development.*
- *Support a range of housing types and tenures to meet the diverse of housing needs.*

With regard to supporting employment and innovation, Clause 02.03-6 (Economic Development) notes that the Council will:

- *Support development that reinforces the City's role as Victoria's principal centre for commerce.*
- *Support the Central City Retail Core and local retail uses.*
- *Ensure a proliferation of eating and entertainment uses do not undermine the character and range of services offered in local retail centres.*

...

- *Encourage a mix of commercial and business services that provide employment opportunities for local residents, appropriate to the location with off-site impacts managed consistent with the local amenity.*

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Clause 02.03-7 (Transport) details that the Council will:

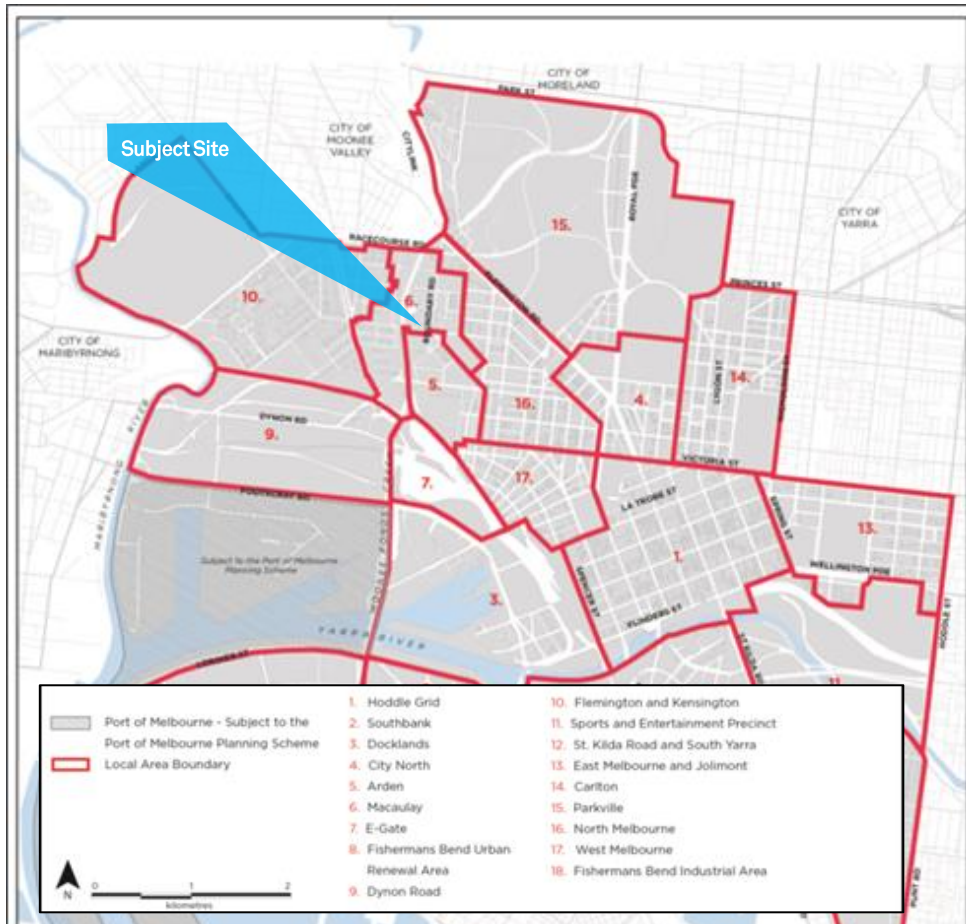
- *Develop and maintain a comprehensive, safe, comfortable and convenient pedestrian and cycling network.*
- *Protect and enhance the laneways as a significant element of the pedestrian network and public realm.*
- *Support the provision of public bike hire stations convenient to pedestrians and public transport.*
- *Maximise the use of public transport through an efficient urban structure.*
- *Encourage public transport as the primary mode of access to the Central City by planning for the network and encouraging integrated development.*

Clause 02.04-2 (Local Areas Plan) indicates that the subject site is located in Local Area 6 (Macaulay).

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Figure 3.1  
Local Areas Plan at Clause 02.04-2

Source: Melbourne Planning Scheme. March 2023



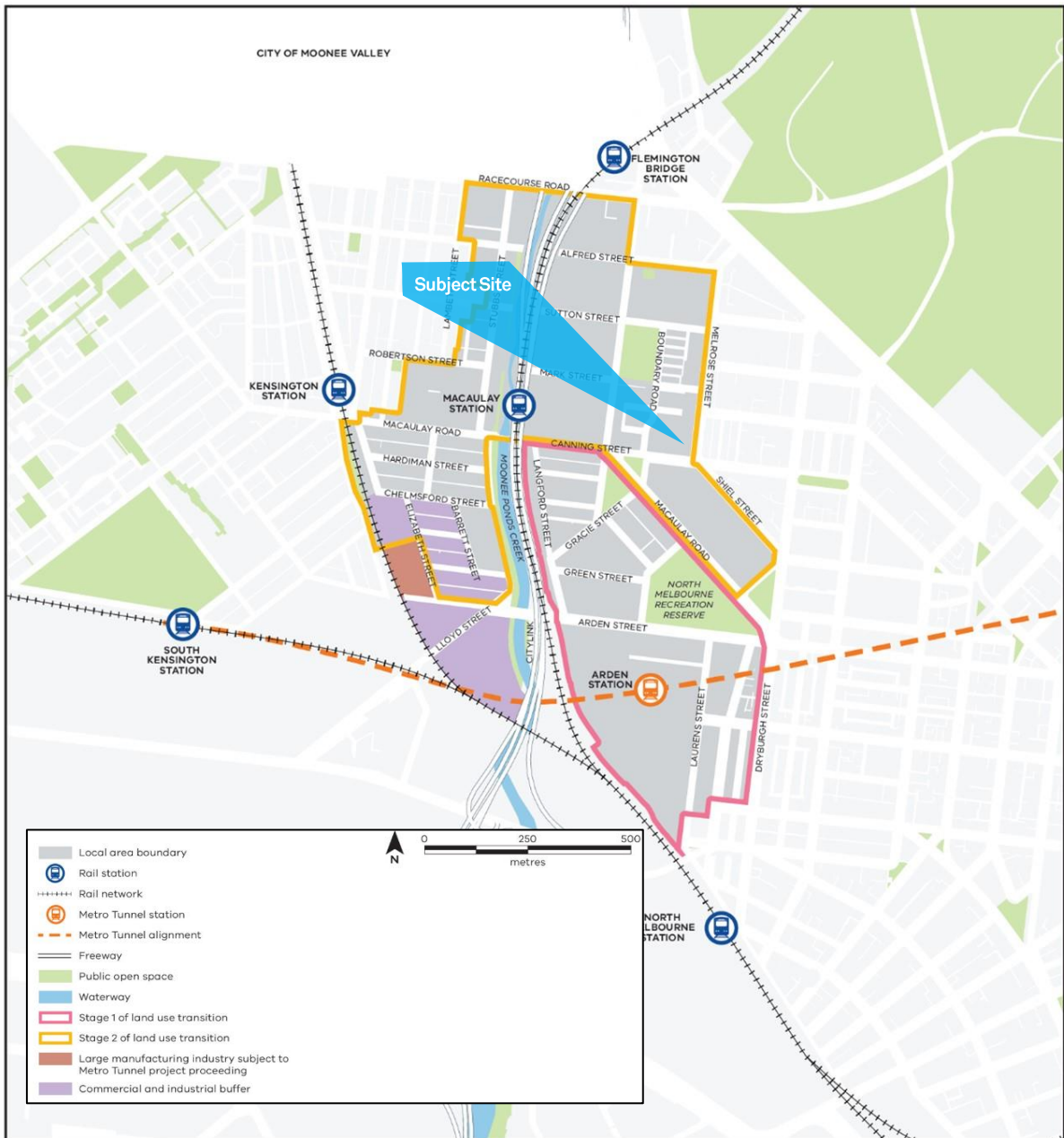
### 3 Statutory Planning Provisions

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Clause 02.04-7 (Arden and Macaulay Plan) details that the subject site is located within Stage 2 of land use transition.

Figure 3.2  
Arden and Macaulay Plan at Clause 02.04-7

Source: Melbourne Planning Scheme, March 2023



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#### 3.2 Planning Policy Framework

The following Planning Policy Framework provisions are relevant:

- Clause 11 Settlement
  - Clause 11.01 Victoria
  - Clause 11.02-1S Settlement
  - Clause 11.01-1R Settlement – Metropolitan Melbourne
  - Clause 11.02 Managing Growth
  - Clause 11.02-1S Supply of Urban Land
  - Clause 11.03 Planning for Places
  - Clause 11.03-1S Activity Centres
  - Clause 11.03-1R Activity Centres – Metropolitan Melbourne
- Clause 13 Environmental Risks and Amenity
  - Clause 13.03 Floodplains
  - Clause 13.03-1S Floodplain Management
  - Clause 13.04 Soil Degradation
  - Clause 13.04-1S Contaminated and Potentially Contaminated Land
  - Clause 13.05 Noise
  - Clause 13.05-1S Noise Management
  - Clause 13.07 Amenity, Human Health and Safety
  - Clause 13.07-1S Land Use Compatibility
  - Clause 13.07-1L-03 Land Use Compatibility
- Clause 15 Built Environment and Heritage
  - Clause 15.01 Built Environment
  - Clause 15.01-1S Urban Design
  - Clause 15.01-1R Urban Design – Metropolitan Melbourne

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- Clause 15.01-1L-03 Sunlight to Public Spaces
  - Clause 15.01-1L-04 Urban Design
  - Clause 15.01-1L-05 Urban Design Outside the Capital City Zone
  - Clause 15.01-2S Building Design
  - Clause 15.01-2L-01 Energy and Resource Efficiency
  - Clause 15.01-4S Healthy Neighbourhoods
  - Clause 15.01-4R Healthy Neighbourhoods – Metropolitan Melbourne
  - Clause 15.01-5S Neighbourhood Character
  - Clause 16 Housing
    - Clause 16.01 Residential Development
    - Clause 16.01-1S Housing Supply
    - Clause 16.01-1R Housing Supply –Metropolitan Melbourne
    - Clause 16.01-2S Housing Affordability
  - Clause 17 Economic Development
    - Clause 17.01 Employment
    - Clause 17.01-1S Diversified Economy
    - Clause 17.01-1R Diversified Economy Metropolitan Melbourne
    - Clause 17.02 Commercial
    - Clause 17.02-1S Business
  - Clause 18 Transport
    - Clause 18.01 Land Use and Transport
    - Clause 18.01-1S Land Use and Transport Integration
    - Clause 18.01-1L Land Use and Transport Planning

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- Clause 18.01-2S Transport System
- Clause 18.01-3S Sustainable and Safe Transport
- Clause 18.01-3R Sustainable and Safe Transport – Metropolitan Melbourne
- Clause 18.02 Movement Networks
- Clause 18.02-1S Walking
- Clause 18.02-2S Cycling
- Clause 18.02-2R Cycling – Metropolitan Melbourne
- Clause 18.02-3S Public Transport
- Clause 18.02-3R Principal Public Transport Network
- Clause 18.02-4S Roads
- Clause 19 Infrastructure
  - Clause 19.03 Development Infrastructure
  - Clause 19.03-3L Stormwater Management (Water Sensitive Urban Design)

Clause 11.02-1S (Supply of urban land) has the following objective:

*To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Relevant strategies to achieve this objective include:

*Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.*

*Ensure that sufficient land is available to meet forecast demand.*

Clause 15.01-1S (Urban design) has the following objective:

*To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

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Relevant strategies to achieve this objective include:

*Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*

*Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*

*Ensure the interface between the private and public realm protects and enhances personal safety.*

*Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*

*Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*

*Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*

*Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*

*Promote good urban design along and abutting transport corridors.*

Clause 15.01-4S (Healthy neighbourhoods) lists the following objective:

*To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

Relevant strategies to achieve this objective include:

*Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:*

*Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*

*Streets with direct, safe and convenient access to destinations.*

*Conveniently located public spaces for active recreation and leisure.*

*Accessibly located public transport stops.*

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*Amenities and protection to support physical activity in all weather conditions.*

Clause 15.03-2S (Aboriginal cultural heritage) has the following objective:

*To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*

Relevant strategies to achieve this objective include:

*Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.*

*Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.*

*Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.*

Clause 16.01-1S (Housing supply) lists the following objective:

*To facilitate well-located, integrated and diverse housing that meets community needs.*

Relevant strategies to achieve this objective include:

*Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*

*Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*

*Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*

*Identify opportunities for increased residential densities to help consolidate urban areas.*

*Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*

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*Encourage the development of well-designed housing that:*

*Provides a high level of internal and external amenity.*

*Incorporates universal design and adaptable internal dwelling design.*

*Support opportunities for a range of income groups to choose housing in well-serviced locations.*

*Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

Clause 17.01 (Diversified economy) lists the following objective:

*To strengthen and diversify the economy.*

Relevant strategies to achieve this objective include:

*Protect and strengthen existing and planned employment areas and plan for new employment areas.*

...

*Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*

*Improve access to jobs closer to where people live.*

...

Clause 18.02-1S (Walking) lists the following objective:

*To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.*

Relevant strategies to achieve this objective include:

*Plan and develop walking networks to:*

- *Provide pedestrian routes that are safe, direct and comfortable to use.*
- *Enable walking as a part of everyday life.*
- *Enable people to meet more of their needs locally and rely less on their cars.*
- *Be accessible to vehicles that use footpaths, including*

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wheelchairs, prams and scooters.

- Accommodate emerging forms of low-emission, low-speed personal transport.

Develop principal pedestrian networks for local areas that link with the transport system.

...

Design walking routes to be comfortable by providing shelter from the sun through canopy trees, verandahs and other structures.

Design direct, comfortable and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

### 3.3 Zone

The subject site is included in the **Commercial 1 Zone (C1Z)** pursuant to the provisions of the Melbourne Planning Scheme.

The purpose of the C1Z is:

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

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

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

Pursuant to Clause 34.01-1, the use of land for a 'Shop' is a 'Section 1 – Permit not required' land use.

Pursuant to Clause 34.01-1, the use of the land for a 'Retail Premises' is a 'Section 1 – Permit not required' land use.

Pursuant to Clause 34.01-1, the use of the land for 'Accommodation' is a 'Section 1 – Permit not required' land use, with the following condition:

*Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).*

The proposed dwellings are located at the first floor level, therefore a permit is not required.

Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works.

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The following decision guidelines at Clause 34.01-8 apply to the application:

#### General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The interface with adjoining zones, especially the relationship with residential areas.*

#### Building and Works

- *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.*
- *The provision of car parking.*
- *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.*
- *The storage of rubbish and materials for recycling.*
- *Defining the responsibility for the maintenance of buildings, landscaping and paved areas.*
- *Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The availability of and connection to services.*
- *The design of buildings to provide for solar access.*
- *The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.*
- *For an apartment development, the objectives, standards and decision guidelines of Clause 58.*

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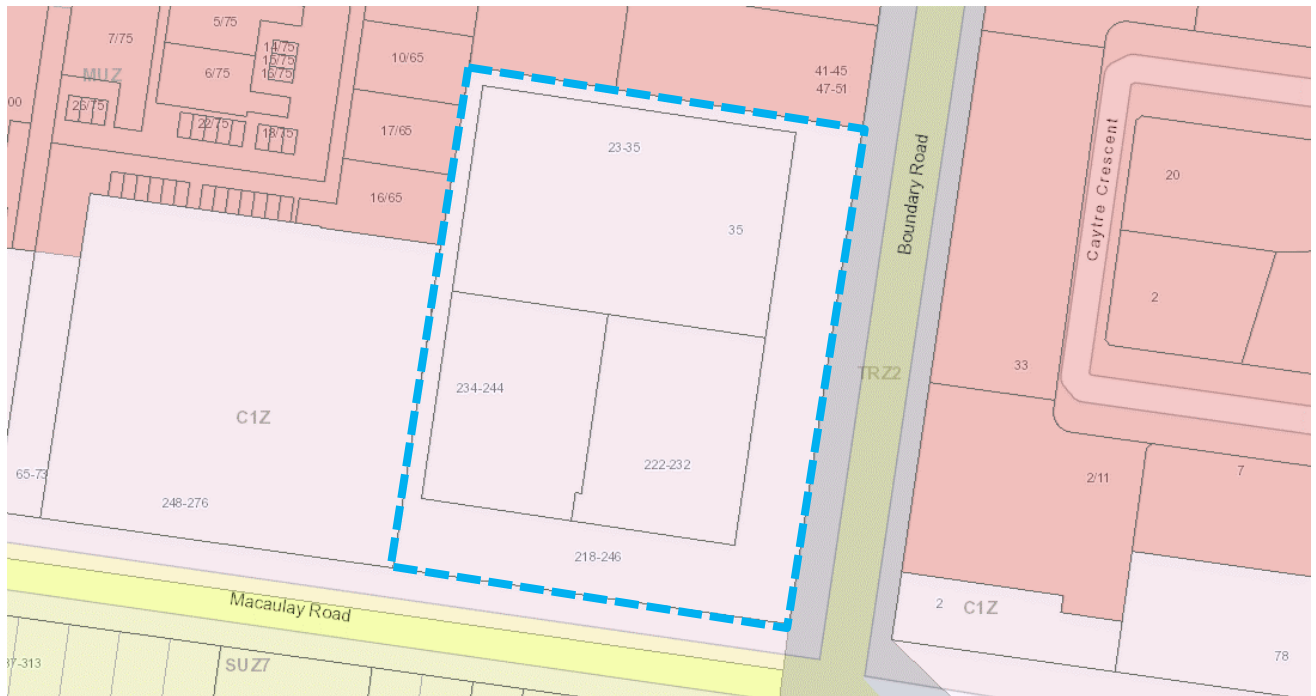
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Figure 3.3  
Zoning Map

Source: Vicplan, March 2023



## 3.4 Overlays

The subject site is affected by the following overlays:

- Design and Development Overlay, Schedules 26 and 63 (DDO26 and DDO63)
- Environmental Audit Overlay (EAO)
- Development Contributions Plan Overlay, Schedule 2 (DCPO2)

### Design and Development Overlay

The purpose of the DDO is:

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

*To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works.

Schedule 26 to the DDO refers to the 'North Melbourne, West Melbourne and Arden-Macaulay Noise Attenuation Area'.

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The design objectives for DDO26 are:

- *To ensure that new, refurbished or converted developments for new residential and other noise sensitive uses constructed in the vicinity of the Laurens Street, North Melbourne Industrial Area and in the vicinity of industrial operations in Arden-Macaulay include appropriate acoustical measures to attenuate noise levels within the building.*
- *To ensure that land use and development in the vicinity of the Laurens Street, North Melbourne Industrial Area and in the vicinity of industrial operations in Arden-Macaulay does not adversely affect the viability of industry within these areas.*

A number of noise attenuation measures are identified at Section 2.1 of DDO26, which must be adhered to. Acoustic requirements are also outlined at Sections 2.2 and 2.3.

Schedule 63 refers to the 'Macaulay Urban Renewal Area, Kensington and North Melbourne'.

The design objectives of DDO63 are:

- *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 demonstratable benefits on large sites that do not interface with the low scale surrounding established residential neighbourhoods.*
- *To create urban streetscapes that are defined by a generally consistent plane of building facades that enclose streets but allow daylight and sunlight to penetrate to the streets and to lower building levels.*
- *To ensure that built form elements above the street wall are visually recessive and do not contribute to visual bulk.*
- *To encourage the ground floor of buildings to be designed so that they can be used for a variety of uses over time.*

The subject site is within Area 8, where the following applies:

#### Building Heights

- *Preferred maximum height of 9 storeys*
- *Absolute maximum height of 12 storeys*

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### 3 Statutory Planning Provisions

All developments that exceed the preferred maximum height must demonstrate each of the following:

- *A demonstrable benefit to the broader community that include among others:*
- *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.

#### Built Form Outcomes

- *Deliver a scale of development that provides street definition and a pedestrian friendly scale.*
- *Deliver a scale of development that provides appropriate access to sunlight and daylight.*
- *Deliver a scale of development at the interface with established low-scale residential development that provides an appropriate transition in height and minimises the visual impact of upper levels.*

#### Built Form Outcomes for All Areas

- *Ensure laneways have appropriate levels of access to daylight and sunlight.*
- *Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.*
- *Deliver a scale of development setbacks from the Moonee Ponds Creek environs which respond appropriately to creek/public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.*
- *Where development respond to flood risk by providing ramp structures or other measures flood mitigation measure, high quality urban design outcomes must be provided at the building and public interfaces.*

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### 3 Statutory Planning Provisions

#### Street Wall and Setbacks

The subject site is outlined as having an 'interface type' of '20 and 30 metre wide renewal street', where the following applies:

- Street Wall Height: *Development at the frontage must not exceed a height of 6 storeys.*
- Setback of Buildings Above Street Wall: *Development should be set back 1 metre for every metre of height above 20 metres.*

A permit cannot be granted to increase the Street Wall Height.

Developments should be setback to all streets in accordance with the above, and buildings should be built to street edge at ground level to provide a clearly delineated public realm.

Map 2 within DDO63 shows that the subject site has frontage to a primary street (Macaulay Road), and it is noted that a building with ground-level frontage should present an attractive pedestrian oriented frontage with commercial uses where practical.

With regard to connectivity and laneways, DDO63 notes:

*Development should provide for a fine-grained system of laneways and pedestrian connections that are:*

- *Safe, direct and attractive;*
- *Publicly accessible;*
- *Aligned with other lanes or pedestrian connections to provide direct through routes.*

#### Environmental Audit Overlay

The subject site is affected by the Environmental Audit Overlay (EAO).

The purpose of the EAO is:

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

*To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

Pursuant to Clause 45.03-1, before a sensitive use commences or before the construction or carrying out of buildings and works in association with these uses commences:

- *A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued*

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### 3 Statutory Planning Provisions

*stating that an environmental audit is not required for the use or the proposed use; or*

- *An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or*
- *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or*
- *A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.*

#### Development Contributions Plan Overlay

The subject site is affected by the Development Contributions Plan Overlay, Schedule 2 (DCPO2).

The purpose of the DCPO is:

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

*To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

Schedule 2 to the DCPO refers to the 'Macaulay Urban Renewal Area Development Contributions Plan'.

#### Aboriginal Cultural Heritage Sensitivity

The subject site is also partially located within an area of Aboriginal Cultural Heritage Sensitivity, as shown below in Figure 3.5. A Cultural Heritage Assessment has been prepared by JEM Archaeology, which concludes that:

*Under the Aboriginal Heritage Regulations 2018, the proposed activity is considered to be a high impact activity (r.48[1-2]; r.46[1][b][xxiii]) and the activity area lies within a mapped area of cultural heritage sensitivity (r.26[1]). However, it is concluded that the entirety of the activity area has been subjected to significant ground disturbance as defined by the Aboriginal Heritage Regulations 2018 (r.5), and therefore no longer constitutes an area of cultural heritage sensitivity.*

*Consequently, in this instance r.26[2] of the Aboriginal Heritage Regulations 2018 applies and a mandatory CHMP is not required to be prepared and approved prior to the commencement of the proposed activity.*

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Figure 3.4  
Design and Development Overlay Map

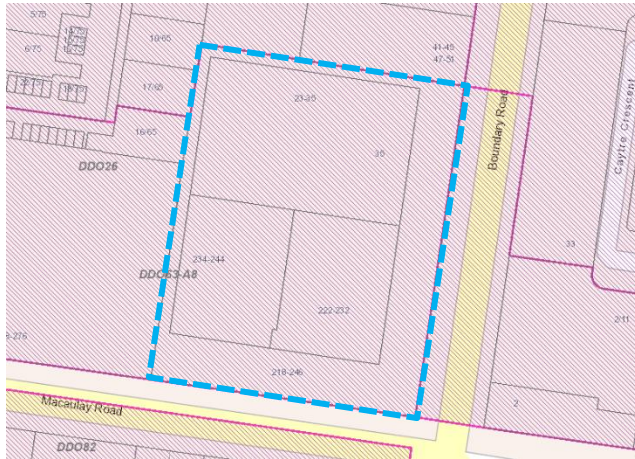


Figure 3.5  
Environmental Audit Overlay Map



Figure 3.6  
Development Contributions Plan Overlay Map



Figure 3.7  
Area of Aboriginal Cultural Heritage Sensitivity



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### 3 Statutory Planning Provisions

#### 3.5 Particular and General Provisions

The following particular and general provisions of the Planning Scheme are also relevant to this application:

- Clause 52.06 Car Parking
- Clause 52.29 Land adjacent to the principal road network
- Clause 52.34 Bicycle Facilities
- Clause 53.18 Stormwater Management in Urban Development
- Clause 58 Apartment Developments
- Clause 65.01 Approval of an Application or Plan
- Clause 71.02 Operation of the Planning Policy Framework

#### Clause 52.06 – Car Parking

The purpose of Clause 52.06 is:

*To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*

*To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*

*To support sustainable transport alternatives to the motor car.*

*To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*

*To ensure that car parking does not adversely affect the amenity of the locality.*

*To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The subject site is located within the Principal Public Transport Network, as shown below in Figure 3.6.

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### 3 Statutory Planning Provisions

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Figure 3.8  
Principal Public Transport Network Map

Source: Planning.vic.gov.au (March 2023)



Pursuant to Clause 52.06-5, the following car parking rates apply (noting that the rate in Column B applies as the subject site is located within the PPTN):

#### Dwelling:

- 1 space to each one or two bedroom dwelling
- 2 spaces to each three or more bedroom dwelling

In response, a total of 370 one or two bedroom dwellings are proposed, and a total of 24 three bedroom dwellings are proposed, resulting in a car parking requirement of 418 spaces for the Dwellings.

#### Supermarket:

- 5 spaces to each 100sqm of leasable floor area

In response, a total of 2,203m<sup>2</sup> of leasable floor area is proposed, resulting in a car parking requirement of 110 spaces for the Supermarket.

#### Retail Premises (Shop)

- 3.5 spaces to each 100sqm of leasable floor area

In response, a total of 785.6m<sup>2</sup> of leasable floor area is proposed, resulting in a car parking requirement of 27 spaces for the Retail Premises.

The proposal generates a statutory requirement for 555 car spaces.

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### 3 Statutory Planning Provisions

The proposed basement car park provides a total of 190 car parking spaces, and therefore a permit is required pursuant to Clause 52.06-3 to reduce the number of car parking spaces required.

Further discussion regarding the proposed parking provision is included in the separate Transport Impact Assessment prepared by Stantec.

#### Clause 52.34 – Bicycle Facilities

The purpose of Clause 52.34 is:

*To encourage cycling as a mode of transport.*

*To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Pursuant to Clause 52.34-5, the following bicycle parking space requirements apply:

#### Dwelling:

- *Resident: 1 to each 5 dwellings*
- *Visitor: 1 to each 10 dwellings*

For 394 dwellings, there is a requirement for 79 bicycle parking spaces for residents, and 39 spaces for visitors, totalling 118.

#### Supermarket and Retail Premises (Shop):

- *Employee: 1 to each 600sqm of leasable floor area if the leasable floor area exceeds 1000 sq metres*
- *Shopper: 1 to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000sq metres*

The leasable floor area for the Supermarket is 2,203.6m<sup>2</sup>, and the leasable floor area for the Retail Premises (Shop) is 785.6m<sup>2</sup>, therefore there is a requirement for 5 bicycle parking spaces for employees, and 6 spaces for shoppers, totalling 11.

Two separate bike storage areas are provided at ground floor level. A resident bike storage area provides for 402 bicycle parking spaces, and a staff and visitor bike storage area provides for 15 staff bicycle parking spaces, and 39 visitor bicycle spaces, which exceeds the requirement pursuant to Clause 52.34-5.

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### 3 Statutory Planning Provisions

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#### Clause 58 – Apartment Developments

The purpose of Clause 58 is as follows:

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

*To encourage apartment development that provides reasonable standards of amenity for existing and new residents.*

*To encourage apartment development that is responsive to the site and the surrounding area.*

Pursuant to Clause 32.04-6, an apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A full assessment against the Clause 58 provisions is enclosed as part of the application material.

#### Clause 53.18 – Stormwater Management in Urban Developments

The purpose of Clause 53.18 is:

*To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

Details in relation to stormwater management are included at Appendix A of the Sustainable Management Plan prepared by GIW Environmental Solutions. The STORM Rating Report details that the proposed STORM Rating is 105%.

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### 3.6 Relevant Planning Scheme Amendments

#### Amendment C416melb

Amendment C416melb was gazetted on 30 September 2021, and it extends the expiry date of Schedule 63 to the Design and Development Overlay applying to the Macaulay Urban Renewal Area for an additional area until 30 September 2022.

#### Amendment C430melb

Amendment C430melb was gazetted on 30 June 2022, and it extends the expiry date of interim Schedule 2 to Clause 45.06 (Development Contributions Plan Overlay) applying to the Macaulay Urban Renewal Area for an additional two years until 5 July 2024.

### 3 Statutory Planning Provisions

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#### 3.7 Macaulay Structure Plan 2021 and Draft Planning Scheme Amendment C417

At the City of Melbourne Future Melbourne Committee meetings held on 9 November 2021 and 14 June 2022, Council resolved to adopt the new Macaulay Structure Plan 2021 and pursue implementation of the new structure plan via Draft Planning Scheme Amendment C417.

The resolution to pursue implementation of the structure plan also included a request being made to the Minister for Planning to introduce the proposed new provisions as 'interim' controls.

Council's request for authorisation and interim controls remains under consideration by the Minister for Planning, and until Amendment C417 is 'seriously entertained' it is only a draft proposal and should not be given weight in the planning assessment of the application.

---

#### 3.8 Permit Triggers

The proposal triggers the following requirements for a permit pursuant to the provisions of the Melbourne Planning Scheme:

- To construct a building or construct or carry out works (Clause 34.01-4 and Clause 43.02-2)
- To reduce the number of car parking spaces required (Clause 52.06-3)
- To create or alter access to a Transport Zone 2 (Clause 52.29-2)

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# 4 Urban Context Analysis and Design Response

## 4.1 Urban Context Analysis

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From an analysis of the subject land, its surrounding context and the applicable provisions in the Melbourne Planning Scheme, the following opportunities have been identified in association with the redevelopment of the site.

- The subject site is located within a designated Urban Renewal Area that enjoys access to a range of urban infrastructure including transport, retail and entertainment facilities, professional services, community infrastructure and open space.
- Given the zoning of the site, there is the potential to develop a mixed-use residential development with ground floor commercial uses.
- The emerging character and strategic direction for this Urban Renewal Area anticipates and already accommodates higher density housing including developments in excess of the preferred heights included in the Planning Scheme.
- The site is large and well-proportioned, and represents a significant redevelopment opportunity that can respond to broad urban consolidation objectives and the objectives for the urban renewal area.
- The subject site is currently developed with remnant industrial buildings which is a significant under-utilisation of a strategic 'land resource'.
- The size of the site, coupled with its frontages to two streets provides opportunities for new linkages through the site.
- Consistent with the aspirations for the precinct there is the ability to enhance the network of connections that provide for a permeable ground plane and public realm experience.
- The subject land does not contain any significant vegetation.
- The subject land is not affected by a Heritage Overlay.
- From the upper levels of the proposed buildings, there are significant view opportunities towards the City skyline.
- The site has broad frontages to two wide streets, providing good opportunities for access, integration with the surrounding public realm and to improve the presentation of the site to the street.
- The existing conditions make a poor contribution to the public realm, highlighting that there is the opportunity to significantly change these conditions whilst contributing to amenity, character, connectivity and permeability.



## 4 Urban Context Analysis and Design Response

In addition to the above opportunities, the following constraints associated with the redevelopment of the subject land have been considered in the design response:

- Balancing urban renewal related objectives with potential flooding related considerations and the need to manage level changes through transition areas.
- Ensuring that any potential off-site and reverse amenity impacts associated with existing and proposed developments on nearby land are appropriately addressed.
- Ensuring that the ground floor frontages to Macaulay Road and Boundary Road are suitably activated, safe and engaging.
- Managing vehicular access to the surrounding road network.
- Ensuring that the proposed dwellings have an appropriate level of internal amenity.

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## 4 Urban Context Analysis and Design Response

### 4.2 Design Response

Having regard to the preceding analysis, the design response adopts the following site planning and built form strategies:

- Provide a bone-fide mix of uses in recognition of the future vision for the urban renewal area as mixed use precinct, including a supermarket, retail premises and dwellings.
- Adopt a mid-rise built form building typology with street wall heights and overall heights that respond appropriately to the Planning Scheme, in particular the preferred and mandatory heights contemplated by the applicable DDO63, as well as the characteristics of the site and surrounding neighbouring proposals.
- Pursue a site planning and massing composition which appropriately considers the site's respective interfaces, provides generous building separation and maximises internal amenity, views and outlook for future residents.
- Provide new vehicle and pedestrian linkages to improve site permeability and the surrounding movement network.
- Provide a central courtyard with a northerly aspect to maximise solar access and provide future residents with generous communal areas for leisure, activity, working and social interaction.
- To provide an overall engaging, active and safe movement experience for different modes of travel.
- Rationalise and concentrate vehicular access to the site via single entries to Macaulay Road and Boundary Road by virtue of the new links wrapping the western and northern boundaries of the site, and provide on-site car parking in a concealed basement consistent with traffic engineering advice.
- Concentrate servicing and vehicular access areas off the new laneways to minimise disruption and maximise activation of the primary frontages to Macaulay Road and Boundary Road.
- Provide a high-quality and prominent primary entry from the Macaulay Road frontage as the key active 'public face' of the development, while successfully activating the Boundary Road frontage.
- Adoption of an architectural composition that has solidity in its presentation and a gesture to the commercial / industrial character of the area of the area.
- Incorporating design standards that ensure an appropriate level of internal amenity.
- Successfully manage flooding requirements through integrated level changes and transitional spaces along site frontages.

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# 5 Proposal

## ADVERTISED PLAN

The proposal is for the development of the subject site with a 6-12 storey mixed use development, comprising three Retail Premises, a Supermarket, and 394 Dwellings with a central communal courtyard.

New roads are to be constructed along the western and northern boundaries, providing access to the basement car park.

The built form consists of a ground floor level containing three retail premises and a supermarket, with a six storey building fronting Macaulay Road, and two attached 12 storey forms that extend north, with a central void to the large landscaped raised communal terrace at the first floor level.

The floor plans within the proposal are described below:

- **Basement:** A ramp from the new road to the western side of the site will provide access to the basement. The basement will comprise of two sections; a retail car park with 52 car parking spaces, and a residential car park comprising 138 car parking spaces and 10 motorcycle spaces. A retail lobby, storage cages and services are also provided. Spaces are also provided for carshare and EV facilities.
- **Ground Floor:** The proposed development to the ground floor level can be grouped as follows:
  - **Macaulay Road Frontage:** Two retail premises and a central entry will front Macaulay Road. Back of house facilities such as lobbies, building manager office, and bicycle parking room comprising of 402 bicycle parking spaces are provided to the rear.
  - **Boundary Road Frontage:** A supermarket is provided along the Boundary Road frontage, and comprises 2,203.6m<sup>2</sup> of floor space. A retail premises is provided to the southern side of the supermarket. Entry to the one-way road is provided to the north-eastern corner of the site, accessed via an existing crossover which is to be relocated.
- **First Floor:** The first floor will comprise 30 dwellings and a communal terrace totalling 1,213.7m<sup>2</sup>. Two resident amenity areas are provided to the southern side of the building, totalling 1,187.5m<sup>2</sup>. The dwelling mix at the first floor level is as follows:
  - 6 studio apartments
  - 12 one bed apartments
  - 12 two bed apartments

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## 5 Proposal

- **Second to Fifth Floors:** These four floors will comprise 46 dwellings. The dwelling mix is as follows:
  - 10 studio apartments
  - 18 one bed apartments
  - 12 two bed apartments
  - 6 three bed apartments
- **Sixth Floor:** The sixth floor level will comprise 30 dwellings and a communal terrace fronting Macaulay Road, which is 1,348.5m<sup>2</sup> in size. The dwelling mix is as follows:
  - 6 studio apartments
  - 12 one bed apartments
  - 12 two bed apartments
- **Seventh to Eleventh Floors:** These five floor levels will comprise 30 dwellings. The dwelling mix is as follows:
  - 6 studio apartments
  - 12 one bed apartments
  - 12 two bed apartments
- **Seventh Floor:** The seventh floor will comprise of 48 dwellings, and also communal facilities such as private dining, cinema/lecture theatre, communal and games room. The dwelling mix is as follows:
  - 12 studio apartments
  - 15 one bed apartments
  - 16 two bed apartments
  - 5 three bed apartments
- **Roof:** The roof level will comprise of 88 400W solar PV panels, and plant areas.

The built form will be constructed of a mix of materials and finishes including brick, concrete, metal and glazing.

The first floor level central communal terrace will comprise of a mix of small to medium trees, screening shrubs and garden beds, in addition to bench seating and paved areas.

The sixth floor communal terrace will also comprise a mix of landscaping including small and medium trees, and will be provided with bench seating, balustrades and glass wind protection screens.

Refer to the Landscape Concept Report prepared by Tract Consultants for further detail in relation to landscaping.

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5 Proposal

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Figure 5.1  
3DRENDER

Proposal viewed from south-east in approach from Macaulay Road



Figure 5.2  
3DRENDER

East façade looking south, viewed from Boundary Road



5 Proposal

# ADVERTISED PLAN

Figure 5.3  
3D RENDERS

6-storey southern building

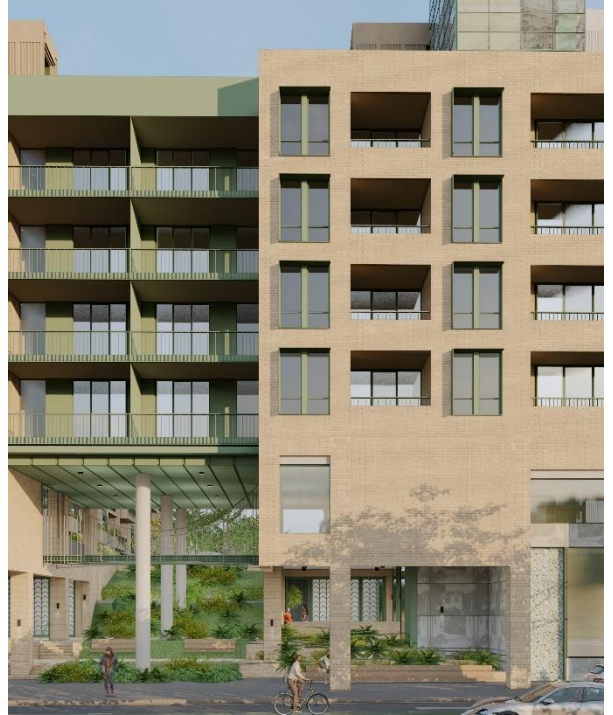
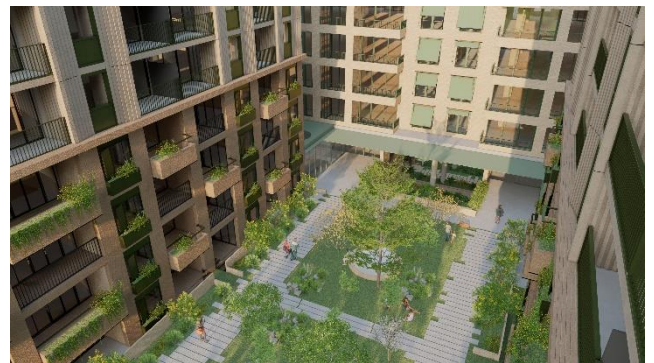


Figure 5.4  
3D RENDERS

Entry experience and central courtyard



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5 Proposal

# ADVERTISED PLAN

Figure 5.5  
Level 1 Communal Terrace Landscape Design

Source: Landscape Concept Report prepared by Tract Consultants

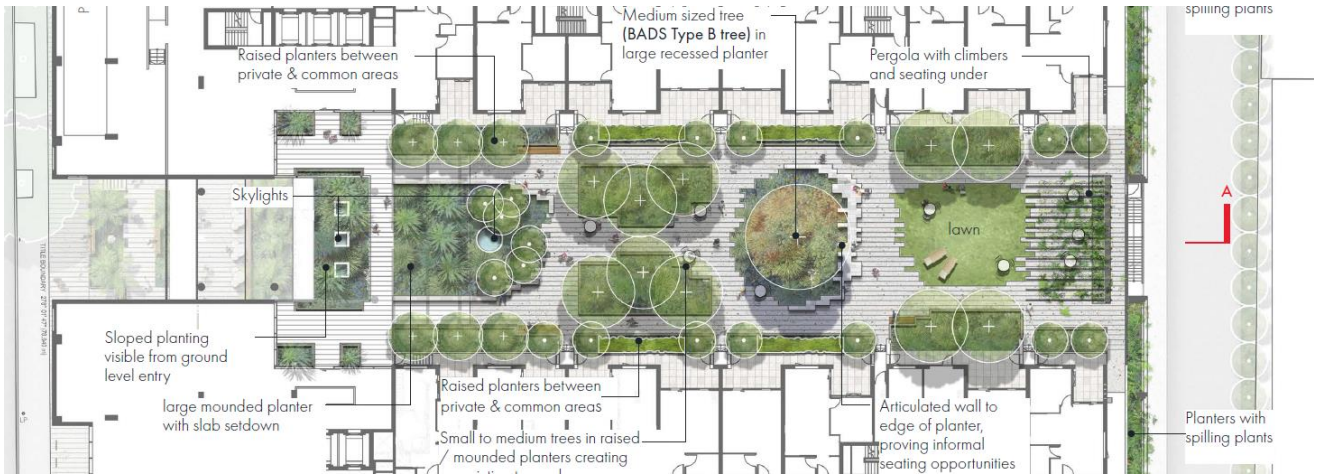


Figure 5.6  
Level 1 Communal Terrace Landscape Design

Source: Landscape Concept Report prepared by Tract Consultants



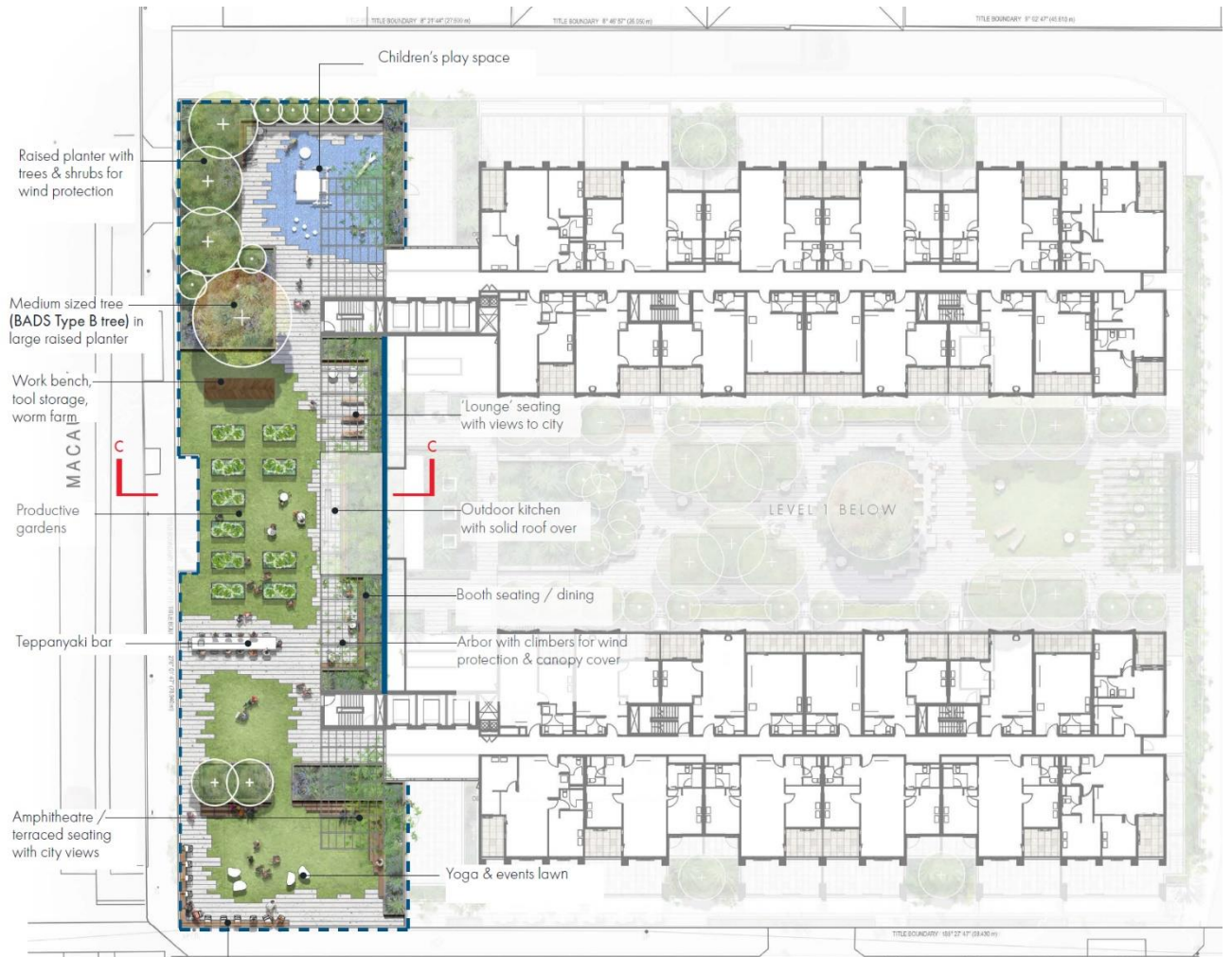
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## 5 Proposal

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Figure 5.7  
Level 6 Communal Terrace Landscape Design

Source: Landscape Concept Report prepared by Tract Consultants



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# 6 Planning Considerations

## ADVERTISED PLAN

### 6.1 Preamble

An assessment of the proposed development requires an analysis of the following key considerations:

- The strategic support for the proposed development having regard to the State and Local Planning Policy;
- Built form, and how the proposal responds to Clause 02.03-4, Clause 15.01 and the applicable provisions within Design and Development Overlay, Schedule 63;
- Public realm;
- Local amenity considerations;
- Internal amenity considerations;
- Sustainability;
- Landscaping; and
- Traffic, car parking and access considerations.

An assessment of each of these matters is set out in the following sections.

### 6.2 Strategic Considerations

There is strong planning policy support, at the State and local levels, for increased housing densities being facilitated in Urban Renewal Areas and areas located close to public transport and physical and social infrastructure to cater for Melbourne's growing population, decreasing household sizes, housing diversity and housing affordability.

Clause 02.03-1 (Settlement) provides further emphasis and support for renewal, identifying Macaulay as 'an area in transition' and noting that *'The Melbourne Metro station project and the proposed North Melbourne Station will lead to major change and urban renewal of the precinct'*.

The proposal responds to these policy settings by providing a significant new mixed-use housing opportunity within the Macaulay Urban Renewal Area, and at an intensity that contributes to placemaking, regeneration and formation of communities in highly accessible and advantaged locations.

Furthermore, the use of land for 'Shop', 'Supermarket' and 'Dwelling' (above ground floor) are all 'as-of-right' uses and as such there can be no question about their appropriateness.

In addition to the provision of new housing, there is also policy settings that reference commercial and employment objectives.

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## 6 Planning Considerations

In response to these objectives we note;

- Significant non-residential uses are provided at ground level at the Macaulay Road and Boundary Road frontages, including the provision of a supermarket in the northern part of the site and other complimentary retail uses in a variety of sizes which activate site frontages;
- Within the recently adopted Macaulay Structure Plan, only the north-east corner of the site is within the 'Proposed local activity centre', however the location of the supermarket aligns with and responds to this;
- Clause 02.03-6 (Economic Development) outlines that the Council will encourage a mix of commercial and business services that provide employment opportunities for local residents.

Planning policy also seeks to maximise the use of existing transport infrastructure through density and diversity of land use. Clause 18.02-3R in particular, references the Principal Public Transport Network and cites the following strategy:

- *Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.*

The above strategy endorses the significance of this opportunity particularly in terms of:

- The subject site being in an Urban Renewal Area;
- Its location approximately 170m to the east of Macaulay Train Station;
- Its proximity to bus services (Route 402) operating along Macaulay Road and connecting with other transport routes.

In addition, Clause 02.03-7 (Transport) outlines that to encourage sustainable transport, the Council will:

- *Develop and maintain a comprehensive, safe, comfortable and convenient pedestrian and cycling network.*

The provision of active and engaging frontages at the ground floor level to Macaulay Road and Boundary Road improves the pedestrian network in the Urban Renewal Area, and the provision of significant bicycle parking infrastructure at the ground floor level encourages future residents to utilise cycling as a main form of transport, in an area that is proximate to a number of key cycling routes in the city.

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## 6 Planning Considerations

### 6.3 Built Form Considerations

The key assessment criteria for assessing the built form response are included in:

- Planning policy at Clause 15.01 (Built Environment), including provisions relating to:
  - Urban design (15.01-1S, 15.01-1R & 15.01-1L-04).
  - Sunlight to public spaces (15.01-1L-03)
  - Urban design (15.01-1L-04)
  - Urban Design Outside the Capital City Zone (15.01-1L-05)
  - Building design (15.01-2S)
  - Energy and resource efficiency (15.01-2L-01)
  - Healthy neighbourhoods (15.01-4S & 15.01-4R)
  - Neighbourhood character (15.01-5S)
- Design and Development Overlay, Schedule 63 (Macaulay Urban Renewal Area).

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#### Clause 15.01 (Built Environment)

A discussion and assessment in response to the above provisions is provided below under the following themes:

##### Context

The site is located within a designated Urban Renewal Area that the planning scheme identifies as ‘an area in transition’ and as such, the site context is evolving and will continue to do so.

To this end, consideration of the site’s future context warrants priority and this is for a mixed use area with mid-rise buildings of at least 9-12 storeys.

Furthermore, the subject site is a large landholding, indeed one of the largest within the immediate context. Given its size, combined with its location within an urban renewal area, and the policy provisions applicable to Urban Renewal Areas, any proposal should seek to optimise intensity and density and capitalise on the significant redevelopment opportunity.

##### Neighbourhood Character

Due to the urban renewal designation, and the delivery of policy regarding change and density, the built form character of the area will undergo change.

## 6 Planning Considerations

The beginning of this change is already evident in the wider urban renewal area and will continue given the policy settings.

In response, the proposed site planning strategy and built form response is consistent with the scale and form contemplated for the area and the proposed architecture provides a reference to the site's industrial and commercial past, assisting to achieve the concept of a healthy neighbourhood.

### Scale and Building Height

The structure planning work and the DDO63 provisions provide guidance in relation to how 'change' is to be managed, and a response to these provisions is provided below in the following section.

That said, the proposed height and setbacks are consistent with the preferred character and as a result, the proposed scale and building height is considered appropriate.

### Massing and Large Sites

The site is one of the largest in the precinct and as such represents a significant redevelopment opportunity that should be maximised.

Consistent with good urban design practice and relevant planning policy relating to built form and urban design, the site planning strategy incorporates new linkages (including vehicle access) through the site to improve connectivity and site permeability, and break down the urban grain of the area.

The street and lanes also serve to create additional frontages, therefore creating opportunities for active edges where possible that engage positively with existing and proposed public realm infrastructure.

The size of the site also provides the ability to provide a generous courtyard space, which provides, outlook and generous landscape opportunities within the overall site planning program.

### Architecture (Street Edges and Facades)

The architectural response is detailed in the enclosed architectural and design material prepared by Rothe Lowman.

It depicts a high-quality architectural and contextual response that is contemporary yet influenced by the historical character of the area and the broader design objectives for the renewal area.

The proposal employs a refined palate of robust materials which reflect that area's industrial and commercial character and partner successfully with the massing, composition and proportions of the built form.

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## 6 Planning Considerations

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At the primary street edges to Macaulay Road and Boundary Road, activation has been maximised with a variety of techniques employed to provide variation and interest, in parallel with active uses.

The architectural treatment of the taller 'north-south' buildings is refined, yet distinct from the 6-storey form presenting to Macaulay Road.

Overall, the proposal represents a high-quality contribution to the wider area and the surrounding street network.

Further to the commentary above regarding the merits of the overall urban design proposal, the quantitative provisions of the Design and Development Overlay, Schedule 63 (DDO63) are assessed in the table below.

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## Design and Development Overlay – Schedule 63 (DDO63)

Provision	Preferred / Mandatory	Response
Maximum building height: 9-storeys storeys	Preferred	<i>Variation proposed</i>  A variation to the preferred maximum building height is proposed and is considered acceptable for the reasons set out below.
Absolute maximum building height: 12 storeys	Mandatory	Complies.
Street wall height: 6 storeys	Mandatory	Complies.
Setback of buildings above street wall: 1 metre for every metre of height above 20 metres	Preferred	<i>Variation proposed</i>  An alternative to a typical streetwall / tower typology is proposed along the Boundary Road elevation, with the 12-storey element rising in a single form above and set back by at least 6m from a lower streetwall element.
<p>All developments that 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> <li>• Exceptional quality of design.</li> <li>• A positive contribution to the quality of the public realm.</li> <li>• High quality pedestrian links where needed.</li> <li>• Good solar access to the public realm.</li> </ul>	N/A	<p>The justification for the additional levels is founded in the following:</p> <ol style="list-style-type: none"> <li>1. DDO63 contemplates buildings of up to 12-storeys.</li> <li>2. The proposed height of 6-12 storeys is consistent with the Design Objectives at Clause 1.0 of DDO63 which seek 'To create a compact, high density, predominantly mid-rise, <b>6 – 12 storey walkable neighbourhood...</b>' and 'To provide for higher development that delivers <i>identified demonstratable benefits on large sites...</i>' (emphasis added)</li> <li>3. The delivery of public benefits in terms of new roads and linkages through the site.</li> <li>4. The overall design quality.</li> <li>5. Acceptable levels of solar access in the public realm as detailed in the Shadow Diagrams.</li> </ol>

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### 6.4 Public Realm

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The proposal includes public realm improvements to Macaulay Road, Boundary Road, and also the road network through the introduction of new roads that extend along the western and northern boundaries of the site.

The Macaulay Road frontage will be activated through the introduction of two retail premises, and a large central entry with landscaping and bench seating.

The Boundary Road frontage will be improved and activated through the introduction of a supermarket and retail premises, and providing awnings along the streetscape for weather protection.

The pedestrian environment along the main street frontages is also enhanced through the provision of ground level setbacks along Macaulay Road and the southern part of Boundary Road.

The new roads allow access to the supermarket and basement car park and will be partly restricted to one-way traffic, to ensure efficient vehicle movements and that the number of vehicle movements to Macaulay Road are minimised. The provision of new roads and linkages allows for all services and car park entries to be located away from the Macaulay Road and Boundary Road frontages, creating more space for streetscape improvements.

### 6.5 Local Amenity

Given the site's immediate context, off-site amenity impacts can be generally confined to wind and overshadowing, and each of these is addressed below.

#### Wind

A Pedestrian Wind Study has been undertaken by RWDI and accompanies the application.

The report concludes:

- *Wind speeds exceeding the safety threshold are not observed for both the existing and proposed configurations of the site. Therefore, there are no anticipated safety concerns for pedestrians or building occupants related to wind force in the areas assessed within and around the development site.*
- *The overall wind environment is, therefore, calm and suitable for passive use throughout the year.*

#### Overshadowing

The shadow consequences of the proposal are representative of a building of the scale contemplated by the existing built form controls within DDO63.

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DDO63 suggests that development in excess of the preferred maximum height of 9 storeys must provide good solar access to the public realm, and this is achieved.

Upper levels do not cast additional shadow beyond those cast by the 6-storey streetwall, and in this regard shadows cast to the southern side of Macaulay Road represent 'compliant' shadows.

Further to the south-east, Clayton Reserve and Canning Street and Macaulay Road Reserve are not overshadowed by the proposed development between 9am and 3pm at the equinox.

Accordingly, the proposal ensures that good solar access is provided to the public realm, and therefore the additional building height above the preferred maximum height is acceptable.

### 6.6 Internal Amenity

#### Clause 58 (Better Apartment Design Standards)

A detailed assessment of the internal amenity provisions within Clause 58 is included with this application.

#### Acoustics

A Preliminary Acoustic Assessment addressing Clause 58 has been prepared by RWDI, which concludes:

*External noise intrusion from traffic noise into the development has been assessed against the requirements of Standard D16 of the Melbourne Planning Scheme and AS/NZS 2017:2016. Recommendations for building façade construction have been presented in section 4.2 to ensure that internal noise levels within the development comply with the nominated criteria.*

*In addition, noise emissions from the development's loading dock, and vehicle movements along the new internal roads within the development have been assessed against the requirements of the Victoria EPA's Noise Protocol I as well as the sleep disturbance criteria of the NSW EPA NPfl. Noise emissions have been modelled using Cadna/A software and the results of the assessment are presented in section 5.1. The modelling indicates that noise emissions from the development will comply with the Noise Protocol Part I acoustic criteria.*

*Neither truck air braking nor truck entry to the site via Boundary Road are anticipated to exceed internal noise levels which typically give rise to sleep disturbance.*

*At this stage, selections of specific mechanical equipment and the location of the equipment have not been finalised. Assessment of mechanical plant noise emissions should be conducted at detailed design stage once the mechanical design has been finalised.*

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### 6.7 Sustainability

The proposal has appropriately considered sustainability as an important design driver, and the separate Sustainable Management Plan prepared by GIW Environmental Solutions details the following ESD initiatives:

- *The project achieves a total BESS score of 67% with no mandatory category (IEQ, Energy, Water, Stormwater) below 50%.*
- *71% (280 out of 394) of the development's apartments are effectively naturally ventilated.*
- *The BESS built-in daylight calculator has been utilized to demonstrate compliance.*
- *The non-residential areas are targeting a 2% DF to 33% of the nominated area.*
- *15% (60 out of 394) of apartments achieve at least 3 hours of sunlight.*
- *The development is provided with a comprehensive shading strategy.*
- *The development is to achieve a 7.0 Star average NatHERS Energy Rating result.*
- *The non-residential areas aim to reduce heating and cooling energy consumption below the reference case (BCA Section J 2019).*
- *The development is to utilise a centralised electric heat pump hot water system.*
- *A 35.2kW Solar PV system is to be located on the roof of the proposed development.*
- *Individual cold and hot water, electricity meters will be provided to the apartments and communal areas.*
- *Water efficient fittings and fixtures are applied throughout.*
- *A 150,000-litre rainwater tank will harvest rainwater from the upper and lower roofs, L1 and L11 terrace areas, plus communal terrace areas (excluding planter boxes and lawn areas).*
- *This tank will be connected to all ground floor and L1-L4 toilets, plus landscape irrigation.*
- *A Melbourne STORM rating of 105% is achieved.*

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- *In total 402 bicycle spaces are to be provided for residents.*
  - *In total 39 bicycle spaces are to be provided for residential visitors.*
  - *In total 15 bicycle spaces are to be provided for employees & 12 bicycle spaces are to be provided for non-residential visitors.*
  - *The development is provided with an end of trip facility including 1 shower, 15 lockers and changing facilities.*
  - *One charging point for electrical vehicles is integrated in the proposed development.*
  - *The proposed development will incorporate a dedicated car parking space for car sharing.*
  - *3,750m<sup>2</sup> of communal space will be provided across L1 and L6.*
  - *The proposed development will incorporate a green wall and roof.*

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### 6.8 Landscaping

A Landscape Concept Report has been prepared by Tract Consultants and includes the provision of substantial planting and seating areas at the ground floor level entry, the first floor level central terrace, and the sixth floor level terrace.

A mix of trees, shrubs and climbers are provided throughout the site to provide appropriate canopy cover for a development of this size.

Figure 6.1  
LANDSCAPE RESPONSE

Tract Landscape Concept



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### 6.9 Traffic and Car Parking

A Transport Impact Assessment has been prepared by Stantec, and it concludes that:

- *The proposed development generates a statutory car parking requirement of 555 car spaces. The proposed car parking supply of 190 car spaces does not satisfy the statutory requirement and a planning permit is being sought to reduce this requirement.*
- *The proposed car parking provision is considered reasonable for the following reasons:*
  - *The subject site is accessible by public transport.*
  - *A bicycle parking provision well in excess of the statutory requirements will be provided.*
  - *A reduced car parking provision below the statutory car parking requirement is consistent with objectives contained in relevant planning policy and is consistent with the car parking controls for land immediately south of the subject site.*
  - *The adoption of a travel demand management approach which encourages sustainable travel modes by limiting on-site car parking is consistent with contemporary planning practices.*
  - *It is expected that residents living at the subject site would not need to drive a car to access the supermarket and retail land uses.*
- *The proposed parking and vehicle access layout is consistent with the requirements set out in the Planning Scheme and relevant Australian Standards.*
- *The proposed development generates a statutory bicycle parking requirement of 131 bicycle spaces, comprising of 86 resident/employee spaces and 45 spaces for visitors/shoppers. It is proposed to provide a total of 468 bicycle spaces, including 402 secure spaces for residents, 39 spaces for residential visitors, 15 spaces for supermarket/retail staff, and 12 spaces for supermarket/retail shoppers. This provision comfortably exceeds the statutory requirements and is considered a good transport design response.*
- *There is a statutory requirement to provide one shower and change room facility for supermarket and retail use staff. This requirement is being satisfied.*
- *Loading and waste collection will occur in dedicated facilities on the ground floor of the proposed development. Swept path assessments have been prepared that confirm all expected*

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*vehicle movements in/out of the proposed loading areas can be satisfactorily accommodated.*

- *The proposed development is estimated to generate up to 171 additional vehicle movements on the surrounding road network in the weekday PM peak hour and Saturday midday peak hour.*
- *Detailed analysis suggests that the proposed development traffic can be accommodated at the existing Boundary Road/Macaulay Road signalised intersection with no material change to its performance.*
- *Analysis suggests that there are ample gaps in the Boundary Road and Macaulay Road traffic streams to accommodate the proposed development traffic turning to/from the proposed east-west and north-south roadways.*
- *It is considered that the additional traffic generated by the proposed development can be accommodated on the surrounding road network and is not expected to compromise its safety or functionality.*

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# 7 Conclusion

The proposal represents an appropriate planning outcome for the subject land for the following reasons:

- The subject land is located within the Macaulay Urban Renewal Area, which includes a range of objectives associated with increasing housing density;
- Being located on the Principal Public Transport Network, the Planning Scheme encourages proposals to maximise the use of existing infrastructure and increase the diversity and density of development, which this application successfully achieves;
- The building has been designed to appropriately respond to the built form controls of the DDO63, taking into account the preferred and mandatory building heights, street wall heights and building setbacks;
- The proposal will make a substantial improvement to the Macaulay Road and Boundary Road streetscapes through the provision of active uses along the street frontages;
- The proposal provides public benefits and will improve the surrounding movement network through the delivery of new roads.
- The local amenity impacts have been assessed and are considered to be reasonable given the context of the site and surrounding built form character;
- The proposal has incorporated a range of ESD measures;
- The proposal will provide a high level of residential amenity for the future occupants of the building;
- The proposal provides a comprehensive and high-quality landscape response including substantial landscaping at the ground, first and sixth floor levels; and
- The proposal embodies architectural and urban design excellence and will make a positive contribution to the appearance, amenity and safety of the public realm.

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