

# Planning Report

Tract

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**59-101 Alfred Street & 103-117 Boundary Road, North Melbourne**

Planning Permit Application

Prepared for Alfred and Boundary Pty Ltd

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# Acknowledgement of Country

We pay our respects to the Traditional Custodians of Country throughout Australia, their Elders and ancestors, recognising their rich heritage and enduring connection to Country and acknowledging the ongoing sovereignty of all Aboriginal and Torres Strait Islander Nations.

We recognise the profound connection to land, waters, sky and community of the First Nations peoples, with continuing cultures that are among the oldest in human history. We recognise that they are skilled land shapers and place makers, with a deep and rich knowledge of this land which they have cared for, protected and balanced for millennia.

Our Country, 2022  
88 x 119 cm Acrylic on canvas  
Original artwork by  
Alfred Carter  
Gunaikurnai

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## Planning Report

59-101 Alfred Street & 103-117 Boundary Road, North Melbourne  
Planning Permit Application

Project Number

324-0696-00

## Revisions

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No.	Date	Description	Prepared By	Reviewed By	Project Principal
00	12/09/2025	Planning Report	HL	EH	Jl
01	13/02/2026	Planning Report (Formal Lodgement)	HL/NC	EH	Jl
02	01/05/2026	RFI Response	HL/NC	EH	Jl

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This report has been prepared by Tract Consultants Pty Ltd for Alfred and Boundary Pty Ltd (the '**Applicant**') to support a planning permit application to use and develop a mixed-use precinct ('Alfred Quarter') at 59-101 Alfred Street & 103-117 Boundary Road, North Melbourne (the '**Site**'), pursuant to Clause 53.23 – *Significant Residential Development with Affordable Housing*.

This executive summary highlights the key benefits of the proposal, noting the nature of these benefits have undergone extensive pre-application engagement and discussion with the Department of Transport and Planning's (DTP) Development Facilitation Program (DFP), as well as with the City of Melbourne (CoM), and Melbourne Water since the Applicant purchased the land at the end of 2024.

At 1.5 hectares in area, this consolidated development parcel presents as one of the largest privately held development sites in Macaulay. The Site is mostly vacant, with no sensitive interfaces, and it benefits from two existing planning approvals that allow for 519 dwellings.

At a time when broader market confidence to invest in Macaulay is soft, this presents as a significant opportunity to send a clear and strong message that Macaulay is open for business.

The key public benefits delivered by the proposal include the following:

- **More housing** (circa 939 dwellings in comparison to 519 approved dwellings)
- **More affordable housing** (16% of total yield in comparison to gifting 5 dwellings under the existing approvals).
- **Greater diversity in housing** – studios, 1, 2, and 3 bedroom apartments.
- **Greater diversity in housing tenure** – build to sell, build to rent, affordable housing.
- **New public open space, including improvements** – 1,040 sqm comprised of a central open space and western shared path link proposed to be vested to Council (subject to further consultation with CoM). The proposal also seeks to deliver the improvements to these spaces.
- **Landmark and significant capital investment with an estimated construction value of over \$500 million** that will create a **major stimulus to the Victorian economy** over a 4-6 year works program.
- **An improved urban structure** that allows for better permeability, view lines towards heritage fabric in and around the site, and public open space.
- **Flood resilient and sensitive urban design** that is achievable given the triple-fronted nature of the Site and its large size to allow for efficient and reasonable mitigation of flood risk whilst maintaining viability of the land.
- **5 Star Greenstar** pathway.
- **Circa \$20 million in development contributions** and works-in-kind projects (subject to further consultation with CoM).
- **Proactive coordination of the project with the immediate neighbour to the south** (91-101 Boundary Road) and their design team for the betterment of both sites and the delivery of this part of Macaulay.
- **Engagement of multiple award-winning architects, Fender Katsalidis Architects and Cera Stribley Architects**, within the project team, who are Tier 1 architects that have a track-record in designing projects of this scale.

The benefits described above are achievable on the proviso that the foundational, first-principles height and massing design response is supported by the Minister for Planning in recognition of the Site's strategic context and opportunity within Macaulay as an urban renewal area.

It has been evident through the extensive design coordination and pre-application engagement process with the relevant authorities that the Site is situated within a complex and challenging context particularly as it relates to strategic planning, flood management, contamination, service infrastructure availability and market forces within the development and construction industry. It cannot be understated that the existing approvals on the Site are not viable to be delivered in the

current market, and that a pragmatic, first-principles approach is required if housing – and in particular affordable housing - at the scale currently envisioned by the state government in its housing reforms, media releases, and most recently *Plan for Victoria*, is to be feasible on the Site. Failing to adopt a pragmatic, first-principles approach would risk the Site becoming sterilised from future residential development opportunities, or at the very least delayed significantly whilst housing targets remain unrealisable.

This application is cognisant of and has had regard to the strategic work to date that has underpinned the current and proposed planning and built form controls on the Site, in particular the proposed planning scheme amendment C417melb – Macaulay Urban Renewal Precinct.

However, it is also noted that C417melb is not yet a seriously entertained amendment at the time of lodging this planning permit application, and its proposed controls – particularly as they relate to preferred heights and FARs - should bear little weight in the ultimate assessment of this application.

The proposed variations in height do not in any way generate off-site amenity impact or prejudice development opportunity of adjoining land to the south. Paired with a significant public benefit offering and the delivery of more homes, the variations are considered to be entirely acceptable having regard to the fair, orderly, economic and sustainable use and development of land in Victoria. These variations are also proposed with the recognition that the existing controls implement a 2012 structure plan and have an **expiry date of 29 September 2027**- reinforcing that the controls are at odds with current planning policy directives and the recognised overwhelming demand for housing of all types.

It follows as the recommendation of this report that the DTP should support the proposal, and to ultimately recommend the Minister for Planning to issue a Planning Permit for the development.

Please refer to the body of the Planning Report for further details.

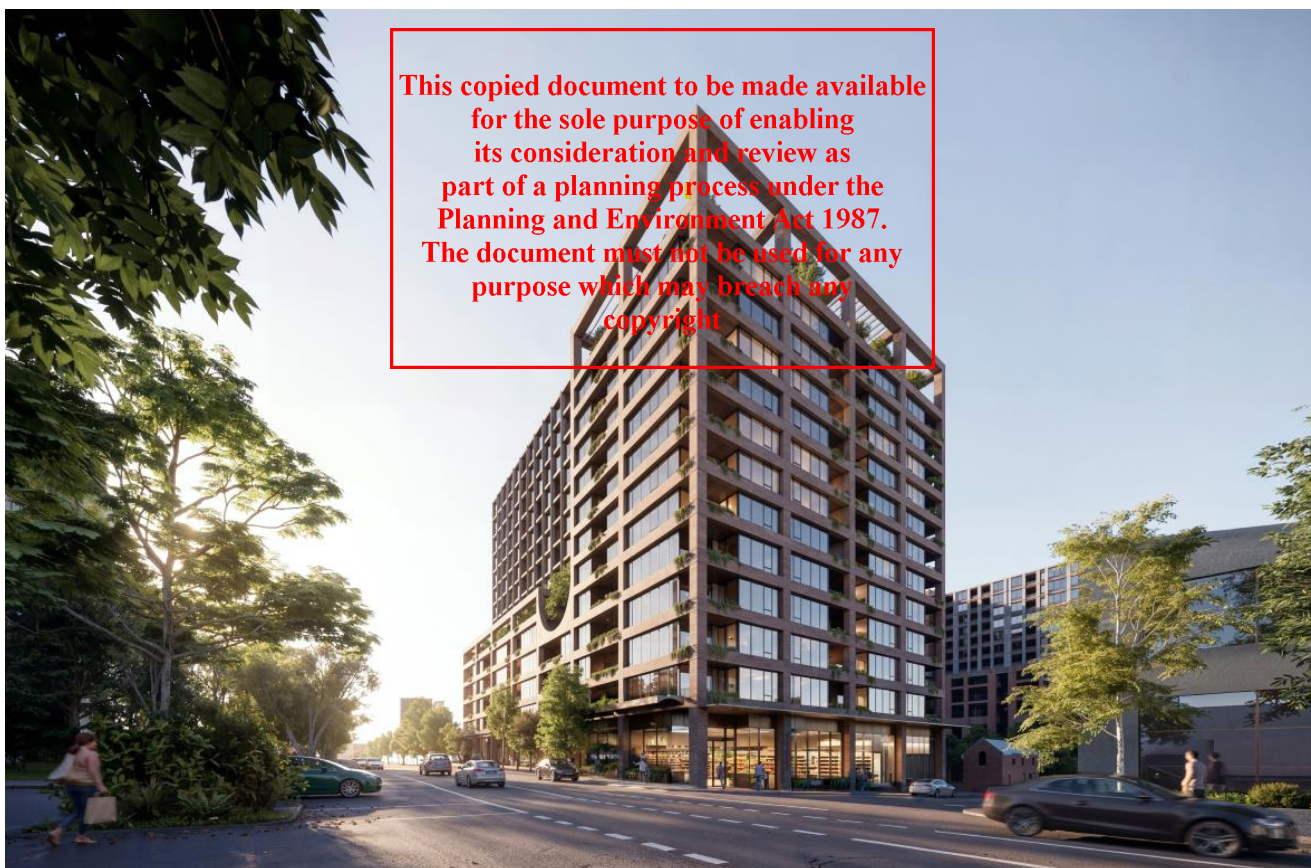


Figure 1 - Artist render of the view from Alfred / Boundary intersection.

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# 1 Introduction

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## 1.1 Purpose

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This report has been prepared by Tract Consultants Pty Ltd for Alfred and Boundary Pty Ltd (the '**Applicant**') to support a planning permit application to use and develop the land for a mixed-use precinct, on a strategic opportunity site within the Macaulay urban renewal area. Specifically, the proposal seeks to externally alter a heritage building and to use and develop the land for three, mixed-use buildings (including Dwellings, Food and drink premises, Offices, Place of assembly, Shop, Retail premises and Restricted recreation facility) at 59-101 Alfred Street & 103-117 Boundary Road, North Melbourne (the '**Site**'), pursuant to Clause 53.23 – *Significant Residential Development with Affordable Housing*.

The Site represents an immense strategic opportunity to deliver over 900 diverse, shovel-ready, high-quality dwellings that will contribute to urban consolidation strategies within the City of Melbourne and Victoria more broadly, whilst pragmatically responding to physical and environmental site constraints, as well as current market pressures. The Site is well-located within the heart of the Macaulay Urban Renewal Precinct, close to key transport links and future planned services and amenities. The Site's timely development into a vibrant mixed-use precinct will be an important catalyst to encourage the success of the surrounding urban renewal area.

The Applicant has assembled a highly experienced and award-winning project team and engaged in extensive pre-application meetings and workshops with the Department of Transport and Planning's (DTP) Development Facilitations Program (DFP), as well as with Council and Melbourne Water.

The Applicant and Project Team are proud to have developed a proposal which is able to achieve a myriad of public benefits for the Site, on the proviso that the foundational, first-principles height and massing design response is supportable by the Minister for Planning in recognition of the Site's strategic context. These public benefits, which go beyond the requirements of the *Melbourne Planning Scheme*, include:

- The delivery of circa 16% of dwellings as affordable housing (representing a 60% increase above the mandatory eligibility requirements);
- The creation of two (2) public open space areas, proposed to be vested to Council and the delivery of proposed improvements to these spaces (subject to further consultation with CoM);
- The delivery of works in kind infrastructure, including the Boundary Rd and Alfred Street intersection upgrade, proposed as a Stage 1 works, which will support the function of the road network within the surrounds particularly upon redevelopment of the broader precinct (subject to further consultation with CoM);
- The provision of a 97 sqm of community space;
- Additional economic benefit through the generation of additional development contributions beyond that which would be delivered under a scheme compliant outcome - which can be used to deliver much-needed infrastructure to the precinct; and
- Revitalisation of a dilapidated heritage building on the Site in Farrell's Stables.

It follows as the recommendation of this report that the DTP should support the proposal, and to ultimately recommend the Minister for Planning to issue a Planning Permit for the development.

## 1.2 Overview

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Key elements of the proposal include:

- Multi-storey mid-rise development across three precincts, described as follows:

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- Precinct 1 – part 12, part 16-storey mixed-use development in the eastern part of the Site, with 303 dwellings proposed as ‘Build-to-Sell’. A supermarket and three retail/commercial premises is proposed on the ground floor.
- Precinct 2 – 15-storey mixed-use development in the central part of the Site, with 336 dwellings proposed as ‘Build-to-Rent’. A gym, leasing office, and co-working office is proposed on the ground floor.
- Precinct 3 – 16-storey residential development in the western part of the Site, with 300 dwellings designed to be managed and operated by a Built-to-Rent operator and/or a Community Housing Provider for the purposes of providing Affordable Housing. Precinct 3 is designed with two towers to allow for flexibility of affordable housing delivery. A community space is also proposed on the ground floor.
- Farrell’s Stables – the existing heritage building on the Site is proposed to be retained and restored for the purposes of a café.
- Urban structure comprised of:
  - 1 x new diagonal 12m road reserve running northeast to southwest in the eastern part of the Site
  - 1 x new vertical 12m road reserve running north-south in the western part of the Site.
  - 1 x new east-west link comprising a 5m wide partially undercover shared path through Precinct 1, a 9m wide road reserve adjacent to Precinct 2 and a 6m wide shared path adjacent to Precinct 3 along the southern site boundary.
  - 2 x east-west undercover arcade pedestrian links through Precincts 1 and 2.
  - 2 x north-south pedestrian links, one running along the western edge of the central open space and one running through Precinct 1 via the open space area and through the amphitheatre.
  - 573 sqm central open space to be vested to Council as public open space (subject to further consultation with CoM).
  - Minimum 5m western setback from the CityLink shared boundary for the purposes of a shared path and open space strip proposed to be vested to Council (subject to further consultation with CoM).
- Integrated landscape strategy, including:
  - Horizontal and vertical greening
  - Improved canopy coverage throughout the Site and within the public realm, including greening and street planting on Alfred Street.
  - Distribution of green rooftops to support residential amenity and biodiversity opportunities.
- Environmentally sustainable design, including:
  - A certified 5 Star Green Star Buildings rating
  - A minimum NatHERS rating of 6.5 stars for any single apartment
  - An average NatHERS rating of at least 7.5 stars across the development
  - Total 40kL capacity rainwater tanks for reuse in toilet flushing and total 60kL capacity rainwater tanks for reuse in irrigation
  - Commitment to install at least 20% of available roof space with solar PV panels (approx. 200kW total capacity)
  - Green factor score of 0.56
- Community Infrastructure
  - Delivery of 1,040 sqm of landscaped open space areas intended to be vested to Council, including 573 sqm of central open space adjoining the Farrell’s Stables heritage building and 467 sqm landscaped shared path on the western edge of the Site adjoining Moonee Ponds Creek.
  - Provision of 97sqm flexible community space in Precinct 3.
- Public Realm Upgrades

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- The western terminus of Alfred Street is proposed to be closed off under the proposed Development Contributions Plan (under amendment C417) and upgraded into a landscaped public open space which will be delivered as part of the works-in-kind contributions by this project. This will provide additional public open space to the Macaulay precinct (subject to further consultation with CoM).
- The Boundary Road / Alfred Street intersection is proposed to be upgraded to become signalised as part of the works-in-kind contributions by this project delivered under the Development Contributions Plan (under amendment C417). The intersection upgrade will allow for additional public open space opportunities and ensure the safe and efficient management of this part of the road network as development occurs in Macaulay.

### 1.3 Planning Permit Triggers

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A planning permit is triggered under the following provisions of the *Melbourne Planning Scheme*:

- Clause 32.04-2 (MUZ) – to use land for:
  - Food and drink premises (Café)
  - Office (Leasing office and Co-working office) if the LFA exceeds 250sqm
  - Place of assembly (Community space)
  - Shop (Supermarket) if the LFA exceeds 150sqm
  - Retail premises
  - Restricted recreation facility (Gym)
- Clause 32.04-7 (MUZ), to construct two or more dwellings on a lot.
- Clause 32.04-10 (MUZ), to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.
- Clause 43.02-2 (DDO), to construct a building or construct or carry out works under Schedules 63 and 66 to the DDO.
- Clause 43.01-1 (HO), to externally alter a heritage building, and to construct a building or construct or carry out works, and externally paint a building, noting that external paint controls apply for this building.
- Clause 44.04-2 (LSIO), to construct a building or to construct or carry out works.
- Clause 44.05-2 (SBO), to construct a building or to construct or carry out works.
- Clause 52.29-2 (Land adjacent to the Principal Road Network), to create or alter access to a road in a Transport Zone 2 (i.e. Boundary Road).

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### 1.4 Background

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The Site currently benefits from two live planning permits, however it is noted that these approvals do not apply to the land at 111-113 Boundary Road, North Melbourne.

The Applicant has since acquired the land at 111-113 Boundary Road which now forms part of the Site.

- PA1900619 – ‘Stage 1’, issued by the Minister for Planning on 23 June 2020 and allows for:
  - *Construction of two multi-storey buildings with a shared basement*
  - *Use of land for office and retail premises*
  - *Reduction of car parking requirements*
  - *Alteration of access to a Road Zone, Category 1*

This Permit was recently extended on 24 June 2025 and the expiry date for commencement and completion of works is currently 23 June 2027 and 23 June 2029, respectively.

- PA1900705 – ‘Stage 2’, issued by the Minister for Planning on 6 January 2021 and allows for:

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- To use the land for a Residential building, Residential hotel, Office, Retail premises, Retirement village, Place of assembly (theatre), a Minor sports and recreation facility (rooftop skate park), and Food and drink premises
- To partly demolish a building
- To construct a building and construct or carry out works
- To construct a residential building
- To reduce the standard car parking requirement

This Permit was recently extended on 20 December 2024 and the expiry date for commencement and completion of works is currently 6 January 2027 and 6 January 2029, respectively.

#### Approved Built Form and Land Use Mix

Together the existing approvals allow for the development of 6 new buildings (A, B, C, D, E, F), inclusive of two shared two-level basements (between A and B; and C, D, E and F), plus the adaptive reuse of the heritage-protected 'Farrell's Stables' in the northern part of the Site for a commercial tenancy. The buildings range in height from 6 to 12 storeys.

The endorsed mix of land uses is highly diverse, including but not limited to Dwellings, Residential hotel, Theatre, Commercial office and co-working spaces, Market hall/Supermarket, Bike café and workshop, various Retail food and drink premises, Retirement living dwellings, Rooftop skate park and more.

A publicly accessible 1,050sqm park is proposed in the centre of the Site which is intended to be publicly vested. The basement footprint does not extend underneath this open space.

With respect to the road and laneway network across the Site, the following is noted:

- A new north-south vehicle laneway is proposed between Buildings C and D.
- A new north-south pedestrian laneway is proposed at the rear of Buildings A and B.
- A new east-west vehicle and pedestrian laneway is proposed along the southern boundary of the Site, which is one-way to the east and continues along the western boundary of the Site.
- A new east-west shared and pedestrian laneway is proposed through the centre of the western portion of the Site.

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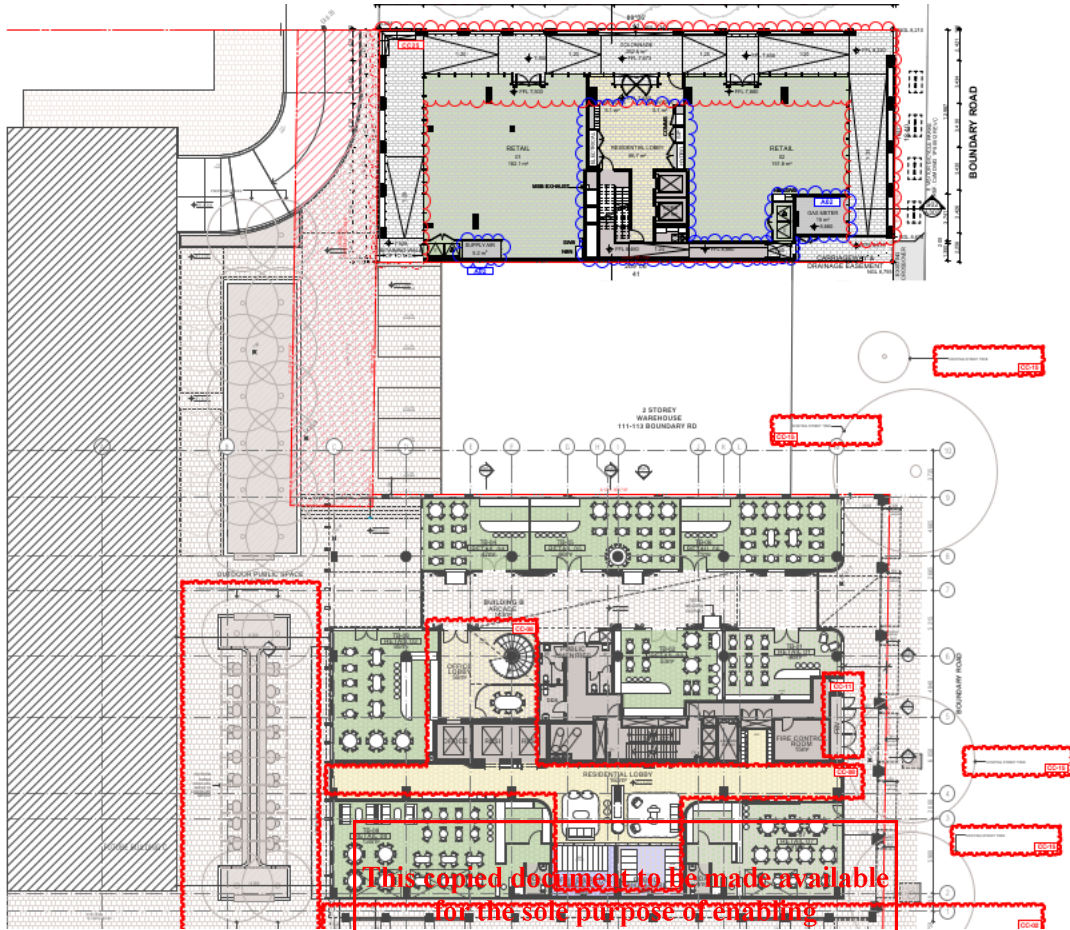


Figure 2 Extract of Ground Floor Plans for Stage 1 prepared by Fender Katsalidis (Endorsed)

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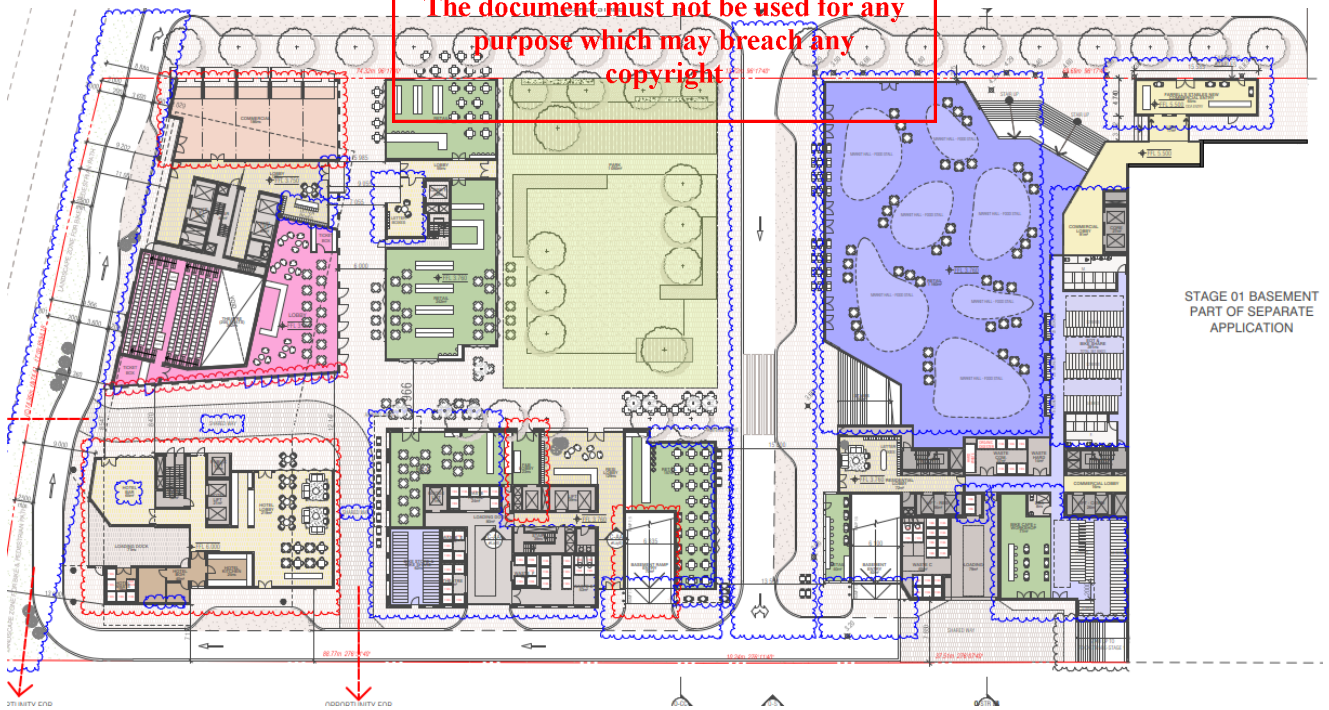


Figure 3 - Extract of Ground Floor Fender Katsalidis VCAT Hearing Plans dated 23 July 2020 (as referenced in the Stage 2 Permit PA1900705).

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### 1.4.1 Planning Timeline and Pre-Application Engagement with Authorities

The application has been subject to extensive engagement with authorities since acquisition, including DTP, the CoM and MW. A timeline of this engagement is summarised below:

- 14 February 2025 – Pre-Application meeting held with MW to discuss flooding considerations for the proposal.
- 27 February 2025 – Pre-Application meeting held with DTP’s DFP to discuss approvals pathway and concept.
- 27 March 2025 – Pre-Application meeting held with CoM’s planning and urban design teams and DFP.
- 22 May, 17 June, 11 July and 4 August 2025 – Pre-Application meetings and workshops held with Adam Henson (Director Planning Facilitation), Sheridan Harley (Manager Planning Facilitation), Callum Bryant (Senior Planner) and Bianca Elencevski (Principal Urban Designer) from DFP to discuss the proposed urban structure and massing.
- 27 January 2026 – Further pre-application meeting held with Melbourne Water.
- 27 January and 12 February 2026 – Pre-application meetings held with City of Melbourne planning and open space officers.

### 1.5 Report Structure

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This report details the Site and its surrounding context (Chapter 2), describes the proposal (Chapter 3), identifies the relevant planning policy and provisions (Chapter 4), proposed planning scheme amendment for consideration (Chapter 5), and assesses the proposal against the relevant matters (Chapter 6), before concluding (Chapter 7).

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## 2 Site & Surrounds

### 2.1 Site Details

The Site is located at 59-101 Alfred Street and 103-117 Boundary Road, North Melbourne.

The Site comprises a significant landholding of 1.51Ha and is generally rectangular in shape, with a northern frontage to Alfred Street of 198.3m, eastern frontage to Boundary Road of 73.7m, and a slightly angular western frontage to the CityLink/Moonee Ponds Creek of approximately 74.5m.

The Site expresses a significant slope from its high point along the eastern boundary to Boundary Road down to its western boundary adjacent to Moonee Ponds Creek.

The Site is devoid of any meaningful vegetation, however it is noted that there are four mature London Plane street trees identified as Council assets along Boundary Road.

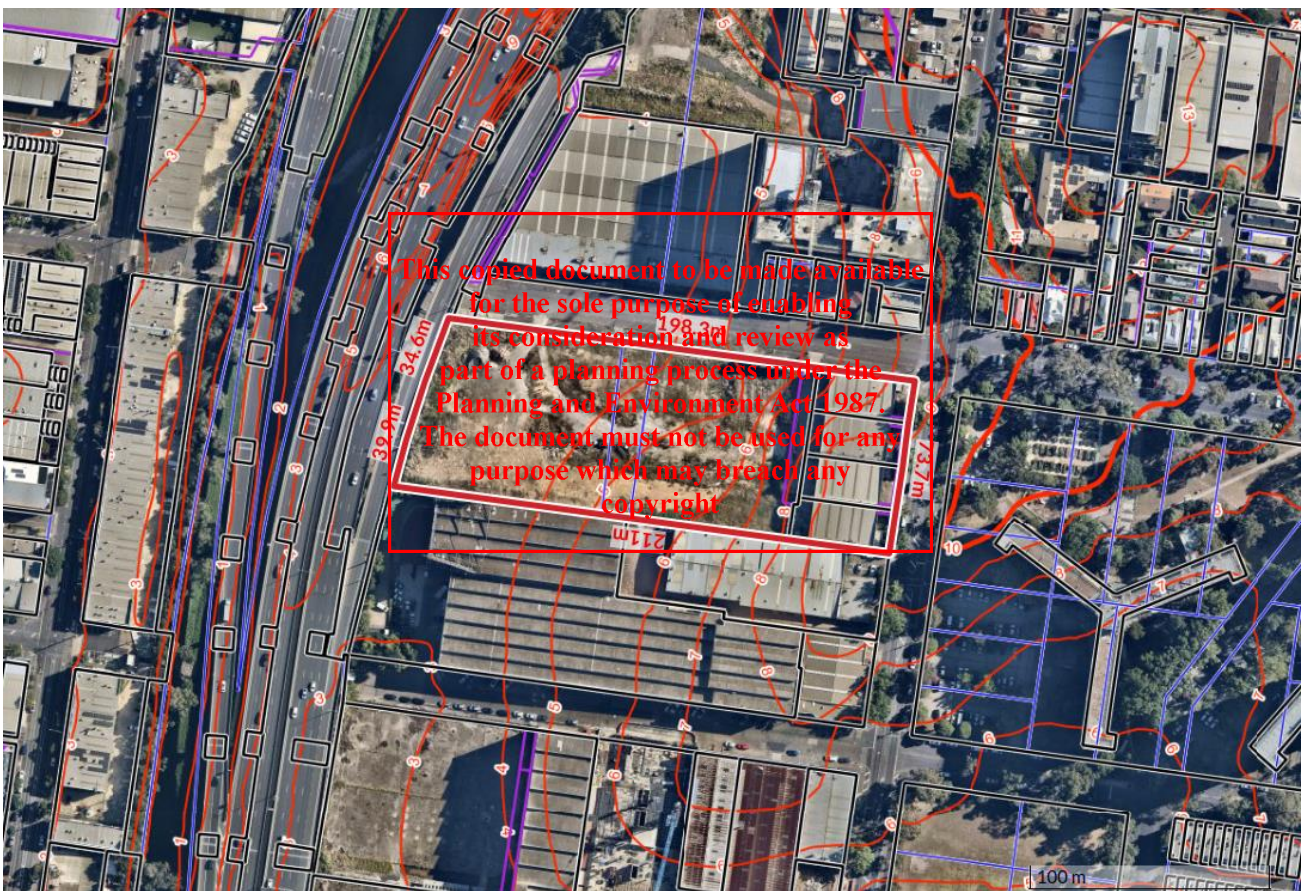


Figure 4 - Aerial Plan (OneMap, 2025).

The Site is comprised of the following parcels:

- 59-101 Alfred Street – vacant site, with the exception of a heritage-listed two-storey brick building ('Farrell's Stables') on the northeast corner of the lot.
- 103-105, 107-109, 111-113 and 117 Boundary Road – four lots, each occupied by a two-storey warehouse building.

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Figure 5 - View southwest to 59-101 Alfred Street.

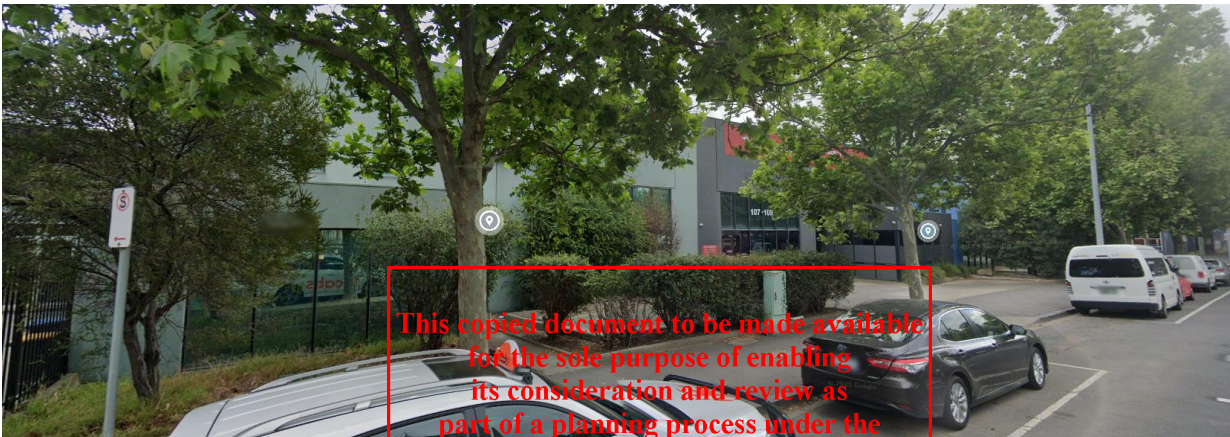


Figure 6 - View north towards 103-105 and 107-109 Boundary Road.

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## 2.2 Title Particulars

The Site is formally identified as follows:

- Lot 1, 2, and 4 on Plan of Subdivision 343349
  - The lots are affected by various easements, including for party wall, carriageway and drainage, sewerage, and pipelines & ancillary purposes.
- Lot 1 on Title Plan 811768
  - This lot is not affected by any relevant easements or encumbrances.
- Lot 2 on Plan of Subdivision 339485.
  - This lot is affected by a carriageway and drainage easement which runs partway along the eastern lot boundary.
- Lot 1 on Plan of Subdivision 409694.
  - This lot is not affected by any relevant easements or encumbrances.

As determined by the Easement Report prepared by Reeds Consulting, whilst there are several easements that currently encumber these titles, they do not benefit any land outside the Site, except for City West Water limited as a statutory beneficiary of a 'pipelines & ancillary purposes' easement.

Refer to the Certificates of Title for further details.

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## 2.3 Surrounding Context

The Site is located in North Melbourne, approximately 3km northwest of the Melbourne CBD.

Surrounding land uses are predominantly commercial and industrial, with large format warehouse buildings largely built to boundaries and a general lack of vegetation or landscaping.

Notwithstanding, there are notable residential land uses nearby including the North Melbourne public housing towers and pockets of heritage-protected residential areas, as well as public green open spaces at Boundary Road Reserve and Royal Park.

The Site is well connected to public transport networks, including the Macaulay and Flemington Bridge Train Stations (Upfield Line), and the #57 and #59 Tram Routes all located within a 400m radius of the Site.

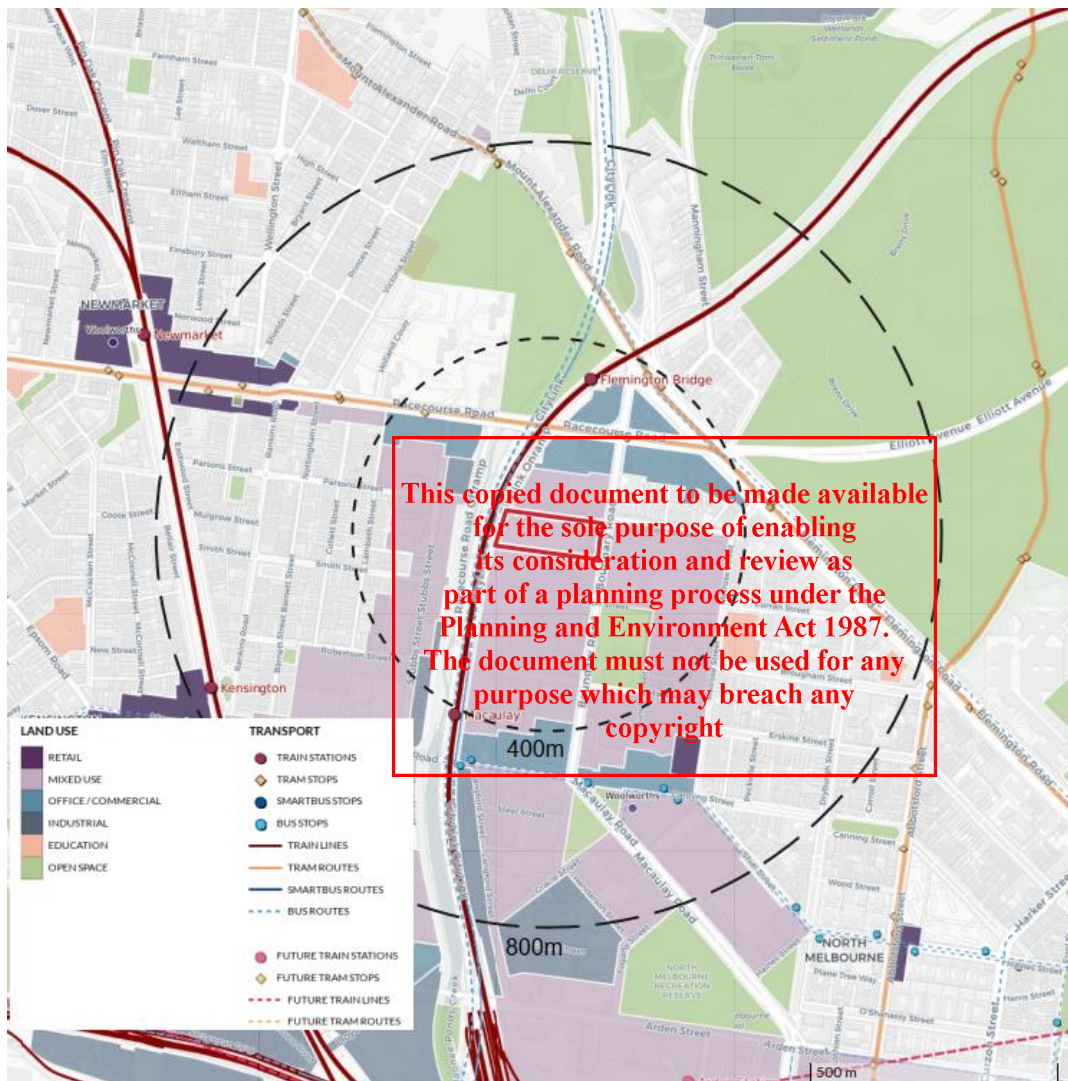


Figure 7 - Context Plan

The Site has the following key interfaces:

- **North** – Alfred Street, a 20m wide road with two-way traffic, comprising car parking and a footpath on both sides. Alfred Street is a no-through road and terminates at the northwestern corner of the Site as it hits the Citylink toll road. Opposite the Site on Alfred Street are a series of single and double-storey warehouse-style industrial and commercial buildings at 68-102, and 54 to 62 Alfred Street, and 127-129 Boundary Road, as well as a single storey dwelling at 50 Alfred Street.

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A significant mixed-use development approved under PA1900753 is currently under construction at 139-149 Boundary Road for a 12-storey building comprising 276 dwellings and 245sqm of retail space. Access to this development is provided via Alfred Street opposite the Site.



Figure 8 - View west down Alfred Street.

- **East** – Boundary Road, a 20m wide road with two-way traffic, comprising car parking and a footpath with street tree planting on both sides.

Opposite the Site to the east is 1-51 Alfred Street, a large government land holding which comprises the North Melbourne public housing towers and generous landscaping, at-grade car parking and public green open space.



Figure 9 - View south down Boundary Road.

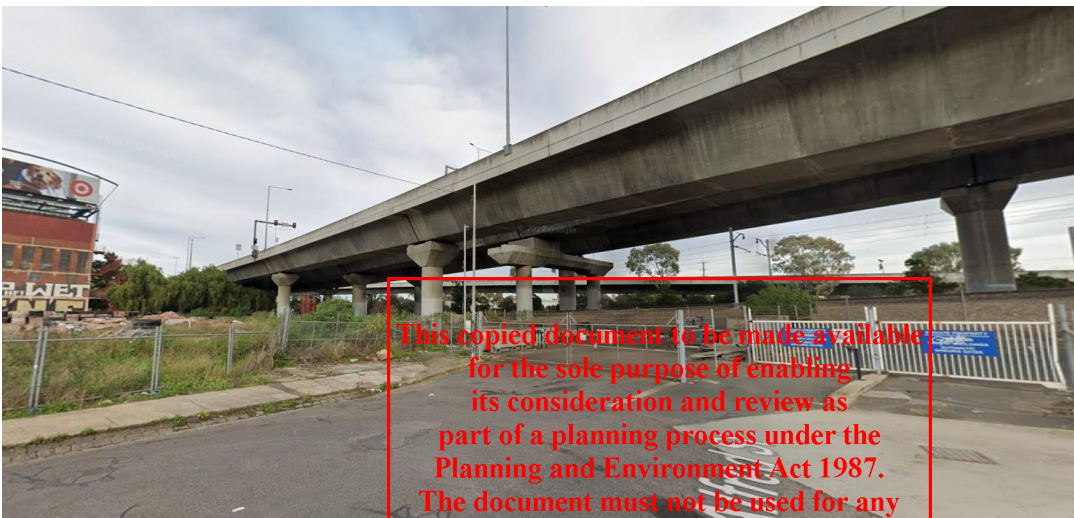
- **West** – Citylink – a circa 43m wide toll road constructed as a flyover at this western interface. Land under the flyover has restricted access and used generally for private car parking and maintenance purposes. Further west of the Citylink runs the Moonee Ponds Creek and the Racecourse Road Offramp.

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Figure 10 - View east towards the Site from the Citylink.



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Figure 11 - View west towards the Citylink from the western site boundary.

- **South** – the Site directly abuts ~~the rear and side interfaces of 64 Sutton Street and 91-101 Boundary Road,~~ respectively, which are described as three and two-storey warehouse-style industrial and commercial large format buildings.

64 Sutton Street is protected under a site-specific heritage overlay and has windows on its northern boundary where it interfaces with the Site’s southern boundary.



Figure 12 - View of southern interface.

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## 2.4 Surrounding Approvals

The following permits have been issued for land in the vicinity of the Site.

The list is not exhaustive and no permits or endorsed plans have been reviewed as part of this summary. Details have been sourced from publicly available information online in the CoM's Development Activity Model and the DTP's Ministerial permits register.

- PA1900753 – 139-149 Boundary Road, North Melbourne – a 12-storey mixed-use development with 276 apartment dwellings, 234 car parks, 245sqm of retail space and 225 bike spaces. Currently under construction.
- PA2000891-1 – 77-83 Sutton Street, North Melbourne – a 12-storey mixed-use development with 214 apartment dwellings, 195 car parks, 168sqm of office space, 130sqm of retail space and 145 bike spaces. Permit approved on 18 March 2024.
- PA1900752 – 68-102 & 103 Alfred Street, North Melbourne – four multi-storey mixed-use buildings (3 x 12 storey and 1 x 8 storey) with basements, comprising dwellings, office, retail, and childcare uses.
- PA2101202 – 86-96 Stubbs Street, Kensington – an 8-storey building with basement comprising 199 dwellings, 1416sqm of office space, 131sqm of retail space, 286sqm of community space, plus 96 car parks and 366 bike spaces. Currently under construction.
- PA1900727 – 346-350 Macaulay Road, Kensington – an 8-storey mixed use development comprising 424 BTR dwellings and retail premises. Currently under construction.
- PA2201857 – 218-246 Macaulay Road & 23-35 Boundary Road, North Melbourne – a 12-storey mixed-use development comprising dwellings and communal amenities, and retail premises, with an affordable housing requirement of 3%. Permit approved on 21 June 2024.



Figure 13 - L-R: Artists impressions of 139-149 Boundary Road, 77 Sutton Street, and 218-246 Macaulay Road & 23-35 Boundary Road.

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### 3 Proposal

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This section should be read in conjunction with the Architectural Plans (2026) prepared by Fender Katsalidis Architects (FKA) and Cera Stribley Architects (CSA).

In summary, the proposal seeks to use and develop the Site into a mixed-use precinct with three multi-storey buildings comprising dwellings, retail premises, community facility, office and gym. The proposal also seeks to provide multiple public open space areas and an internal road network that is intended to be vested to Council. Significantly, the proposal seeks to deliver 16% of dwellings in kind as affordable housing, to be sold at a discounted rate to a community housing provider.



Figure 1.4 - Artists render of eastern elevation of Precinct 1 from Boundary Road.

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Figure 15 Artist render Precinct 2 and POS

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Figure 16 Artist render Precincts 2 and 3

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Key elements of the proposal include:

- Multi-storey mid-rise development across three buildings ('precincts'), described as follows:
  - Precinct 1 – part 12, part 16-storey mixed-use development in the eastern part of the Site, with dwellings proposed as 'Build-to-Sell'.
  - Precinct 2 – 15-storey mixed-use development in the central part of the Site, with dwellings proposed as 'Build-to-Rent'.
  - Precinct 3 – 16-storey residential development in the western part of the Site, a portion of which is designed to be managed and operated by a Built-to-Rent operator and/or a Community Housing Provider for the purposes of providing Affordable Housing. Precinct 3 is designed with two towers to allow for flexibility of affordable housing delivery, with the balance of dwellings not being provided as affordable housing likely to be delivered as 'Build to Rent' dwellings.
- Urban structure comprised of new roads and pedestrian/cyclist connections, a 573 sqm central open space to be vested to Council as public open space and a minimum 5m western setback from the CityLink shared boundary for the purposes of a shared path and open space strip proposed to be vested to Council.
- Integrated landscape strategy which achieves:
  - Total deep soil area of 17.6% site area
  - Canopy cover target of 23.4% site area.
  - Green Factor score of 0.56.
- Environmentally sustainable design which achieves a certified 5 Star Green Star Building Rating and complies with the initiatives of Council's new ESD policy (yet to be gazetted).
- Community Infrastructure
  - Delivery of 1,040 sqm of landscaped open space areas proposed to be vested to Council, including 573 sqm of central open space adjoining the Farrell's Stables heritage building and 467 sqm landscaped shared path on the western edge of the Site adjoining Moonee Ponds Creek. The proposal also seeks to deliver the improvements to these spaces.
  - Provision of a 97sqm flexible community space in Precinct 3.
- Public Realm Upgrades
  - Upgrades to Alfred Street, generally in line with the intent of the proposed Development Contributions Plan. It is intended that these works are facilitated under a works in kind arrangement to the project's contribution liabilities. This will provide further public open space to the Macaulay precinct.
  - The Boundary Road / Alfred Street intersection is proposed to be upgraded to become signalised as part of the works-in-kind contributions on offer by this project.
- 503 car parking spaces sleeved in above-ground podium levels across the precincts, with a minimum of 5% of spaces to be EV charge ready at the time of development completion, plus provisioning of 100% future EV-charging.
- 613 bicycle parking spaces in secure bicycle storage areas easily accessible from the proposed road network across the precincts.

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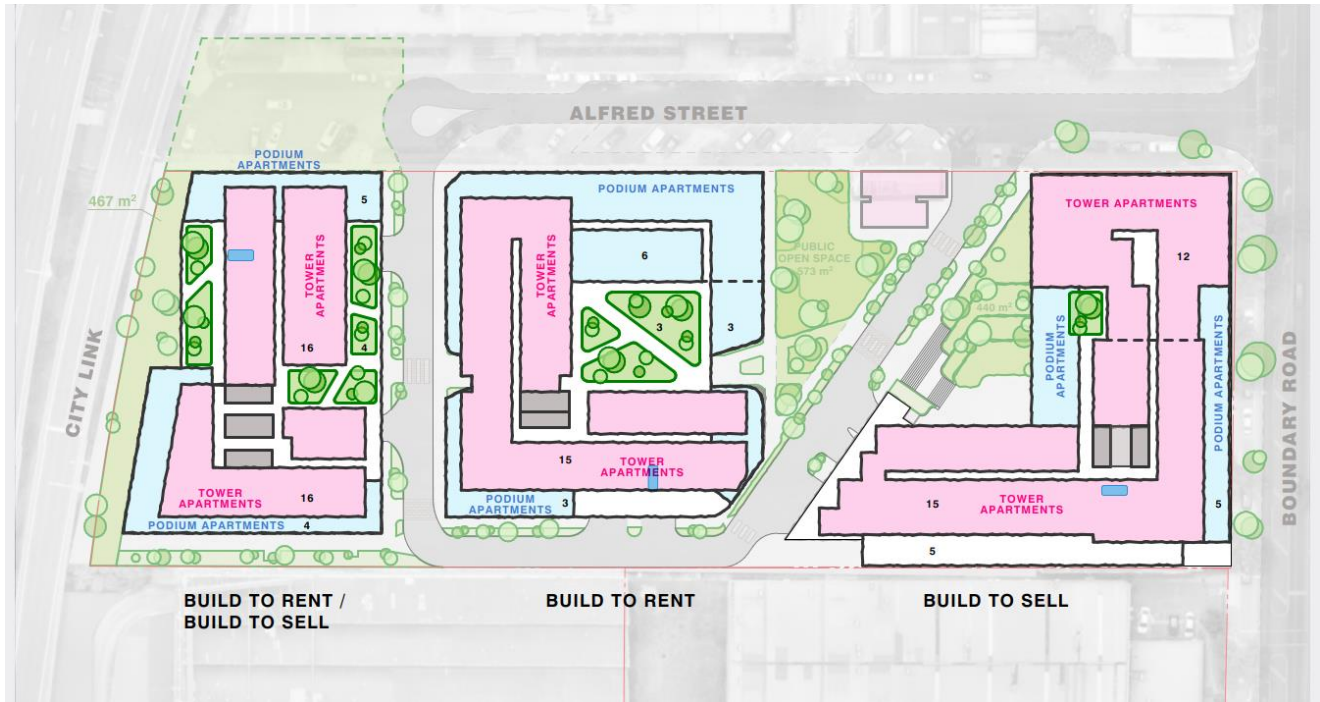


Figure 17 - Extract from UCR.

The table below provides a development summary of the proposed mixed-use precinct.

Precinct	Dwellings	Commercial / Retail (NLA sqm)	Other Land Use	Car spaces	Bicycle spaces	External Storage Cages
1	42 x Studio 130 x 1-bedroom 107 x 2-bedroom 24 x 3-bedroom Total: 303	Supermarket (1,282 sqm) Retail (715 sqm)		235 x residential 47 x retail/public Total: 282 spaces	208	78
2	101 x Studio 110 x 1-bedroom 100 x 2-bedroom 25 x 3-bedroom Total: 336	Leasing Office (292 sqm)	Gym (451 sqm) Co-working (335 sqm)	137 x residential	217	301
3	48 x Studio 150 x 1-bedroom 91 x 2-bedroom 11 x 3-bedroom Total: 300	N/A	Community (97 sqm)	131 x residential	188	295

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<b>Total</b>	939 dwellings	-	-	550 car spaces	613 bike spaces	674
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### 3.1 Permit Triggers

The proposal triggers a planning permit under the following provisions of the *Melbourne Planning Scheme*:

- Clause 32.04-2 (MUZ) – to use land for:
  - Food and drink premises (Café)
  - Office (Co-working office) if the LFA exceeds 250sqm
  - Place of assembly (other community spaces)
  - Shop (Supermarket) if the LFA exceeds 150sqm
  - Retail premises
  - Restricted recreation facility (Gym)
- Clause 32.04-7 (MUZ), to construct two or more dwellings on a lot.
- Clause 32.04-10 (MUZ), to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.
- Clause 43.02-2 (DDO), to construct a building or construct or carry out works under Schedules 63 and 66 to the DDO.
- Clause 43.01-1 (HO), to externally alter a heritage building, and to construct a building or construct or carry out works, and externally paint a building, noting that external paint controls apply for this building.
- Clause 44.04-2 (LSIO), to construct a building or to construct or carry out works.
- Clause 44.05-2 (SBO), to construct a building or to construct or carry out works.
- Clause 52.29-2 (Land adjacent to the Principal Road Network), to create or alter access to a road in a Transport Zone 2 (i.e. Boundary Road).

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### 3.2 Land Use Program

The land use program for each of the three precincts is summarised below.

#### 3.2.1 Precinct 1

##### Lower Ground Floor

- Car parking, loading bay/turntable, and back of house to service the supermarket tenancy.
- Waste loading area to service the dwellings.
- Bicycle storage area

##### Upper Ground Floor

- 1,282 sqm supermarket tenancy located at the northeastern corner of Alfred Street and Boundary Road.
- 715 sqm in total retail and commercial tenancies.
- Residential lobby and building manager office.
- Residential car parking ramp and entrance from Boundary Road.
- Various building services, including substation, fire pump and tank rooms.

##### Mezzanine

- Residential car parking (sleeved)

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#### Level 1 to 14

- Residential car parking (sleeved, levels 1-4 only)
- Dwellings
- Communal amenities
  - Cinema (level 2 – 172 sqm)
  - Gym (level 3 – 172 sqm)
  - Dining and lounge (level 4 – 151 sqm)
  - Outdoor terrace (level 12 – 332 sqm),

#### Rooftop

- Landscaped rooftop terrace with BBQ and dining facilities.

### **3.2.2 Precinct 2**

#### Ground Floor

- 451 sqm gym tenancy fronting Alfred Street and future public open space.
- 333 sqm co-working space fronting the future public open space.
- 194 sqm leasing office.
- Bicycle storage area
- Residential lobbies and parcel/lounge area.
- Loading and waste storage area
- Various building services, including substation, fire pump and tank rooms.

#### Level 1 to 14

- Residential car parking (sleeved, Level 1, Mezzanine and Level 2 only)
- Dwellings
- Communal internal amenities (398 sqm) and outdoor terrace (529sqm) – Level 3.
- Dining and lounge room and outdoor terrace (123 sqm) – Level 14.

### **3.2.3 Precinct 3**

#### Lower Ground Floor

- Various building services, including fire pump and tank rooms.

#### Ground Floor

- Community space (97 sqm)
- Dwellings
- Residential lobbies.
- Car parking and bicycle parking for dwellings.
- Loading and waste area
- Various building services, including substation.

#### Level 1 to 14

- Residential car parking (sleeved, Level 1-3 only)
- Dwellings
- Communal internal amenities (508 sqm) and outdoor terrace (370 sqm) – Level 4.

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### 3.2.4 Farrell's Stables

The Farrell's Stables heritage building is proposed to be retained and restored on Site and adaptively reused for the purposes of a Food and drink premises (café) with a NLA of circa 134 sqm, plus back of house area. This will require minor alterations to the façade.

### 3.3 Land Use Operational Details

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The following indicative operational details are proposed for the permit required land uses.

#### Café

- Operating hours: 6:00am – 10:00pm, seven days per week

#### Retail

- Operating hours: 7:00am – 10:00pm, seven days per week

#### Office

- Operating hours: 7:00am – 10:00pm, seven days per week

#### Supermarket

- Operating hours: 7:00am – 10:00pm, seven days per week
- Loading: To occur in accordance with the Traffic Impact Assessment.

#### Place of Assembly

- Operating hours:
  - 7:00am – 10:00pm (Monday–Friday)
  - 9:00am – Midnight (Saturday)
  - 10:00am – 10:00pm (Sunday)
- Maximum patronage: 40 patrons (final capacity to be confirmed by the building surveyor).

#### Gym

- Operating hours: 24 hours a day, seven days a week
- Maximum staff capacity: Up to 8 staff at any given time

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### 3.4 Urban Structure

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Whilst being guided by the former and new Macaulay Structure Plan, the urban structure for the Site has been devised using a 'first principles' approach to ensuring that the site layout facilitates enhanced permeability throughout the precinct, while responding to links that have already been created to the south to provide a more direct connection. The urban structure also seeks to prioritise open space delivery in a variety of formats, to foster the creation of a 'sense of place' and multiple leisure and recreation opportunities for new residents. Further, the proposed urban structure responds to the likely development scenario for the site to the south- ensuring that more equitable development and access opportunities are afforded.

Key features of the proposed urban structure are described as follows:

- 1 x new diagonal 12m road reserve running northeast to southwest in the eastern part of the Site
- 1 x new vertical 12m road reserve running north-south in the western part of the Site.
- 1 x new east-west link comprising a 5m wide partially undercover shared path through Precinct 1, a 9m wide road reserve adjacent to Precinct 2 and a 6m wide shared path adjacent to Precinct 3 along the southern site boundary (intended to be vested to Council).
- 2 x east-west undercover arcade pedestrian links through Precincts 1 and 2.

- 2 x north-south pedestrian links, one running along the western edge of the central open space and one running through Precinct 1 via the open space area above the supermarket loading dock.
- 573 sqm central open space to be vested to Council as public open space.
- Minimum 5m western setback from the CityLink shared boundary for the purposes of a shared path and open space strip to be vested to Council.

Refer to the Urban Context Report prepared by FK for further detail of the urban structure resolution.

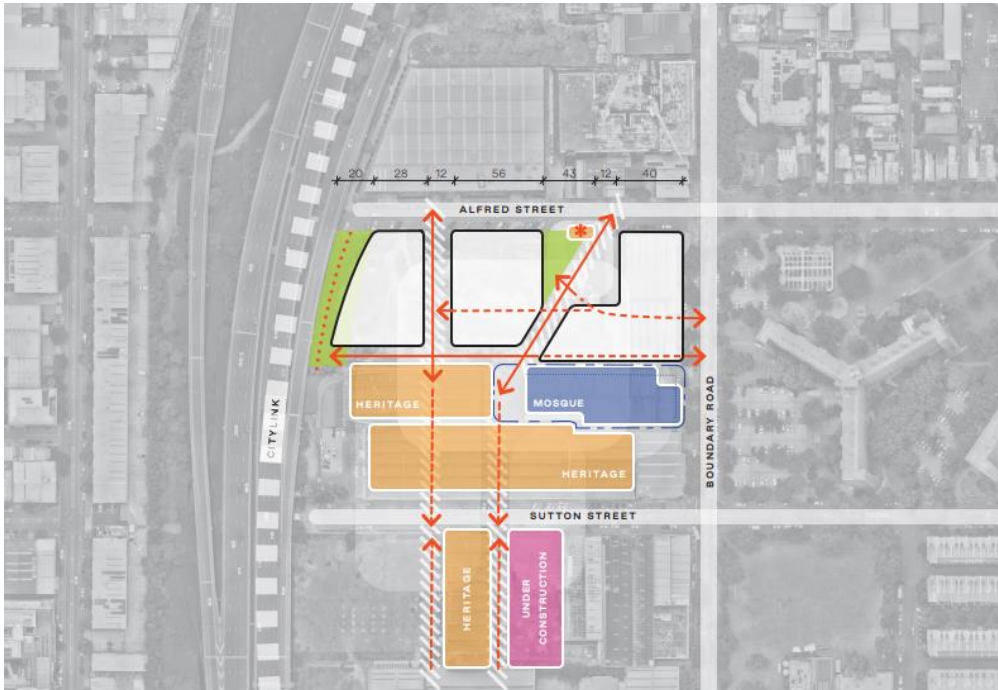


Figure 18 Resolution of urban structure

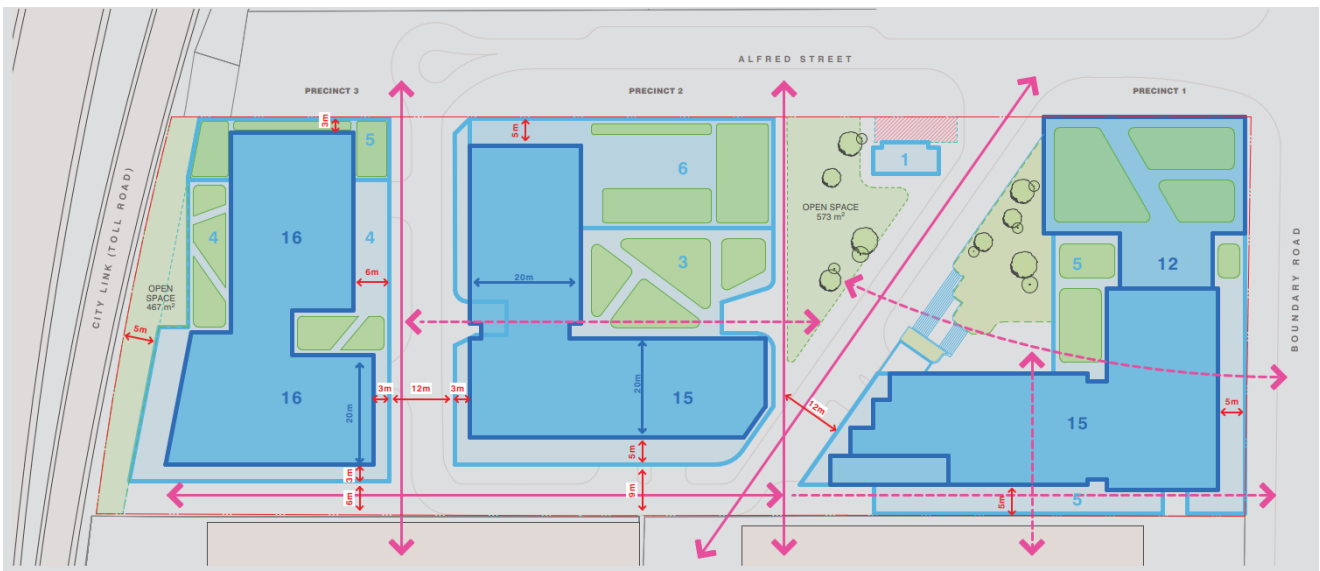


Figure 19 - Proposed Urban Structure.

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## Flooding

The urban structure and overall development has been informed early in the design process by flood advice from HARC Services, noting that flood risk on the site is from the wider Moonee Ponds Creek catchment as well as overland flows from the northeast of the Site.

The proposed development plan includes a range of responses to flooding including:

- Elevation of dwelling floor levels above the future 2100 1% AEP Flood Level, assuming no mitigation works.
- Safe access and egress to and from Alfred Street for vehicles (eastern entry at Alfred Street).
- Internal roads designed to meet the safety criteria as described in the *Guidelines for Development in Flood Prone Areas*.
- No basement car parks.
- Egress from building to areas with no or low flood hazard under the future flood conditions.
- Additional open space along the western edge of the site.
- Safe pedestrian egress to Boundary Road.

## 3.5 Built Form and Massing

### 3.5.1 Demolition and Tree Removal

All existing buildings located at 103-117 Boundary Road are proposed to be demolished, as well as the demolition of existing crossovers on Boundary Road and Alfred Street in order to accommodate revised access arrangements.

As identified in the Arborist Report prepared by Tree Logic, the following exotic trees are proposed to be removed in order to accommodate the development footprint of the new buildings and roads:

- 4 x London plane trees (Council assets) located on the footpath adjacent to the Site on Boundary Road.
- 1 x Peppercorn tree in the central eastern part of the Site.
- 2 x Peppercorn tree group in the west and southwestern part of the Site.

No native vegetation is proposed to be removed.

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### 3.5.2 Building Heights, Street Wall Heights, Setbacks

A summary of the proposed massing arrangements, including building heights, street wall heights and setbacks is provided in the table below.

Built Form Element	Precinct 1	Precinct 2	Precinct 3
Number of Storeys	16 (including lower-ground level).	15	16
Maximum building height	50.7 metres	54.1 metres	54.5 metres.
Street wall and upper level setback to Alfred St	12 storeys.	6 storeys and 5m.	5 storeys and 3m.
Street wall and upper level setback to Boundary Rd	5 storeys and 5m.	N/A	N/A

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Street wall and upper level setback to internal roads	5 storeys and 2-5m.	3 storeys and 3m	4 storeys and 2.5m.
Street wall and upper level setback to southern link / boundary	5 storeys and 5m.	6 storeys and 5m.	4 storeys and 3m.

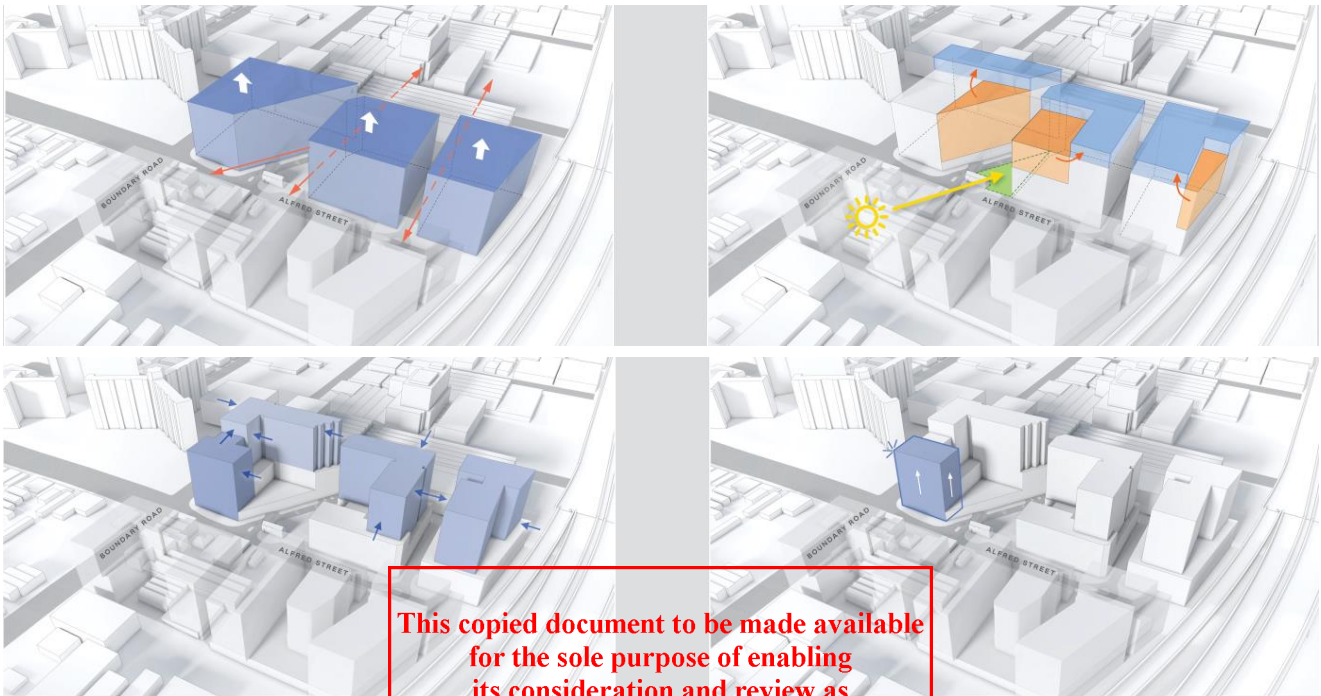


Figure 20 - Resolution of massing (FK)

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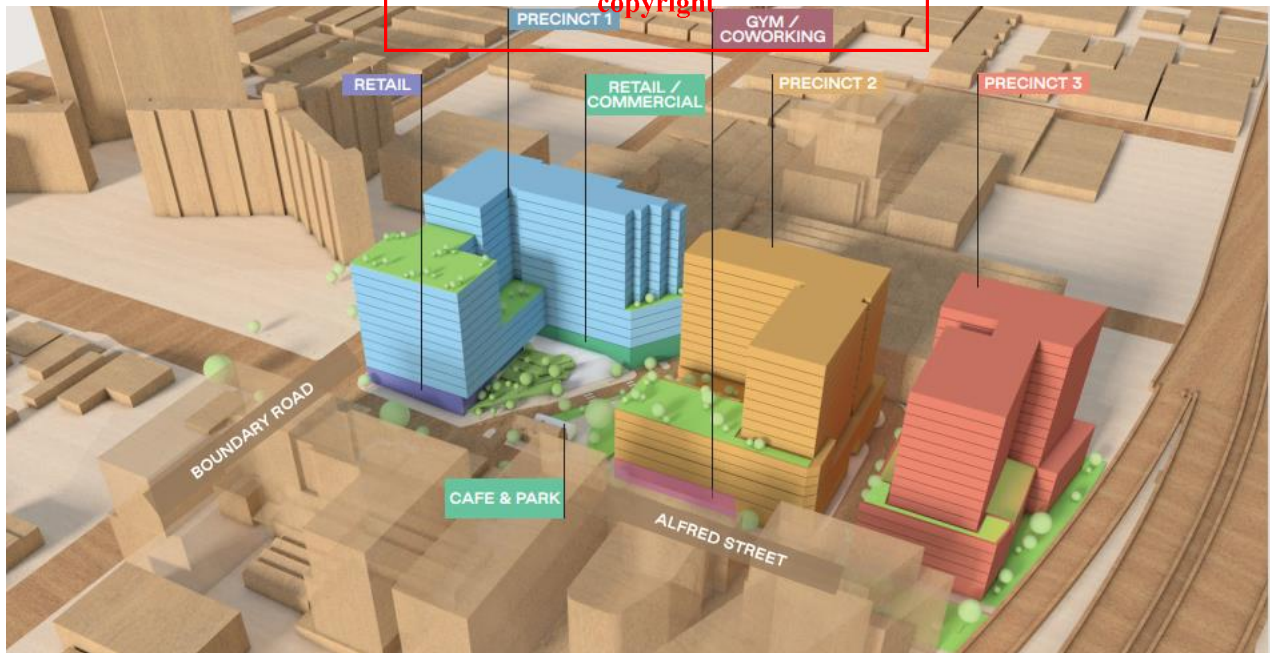


Figure 21 - Extract from UCR.

### 3.5.3 Equitable Development

The proposal has been designed to be built to the southern boundary at the podium level within Precinct 1. Along the southern interface to 91-97 Boundary Road, the podium incorporates a continued built form expression to the boundary, however, this is strategically moderated through the inclusion of a recessed void of 5.2m in depth. This void has been deliberately incorporated to facilitate daylight access to the southern pedestrian and cycle link, enhancing its amenity and usability, while also ensuring an appropriate level of shared amenity with the adjoining property to the south at 91–97 Boundary Road.

Importantly, this design approach allows the eastern portion of the accessway to remain clear to the sky, resulting in a more open, visually permeable and legible entrance when viewed from Boundary Road. The increased openness provides a positive interface outcome that supports pedestrian permeability, improves wayfinding and enhances opportunities for passive surveillance, thereby contributing to a safer and more inviting public realm.

At the upper levels, the proposal incorporates a 4.8m setback from the podium, resulting in a potential cumulative upper-level setback of 9.6m from the southern boundary. This increased setback materially reduces visual bulk and dominance when viewed from the public realm and surrounds, while also facilitating equitable future development opportunities for the southern property. Overall, the upper-level setbacks represent a balanced and considered design response that supports orderly development and the long-term evolution of the precinct.



Figure 22 – Boundary Road Elevation – Equitable Development

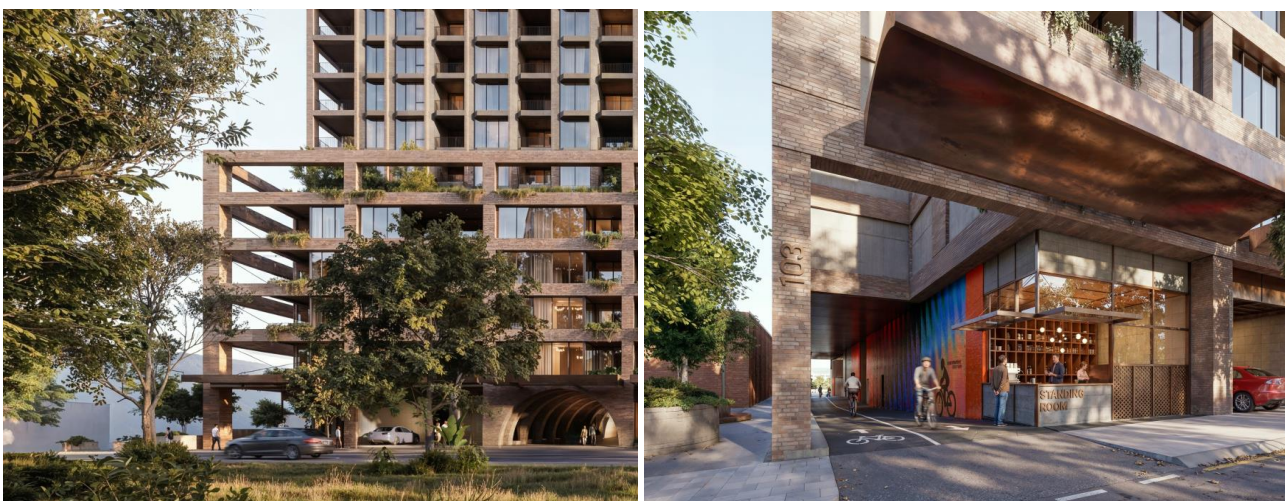


Figure 23 – Boundary Road Renders

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### 3.5.4 Heritage

The Farrell's Stables building is proposed to be retained to the full extent of its original envelope. External restoration and conservation works is proposed to be undertaken, including minor alterations to the configuration of external openings. A small glazed, linked addition is proposed to be constructed adjacent to the south side of the building in order to meet capacity and operational requirements to adaptively reuse the former stable as a hospitality café venue.

The addition has been finely detailed, with the side walls set on brick plinths in the manner of a conservatory, and supported with new landscaping to allow for a generous transitional public/private interface between the heritage building and surrounding new public open space.

In terms of respecting the surrounding existing heritage fabric, including the Farrell's Stables building as well as the former Commonwealth Wool Store & Produce Company Ltd building at 64-90 Sutton Street (under HO1117), the new buildings have been designed to be sited and set back respectfully to ensure appropriate views are provided from within and outside the Site, and to ensure these heritage buildings are not visually overwhelmed by the new development.

### 3.6 Open space

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The proposal seeks to deliver multiple areas of public open space throughout the Site. Details of these spaces are as follows:

#### Public open space

- One area of public open space of 573 sqm, centrally located within the Site. It is proposed that this space is vested to Council (in principle comfort has been obtained) and is considered as a land contribution pursuant to Clause 53.01 (Public open space contribution and subdivision). This proposal also seeks to deliver the improvements to the open space, as detailed within the Landscape Concept Plan prepared by Tract.
- A second area of public open space of 467 sqm, located along the western edge of the Site. It is proposed that this space is vested to Council (in principle support yet to be obtained), and is considered as a land contribution pursuant to Clause 53.01 (Public open space contribution and subdivision). This proposal also seeks to deliver the improvements to the open space, as detailed within the Landscape Concept Plan prepared by Tract.

#### Privately held, publicly accessible open space

- The proposal also seeks to deliver a third open space area within Precinct 1, being a privately held publicly accessible area of open space. This space is intended to be improved with planting, and offers another variety of open space to the precinct and broader area.

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### 3.7 Affordable Housing Provision

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Pursuant to the eligibility requirements of Clause 53.23 (Significant Residential Development with Affordable Housing), the proposal will include an affordable housing contribution of at least 10 percent of the total number of dwellings in the proposed development. At the time of lodgement with the DFP, it is intended that this contribution is provided through the discounted sale of homes to a registered housing agency (RHA) or Homes Victoria delivery criteria, in line with the criteria of Option 1 which states:

- Affordable housing can be contributed as:
  - 10% of all dwellings sold at a 30% discount to a Registered Housing Agency (RHA) or Homes Victoria for operation as social and/or affordable housing, or
  - 3% of dwellings gifted to a RHA or Homes Victoria.
  - an alternative percentage of dwellings or alternative discount rates may be considered where the total value is equivalent to the 3% contribution in option 2.
  - the applicant should provide evidence of an agreement that confirms support of the RHA.

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It is highlighted that whilst the affordable housing contribution under Option 1 is sought at present, Option 2 (cash contribution) or Option 3 (Discounted rental in build to rent developments) may also be pursued. This will be confirmed in a Section 173 Agreement entered into upon issue of a planning permit for the proposed redevelopment at the Site.

Furthermore, whilst the eligibility requirement under Clause 53.23 stipulates that a minimum of 10% of dwellings are to be provided as affordable housing, the proposal seeks to offer 16% of dwellings as affordable housing. It is highlighted, however, that this percentage is contingent upon the approval of the yield being sought by the application being maintained upon issue of the planning permit for the redevelopment.

It is intended that the affordable housing is provided in Precinct 3, however this may also extend to Precinct 2 subject to further discussions with build to rent operators. The final location and mix of affordable housing dwellings will be confirmed in the Section 173 Agreement entered into following permit issue. It is also noted that preliminary engagement with community housing providers has already occurred, where the appetite to acquire dwellings in this precinct has been confirmed. Discussions with community housing providers remain ongoing, and the preferred operator will be confirmed at a later date.

The proposed contribution, which reflects an offer 60% above the eligibility requirements, is a demonstration of the significant public benefit being facilitated by the proposed redevelopment, and is testament to the commitment of the proponent to deliver a development outcome which provides far-reaching community benefits beyond the bounds of the Site.

### 3.8 Staging

Due to the large extent of works proposed as part of this development, staging of delivery is proposed to be undertaken at a rate consistent with market demand and take up of dwellings and proposed tenancies. This approach is consistent with other urban renewal projects of this scale.

At a high level, the indicative staging plan is proposed as follows:

1. Stage 1 – Construction of Precinct 1 (including Built to rent dwellings), the restoration and reuse of the Farrell’s Stables building for a café and the curtilage of open space to be vested to Council, as well as the length of diagonal road and the eastern portion of Alfred Street required for access.
2. Stage 2 – Construction of Precinct 2 (including built-to-rent dwellings), the western north-south road and central part of the southern east-west road.
3. Stage 3 – Construction of Precinct 3 (including Affordable Housing dwellings in coordination with a relevant Community Housing Provider or similar), the western shared-use path/open space link to be vested to Council, and the western part of the southern east-west shared use link.

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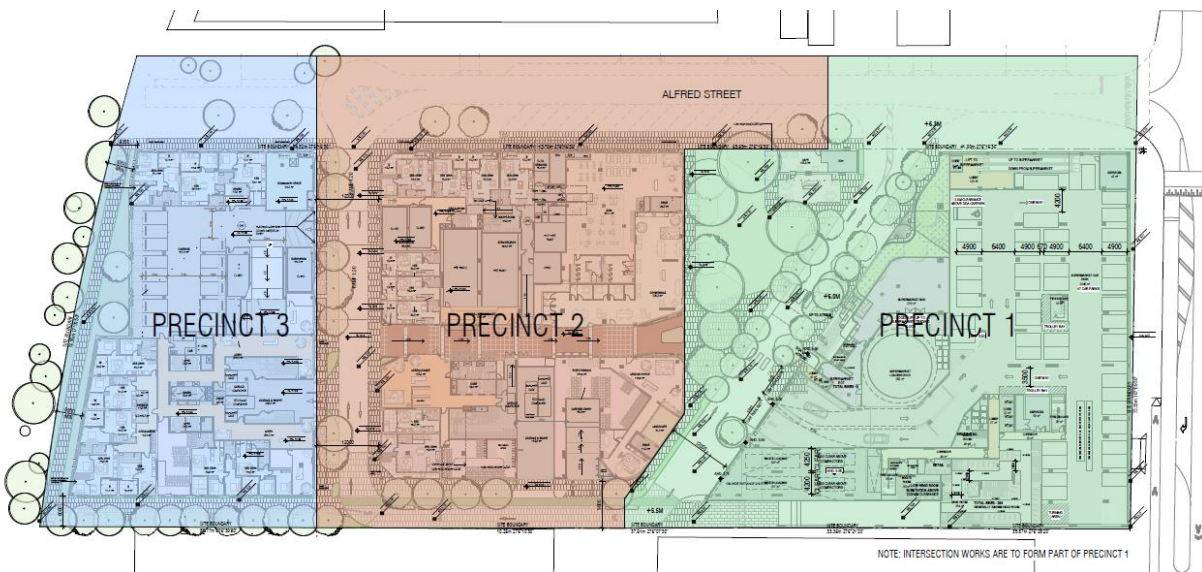


Figure 24 - Indicative staging plan.

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## Proposed Expiry Conditions

The following staged expiry condition is proposed:

*XX. This permit will expire if one of the following circumstances applies:*

- a. Stage 1 of the development is not commenced within three (3) years of the date of this permit; or*
- b. The development is not completed within ten (10) years of the date of this permit; or*
- c. The use does not commence within two (2) years of the completion of the respective stage of development.*

*In accordance with Section 69 of the Planning and Environment Act 1987, 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 twelve months after the permit expires and the development started lawfully before the permit expired.*

## **3.9 Landscaping**

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This section should be read in conjunction with the Landscape Plans prepared by Tract.

The landscape design principles seek to deliver a nature based design that contributes to the health and well-being of residents and the wider community, that provides improves connectivity to the surrounding urban renewal precinct and visually integrates the built form through the landscape, whilst providing a safe and comfortable urban environment.

The proposed landscape design seeks to achieve the following performance objectives:

### Sustainability

- A minimum of 60% of plants will be indigenous to the relevant bioregions of the Site.
- Large habitat nesting trees will be provided along the northern interface.
- A minimum 15% of the site area will be planted.
- Planting palettes will be selected to maximise flowering at different times of year for birds and pollinating insects.

### Urban Cooling

- Canopy cover from trees and pergolas will be a minimum of 15%.
- Light coloured paving will be used in areas not shaded by trees.
- A minimum 15% of the site area will be planted and irrigated.

### Connection to Nature

- Public gardens will be provided at ground level
- Communal open spaces at upper levels will include meaningful planted areas, trees and deep soil planting.
- Integrated façade planting via climbers and cascading planting will be provided to soften the buildings.
- Views to green open space and trees will be maximised from apartment habitable rooms.

Overall, the proposal achieves the following targets:

- Total deep soil area (inclusive of natural ground and planters with over 800mm soil depths) of 17.6% site area
- Canopy cover target of 23.4% site area.
- Green Factor score of 0.56.

Refer to the Landscape Plans for a detailed breakdown of the relative deep soil and canopy coverage areas to be vested to Council and to be held within the private site development.

## **3.10 Environmentally Sustainable Design (ESD)**

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This section should be read in conjunction with the Sustainability Management Plan (SMP) prepared by ADP.

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The SMP sets out the project's ESD commitments which include but are not limited to:

- A certified 5 Star Green Star Buildings (v1) rating
- A minimum NatHERS rating of 6.5 stars for any single apartment
- An average NatHERS rating of at least 7.5 stars across the development
- Total 40kL capacity rainwater tanks for reuse in toilet flushing and total 60kL capacity rainwater tanks for reuse in irrigation.
- Commitment to install at least 20% of available roof space with solar PV panels (approx. 200kW total capacity)
- Best practice water quality performance objectives as demonstrated with STORM.
- Minimum 75% of the total site area to comprise one or a combination of strategies to reduce the urban heat island effect, including minimum canopy coverage of 15%, appropriately reflective roof materials and light coloured paving.

### 3.11 Parking, Traffic and Waste Management

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This section should be read in conjunction with the Traffic Impact Assessment, Green Travel Plan and Waste Management Plan prepared by Traffix Group.

As a general principle, no basement car parking is proposed on the site in order to avoid flooding and contamination risk. Access and management of different traffic users and types (i.e. supermarket vs residential loading and car parking, etc) has been strategically sited to avoid conflicts as far as reasonably practicable, whilst minimising the number and width of vehicle crossovers throughout the Site to ensure a safe and welcoming public realm for pedestrians and cyclists.

Traffic considerations are described as follows for each Precinct.

#### Precinct 1

- Residential and retail/public car parking is provided separately as per the preferred standard operating procedures for retail tenancies, and to reduce conflicts between residential and public users. Residential car parking is accessed via Boundary Road whilst the public/retail car parking is accessed via the southern end of the diagonal road within the Site.
- The supermarket loading dock is proposed to access via the retail/public car parking via the southern end of the diagonal road, utilising an enclosed turntable to minimise the traffic impact of the loading dock.
- The residential loading and waste is also proposed via the diagonal road and has been designed to allow Council garbage compactor trucks to access the Site. Separate waste areas are proposed for the retail components and will be accessed via the public/retail entry along the diagonal road.
- A total of 282 car parking spaces are proposed, comprised of 235 x residential and 47 x retail/public spaces.
- 208 bicycle spaces are proposed for residents.

#### Precinct 2

- Separated access to residential car parking and residential loading and waste areas, are provided via the southern elevation off the east-west link.
- No commercial car parking or loading is required for Precinct 2 due to the mix of land uses proposed predominantly catering for the residential component of the building.
- 137 car spaces and 217 bicycle spaces are proposed for residents.

#### Precinct 3

- Residential car parking is provided via the eastern elevation off the western north-south link, with residential loading and waste also provided separate to the car parking along this elevation.
- No commercial car parking or loading is required for Precinct 2 due to the mix of land uses proposed predominantly catering for the residential component of the building.
- 131 x car spaces and 188 bicycle spaces are proposed for residents.

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## 4 Planning Policies and Provisions

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The following policies and provisions of the *Melbourne Planning Scheme* are relevant to the Site and proposal.

### 4.1 Municipal Planning Strategy

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- **Clause 02.03-1 (Settlement)** identifies Macaulay as an existing urban renewal area in transition.
- **Clause 02.03-2 (Environmental and landscape values)** seeks to ensure open space links along waterways provide for environmental and recreational functions.
- **Clause 02.03-3 (Environmental risks and amenity)** seeks to encourage development that is resilient to heatwaves, water shortages, extreme storm events and sea level rise.
- **Clause 02.03-4 (Built environment and heritage)** seeks:
  - To provide a complementary transitional scale to adjoining areas where the built form character is to be maintained and to encourage a development pattern that is permeable and fine-grained in all urban renewal areas.
  - To conserve and enhance places of identified cultural heritage significance, including views to heritage places.
  - To ensure an environmentally sustainable urban environment and building design that facilitates reduced greenhouse emissions, integrated water management, and efficient resource use and waste reduction.
- **Clause 02.03-5 (Housing)** seeks:
  - To encourage the most significant housing and population growth to the Central City and urban renewal areas.
  - To support lower cost housing, social housing and housing designed for people with disabilities.
  - To support purpose-built student housing that encourages social interaction.
- **Clause 02.03-6 (Economic development)** seeks to 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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### 4.2 Planning Policy Framework

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- **Clause 11.01-1S (Settlement)** seeks to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- **Clause 11.01-1R (Settlement - Metropolitan Melbourne)** includes strategies to create mixed use neighbourhoods at varying densities, including through the development of urban-renewal precincts and Activity Centres - Housing Choice and Stations.
- **Clause 12.01-1S (Protection of biodiversity)** seeks to protect and enhance Victoria's biodiversity.
- **Clause 12.03-1R (Waterways of the west)** seeks to maintain and enhance the natural landscape, biodiversity, cultural and social values, and the Traditional Owner living cultural heritage values of the waterways of Melbourne's west, including the Moonee Ponds Creek (Moonee Moonee), and associated tributaries and wetlands. This policy includes strategies to ensure development promotes a sense of place and landscape identity by ensuring green linkages and public access to rivers and green spaces are protected and prioritised along the river corridors.
- **Clause 12.06-1S (Urban forests)** seeks to protect and enhance tree canopy in urban areas, and sets out strategies to contribute to achieving an overall 30 per cent tree canopy target for urban areas.

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- **Clause 13.01-1S (Natural hazards and climate change)** seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.
  - **Clause 13.01-3S (Urban heat)** seeks to reduce urban heat and minimise impacts of urban heat on human health and wellbeing.
  - **Clause 13.03-1S (Floodplain management)** sets out strategies including to avoid intensifying the impact of flooding through inappropriately located use and development.
  - **Clause 13.05-1S (Noise management)** seeks to assist the management of noise effects on sensitive land uses.
  - **Clause 13.07-1S (Land use compatibility)** seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
  - **Clause 13.07-1L-03 (Land use compatibility)** seeks to encourage residential development adjacent to industry, rail corridors and major roads to incorporate acoustic insulation.
  - **Clause 15.01-1S (Urban design)** seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
  - **Clause 15.01-1R (Urban design – Metropolitan Melbourne)** seeks to create a distinctive and liveable city with quality design and amenity.
  - **Clause 15.01-1L-03 (Sunlight to public spaces)** seeks to ensure that overshadowing from development does not result in significant loss of sunlight and diminish the enjoyment of public spaces for pedestrians.
    - The policy sets out guidelines as relevant:
      - Discouraging development that casts additional shadows on public spaces between 11.00am and 2.00pm on 22 September.
      - Whether the area of additional overshadowing is acceptable relative to the area of remaining sunlit space in the public space.
      - Whether additional shadows on other public spaces such as streets and lanes, is reasonable having regard to their orientation and shadows cast by adjacent buildings.
- Discourage development that casts excessive shadows on public spaces and the impacts on a public space by way of its:
- Cultural or social significance.
  - Natural landscaping, including trees and lawn or turf surfaces.
  - Existing and future use quality and amenity.
- **Clause 15.01-1L-04 (Urban design)** seeks to support development of towers that are well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise overlooking between habitable room windows.
  - **Clause 15.01-1L-05 (Urban design outside the Capital City Zone)** seeks to ensure that the scale, siting, massing and bulk of development complements the adjoining and nearby built form, and relates to the prevailing patterns of height and scale of existing development in the surrounding area.
 

This policy sets out a number of strategies relating to building form, street level frontage activation, building articulation, service areas, building projections, visibility and safety, weather protection, landscape, pedestrian connection and vehicle access. It sets out a guideline to consider as relevant the avoidance of building projections at first floor level or at a clearance height less than 5m from any public space.
  - **Clause 15.01-2S (Building design)** seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
  - **Clause 15.01-2L-01 (Energy and resource efficiency)** seeks to ensure buildings achieve high environmental performance standards at the design, construction and operation phases.
    - This policy sets out guidelines as relevant:

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- All applications must be accompanied by a Waste Management Plan prepared in accordance with the Guidelines for Preparing a Waste Management Plan (City of Melbourne, 2017).
- All applications must be accompanied by an Environmentally Sustainable Design Statement which demonstrates how the development meets the policy objectives of this clause and includes the following:
  - Applications for buildings over 2,000 sqm in gross floor area, a statement from a suitably qualified professional verifying that the building has the preliminary design potential to achieve the relevant required Performance Measures (See below).

Type of Building		Performance Measure	
		Energy Efficiency	Water Efficiency
Office	Up to 2,000 square metres gross floor area.	Compliance with the energy efficiency requirements of the Sustainable Design Scorecard or equivalent.	3 points for Wat-1 credit under the Green Star –Office rating tool or equivalent.
Retail premises	Up to 5,000 square metres gross floor area	N/A (sufficiently covered by the Building Code of Australia)	5 points for Wat-1 credit under the Green Star – Retail rating tool or equivalent.
Accommodation (except for Dependant Person's Unit, Camping & Caravan Park, Corrective Institution, Host Farm)	Up to 5,000 square metres gross floor area	N/A (sufficiently covered by the Building Code of Australia)	1 point for Wat-1 credit the Green Star – Multi Unit Residential rating tool or equivalent.
	Over 5,000 square metres gross floor area	Same minimum energy and water requirements as buildings up to 5,000 square metres plus a 5 star rating under a the Green Star - Multi Unit Residential rating tool or equivalent.	

- Clause 15.01-4S (Healthy neighbourhoods) includes strategies to create 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
- Clause 15.03-1S (Heritage conservation) seeks to ensure the conservation of places of heritage significance.
- Clause 15.03-1L-02 (Heritage) seeks to encourage retention of the three dimensional fabric and form of a building and discourage facadism.
- Clause 16.01-1S (Housing supply) seeks to facilitate well-located, integrated and diverse housing that meets community needs. This policy includes strategies to:
  - 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.

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Table 1 to Clause 16.01-1S further sets out housing targets for the City of Melbourne at 119,500 to the year 2051.

- Clause 16.01-1R (Housing supply – Metropolitan Melbourne) includes strategies to identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.
- Clause 16.01-2S (Housing affordability) seeks to deliver affordable housing in areas with good access to opportunities and services and includes strategies to:
  - Increase the supply of well-located affordable housing by:
    - Facilitating a mix of private, affordable and social housing in suburbs, growth areas, activity centres and urban renewal precincts.
- Clause 17.01-1S (Diversified economy) seeks to strengthen and diversify the economy and sets out strategies to improve access to jobs closer to where people live.

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- **Clause 17.01-1R (Diversified economy – Metropolitan Melbourne)** includes strategies to plan for the redevelopment of Priority Precincts and Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.
- **Clause 18.01-1L (Land use and transport planning)** includes strategies to support development that encourages other transport modes and discourages the use of private motor vehicles.
- **Clause 18.01-3S (Sustainable and safe transport)** seeks to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.
- **Clause 18.01-3R (Sustainable and safe transport – Metropolitan Melbourne)** includes strategies to improve local travel options for walking and cycling to support 20 minute neighbourhoods.
- **Clause 18.012-2S (Cycling)** seeks to facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.
- **Clause 19.02-4S (Social and cultural infrastructure)** seeks to provide fairer distribution of and access to social and cultural infrastructure and includes strategies to plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.
- **Clause 19.02-6S (Open space)** seeks to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community. The policy sets out strategies to:
  - Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.
  - Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.
- **Clause 19.02-6R (Open space – Metropolitan Melbourne)** seeks to strengthen the integrated metropolitan open space network.
- **Clause 19.03-3S (Integrated water management)** seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.
- **Clause 19.03-3L (Stormwater management (Water sensitive urban design))** sets out strategies to improve the quality of stormwater and reduce the flow of water discharged to waterways including through collection and reuse of rainwater and stormwater on site.

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## 4.3 Zone

### 4.3.1 Clause 32.04 – Mixed Use Zone (MUZ)

The Site is located in the MUZ.

The purpose of the MUZ includes:

- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*

The local schedule to the MUZ does not set out any specific objectives, variations, or maximum building height requirements.

Pursuant to Clause 32.04-2, land used for a Dwelling is as-of-right and does not require a permit.

It is noted that the residential amenities, including the gym, co-working space, cinema room, dining and lounge areas and the like are ancillary to the primary land use for Dwellings and similarly do not require a permit.

However, a permit is required to use land for the following:

- Food and drink premises (Café in Farrell’s Stables) if the LFA exceeds 150sqm

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- Office (Co-working office in Precinct 2) if the LFA exceeds 250sqm
- Place of assembly (Community space in Precinct 3)
- Shop (Supermarket in Precinct 1) if the LFA exceeds 150sqm
- Retail premises (other than Food and drink premises and Shop) in Precinct 1
- Restricted recreation facility (Gym) in Precinct 2.

Pursuant to Clause 32.04-7, a permit is required to construct two or more dwellings on a lot.

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

Pursuant to Clause 32.04-10, a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

## 4.4 Overlays

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The Site is subject to the following overlays:

- Clause 43.02 – Design and Development Overlay, Schedules 26, 63 and 66 (DDO26, DDO63, DDO66)
- Clause 43.01 – Heritage Overlay, Schedule 1105 ('Farrell's Stables')
- Clause 45.03 – Environmental Audit Overlay (EAO)
- Clause 45.07 – Citylink Project Overlay (CLPO)
- Clause 45.06 – Development Contributions Plan Overlay, Schedule 2 (DCPO2)
- Clause 44.04 – Land Subject to Inundation Overlay, Schedule 3 (LSIO3)
- Clause 44.05 – Special Building Overlay, Schedule 3 (SBO3)

### 4.4.1 Clause 43.02 – Design and Development Overlay (DDO)

The purpose of the DDO includes *'to identify areas which are affected by specific requirements relating to the design and built form of new development.'*

The Site is affected by Schedules 26, 63 and 66 to the DDO.

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

#### ***Schedule 26 'North Melbourne, West Melbourne and Arden-Macaulay Noise Attenuation Area' (DDO26)***

The entire Site is affected by DDO26.

DDO26 sets out the following design objectives:

- *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.*

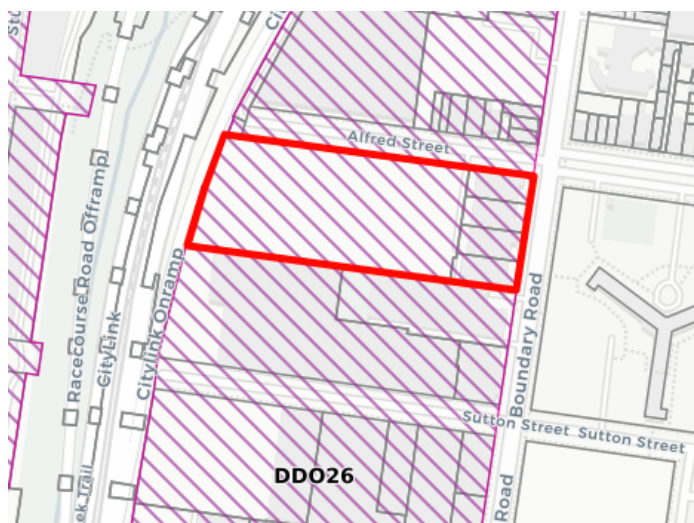
DDO26 requires any new development comprising residential or other noise-sensitive uses to be designed and constructed to include noise attenuation measures, including but not limited to:

- A maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms, with all windows and doors closed, unless there is no suitable air conditioning and/or mechanical ventilation, in which case the maximum noise

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level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms must be achieved with all the windows half open and the doors closed.

- Verification testing by a qualified acoustic consultant to be conducted prior to the commencement of a residential or other noise-sensitive use in order to verify that the maximum noise level of 35dB(A)Leq in the two most likely to be affected unfurnished and uncarpeted habitable rooms is achieved to the satisfaction of the responsible authority.
- A 'noise sensitive use' are those that are nested under the definition of accommodation.



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Figure 25 - DDO26 Plan.

**Schedule 63 'Macaulay Urban Renewal Area, Kensington and North Melbourne' (DDO63)**

The entire Site is affected by DDO63.

DDO63 sets out 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 identifiable 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.

DDO63 is informed by the Arden-Macaulay Structure Plan 2012 which is the existing reference document.

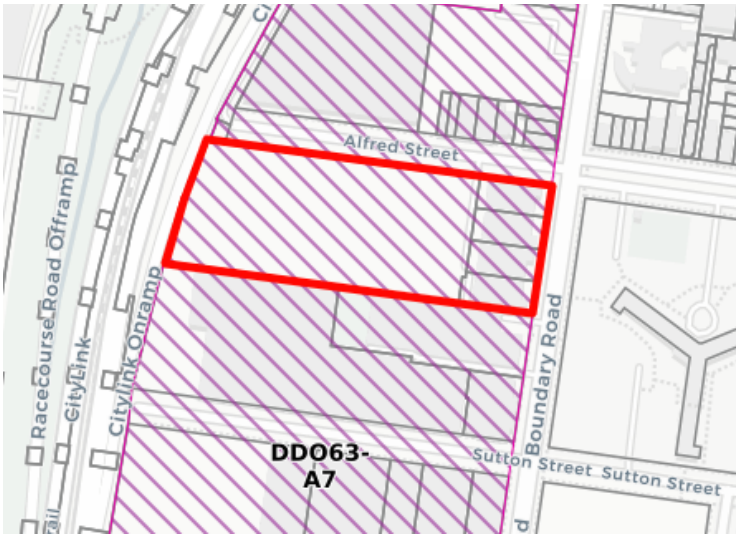
The Arden-Macaulay Structure Plan shows an indicative urban structure for the Site comprising two new north-south connections, one new north-south laneway setback interface on the western boundary, partial east-west connection from Boundary Road and a central area of public open space.

The Site is located with Area 7 of Schedule 63 which sets out built form controls and outcomes relating to maximum building heights, street wall and setbacks, active street frontages, weather protection and façade treatment, connectivity and laneways, and heritage.

An assessment against relevant DDO63 requirements is provided in Section 6.4.

In addition, the requirements of the overlay cease to apply after 29 September 2027. We understand that the application of DDO63 will continue to be extended until such time that a resolution is made on the proposed DDO75 under planning scheme amendment C417 which is expected to replace DDO63 if approved.

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Figure 26 - DDO63-Area 7 Plan.

### Schedule 66 'Hospital Emergency Medical Services Helicopter Flight Path Protection (Outer Area)' (DDO66)

A very small area in the southeast corner of the Site at 103-105 Boundary Road is affected by DDO66.

DDO66 sets out the following design objectives:

- To ensure that the height of buildings and works do not encroach on the flight path areas associated with hospital helicopter landing sites.
- To ensure that the height of development avoids creating a hazard to aircraft using hospital helicopter landing sites.

Pursuant to Clause 2 of Schedule 66, a permit is not required to construct a building or to construct or carry out works that would result in the height of the building or works being less than the referral height specified in the table below.

It is noted that pursuant to the *Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas Incorporated Document (Victorian Health Building Authority, October 2024)*, a permit is required:

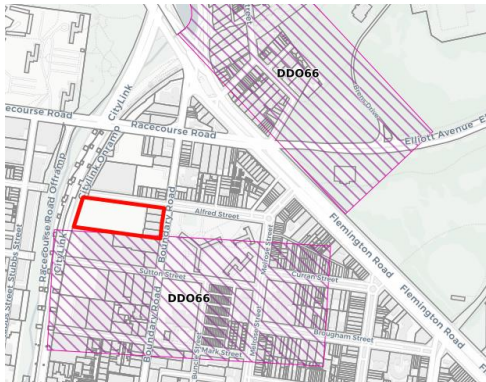
- 'Construct or carry out buildings and works for a temporary structure for construction purposes, including a crane or other construction equipment that is fixed to the ground, with a height greater than the referral height specified in clause 2 of the Schedules to the Design and Development Overlays listed in clause 3 of this Incorporated Document'.

Helicopter landing site	Helipad Height (AHD)	Referral Height (AHD)
Royal Childrens Hospital	62.4 metres	72.4 metres
Royal Melbourne Hospital	67.3 metres	77.3 metres

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It is noted that the Royal Children's Hospital and Royal Melbourne Hospital are the two sites which would benefit from this DDO66 on the Site.

It is noted that an application under DDO66 will trigger a referral to the Department of Health.



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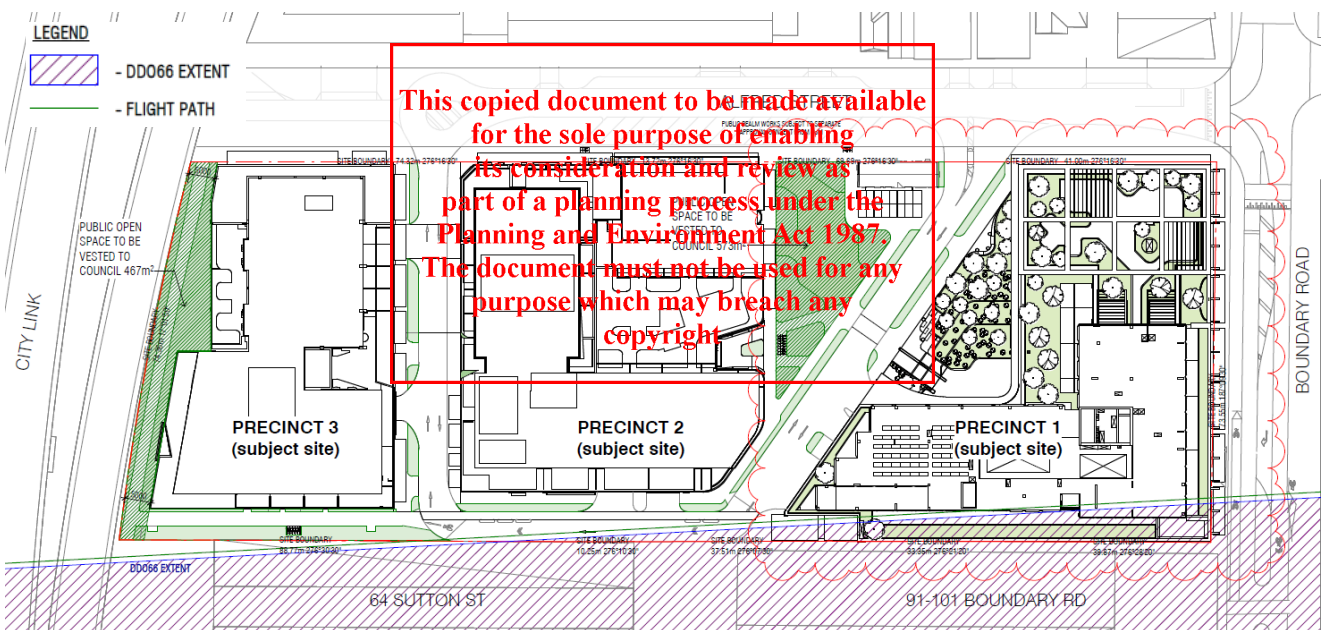
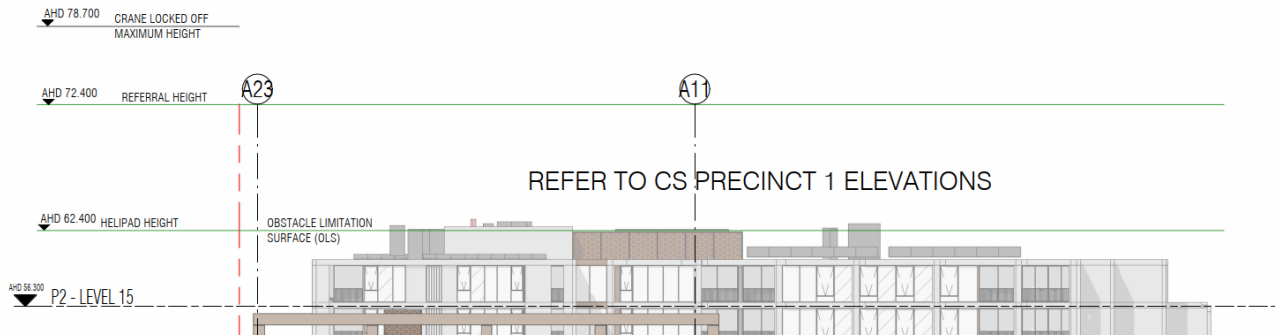


Figure 27 - DDO66 Plan and details of crane heights.

The architectural plans identify the overall maximum height of the roof plant and lift plant in the area affected by DDO66 at 62.70AHD, which is well under the referral height of 72.4AHD.

Notwithstanding, the maximum operating height for a typical crane required for construction may extend to as high as 113.7AHD which would trigger a permit and referral to the Department of Health.

#### 4.4.2 Clause 43.01 - Heritage Overlay, Schedule 1105 'Farrell's Stables' (HO1105)

A portion of the northern part of the Site is subject to HO1105, specifically over the existing 2-storey brick heritage building known as 'Farrell's Stables'.

The purpose of the HO includes:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Pursuant to Clause 43.01-1, a permit is required under the HO1105 to, as relevant, construct a building or construct or carry out works, and externally paint a building, noting that external paint controls apply for this building.

Schedule 1105 relates to 'Farrell's stables; Part 59-101 Alfred Street North Melbourne', a building with a 'Significant' heritage grading which is described as a red brick six-stall stable and loft constructed around 1911.

The relevant Statement of Significance notes that the building is significant historically for its representation of a bygone once more numerous building type that is particularly evocative of the North Melbourne, Flemington and Kensington locality with its significant industrial, horse racing and horse training background (criterion A); and Rare within North Melbourne, as part of a former Edwardian-era commercial stable (criterion B).



Figure 28 - View of Farrell's Stables building from Alfred Street



Figure 29 - Aerial view of heritage overlays.

#### 4.4.3 Clause 45.03 - Environmental Audit Overlay (EAO)

The entire Site is affected by the EAO.

The purpose of the EAO includes:

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

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Pursuant to Clause 45.03-1, before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school 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 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.

#### 4.4.4 Clause 45.07 - Citylink Project Overlay (CLPO)

The western portion of the Site is affected by the CLPO.

The purpose of the CLPO includes:

- To ensure the efficient construction, operation and maintenance of the Melbourne City Link Project, the Exhibition Street Extension Project and CityLink Tulla Widening Project.
- To ensure that the display of a Business identification sign on land no longer required for the Melbourne City Link Project or the Exhibition Street Extension Project is limited to a level that does not compete with the display of signs shown on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

The CLPO does not set out any relevant restrictions, provisions, or permit exemptions for the Site, noting that the proposed use or development of the Site is not expected to be associated with the Melbourne City Link project, the Exhibition Street Extension Project and/or the CityLink Tulla Widening Project, and is not located in an area identified on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

#### 4.4.5 Clause 45.06 - Development Contributions Plan Overlay, Schedule 2 (DCPO2)

The entire Site is affected by the DCPO2.

The purpose of the DCPO2 includes:

- 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 relates to the 'Macaulay Urban Renewal Area Development Contributions Plan' and allows for a permit to be granted to subdivide, construct a building or construct and carry out works before a development contributions plan has been prepared to the satisfaction of the responsible authority if any of the following apply (inter alia):

- An agreement under Section 173 of the Planning and Environment Act 1987 has been entered into with the responsible authority that makes provision for development contributions;
- The permit contains a condition requiring an agreement under Section 173 of the Planning and Environment Act 1987 that makes provision for development contributions to be entered into before the commencement of the development.

The requirements of the overlay cease to have effect after 31 July 2026.

#### 4.4.6 Clause 44.04 – Land Subject to Inundation Overlay, Schedule 3 (LSIO3)

The western half of the Site is affected by LSIO3.

The purpose of the LSIO includes:

- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

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- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.
- To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.
- To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

Schedule 3 relates to 'Moonee Ponds Creek and Lower Yarra River Waterways' which seeks to achieve the following inundation objectives:

- To identify land in areas that may be inundated by the combined effects of the 1% Annual Exceedance Probability (AEP) flood event incorporating an 18.5% increase in rainfall intensity due to climate change by the year 2100.
- To minimise the impact of new development on flood extent, depth and the flow velocity to the detriment of surrounding properties.
- To ensure new development appropriately responds to the identified flood hazard and local drainage characteristics.
- To ensure development simultaneously achieves safe access and egress, good urban design and equitable access.

Pursuant to Clause 44.04-2, a permit is required to construct a building or to construct or carry out works.



Figure 30 - LSIO3 Plan.

#### 4.4.7 Clause 44.05 - Special Building Overlay, Schedule 3 (SBO3)

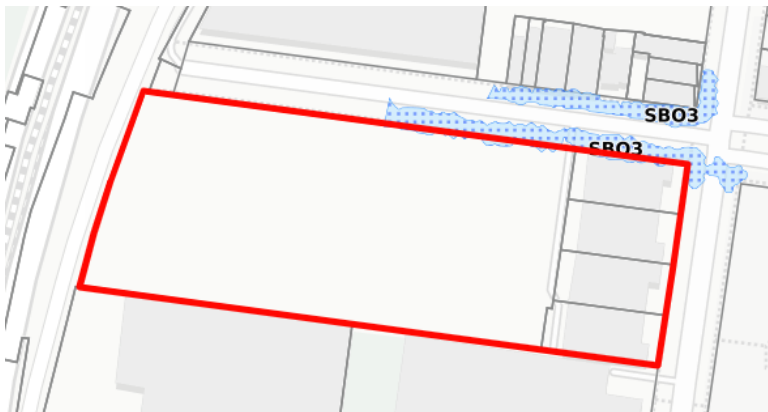
A portion of the northern and northeastern Site frontage is affected by SBO3.

The purpose of SBO3 includes:

- To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

Schedule 3 relates to 'Council Drains – Elizabeth Street, Arden, Macaulay and Moonee Ponds Creek, Hobsons Road, Fishermans Bend and Southbank Catchments' and seeks to achieve the same flood management objectives as the LSIO3.

Pursuant to Clause 44.05-2, a permit is required to construct a building or to construct or carry out works.



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Figure 31 - SBO3 Plan.

#### 4.4.8 Particular provisions

- **Clause 52.06 (Car Parking)** sets minimum and maximum car parking requirements for new or expanded land uses proposed, in addition to standards with respect to how such areas and associated accessways are to be designed. The car parking rates of relevance are summarised in the Traffic Engineering Assessment prepared by Traffix. It is noted that given the proposal provides car parking within the identified range, a planning permit is not required,
- **Clause 52.34 (Bicycle Parking)** sets minimum bicycle parking and facility requirements for new or expanded land uses. The bicycle parking rates of relevance are summarised in the Traffic Engineering Assessment prepared by Traffix.
- **Clause 52.29 (Land Adjacent to the Principal Road Network)** requires planning approval for the creation or alteration of access to a road in a Traffic Engineering Zone (TEZ) or a Road.
- **Clause 52.37 (Canopy Trees)** requires a planning permit for the removal of a canopy tree, defined as a tree that meets the following criteria:
  - a height exceeding 5m above ground level;
  - a trunk circumference greater than 0.5m, measured at 1.4m above ground level; and
  - a canopy diameter of at least 4m.

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Based on a review undertaken by Tree Logic, the trees located onsite do not meet the above definition of a canopy tree. Accordingly, they are not protected under Clause 52.37 and do not require a planning permit for their removal.

- **Clause 53.01 (Public Open Space Contribution and Subdivision)** requires a public open space contribution to be provided at the time of subdivision. Whilst this application does not seek planning permission for subdivision, it has had regard to its future obligation under this particular provision.
- **Clause 53.23 (Significant Residential Development with Affordable Housing)** introduces a streamlined planning approval pathway for eligible projects seeking to deliver significant residential development containing a minimum of 10% affordable housing (or equivalent cash contribution).
- **Clause 58 (Apartment Developments)** provides objectives and standards that are applicable to apartment developments of 5 or more storeys. An apartment development must be assessed against the provisions of Clause 58.

#### 4.4.9 Other planning matters

##### Area of Aboriginal Cultural Heritage Sensitivity

The Site is located in an area identified to be of cultural heritage sensitivity in accordance with the *Aboriginal Heritage Regulations 2018*. This includes land within 200m of named waterways, in this instance the Moonee Ponds Creek.

The Regulations require the preparation of a Cultural Heritage Management Plan (CHMP) if all or part of the activity is a 'high impact activity' and all or part of the activity area is located within an area of 'cultural heritage sensitivity' (r.7).

However, if the Site has been subject to 'significant ground disturbance', a CHMP is not required.

'Significant ground disturbance' is defined in r.4 of the Regulations as meaning disturbance of –

a) the topsoil or surface rock layer of the ground; or

b) a waterway –

by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.

A Letter of Advice (LoA) prepared by Jem Archaeology (September 2025) has found that the activity area has had a long history of development and ground disturbance since prior to 1945 until today. These changes include the removal of vegetation, the preparation of the ground for construction such as trenching, grading, scraping, cutting, the deposition of introduced filling materials, the removal of prior structures, and several additional disturbance events that have involved the large-scale mechanical distribution of soil. These activities would have disturbed and likely removed all natural topsoils from within the activity area, causing significant ground disturbance, as defined by the *Aboriginal Heritage Regulations 2018*.

Under the *Aboriginal Heritage Regulations 2018*, the proposed activity is considered to be a high impact activity and the activity area lies within a mapped area of cultural heritage sensitivity. 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*, and therefore no longer constitutes an area of cultural heritage sensitivity.

Consequently, in this instance, Jem Archaeology has determined that a mandatory CHMP **is not** required to be prepared and approved prior to the commencement of the proposed activity.

Plan for Victoria (2025)

Plan for Victoria (2025) envisions the development of Victoria as an inclusive, liveable, sustainable, prosperous and enriching state. The Plan highlights the importance of prioritising locations within Melbourne that are well-provided with jobs, shops, public transport and community facilities and services. It provides specific housing targets for Victorian local governments to achieve by 2051, including a target of 119,500 new dwellings in the City of Melbourne.

Good Design Guide for Buildings in Flood Affected Areas in Fishermans Bend, Arden and Macaulay (City of Melbourne, Melbourne Water and City of Port Phillip, 2021)

The 'Good Design Guide for Buildings in Flood Affected Areas of Fishermans Bend, Arden and Macaulay' was developed by the City of Port Phillip, Melbourne Water and the City of Melbourne. The Guide was introduced as a background document to the Melbourne Planning Scheme via the gazettal of Amendment C384 on 13 December 2024 (which also introduced the LSIO3 and SBO3 that currently affects the Site).

The Guide focuses on flood management solutions for buildings on private land, including areas that are open to public access. It also identifies circumstances where public realm interventions and partnerships with neighbouring properties can be beneficial.

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## 5 Proposed Planning Scheme Amendments

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This section provides a brief summary of the proposed planning scheme amendments that relate to the Site.

### 5.1 Amendment C417 – Macaulay Urban Renewal Precinct

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The Site is within the Macaulay urban renewal precinct which covers 90 hectares of land within the suburbs of North Melbourne and Kensington. The Macaulay urban renewal precinct has been identified by the Department of Transport and Planning as part of the 'Inner Melbourne Train and Tram Zone' within the state government Activity Centre Program. The Macaulay Urban Renewal Precinct Amendment C417 proposes to implement the land use and built form outcomes in the Macaulay Structure Plan 2021, which sets out the vision for the renewal of the Macaulay Precinct as a mixed-use, mid-rise neighbourhood with a distinct inner urban character. It provides a framework for future growth and development, including built form and density, open space, street networks, affordable housing, community spaces and development contributions over the next 30 years.

At the time of writing this report, the Standing Advisory Committee process considering Amendment C417 is underway. Relevantly, the Amendment proposes:

- A Precinct Zone (PZ) that encourages 20 per cent of development to be employment or other non-residential use and encourages a contribution to affordable housing equivalent to 6% of dwellings (at nil consideration).
- A Built Form Overlay (BFO) schedule for each of the four Macaulay precincts with requirements for built form, including floor area ratios, building heights, street wall heights, upper level setbacks, active frontages and new connections through street blocks.
  - The Site is located within the proposed BFO1, which proposes a part 12 and 15-storey preferred maximum height limit under the Structure Plan.
  - A mandatory 20 metre setback from the western boundary, inclusive of a 10m active transport corridor.
  - The inclusion of new roadways and laneways throughout the Site.
  - BFO1 also sets out a proposed mandatory floor area ratio requirement of 4:1.
- A new schedule to the Parking Overlay (PO16) to support a reduced reliance on private cars through a maximum car parking rate of zero (with a permit required to vary), adequate provision of bicycle parking and end-of-trip facilities, EV-ready spaces, car-share and accessible spaces.
- A Development Contributions Plan Overlay (DCPO2) implementing the Development Contributions Plan, which requires a monetary contribution from developers towards specified infrastructure.
- A Public Acquisition Overlay (PAO) is also proposed over the western portion of the site, over the proposed 'active transport link.'

As discussed in Section 1.4, it is noted that C417melb is not yet a seriously entertained amendment at the time of lodging this planning permit application and its proposed controls – particularly as they relate to preferred heights and FARs - should bear no weight in the ultimate assessment of this application.

### 5.2 Amendment C415 (Sunlight to public parks - formerly Amendment C278melb)

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Amendment C415 proposes to protect sunlight in parks across the City of Melbourne excluding the central city, Southbank and Docklands.

The amendment has undergone public exhibition and has been considered at a panel hearing. It is currently with the Minister and is awaiting a decision, and as such is considered to be a seriously entertained strategic document.

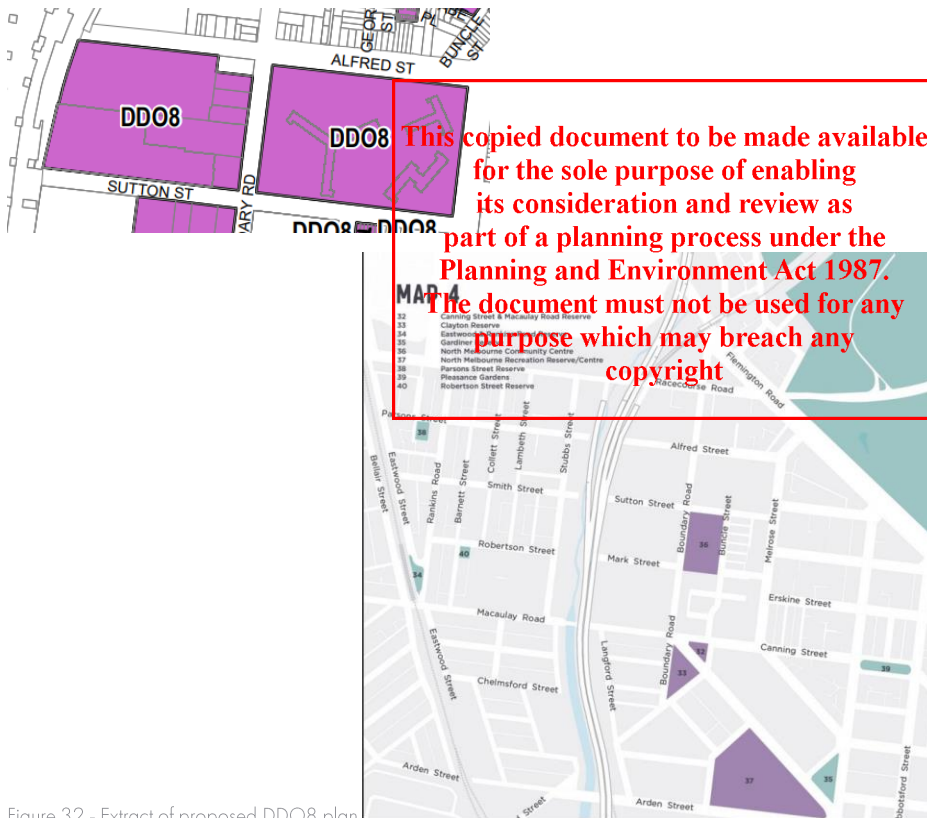
The relevant proposed changes include:

- Introduce winter sun access protection to all parks to support healthy living.
- Increase sunlight protection hours to 10am to 3pm in winter from the current 11am to 2pm in spring and autumn.
- Introduce a mandatory 'no additional overshadowing' control.
- Allow limited additional overshadowing of parks in growth areas to balance sunlight access to parks with the need to support development intensification.

The amendment is proposed to be implemented through an updated Sunlight to Public Spaces Policy and a new Schedule 8 to the Design and Development Overlay (DDO8).

The proposed new Schedule 8 (DDO8) identifies three park categories that specify a different mandatory level of protection from overshadowing by surrounding new development for each park type. Schedule 8 would also require a permit for buildings and works where the overall building height is over 9m.

DDO8 is proposed to apply to most of the Site (with the exception of the lot at 117 Boundary Road), and relevantly identifies the public space to be protected as the North Melbourne Community Centre at 49-53 Buncle Street located to the southeast of the Site. This public space is classified as Park Type 2, whereby no additional shadow onto the park would be allowed between 10am and 3pm on June 21 beyond the existing shadow or allowable shadow (i.e. the shadow that would be cast by any allowable street wall or building height requirement specified in other parts of the scheme, whichever is the greater).



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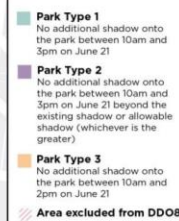


Figure 32 - Extract of proposed DDO8 plan

Figure 33 - Extract of proposed Schedule 8 to the DDO.

### 5.3 Amendment C376 (Sustainable Building Design)

Amendment C376 proposes changes to the Melbourne Planning Scheme to ensure future development achieves best practice in Environmentally Sustainable Design, including increased energy efficiency and greening of buildings.

Amendment C376 was unanimously adopted at the 29 July 2025 Council meeting which elevates this to a seriously entertained planning document.

The amendment is now with the Minister for Planning for approval and gazettal and, if approved in its proposed form, will result in all new planning application for land in the municipality to be subject to the new planning policies and controls, including but not limited to:

- Providing stronger policy support within the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) to encourage and highlight the importance of providing environmentally sustainable design that responds to the various challenges associated with climate change, including (but not limited too) increased emissions, increased risks of flooding, sea level rise and more weather variability (including heat waves).
- Apply Design and Development Overlay – Schedule 73 (DDO73) to all land within the municipality (except for infrastructure and commonwealth land) with the express purpose being to ensure buildings are energy efficient and align with the City of Melbourne’s target of zero emissions by 2040. It introduces a variety of mandatory and discretionary requirements for new buildings used for accommodation, retail, office, education, research and development centre or places of assembly (or any proposal that increases an existing building of this use by 1000sqm of additional GFA). Requirements include:
  - Mandatory 5 star and preferred minimum 6 star Green Star (or equivalent scores in BESS / NatHERS / NABHERS).
  - Mandatory requirement for 75% of a development’s site area or building area to be provided as buildings or landscape elements that reduce urban heat island impacts (such as green roofs, solar panels, non-reflective roofs, shading, etc).
  - Minimum mandatory requirement that all new developments must achieve a Green Factor score of 0.55 and a desired score of 0.55 for alterations and additions above 1000sqm gross floor area. A Green Factor scorecard must be submitted as part of the landscape documentation for all relevant development applications.
  - Mandatory connection to precinct scale recycled water (if available) or installing a rainwater tank to support the green areas on site or supply a minimum of 10% of the building’s water demand.
  - Mandatory requirements for Waste Management Plans to meet the guidelines of the City of Melbourne.
  - Discretionary requirement to include renewable energy generation on site.
  - Discretionary requirement to exclude connections to gas or other non renewable energy sources.
  - Discretionary requirement to utilise passive cooling and heating techniques.

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## 6 Planning Assessment

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### 6.1 Overview

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The following questions are relevant when assessing the proposal against the *Melbourne Planning Scheme*:

- Is the proposal consistent with relevant planning policy?
- Is the proposed use of land consistent with the objectives and requirements of the Mixed Use Zone?
  - Do the dwellings provide for an appropriate level of amenity?
- Is the proposed built form consistent with the objectives and requirements of the relevant Design and Development Overlays?
  - Does the proposal appropriately mitigate adverse acoustic impacts to the dwellings in accordance with DDO26?
  - Does the proposal appropriately mitigate potential hazards to aircraft associated with hospital helicopter landing sites in accordance with DDO66?
  - Does the proposal achieve the design objectives and requirements of DDO63?
- Does the proposal respond appropriately to the decision guidelines of Clause 53.23?
  - Does the proposal provide for a net community benefit?
- Does the proposal provide appropriate parking, traffic and waste arrangements?
- Does the proposal provide for an appropriate environmentally sustainable design?
- Does the proposal appropriately address the requirements of the Environmental Audit Overlay?

These matters are addressed in turn.

### 6.2 Is the proposal consistent with relevant planning policy?

The proposed mixed-use development is consistent with applicable policy outlined in the *Melbourne Planning Scheme*, including the Municipal Planning Strategy and Planning Policy Framework.

The development is appropriately located and designed in accordance with the relevant land use, built form and heritage policies under **Clauses 02, 11, 13, 15, and 16** of the *Melbourne Planning Scheme*. The redevelopment of a significant strategic landholding such as this Site into a high-quality medium-density infill precinct with a predominantly residential offering is an appropriate response to the urban consolidation strategies sought by both the City of Melbourne and the Victorian Government, and is entirely consistent with the vision for the Macaulay Urban Renewal Area.

The buildings and landscaping have been designed in close collaboration with a diverse team of architects, designers and engineers to ensure a pedestrian-scaled public realm outcome, that ensures good access to daylight and outlook for all dwellings and to all open space areas – whether publicly or privately held – within the development.

The proposal will revitalise a Site that has laid dormant and unable to offer any contribution to the evolution of Macaulay, following its former industrial use ceasing some time ago. With flooding matters managed through design solutions presented in application materials, and remediation of the Site underway, the approval of this proposal see new residents, services, and employment opportunities come to Macaulay.

The proposed urban structure has sought to appropriately navigate requisite flood levels and freeboard levels across the Site to ensure safe ingress and egress to all entrances in flood events, and incorporates strategic green biodiverse

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linkages adjacent to the Moonee Ponds Creek that can act as flood mitigation devices when required, in accordance with **Clauses 12 and 13**.

The proposal is also supported by a stormwater management strategy prepared by Robert Bird that considers strategies for reducing stormwater runoff and to sustainably manage water resources across the development in accordance with **Clause 19**, including provision of rainwater tanks and over 15% deep soil site coverage.

The mix of supporting non-residential uses on site will contribute to 20-minute neighbourhood policies and wider policy aspirations for Macaulay through the provision of additional job, retail and service opportunities for residents and the wider community. Further to this, the proposed multi-modal street network and its variety of shared paths, through-block links, roads and accessways will together facilitate an efficient and safe transport network which encourages active transport trips in accordance with **Clauses 17 and 18**.

Overall, the proposal sensitively balances a range of competing objectives – flooding and environmental contamination stated above, as well as heritage, traffic and car parking, passive surveillance and site activation, ESD, landscaping and economic – which together have informed a well-resolved, practical and market-ready development that can deliver almost 1,000 new dwellings of different typologies and tenure classes, including 16% affordable housing dwellings.

### 6.3 Is the proposed use of land consistent with the objectives and requirements of the Mixed Use Zone?

The MUZ expressly seeks 'to provide for housing at higher densities.'

The additional housing delivered by the proposal will ensure improved access for more people living in Melbourne's inner north, contributing to the local economy and activity of the Macaulay Urban Renewal Area and nearby Arden Urban Renewal Area.

The MUZ further seeks 'to provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.'

The non-residential uses proposed on site as part of this proposal, including Food and drink premises (Café), Office (Co-working office), Place of assembly (Community centre), Shop and retail tenancies (Supermarket and other), Restricted recreation facility (Gym) and others will support the housing provided on- and off-site, as well as provide additional activation and diversity of land uses within Macaulay more broadly.

On this basis, the land uses proposed are consistent with the MUZ.

#### 6.3.1 Do the dwellings provide for an appropriate level of amenity?

The dwellings provide for an appropriate level of internal amenity when assessed against Clause 58/Better Apartment Design Standards (BADS), including but not limited to the following:

- The proposed dwellings achieve a high level of thermal performance measures and do not exceed a NatHERS cooling load of 30MK/M<sup>2</sup> in accordance with Standard D6.
- The total communal spaces provided in each precinct, and the total combined spaces of 1,296 sqm across the entire Site exceed the minimum requirements and provide for a diversity of spaces to meet the recreation and amenity needs of residents in accordance with Standard D7.
- The proposal has incorporated all the wind mitigation measures and recommendations set out in the Wind Impact Assessment prepared by Vipac to ensure Standard D17 is met.
- Over 50% of all dwellings achieve the accessibility design standards in accordance with Standard D18.
- The majority of dwellings comply with the private open space objectives and most achieve the requirements under Standard D20, with the exception of a number of typologies geared towards smaller footprint living which on balance favour more internal floor space and amenity, and access to higher levels of daylight over the requisite private balcony requirements. This is proposed to be appropriate noting the generous provision of communal facilities and public open space within the development and the benefits that a modest portion of smaller footprint dwellings provide for overall product diversity and market price-point.

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- All dwellings will meet the minimum total storage requirements and the majority meet external storage in accordance with Standard D21.
- All dwellings comply with the functional layout objectives and most achieve the requirements under Standard D26.
- All habitable rooms are provided with a window in an external wall of the building in accordance with Standard D28.
- Whilst the individual precincts and overall development do not achieve the natural ventilation standard, this is offset by the high ESD rating across the development, which includes high levels of daylight, thermal heating/cooling and energy efficiency and a need to balance acoustic constraints as identified in DDO26. Occupants will be able to achieve the natural ventilation objectives through operable windows to independently manage and encourage the natural ventilation within each dwelling.

Please refer to Appendix A – Clause 58 Assessment for further details.

#### 6.4 Is the proposed built form consistent with the objectives and requirements of the relevant Design and Development Overlays?

The Site is affected by the following Schedules to the DDO:

- *Schedule 26 'North Melbourne, West Melbourne and Arden-Macaulay Noise Attenuation Area' (DDO26)*
- *Schedule 66 'Hospital Emergency Medical Services Helicopter Flight Path Protection (Outer Area)' (DDO66)*
- *Schedule 63 'Macaulay Urban Renewal Area, Kensington and North Melbourne' (DDO63)*

A response to each of the relevant objectives and requirements to each DDO is summarised below.

##### 6.4.1 Does the proposal appropriately mitigate adverse acoustic impacts to the dwellings in accordance with DDO26?

DDO26 requires any new development comprising residential or other noise sensitive uses to be designed and constructed to include appropriate noise attenuation measures, having regard to the existing industrial context of the Arden-Macaulay area.

The proposal is supported by an acoustic assessment and analysis carried out by ADP Consulting to determine the existing noise levels for the Site and surrounds, and which sets out a number of recommendations relating to the design and provision of building services, gymnasium treatments to reduce risk of vibration and noise, glazing for apartments (particularly those interfacing the Citylink), garage doors, and lifts.

Whilst the plans have had regard to and are committed to the ultimate implementation of these noise mitigation measures, the level of design detail and specification involved is such that further detailed documentation will be provided at a later stage to demonstrate compliance and satisfaction of the recommendations of the acoustic report.

Refer to the Acoustic Report prepared by ADP Consulting for further details.

##### 6.4.2 Does the proposal appropriately mitigate potential hazards to aircraft associated with hospital helicopter landing sites in accordance with DDO66?

The application plans and elevations provided demonstrate that the height of buildings and works will not unreasonably encroach on the flight path areas associated with hospital helicopter landing sites and will avoid creating a hazard to aircraft.

As noted in Section 4.4.1, the architectural plans identify the overall maximum height of the roof plant and lift overrun in the area affected by DDO66 at 62.70AHD, which is well under the referral height of 72.4AHD.

Notwithstanding, the maximum operating height for a typical crane required for construction may extend to as high as 113.7AHD which would trigger a permit and referral to the Department of Health. Accordingly, a permit is sought under this planning control.

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Given the flight path only affects a small portion of the southern part of the land, it is expected that the operation and location of the crane extent can be reasonably managed and coordinated in events where a helicopter is passing directly overhead.

### 6.4.3 Does the proposal achieve the design objectives and requirements of DDO63?

The table below assesses the proposal against the relevant design objectives and requirements of DDO63 and finds it to be consistent with the intent and purpose of the DDO63. Where variations to preferred or mandatory requirements are sought, the responses provide a broader contextual and strategic discussion as to their appropriateness, associated public benefits and other relevant matters in recognition of the Site being a strategic redevelopment site that has the benefit of being master planned.

DDO63 Design Objectives	Response
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*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.*

The proposal features buildings which transition from 6-12 storeys along the Boundary Road interface to 16 storeys at the CityLink interface. Some building elements exceed the height range under DDO63, the proposal continues to achieve the design objective through a compact, high density, mid-rise character which retains a pedestrian-scale streetscape through the incorporation of predominantly three-to-six storey street walls, separated by 12 metre road reserves and minimum 18m building separations between tower forms.

A 12-storey street wall is proposed to hold the Alfred Street / Boundary Road corner in the northeast of the Site. This is appropriate when considering both the existing and future context of this intersection and the inherent opportunity that presents to create a landmark / gateway form that creates streetscape diversity and in no way overwhelms the street or creates off-site amenity impact beyond what would be generated by a six storey street wall.

The lack of sensitive interfaces, the sheer scale of the Site, and the level change from east to west further supports a higher 16-storey form to Precinct 3 and adjacent to the CityLink, as does the incorporation of a lower ground level in Precinct 1 which generally makes the 16-storey form appear as 15-storeys from the Boundary Road interface.

*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.*

The significant landholding size of 1.5ha is able to absorb and manage higher and more robust built form, and to continue achieving this design objective particularly given its lack of existing low-scale residential sensitive interfaces.

*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.*

The proposed urban structure is configured to improve maximise north-facing aspects to dwellings and proposed open space areas throughout the Site. Whilst street wall heights vary across the precincts from 4 and 6 storeys, along individual streets they are generally consistent to provide a sense of order and character and to avoid visual clutter and bulk to the pedestrian experience.

*To ensure that built form elements above the street wall are visually*

Upper level tower forms above the street wall are setback between 3m and 5m to provide breathing room between towers and achieve a minimum of 18m

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recessive and do not contribute to visual bulk.

building separation to ensure daylight and outlook is retained for dwellings, and to minimise visual bulk.

The architectural elements have taken cues from regular grid patterning inspired by the surrounding industrial heritage, with expressed masonry elements juxtaposed with lighter glazed and metal details that together provide visual interest and relief to the tower forms.

To encourage the ground floor of buildings to be designed so that they can be used for a variety of uses over time.

The lower and upper ground floor-to-floor heights range from 4.8m to 6m which will allow for a range of adaptive uses over time. They are also designed with relatively open plan, flexible configurations should different tenancies and/or uses be required as markets and community needs change.

**Built form controls / outcomes (A7 of DDO63)**

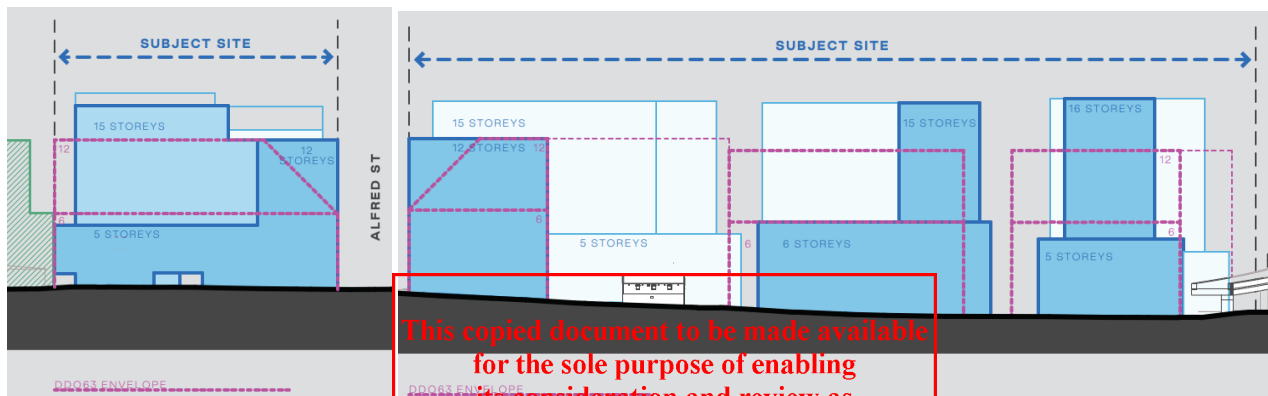


Figure 34 – L-R: DDO63 elevation analysis (Boundary Street/Alfred Street intersection) - extract from UCR.

**Maximum Building Height**

- Preferred (discretionary) height of 9 storeys.
- Absolute (mandatory) height of 12 storeys

The proposal seeks the following building height variations:

Precinct 1 – 4 storeys towards the south and west; no variation towards the north.

Precinct 2 – 3 storeys towards the south and west, no variation towards the north.

Precinct 3 – 4 storeys across the building.

Notwithstanding, the assessment criteria set out under DDO63 to justify the increase from the preferred height of 9 to 12 storeys are relevant to consider in this instance.

A response to these criteria is provided as follows:

- The proposal provides a demonstrable benefit to the broader community that include, amongst others, an exceptional quality of design, a positive contribution to the quality of the public realm, high quality pedestrian links to improve site and precinct permeability, and good solar access to the public realm.
- This application is supported by a master plan that reintegrates the Site with the surrounding urban fabric, including improved interfaces with surrounding streets through commitments to the Alfred Street western terminus upgrades, upgrades of the Alfred Street/Boundary Road intersection, delivery of new

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public open spaces and improved pedestrian and cycling connections to and from the site.

- Please refer additionally to the public benefits assessment provided in Section 6.5 below

Further to the above, the overall building heights have been designed having regard to the Victorian Government's Urban Design Guidelines, in particular Section 5.2 which relates to higher density residential buildings and elements around precinct structure, pedestrian priority streets, communal open spaces and car parking.

Relevant design considerations that have been incorporated in order to ensure that the higher density residential buildings on the Site continue to provide a good sense of address and identity include: the multiple points of entry and access which activate the ground plane, articulation and arrangement of building facades to provide diversity of built form within the precinct, elevated ground floor dwellings to provide passive surveillance to the street, and sleeving car parking structures so that they do not dominate the public realm, amongst others.

Furthermore, it should be highlighted that the additional building height is considered to produce an improved urban outcome when compared to the existing approval, through more generous separation between tower forms and less visual clutter. Generous building separation offers enhanced views to the sky, greater opportunities for solar access to the public realm and improved on-site amenity for residents due to improved daylight access, solar access and outlook. The relocation of height to the top of towers also allows for multiple areas of open space to be delivered across the Site, providing enhanced landscaping and biodiversity outcomes and contributing to a sense of place.

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*Deliver a scale of development that provides street definition and a pedestrian friendly scale.*

Street wall heights generally vary across the precincts from 3 and 6 storeys, with the podium levels activated by a mix of residential and non-residential retail/commercial/ and other uses.

The ground plane is supported by extensive landscaping interventions including street furniture, street tree canopy coverage of 23.4% and opportunities for additional activation and activity through the central open space area. This includes space for social interaction as well as a playground overlooking the diagonal road links and open space.

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*Deliver a scale of development that provides appropriate access to sunlight and daylight.*

The buildings and road network have been sited to maximise access to sunlight and daylight.

Refer to the shadow diagrams prepared by FKA and the daylight modelling report prepared by ADP Consulting for further details on daylight compliance to the dwellings.

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*Provide limited opportunities for taller buildings that deliver significant public realm outcomes.*

This application seeks to vary the mandatory building heights under DDO63 utilising the Ministerial powers under Clause 53.23 (Significant residential development with affordable housing).

Please refer to the following section (6.5) of this report for further discussion on the public realm and benefits afforded by the proposal to support the increase in proposed building heights.

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## Street wall height and setbacks

### 20m and 30m wide renewal street (i.e. Boundary Road and Alfred Street)

- Development at the frontage must not exceed a height of 6 storeys.
- Development should be set back 1 metre for every metre of height above 20 metres.

The proposal seeks to vary this requirement at Precinct 1.

The maximum street wall height proposed at Precinct 1 is 12 storeys for a length of circa 22m to Boundary Road, wrapping around the corner for a length of circa 38.5m to Alfred Street.

This variation is acceptable as it allows the building to 'hold the corner' at this gateway into the Alfred Quarter Precinct and is an appropriate design response having regard to the additional height sought on the Site and the lack of sensitive interfaces being on the southwestern corner of the Alfred/Boundary Road intersection. Moreover, the width of the street and its role and function can support a more robust form. The sheer condition also allows for a diversity of building typologies to be delivered across the site- moving away from a podium tower typology in this location and providing a differentiation of form.

The street wall heights at Precinct 2 and 3 comply with DDO63.

With regard to the upper level setbacks, a consistent setback condition has been adopted in place of the 1:1 height-to-setback / 'wedding cake' arrangement that is suggested in DDO63. Upper level setbacks vary from 3-5m.

Adopting a consistent upper level setback arrangement is appropriate in this instance as it provides for a clearer distinction between upper and lower parts of buildings. The arrangement also supports more efficient building outcomes, and it provides for a building typology that is often found and encouraged in the precinct renewal settings where a higher density is sought and where the site / precincts are subject to significant heritage or character considerations.

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Figure 35 - L-R: Artists renders of view looking north along the western north-south link and looking west towards P2 from the atrium of P1.

## Active Street Frontages

*Buildings with ground-level frontage to all other streets (i.e. excluding buildings in a commercial zone or with a frontage to Arden Street shown in Map 2 to DDO63) , should provide an active and*

The ground floor plane has been designed to maximise opportunities for active frontages and entrances to all streets.

This includes the provision of supermarket, retail and other non-residential uses and frontages, as well as residential frontages in selected areas, to provide passive surveillance. Bicycle parking facilities have also been strategically placed across the precinct for ease of access and to provide an additional form

physically connected street interface, for example by providing multiple entrances off the street.

of activation in areas that are not well suited for commercial and / or residential outcomes. Bicycle parking facilities have been demonstrated in other mixed-use apartment developments of similar scale as having the potential to generate a high level of activity and visual amenity (i.e. in this instance along the southern east-west shared access link).

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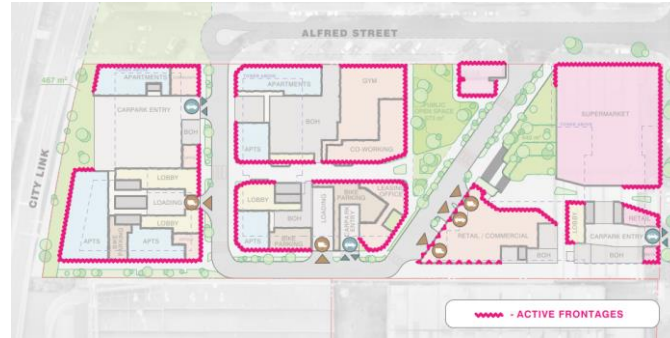


Figure 36 - Extract of active frontages diagram from UCR.

**Weather protection and façade treatment**

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

The building façades have been designed having regard to the surrounding industrial heritage present within Macaulay, as well as homes found within the wider North Melbourne neighbourhood. More particularly, cues have been taken from vertical, curved, roof forms, and grid-patterned elements found in these areas.

The fine-detailed and vertical articulation of the tower forms provides a different personality to each building.

The collaboration between FKA, Cera Stribley and Tract has sought to add architectural and landscape architectural diversity to the Site and to avoid dominance of any one building or style to the streetscape.



**Connectivity and laneways**

Development must provide for a high quality pedestrian link generally along the eastern side of CityLink to provide direct pedestrian connection to Macaulay and Flemington Bridge Stations for land

The proposal provides for a minimum 5m wide high-quality landscaped shared path link / setback from the western boundary of the Site which will contribute to a future link along the Moonee Ponds Creek whilst also acting as a nature-based flood mitigation measure.

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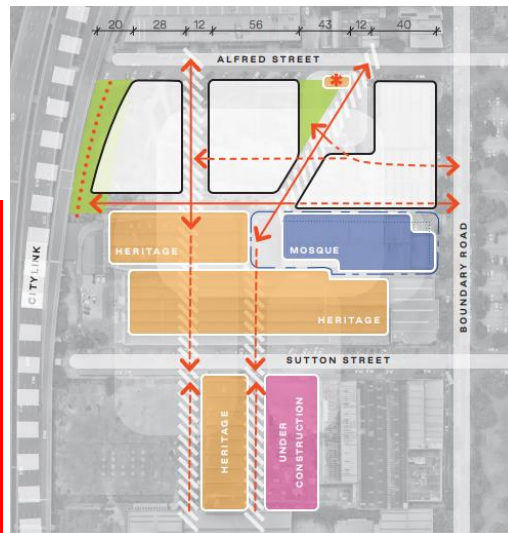
between Macaulay Road and Racecourse Road.

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.

The proposed urban structure has been informed by a contextual analysis of the surrounding existing and proposed future street and laneway network to ensure site permeability is safe, legible, accessible, practical and an improvement upon existing conditions.

Please refer to Section 3.4.2 and Section 6.5.1 of this report for further details on the design rationale underpinning the proposed urban structure.



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Figure 37 - Proposed network connections (extract from UCR).

## Heritage

When new developments adjoin heritage buildings located in a Heritage Overlay, the design of new buildings should have regard to the height, scale, rhythm of and proportions of the heritage buildings.

In terms of respecting the relevant existing heritage fabric, specifically the Farrell's Stables building (under HO1105) as well as the former Commonwealth Wool Store & Produce Company Ltd building at 64-90 Sutton Street (under HO1117), new buildings have been designed to be sited and set back respectfully to ensure appropriate views are provided from within and outside the Site, and to ensure these heritage buildings are not visually overwhelmed by the new development.

Refer to the Heritage Report provided by Bryce Raworth for further details and support for the development as it relates to heritage.

## 6.5 Does the proposal respond appropriately to the decision guidelines of Clause 53.23?

The Clause 53.23 approvals pathway allows the responsible authority to waive or vary any building height or setback requirement, amongst others.

This application seeks approval via Clause 53.23 to vary the mandatory maximum building and street wall heights, and to vary the preferred upper level setbacks under DDO63 as described previously in this report.

Ultimately, it is noted that DDO63 is an outdated built form control that, whilst incorporated into the Melbourne Planning Scheme as part of Amendment C190Pt1 in October 2017, is underpinned by an outdated structure plan (the 'Arden-Macaulay Structure Plan 2012') that was first exhibited in 2012. The strategic basis behind DDO63 therefore has no

regard to recent housing reforms and housing targets under the current State Government regime, nor 'Plan for Victoria'. It also has no regard to the current vision of the Macaulay Urban Renewal Area and contemporary expectations for infill development within established areas. These reasons should weigh in favour of the responsible authority's consideration to vary the building heights and setbacks for this application under Clause 53.23.

The decision guidelines of Clause 53.23 require the responsible authority to consider, where appropriate, the purpose of the clause and the views of the Office of the Victorian Government Architect (OVGA).

The proposal is submitted to be consistent with the purpose of Clause 53.23 as follows:

- The proposal will facilitate residential development that contributes to the provision of circa 150 (being 16% of the proposed dwellings) additional affordable housing dwellings in Melbourne.
- The proposal will facilitate residential development with high quality urban design, architecture and landscape architecture. The proposal has been informed by extensive collaboration between leading design firms local to Melbourne, to incorporate a diversity of buildings and integrated landscaping that will create a welcoming public realm through generous open space areas at ground, podium and upper levels, pedestrian-scale street walls and active interfaces and well-connected pedestrian and cyclist links.
- The proposal will also provide opportunities for non-residential use and development in association with residential development, including anchoring the precinct with a supermarket tenancy, a café in the adapted Farrell's Stables to generate activity and sense of place within the central open space, supporting retail tenancies in Precinct 1, as well as community facility, gym, co-working office and a leasing office for the BTR residential offerings in Precinct 2.

It is noted that the views of the OVGA were not considered to be required for this application by the DFP given the comprehensive master planning and urban design analysis conducted in collaboration with DFP, DTP, CoM and MW staff prior to lodging the application.

#### 6.5.1 Does the proposal provide for a net community benefit?

This application seeks approval from the responsible authority under Clause 53.23:

- The mandatory maximum height of 12 storeys.
- The mandatory maximum street wall height of 6 storey street wall to Alfred Street and Boundary Road.

These variations are sought on the basis of an urban design and architectural analysis that has been undertaken to support such outcomes, and on the basis that a community level of public benefit is offered.

This public benefit is proposed to be achieved in a manner which responds to the vision for the precinct and which acknowledges the intent of the existing and future controls.

Specifically, the public benefits generated by the proposal include:

##### Diverse and Affordable Housing

An affordable housing contribution well above that required by the Planning Scheme is proposed (circa 16% of dwellings which is in the order of 60% above the criteria), as described in Section 3.3 above.

Further to the delivery of increased affordable housing, we note that the overall commitment to deliver circa 939 dwellings in an urban renewal area is a significant public benefit, particularly when viewed through the lens of Victoria's ongoing housing shortage and crisis.

Housing is undoubtedly a key policy focus in the public sphere at the moment, both for homeowners (and importantly first home buyers) as well as renters. This is reflected in recent reforms around the Activity Centres Program, Plan for Victoria, the establishment of municipal housing targets and more broadly underpinned by longstanding policies around the 20-minute neighbourhood principle to ensure housing is delivered proximate to key infrastructure, services and amenities.

The Site is an ideal candidate to deliver a robust and substantial provision of housing where residents will have access to an excellent level of public transport connectivity, established retail, entertainment and employment opportunities, as well as large public open spaces.

The relative lack of sensitive interfaces and acknowledgement of the emerging higher density built form of the surrounding area lends the Site well to being considered for more prominent built form to support the delivery of high-

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quality and diverse housing. Importantly, the proposal seeks to deliver a diversity of housing *tenure* to the precinct, including build to sell, build to rent, and 16% affordable housing (discussed previously).

### Economic benefits

Overall, the proposal represents a landmark and significant capital investment with an estimated construction value of over \$500 million. This will create a major stimulus to the Victorian economy over a 4-6 year works program.

The Economic Impact Statement (EIS) prepared by Deep End to support this application confirms that this project has potential to generate significant economic benefit when considered in terms of employment generation and industry activity during construction, and with a range of on-going economic benefits being generated once the project is completed, including jobs creation and economic activity.

This includes direct generation of an estimated 942 full-time equivalent (FTE) jobs on-site during the construction period, with a further 2,340 indirect jobs in the wider economy through intermediary inputs and supply chains.

The EIS anticipates that total ongoing employment located within the site would be approximately 123 positions, or around 94 jobs when measured on an FTE basis, with another 180 indirect jobs generated in the wider economy due to multiplier effects.

Estimates of direct industry value added generated by the employment-generating activities occurring on-site would be an estimated \$8.8 million per annum, with another \$16 million in industry value added generated indirectly each year within the wider economy, reflecting inter-industry linkages.

### Public Realm Benefits

#### Landscape Led

The Site is currently devoid of vegetation and landscaping, having been utilised for industrial purposes for the better part of the last century.

The landscape concept design prepared by Tract proposes significant increases to canopy and understorey cover across the Site, which will provide immediate amenity and connectivity by way of new habitat and ecological links with the Moonee Ponds Creek. This is also of benefit to the biodiversity resources for animals and insects, cooling from urban heat, improved surface permeability to reduce runoff, and of course overall beautification for a more pleasant urban environment.

The landscaped buffer along the western boundary with CityLink will further assist in softening the residential interface with this interface, as will the proposed internal street trees to providing some 'breathing room' between buildings.

#### Improved site permeability

The proposed urban structure for the Site presents clear desire lines and opportunities for improved pedestrian permeability in comparison to the approved plans under the existing Permits, as well as the proposed structure plan under the Macaulay C417 amendment.

This is achieved through the following:

- **Simplification of the urban structure**
  - Compared to the approved plans under the existing Permits, the revised structure plan presents a more straightforward, easier to navigate street network with wider north-south and east-west connections. There are less kinks and turns required per street, which allows for a more efficient and safer street network, both from the perspective of reducing risks of vehicular conflicts, as well as improved opportunities for passive surveillance more generally.
- **Angling the eastern north-south link**
  - The angling of the eastern north-south link deviates from the proposed urban structure under the Macaulay C417 amendment (which proposes a straight north-south link at this location). We submit that the angling of this link provides an opportunity to better connect with the alignment of the planned laneway under construction at 77 Sutton Street to the south of the Site, and to visually connect with and appreciate the heritage building adjacent to the south of the Site from the future planned activity areas at the intersection of Alfred and Boundary.
- **Integrating two east-west connections within the built form**

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- Whilst the east-west connection along the southern boundary has been maintained from the existing approved development, the conditions have been improved through widening this link (from 4.5m wide to 5.2m wide) and integrating the entrance within the building façade at Boundary Road. Being fully integrated within a double-height façade and complemented by a 5.2m void open to the sky, the pedestrian connection is deliberately designed to read as a primary, inviting through-block link rather than a secondary laneway.

### Strategic use of flood prone land

Much of Macaulay as an urban renewal area is known to be prone to flooding. This has proven to be a significant challenge for developments to obtain planning approvals in recent years, and more pertinently to actually ensure that construction of a development (if approval is obtained) remains viable once the construction of the necessary flood mitigation measures is accounted for.

The challenges for developing flood prone land often relate to site constraints around site size (i.e. too small to accommodate relevant mitigation measures), and site access (i.e. no secondary point of emergency egress available), which greatly limits the piecemeal development opportunities within Macaulay to reasonably deliver the housing necessary to support the anticipated population growth in the precinct without a coordinated effort to consolidate land titles or develop in partnership with adjoining landholders.

Fortunately, this Site presents a 1.5ha consolidated land parcel – the largest known privately held development parcel in Macaulay – which presents an immense opportunity to design a site that can reasonably mitigate flood risk whilst still ensuring the development is viable and feasible for construction and delivery. The Site benefits from three frontages and a relatively significant level change from west to east which has allowed the design team to manage levels of building entrances to achieve safe freeboard levels, without having to sterilise the development opportunity of prime inner city urban renewal land.

The proposal also strategically setbacks from the Moonee Ponds Creek by a minimum of 5m along its western boundary to accommodate a green public shared link that can provide space for connection and relaxation in good weather, and act as a passive stormwater drainage asset in inclement weather. This consideration of the western setback therefore benefits the public in a myriad of ways, including for health, social interaction, visual outlook, wellbeing, and ultimately safety in times of flood and heavy rains.

Further to the above, the proposal does not provide any basement car parking, which is a position strongly supported by Melbourne Water and one that greatly reduces the risk of flooding and damage to property and vehicles in extreme storm events.

On balance, the trade-off for a higher built form outcome beyond that specified under the current and proposed built form controls (in part to accommodate the car parking levels above ground, and in part to make the highest and best use of such a strategically positive development parcel) in favour of a safer, less risky flood response, is submitted to be entirely consistent with fair and orderly planning policy.

### Respectful restoration of heritage assets

The proposal seeks to respectfully restore the Farrell’s Stables heritage building at 59-101 Alfred Street, which over the years has become dilapidated in appearance and unsightly within the public realm. Heritage advice from Bryce Raworth has considered that the curtilage of landscaped open space proposed to adjoin Farrell’s Stables provides a positive outcome in providing a compatible setting for the heritage place and that the proposed extension provides a site-responsive and sensitive addition to the Stables.

The adaptive reuse of the Stables for a café tenancy will allow the public to enjoy and participate in this part of Melbourne’s history once again, and provide another meeting place for the future community of Macaulay.

## **6.6 Does the proposal provide appropriate parking, traffic and waste arrangements?**

This section should be read in conjunction with the Traffic Engineering Assessment, Green Travel Plan and Waste Management Plan prepared by Traffix.

In summary, Traffix’s assessment against relevant parking, traffic and waste requirements is supportive of the proposal, including the proposed car parking provision under Clause 52.06 and relevant considerations around traffic generation and staging of access to each precinct.

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The Traffix assessment is also relevant to consider within the context of the existing approval – which finds that the overall car parking provisions on the Site are commensurate with the existing Permits on Site, as well as the proposed Parking Overlay under Amendment C417melb – which finds that whilst not entirely consistent with the draft provisions, the proposal would provide an appropriate step to the ambitious reduction in car parking rates and management/ownership aspirations envisioned under Amendment C417 (noting this is yet to be a seriously entertained document and does not currently hold any statutory weight).

The proposal is further supported by the following key traffic considerations:

- Provision of bicycle and motorcycle parking spaces in excess of the requirements set out within the relevant parts of the Planning Scheme.
- The proposal includes a suite of mitigating works at Boundary Road/Alfred Road to facilitate the development, and the works are considered to be generally in accordance with the objectives sought by Amendment C417melb.
- The mitigating works can support the expected traffic generation of the proposal.
- The design of the site is considered acceptable, including the proposed car and bicycle parking layouts, access arrangements and loading provisions.
- The designs are considered to accord with the relevant requirements of the Planning Scheme, AS2890 (where relevant) and current practice.

Use	Stage 1		Stage 2		Stage 3		Total (Minimum – Maximum)
	Number / Area	Minimum – Maximum Requirement	Number / Area	Minimum – Maximum Requirement	Number / Area	Minimum – Maximum Requirement	
Dwelling	303	0 – 606	336	0 – 672	300	0 – 600	0 – 1,878
Retail (Shop)	714 m <sup>2</sup>	0 – 14	-	-	-	-	0 – 14
Café (Food and drink premises)	-	-	131 m <sup>2</sup>	0 – 2	-	-	0 – 2
Office	-	-	335 m <sup>2</sup>	0 – 3	-	-	0 – 3
Supermarket	1,558 m <sup>2</sup>	0 – 38	-	-	-	-	0 – 38
Restricted Recreation Facility (Gymnasium)	-	-	To the satisfaction of R.A.		-	-	To the satisfaction of R.A.
Community Space	97m <sup>2</sup> Assume 40 patrons	0 - 6	-	-	-	-	0 - 6
<b>Total Statutory Requirement</b>	<b>0 – 664</b>		<b>0 – 677</b>		<b>0 – 600</b>		<b>0 – 1,941</b>
<b>Proposed Parking Provision</b>	<b>282</b>		<b>137</b>		<b>131</b>		<b>550</b>

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Figure 38 – Assessment against statutory car parking requirements (Extract from Traffic Engineering Assessment prepared by Traffix).

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With regard to waste, the proposal complies with best practice waste management principles in accordance with the Victorian Government's *Circular Economy Policy: Recycling Victoria*, with separate commercial and residential waste collection and loading areas, accessible from suitable locations within the internal site road network.

Waste will be efficiently managed by the onsite building managers via adequately sized and located compactors where required, and with a dual chute system for residents for convenience. Waste streams are proposed to be divided into general waste, food organics green organics (FOGO), commingled recycling (inc. paper & cardboard recycling), and glass recycling to reduce landfill at the source.

Having regard to the above, the proposal provides for an appropriate parking, traffic and waste arrangement.

## 6.7 Does the proposal provide for an appropriate environmentally sustainable design?

---

The proposal strongly aligns with the ESD policy objectives set out under Clause 15.01-2L-01 as well as the controls set out under planning scheme amendment C376melb which was unanimously adopted by Council on 29 July 2025 (yet to be gazetted or incorporated into the Melbourne Planning Scheme).

It is further demonstrated to meet the Better Apartment Design Standards (BADs), including provisions for deep soil planting and internal amenity considerations around natural ventilation, daylight modelling, and functional private open spaces.

The proposal commits to the following key achievements and initiatives:

- Green Factor score of 0.56.
- A certified 5 Star Green Star Building Rating.
- A minimum NatHERS rating of 6.5 stars for any single apartment and average NatHERS rating of at least 7.5 stars across the development.
- Best practice water quality performance objectives as demonstrated with STORM.
- Total 40kL capacity rainwater tanks for reuse in toilet flushing and total 60kL capacity rainwater tanks for reuse in irrigation.
- Commitment to install at least 20% of available roof space with solar PV panels (approx. 200kW total capacity)

Refer to the Sustainability Management Plan prepared by ADP Consulting for further information.

## 6.8 Does the proposal appropriate address the requirements of the Environmental Audit Overlay?

---

The proposal is supported by an environmental assessment and audit letter prepared by Compass Environmental which provides a status update on the progress of the assessment works and environmental audit being completed at the Site in order to address the requirements of the EAO.

The current environmental audit previously completed for the Site under the existing approved Permits is noted to be in support of a mixed-use development including residential component across the full site extent and further work is noted to be undertaken should a permit ultimately be issued for the proposed development.

Refer to the Status of Environmental Assessment & Audit Letter prepared by Compass Environmental for further details.

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## 7 Conclusion

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This report supports a planning permit application for demolition and subsequent use and development of land and associated reduction in car parking for a mixed-use development at 59-101 Alfred Street and 103-117 Boundary Road, North Melbourne, facilitated by the provisions of Clause 53.23 (Significant Residential Development with Affordable Housing).

More specifically, this application requires planning permissions to use land for Food and drink premises, Offices, Place of assembly, Shop, Retail premises and Restricted recreation facility.

The proposal also seeks to deliver 16% affordable housing (circa 150 dwellings) to assist in achieving the housing targets and objectives by the State Government.

The proposal represents a high-quality and highest and best use outcome for the Site that is supported by the relevant policies and provisions of the Melbourne Planning Scheme on balance with facilitating increased residential densities to an urban renewal precinct.

The proposal has had particular regard to the flooding, heritage and urban design considerations of the Site and is supported by extensive expertise from a diverse team of engineers, heritage consultants, economists, and designers. A pragmatic and interrogative design approach has been employed to ensure the development is feasible and shovel-ready to commence construction upon permit approval, including early consideration of structural, servicing, access and detailed design requirements that underpin how the Site will be efficiently managed and operated in the long-term.

This report finds the proposal to provide an appropriate balance between a high-quality, safe and resilient medium-rise mixed-use precinct envisioned for the Site within a strategic context where facilitating housing supply and affordability is strongly encouraged, particularly in inner-city urban renewal areas like Macaulay.

On this basis, it is respectfully submitted that a planning permit be granted for this proposal.

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# Appendices

Appendix A Clause 58 Assessment

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# Clause 58

## Better Apartment Design Standards

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### 1.1 Purpose

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- To implement the Municipal Planning Strategy and 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

### 1.2 Requirements

---

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.

### 1.3 Definition

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An Apartment is defined in Clause 73.01 as:

- A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.

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## Clause 58.02 – Neighbourhood Character and Infrastructure

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### Clause 58.02-1 – Urban Context Objectives

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**Objectives** To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.  
To ensure that development responds to the features of the site and the surrounding area.

---

#### Achieved

---

**Standard D1** The design response must be appropriate to the urban context and the site.  
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

---

#### Complies with the standard

---

### Clause 58.02-1 – Urban Context Objectives Assessment

---

The proposal represents a considered design response that respects the existing mixed industrial and residential character of the North Melbourne area while responding to the vision for the Macaulay Precinct as a mixed-use, mid-rise neighbourhood with a distinct inner urban character.

The design of the building has had regard to the surrounding character and current and envisioned scale of the area. The proposed development seeks to reflect the proportions and rhythm of surrounding buildings and the streetscape through varying the height and footprint of each precinct building and breaking up the built form massing through introducing through-block connections and internal accessway networks.

The proposal strikes a fine balance between respecting the existing industrial character and achieving a built form outcome consistent with the strategic intent of the Mixed Use Zone and the urban renewal precinct.

For the reasons outlined above, the proposal responds to the features of the Site and is entirely appropriate having regard to the emerging urban context.

Refer to the Urban Context Report prepared by FK Architects and Planning Report prepared by Tract for further detail.

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## Clause 58.02-2 – Residential Policy Objectives

---

**Objectives** To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.  
To support higher density residential development where development can take advantage of public and community infrastructure and services.

---

**Achieved**

---

**Standard D2** An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

---

**Complies with the standard**

---

## Clause 58.02-2 – Residential Policy Objectives Assessment

---

Chapter 6 of the Planning Report outlines the compliance of the proposal with the various housing provisions of the *Melbourne Planning Scheme*. Notwithstanding, the proposal provides residential densification in an urban renewal area that is planned to have excellent access to public transport, community infrastructure, services and amenity, in a location that identified for high density residential development. Furthermore, the wide range of dwelling typologies provided in the residential offering seek to accommodate various household types.

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## Clause 58.02-3 – Dwelling Diversity Objectives

---

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

---

**Achieved**

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**Standard D3** Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

---

**Complies with the standard**

---

## Clause 58.02-3 – Dwelling Diversity Objectives Assessment

---

The development proposes multiple different dwelling typologies of varying size, resulting in compliance with Standard D3. The range of dwelling typologies are applied across 939 dwellings within all three Precincts. The following mix is proposed across several typologies:

- 191 x studios (20%)
- 390 x one-bedrooms (41%)
- 298 x two-bedrooms (32%)
- 60 x three-bedrooms (6%)

The dwelling diversity ensures that a variety household structures and residents of differing socio-economic levels can be accommodated within the development, promoting a sense of community.

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## Clause 58.02-4 – Infrastructure Objectives

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**Objectives** To ensure development is provided with appropriate utility services and infrastructure.  
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

---

**Achieved**

---

**Standard D4** Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. Connection to a reticulated gas service is optional.  
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.  
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

---

**Complies with the standard**

---

## Clause 58.02-4 – Infrastructure Objectives Assessment

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The proposal is designed to integrate with existing and planned services infrastructure.  
The development will continue to provide appropriate utility connection and infrastructure to ensure the existing infrastructure capacity is not overladed or adversely impacted.

---

## Clause 58.02-5 – Integration with the Street Objectives

---

**Objectives** To integrate the layout of development with the street.  
To support development that activates street frontage.

---

**Achieved**

---

**Standard D5** Development should be oriented to fit the existing and proposed streets.  
Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

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**Complies with the standard**

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## Clause 58.02-5 – Integration with the Street Objectives Assessment

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Entrances to apartment buildings are located in highly visible locations from primary roads such as Boundary Road and Alfred Street, and from new streets being created by the development. Where dwellings are proposed at ground level, these dwellings are provided with permeable fencing however with raised floor levels to successfully balance privacy and activation.

Where car parking has been proposed within the podium, landscaped edges have been proposed to ensure an attractive presentation to the internal street network- noting that these are at podium levels only.

Refer to the Urban Context Report prepared by FK and Planning Report prepared by Tract for further detail.

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# Clause 58.03 – Site Layout

## Clause 58.03-1 – Energy Efficiency Objectives

**Objectives** To achieve and protect energy efficient dwellings and buildings.  
 To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.  
 To ensure dwellings achieve adequate thermal efficiency.

### Achieved

**Standard D6** Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.  
 Developments should be designed so that solar access to north-facing windows is optimised.  
 A dwelling located in a climate zone identified in Table D1 should not exceed the specified maximum NatHERS annual cooling load specified in the following table

NatHERS Climate Zone	NatHERS Maximum Cooling Load (MJ/M <sup>2</sup> per annum)
Climate Zone 21 Melbourne	30
Climate Zone 22 East Sale	22
Climate Zone 27 Mildura	39
Climate Zone 60 Tullamarine	22
Climate Zone 62 Moorabbin	21
Climate Zone 63 Warrnambool	21
Climate Zone 64 Cape Otway	19
Climate Zone 66 Ballarat	23

Table B4 Cooling Load  
 Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy)

**Complies with the standard / Complies with the objective**

## Clause 58.03-1 – Energy Efficiency Objectives Assessment

As stated in the Sustainability Management Plan prepared by ADP, the proposal ensures that dwellings do not exceed a NatHERS cooling load of 30 MJ/M<sup>2</sup>, which is the maximum cooling load specified for Climate Zone 21 'Melbourne'.  
 On this basis, the proposal complies with Standard D6.

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## Clause 58.03-2 – Communal Open Space Objective

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**Objectives** To provide communal open space that meets the recreation and amenity needs of residents.  
To ensure that communal open space is accessible, practical, attractive, easily maintained.  
To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

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### Achieved

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**Standard D7** A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management
- Located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees

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### Complies with the standard

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## Clause 58.03-2 – Communal Open Space Objective Assessment

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The communal open space for each residential precinct building is provided as follows:

- Precinct 1 – Total 332 square metres (total of 828sqm when considering indoor and outdoor areas)
- Precinct 2 – Total 456 square metres (total of 666sqm when considering indoor and outdoor areas)
- Precinct 3 – Total 508 square metres

The total communal open space provision exceeds the minimum requirement of 220sqm and therefore complies with the standard. Where possible, the communal open space has been provided to the north and is designed with high-quality landscaping treatment and accessibility considerations as well as ensuring it is capable of management.

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## Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective

<b>Objectives</b>	To allow solar access into communal outdoor open space.
	<b>Achieved</b>
<b>Standard D8</b>	The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
	<b>Complies with the objective</b>

## Clause 58.03-3 – Solar Access to Communal Outdoor Open Space Objective Assessment

Precincts 1 and 3 comply with the standard. Precinct 2 generally complies with the objective. While the larger of the communal open space has a level of overshadowing, an additional rooftop space to the north-west of the building receives solar access in line with the standard.

It is considered this is appropriate due to the generous levels of amenities provided within the building, that will exceed the standard under D7 (more than double), and the location of this precinct adjacent to a new area of public open space.

Furthermore, residents have access to a wide variety of open space within the precinct, including newly created open spaces within the development, new space within Alfred Street, and the nearby Buncl Street Reserve. For these reasons this variation is considered appropriate.

## Clause 58.03-4 – Safety Objective

<b>Objectives</b>	To ensure the layout of development provides for the safety and security of residents and property.
	<b>Achieved</b>
<b>Standard D9</b>	Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.
	<b>Complies with the standard</b>

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## Clause 58.03-4 – Safety Objective Assessment

The dwellings are provided access via the internal lift at basement or the ground floor lobby which will be equipped with security measures. The residential lobby for Precinct 3 is provided clear and direct access from the internal vehicle accessway/road via two separate entrance points which aligns with the end of the east-west pedestrian link through the Site. The residential lobbies for Precinct 2 are provided clear and direct access from the east-west pedestrian link through the Site and from the internal vehicle accessway/road. The residential lobby for Precinct 1 is provided clear and direct access from the lower ground car parking area as well as the upper ground level along the east-west pedestrian link through the Site. All primary lobby entries are via publicly accessible accessways ensuring the entries are not obscured or isolated. The car-park lobby entranceway for Precinct 1 is not via a public accessway, however this is considered a standard arrangement for similar developments and access will be restricted to residents accessing the development via the car park.

The frontage of each Precinct building to the internal vehicle/road accessway and external street network is designed to enhance passive surveillance through maintaining a visual connection to the street and internal public realm areas. Landscaping proposed at the entrance to the residential lobbies is designed carefully to minimise obstructed sight lines.

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## Clause 58.03-5 – Landscaping Objectives

**Objectives** To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.  
 To preserve existing canopy cover and support the provision of new canopy cover.  
 To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

### Achieved

**Standard D10** Development should retain existing trees and canopy cover  
 Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
  - Consistent with the canopy diameter and height at maturity specified in Table D4.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas placed on paved surfaces through landscaping or shade structures and use paving and surface materials with low thermal mass and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

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Site Area	Canopy cover	Deep soil
1000 square meters or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square meters	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 – 2500 square meters	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area

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2500 square metres or more      350 square metres plus 20% of site area above 2,500 square metres  
 Include at least 2 Type B trees or 1 Type C tree      15% of site area

Table D2 Canopy cover and deep soil requirements

Tree Type	Tree in deep soil Area in deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square meters (min. plan dimension 2.5 metres)	12 cubic meters (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square meters (min. plan dimension 4.5 metres)	28 cubic meters (min. plan dimension of 4.5 metres)	1 metre
C	121 square meters (min. plan dimension 6.5 metres)	64 cubic meters (min. plan dimension of 6.5 metres)	1.5 metre

Table D3 Soil requirements for trees

**Note:** Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%

Tree Type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres
Table D4 Tree types	<b>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</b>	
Complies with the objective		

## Clause 58.03-5 – Landscaping Objectives Assessment

The proposal is required to deliver 15% of the site as deep soil planting and 19% canopy cover, equating to 2,868 sqm of canopy coverage across the development. In accordance with the Landscape Report, the proposal achieves the following outcomes with respect to deep soil and canopy cover:

LEVEL	DEEP SOIL VESTED	DEEP SOIL PRIVATE	DEEP SOIL PRIVATE	DEEP SOIL	SHALLOW SOIL PRIVATE	SHALLOW SOIL PRIVATE	ALL SOIL
	NATURAL GROUND > 800mm	NATURAL GROUND > 800mm	PLANTER > 800mm	TOTAL M2 & % OF SITE AREA	PLANTER < 800mm > 400mm	GREEN ROOF < 400mm	TOTAL M2 OF SITE AREA
Ground	1240.6m2	140.9m2	263.3m2	1613.2m2	120.0m2	0.0m2	1733.2m2
Levels 2&1	0.0m2	0.0m2	0.0m2	0.0m2	35m2	0.0m2	35m2
Levels 3&2	0.0m2	0.0m2	246.3m2	246.3m2	98m2	0.0m2	344.3m2
Levels 4&3	0.0m2	0.0m2	133.5m2	133.5m2	79m2	24.7m2	237.2m2
Levels 5&4	0.0m2	0.0m2	24.7m2	24.7m2	231m2	0.0m2	255.7m2
Levels 6&5	0.0m2	0.0m2	311.2m2	311.2m2	544.2m2	0.0m2	855.4m2
Levels 7-12&6-11	0.0m2	0.0m2	0.0m2	0.0m2	50.3m2	0.0m2	50.3m2
Levels 13&12	0.0m2	0.0m2	333.6m2	333.6m2	0.0m2	0.0m2	333.6m2
<b>Total m2</b>	<b>1240.6m2</b>	<b>140.9m2</b>	<b>1,312.6m2</b>	<b>2662.5m2</b>	<b>1157.5m2</b>	<b>24.7m2</b>	<b>3844.7m2</b>
<b>% of site area</b>	<b>8.2%</b>	<b>0.9%</b>	<b>8.7%</b>	<b>17.6%</b>	<b>7.6%</b>	<b>0.2%</b>	<b>25.5%</b>

**PROPOSED TREE TYPES AND CANOPY COVERAGE**

LEVEL	VESTED TREE-A QTY	VESTED TREE-B QTY	VESTED TREE-C QTY	M2 & % OF VESTED AREA	PRIVATE TREE-A QTY	PRIVATE TREE-B QTY	PRIVATE PERGOLA M2	M2 & % OF PRIVATE AREA	TOTAL M2 & % OF SITE AREA
Ground	40	10	2	1742.1m2 -11.5%	15	3	0.0m2	347.3m2 -2.3%	2.89.4m2 -13.8%
Levels 2&1	0	0	0	0.0m2 -0.0%	0	0	0.0m2	0.0m2 -0.0%	0m2 -0.0%
Levels 3&2	0	0	0	0.0m2 -0.0%	21	0	62.7m2	453.7m2 -3.0%	453.7m2 -3.0%
Levels 4&3	0	0	0	0.0m2 -0.0%	11	0	50.7m2	242.9m2 -1.6%	242.9m2 -1.6%
Levels 5&4	0	0	0	0.0m2 -0.0%	1	0	0.0m2	18.8m2 -0.1%	18.8m2 -0.1%
Levels 6&5	0	0	0	0.0m2 -0.0%	12	0	0.0m2	282.1m2 -1.9%	282.1m2 -1.9%
Levels 7-12&6-11	0	0	0	0.0m2 -0.0%	0	0	0.0m2	0.0m2 -0.0%	0m2 -0.0%
Levels 13&12	0	0	0	0.0m2 -0.0%	17	0	0.0m2	411.0m2 -2.9%	411.0m2 -2.9%
<b>Total QTY</b>	<b>40</b>	<b>10</b>	<b>2</b>	<b>-</b>	<b>77</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total m2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1742.1m2</b>	<b>1642.8m2</b>	<b>113.4m2</b>	<b>1785.8m2</b>	<b>3527.9m2</b>	<b>3527.9m2</b>
<b>Coverage %</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>11.5%</b>	<b>10.88%</b>	<b>0.8%</b>	<b>11.8%</b>	<b>23.4%</b>	<b>23.4%</b>

Although the private land component of the site achieves 9.6% deep soil and 11.8% canopy cover, which is below the specified targets, the overall redevelopment, when assessed in its entirety, meets or exceeds both the deep soil and canopy cover requirements at 17.6% deep soil and 23.4% canopy cover.

Accordingly, while the private portion does not independently achieve the prescribed benchmarks, the overall landscaping strategy delivers the required outcomes, ensuring the development meets the objectives for landscaping.

**Clause 58.03-6 – Access Objective**

<b>Objectives</b>	To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. To ensure the vehicle crossovers are designed and located to minimise visual impact.
<b>Achieved</b>	
<b>Standard D11</b>	Vehicle crossovers should be minimised. Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. Pedestrian and cyclist access should be clearly delineated from vehicle access. The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. Developments must provide for access for service, emergency and delivery vehicles.
	<b>Complies with the standard</b>

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**Clause 58.03-6 – Access Objective Assessment**

The total number of crossovers to Alfred Street and Boundary Road are reduced in the proposed development. The proposal seeks to consolidate the total cross overs to the external street network from the existing five along Alfred Street to two and the existing two along Boundary Road to one. The internal road accessway will be utilised to provide car parking access and loading arrangements for each Precinct building with the crossovers positioned to open out onto areas with a lower pedestrian foot traffic location/secondary interface where practical, to limit disturbance to pedestrian and cyclist movement networks and safety. All vehicle entrance points to buildings have been designed to seamlessly integrate into the building facades to present a quality public realm and interface arrangement while accommodating the intensification of use on the Site.

Vehicle and pedestrian/cyclist access are designed to be clearly delineated via separated ramping, architectural features and signage. The separation of pedestrian, cyclist and vehicle accessways into and through the Site will be further delineated by surface treatments and signage.

The development maintains complete accessibility for service, emergency and delivery vehicles.

## Clause 58.03-7 – Parking Location Objectives

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**Objectives** To provide convenient parking for resident and visitor vehicles.  
To protect residents from vehicular noise within developments.

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### Achieved

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**Standard D12** Car parking facilities should:

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

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

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### Complies with the standard

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## Clause 58.03-7 – Parking Location Objectives Assessment

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Car parking is provided within the lower levels of each Precinct building as outlined below.

- Precinct 1 – Lower ground and mezzanine, levels 1 to 4
- Precinct 3 – Levels 1 and 2
- Precinct 3 – Ground to Level 3

Direct access via internal lifts and stairwells is available for residents. The car parking areas are designed to be secure and well ventilated.

The proposed development proposes a habitable room window adjacent to the proposed internal vehicle accessway, however the window is set back more than 1.5 metres from the accessway and as such the standard is met.

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## Clause 58.03-8 – Integrated Water and Stormwater Management Objectives

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**Objectives** To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.  
To facilitate stormwater collection, utilisation and infiltration within the development.  
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

---

### Achieved

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**Standard D13** Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.  
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.  
The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater – Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee 1999) as amended.
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

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### Complies with the standard

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## Clause 58.03-8 – Integrated Water and Stormwater Management Objectives Assessment

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The response to integrated water and stormwater management objectives is set out in the Sustainability Management Plan prepared by ADP Consulting.

Rainwater reuse is proposed for toilet flushing and irrigation to reduce stormwater runoff and incorporate best practice stormwater management as follows:

- Precinct 1 – 10kL (toilet flushing), 15kL (irrigation)
- Precinct 2 – 20kL (toilet flushing), 25kL (irrigation)
- Precinct 3 – 10kL (toilet flushing), 20kL (irrigation)

The proposal complies with Standard D13.

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## Clause 58.04 – Amenity Impacts

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### Clause 58.04-1 – Building Setback Objectives

---

**Objectives** To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.  
To allow adequate daylight into new dwellings.  
To limit views into habitable room windows and private open space of new and existing dwellings.  
To provide a reasonable outlook from new dwellings.  
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

---

#### Achieved

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**Standard D14** The built form of the development must respect the existing or preferred urban context and respond to the features of the site.  
Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

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**Clause 58.04-1 – Building Setback Objectives Assessment**  
Building massing, in particular setbacks and building separation, is contextually appropriate as is outlined within the town planning report and Urban Context Report. Refer to the Architectural Plans prepared by FK and Planning Report prepared by Tract for further detail.

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### Clause 58.04-2 – Internal Views Objective

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**Objectives** To limit views into the private open space and habitable room windows of dwellings within a development.

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#### Achieved

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**Standard D15** Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

---

**Complies with the standard**

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### Clause 58.04-2 – Internal Views Objective Assessment

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Each dwelling is provided with secluded private open space in the form of a private balcony. Where a balcony adjoins another balcony of a neighbouring apartment, measures will be adopted to ensure internal views are mitigated, such as screens or planter boxes.

The habitable room windows between the precinct buildings are setback a minimum distance of 12m therefore limiting overlooking.

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## Clause 58.04-3 – Noise Impacts

**Objectives** To contain noise sources in developments that may affect existing dwellings.  
To protect residents from external and internal noise sources.

### Achieved

**Standard D16** Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.  
The layout of new dwellings and buildings should minimise noise transmission within the site.  
Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.  
New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.  
Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

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

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.  
Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.  
**Note:** The noise influence area should be measured from the closest part of the building to the noise source.

Noise Source	Noise Influence Area
<b>Zone Interface</b>	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
<b>Roads</b>	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
<b>Railways</b>	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Table D3 Noise Influence Area

**Complies with the standard**

## Clause 58.04-3 – Noise Impacts Assessment

The Site is within the noise influence area of roads (Citylink Freeway) carrying more than 40,000 Annual Average Daily Traffic Volume. The proposal has been designed with due consideration of noise impacts which are detailed in the Acoustic Report prepared by ADP.

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## Clause 58.04-4 – Wind Impacts Objective

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**Objectives** To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

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### Achieved

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#### Standard D17

Development of five or more storeys, excluding a basement should:

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

#### Unsafe

Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.

#### Comfortable

Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

- 3 metres per second for sitting areas,
  - 4 metres per second for standing areas,
  - 5 metres per second for walking areas
- 

Table D6 Wind Conditions

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### Complies with the standard

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## Clause 58.04-4 – Wind Impacts Objective Assessment

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The proposal complies with the standard for all relevant areas.  
Refer to the Wind Impact Assessment prepared by Vipac.

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## Clause 58.05-1 – Accessibility Objective

**Objectives** To ensure the design of dwellings meets the needs of people with limited mobility.

### Achieved

#### Standard D18

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

	Design option A	Design Option B
Door Opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower
Door Design	Either: <ul style="list-style-type: none"> <li>• A slide door, or</li> <li>• A door that opens outwards, or</li> <li>• A door that opens inwards that is clear of the circulation area and has readily removable hinges</li> </ul>	Either: <ul style="list-style-type: none"> <li>• A slide door, or</li> <li>• A door that opens outwards, or</li> <li>• A door that opens inwards and has readily removable hinges</li> </ul>
Circulation Area	A clear circulation area that is: <ul style="list-style-type: none"> <li>• A minimum area of 1.2 meters by 1.2 meters</li> <li>• Located in front of the shower and the toilet</li> <li>• Clear of the toilet, basin and the door swinging</li> </ul> The circulation area for the toilet and shower can overlap	A clear circulation area that is: <ul style="list-style-type: none"> <li>• A minimum width of 1 meter</li> <li>• The full length of the bathroom and a minimum length of 2.7 meters</li> </ul> Clear of the toilet and basin The circulation area can include a shower area
Path to Circulation Area	A clear path with a minimum width of 900mm from the door opening to the circulation area	Not applicable
Shower	A hobless (step-free) shower	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening
Toilet	A toilet located in the corner of the room	A toilet located closest to the door opening and clear of the circulation area

Table D7 Bathroom Design

### Complies with the standard

## Clause 58.05-1 – Accessibility Objective Assessment

All precincts comply with the minimum requirements as is confirmed on TP-4501 and TP-4502 of the Town Planning Drawings prepared by FK, as follows:

- Precinct 1 – 217/303 – 71%
- Precinct 2 – 195/336 – 58%
- Precinct 3 – 177/300 – 59%

## Clause 58.05-2 – Building Entry and Circulation Objectives

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**Objectives** To provide each dwelling and building with its own sense of identity.  
To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.  
To ensure internal communal areas provide adequate access to daylight and natural ventilation.

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### Achieved

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**Standard D19** Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

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

---

### Complies with the standard

---

## Clause 58.05-2 – Dwelling Entry Objectives Assessment

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The entry to residential lobbies within each Precinct building are provided separate to any communal, recreation, retail or commercial entrance to ensure a sense of security and identity for residents. As identified in the accompanying architectural plans, each entryway is clearly visible and identifiable from the public realm. Each lobby is provided with internal circulation space with multiple access points and opens onto an area of the public realm or internal accessway to maintain accessibility for all users. Further, each entry point is under cover (awning or covered arcade) to provide a sense of shelter for residents and visitors alike.

All residential dwellings are accessible via the corresponding lobby in each Precinct building, there is no direct access to private residencies from the external or internal street network.

Clear sight lines have been encouraged throughout the development and common areas and corridors across the higher levels make provision for natural light and natural ventilation. Clearly identifiable apartment numbering will be utilised to provide a sense of personal address for all dwellings. For these reasons, the proposal demonstrates a strong level of compliance with Standard D19.

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## Clause 58.05-3 – Private Open Space Objective

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

### Achieved

#### Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Orientation of dwelling	Dwelling Type	Minimum Area	Minimum Dimension
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North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
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South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
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	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
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Any other orientation	2 bedroom dwelling	8 square metres	2 metres
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	3 or more bedroom dwelling	12 square metres	2.4 metres
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Table D8 Balcony Size

Dwelling Type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

Table D9 Additional living area or bedroom area

### Complies with objective

## Clause 58.05-3 – Private Open Space Objective Assessment

---

The majority of apartment typologies across the development achieve full compliance with the SPOS (Secluded Private Open Space) requirements. Only one layout across the three precincts presents a variation, as outlined below.

### Precinct 1

- Type A.15 – Studio Apartments (7 units) - these units propose a Juliette balcony as their SPOS provision.

While it is acknowledged that these balconies do not meet the minimum SPOS requirements, this outcome arises from the design response necessary to provide adequate daylight access to internal circulation spaces on these levels. On balance, the reduced SPOS provision affects approximately 2% of the total precinct (9/300) apartments and 0.75% (9/939) of the total development. Given the importance of achieving appropriate daylight, amenity and usability outcomes within the shared circulation areas, which form a significant part of residents' daily experience, this minor shortfall is considered acceptable. This is further supported by the proximity of these apartments to numerous public open space areas and access to more than 820sqm of communal open space. It is therefore considered that the recreational needs of residents will be met.

### Precinct 2

- 3BR Type 3 (9 units) – While this typology provides 11.7 sqm of SPOS, as this apartment is north facing, it is only required to provide 8 sqm of SPOS and therefore meets the Standard.
- Ground Floor Apartments – All ground floor private open space areas meet the definition of a balcony, which the Macquarie dictionary defines as *'a balustraded or raised and railed platform projecting from the wall of a building.'* Accordingly, no changes are considered warranted. The Clause 58 Assessment reflects this.

### Precinct 3

- 3BR 1BA – Type 1 (4 units) - This typology provides 9.5 sqm of useable SPOS. It is noted that these apartments are oriented to the north and therefore are only required to provide 8 sqm of SPOS.
- 3BR 2BA – Type 1 (3 units) - This typology also provides 9.5 sqm of useable SPOS. It is noted that these apartments are oriented to the south and therefore are only required to provide 8 sqm of SPOS.

### Condenser units

Consolidated condenser units are located on the rooftop levels of Precincts 1 and 2, preserving balcony space. In Precinct 3, individual air-conditioning units are either positioned on the balconies (where they are not wintergardens) or will be consolidated within the Site (for those that incorporate winter gardens), however, these locations are clearly shown on the BADS Plans and continue to comply with the spatial and functional requirements of the standard.

The identified variation is considered reasonable and acceptable when viewed within the overall context of the proposal.

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## Clause 58.05-4 – Storage Objective

**Objectives** To provide adequate storage facilities for each dwelling.

### Achieved

**Standard D21** Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Dwelling Type	Total Minimum Storage Volume	Minimum Storage Volume within the Dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Table D10 Storage

### Complies with the standard

## Clause 58.05-4 – Storage Objective Assessment

All apartments comply with the total minimum storage requirements through a combination of internal and external storage provisions, as follows:

- Precinct 1: All apartments provide the required total minimum internal storage volume. In addition, a further 78 apartments are supplemented with external storage where internal provision alone is insufficient. As a result, all apartments within Precinct 1 achieve the total minimum storage requirement.
- Precinct 2: All apartments include the minimum internal storage volume, with 301 apartments also provided with external storage facilities to supplement where internal provision is insufficient. Accordingly, all dwellings within Precinct 2 meet the total minimum storage requirement.
- Precinct 3: All apartments are provided with the minimum internal storage, supplemented by external storage for 295 apartments, ensuring full compliance with the total minimum storage requirements across the precinct. It is also noted that Precinct 3 is proposed to have a split lobby system, storage cages for residents will generally be provided on the same floor as the dwelling.

Overall, while the provision of external storage varies between precincts, the combination of internal and external storage ensures that every apartment meets or exceeds the minimum and total storage requirements. The proposed storage outcomes are therefore considered appropriate.

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## Clause 58.06 – Detailed Design

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### Clause 58.06-1 – Common Property Objectives

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**Objectives** To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.  
To avoid future management difficulties in areas of common ownership.

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**Achieved**

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**Standard D22** Developments should clearly delineate public, communal and private areas.  
Common property, where provided, should be functional and capable of efficient management.

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**Complies with the standard**

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### Clause 58.06-1 – Common Property Objectives Assessment

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The common property provided in form of communal open space, car parking, internal corridors and site facilities will be capable of efficient management by a body corporate assigned to the residents. Furthermore, the development has been designed to clearly delineate public, communal and private spaces by way of appropriate signage and wayfinding.

---

### Clause 58.06-2 – Site Services Objectives

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**Objectives** To ensure that site services are provided for, installed and maintained.  
To ensure that site services are visually integrated into the building design or landscape.

---

**Achieved**

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**Standard D23** Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.  
Meters and utility services should be designed as an integrated component of the building or landscape.  
Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

---

**Complies with the standard**

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### Clause 58.06-2 – Site Services Objectives Assessment

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Site services are integrated within the car parking facilities and core of each Precinct building with convenient access for maintenance as required.

Mailbox areas will be provided in the lobby within each building to ensure protection from weather and convenient access. The design will ensure they are durable and adequate in size.

On this basis, the development meets the standard.

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## Clause 58.06-3 – Waste and Recycling Objectives

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**Objectives** To ensure dwellings are designed to encourage waste recycling.  
To ensure that waste and recycling facilities are accessible, adequate and attractive.  
To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

---

### Achieved

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**Standard  
D24**

Developments should include dedicated areas for:

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

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

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

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## Clause 58.06-3 – Waste and Recycling Objectives Assessment

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The application is accompanied by a Waste Management Plan (WMP) prepared by Traffix. The WMP confirms the following:

- The dwellings are provided access to waste and recycling chutes at each level of the building.
- The chutes directly connect to the designated residential bin store within the basement, which is appropriately dimensioned, ventilated and located to allow convenient access for collection.
- Appropriate signage and wayfinding will be provided in accordance with the recommendations of the WMP.

Further, it is noted that the accompanying waste management plan has had regard for the design options specified in the *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019). A conscious effort has been made to ensure that odour, noise and hazards associated with waste collection vehicle movements have been minimised.

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## Clause 58.06-4 – External Walls and Materials Objectives

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**Objectives** To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.  
To ensure external walls endure and retain their attractiveness.

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### Achieved

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**Standard D25** External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance

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### Complies with the standard

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## Clause 58.06-4 – External Walls and Materials Objectives Assessment

---

The proposed materials for external walls (including brick, rendered, textured and exposed concrete, and powder coated aluminium) have been carefully selected to be contextually appropriate, tactile, durable and capable of weathering well over time. The proposal therefore meets Standard D25.  
Refer to the Urban Context Report prepared by FK for further detail.

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## Clause 58.07-1 – Functional Layout Objective

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

### Achieved

**Standard D26** Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Dwelling Type	Minimum Width	Minimum Depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Table D11 Bedroom Dimensions

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Dwelling Type	Minimum Width	Minimum Area
Studio and 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

Table D12 Living Area Dimensions

**Complies with objective**

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## Clause 58.07-1 – Functional Layout Objective Assessment

A limited number of apartment typologies seek minor variations to the minimum requirements for room widths. These non-compliances are modest in scale and are confined to studio apartments, where the conventional application of the standards can be challenging due to the integrated nature of living, sleeping and kitchen functions.

The specific apartment typologies subject to these minor variations are outlined below.

### Precinct 1

- A.15 (Studio) – does not meet the minimum bedroom width requirement.

### Precinct 2

- ST Type 1 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 1.1 (Studio) – does not meet the minimum bedroom width requirement
- ST Type 2 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 2.1 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 3 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 4 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 5 (Studio) – does not meet the minimum bedroom width requirement.

### Precinct 3

- ST Type 1 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 2 (Studio) – does not meet the minimum bedroom width requirement.
- ST Type 2.1 (Studio) – does not meet the minimum bedroom width requirement.

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While it is acknowledged that these apartments do not meet the minimum room requirements, in studio configurations, due to multiple components accommodated within a single space and the overlapping nature of living and bedroom areas, result in departures from the strictly prescribed minimum width dimensions. Notwithstanding this, each studio is capable of providing a high level of internal amenity, with layouts that are functional, flexible and well resolved.

The affected studios are generally well-designed with strong access to daylight, efficient layouts, functional internal circulation, favourable outlooks or interface conditions. These positive attributes ensure that the minor shortfalls do not materially impact the living experience.

The development as a whole delivers substantial communal open space, diverse amenity offerings, high levels of natural light and ventilation across the precincts. These elements further support the conclusion that the minor internal variations do not diminish overall residential amenity.

Importantly, the variations are limited in extent, do not affect larger typologies and do not compromise the overall usability, daylight access or furnishing efficiency of the studios. The design outcomes continue to meet the objectives by delivering studios that are comfortable, functional and suitable for contemporary urban living.

Given the above, the identified variations are considered acceptable and appropriately justified. They represent minor departures that do not compromise internal amenity, particularly in the context of generous living spaces, strong environmental performance and the broader high-quality design outcomes achieved across the development.

### Clause 58.07-2 – Room Depth Objective

**Objectives** To allow adequate daylight into single aspect habitable rooms.

#### Achieved

**Standard D27** Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

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

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**Complies with the objectives**

### Clause 58.07-2 – Room Depth Objective Assessment

All apartments have been designed to achieve the room depth requirements with appropriate levels of daylight and functionality and demonstrate a strong level of compliance with the requirements of the standard.

Only a small number of studio apartments present minor variations to the minimum room depth requirements, as outlined below.

#### Precinct 1

- Studio Type A.5a (1 unit) – Required minimum width of 6.75m and provision of 6.93m.

#### Precinct 2

- Studio Type 3 (2 units) – Required minimum width of 6.75m and provision of 7.39m.

These variations are minor in nature and are due to the characteristics of studio apartment typologies, which are required to accommodate multiple functional areas within a single, integrated room including living, bedroom and kitchen spaces. Notwithstanding these minor departures from standards, the studios are functional, well-proportioned and capable of providing an acceptable and comfortable living environment.

Importantly, the apartments continue to achieve suitable daylight and amenity outcomes.

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## Clause 58.07-3 – Windows Objective

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**Objectives** To allow adequate daylight into new habitable room windows.

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**Achieved**

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**Standard D28** Habitable rooms should have a window in an external wall of the building.  
A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.  
The secondary area should be:

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

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**Complies with the standard**

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## Clause 58.07-3 – Windows Objective Assessment

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All habitable rooms have a window in an external wall of the building. No snorkel bedrooms or rooms have been proposed.

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## Clause 58.07-4 – Natural Ventilation Objectives

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**Objectives** To encourage natural ventilation of dwellings.  
To allow occupants to effectively manage natural ventilation of dwellings.

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**Achieved**

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**Standard D29** The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.  
At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 1.8 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

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

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**Complies with objective**

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## Clause 58.07-4 – Natural Ventilation Objectives Assessment

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While none of the three precincts achieve full compliance with the standard, when considered in the context of the development's broader environmental and amenity performance, the natural ventilation outcomes are still regarded as acceptable.

The proposal delivers a strong ESD response, including high levels of daylight access, improved thermal performance, passive heating and cooling opportunities and significant energy efficiency measures. Collectively, these elements materially elevate overall internal amenity and mitigate the impacts of reduced natural ventilation across some apartment types.

The percentage of naturally ventilated dwellings in each precinct is as follows:

- Precinct 1: 92 of 303 dwellings (30%)
- Precinct 2: 118 of 336 dwellings (35%)
- Precinct 3: 114 of 300 dwellings (38%)

Although these figures fall short of the standard, the proposal's wider sustainability credentials ensure that internal amenity is high. On this basis, and when assessed holistically, the natural ventilation performance is considered reasonable and appropriate for the development.

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