

Report to the Future Melbourne (Planning) Committee

Agenda item 6.1

**Ministerial Planning Referral: TPM-2020-54
77–83 Sutton Street, North Melbourne****3 August 2021****Presenter:** Larry Parsons, Head Statutory Planning**Purpose and background**

1. The purpose of this report is to advise the Future Melbourne Committee of a Ministerial Planning Application seeking approval to construct a twelve storey building plus basements and a reduction in car parking at 77–83 Sutton Street, North Melbourne (refer to Attachment 2, Locality Plan).
2. As the total gross floor area exceeds 25,000 square metres, the Minister for Planning is the responsible authority and has informally referred the development to Council for comment. The Applicant has advised the cost of the development as \$45 million.
3. The applicant is 77–83 Sutton Street Pty Ltd, and the owner is BEG Developments Pty Ltd, the architects are Point Architects.
4. The site is located in the Mixed Use Zone (MUZ) and is affected by the Development Overlay Schedules 26, 63 and 66, Development Contributions Plan Overlay Schedule 2 and an Environmental Audit Overlay.
5. The application proposes the construction of a twelve storey building incorporating 203 dwellings, a food and drinks premises, co-working centre (office) and café. Communal facilities are provided at ground floor and include kitchen, games room, cinema and gym, plus open terraces at podium top.
6. The proposal includes the provision of a north-south privately owned and publically accessible pedestrian laneway and an east-west laneway identified for future vesting in Council, as recommended in the Arden Macaulay Structure Plan (2012 and draft 2020 Refresh).
7. On 2 June 2021, City of Melbourne was served with a copy of an application for review by VCAT, under Section 79 of the *Planning and Environment Act 1987* (failure to determine). This report seeks to confirm Council's position prior to the compulsory conference set for 6 August 2021.
8. Public notice has been provided at the direction of VCAT and no statements of grounds have been lodged in objection to the development.

Key issues

9. The proposal seeks to exceed the discretionary nine storey height control in DDO63-A7, therefore the application must provide a benefit to the broader community. The proposal provides a benefit to the broader community through the provision of a publically accessible pedestrian north-south laneway, the provision of an east-west laneway to be vested in Council, the provision of a minimum of six per cent affordable housing and the provision of a high quality architectural outcome, all to be secured by conditions.
10. The six storey street wall to Sutton Street is compliant. The proposed 9 metre upper levels setback to Sutton Street is a reduction on the preferred setback of 1 metre for every 1 metre above the street wall height. However, the consistent 9 metre setback in conjunction with the minimum 9 metre side setbacks of the tower, create an appropriate massing in the streetscape and avoid an awkward, stepped 'wedding cake' form.
11. The western adjacent property is a significant graded building. The proposed podium is set back 6.5 – 11.1 metres to the west and is the same height as the adjacent heritage building. This setback creates separation and enables oblique views to the western adjacent significant building at 85 Sutton Street and its notable heritage signage.
12. The proposal provides an acceptable response in regards to internal amenity and offsite impacts, including consideration of equitable development.

Recommendation from management

13. That the Future Melbourne Committee resolves to advise the Minister for Planning that Council supports the application subject to the conditions (refer Attachment 4 of the report from management).

Attachments:

1. Supporting Attachment (Page 2 of 94)
2. Locality Plan (Page 3 of 94)
3. Selected Plans (Page 4 of 94)
4. Delegate Report (Page 58 of 94)

Supporting Attachment

Legal

1. The Minister for Planning is the Responsible Authority for determining this application and referred the application to Council under the *Planning and Environment Act 1987*.
2. There is an application for review by VCAT, under Section 79 of the *Planning and Environment Act 1987* (failure to determine). A compulsory conference is set for 6 August 2021.

Finance

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

Conflict of interest

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

Health and Safety

5. Relevant planning considerations such as traffic, waste management, potential amenity impacts and noise attenuation matters that could impact on health and safety have been considered within the planning permit application and assessment process.

Stakeholder consultation

6. The Minister for Planning is responsible for Public Notice of the application, but since the application was called in Public notice has been provided at the direction of VCAT.

Relation to Council policy

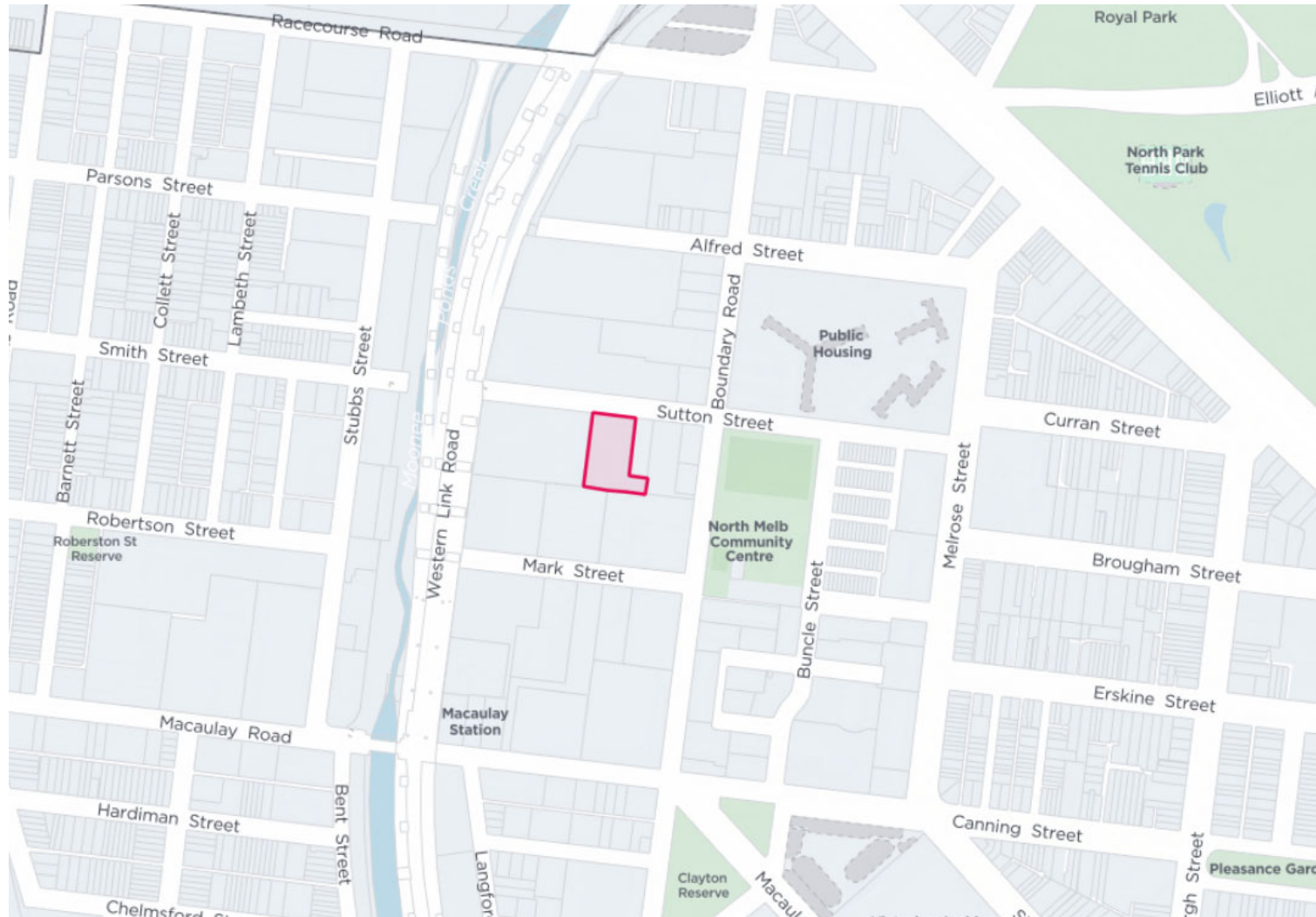
7. Relevant Council policies are discussed in the attached Delegate Report (refer Attachment 4)

Environmental sustainability

8. Environmental sustainability provisions of the Melbourne Planning Scheme have been considered in the assessment of this planning application and appropriate permit conditions included to secure an acceptable ESD outcome.

Locality Plan

77-83 Sutton Street, North Melbourne



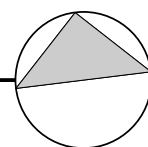
77-83 SUTTON STREET NORTH MELBOURNE VIC 3051

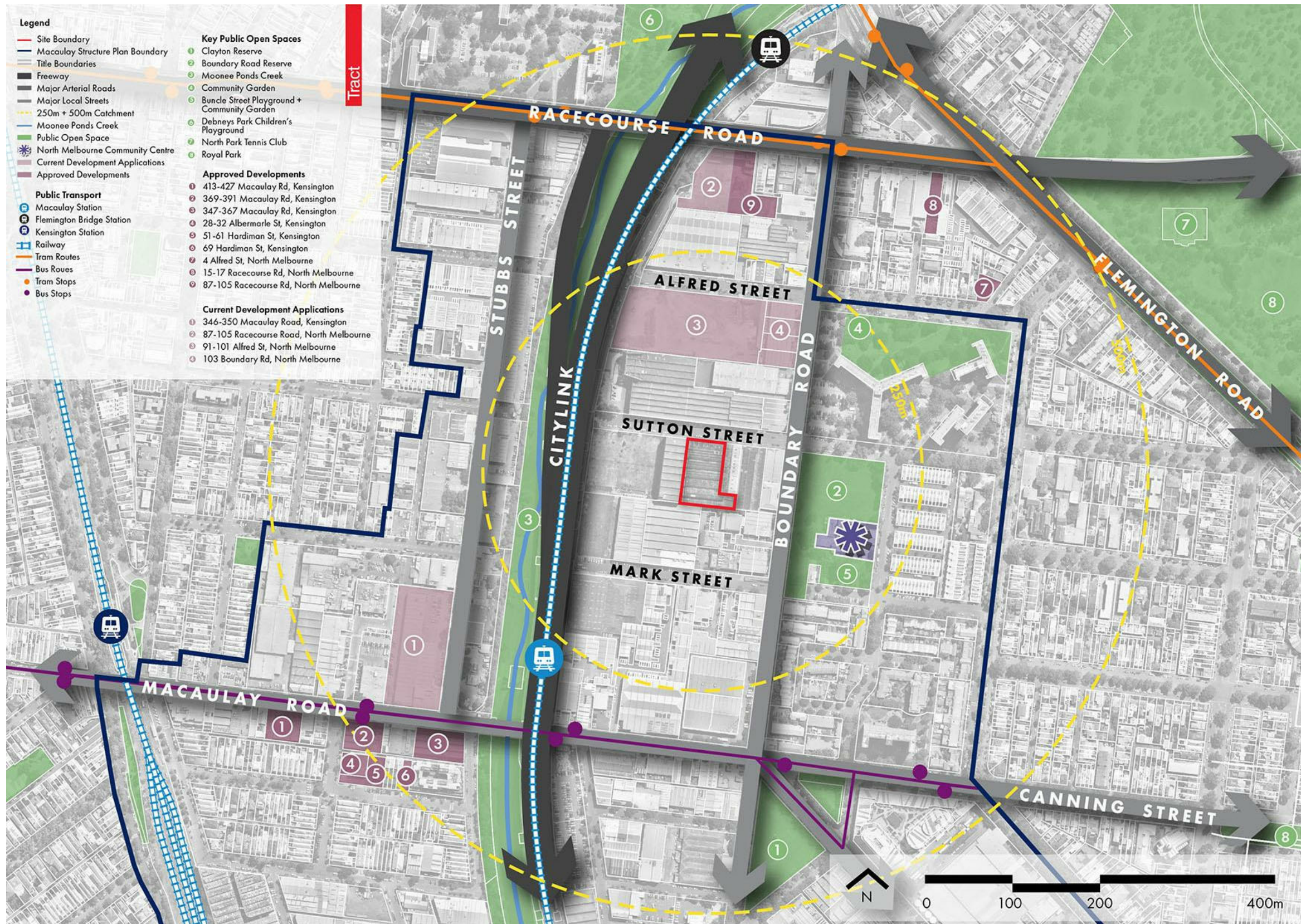
01/07/2021

TOWN PLANNING SUBMISSION
REVISION_P3

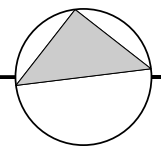


SHEET NO.	SHEET NAME	SHEET NO.	SHEET NAME	SHEET NO.	SHEET NAME
TP000	COVER PAGE	TP102	PROPOSED GROUND LEVEL FLOOR PLAN	TP203	STREETSCAPE ELEVATIONS
TP001	CONTENTS	TP103	PROPOSED LEVEL 1 FLOOR PLAN	TP204	STREETSCAPE ELEVATIONS
TP002	URBAN CONTEXT	TP104	PROPOSED LEVEL 2 FLOOR PLAN	TP205	STREETSCAPE ELEVATIONS
TP003	LOCAL CONTEXT	TP105	PROPOSED LEVEL 3 FLOOR PLAN	TP300	PROPOSED SECTIONS
TP004	ZONING-BUILT FORM/HERITAGE OVERLAY	TP106	PROPOSED LEVEL 4 FLOOR PLAN	TP301	PROPOSED SECTIONS
TP005	PLANNING MAPS	TP107	PROPOSED LEVEL 5 FLOOR PLAN	TP302	STREETSCAPE SECTION
TP006	PLANNING MAPS	TP108	PROPOSED LEVEL 6 FLOOR PLAN	TP400	SHADOW DIAGRAMS 9AM
TP007	SITE IMAGES	TP109	PROPOSED LEVEL 7 FLOOR PLAN	TP401	SHADOW DIAGRAM 12PM
TP008	SITE IMAGES	TP110	PROPOSED LEVEL 8 FLOOR PLAN	TP402	SHADOW DIAGRAM 3PM
TP009	SITE ANALYSIS	TP112	PROPOSED LEVEL 9 FLOOR PLAN	TP800	MATERIAL SCHEDULE
TP010	PODIUM - CONCEPT	TP113	PROPOSED LEVEL 10 FLOOR PLAN	TP801	DEVELOPMENT SUMMARY
TP011	PRECEDENT IMAGES - PODIUM	TP114	PROPOSED LEVEL 11 FLOOR PLAN		
TP013	PRECEDENT IMAGES - COMMUNAL SPACES	TP115	PROPOSED ROOF PLAN		
TP014	COMMUNITY BENEFIT	TP150	TYPICAL FLOOR PLANS		
TP015	DESIGN RESPONSE	TP151	TYPICAL FLOOR PLANS		
TP016	DESIGN RESPONSE	TP152	TYPICAL FLOOR PLANS		
TP017	DESIGN RESPONSE	TP153	TYPICAL FLOOR PLANS		
TP018	DESIGN RESPONSE	TP154	TYPICAL FLOOR PLANS		
TP050	SURVEY	TP200	PROPOSED ELEVATIONS SHEET 1		
TP100	PROPOSED BASEMENT LEVEL 2 FLOOR PLAN	TP201	PROPOSED ELEVATIONS SHEET 2		
TP101	PROPOSED BASEMENT LEVEL 1 FLOOR PLAN	TP202	STREETSCAPE ELEVATIONS		





REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



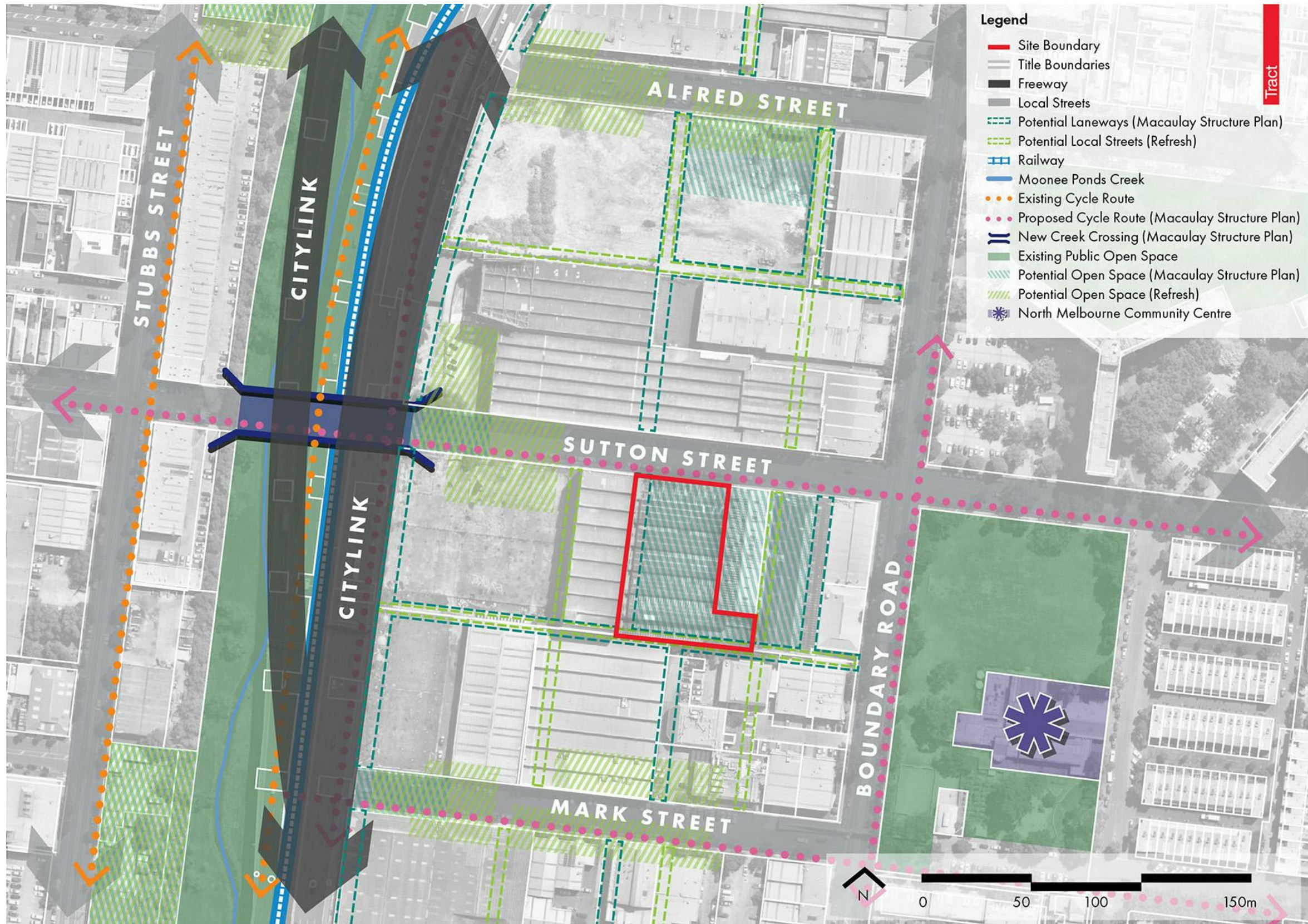
TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

TITLE
URBAN CONTEXT

DRAWN SCALE PLOT DATE JOB No.
SD @ A1 01/07/2021 1015

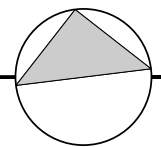
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TP002 P3

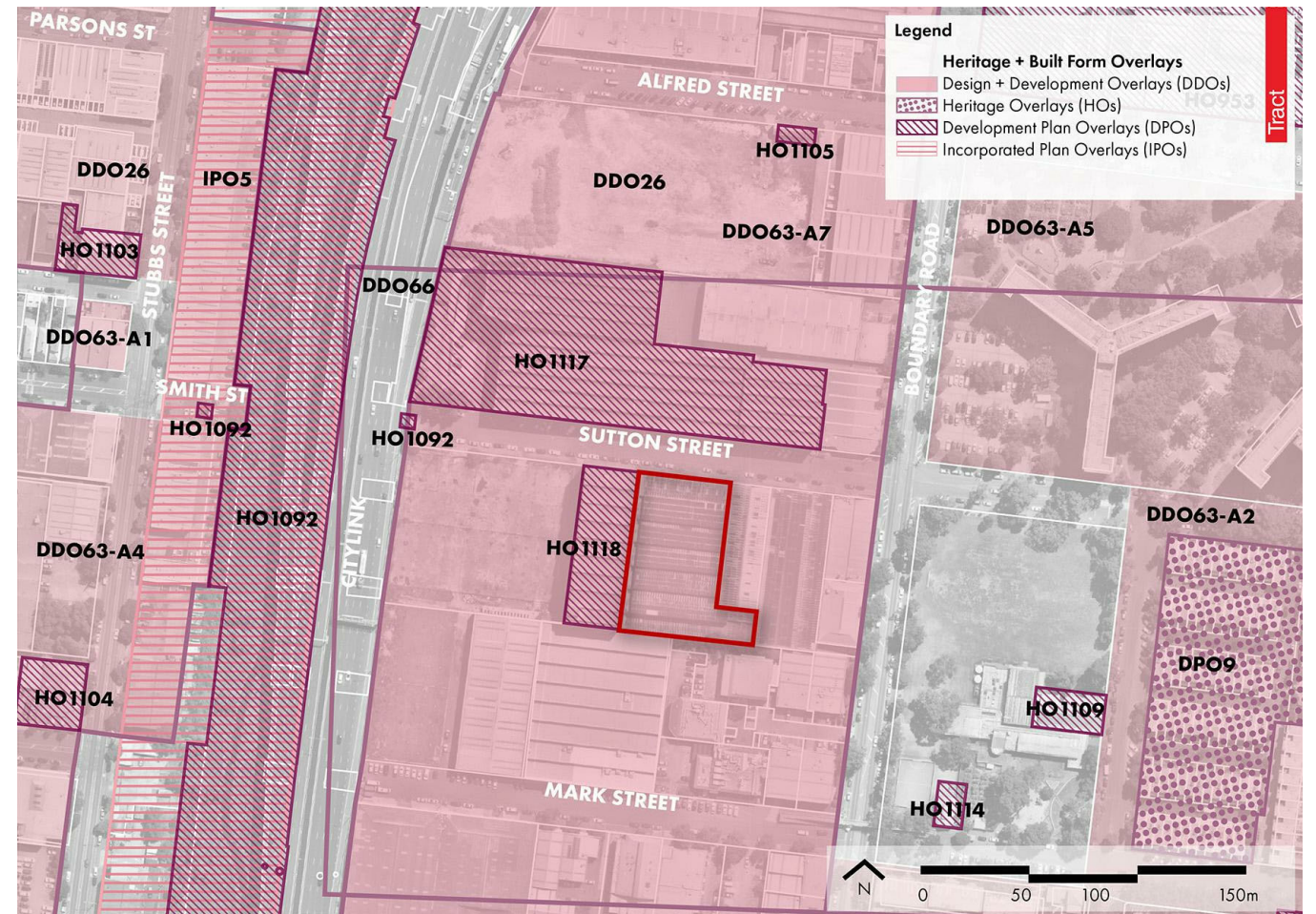


- Legend**
- Site Boundary
 - Title Boundaries
 - Freeway
 - Local Streets
 - - - Potential Laneways (Macaulay Structure Plan)
 - - - Potential Local Streets (Refresh)
 - Railway
 - Moonee Ponds Creek
 - Existing Cycle Route
 - Proposed Cycle Route (Macaulay Structure Plan)
 - New Creek Crossing (Macaulay Structure Plan)
 - Existing Public Open Space
 - - - Potential Open Space (Macaulay Structure Plan)
 - - - Potential Open Space (Refresh)
 - ✳ North Melbourne Community Centre

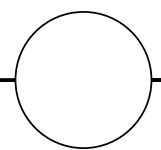
Tract

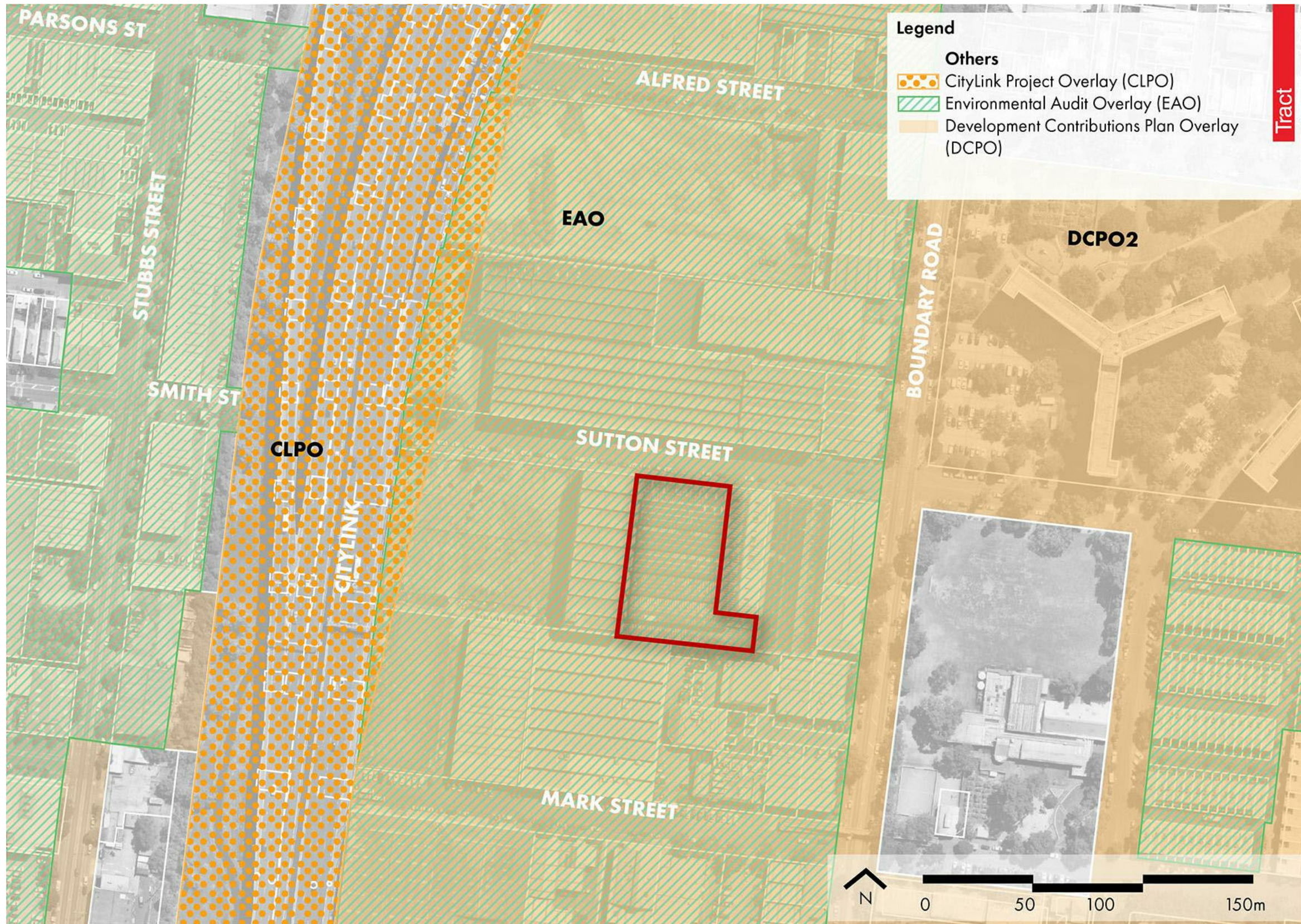
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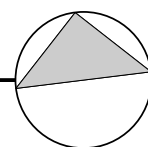


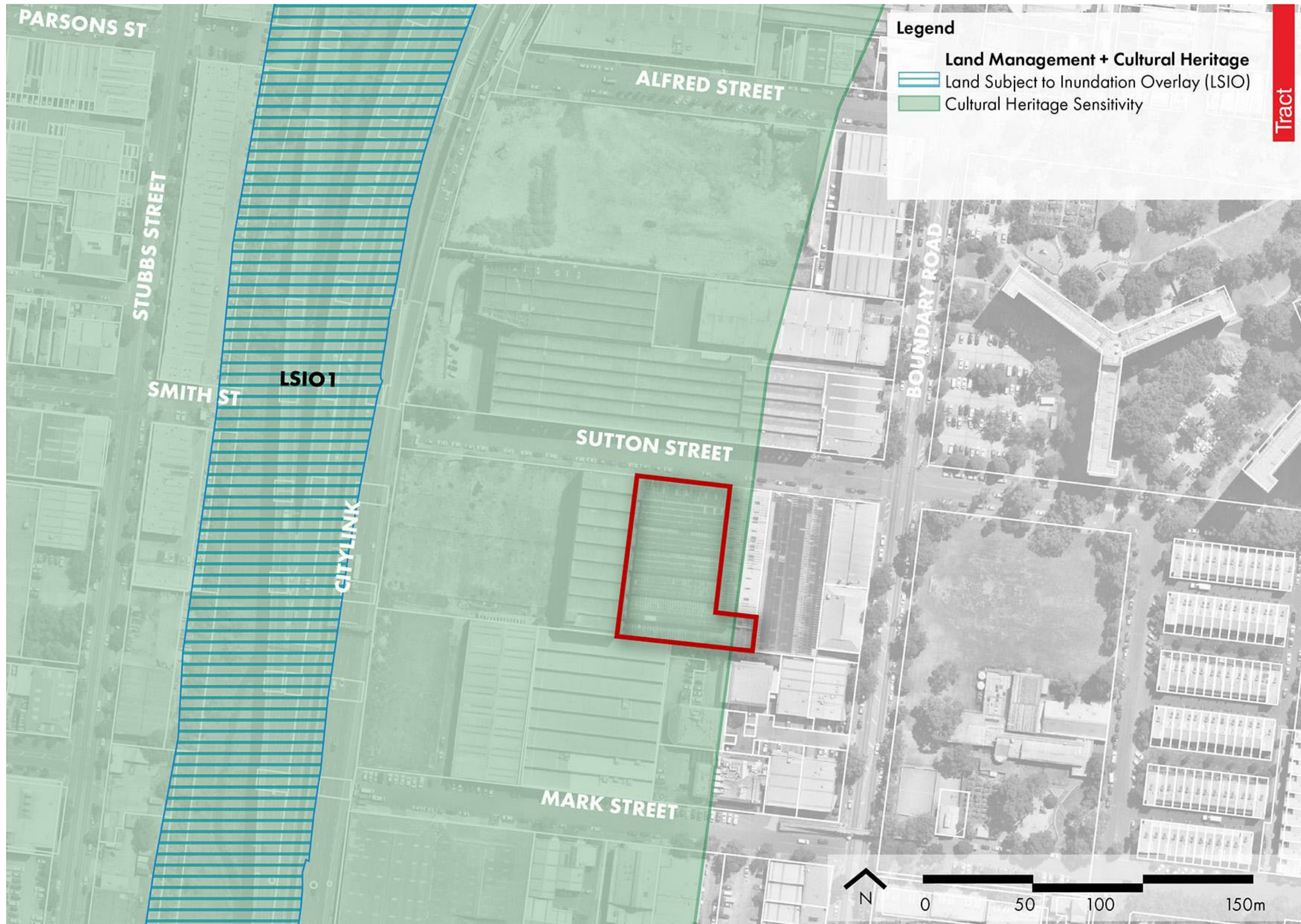
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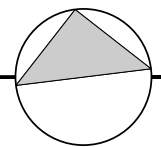


Legend

- Land Management + Cultural Heritage
- Land Subject to Inundation Overlay (LSIO)
- Cultural Heritage Sensitivity

Tract

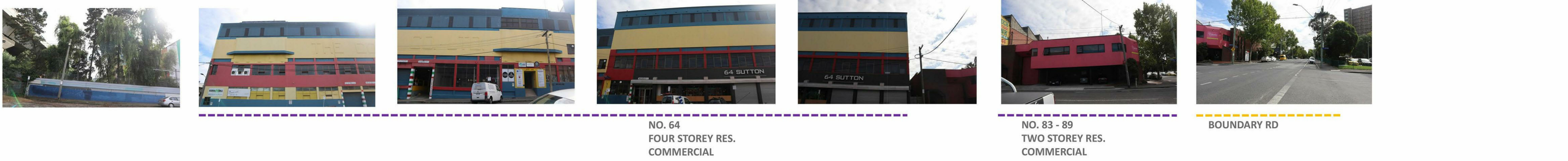
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SUTTON STREET - STREETScape - (FACING SOUTH EAST)



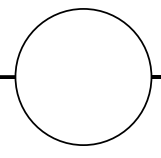
SUTTON STREET - STREETScape - (FACING NORTH EAST)

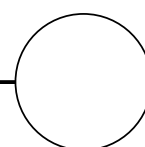
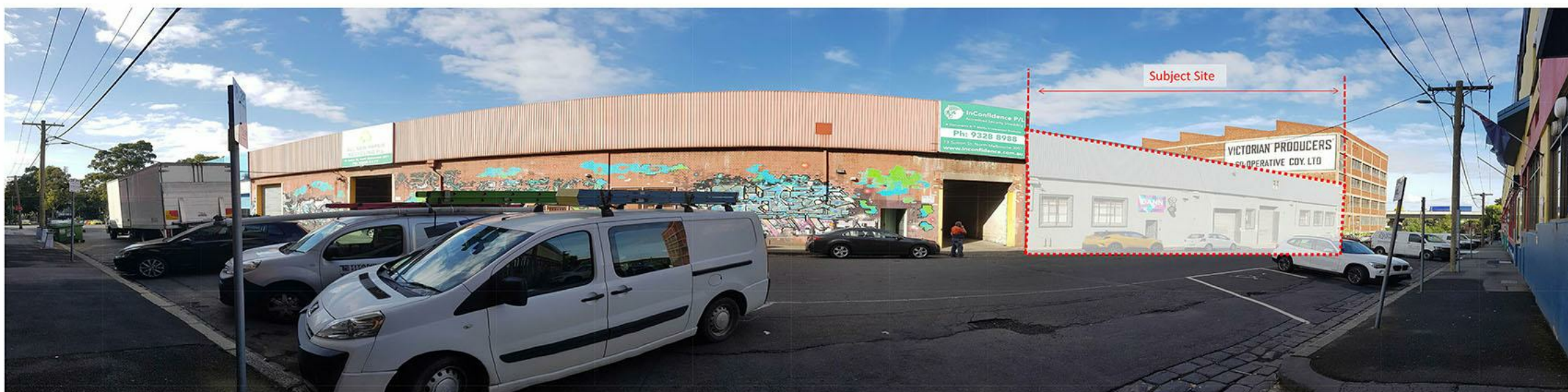


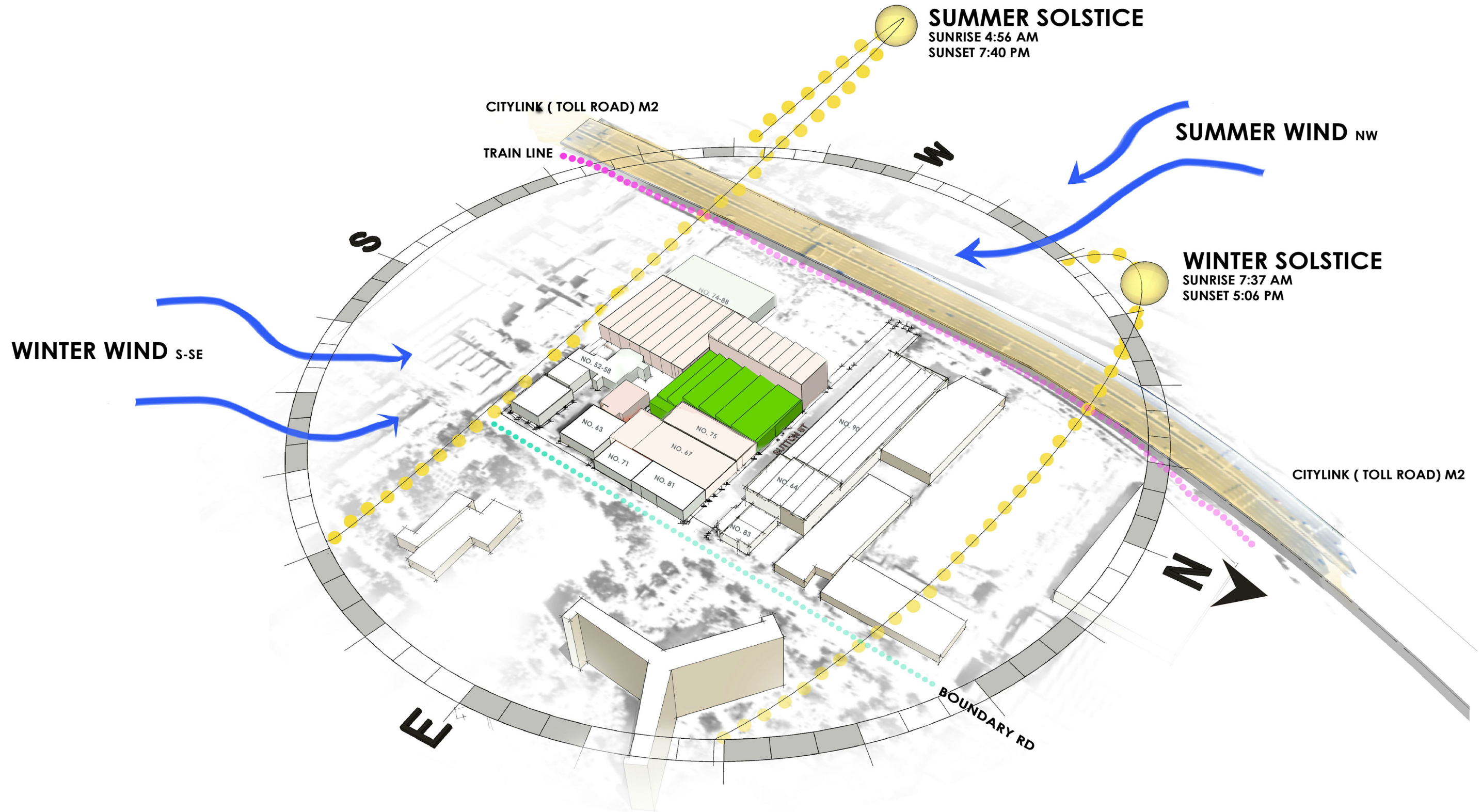
MARK STREET - STREETScape - (FACING NORTH EAST)



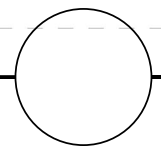
BOUNDARY ROAD - STREETScape - (FACING EAST)





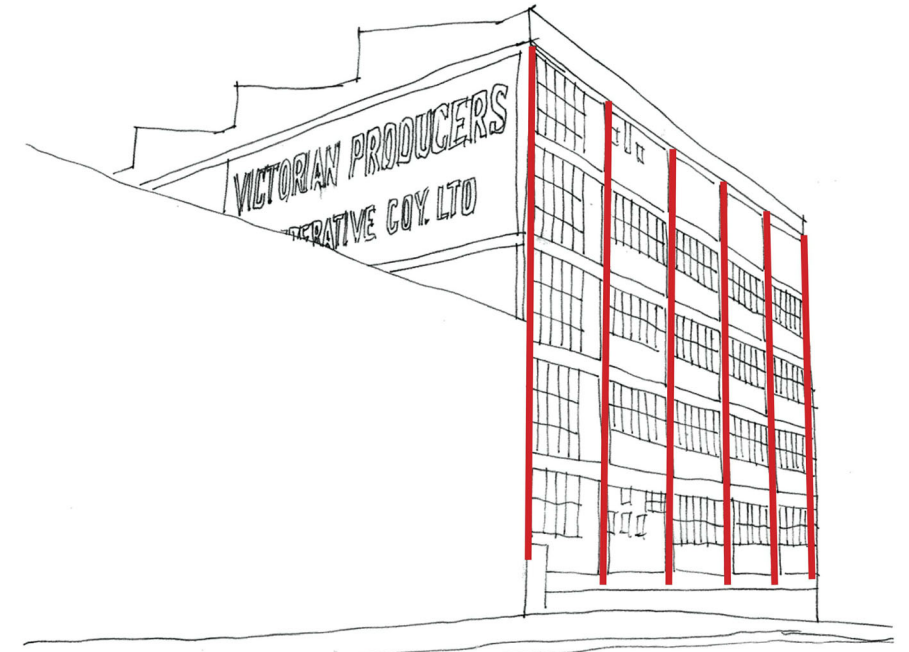


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GRID



RHYTHM

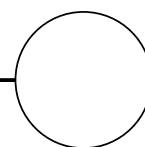


MATERIALITY



EXPOSURE OF HISTORIC SIGNAGE

Responding to and respecting the adjacent heritage building is crucial in allowing the proposed development to sit comfortably within its context. The continuation of the grid and rhythm created in the existing six storey built form at 85 Sutton Street allows a cohesive street wall along Sutton Street, using a similar material palette so not to clash with the heritage building. The fragmentation and stepping in of the proposed façade at the corner of 85 Sutton Street allows a visual link to the public laneway created through site and will emphasise the public connectivity, allowing the experience of travelling through the site to occur guided by built form. This will also expose the signage on the historic building, brick facade and the existing sawtooth roof. The materiality of brick and masonry of the proposed development along the podium will be a reflection of the current built form and help to extenuate the historical nature of the area and allow the proposed development to respond to its surroundings.





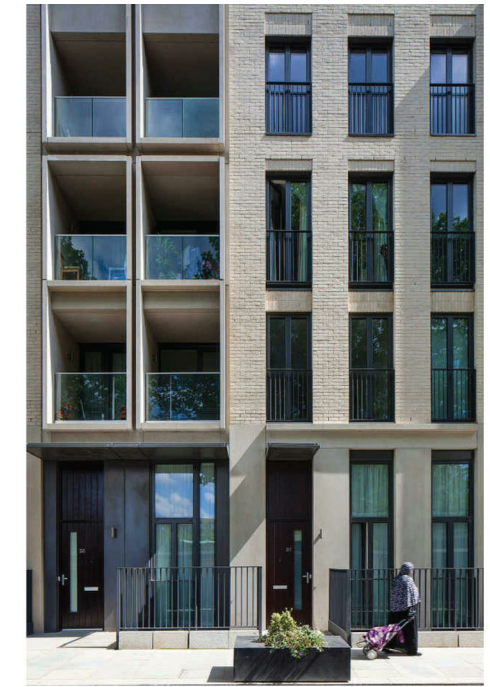
BRICKWORK – CONTINUATION OF MATERIALITY FROM ADJACENT HISTORIC BUILDING IN A CONTEMPORARY FORM.



DETAILING – BLACK STEEL ACCENTUATION OF BRICKWORK.



CONTEMPORARY BUILT FORM ALONGSIDE HISTORIC FAÇADE, ACTIVATION TO STREET.



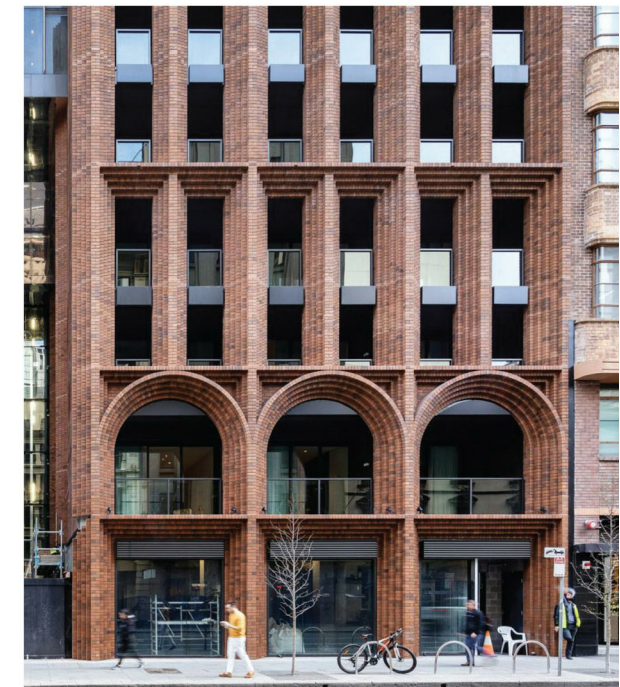
RHYTHM – CONTINUING THE REPETITION ALONG SUTTON STREET TO CREATE A COHESIVE STREETWALL.



GRID – CONTINUATION OF GRID FORM CREATED IN ADJACENT HISTORIC BUILDING.



HEIGHT – SIX STOREY FORM TO STREET.



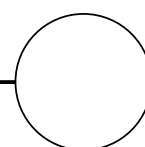
BRICKWORK – MASONRY FROM GROUND LEVEL.

PRECEDENT IMAGES - PODIUM



545 King Street West Melbourne 3003 t : 93295988 f : 93294707 e : info@pointarc.com.au

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TOWN PLANNING

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77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

TITLE
PRECEDENT IMAGES -
PODIUM

DRAWN SCALE PLOT DATE JOB No.
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TP011 P3



GRID - CONTINUATION OF THE GRID STRUCTURE WITH A FINER EXPRESSION OF THE FACADE



TOWER - A LIGHTWEIGHT EXPRESSION OF THE GRID WHICH OFFSETS ITS HEAVIER PODIUM DESIGN



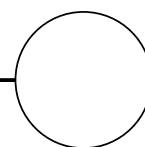
GLASS BALUSTRADING THROUGHOUT DEVELOPMENT, ALUMINIUM FRAMED, FLOOR TO CEILING GLAZING OPTIMIZED FOR THE BEST ESD RESULT. WINDOWS OPTIMISED TO ALLOW BEST LIGHT INTO SPACES WITHOUT ALLOWING EXCESSIVE HEAT LOSS.



DETAILING - INSET CONCRETE DETAILING TO DRESS SHEER WALLS AND CONTINUE THE GRID FORMATION ALONG THE ENTIRE PERIMETER OF THE TOWER



THE TOWER IS DESIGNED TO TIE INTO ITS PODIUM COUNTERPART AND THE HISTORICAL CHARACTER OF THE AREA, HOWEVER, CREATES AN EXPRESSION OF ITS OWN





PUBLIC LANEWAY – RESPECTING THE HERITAGE BRICK BUILDING, ENHANCED BY LANDSCAPE



PUBLIC LANEWAY – LANDSCAPE USED TO SOFTEN, SPACES DEFINED BY PLANTING AND PLACED ELEMENTS ALONG THE THOROUGHFARE.



PUBLIC LANEWAY – ACTIVATION TO LANEWAY CREATING POSITIVE ATMOSPHERE AND A SPACE THAT THE OCCUPIERS OF THE LOCAL COMMUNITIES WILL TRANSIT THORUGH AND SPEND TIME CONGREGATING IN.



COMMUNAL SPACES - ALLOWS INTERACTION AND OPPORTUNITY TO ENJOY LOCAL SURROUNDS. LANDSCAPED TO ENRICH THE SPACE AND DEFINE PARTICULAR AREAS FOR AN SERIES OF DIFFERENT ACTIVITIES.

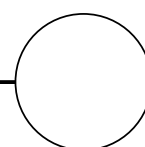


COMMUNAL SPACES - SENSE OF COUMMUNITY. PROVIDING COMMUNITY GARDENS ACCESSIBLE TO ALL RESIDENTS.



COMMUNAL SPACES - LOCATED TO ALLOW GOOD VISTAS, PLACES TO CONGREGATE.

PRECEDENT IMAGES - PUBLIC & COMMUNAL SPACES



COMMUNITY BENEFIT



PUBLIC LANEWAY - ACTIVATION INTO LANEWAY, PAVING DIFFERENCES THROUGHOUT TO DELINEATE A VARIETY OF SPACES AND MOVEMENT



HERITAGE FACADE AT 83 SUTTON STREET WILL BE THE PREDOMINATE FEATURE IN PROPOSED LANEWAY WITH THE ACTIVATION OF PLAZA AND LANEWAY THAT RUNS THE LENGTH OF THE EXISTING BRICK WALL. ALLOWING THE VISUAL ELEMENT OF THE SAWTOOTH ROOF TO REMAIN SEEN WHILE IN THE PUBLIC SPACE.



BLUESTONE PAVING - TO CONTINUE MELBOURNE'S ICONIC LANEWAYS UP INTO THIS NORTH MELBOURNE PRECINCT.

LANEWAY.

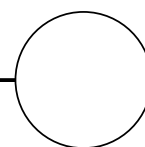
THE PROPOSAL INCORPORATES A LANDSCAPED PUBLIC LANEWAY ALONG ITS WESTERN AND SOUTHERN BOUNDARIES, PROVIDING FOR IMPROVED PEDESTRIAN PERMEABILITY ONCE INTEGRATED WITH THE FUTURE PEDESTRIAN CONNECTIONS TO THE SOUTH OF THE SITE WHILE CELEBRATING THE ADJACENT HERITAGE FABRIC. THE LANEWAY WILL BE SLEEVED WITH ACTIVE FRONTAGES IN THE FORM OF CO-WORKING OFFICE SPACES AND COMMUNAL FACILITIES AND WILL INCLUDE OPPORTUNITIES FOR CANOPY TREES IN RAISED PLANTERS.

PLAZA.

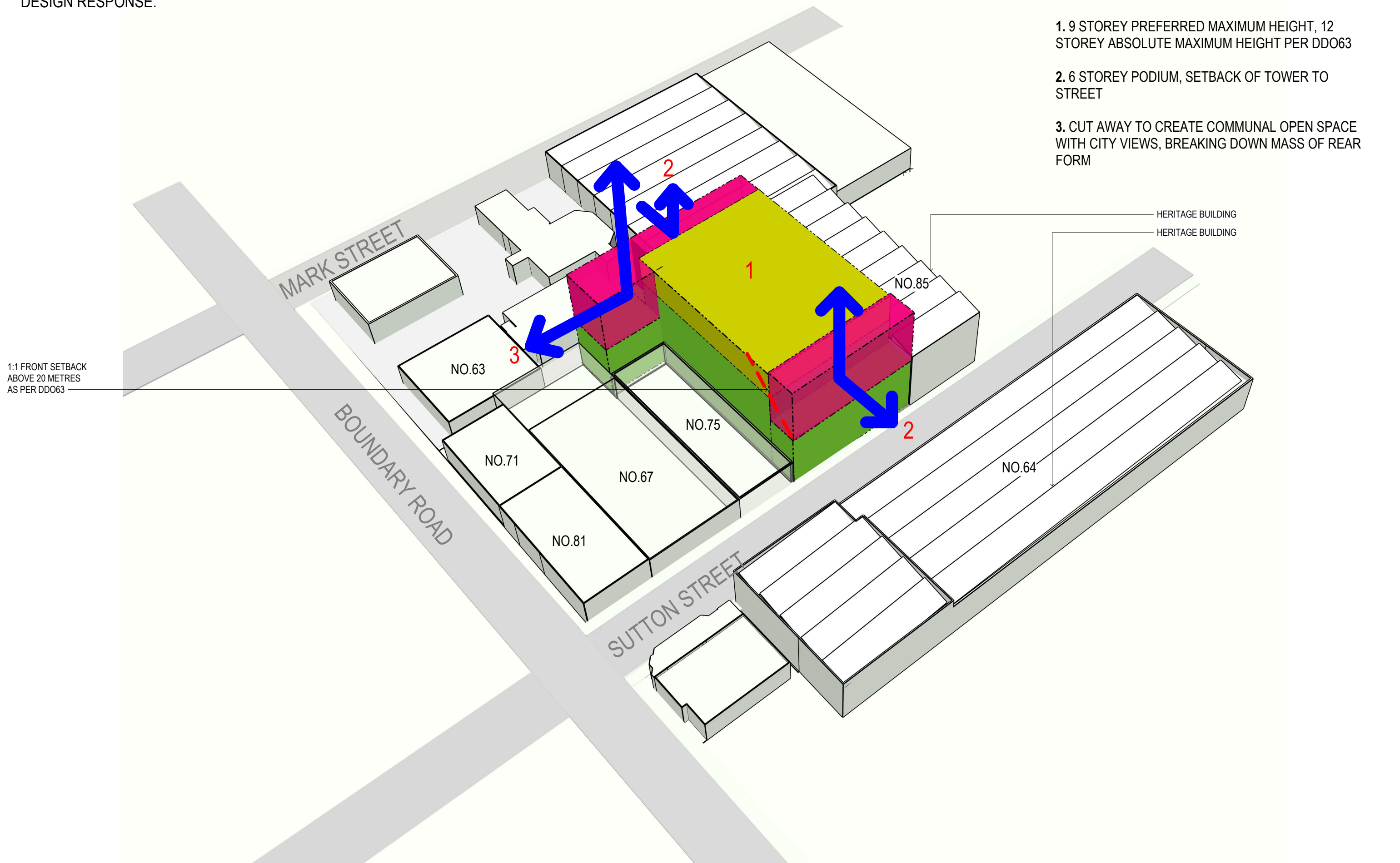
THE PUBLIC PLAZA ADJACENT SUTTON STREET CREATES A SOCIAL GATHERING SPACE AND OFFERS AN INVITING ENTRANCE INTO THE NEW PUBLIC LANEWAY. THE SITING OF THIS PLAZA IN THE NORTH-WESTERN CORNER OF THE SITE ALLOWS FOR A WARM, SUN-FILLED SPACE THAT WILL ASSIST IN ACTIVATING THE SUTTON STREET INTERFACE, PROVIDING A PLACE FOR RESIDENTS AND COMMUNITY MEMBERS TO STOP AND LINGER AND ENCOURAGE MOVEMENT THROUGH THE SITE.

SOCIAL/AFFORDABLE HOUSING

AS PART OF THE COMMUNITY BENEFIT DELIVERED BY THE PROPOSAL, 5% OF DWELLINGS (OR 2% UNENCUMBERED) WILL BE PROVIDED AS AFFORDABLE HOUSING IN A MIX OF TYPOLOGIES REPRESENTATIVE OF THE TOTAL HOUSING STOCK. THE PROJECT TEAM ARE CURRENTLY IN DISCUSSION WITH HORNSBY & CO IN ORDER TO SECURE THE MOST EFFECTIVE DELIVERY OF THIS AFFORDABLE HOUSING CONTRIBUTION.



DESIGN RESPONSE.



1. 9 STOREY PREFERRED MAXIMUM HEIGHT, 12 STOREY ABSOLUTE MAXIMUM HEIGHT PER DDO63

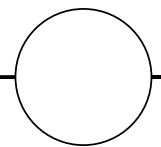
2. 6 STOREY PODIUM, SETBACK OF TOWER TO STREET

3. CUT AWAY TO CREATE COMMUNAL OPEN SPACE WITH CITY VIEWS, BREAKING DOWN MASS OF REAR FORM

1:1 FRONT SETBACK ABOVE 20 METRES AS PER DDO63

HERITAGE BUILDING
HERITAGE BUILDING

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77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

TITLE
DESIGN RESPONSE

DRAWN SCALE PLOT DATE JOB No.
SD @ A1 01/07/2021 1015

DWG No. REVISION
TP015 P3

DESIGN RESPONSE.

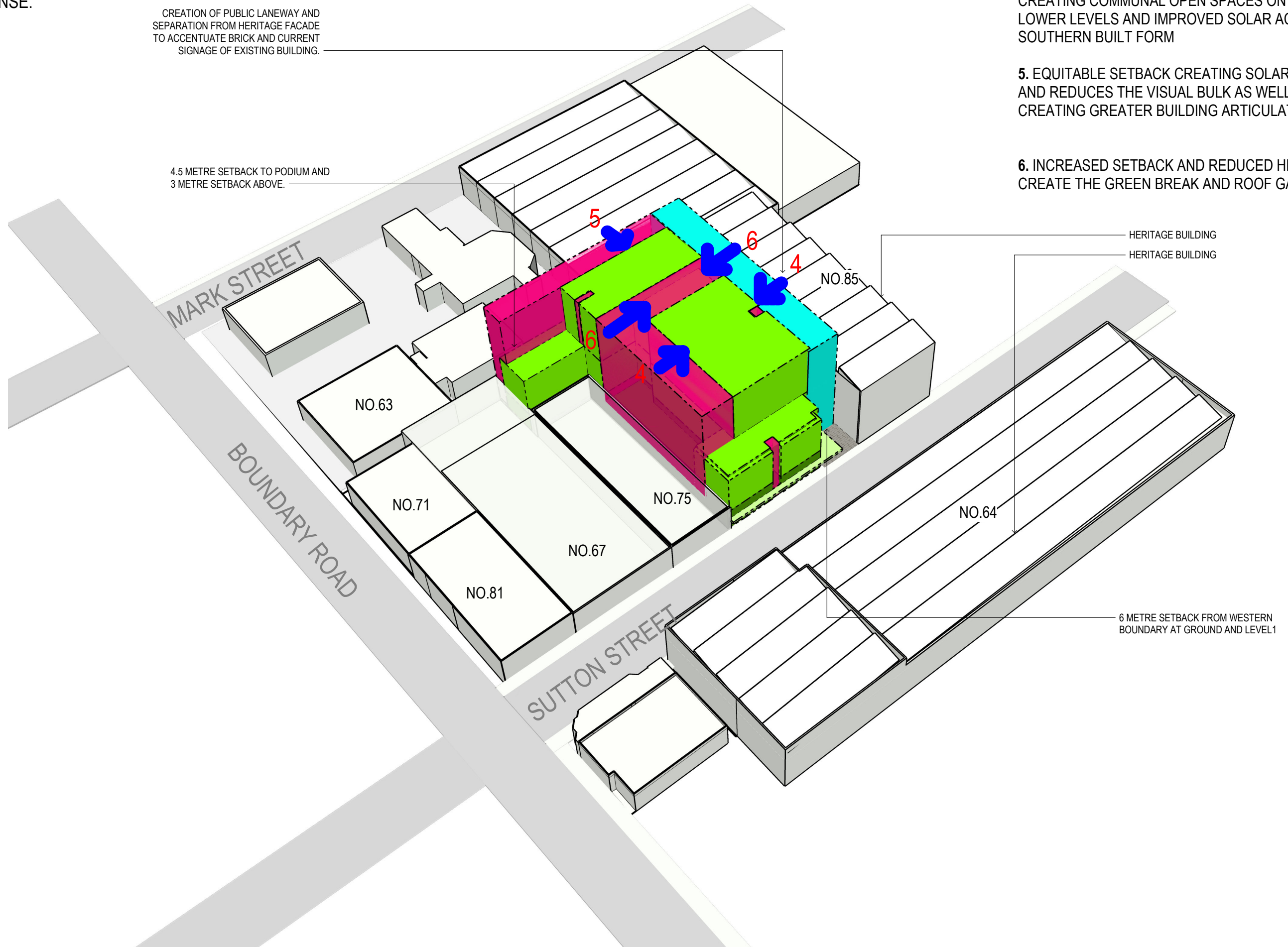
CREATION OF PUBLIC LANEWAY AND SEPARATION FROM HERITAGE FACADE TO ACCENTUATE BRICK AND CURRENT SIGNAGE OF EXISTING BUILDING.

4.5 METRE SETBACK TO PODIUM AND 3 METRE SETBACK ABOVE.

4. 9M SETBACK FROM THE SIDE BOUNDARIES CREATING COMMUNAL OPEN SPACES ON LOWER LEVELS AND IMPROVED SOLAR ACCESS TO SOUTHERN BUILT FORM

5. EQUITABLE SETBACK CREATING SOLAR ACCESS AND REDUCES THE VISUAL BULK AS WELL AS CREATING GREATER BUILDING ARTICULATION.

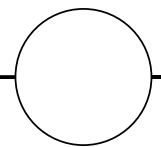
6. INCREASED SETBACK AND REDUCED HEIGHT TO CREATE THE GREEN BREAK AND ROOF GARDEN



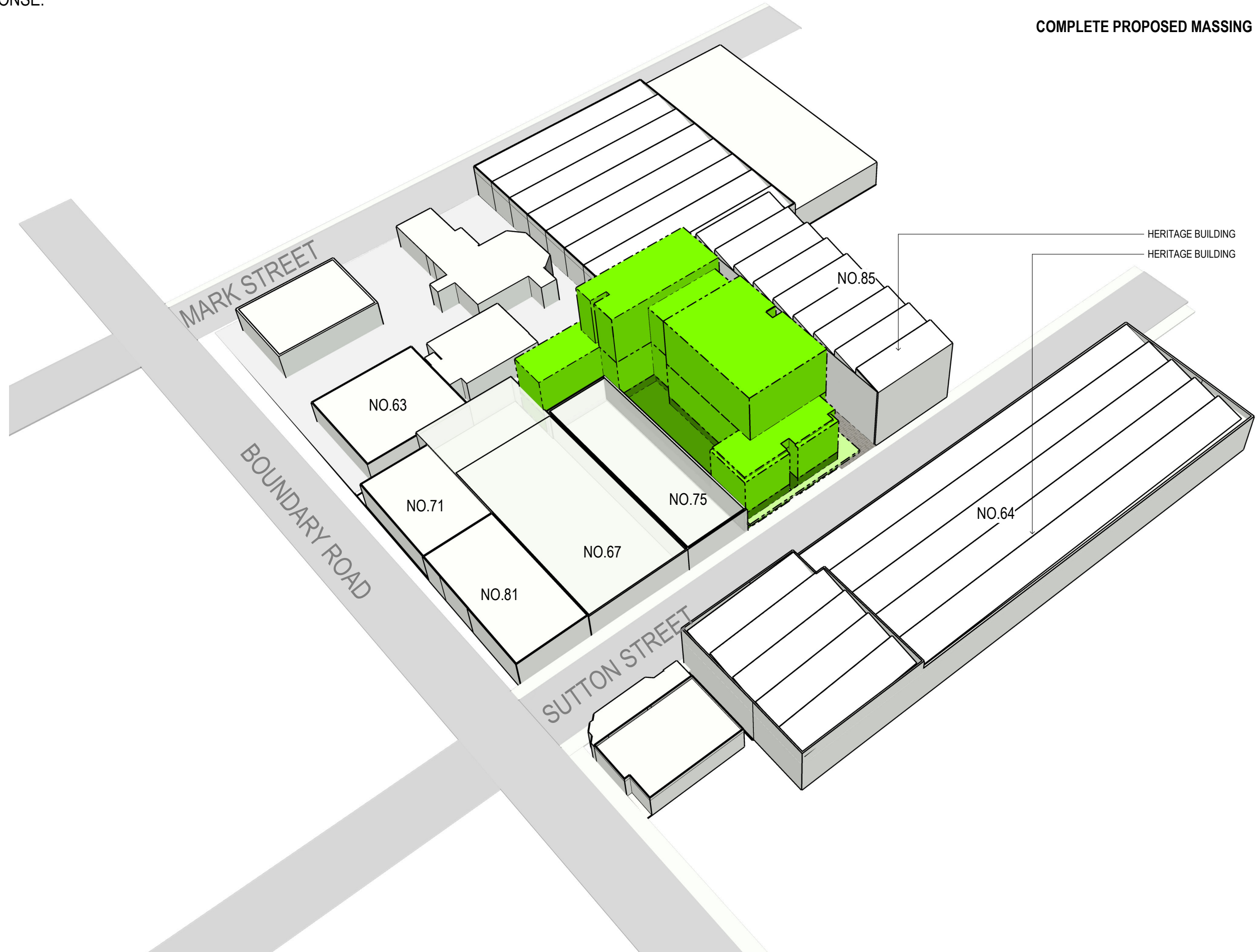
HERITAGE BUILDING
HERITAGE BUILDING

6 METRE SETBACK FROM WESTERN BOUNDARY AT GROUND AND LEVEL1

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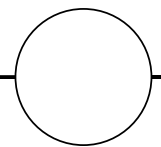


COMPLETE PROPOSED MASSING



HERITAGE BUILDING
HERITAGE BUILDING

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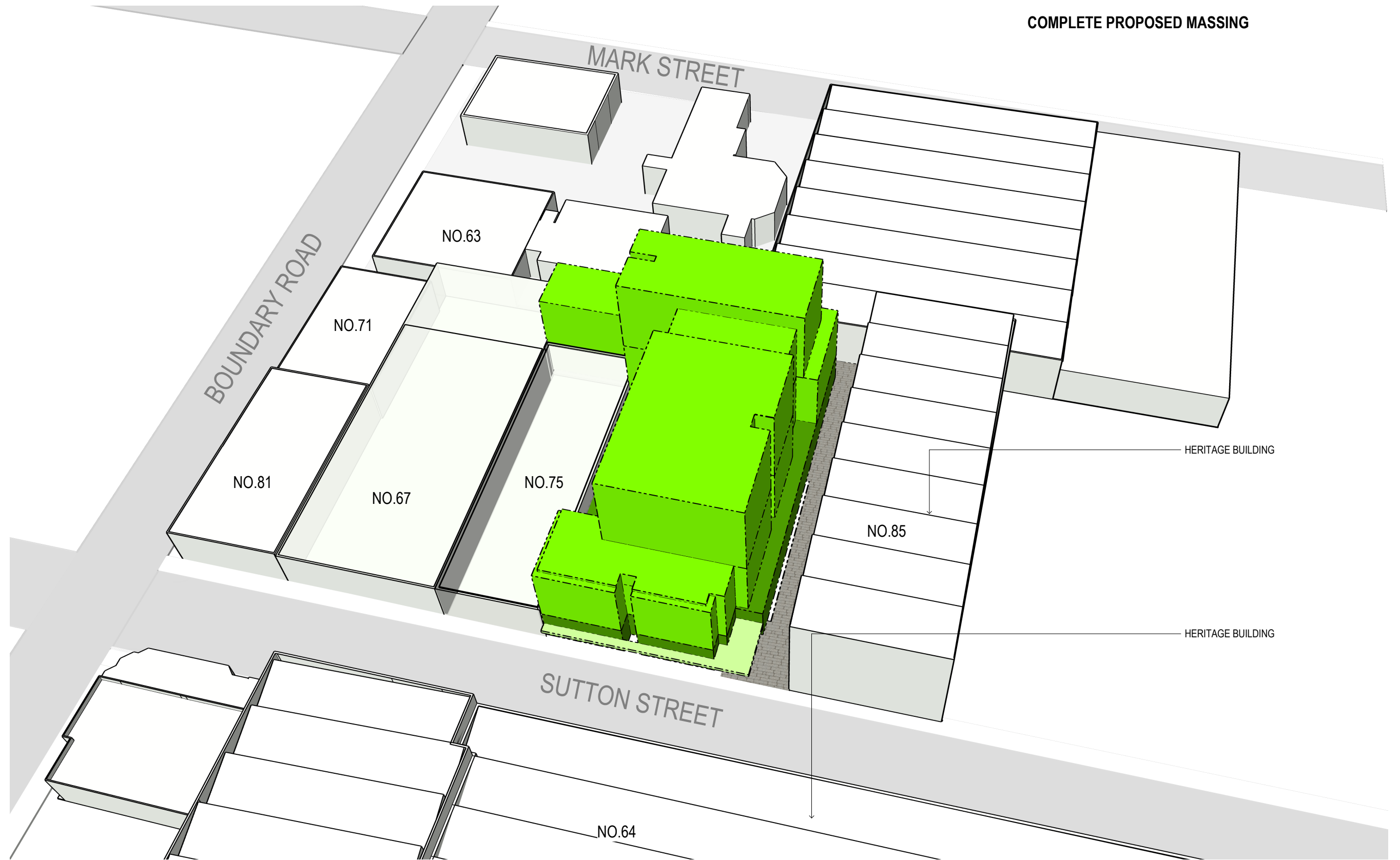
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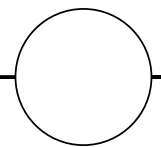
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COMPLETE PROPOSED MASSING



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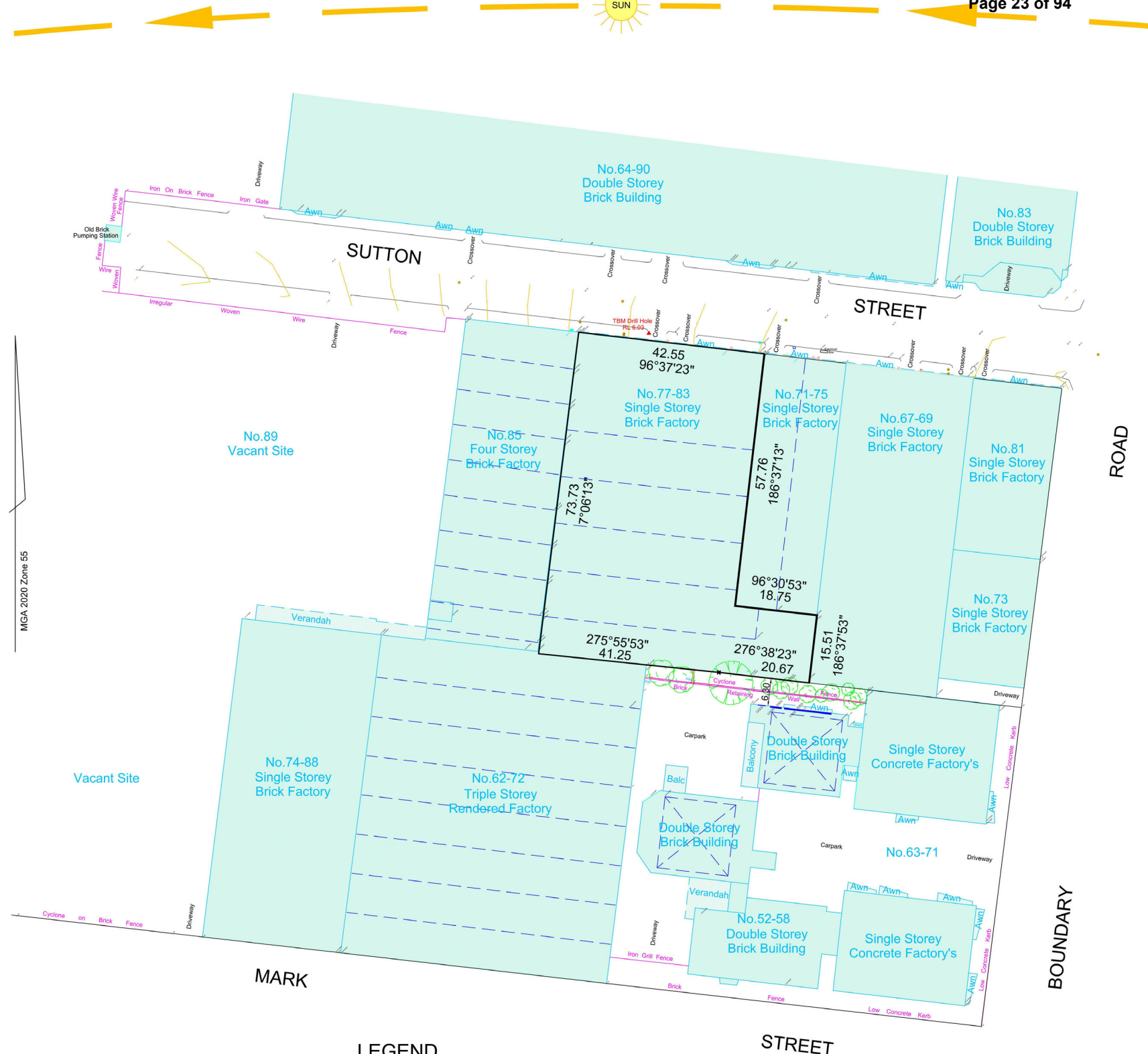
TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

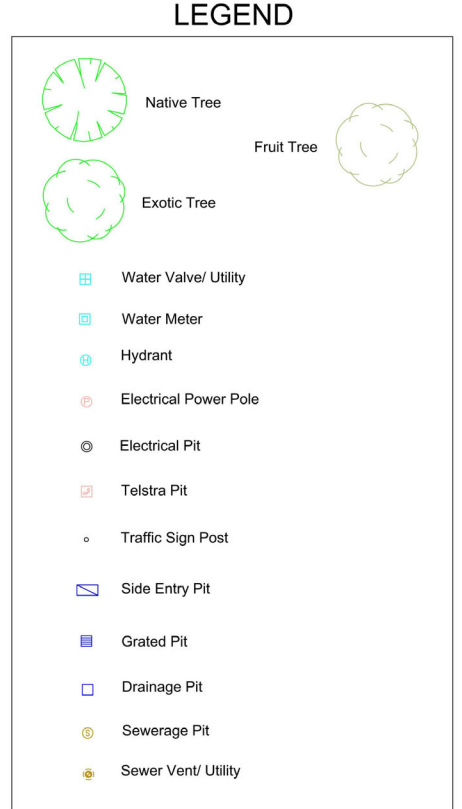
TITLE
DESIGN RESPONSE

DRAWN SCALE PLOT DATE JOB No.
SD @ A1 01/07/2021 1015

DWG No. REVISION
TP018 P3



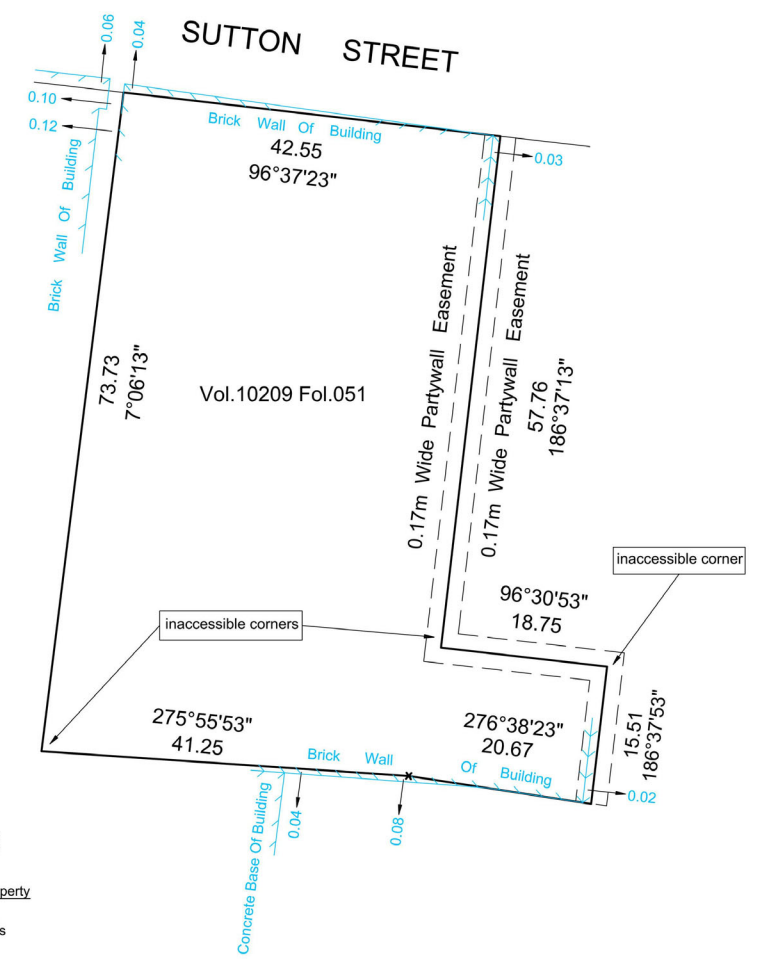
LEGEND



Symbols shown are not to scale but are to the centre of objects
Tree spreads have been shown to scale

CHECK SURVEY INSERT

NOT TO SCALE
Title boundaries are shown by a thick continuous line.
Discrepancies between title boundary and occupation (ie. fences, etc.)
have been exaggerated and are not to scale.



NOTE: For Fencing Encroachments
See notations regarding possessory rights and
adjustments to be made to the siting of buildings.

NOTATIONS :-

Possessory Rights
This survey re-establishes certificate of title boundaries .
It does not attempt to determine possessory rights which
may apply to the land. Possessory title rights apply
to land occupied in excess of 15 years. If excess land
is occupied amendments of title under Section 99 / 60 TLA
can be considered.

LESS LAND - Siting of Buildings where fences encroach into property
Where fences encroach into the title dimensions the design and siting of the
proposed buildings should be adjusted or cut back to take possessory rights
of the adjoining properties into account.

MORE LAND - Siting of Buildings where fences encroach into adjoining property
Where fences encroach onto the adjoining property design and siting of the
proposed buildings should remain relative to the certificate of title boundaries
but can be moved over if and once an amendment of title is registered
at Land Registry.

Note
For boundary encroachments
see Check Survey Insert



Neighbourhood & Site Description Plan
Includes Check Survey & Levels (A.H.D. Level Datum Vide PM281)

Notations:
The information shown on this plan is intended for Town Planning purposes
only and is not intended for Working or Construction drawings.
Buildings shown on this plan are the footprints of the buildings at ground level.
For roof details refer to photographs provided.
Only visible services have been located.
Prior to further works all the relevant authorities should be contacted for
possible location of underground services and their policies for building near them.
Overhead Cables are not shown.
The information shown on this plan has been provided as a signed hard copy
plan and also in digital format. The hard copy takes precedence over the digital
data and no guarantee can be given to the transfer of data to another system.
Offset dimensions shown on plan are to title boundary unless otherwise stated.
Levels on windows have been taken at window head

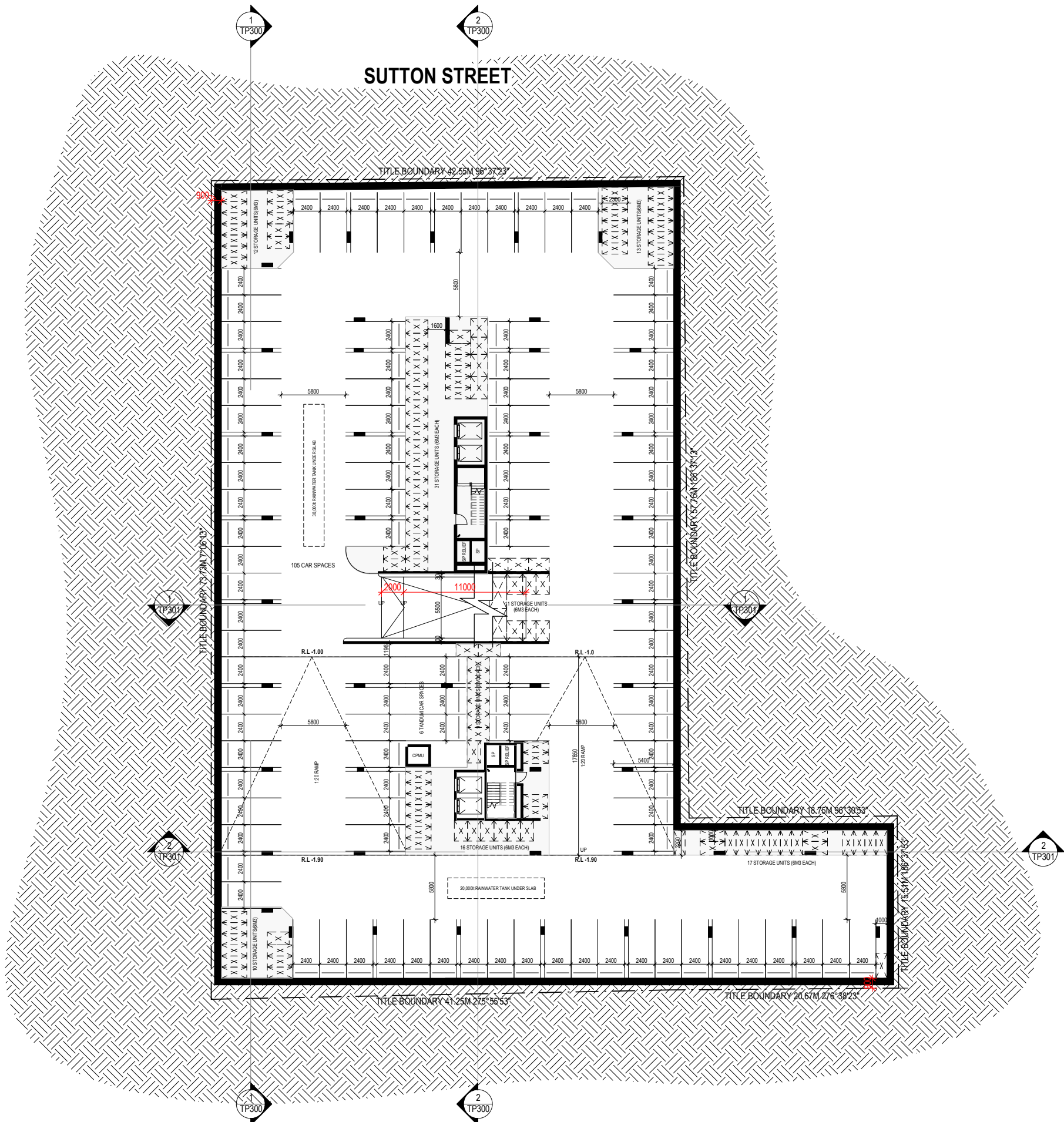
Scale : 1 : 600 ORIGINAL SHEET SIZE A1
LENGTHS ARE IN METRES

Job Address :
77-83 Sutton Street - North Melbourne
Job Reference : 14443 File No : 191018 Site Desc Plan - Ver1.dwg

I T. Trantino certify that this plan correctly represents the
occupation as it exists on the ...18th... day ofOctober..... 2019.
Licensed Surveyor Date.....

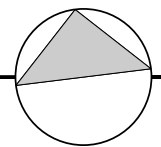
Di MASE BERRY
& Co Pty Ltd
142(A) Sydney Road
Brunswick Vic 3056

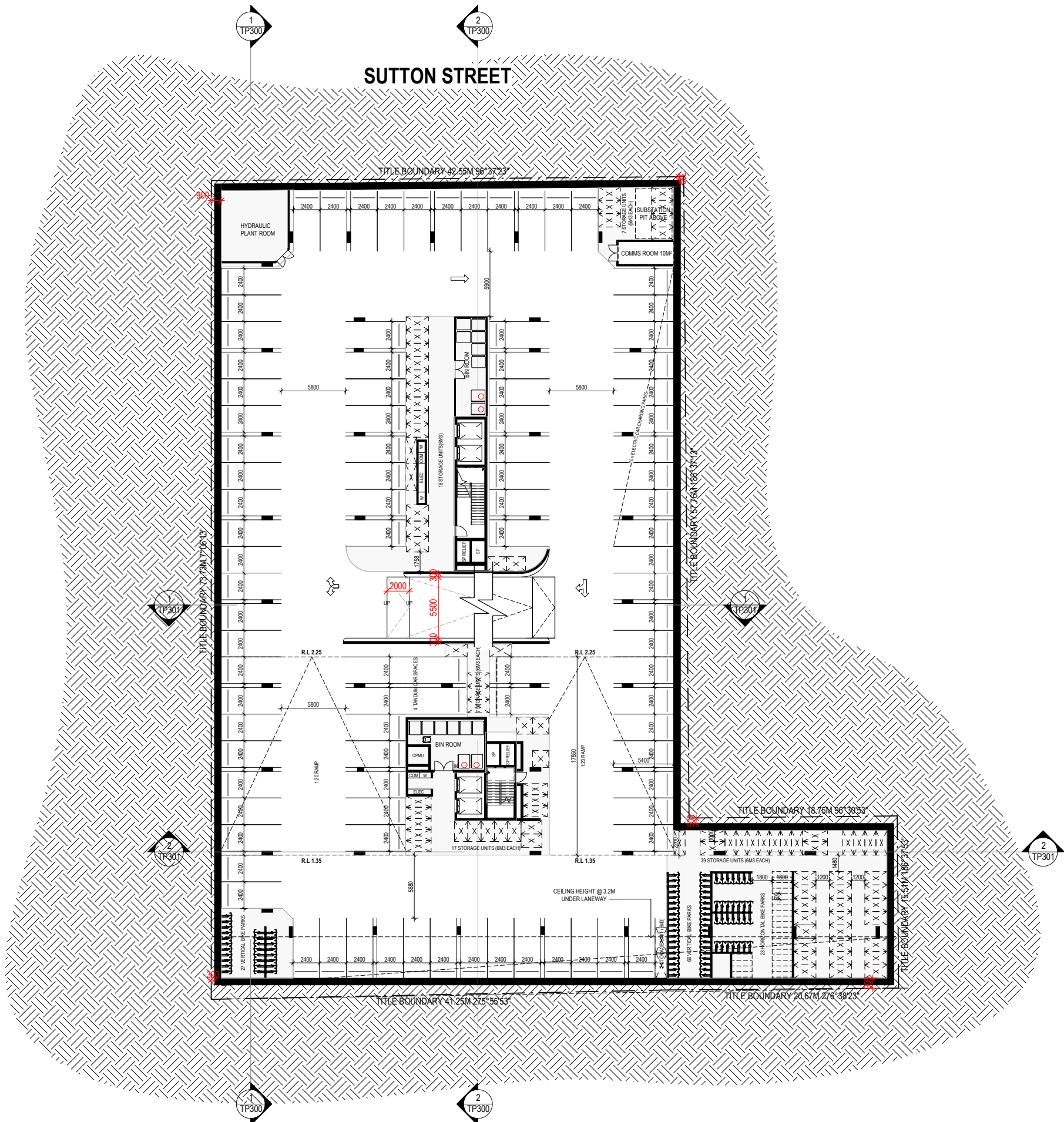
LAND SURVEYORS
Tel: 9387 7577
Fax: 9387 8813



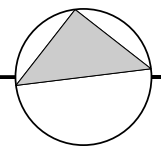
SUTTON STREET

REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22.10.2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021





REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

TITLE
PROPOSED BASEMENT
LEVEL 1 FLOOR PLAN

DRAWN SCALE PLOT DATE JOB No.
SD 1 : 200 01/07/2021 1015
@ A1

DWG No. REVISION
TP101 P3

SUTTON STREET

89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

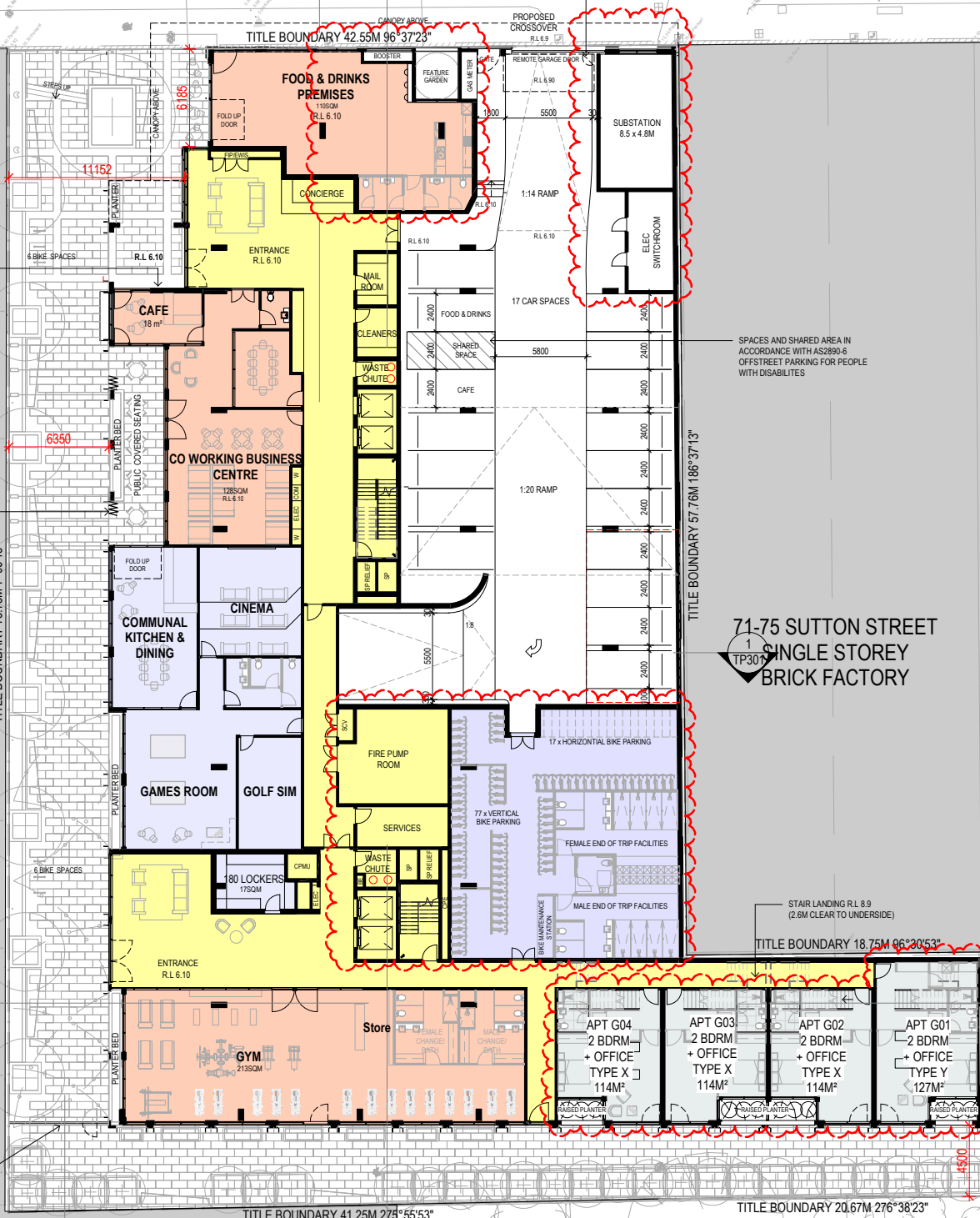
74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

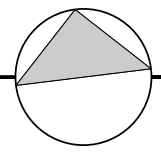
DOUBLE STOREY BRICK FACTORY

63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



545 King Street West Melbourne 3003 t : 93295988 f : 93294707 e : info@pointarc.com.au

REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

TITLE
PROPOSED GROUND
LEVEL FLOOR PLAN

DRAWN SD SCALE 1 : 200 @ A1 PLOT DATE 01/07/2021 JOB No. 1015

DWG No. TP102 REVISION P3

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SUTTON STREET

89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

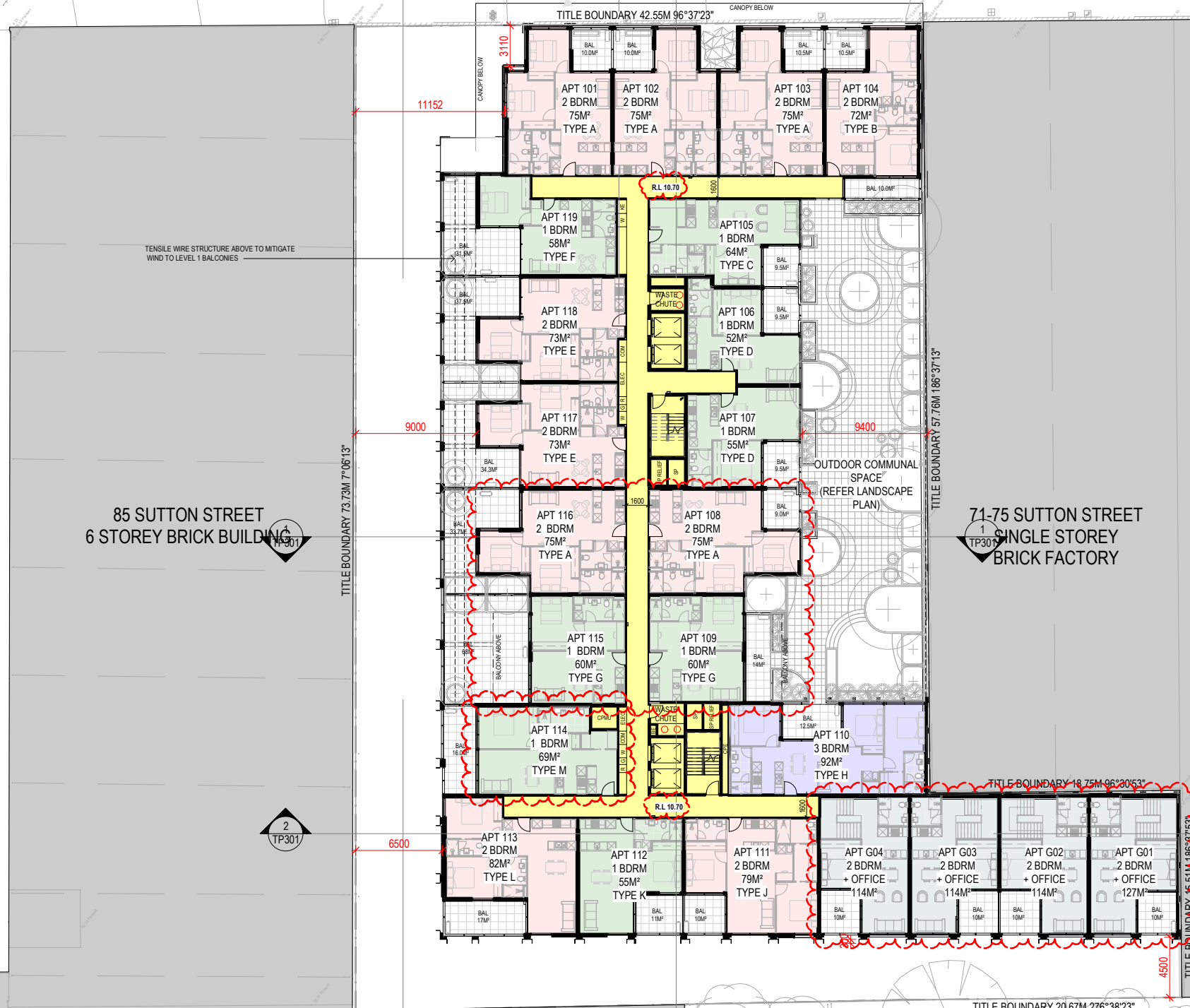
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62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

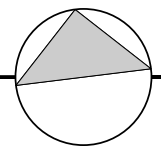
DOUBLE STOREY BRICK FACTORY

63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



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REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

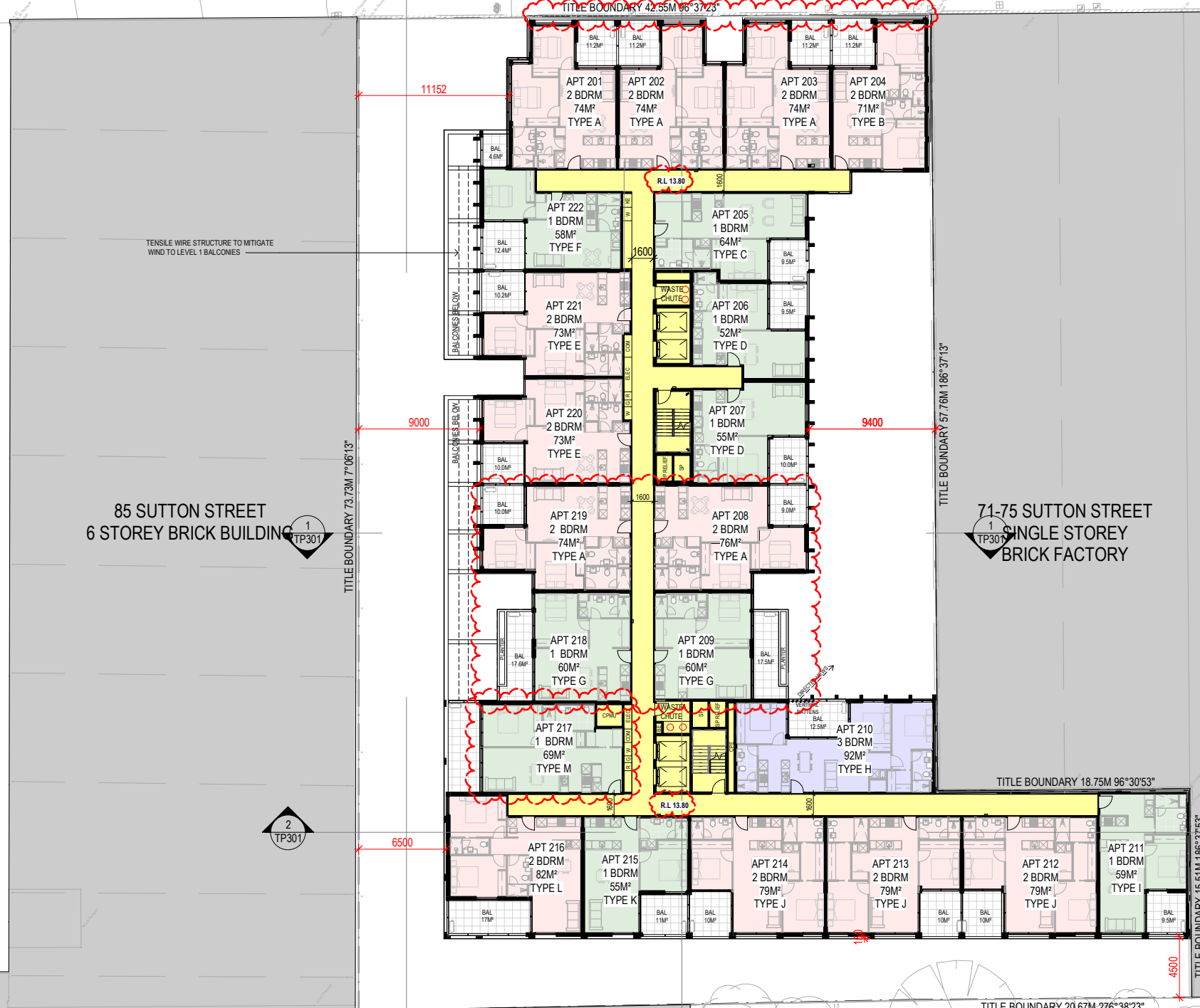
PROJECT 77-83 SUTTON STREET NORTH MELBOURNE VIC 3051

TITLE PROPOSED LEVEL 1 FLOOR PLAN

DRAWN SD SCALE 1:200 @ A1 PLOT DATE 01/07/2021 JOB No. 1015

DWG No. TP103 P3 REVISION

SUTTON STREET



89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

DOUBLE STOREY BRICK FACTORY

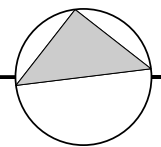
63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



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REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22.10.2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT 77-83 SUTTON STREET NORTH MELBOURNE VIC 3051

TITLE PROPOSED LEVEL 2 FLOOR PLAN

DRAWN SD SCALE 1:200 @ A1 PLOT DATE 01/07/2021 JOB No. 1015

DWG No. TP104 P3 REVISION

SUTTON STREET

89 SUTTON STREET
VACANT SITE

85 SUTTON STREET
6 STOREY BRICK BUILDING

71-75 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

67-69 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

81 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

73 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

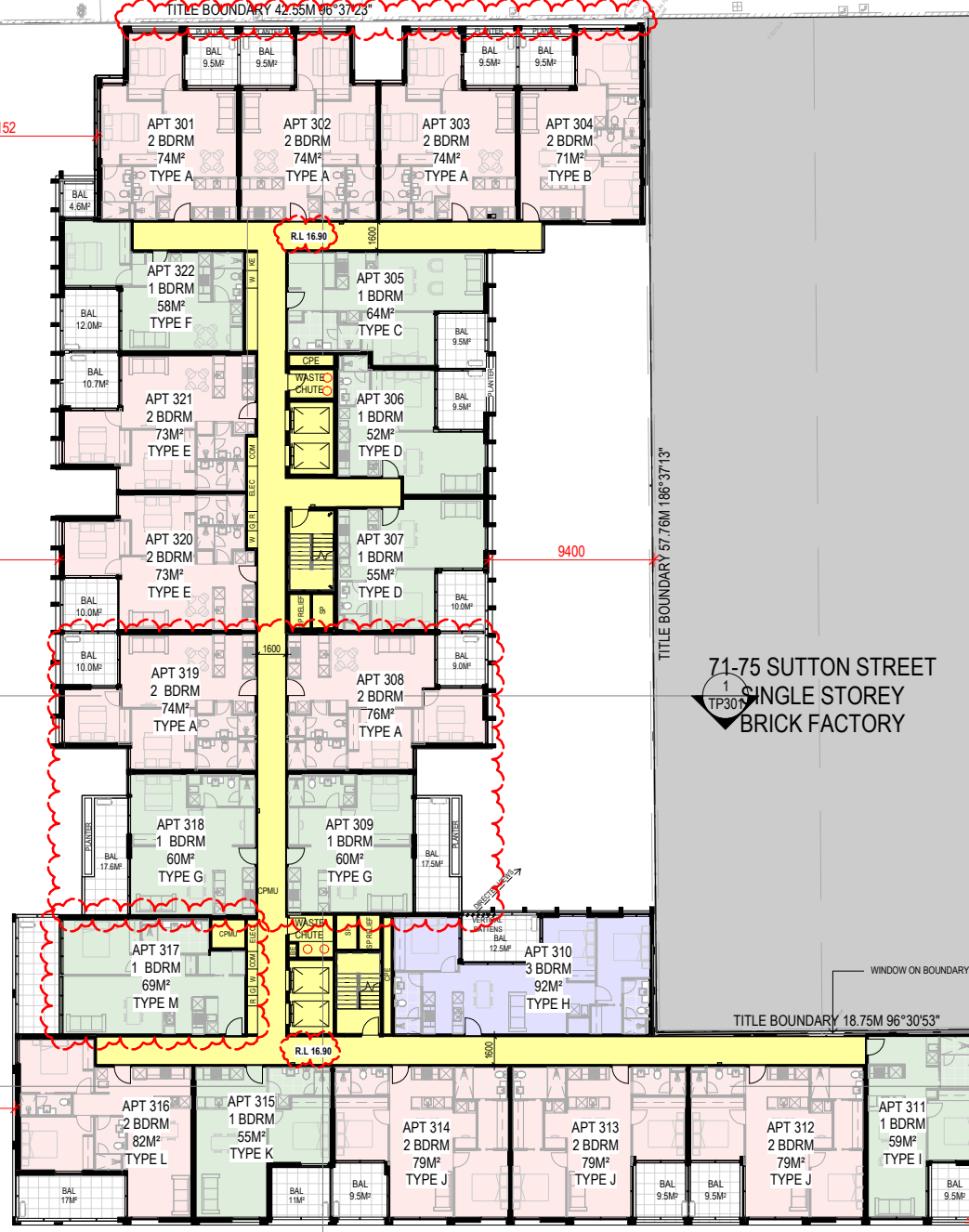
74-88 MARK STREET
SINGLE STOREY
BRICK FACTORY

62-72 MARK STREET
TRIPLE STOREY
RENDERED FACTORY

CARPARK

DOUBLE STOREY
BRICK FACTORY

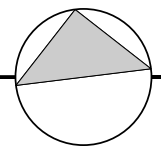
63-71 BOUNDARY ROAD
SINGLE STOREY
CONCRETE FACTORY



TITLE BOUNDARY 41.25M 275°55'53"

TITLE BOUNDARY 20.67M 276°38'23"

REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021





SUTTON STREET



89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

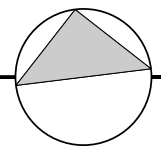
DOUBLE STOREY BRICK FACTORY

63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



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REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22.10.2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT 77-83 SUTTON STREET NORTH MELBOURNE VIC 3051

TITLE PROPOSED LEVEL 4 FLOOR PLAN

DRAWN SD SCALE 1:200 @ A1 PLOT DATE 01/07/2021 JOB No. 1015

DWG No. TP106 P3 REVISION



SUTTON STREET

89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

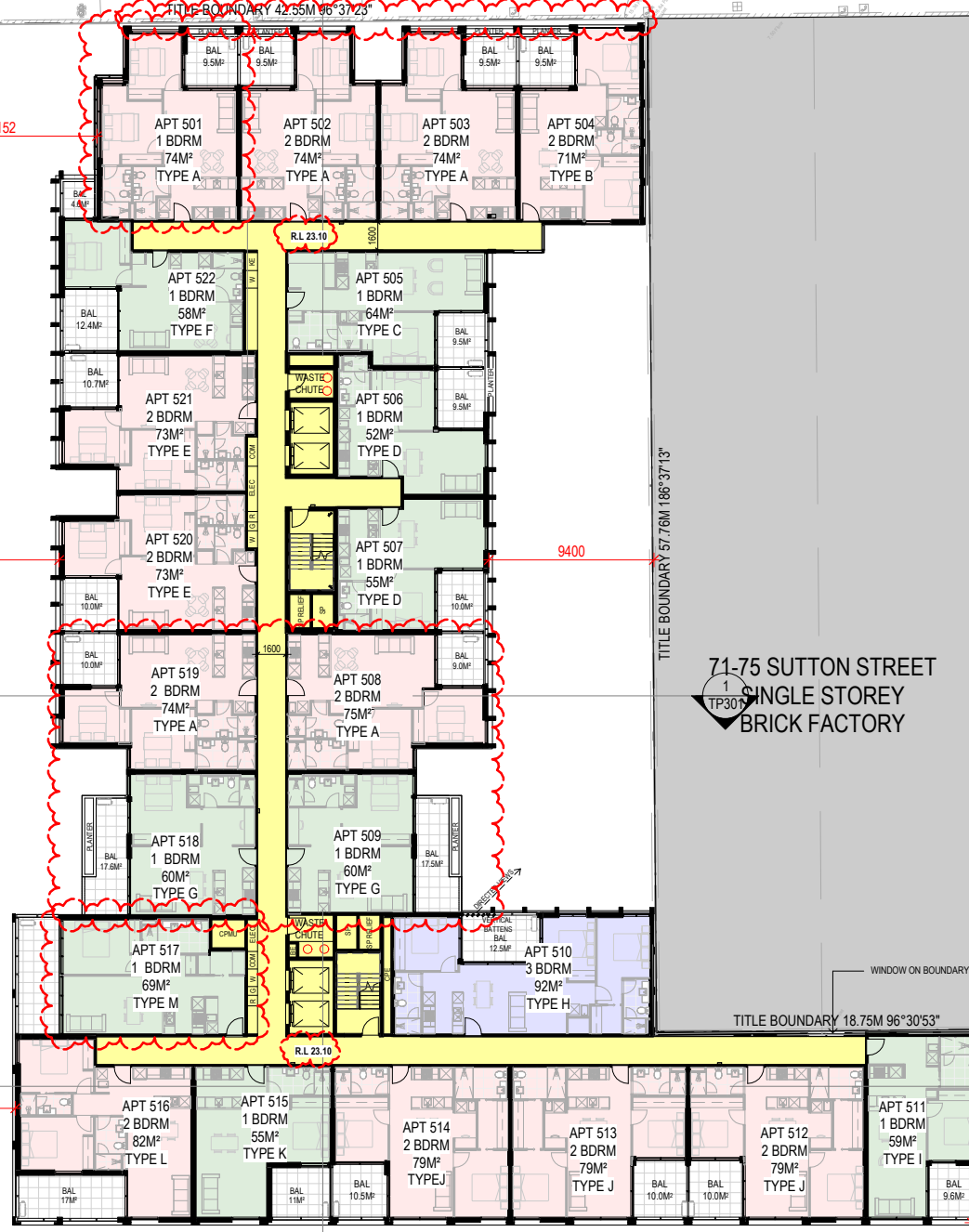
74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

DOUBLE STOREY BRICK FACTORY

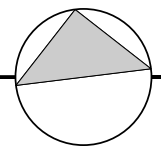
63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



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REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22.10.2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT 77-83 SUTTON STREET NORTH MELBOURNE VIC 3051

TITLE PROPOSED LEVEL 5 FLOOR PLAN

DRAWN SD SCALE 1:200 @ A1 PLOT DATE 01/07/2021 JOB No. 1015

DWG No. TP107 REVISION P3

SUTTON STREET

89 SUTTON STREET
VACANT SITE

85 SUTTON STREET
6 STOREY BRICK BUILDING

71-75 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

67-69 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

81 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

73 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

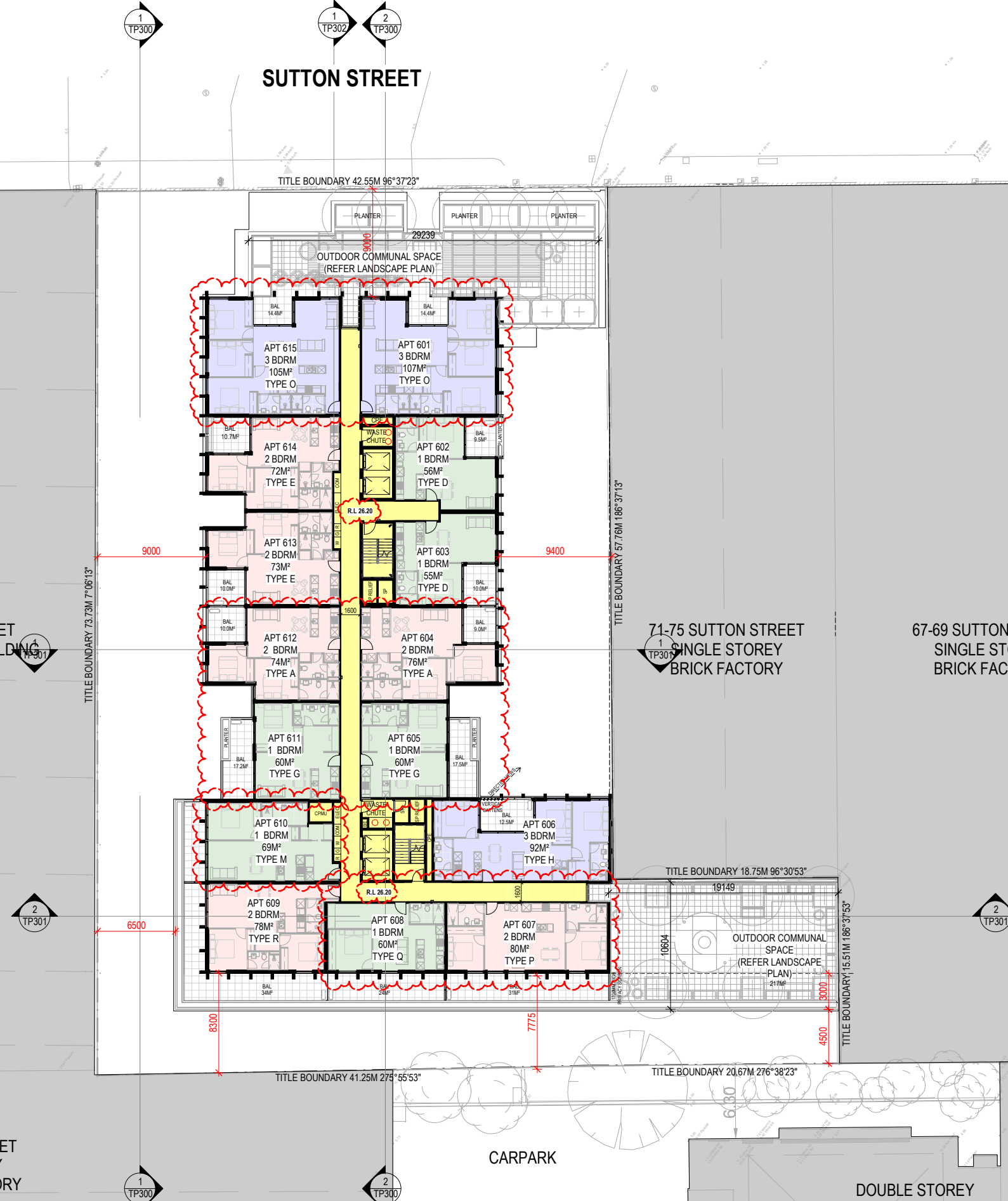
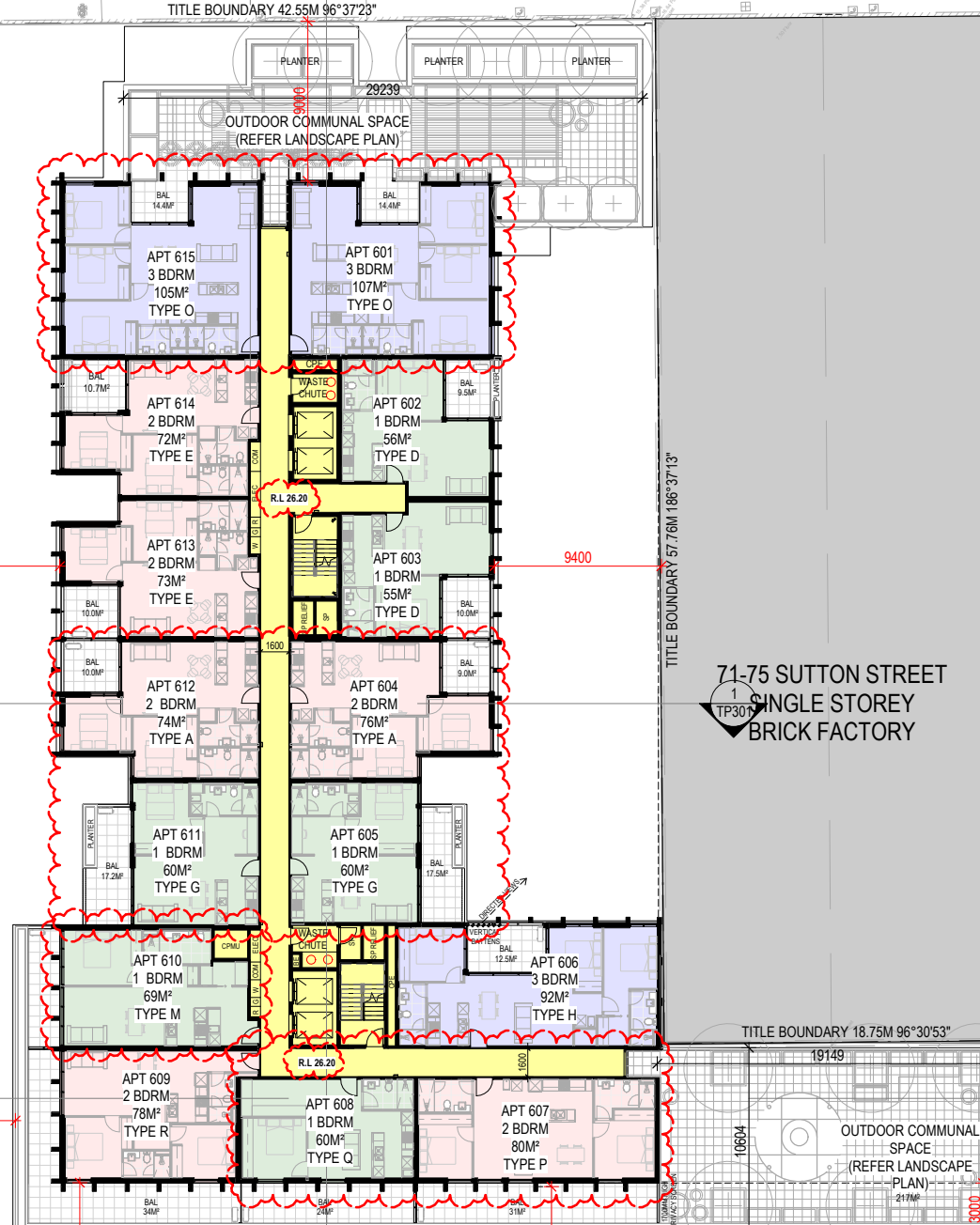
74-88 MARK STREET
SINGLE STOREY
BRICK FACTORY

62-72 MARK STREET
TRIPLE STOREY
RENDERED FACTORY

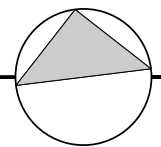
CARPARK

DOUBLE STOREY
BRICK FACTORY

63-71 BOUNDARY ROAD
SINGLE STOREY
CONCRETE FACTORY



REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021





SUTTON STREET

TITLE BOUNDARY 42.55M 96°37'23"



89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

DOUBLE STOREY BRICK FACTORY

63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY

TITLE BOUNDARY 73.73M 7°06'13"

TITLE BOUNDARY 57.76M 186°37'13"

TITLE BOUNDARY 18.75M 96°30'53"

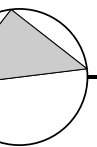
TITLE BOUNDARY 15.51M 186°37'53"

TITLE BOUNDARY 41.25M 275°55'53"

TITLE BOUNDARY 20.67M 276°38'23"

8300

7775



TOWN PLANNING

PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
77-83 SUTTON STREET NORTH MELBOURNE VIC 3051	PROPOSED LEVEL 7 FLOOR PLAN	SD	1:200 @ A1	01/07/2021	1015



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REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021

DWG No. REVISION TP109 P3

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SUTTON STREET

TITLE BOUNDARY 42.55M 96°37'23"



89 SUTTON STREET
VACANT SITE

85 SUTTON STREET
6 STOREY BRICK BUILDING

71-75 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

67-69 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

81 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

73 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

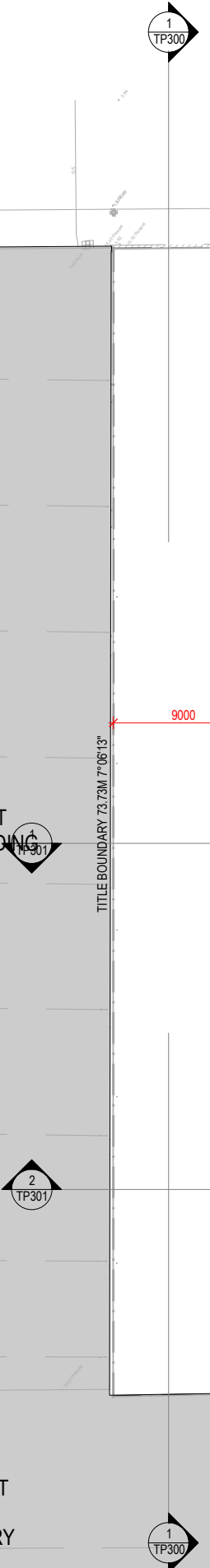
74-88 MARK STREET
SINGLE STOREY
BRICK FACTORY

62-72 MARK STREET
TRIPLE STOREY
RENDERED FACTORY

CARPARK

DOUBLE STOREY
BRICK FACTORY

63-71 BOUNDARY ROAD
SINGLE STOREY
CONCRETE FACTORY

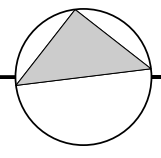


TITLE BOUNDARY 41.25M 275°55'53"

TITLE BOUNDARY 20.67M 276°38'23"

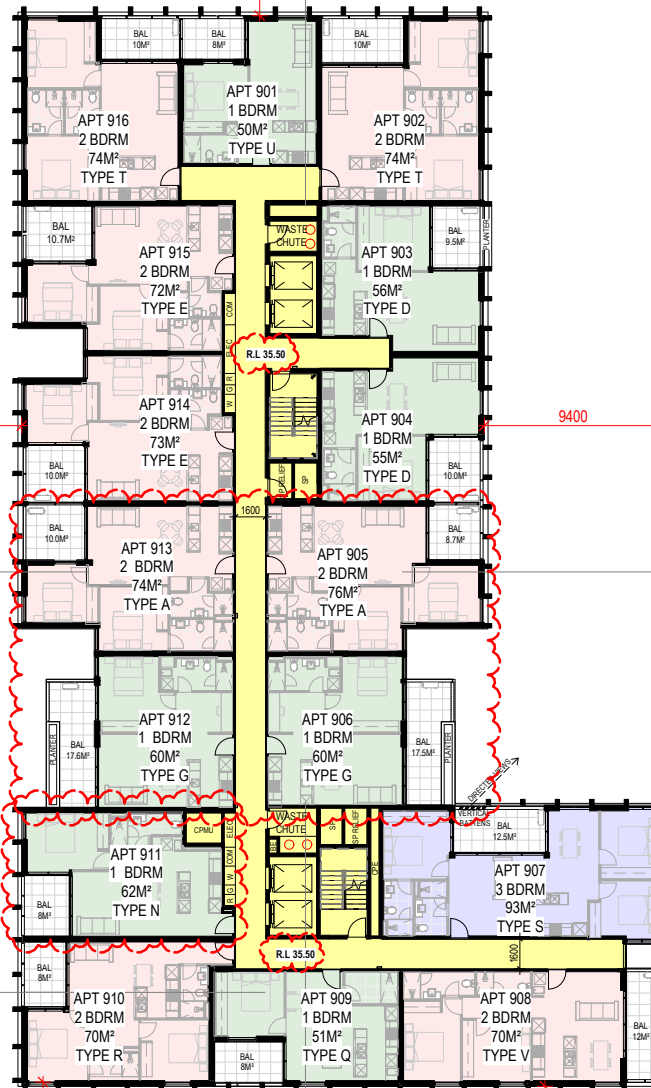


REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22.10.2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



SUTTON STREET

TITLE BOUNDARY 42.55M 96°37'23"



89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

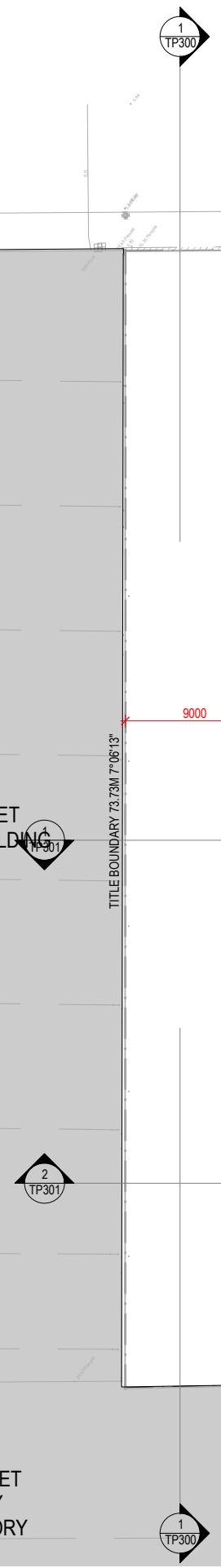
74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

DOUBLE STOREY BRICK FACTORY

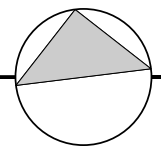
63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



TITLE BOUNDARY 41.25M 275°55'53"

TITLE BOUNDARY 20.67M 276°38'23"

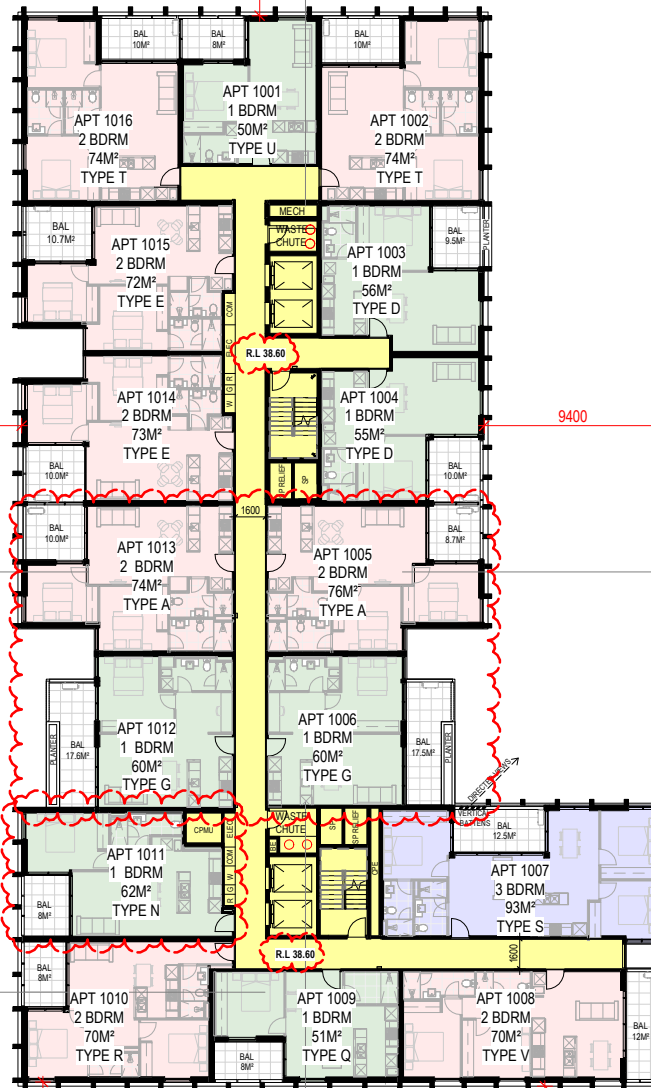
REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
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P3	DISCUSSION PLANS			01/07/2021



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SUTTON STREET

TITLE BOUNDARY 42.55M 96°37'23"



89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

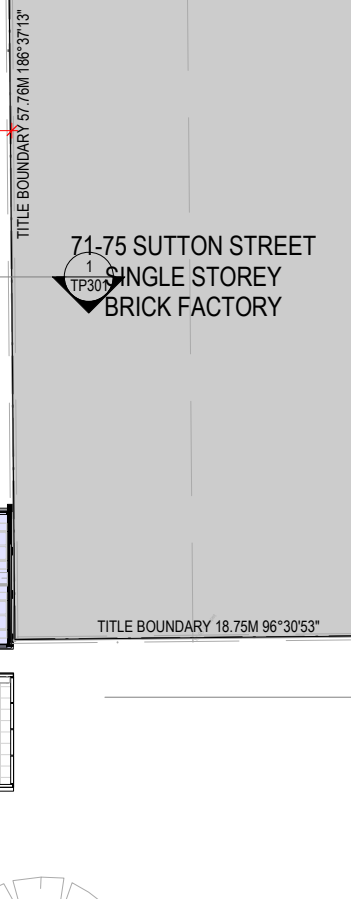
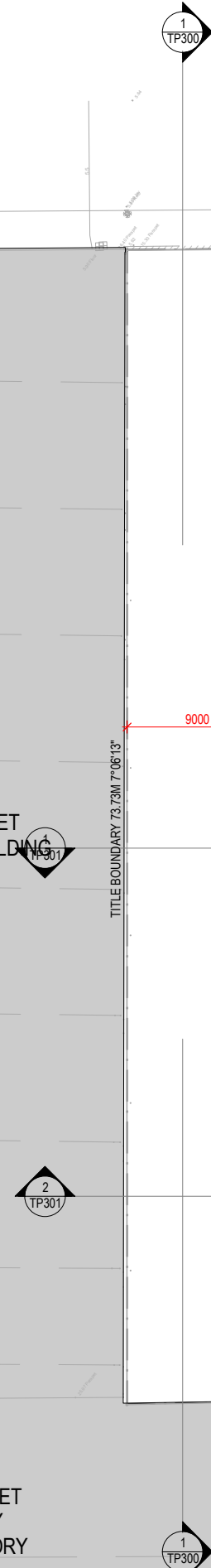
74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

DOUBLE STOREY BRICK FACTORY

63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY



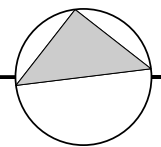
TITLE BOUNDARY 41.25M 275°55'53" TITLE BOUNDARY 20.67M 276°38'23"



545 King Street West Melbourne 3003 t : 93295988 f : 93294707 e : info@pointarc.com.au

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REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

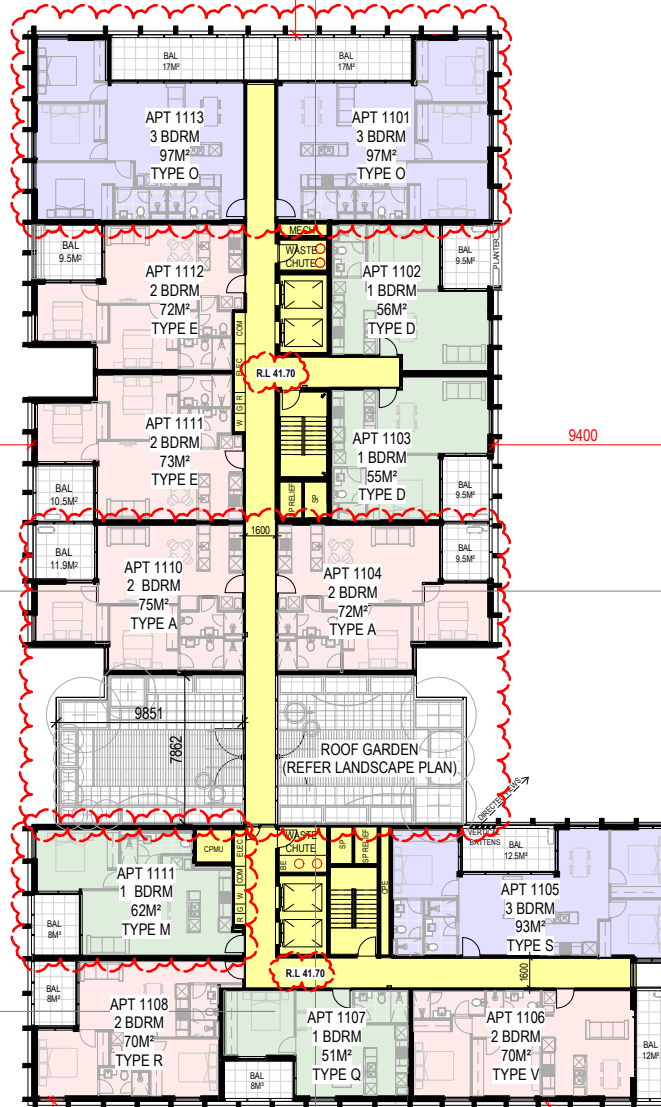
TITLE
PROPOSED LEVEL 10
FLOOR PLAN

DRAWN SCALE PLOT DATE JOB No.
SD 1 : 200 01/07/2021 1015
@ A1

DWG No. REVISION
TP113 P3

SUTTON STREET

TITLE BOUNDARY 42.55M 96°37'23"



89 SUTTON STREET VACANT SITE

85 SUTTON STREET 6 STOREY BRICK BUILDING

71-75 SUTTON STREET SINGLE STOREY BRICK FACTORY

67-69 SUTTON STREET SINGLE STOREY BRICK FACTORY

81 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

73 BOUNDARY ROAD SINGLE STOREY BRICK FACTORY

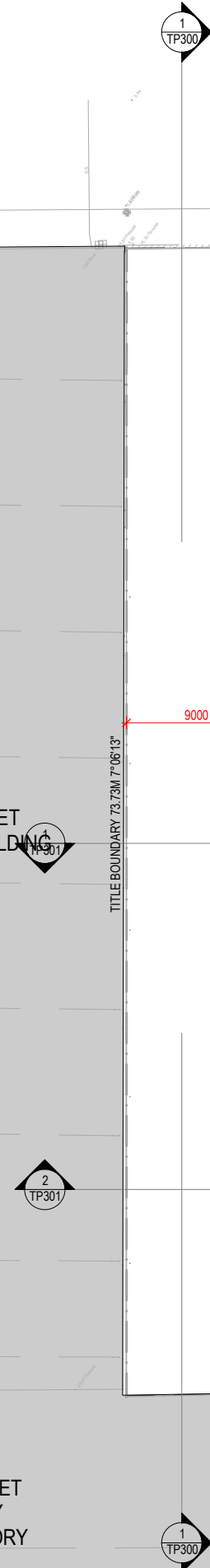
74-88 MARK STREET SINGLE STOREY BRICK FACTORY

62-72 MARK STREET TRIPLE STOREY RENDERED FACTORY

CARPARK

DOUBLE STOREY BRICK FACTORY

63-71 BOUNDARY ROAD SINGLE STOREY CONCRETE FACTORY

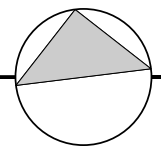


TITLE BOUNDARY 41.25M 275°55'53"

TITLE BOUNDARY 20.67M 276°38'23"



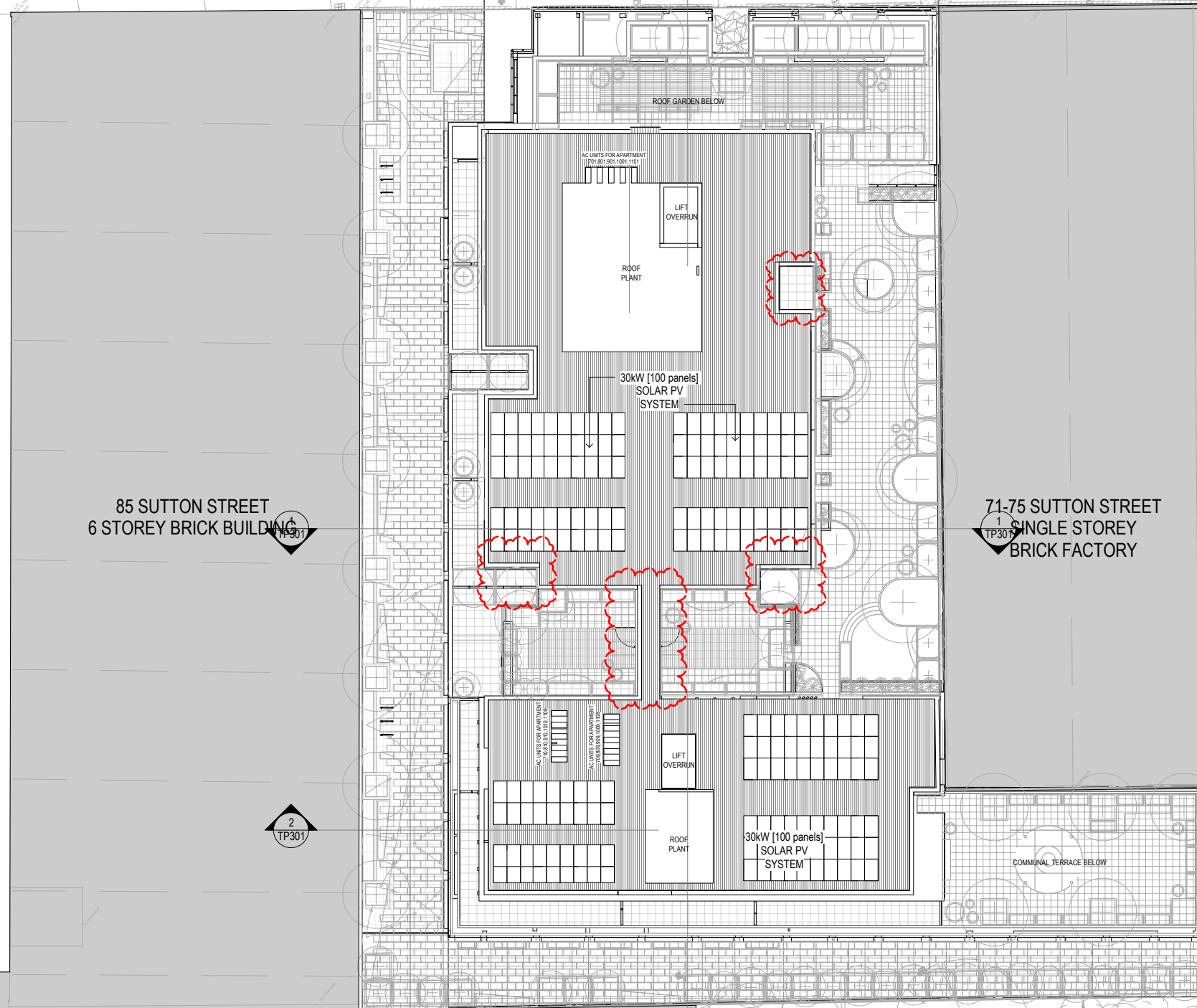
REV	DESCRIPTION	DRN	CHK	DATE
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SUTTON STREET

TBM Drill Hole
El. 6.03



81 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

89 SUTTON STREET
VACANT SITE

85 SUTTON STREET
6 STOREY BRICK BUILDING

71-75 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

67-69 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

73 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY



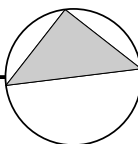
74-88 MARK STREET
SINGLE STOREY
BRICK FACTORY

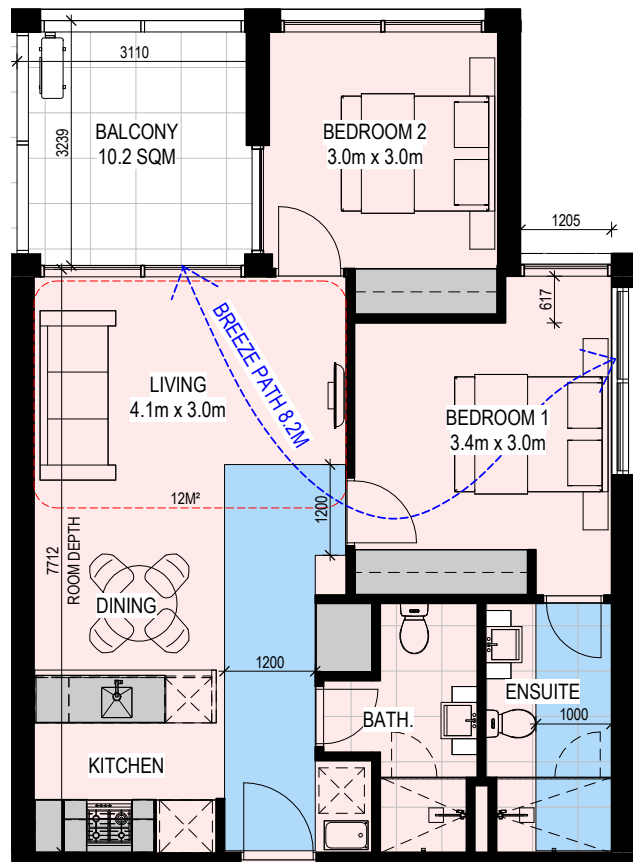
62-72 MARK STREET
TRIPLE STOREY
RENDERED FACTORY

CARPARK

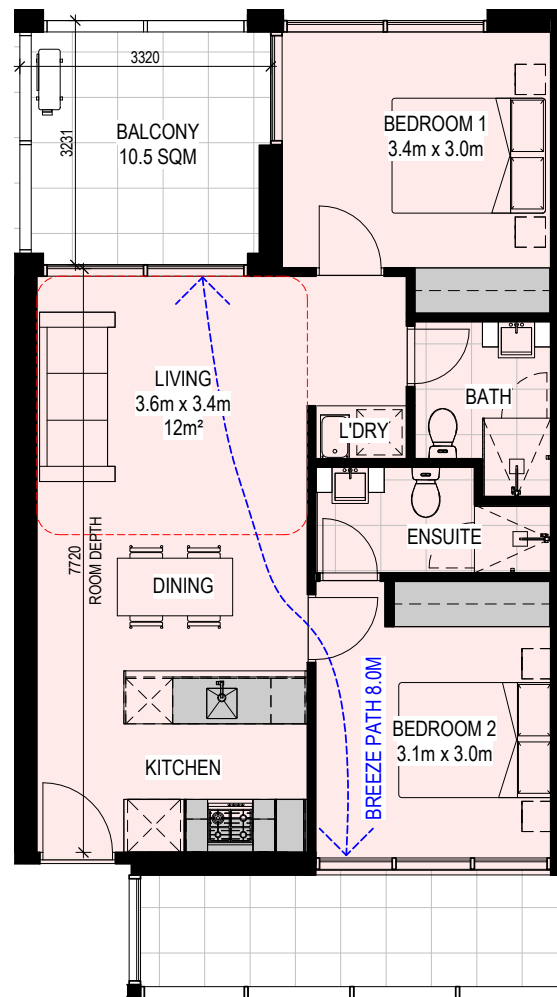
DOUBLE STOREY
BRICK FACTORY

63-71 BOUNDARY ROAD
SINGLE STOREY
CONCRETE FACTORY





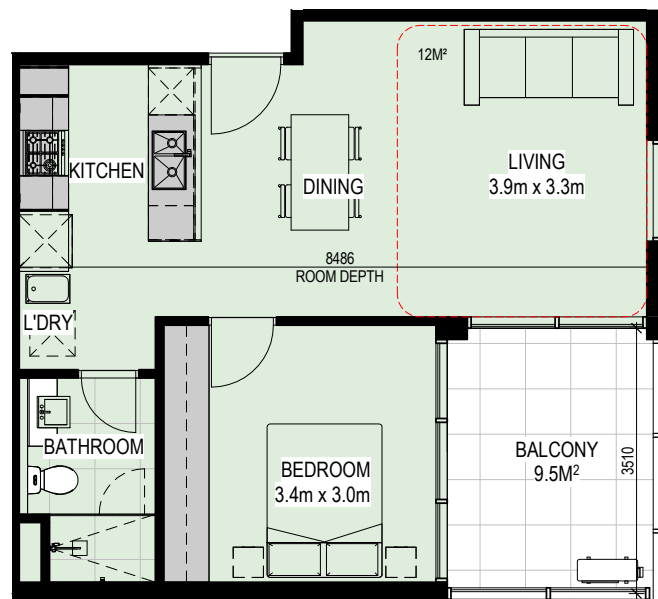
TYPE A
 2 BEDROOM APARTMENT
 INTERNAL AREA - 75M²
 BALCONY - 10.2M²
 INTERNAL STORAGE - 11.0 M³
 OVERALL STORAGE - 17.0 M³
37 INSTANCES
 CROSS VENTILATION APPLICABLE FOR
 APT. 101, 201, 301, 401, 501



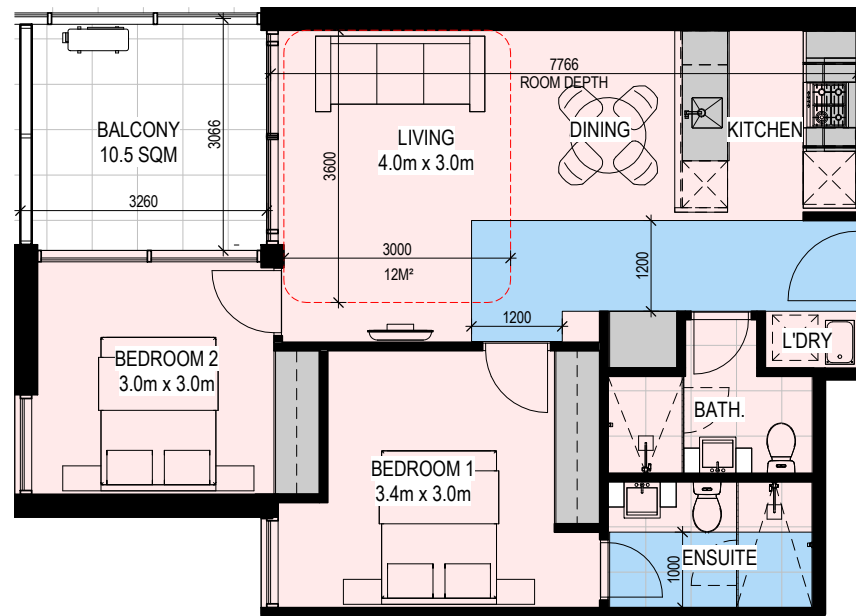
TYPE B
 2 BEDROOM APARTMENT
 INTERNAL AREA - 72M²
 BALCONY - 10.5M²
 INTERNAL STORAGE - 8.8 M³
 OVERALL STORAGE - 14.8 M³
5 INSTANCES



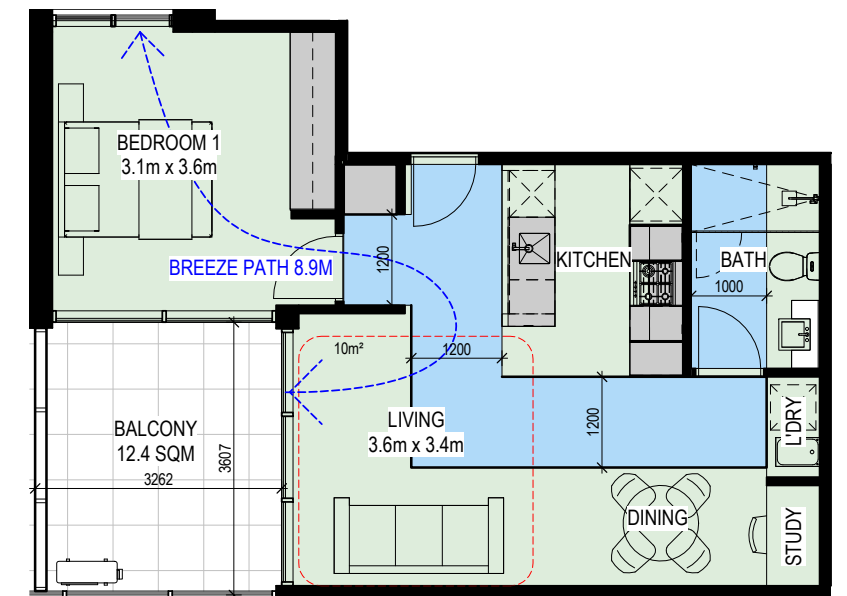
TYPE C **5 INSTANCES**
 1 BEDROOM APARTMENT
 INTERNAL AREA - 64M²
 BALCONY - 9.5M²
 INTERNAL STORAGE - 6.4M³
 OVERALL STORAGE - 12.4M³



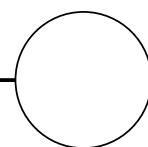
TYPE D **22 INSTANCES**
 1 BEDROOM APARTMENT
 INTERNAL AREA - 52M²
 BALCONY - 9.5M²
 INTERNAL STORAGE - 7.9M³
 OVERALL STORAGE - 13.9M³



TYPE E **22 INSTANCES**
 2 BEDROOM APARTMENT
 INTERNAL AREA - 73M²
 BALCONY - 10.5M²
 INTERNAL STORAGE - 11.0 M³
 OVERALL STORAGE - 17.0 M³



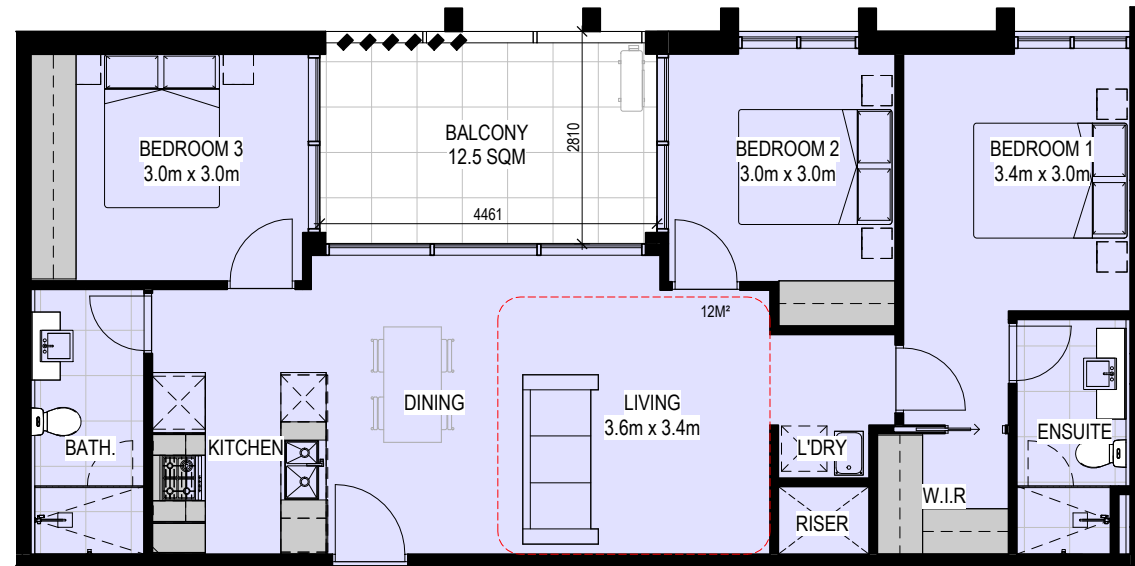
TYPE F **5 INSTANCES**
 1 BEDROOM APARTMENT
 INTERNAL AREA - 58M²
 BALCONY - 12.4M²
 INTERNAL STORAGE - 8.0 M³
 OVERALL STORAGE - 14.0 M³





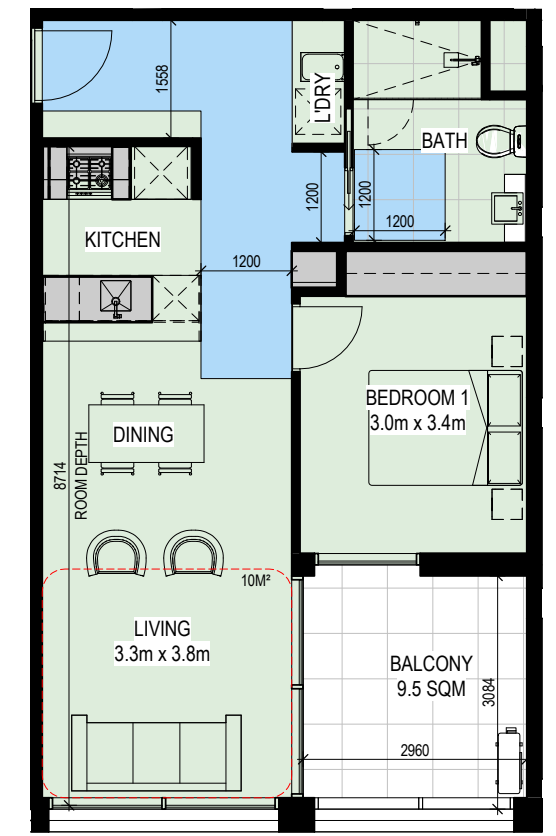
TYPE G
 1 BEDROOM APARTMENT
 INTERNAL AREA - 50M²
 BALCONY - 12.4M²
 INTERNAL STORAGE - 7.3M³
 OVERALL STORAGE - 13.3M³

20 INSTANCES



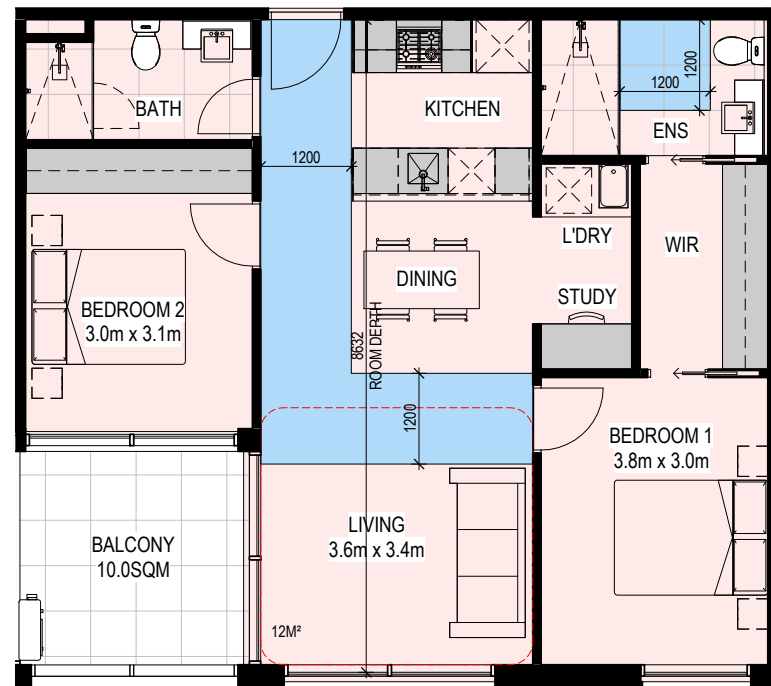
TYPE H
 3 BEDROOM APARTMENT
 INTERNAL AREA - 92M²
 BALCONY - 12.5M²
 INTERNAL STORAGE - 13.6M³
 OVERALL STORAGE - 19.6M³

6 INSTANCES



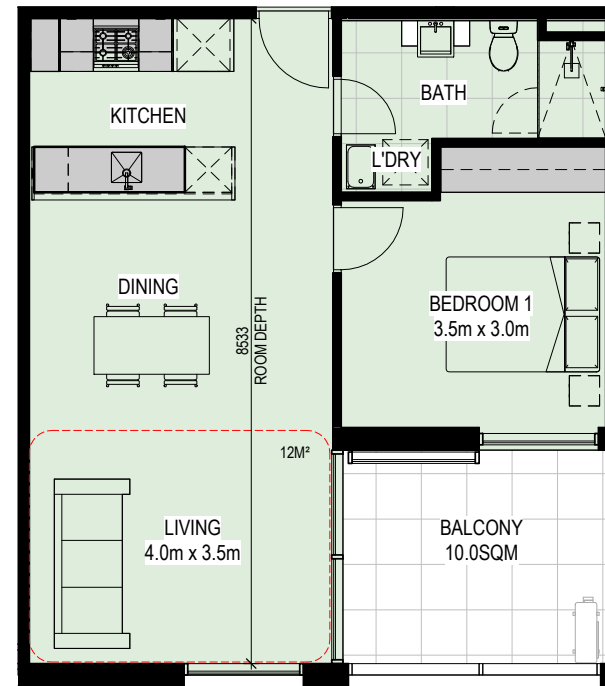
TYPE I
 1 BEDROOM APARTMENT
 INTERNAL AREA - 59M²
 BALCONY - 9.5M²
 INTERNAL STORAGE - 6.1M³
 OVERALL STORAGE - 12.1M³

4 INSTANCES



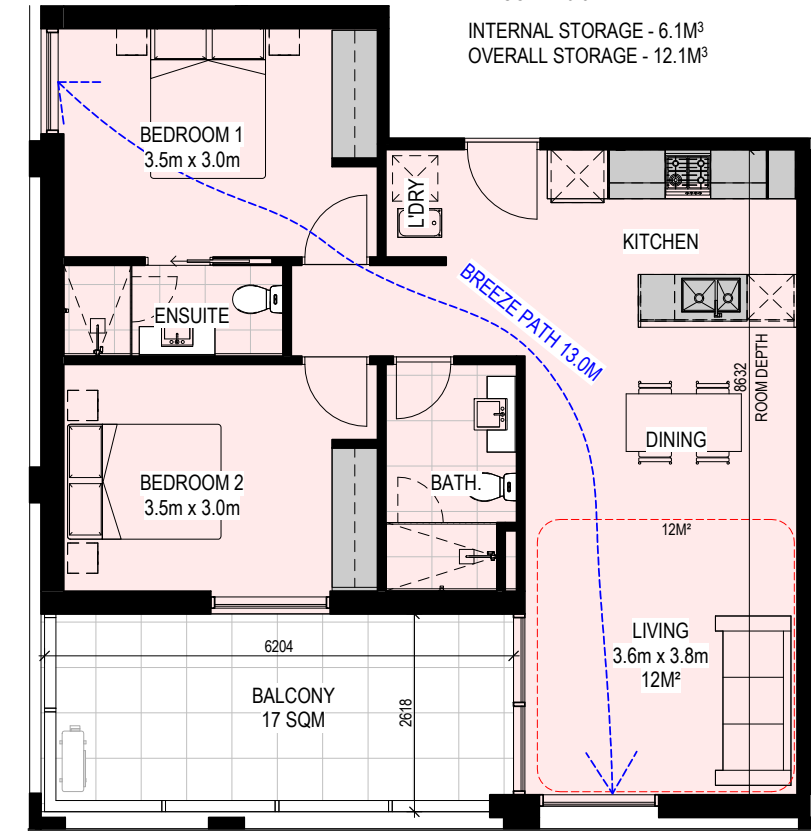
TYPE J
 2 BEDROOM APARTMENT
 INTERNAL AREA - 79M²
 BALCONY - 10M²
 INTERNAL STORAGE - 11.2M³
 OVERALL STORAGE - 17.2M³

13 INSTANCES



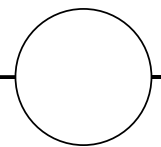
TYPE K
 1 BEDROOM APARTMENT
 INTERNAL AREA - 55M²
 BALCONY - 11M²
 INTERNAL STORAGE - 6.7M³
 OVERALL STORAGE - 12.7M³

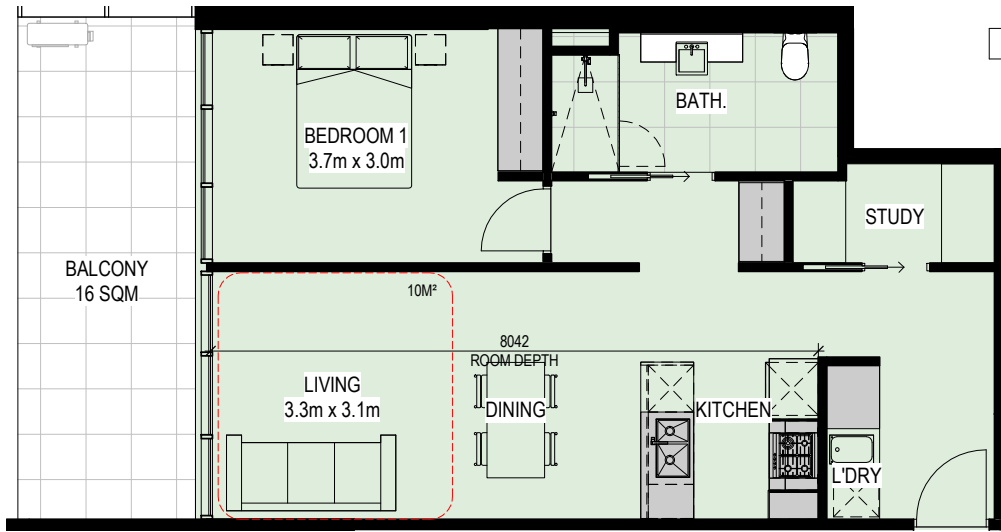
5 INSTANCES



TYPE L
 2 BEDROOM APARTMENT
 INTERNAL AREA - 82M²
 BALCONY - 17M²
 INTERNAL STORAGE - 8.2M³
 OVERALL STORAGE - 14.2M³

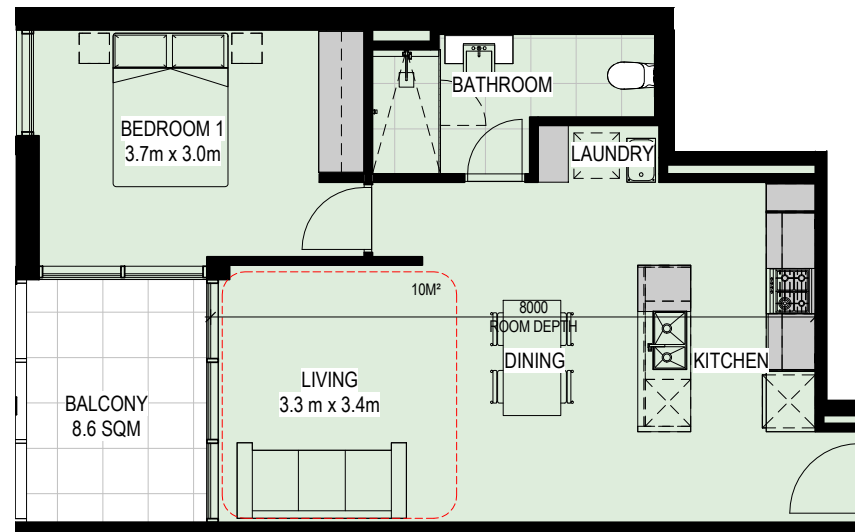
5 INSTANCES





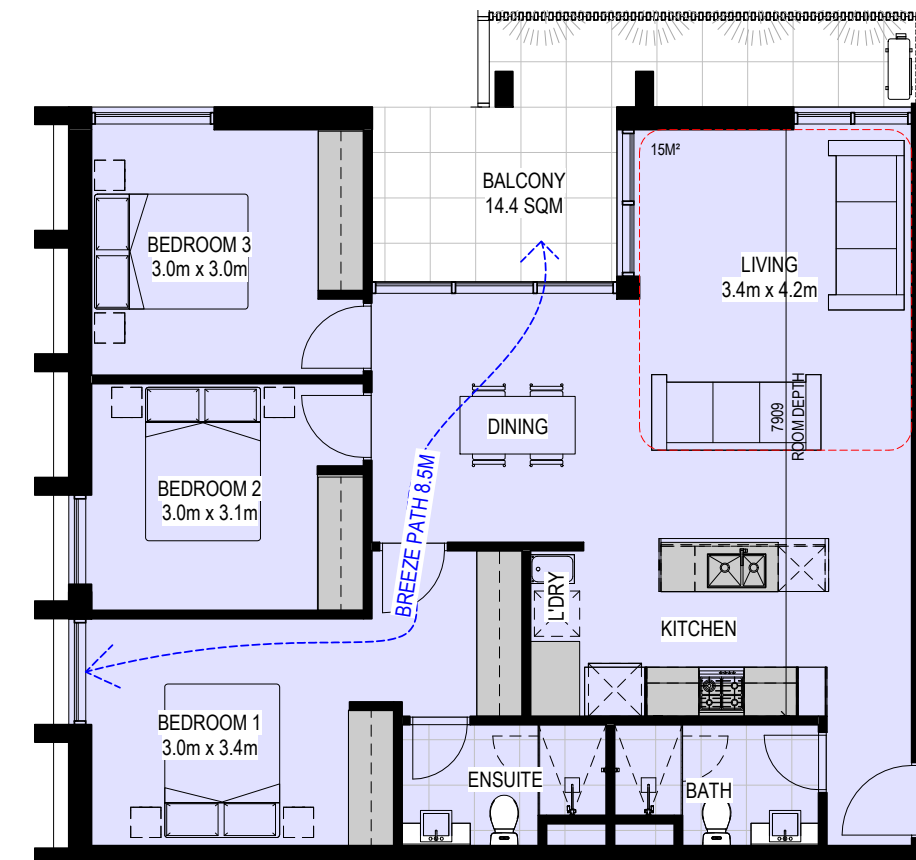
TYPE M
 1 BEDROOM APARTMENT
 INTERNAL AREA - 69M²
 BALCONY - 16M²
 INTERNAL STORAGE - 8.8M³
 OVERALL STORAGE - 14.8M³

6 INSTANCES



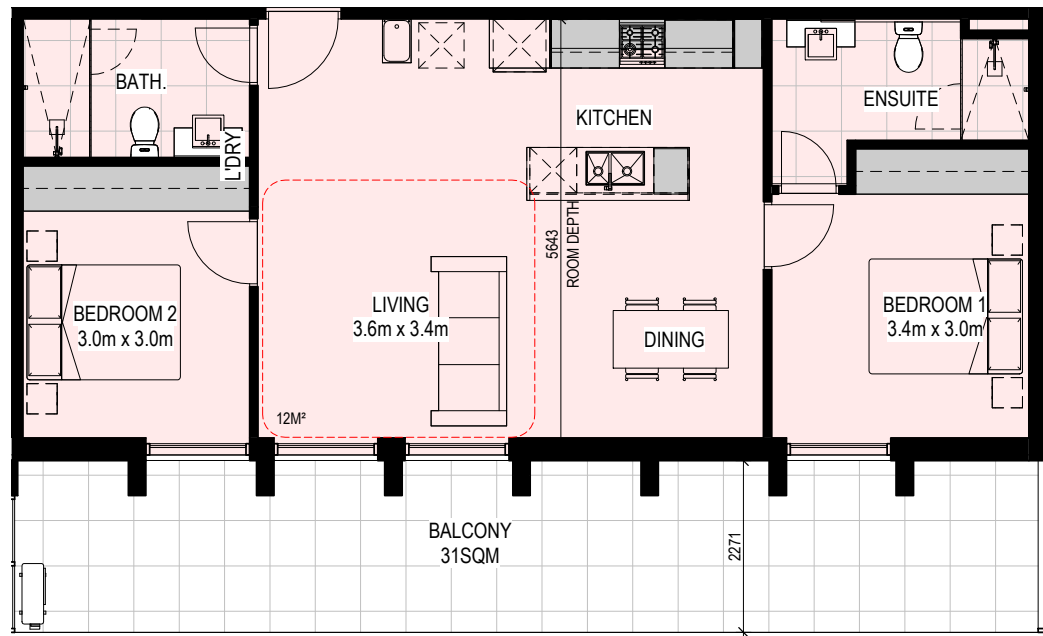
TYPE N
 1 BEDROOM APARTMENT
 INTERNAL AREA - 61M²
 BALCONY - 8.6M²
 INTERNAL STORAGE - 6.4M³
 OVERALL STORAGE - 12.4M³

4 INSTANCES



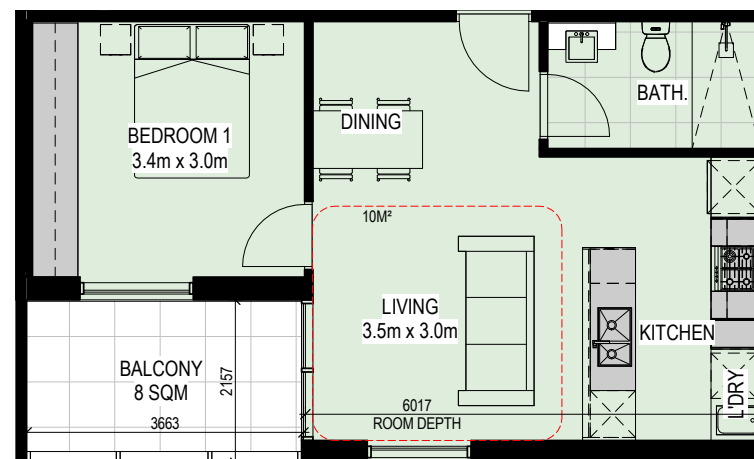
TYPE O
 3 BEDROOM APARTMENT
 INTERNAL AREA - 104M²
 BALCONY - 14.4M²
 INTERNAL STORAGE - 16.8M³
 OVERALL STORAGE - 22.8M³

2 INSTANCES



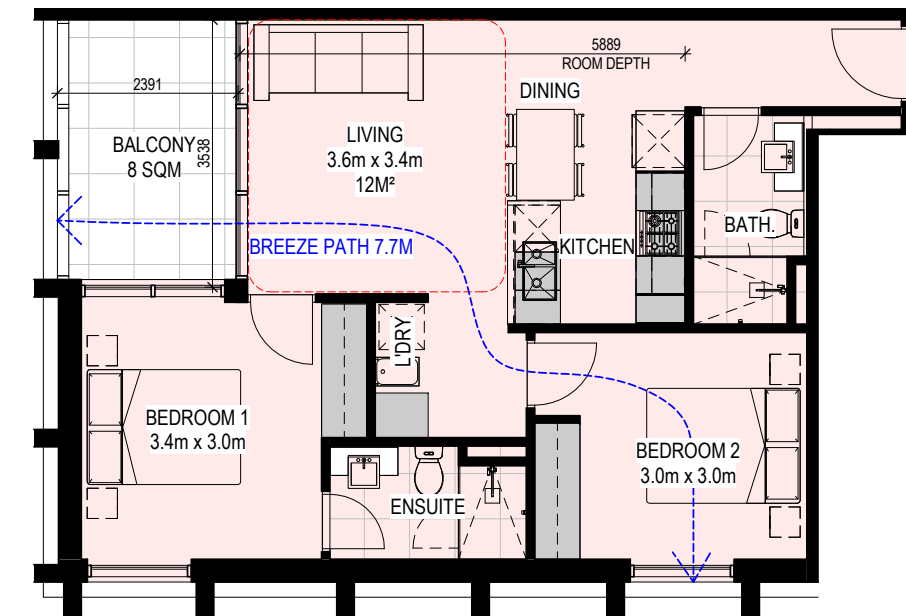
TYPE P
 2 BEDROOM APARTMENT
 INTERNAL AREA - 81M²
 BALCONY - 31M²
 INTERNAL STORAGE - 12M³
 OVERALL STORAGE - 18M³

1 INSTANCE



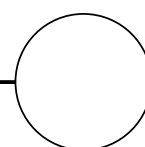
TYPE Q
 1 BEDROOM APARTMENT
 INTERNAL AREA - 51M²
 BALCONY - 8M²
 INTERNAL STORAGE - 7.2M³
 OVERALL STORAGE - 13.2M³

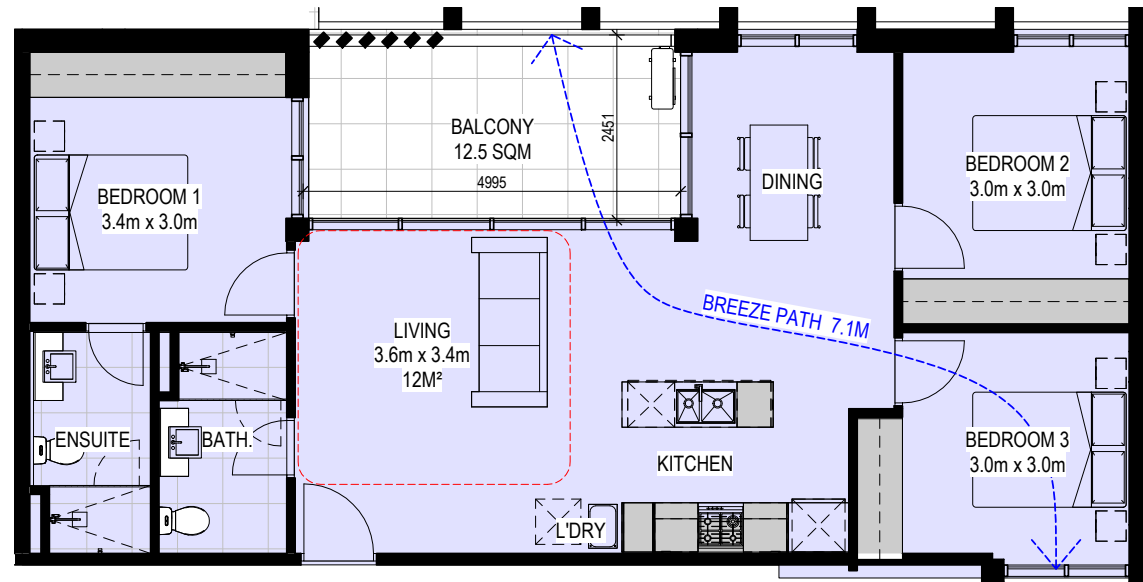
6 INSTANCES



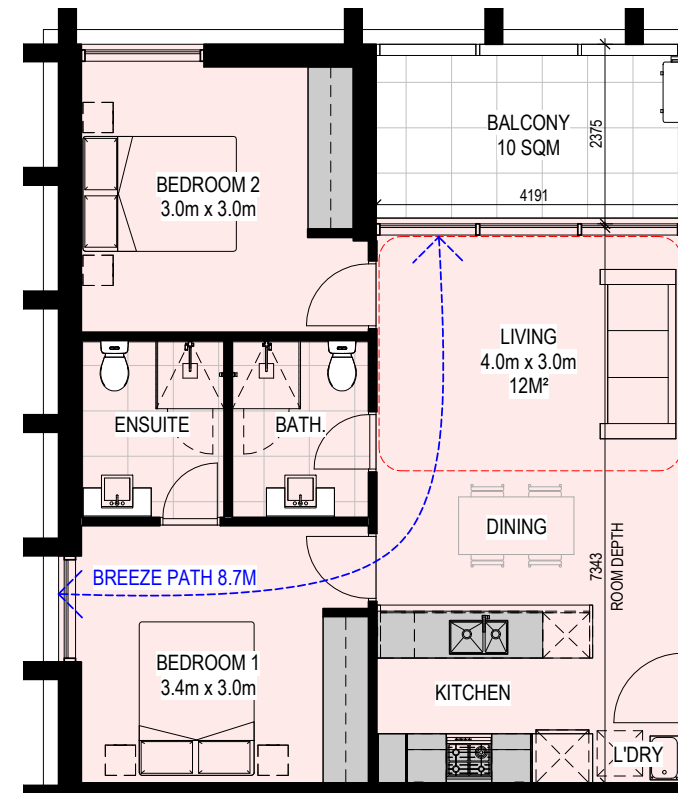
TYPE R
 2 BEDROOM APARTMENT
 INTERNAL AREA - 70M²
 BALCONY - 8M²
 INTERNAL STORAGE - 8.6M³
 OVERALL STORAGE - 14.6M³

6 INSTANCES

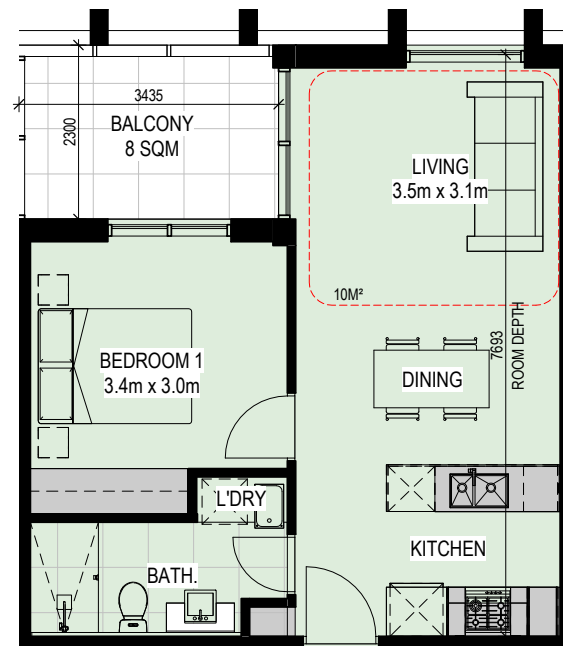




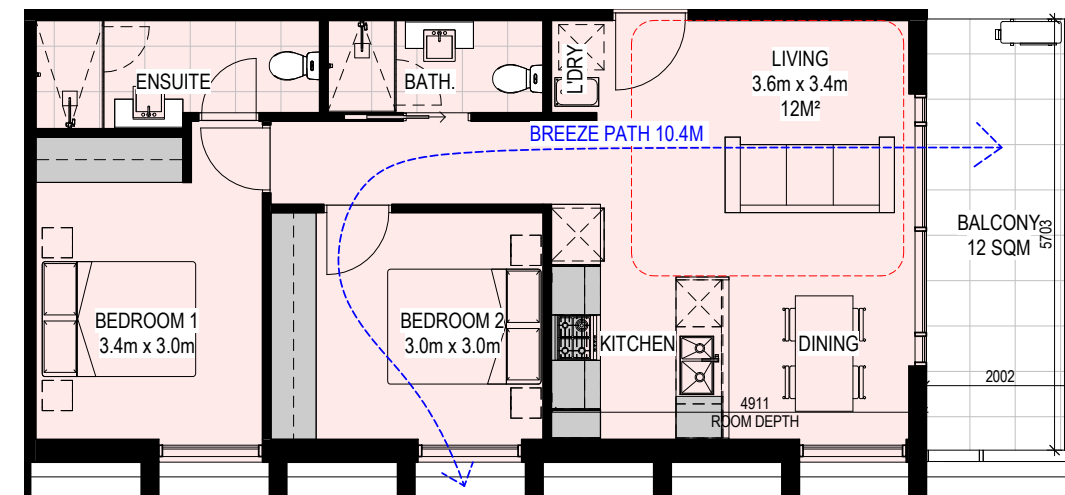
TYPE S 5 INSTANCES
 3 BEDROOM APARTMENT
 INTERNAL AREA - 94M²
 BALCONY - 12.5M²
 INTERNAL STORAGE - 15.4M³
 OVERALL STORAGE - 21.4M³



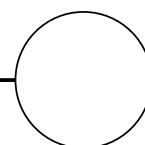
TYPE T 8 INSTANCES
 2 BEDROOM APARTMENT
 INTERNAL AREA - 74M²
 BALCONY - 10M²
 INTERNAL STORAGE - 9.3M³
 OVERALL STORAGE - 15.3M³

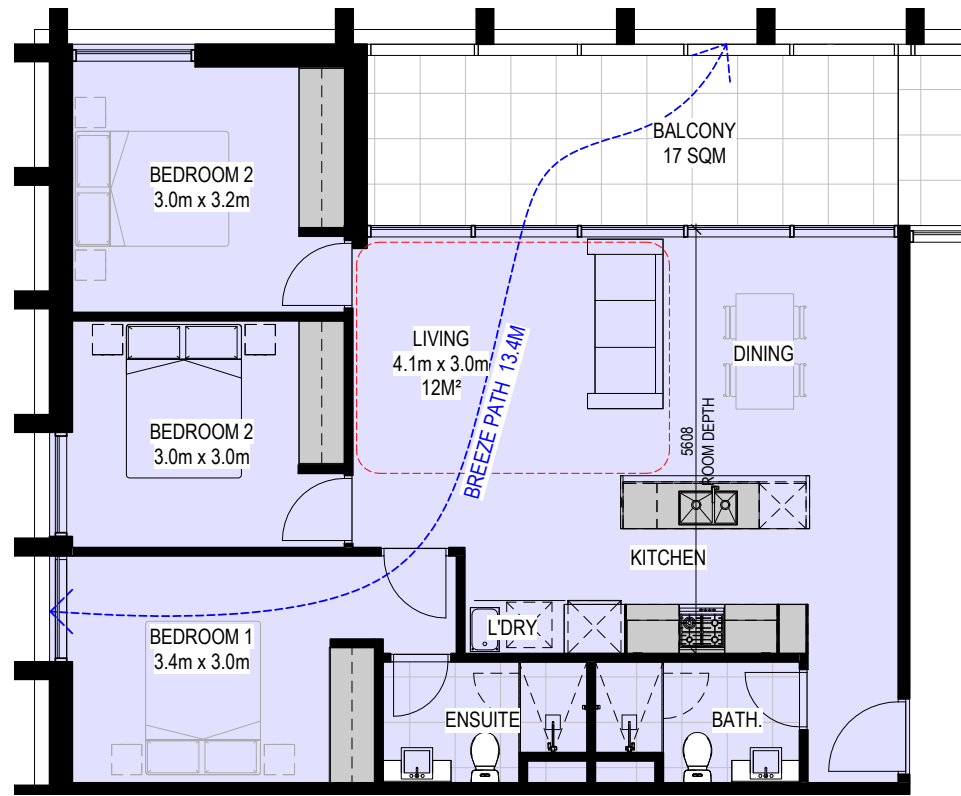


TYPE U 4 INSTANCES
 1 BEDROOM APARTMENT
 INTERNAL AREA - 50M²
 BALCONY - 8M²
 INTERNAL STORAGE - 6.0M³
 OVERALL STORAGE - 12.0M³



TYPE V 5 INSTANCES
 2 BEDROOM APARTMENT
 INTERNAL AREA - 70M²
 BALCONY - 12M²
 INTERNAL STORAGE - 10.1M³
 OVERALL STORAGE - 16.1M³

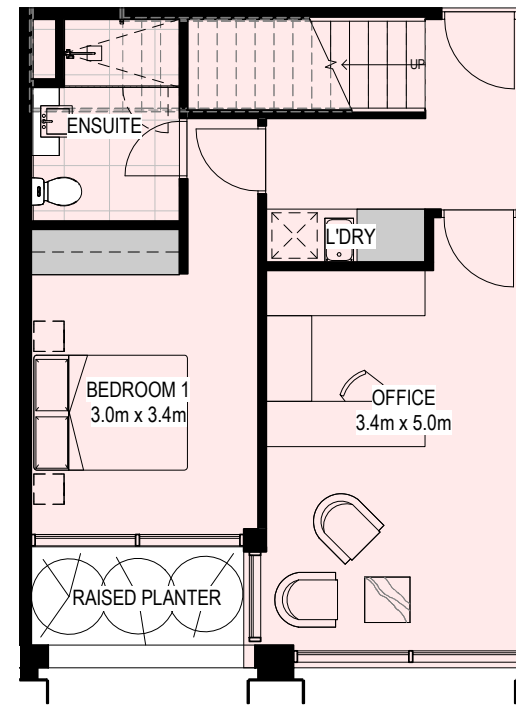




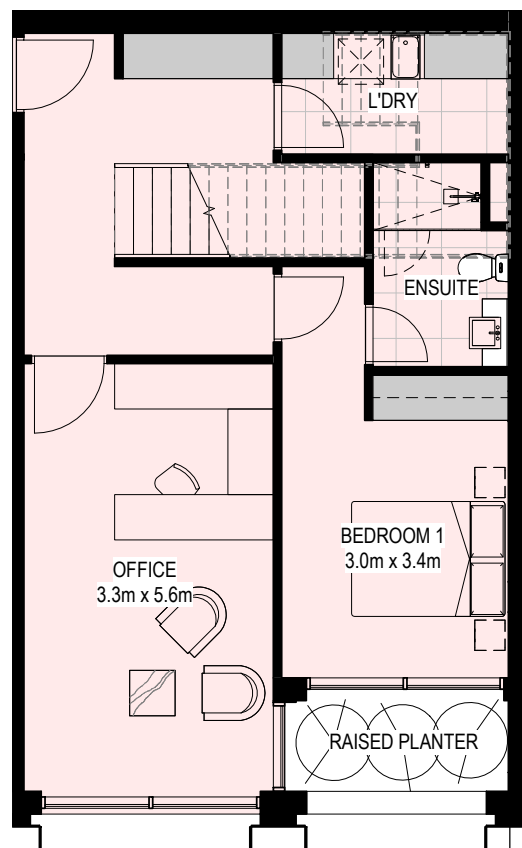
2 INSTANCES

TYPE W
3 BEDROOM APARTMENT
INTERNAL AREA - 96M²
BALCONY - 17.0M²
INTERNAL STORAGE - 12.3M³
OVERALL STORAGE - 18.3M³

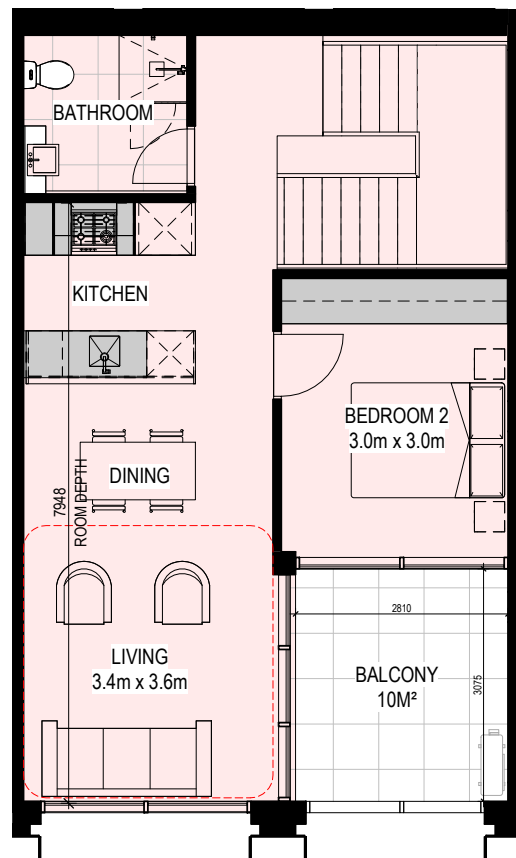
GROUND FLOOR



GROUND FLOOR



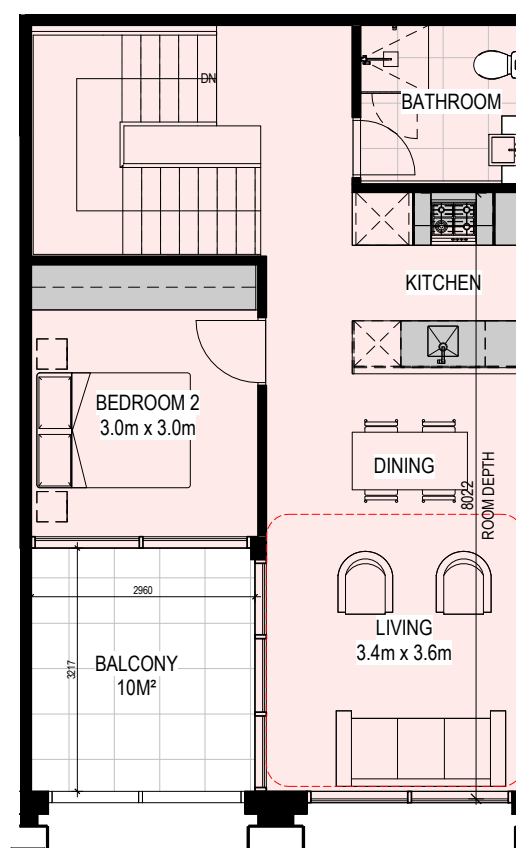
FIRST FLOOR



1 INSTANCE

TYPE Y
2 BEDROOM APARTMENT + OFFICE
INTERNAL AREA - 127M²
BALCONY - 10.0M²
INTERNAL STORAGE - 13.8M³
OVERALL STORAGE - 19.8M³

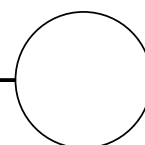
FIRST FLOOR

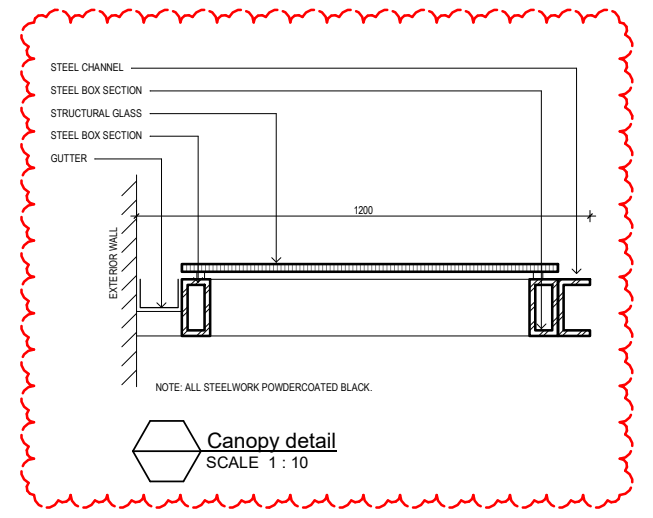


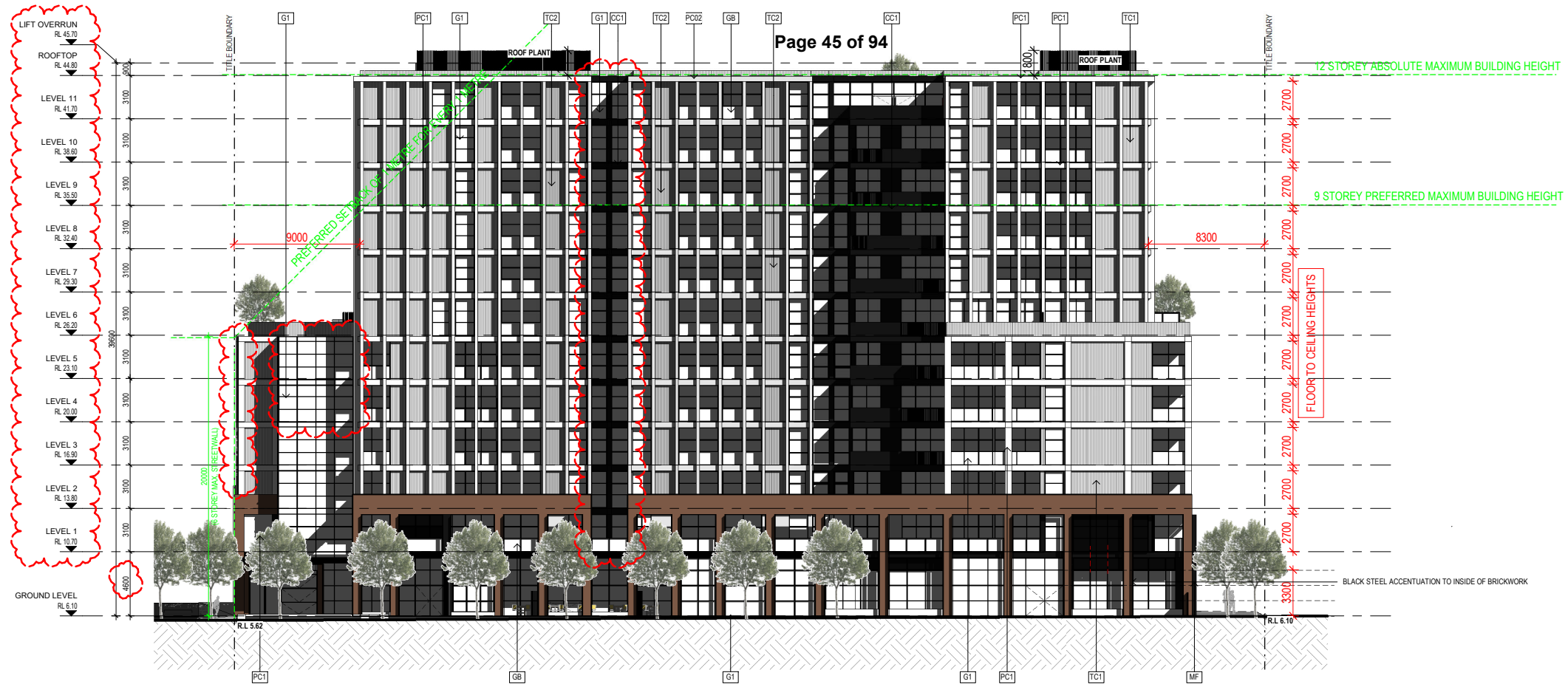
3 INSTANCES

TYPE X
2 BEDROOM APARTMENT + OFFICE
INTERNAL AREA - 114M²
BALCONY - 10.0M²
INTERNAL STORAGE - 10.7M³
OVERALL STORAGE - 16.7M³

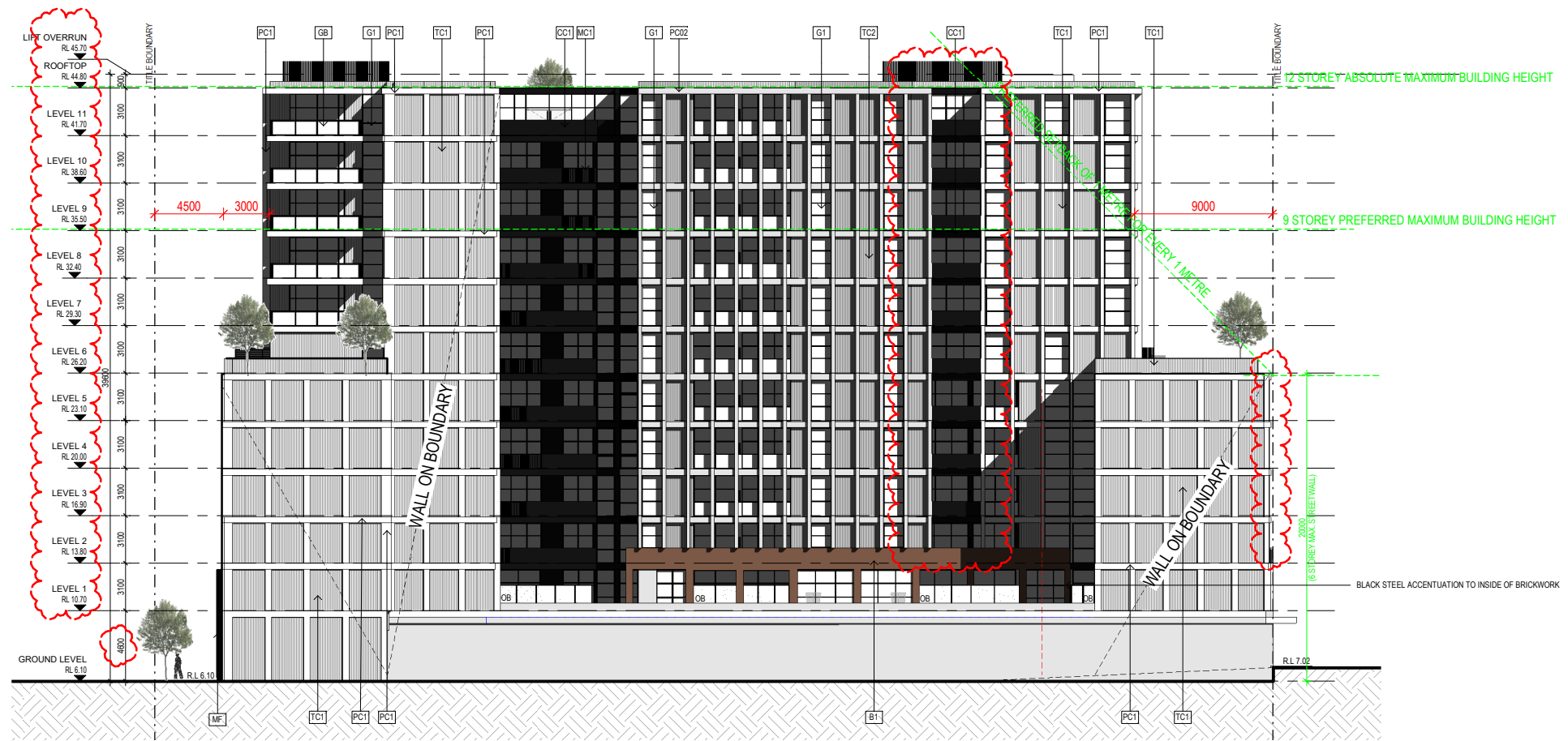
2 TYPE X - 2 BEDROOM + OFFICE
TP154 SCALE 1 : 50



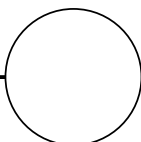


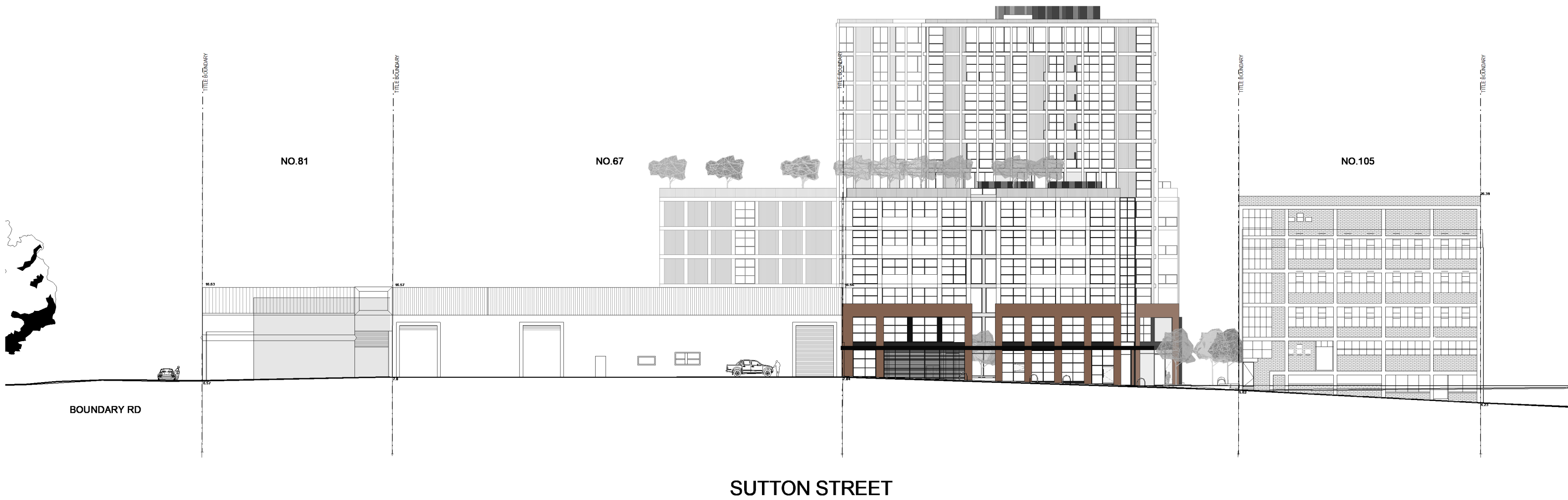


02 WEST ELEVATION
TP201 SCALE 1 : 200



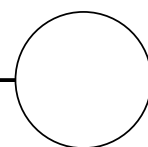
01 EAST ELEVATION
TP201 SCALE 1 : 200

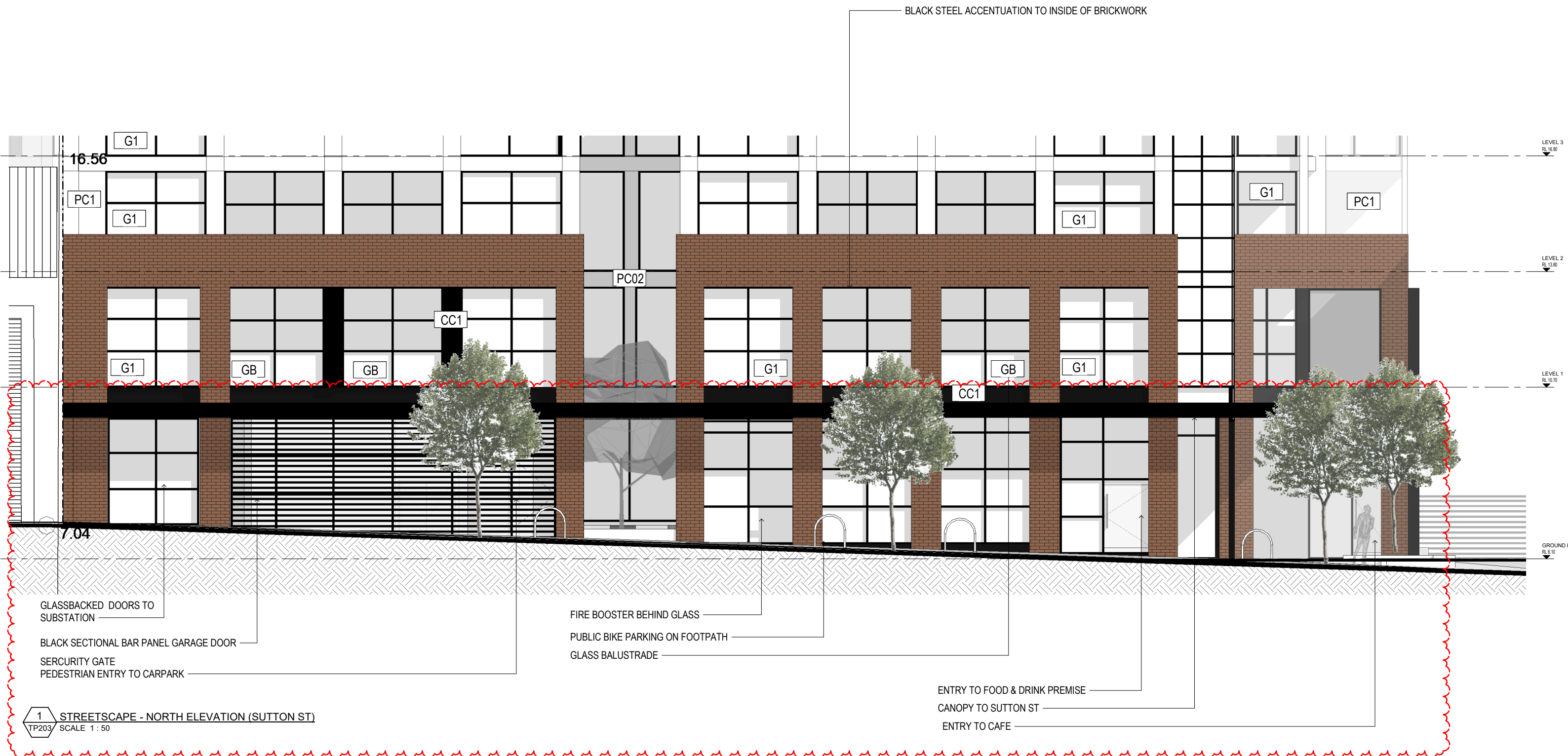




1 STREET ELEVATION (SUTTON ST)
TP202/ SCALE 1 : 200

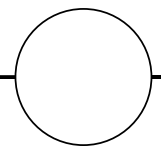
REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
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P3	DISCUSSION PLANS			01/07/2021





1 STREETScape - NORTH ELEVATION (SUTTON ST)
 TP203 SCALE 1 : 50

REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021





1 STREETScape - WEST ELEVATION
TP204 SCALE 1 : 50

FOLD UP DOOR
TO FOOD & DRINK PREMISE

APARTMENT ENTRY
WINDOW SEAT OUTSIDE CAFE

PUBLIC COVERED SEATING
/CO-WORKING BUSINESS CENTRE
OPERABLE FENCE, CLOSED
AFTER WORK HOURS

BLACK STEEL ACCENTUATION TO INSIDE OF BRICKWORK



2 STREETScape - WEST ELEVATION - 1
TP204 SCALE 1 : 50

OVERHEAD CATENARY
AMBIENT LIGHTING

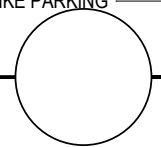
BIKE PARKING

APARTMENT ENTRY

INTERIM FENCE & GATE SECURING
SOUTHERN LANEWAY



REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
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P3	DISCUSSION PLANS			01/07/2021



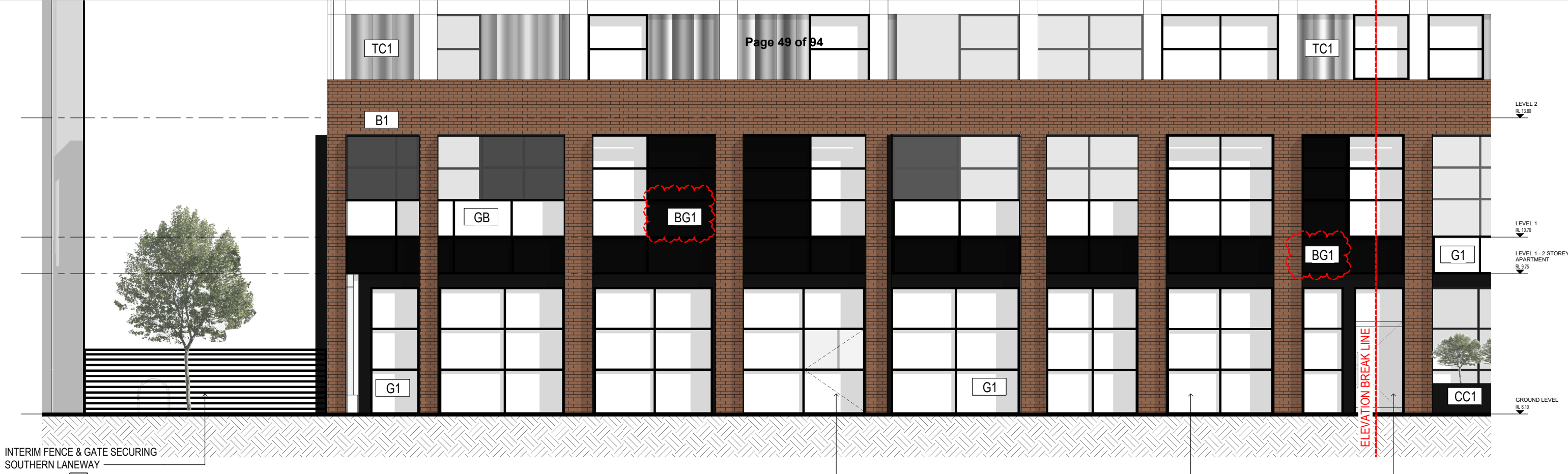
TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

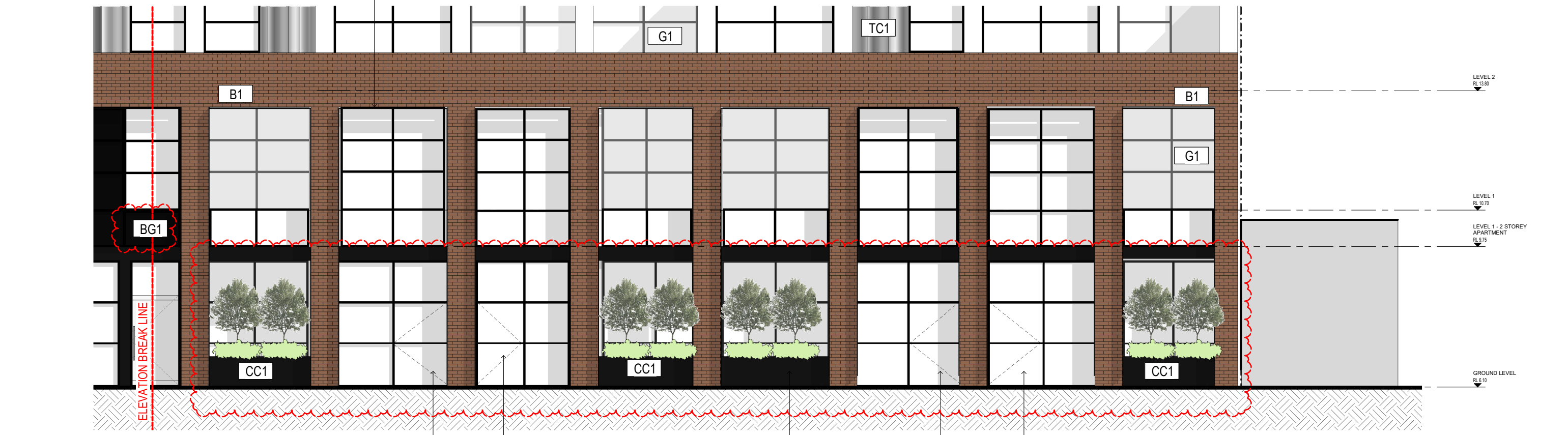
TITLE
STREETSCAPE
ELEVATIONS

DRAWN	SCALE	PLOT DATE	JOB No.
SD	1 : 50 @ A1	01/07/2021	1015
DWG No.		REVISION	
TP204		P3	

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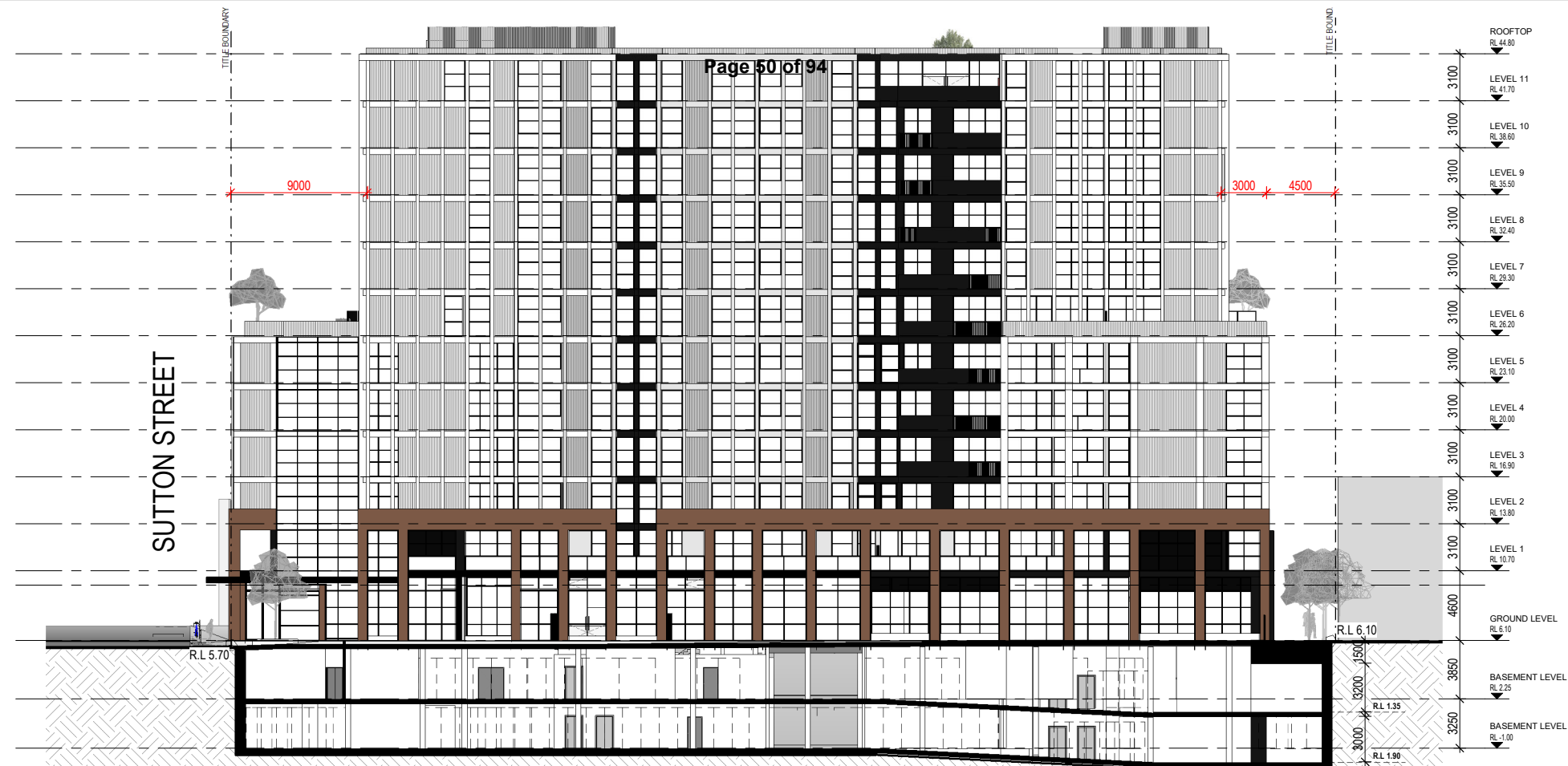


1 STREETScape - SOUTH ELEVATION
 TP205 SCALE 1 : 50



2 STREETScape - SOUTH ELEVATION - 1
 TP205 SCALE 1 : 50

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P1	RFI RESPONSE			22/10/2020
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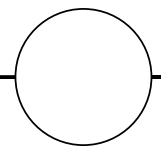


1 NORTH-SOUTH LANE SECTION
TP300 SCALE 1:200

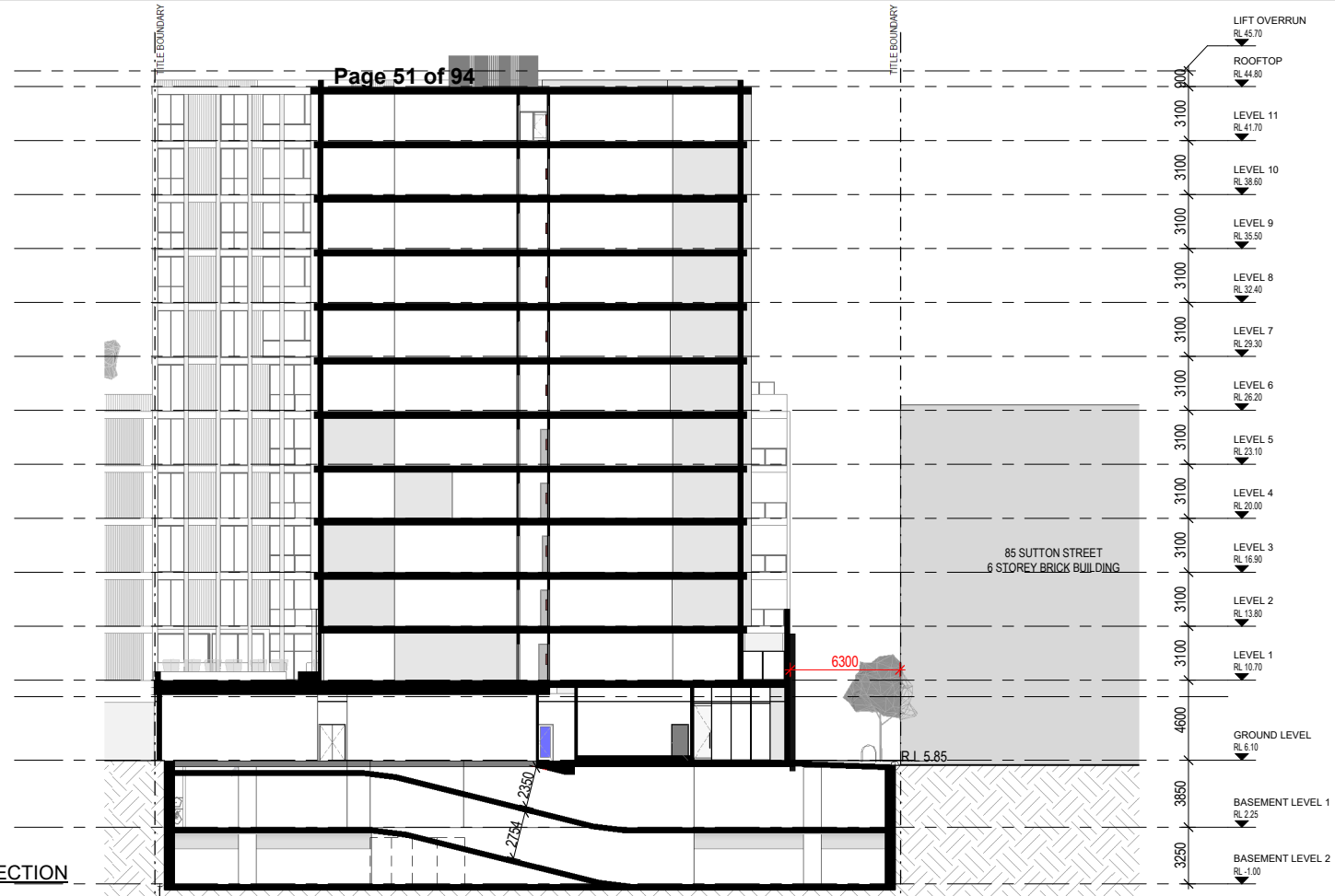


2 NORTH-SOUTH SECTION
TP300 SCALE 1:200

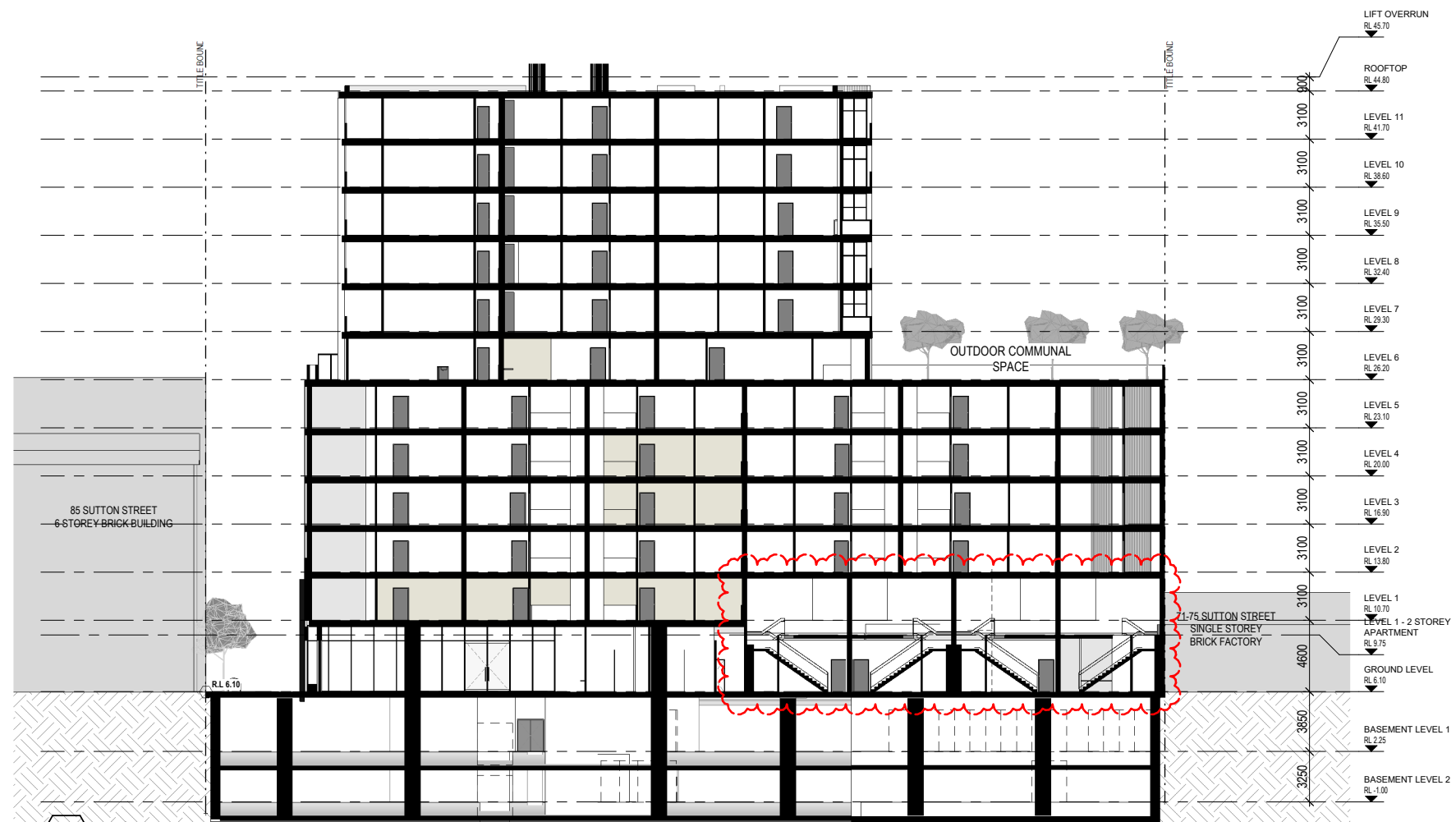
REV	DESCRIPTION	DRN	CHK	DATE
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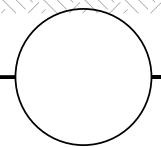
1 EAST-WEST SECTION
TP301 SCALE 1 : 200



2 EAST-WEST - SOUTH TOWER SECTION
TP301 SCALE 1 : 200



REV	DESCRIPTION	DRN	CHK	DATE
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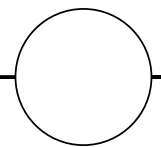
1 STREETScape SECTION
TP302 SCALE 1 : 50



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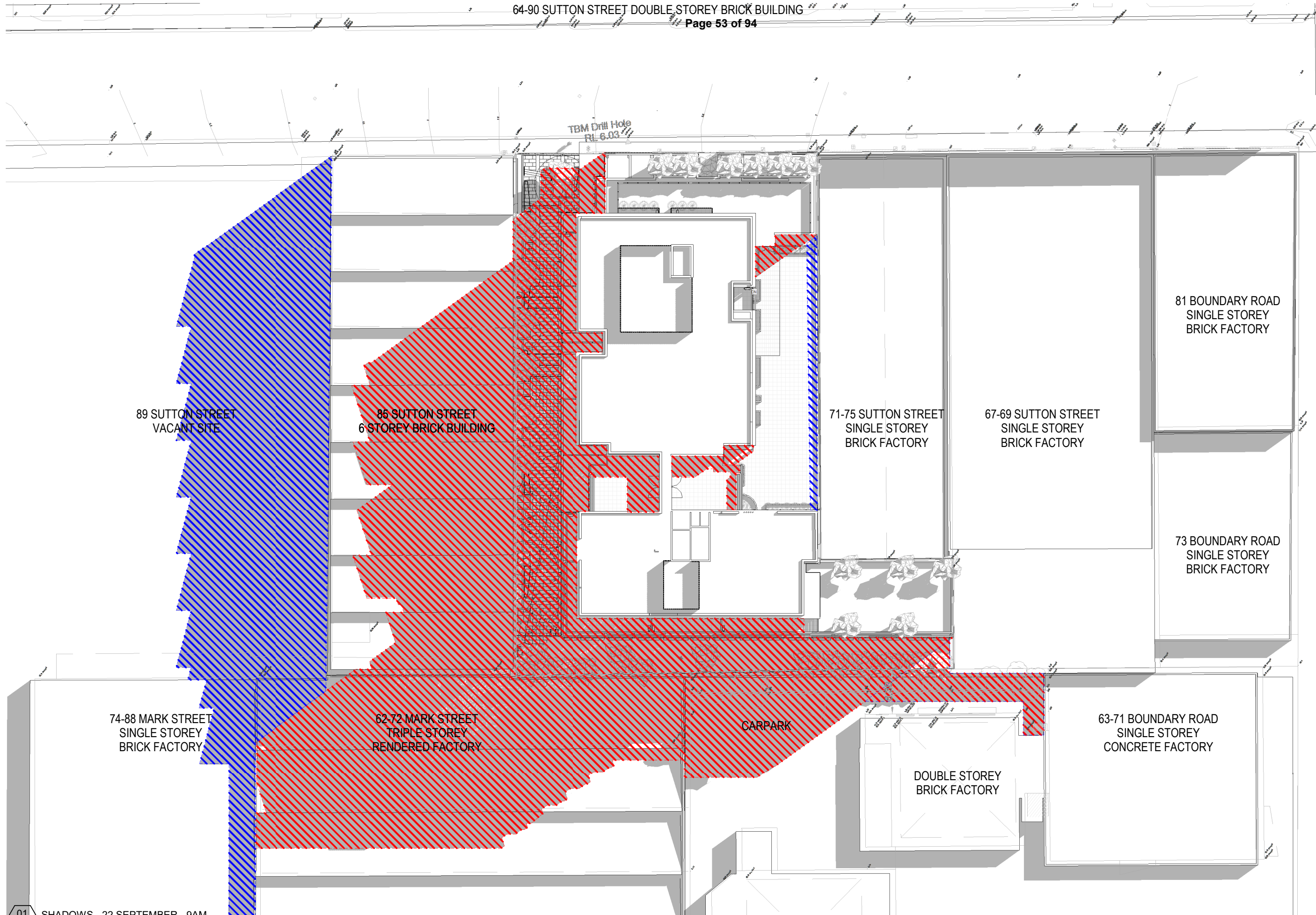


TOWN PLANNING

PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
77-83 SUTTON STREET NORTH MELBOURNE VIC 3051	STREETScape SECTION	SD	1 : 50 @ A1	01/07/2021	1015

DWG No. REVISION
TP302 P3

EXISTING NEIGHBOURING BUILDING SHADOW
 PROPOSED BUILDING SHADOW

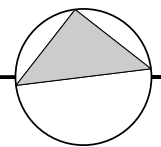


01 SHADOWS - 22 SEPTEMBER - 9AM
 TP400 SCALE 1 : 250

pointarchitects

545 King Street West Melbourne 3003 t : 93295988 f : 93294707 e : info@pointarc.com.au

REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22/10/2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021

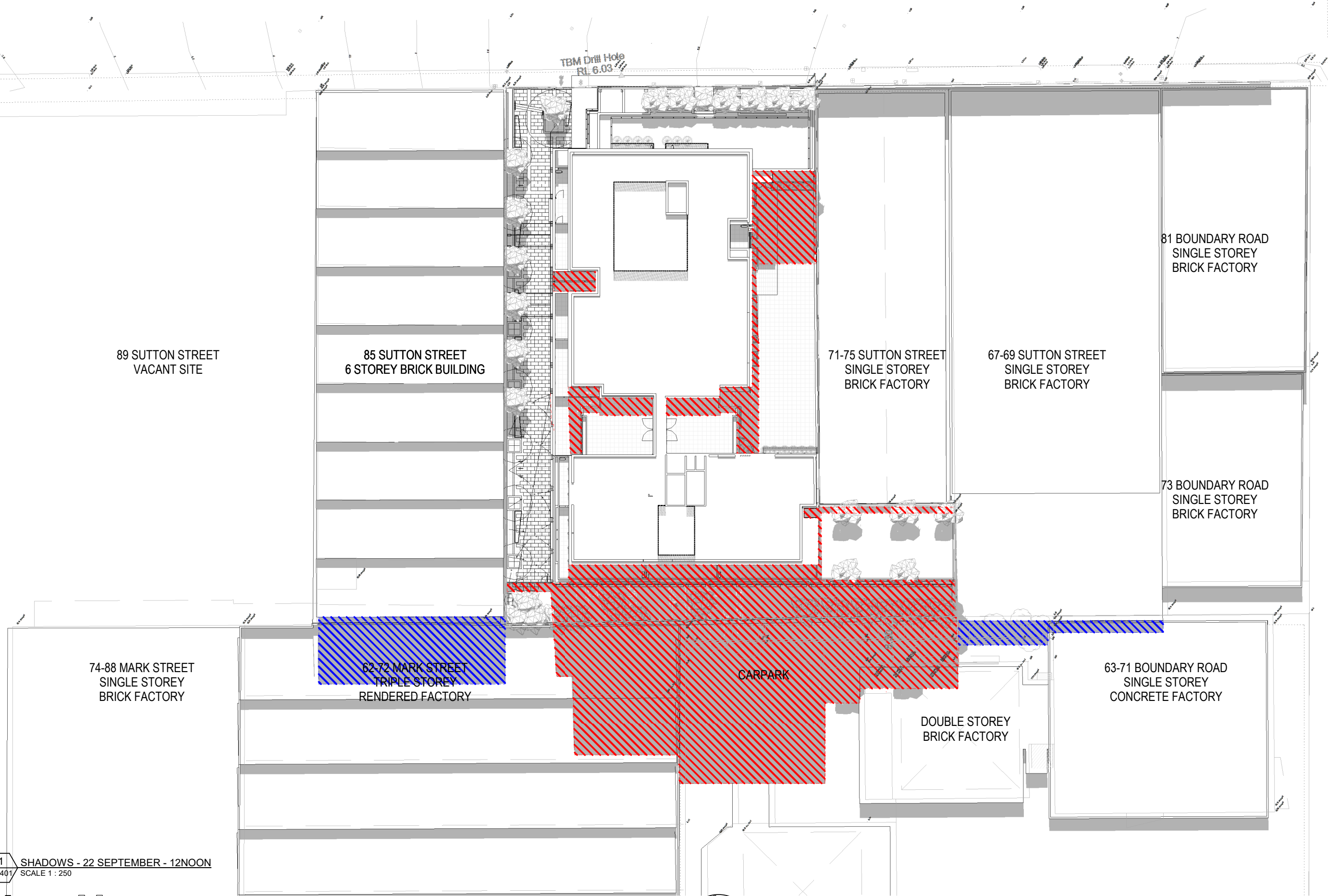


TOWN PLANNING

PROJECT	TITLE	DRAWN	SCALE	PLOT DATE	JOB No.
77-83 SUTTON STREET NORTH MELBOURNE VIC 3051	SHADOW DIAGRAMS 9AM	SD	As indicated @ A1	01/07/2021	1015

REVISION
 TP400 P3

EXISTING NEIGHBOURING BUILDING SHADOW
PROPOSED BUILDING SHADOW



89 SUTTON STREET
VACANT SITE

85 SUTTON STREET
6 STOREY BRICK BUILDING

71-75 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

67-69 SUTTON STREET
SINGLE STOREY
BRICK FACTORY

81 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

73 BOUNDARY ROAD
SINGLE STOREY
BRICK FACTORY

74-88 MARK STREET
SINGLE STOREY
BRICK FACTORY

62-72 MARK STREET
TRIPLE STOREY
RENDERED FACTORY

CARPARK

DOUBLE STOREY
BRICK FACTORY

63-71 BOUNDARY ROAD
SINGLE STOREY
CONCRETE FACTORY

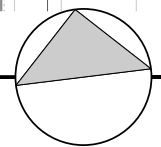
TBM Drill Hole
RL 6.03

1 SHADOWS - 22 SEPTEMBER - 12NOON
TP401 SCALE 1 : 250

pointarchitects

545 King Street West Melbourne 3003 t : 93295988 f : 93294707 e : info@pointarc.com.au

REV	DESCRIPTION	DRN	CHK	DATE
P1	RFI RESPONSE			22.10.2020
P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021



TOWN PLANNING

PROJECT
77-83 SUTTON STREET
NORTH MELBOURNE VIC 3051

TITLE
SHADOW DIAGRAM 12PM

DRAWN SCALE PLOT DATE JOB No.
SD As indicated 01/07/2021 1015

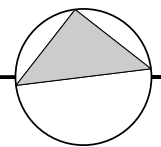
@ A1 DWG No. REVISION
TP401 P3

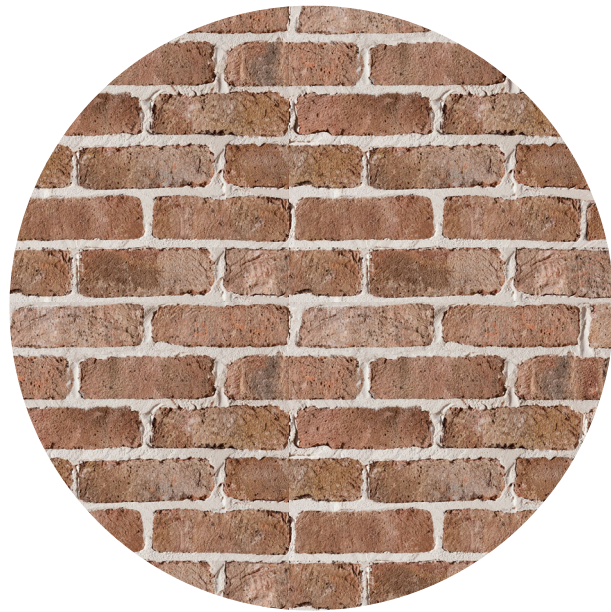
EXISTING NEIGHBOURING BUILDING SHADOW
 PROPOSED BUILDING SHADOW



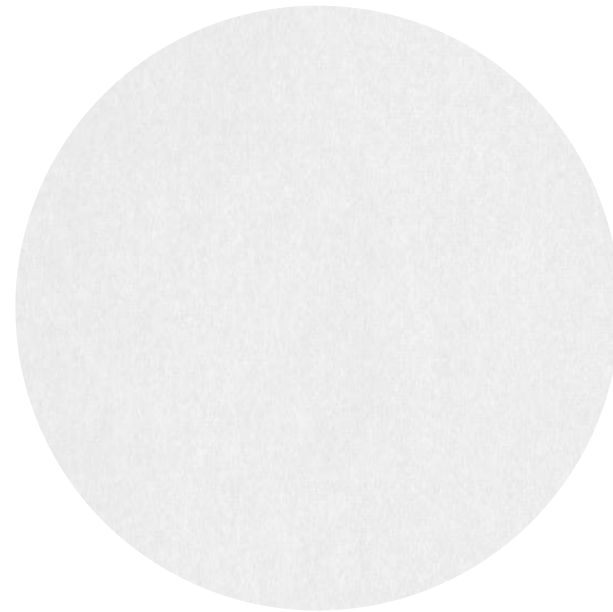
1 SHADOWS - 22 SEPTEMBER - 3PM
 TP402 SCALE 1 : 250

REV	DESCRIPTION	DRN	CHK	DATE
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P2	SECTION 50 AMENDMENT			23/02/2021
P3	DISCUSSION PLANS			01/07/2021

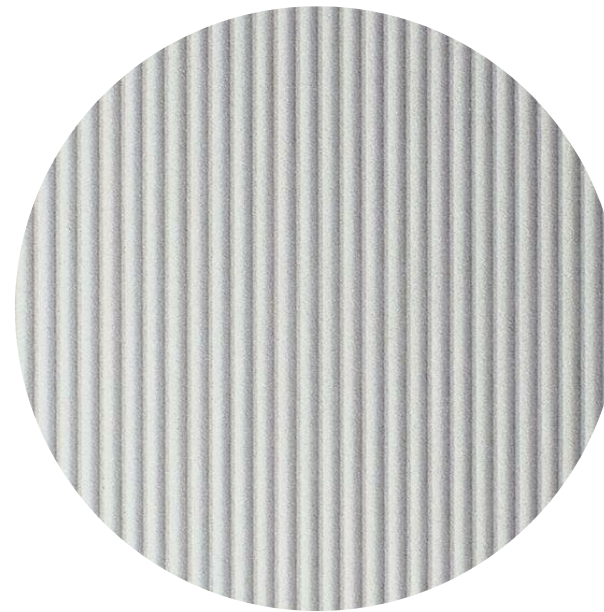




B1 BRICK FINISH
RED BRICK OR SIMILAR



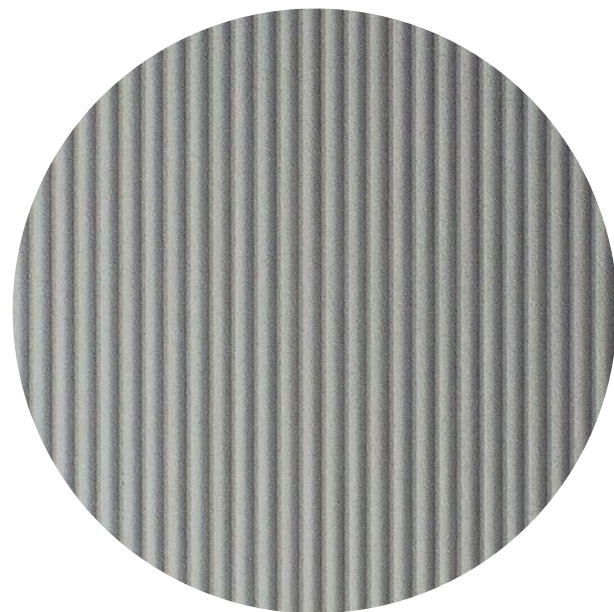
PC1 CONCRETE FINISH
BRIGHTONLITE PRECAST CONCRETE



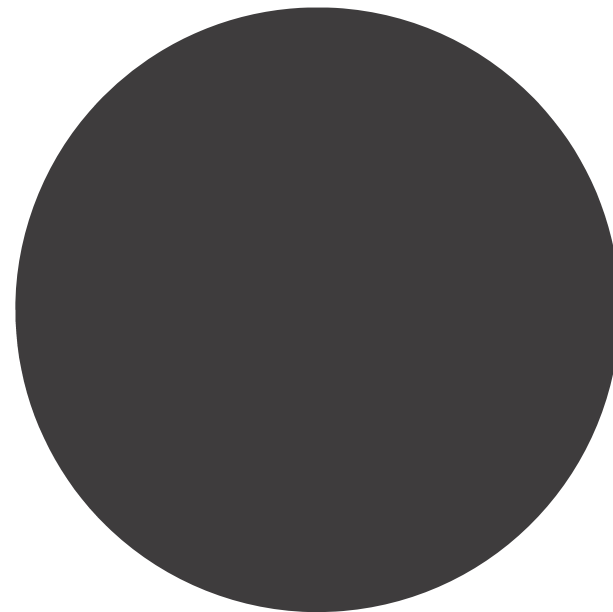
TC1 VERTICAL RIBBED PRECAST CONCRETE
BRIGHTONLITE CONCRETE



PC2 PRECAST CONCRETE
CONCRETE NATURAL FINISH OR SIMILAR



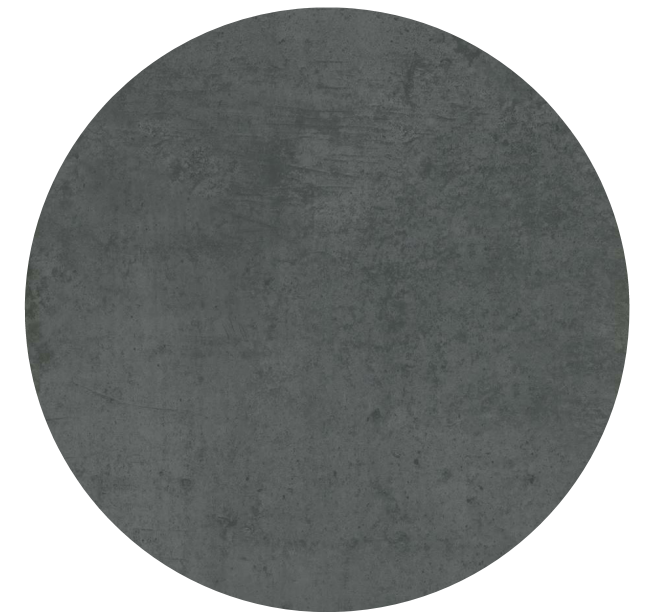
TC2 VERTICAL RIBBED PRECAST CONCRETE
CONCRETE NATURAL FINISH OR SIMILAR



MC1 METAL CLADDING
COLORBOND 'MONUMENT FINISH'

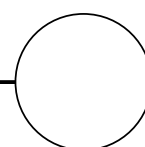


MF METAL FRAMING
COLOUR 'MONUMENT' OR SIMILAR



CC1 DARK GREY PIGMENTED CONCRETE

	<p>G1 GLAZED WINDOW FINISH_CLEAR</p>		<p>OP GLAZED WINDOW FINISH_OPAQUE</p>		<p>BG1 COLOUR BACKED GLASS FINISH_BLACK</p>		<p>WIN ALUMINIUM WINDOW FRAME_BLACK OR SIMILAR</p>		<p>GB GLASS BALUSTRADE FRAME_BLACK OR SIMILAR</p>
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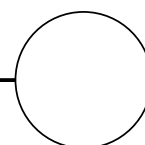
DEVELOPMENT SUMMARY	
SITE AREA:	3439.06 SQM APPROX
GROUND FLOOR: 4 X 2 STOREY, 2 BEDROOM +OFFICE	
LEVEL 1: 8 X 1 BEDROOM APARTMENTS 10 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENT	
LEVEL 2: 9 X 1 BEDROOM APARTMENTS 12 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENT	
LEVEL 3: 9 X 1 BEDROOM APARTMENTS 12 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENT	
LEVEL 4: 9 X 1 BEDROOM APARTMENTS 12 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENT	
LEVEL 5: 9 X 1 BEDROOM APARTMENTS 12 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENT	
LEVEL 6: 6 X 1 BEDROOM APARTMENTS 6 X 2 EDROOM APARTMENTS 3 X 3 BEDROOM APARTMENTS	
LEVEL 7: 7 X 1 BEDROOM APARTMENTS 8 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENTS	
LEVEL 8: 7 X 1 BEDROOM APARTMENTS 8 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENTS	
LEVEL 9: 7 X 1 BEDROOM APARTMENTS 8 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENTS	
LEVEL 10: 7 X 1 BEDROOM APARTMENTS 8 X 2 BEDROOM APARTMENTS 1 X 3 BEDROOM APARTMENTS	
LEVEL 11: 4 X 1 BEDROOM APARTMENTS 6 X 2 BEDROOM APARTMENTS 3 X 3 BEDROOM APARTMENTS	
OVERALL 203 APARTMENTS	4 X 2 BEDROOM + OFFICE 82 X 1 BEDROOM APARTMENTS 102 X 2 BEDROOM APARTMENTS 15 X 3 BEDROOM APARTMENTS

AREA ANALYSIS			
LEVEL	N.S.A	G.F.A (EX BALCONY)	BALCONY
BASEMENT 2		3308.74 SQM	
BASEMENT 1		3308.74 SQM	
GROUND FLOOR:	728.5 SQM	2507.2 SQM	
LEVEL 1:	1574 SQM	1838.5 SQM	388.4 SQM
LEVEL 2:	1547.9 SQM	1838.5 SQM	263.9 SQM
LEVEL 3:	1547.9 SQM	1838.5 SQM	261.0 SQM
LEVEL 4:	1547.9 SQM	1838.5 SQM	261.0 SQM
LEVEL 5:	1547.9 SQM	1838.5 SQM	261.0 SQM
LEVEL 6:	1127.9 SQM	1339.4 SQM	286.1 SQM
LEVEL 7:	1081.6 SQM	1293.0 SQM	169.8 SQM
LEVEL 8:	1081.6 SQM	1293.0 SQM	169.8 SQM
LEVEL 9:	1081.6 SQM	1293.0 SQM	169.8 SQM
LEVEL 10:	1081.6 SQM	1293.0 SQM	169.8 SQM
LEVEL 11:	957.2 SQM	1172.3 SQM	142.9 SQM
TOTAL (EX BASEMENT):	14905.6SQM	19383.4 SQM	2543.6 SQM
TOTAL (INC BASEMENT):		26000.8 SQM	

PARKING/STORAGE ANALYSIS			
LEVEL	CAR SPACES	BIKES	STORAGE
GROUND FLOOR	17	106	0
BASEMENT 1	98	116	106
BASEMENT 2	105	0	101
TOTAL:	220	222 (52 HORIZONTAL PARKING SPACES)	203 (6M ³ EACH)

ACCESSIBILITY	
TYPE	INSTANCES
TYPE A	37
TYPE C	5
TYPE E	22
TYPE F	5
TYPE G	20
TYPE I	4
TYPE J	13
TOTAL:	106 (52.2%)

CROSS VENTILATION	
TYPE	INSTANCES
TYPE A	5
TYPE B	5
TYPE F	5
TYPE L	5
TYPE O	2
TYPE P	1
TYPE R	6
TYPE S	5
TYPE T	8
TYPE V	5
TYPE W	2
TOTAL:	49 (24%)



DELEGATE REPORT

MINISTERIAL PLANNING REFERRAL

Application number:	TPM-2020-54
Applicant / Owner / Architect:	77-83 Sutton Street Pty Ltd / BEG Developments Pty Ltd / Point Architects
Address:	77-83 Sutton Street, North Melbourne
Proposal:	Construction of a twelve-storey buildings plus basements and a reduction of car parking requirements
Cost of works:	\$45,000,000
Date received by City of Melbourne:	1 July 2020
Responsible officer:	Marjorie Kennedy, Manager Statutory Planning

1 SUBJECT SITE AND SURROUNDS

1.1 Subject site

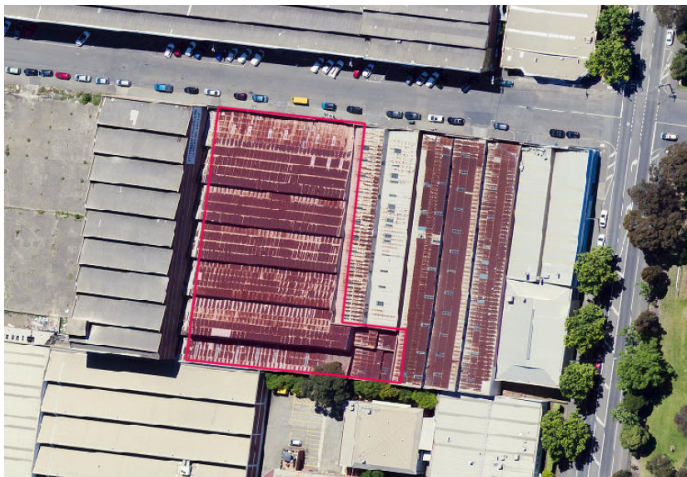
The subject site is 77-83 Sutton Street, North Melbourne. The site is formally described as Lot 1 on Plan of Subdivision 334304R

The subject site is affected by party wall easements along eastern the side boundaries (E-1).

The site is an irregular 'L' shape with a 42.55m frontage to Sutton Street, a depth of 73.73m and a total area of approximately 3439m². The land slopes from east to west.

The site is occupied by single storey brick warehouse with a sawtooth roof that occupies the entire site.

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



Above: Aerial Image (Source: COMPASS)



Above: Aerial Image (Source: Urban Context Report prepared by Tract)

1.2 Adjoining properties

85-89 Sutton Street

85-89 Sutton Street is located to the west of the subject site. The Site is developed with a six storey warehouse with at grade car parking to the west. The building is graded significant in the Heritage Places Inventory February 2020 Part A (Amended May 2021).



Above: Photograph of 85-89 Sutton Street, North Melbourne

67 and 73 Sutton Street

67 and 73 Sutton Street are located to the east of the subject site. Each are developed with a single storey warehouse, built to all boundaries of the site.



Above: Photograph of 67 and 73 Sutton Street, North Melbourne

62-72 Mark Street

62-72 Mark Street is located to the south of the site. It is developed with a three-storey building which is currently being used as a place of assembly (church).

63-71 Boundary Road

63-71 Boundary Road is located to the south of the site. It is developed with 5 two storey buildings and at grade car parking. The site is currently used for offices and warehouses.

1.3 Surrounds

The site is located within the Arden-Macaulay Urban Renewal Area and is identified for built form change. The surrounding area includes a mix of industrial, commercial and residential land uses.

The industrial and commercial sites range in size but are predominately developed with one and two-storey built form with high site coverage.

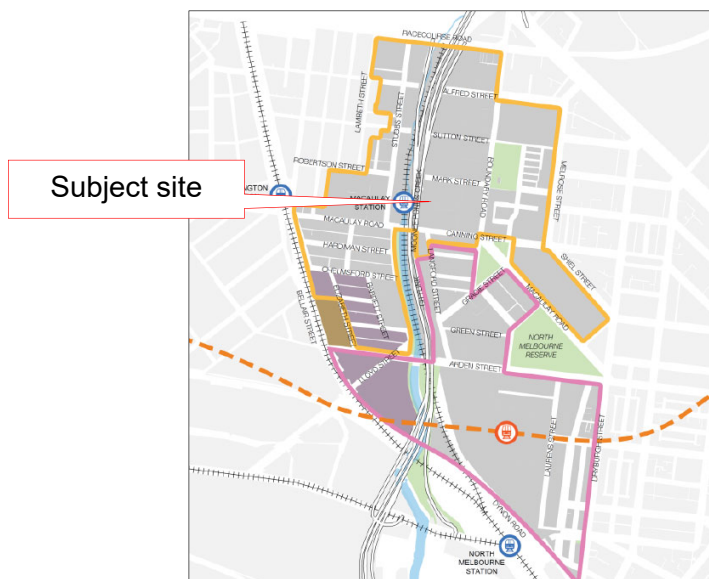
The residential properties also range in size, including a mix of single dwellings and larger apartment buildings.

Recent approvals for higher density mixed use and residential development include:

- 139-149 Boundary Road, North Melbourne (12 storeys)
- 87-105 Racecourse Road, North Melbourne (12 storeys)
- 68-102 Alfred Street, North Melbourne (12 storeys)
- 103-105, 107-109, 115-117 Boundary Road and part of 59-101 Alfred Street, North Melbourne (two 12 storey buildings)
- 39 Racecourse Road, North Melbourne (9 storeys)
- 179 Boundary Road, North Melbourne (9 storeys)

The site is located approximately 600m from Flemington Bridge Train Station, 600m from Macaulay Train Station, 450m from Tram Route 57 on Racecourse Road and 650m from Tram Route 59 on Flemington Road.

To the west, beneath CityLink, is the Moonee Ponds Creek and Capital City Trail.



Above: Arden Macaulay Map (Source: Clause 21.14)

2 BACKGROUND AND HISTORY

The plans originally referred to the City of Melbourne for comment were received on 1 July 2020.

On 2 June 2021, City of Melbourne was served with a copy of an application for review by the permit applicant under Section 79 of the Planning and Environment Act 1987 (failure to determine).

Following the lodgement of the failure appeal, Council Officers provided the outstanding issues with the proposal to the permit applicant. In response to these issues, discussion plans were circulated on 1 July 2021.

The plans incorporated changes in response to the issues raised by Council as follows:

- Services shown on the ground level plan and 1:20 elevations to show architectural treatment;
- Introduction of two storey apartments adjacent to the proposed southern laneway;
- Improved internal amenity to Apartments 108, 109, 115, 116, Apartment 114 and above and apartment 711 and above;
- Removal of the eroded edge on the north eastern edge of the podium;
- Improved architectural detailing and quality of materials; and
- Creation of dark vertical breaks on the eastern and western elevations.

The matter has been listed for a Compulsory Conference on 6 August 2021.

This report outlines Council's assessment and recommendation to the Minister for Planning prior to the Compulsory Conference, had the Minister for Planning been in a position to issue a decision on the application and Council's position for the Compulsory Conference.

2.1 Pre-application discussions

Pre-application meetings were held prior to lodgement. Officers raised a number of concerns, including the internal amenity, design response to DDO63 and the demonstrable benefits to the broader community to justify the absolute maximum height in DDO63, amongst other things.

2.2 Surrounding area planning application history

The following applications are relevant to the site and surrounds.

Address	Application	Description	Decision
103-105, 107-109, 115-117 Boundary Road and part of 59-101 Alfred Street, North Melbourne	TPM-2019-22	Construction of two twelve-storey buildings plus basements and rooftops, including shop, office and food and drink uses, a reduction of car parking requirements and alterations to a road in a Road Zone, Category 1	Permit 23 June 2020
59-101 Alfred Street, North Melbourne	TPM-2019-28	Construction of multiple multi-storey buildings, including office, residential hotel, place of assembly, food and drink premises, retail premises and education	Permit 23 June 2020

		centre uses, and a reduction of car parking requirements	
87-105 Racecourse Road, North Melbourne	TP-2019-196	Buildings and works for a multi-storey mixed-use building including dwellings, serviced apartments, gym, office and arts and crafts centre, create or alter access to a Road Zone Category 1, and a reduction of car parking requirements	Permit 13 July 2020
68-102 Alfred Street, North Melbourne	TPM-2020-1	Construction of multiple multi-storey buildings, including dwellings, retail premises, child care and office, and a reduction of car parking requirements	Permit 2 Feb 2021
91 Boundary Road, North Melbourne	TP-2010-714	Change of use to place of assembly, worship and community centre, and a reduction of car parking requirements	Permit 17 March 2011
139-149 Boundary Road, North Melbourne	TPM-2020-2	Construction of multiple multi-storey buildings, including dwellings and retail premises, and alterations to a road in a Road Zone, Category 1	Permit 1 December 2020
70-82 Racecourse Road, North Melbourne	MV-15480-2002/A	Buildings and works for construction of an office building, reduction of car parking requirements and alterations to a road in a Road Zone Category 1	Permit 27/11/2006
179 Boundary Road, North Melbourne	MV-18744-2007	Construction of a nine storey residential building with basement, reduction of car parking requirements and alterations to a road in a Road Zone Category 1	Permit 23/4/2008
39 Racecourse Road, North Melbourne	TP-2012-452	Demolition of the existing building and construction of a multi-level mixed-use building, use of the land for food and drink premises and dwellings, reduction of car parking requirements, waiver of loading requirement, and alterations to a road in a Road Zone Category 1	Permit 21/12/2012

3 PROPOSAL

3.1 Plans / Reports considered in assessment

The plans which have been considered in this assessment are identified in Table 1 below:

Table 1: Plans / Reports considered in assessment		
Plan / Report Title	Drawing / Report Author	Drawing / Report Date
Architectural Drawings	Point Architecture	1 July 2021
Urban Context Report	Tract	7 October 2020
Landscape Plan	Tract	8 October 2020
Traffic Impact Assessment Report	One Mile Grid	8 October 2020
Desktop Environmental Wind Assessment	ViPac	11 February 2021
Waste Management Plan	One Mil Grid	8 October 2020
Sustainability Management Plan	Ark Resources	27 October 2020
Acoustic Report	Acoustic Logic	6 October 2020
Preliminary Site Investigation	Alliance EPM	10 February 2020

Details of the proposal can be summarised as follows.

Building height	Maximum overall height (lift overrun) RL 45.70 / 39.6 m Level 11 roof RL 44.80 / 38.7 m
Podium height	RL 26.20 / 20.1m
Ground floor setbacks	Sutton Street – On boundary West: 11.1 – 6.5m East: On boundary South: 4.5 – 5.1m
Podium setbacks	Sutton Street – On boundary West: 11.1 – 6.5m East: 0 – 9.4m South: 4.5 – 5.1m
Above podium setbacks	Sutton Street – 9m West: 9m East: 0 - 9.4m South: 7.7 – 8.3m

Ground floor uses	Food and drinks premises: 110sqm Café: 18sqm Co-Working centre: 128sqm Communal areas (kitchen, games room, SIM golf and cinema) Communal Gym: 213sqm
Apartment typologies	4 x 2 bedroom townhouse with home office 82 x 1 bedroom apartments 102 x 2 bedroom apartments 15 x 3 bedroom apartments Total: 203 dwellings
Communal open space	Level 1: 350sqm Level 6: 217sqm and 170sqm Level 11: 150sqm
Publicly accessible pedestrian link	Provision of a pedestrian link along the western boundary of the site, a minimum of 6.5m and maximum 12m, clear to the sky for a minimum of 6.3m. Provision of pedestrian link (future laneway) along the southern boundary, 4.5 – 5.1m in width.
Car parking and services	220 car spaces 222 bicycle spaces 203 stores (6m ³ each)

4 STATUTORY CONTROLS

The following provisions of the Melbourne Planning Scheme apply to the application.

Planning Policy Framework	Clause 11 – Settlement Clause 13 – Environmental Risks and Amenity Clause 15 – Built Environment and Heritage Clause 16 – Housing Clause 17 – Economic Development Clause 18 – Transport Clause 19 – Infrastructure
Municipal Strategic Statement	Clause 21.02 – Municipal Profile Clause 21.03 – Vision Clause 21.04 – Settlement

	<p>Clause 21.06 – Built Environment and Heritage</p> <p>Clause 21.07 – Housing</p> <p>Clause 21.08 – Economic Development</p> <p>Clause 21.09 – Transport</p> <p>Clause 21.10 – Infrastructure</p> <p>Clause 21.16 – Proposed Urban Renewal Areas (Arden-Macaulay)</p>
Local Planning Policies	<p>Clause 22.17 – Urban Design outside the Capital City Zone</p> <p>Clause 22.19 – Energy, Water and Waste Efficiency</p> <p>Clause 22.23 – Stormwater Management</p>

Statutory Controls													
<p>Clause 32.04</p> <p>Mixed Use Zone</p>	<p>A permit is required to construct two or more dwellings on a lot and residential buildings. An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.</p> <p>It is noted that the permit applicant has not sought permission for use of the land as an indoor recreational facility (gym), therefore the gym is ancillary to the dwellings and not for public use.</p>												
<p>Clause 43.02</p> <p>Design and Development Overlay</p> <p>Schedule 26</p>	<p>North Melbourne, West Melbourne and Arden Macaulay Noise Attenuation Area</p> <p>A permit is required for buildings and works associated with new, refurbished or converted developments for noise sensitive uses.</p> <p>The provisions of this schedule relate to building design and pre-construction noise measurement, and verification testing.</p>												
<p>Clause 43.02</p> <p>Design and Development Overlay</p> <p>Schedule 63-A7</p>	<p>Macaulay Urban Renewal Area Kensington and North Melbourne</p> <p>A permit is required to construct a building or construct or carry out works.</p> <p>The provisions of this schedule relate to building height, street wall height, upper level setbacks, active street frontages, weather protection and façade treatment, connectivity and laneways, and heritage.</p>												
<p>Clause 43.02</p> <p>Design and Development Overlay</p> <p>Schedule 66</p>	<p>Hospital emergency medical services helicopter flight path protection (outer area)</p> <p>A permit is required to construct a building or to construct or carry out works that would result in the height of the building or works being greater than the referral height specified in Table 1.</p> <p>Table 1 to DDO66: Helicopter Landing Site Elevations</p> <table border="1"> <thead> <tr> <th>Helicopter landing site</th> <th>Helipad height (AHD)</th> <th>Referral height (AHD)</th> </tr> </thead> <tbody> <tr> <td>Alfred Hospital</td> <td>15.7m</td> <td>25.7m</td> </tr> <tr> <td>Royal Children's Hospital</td> <td>62.4m</td> <td>72.4m</td> </tr> <tr> <td>Royal Melbourne Hospital</td> <td>67.3m</td> <td>77.3m</td> </tr> </tbody> </table>	Helicopter landing site	Helipad height (AHD)	Referral height (AHD)	Alfred Hospital	15.7m	25.7m	Royal Children's Hospital	62.4m	72.4m	Royal Melbourne Hospital	67.3m	77.3m
Helicopter landing site	Helipad height (AHD)	Referral height (AHD)											
Alfred Hospital	15.7m	25.7m											
Royal Children's Hospital	62.4m	72.4m											
Royal Melbourne Hospital	67.3m	77.3m											

	<p>The site is in proximity to the Royal Children's Hospital and the Royal Melbourne Hospital.</p> <p>The proposal has an overall height less than the height control, therefore no planning permit is required.</p>
<p>Clause 45.06 Development Contributions Plan Overlay Schedule 2</p>	<p>A permit may be granted to construct a building or construct and carry out works before a development contributions plan has been prepared to the satisfaction of the Responsible Authority if any of the following apply:</p> <ul style="list-style-type: none"> • 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.
<p>Clause 45.03 Environmental Audit Overlay</p>	<p>Before a sensitive use (residential, childcare centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:</p> <ul style="list-style-type: none"> • A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or • An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Particular Provisions	
<p>Clause 52.06 Car Parking</p>	<p>The site is located within the Principal Public Transport Network. The car parking requirements are set out below.</p> <p>Dwelling:</p> <ul style="list-style-type: none"> • 1 space to each one or two bedroom dwelling • 2 spaces to each three or more bedroom dwelling <p>Shop, food and drink premises:</p> <ul style="list-style-type: none"> • 3.5 spaces to each 100m² of leasable floor area <p>Office:</p> <ul style="list-style-type: none"> • 3.5 spaces to each 100m² of net floor area <p>Gym: Car parking to the satisfaction of the RA</p> <p>The development provides 220 car spaces</p> <p>The development generates a car parking requirement of:</p> <ul style="list-style-type: none"> • 82 spaces (one bedroom) • 106 spaces (two bedroom) • 30 spaces (three bedroom) • 3 spaces (128sqm co-working office space) • 3 spaces (110sqm food and drinks)

	<p>The proposal provides:</p> <ul style="list-style-type: none"> • 80 spaces (one bedroom) • 106 spaces (two bedroom) • 30 spaces (three bedroom) • 3 spaces (food and drinks premises) • 1 space (café) <p>This results in a reduction in the standard car parking requirement of two one-bedroom apartments and 3 spaces for the office.</p>
<p>Clause 52.34 Bicycle Facilities</p>	<p>The bicycle parking requirements are set out below.</p> <p>Dwelling, in developments of four or more storeys:</p> <ul style="list-style-type: none"> • 1 resident space to each 5 dwellings • 1 visitor space to each 10 dwellings <p>The development generates a bicycle parking requirement of 60 spaces, including:</p> <ul style="list-style-type: none"> • 40 spaces for residents • 20 spaces for visitors <p>The development provides 222 bicycle spaces which exceeds the requirement of the Scheme.</p>
<p>Clause 58 Apartment Developments</p>	<p>A development must meet all of the objectives and should meet all of the standards of this clause that apply to the application.</p>

General Provisions	
<p>Clause 72.01 Responsible Authority for this Planning Scheme</p>	<p>The Minister for Planning is the responsible authority for this application as the gross floor area (GFA) of the development exceeds 25,000m².</p> <p>The Minister for Planning has informally referred the application to Melbourne City Council as an interested party, seeking Council's recommendation on the application, including recommended permit conditions.</p>
<p>Clause 65 Decision Guidelines</p>	<p>The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause, which include the matters set out in Section 60 of the Planning and Environment Act 1987.</p>
<p>Clause 66.02 Use and Development Referrals</p>	<p>The Minister for Planning is responsible for referrals of the kind listed in Clause 66.02-11 (Integrated Public Transport Planning).</p>
<p>Clause 66.03 Referral of Permit Applications under other State Standard Provisions</p>	<p>The Minister for Planning is responsible for referrals of the kind listed in Clause 66.03 (Clause 45.07-6 and Clause 52.29).</p>

Clause 66.04 Referral of Permit Applications under Local Provisions	The Minister for Planning is responsible for referrals of the kind listed in Clause 66.04 (Clause 52.03).
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5 PUBLIC NOTIFICATION

The Minister for Planning has informally referred the application to Melbourne City Council as an interested party, seeking Council's recommendation on the application, including recommended permit conditions.

The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. It is the responsibility of DELWP on behalf of the Minister for Planning to administer public notice where required.

Notice was directed by the Victorian Civil and Administrative Tribunal (VCAT), as a failure appeal was lodged prior to notice of the application. No parties joined the appeal following notice of the application.

6 INTERNAL REFERRALS

6.1 Urban Design

The application was referred to Urban Design who provided the following comments on the original application plans:

- The location of a laneway, adjacent to heritage building at 85-89 Sutton Street is supported as it allows the majority of the side wall of the heritage building to remain visible from the streetscape and be experienced from the laneway.
- The Arden Macaulay Structure Plan 2012, and the Macaulay Draft Structure Plan refresh 2020, both depict a prospective laneway through the subject site. In assessment of the proposition against the overall structure planning work for the precinct, the incorporation of a laneway through the site is positive in principle;
- Support of the provision of planting to all non-accessible rooftop spaces at the podium levels, as it softens the outlook from apartments. We recommend the provision of a landscape plan to ensure viability of this design element to spaces which are primarily overshadowed.
- The communal spaces associated with residential units are primarily located to face Sutton Street, and to the east of the site. These spaces appear to have sufficient access to daylight and sunlight during the day to function as communal space for residents.
- Concerns in relation to the cantilever of the building over the laneway, quality of the materials and lack of information on service location.

The application was re-referral following the design changes made on the 1 July 2021 (discussion plans) in response to the issues raised. The following advice was received:

- The majority of urban design concerns have been addressed throughout the urban design review process and support for the proposed building mass and layout following a number of design iterations and refinements.
- The proposed laneway is open to the sky for a minimum of 6m.
- Services have now been adequately resolved with consultants and depicted on plans
- Further corridor access across the rooftop garden to optimise flexibility and useability of space has now been demonstrated.

- Further resolution of recesses to the west elevation to emphasise verticality across the facade has now been demonstrated.
- Support for the use of vertical ribbed inset concrete panels to the east and west tower elevations to increase the design quality of these facades and updates to the material schedule to ensure that darker recessed areas are a dark grey pigmented concrete (CC1) rather than a lower quality render.
- Support for the provision of 1:20 ground level elevations which clarifies how the design of service cupboards and garage entry doors and gates are integrated with the overall facade design.
- Support for the annotations to elevations describing black steel accentuation around ground level windows.
- Recommendation for additional details to be requested to demonstrate how brick tiles used to the ground level interface will be appropriately detailed to transition across intersecting surfaces.
- Recommend additional detail or wind analysis to demonstrate how adequate wind conditions to the laneway and plaza will be addressed.

Officer comment

The discussion plans are supported by Urban Design subject to conditions regarding the brick tiles and provision of a wind assessment, which form part of the recommended conditions in the Officer recommendation.

6.2 Traffic Engineering

The application was referred to Council's traffic engineers who provided the following comments (summarised).

- No objection to the provision of 220 car parking spaces.
- Recommend a note be placed on the planning permit regarding on street restrictions.
- It is required that an area on-site is provided to cater for both deliveries and resident needs.
- All spaces, ramps, grades, transitions, accessways and height clearances must be generally designed in accordance with the MPS or AS/NZS 2890.1:2004. Ramp grade of <1:10 should be provided for the first 5m from site boundary at the access. Pedestrian sight triangles of 2 x 2.5m must be provided at the exits from the carpark. Columns to be located between 0.25 - 1.25m from the open end and ≤ 1.75 m from the closed end of the relevant standard car spaces, as per Clause 52.06 of the MPS.
- Recommend the provision of at least 4 motorcycle space to be provided.
- A formal independent desktop Road Safety Audit of the proposed development should be undertaken prior to construction, at the developer's expense, which should include the vehicular/bicycle/pedestrian access arrangements, loading arrangements and internal circulation/layout, as well as all works in the public realm. The findings of the Audit should be incorporated into the detailed design, at the developer's expense.
- It is requested that surveys are undertaken at the intersection of Sutton Street and Boundary Road to measure the current level of traffic and the likely impact this development will have on the operation of Boundary Road. While this development on its own is not expected to have a significant impact on the operation of the surrounding road network, the cumulative impact of this and other developments (currently approved) in the surrounding streets that access Boundary Road will impact traffic levels and access. It may be requested that signalisation of this intersection will be required and a

comprehensive SIDRA analysis be undertaken to our satisfaction. The developer of the subject site should also be required to contribute to the cost of signalisation of Sutton Street and Boundary Road intersection.

Officer Comment

The recommendations are adopted in the conditions contained within the Officers recommendation, with the exception of the request for surveys. Boundary Road is an arterial road and therefore managed by Department of Transport. DELWP as the Responsible Authority will determine if comments from DoT in relation to the impact on traffic levels and access to Boundary Road are required.

6.3 Waste Engineering

The application was referred to Council's waste engineers who advised that the following items need to be addressed:

- Council will not collect the commercial component of waste, as the threshold for a Council collection of 120L garbage and 240L recycling per week is exceeded.
- Commercial and residential waste needs to be stored separately.
- Council collections are performed by a MRV. The truck is required to perform collections fully on-site, so the development will need to accommodate a MRV.
- Collections typically take place from a dedicated loading area. If a loading area is not provided, approval will need to be sought from Traffic Engineering to ensure collections are performed in a safe manner.
- Please show the transfer route for café tenants to their bin storage area, noting internal access within the development must be provided.

Officer Comment

An amended Waste Management Plan has been submitted addressing the above concerns, including private collection of commercial waste, swept path diagrams and transfer route. A standard Waste Management Plan condition is also included in the Officer recommendation.

6.4 Civil Design

The application was referred to Council's civil engineers who provided the following comments (summarised).

- The Tract Planning Report indicates that the north-south laneway is to be delivered as a privately-owned publicly accessible open space with public access to the laneway secured via a Section 173 agreement. As such Infrastructure and Asset has no comments to offer with regard to the civil design of this laneway.
- The proposed East-West laneway is a portion of a future laneway identified in the Macaulay Structure Plan to create a link between Boundary Road and Moonee pond Creek to be delivered portion by portion by all and each adjoining land owners. The portion of the laneway that is proposed to be delivered as part of this redevelopment however will be totally land locked until such time adjacent redevelopments are completed. Infrastructure and Assets therefore object to the East-West laneway to be dedicated to the public at this stage.
- To ensure the laneway is eventually dedicated to the public, easements for stormwater drainage, way, light and air must be created over the proposed laneway on the plan of subdivision. The easements shall be in favour of Council and all abutting properties. The easements shall be to the satisfaction of the City of Melbourne's Director Infrastructure and Assets and Team Leader Land Survey.
- In addition, prior to the commencement of the development, the owner of the land must enter into an agreement with the City of Melbourne, pursuant to Section 173 of the

Planning and Environment Act 1987, to provide for the future declaration of the East-West laneway as Public Highway and its vesting in Council as a Road on plan of subdivision. The owner of the land must pay all of the City of Melbourne's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title

- The laneway must be designed and constructed to Council requirements. Infrastructure and Assets object to the basement level encroaching into the laneway above 1.5m below the laneway finish surface.
- We object to the use of non-City of Melbourne street furniture and finishes in any areas that are to be vested in Council.
- We object to the use of granite pavers within the Road Reserve.
- We object to the proposed concrete footpath and cross over on Sutton Street. Footpath and crossing in Sutton Street shall be standard City of Melbourne asphalt.

Officer Comment

The recommended legal agreements and design changes are included in the conditions contained within the Officers recommendation. The documented section indicates that a 1.5m clearance above the approximately 3.5m high first basement is feasible.

6.5 Land Survey

The application was referred to Council's Land Survey team who provided the following comments (summarised).

- It is not clear from the drawings if windows are proposed along the western and southern boundary. The subject land does not benefit from a light and air easements over the abutting title boundaries.

Officer Comment

A north facing window is proposed to the communal corridor of Level 3, 4 and 5, which is located on the common boundary with the north-eastern adjacent property. A Section 173 Agreement is included in the Officer recommendation to ensure that should the adjacent site be developed in the future, this window can be covered. As this is a communal corridor, the covering of the window will not result in an unacceptable amenity impact in the future.

6.6 Urban Forest and Ecology

The application was referred to Council's Urban Forest and Ecology team who provided the following comments (summarised).

- Urban Forest & Ecology support the proposed street tree avenue but details of service locations will be needed to verified to determine if the proposals are realistic. Engineering plans will be required. Continuity in the streetscape will be necessary.
- No existing public trees will be impacted by the proposal and as such there is no objection to the application.

Officer Comment

The Officer recommendation includes a Landscape Plan which includes a requirement for further details of the proposed planters, depths and any services which may impact on the planting.

6.7 ESD and Green Infrastructure

The application was referred to Council's ESD and Green Infrastructure team who provided the following comments (summarised).

Daylight amenity

- The Daylight Investigation Report confirms that natural daylight to habitable rooms of apartments 104-110 will be poor even with current conditions on adjacent site to the east, 71-73 Sutton Street, which is currently a single storey warehouse.
- The living areas of Apt 106 and Apt 107 are the best performing, while Apts 105, 108, 109 and 110 all have very poor natural daylight to living areas.
- Under the two proposed development scenarios at 71-73 Sutton Street, five out of ten bedrooms achieve a daylight factor of 0.5% for 100% of the floor area while two out of ten bedrooms have 0% floor area achieving a daylight factor of 0.5%. Bedroom 1 of Apt 108 and Bedroom 1 of Apt 109 are the worst performing.
- The modelled apartments have long, narrow, single-aspect living areas, some with the window located underneath a recessed balcony.

Green Star

The following changes are required to the submitted Green Star response:

- The proposal is self-assessed against the Green Star Design and As Built rating tool, v1.3, with 60 points targeted, which is the minimum number of points required to demonstrate a 5* outcome. It is recommended that additional points are targeted. Typically, a 10% buffer would be industry standard practice. This is primarily to ensure that any items having spatial implications are properly scoped and considered during the planning stage.
- More detail is required to demonstrate that the management initiatives will be carried out in accordance with the Green Star submission guidelines.
- The project targets several management credits relating to building commissioning and tuning, including setting environmental performance targets. However, no targets are set and no details are provided in relation to how these credits will be achieved.
- The SMP includes a commitment to developing a Climate Adaptation Plan, with two points targeted. This should be provided as an appendix to the SMP, given that it is a design stage document that influences design outcomes.
- The SMP targets credit 8A – Performance Pathway for operational waste, which requires a site specific operational waste management plan to be developed that contains waste reduction targets for each waste stream. The submitted Waste Management Plan (WMP) by One Mile Grid nominates e-waste as a third waste stream to be provided in addition to general waste and recycling. However, the WMP does not contain any waste reduction targets so the project cannot claim this Green Star credit because the submission doesn't address the credit requirements in the Green Star Submission Guidelines.
- The SMP states that five dual chargers for electric vehicles, to service ten car parking spaces, will be provided. This is not shown on the plans. The plans must show the location of the five dual charging points.
- The SMP targets five points under the Green Star Potable Water credit via the prescriptive pathway. However, in the list of WELS rated water fixtures proposed the SMP states that five star WELS rated taps will be installed. Taps must be six star WELS rated in order to meet the Green Star credit prescriptive criteria for potable water (18B.1). Appendix B of the SMP contains the Green Star Wat-1 calculator showing that one point would be achieved including the use of five star WELS rated taps. However, this calculator is from a retired Green Star tool, so it isn't applicable to the current version of Green Star and for the purposes of this assessment it can't be used (it's not applicable to Design and As Built v1.3).

- Six innovation points are targeted. One of the proposed initiatives is the provision of master shut off switches to apartments, which is claimed in reference to credit Ene-7 of a retired Green Star tool (the Multi-Residential legacy tool). This initiative cannot be claimed as innovation and the reference to a credit requirement of an old Green Star rating tool supports the fact that it is no longer considered to be innovative. Additional points should be targeted elsewhere to ensure that a five star Green Star outcome would be achieved.

Energy

The following changes are required to the submitted Energy response:

- The level 11 plan and east elevation updated to reflect the the NatHERS recommendation for Apartment 1107
- Copies of the full preliminary NatHERS reports for these apartments should be provided in the SMP, not just a summary table of results.
- The floor plans and elevations should include a clear annotation stating “Average 6.5 star NatHERS rated”.

Renewable Energy

- A 60kW solar PV system is proposed, consisting of two 30kW solar PV arrays located on the roofs of the north and south tower.

Water

- The SMP and the Green Star Scorecard indicate that the development could achieve the required Water credits pursuant to Clause 22.19.

Water Sensitive Urban Design (Clause 22.23)

- A 50kL rainwater tank is proposed that would collect stormwater from the north and south tower roofs (catchment size of 1,519m²) with water reused for toilets and irrigation.
- The tank is shown to be underground on the Basement Level 2 floor plan. The plan must include a notation that the tank is connected to toilets and irrigation.
- The MUSIC model results contained in Appendix C of the SMP demonstrate that stormwater quality will meet the objectives of Clause 22.23.

Officer comment:

All recommended changes to the Sustainable Management Plan and architectural plans are provided within the Officer recommendation.

The daylight concerns raised have been responded to in the discussion plans, by Improved internal amenity to Apartments 108, 109, 115, 116, Apartment 114 and above and apartment 711 and above, by providing wider aperture to the apartments, removal of balconies above bedroom windows and reorientation of apartments.

7 ASSESSMENT

The key issues in the assessment of the application are:

- Proposed laneways and plaza
- Built form - having regard to the design objectives and built form controls in DDO63-A7.
- Equitable development.
- Parking, loading, traffic.
- Environmentally sustainable design.
- Potentially contaminated land.

- Aboriginal cultural heritage significance.
- Other matters, including DDO26, DDO66 and DCPO2.
- Clause 58 (BADS) and internal amenity.

7.1 Proposed laneways and plaza

The proposed north-south laneway is proposed to be a privately owned and publically accessible space.

The plaza is proposed to be 11.1 - 12.8m in width with a direct connection to the proposed food and drinks premises. The laneway is proposed to be 6.3m in width and features integrated seating and bicycle parking.

A condition will be included on the permit, as recommended by Civil Design, which imposes a Section 173 Agreement to provide 24 hour access to the public.

The proposed east-west laneway is proposed to be 4.5 – 5.1m in width, as a future laneway in accordance with the Macaulay Structure Plan (2012 and refresh).

The applicant proposes the laneway to be vested in Council at a future date which is supported by Council, subject to conditions that require to the laneway to be constructed to Council requirements, including at least 1.5m clear to any subterranean structure.

7.2 Built form

7.2.1 DDO63-A7

The site is affected by Design and Development Overlay Schedule 63 Area 7 (DDO63-A7).

DDO63 has the following design objectives:

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

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

Area	Preferred maximum height	Absolute maximum height	Built form outcomes
A7	9 storeys	12 storeys	Deliver a scale of development that provides street definition and a pedestrian friendly scale.

			<p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Provide limited opportunities for taller buildings that deliver significant public realm outcomes.</p>
All areas			<p>Ensure laneways have appropriate levels of access to daylight and sunlight.</p> <p>Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.</p> <p>Deliver a scale of development setback from the Moonee Ponds Creek environs, which responds to the creek / public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.</p> <p>Where development responds to flood risk by providing ramp structures or other flood mitigation measures, high quality urban design outcomes must be provided at the building and public interfaces.</p>

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

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

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

The proposal seeks to construct a 12 storey building, which exceeds the preferred maximum height, but does not exceed the absolute maximum height.

The proposal has demonstrated a benefit to the broader community as follows:

- The application has been refined in consultation with Council's Urban Design team, resulting in a high quality design, through the use of articulated form, high quality materials and site responsive setbacks.
- The proposed publicly accessible north facing plaza will activate Sutton Street and provide opportunities for passive surveillance and a landscaped seating area for the community.
- The proposed north-south laneway will provide opportunities for pedestrian movement and seating areas, which are connected to and activated by the adjacent uses at ground floor. The laneway is also proposed to be open to the sky for a minimum of 6m, providing a welcoming and open area of space. Importantly, this privately maintained north-south laneway provides public access to the otherwise 'land-locked' east-west laneway until adjoining developments extend it.
- The proposed east-west laneway is located in an area identified as a future laneway, which will be connected through the future redevelopment of properties on Sutton Street and Mark Street.
- The proposal seeks to provide 6% affordable housing through sale to a community housing provider at a reduced rate or similar alternative. A legal agreement is proposed to secure the terms of this housing provision.

It is noted that the Landscape Plans submitted include a proposed upgrade to the public realm on Sutton Street. This does not form part of this planning permit application and requires separate approval, therefore cannot be considered in the assessment of benefits to the broader community.

The proposal provides a demonstrable benefit that justifies the proposed 12 storey height.

The proposed twelve storey height is also acceptable having regard to the site and its context as follows:

- There are approvals for 12 storeys buildings within the Macaulay Arden precinct.
- The proposed minimum 9 metre setback of the upper levels to the side and front boundaries reduces the massing of the proposal in the streetscape.
- The proposed architectural detailing and expression adds visual interest and relief whilst holding its form as a single tower.

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

Interface type shown on Map 1	Mandatory street wall height Preferred upper level setback
20m and 30m wide renewal street (Boundary Road and Alfred Street)	Development at the frontage must not exceed a height of 6 storeys. Development above the street wall should be setback 1m for every metre of height above 20m.
Laneway	Development along the laneway must not exceed a height of 3 storeys. Development above the street wall should be setback 4m. In addition, development on the northern side of an east-west laneway should be setback 1m for every metre of height above the preferred maximum height.

The proposal seeks to construct a 6 storey podium which meets the mandatory street wall height. The podium also responds to the existing context, by providing a 11.1 – 6.5 metre open-to-sky setback to the west. This setback creates separation and enables oblique views to the western adjacent significant building at 85 Sutton Street and its heritage signage.



Above: Photograph of signage at 85 Sutton Street, North Melbourne

The proposed 6 storey podium height also responds to the height of the western adjacent heritage building as demonstrated in the streetscape elevation below.

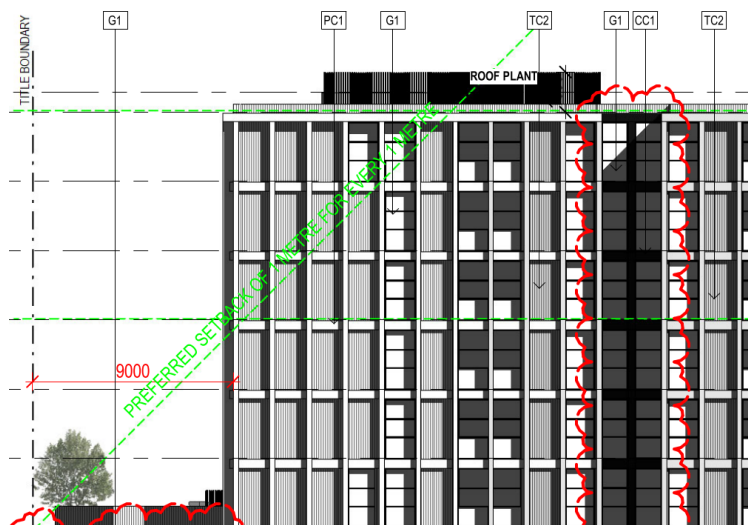
The two lower levels (Ground Floor and First Floor) feature a brick finish to respond to the warehouse history and integrate with the existing character of the precinct.

The proposed height, setbacks and materials of the podium will provide an appropriate insertion into the streetscape and responds to the existing and future character of the precinct.



Above: Streetscape Elevation (Source: Point Architects)

The proposal seeks to provide upper level street setback above the podium of 9 metres at all levels, which is a reduction on the preferred setback, as shown on the below image. However, the consistent 9m setback (in lieu of the recommended stepped form), in conjunction with the minimum 9m side setbacks of the tower, create an appropriate massing and separation in the streetscape.



Above: Eastern Elevation (Source: Point Architects)

Active street frontages

DDO63 encourages active and physically connected street frontages at ground level. The proposal provides an open plaza 11.1m in width and a food and drinks premises at the street frontage.

As shown below, whilst the eastern portion of the frontage includes vehicle access and services, these elements have been designed to integrate into the design of the façade and provide high quality materials and finishes.



Above: Northern Façade Elevation (Source: Point Architects)

Weather protection and façade treatment

The weather protection provision in DDO63 does not apply to the development as Sutton Street is not identified on Map 2.

DDO63 encourages the articulation of a building facade to express a fine grain and modulation that assists in reducing the visual dominance of buildings. Expressing the vertical elements is encouraged to further minimise the visual dominance of the building with wide street frontages.

Refinements to the materials and expression of the building have been made in consultation with Urban Design and are now supported subject to conditions.

Connectivity and laneways

DDO63 encourages development that provides a fine grain system of laneways and pedestrian connections that are:

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

The Arden Macaulay Structure Plan 2012, and the Macaulay Draft Structure Plan refresh 2020 both provide for a new laneway between Mark Street and Sutton Street (the rear of the site) and two north-south links between Boundary Road and the Western Link Road.

Both new laneways are incorporated into the proposed development.



Above: Map 13 Macaulay Draft Structure Plan refresh 2020

7.3 Clause 22.17 – Urban Design outside the Capital City Zone

7.3.1 Context, building height, bulk and scale

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

The site is located within the 'Arden-Macaulay Urban Renewal Precinct', which is identified for built form change and higher density development as set out in Clause 21.16 and DDO63. The policies in Clause 22.17 relating to context; large and prominent sites; building height, scale and bulk; street activation, pedestrian connectivity and vehicle access have been assessed in section 7.2.1 above.

7.3.2 Fronts and backs of buildings and street level frontages and access and safety in public spaces

It is policy that building design acknowledges local access patterns, gives prominence to principal streets and provides ground level interest through a direct relationship of entries, shopfronts, doors and windows.

The development seeks to provide activation at Sutton Street and the proposed laneways to the east and south as follows:

- The proposal provides an open plaza and a food and drinks premises with a high level of glazing at the Sutton Street frontage.
- Whilst the eastern portion of the Sutton Street frontage include vehicle access and services, they have been designed to integrate into the design of the façade and provide high quality materials and finishes.
- The eastern interface to the proposed laneway provides for informal seating areas and connection with a café and food drink premises. The remainder of the interface will be activated through uses associated with the apartment building includes a co-working space, communal dining and kitchen and generous lobby entrances.
- The southern interface with the proposed lane will be activated by a gym for the western portion and the eastern portion is provided with four two-storey two-bedroom and home office dwellings. The provision of the home office at ground floor improved activation and reduction of screening requirements at the laneway interface.

7.3.3 Building tops

All roof elements, including plant, lift overruns and other building services are encouraged to be absorbed within the overall form or be included as part of the roof design.

The building services are appropriately offset from the edge of the building and screened.

7.4 Equitable development

The adopted policies encourage development that considers the development potential of adjoining sites. Clause 22.17 states that in areas where a desire for built form change has been identified, new buildings and works should consider the potential for other development to occur in the immediate environment and respect the ability for surrounding sites to be at least equally developed.

The proposal provides an acceptable response to the development potential of the adjoining sites as follows:

- The proposal is built either to the boundary (with no openings) or set back 9.4m to the east which manages the internal amenity and outlook of the proposed eastern facing dwellings.
- The proposal has a minimum 6.5m setback to the west, noting that the western adjacent interface is a sheer 6 storey significant graded building built to the boundary. All apartments have an outlook of 6.5 – 9m to the west.
- The proposal provides a minimum 4.5m rear setback. It is reasonable to anticipate the southern adjacent site to set back 4.5m at this interface to create a 9m separation, noting its size and orientation.

7.5 Clause 58

The proposal has been generally designed to comply with Clause 58 – Better Apartment Design Standards including functional layouts, room depths, window locations, storage, natural ventilation, private open space, accessibility and circulation.

Where Clause 58 Standards are not met, an assessment against the objectives is as follows:

7.5.1 Clause 58.03-6 (Landscaping Objectives)

Standard D10 requires 15% of the site area to be provided for deep soil planting. The proposal provides a basement which covers the entirety of the site, therefore there is no provision of deep soil planting.

However, a detailed Landscape Plan is provided which incorporates a range of landscaping zones and treatments including raised planting for canopy trees and other planting. These areas equate to 564sqm of raised planters and 15 medium trees, which is greater than the area and number of trees that would be required in deep soil planting. This is considered an appropriate response having regard to the existing and future character and amenity of the surrounding area.

7.5.2 Clause 58.05-3 (Private Open Space Objective)

Standard D19 requires minimum area and dimensions for dwelling typologies.

Apartments 105-110 are located at podium level and are provided with courtyards that range between 9-14sqm. At podium level the minimum area of Standard D19 is 15sqm. It is considered that the proposed areas are appropriate having regard to adjacency of these areas to a large communal space area and the provision of communal facilities at ground level and meet the objective.

All other apartments comply with the standard and objective.

7.5.3 Clause 58.05-4 (Storage Objectives)

Standard D20 requires minimum volumes within the dwelling and externally. Apartment Type B (27 apartments), provides for an internal area of 8.8 cubic metres (0.2 cubic metres less than the requirement). This is considered appropriate, as the external storage area exceeds the minimum requirement.

7.6 Parking, loading, traffic

7.6.1 Car parking provision

Traffic did not object to the proposed provision of car parking and the proposed traffic generated by the development and the impact on the road network, subject to conditions.

7.6.2 Bicycle parking provision

The development generates a bicycle parking requirement of 60 spaces, including 40 spaces for residents and 20 spaces for visitors.

The development provides 222 bicycle spaces which exceeds the requirement of the Scheme.

7.6.3 Motorcycle parking provision

While not a requirement of the Melbourne Planning Scheme, a condition is included to provide 4 motorcycle spaces in the basement as recommended in the Traffic referral comments. It is noted that there is a surplus of bicycle spaces, these four spaces may replace some bicycle facilities.

7.6.4 Loading

Clause 65.01 requires consideration of the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts. A condition of permit requires a dedicated area to be shown on the ground floor or basement for loading and unloading for the commercial uses and residents for moving in and out of the apartments.

7.7 Environmentally sustainable design

Clause 22.19 requires that applications for buildings over 2,000m² GFA demonstrate that the building has the preliminary design potential to achieve the relevant performance measures set out in Clause 22.19-5. Subject to the conditions recommended by the ESD referral comments, the proposal will satisfy this policy.

7.8 Potentially contaminated land

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

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

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

Potentially contaminated land is address by conditions in the Officers recommendation.

7.9 Aboriginal cultural heritage significance

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

An assessment of the proposal against the Aboriginal Heritage Regulations 2018 has been undertaken by Pragmatic Cultural Heritage Services, which concludes that the site has

undergone significant ground disturbance as defined under Regulation 5. As such, the cultural sensitivity of the area is voided in accordance with Regulation 26(2).

The application has provided a Preliminary Aboriginal Heritage Test (PAHT) for certification by the Secretary (Aboriginal Victoria). If the certification concludes that a cultural heritage management plan (CHMP) is required for the proposed activity, then compliance with the certified PAHT decision is mandatory.

The applicant, to date, has not provided confirmation in the PHAT has been certified by the Secretary.

7.10 Other matters

7.10.1 DDO26

The site is affected by Design and Development Overlay Schedule 26 (DDO26), which seeks to ensure that new residential development in the vicinity of industrial operations in Arden-Macaulay include appropriate acoustic measures to attenuate noise levels within the building and in turn, do not adversely affect the viability of industry within these areas.

The provisions of this schedule is address by conditions in the Officers recommendation.

7.10.2 DDO66

Design and Development Overlay Schedule 66 (DDO66) affects the site, and seeks to ensure that the height of new buildings and works do not encroach into the flight path areas associated with hospital helicopter landing sites and avoid creating a hazard.

The building height is less than the referral heights for the Royal Children's Hospital and the Royal Melbourne Hospital.

The Minister for Planning is responsible for this referral.

7.10.3 DCPO2

The site is affected by Development Contributions Plan Overlay Schedule 2 (DCPO2), which states that a permit may be granted to construct a building or construct and carry out works before a development contributions plan has been prepared subject to a condition that a Section 173 Agreement be entered into with the responsible authority to make provision for the development contributions.

The rates are \$16,127.58 per dwelling, \$182.58 per square metre of new commercial floor space and \$152.15 per square metre of new retail floor space. Contribution rates are indexed on a quarterly basis from 1 January 2018 to the Price Index of the Output of the Construction Industries (Vic.) published by the ABS. This is included in the conditions contained within the Officer recommendation.

8 CONCLUSION AND OFFICER RECOMMENDATION

It is recommended that DELWP be advised that the City of Melbourne supports the application subject to the following conditions:

Revised plans

1. Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works an electronic set of plans drawn to scale must be submitted to the Responsible Authority, generally in accordance with the plans dated 1 July 2021 Revision P3 prepared by Point Architects but amended to show:

- a. A minimum 1.5m clearance (free of any building elements) between the east west laneway finished surface and the top of the building's basement level below;
- b. Notation of the location of the five dual car charging points on the basement plan;
- c. Notation on floor plans and elevations stating 'Average 6.5 star NatHERS rated';
- d. Level 11 floor plan and eastern elevation to be updated to reflect all recommendations in the approved SMP;
- e. Notation on the Basement Level 2 floor plan that the water tank is connected to toilets and irrigation;
- f. Provision of a dedicated loading area on the ground floor or basement plans;
- g. Any changes as a result of the Façade Strategy as required by this permit;
- h. Any changes required as a result of the recommendations within the Traffic Impact Assessment and the Road Safety Audit as required by this permit;
- i. Any changes as a result of the amended Sustainability Management Plan as required by this permit;
- j. Any changes required as a result of the Landscape Plan as required by this permit;
- k. Any changes required as a result of the Waste Management Plan required by this permit; and
- l. Any changes required as a result of the Acoustic Report as required by this permit.
- m. Any changes required as a result of the Wind Assessment as required by this permit.

The amended plans must be to the satisfaction of the Responsible Authority and when approved will constitute endorsed plans of this permit.

Secondary consent provision

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Reflectivity

3. Unless with the written consent of the Responsible Authority, light reflectivity from external materials and finishes must not reflect more than 15% of specular visible light, to the satisfaction of the Responsible Authority.

Glare

4. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.

Façade Strategy

5. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved

Façade Strategy to the satisfaction of the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Façade Strategy must be generally in accordance with the development plans and must detail:

- a) A concise description by the architect(s) of the building design concept and how the façade works to achieve this.
- b) Elevation details generally at a scale of 1:50 illustrating typical podium details, balcony niches, and utilities, typical tower detail, and any special features which are important to the building's presentation. The drawings must demonstrate:
 - i. Additional details to be requested to demonstrate how brick tiles used to the ground level interface will be appropriately detailed to transition across intersecting surfaces.
 - ii. Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and / or material.
 - iii. Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
 - iv. Example prototypes and / or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
 - v. A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with coding.

Architect to be retained

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

Legal Agreement for Public Access Western Lane

7. Prior to the occupation of the development, the owner of the land must enter into a legal agreement pursuant to Section 173 of the Planning and Environment Act 1987 with Melbourne City Council. The agreement must provide the following:
 - a) Give rights of public access 24 hours a day, 7 days a week to the western laneway and plaza located within the subject land, which are to remain at all times in private ownership as part of the subject land.
 - b) The owner must, at its cost, maintain the internal streets/laneways/public ways to the same standards as is required by the City of Melbourne for the adjoining roads, as well as maintaining the corresponding public liability insurance.

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

Legal agreement for affordable housing

8. Prior to the commencement of the development, excluding bulk excavation and site remediation, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must be registered on the title to the land and provide for the following:
 - a) Prior to the issue of a statement of compliance for the subdivision of the land, the owner will enter into a binding agreement with a registered housing agency to the satisfaction of the Responsible Authority, requiring:
 - i. Unencumbered ownership of 6% of the total number of dwellings (rounded to the nearest whole number) to be sold to the registered housing agency for a percentage of market value that will deliver an equivalent economic outcome to clause b) below; or
 - ii. Unencumbered ownership of 2% of the total number of dwellings (rounded to the nearest whole number) to be transferred to the registered housing agency for nil consideration; or
 - iii. Management of 6% of the total number of dwellings (rounded to the nearest whole number) to be assumed by the registered housing agency for leasing as affordable housing in perpetuity.
 - b) If the affordable housing dwellings are not purchased at a discounted price, transferred for nil consideration or assumed for management by a registered housing agency within 12 months of the date of the binding agreement referred to in clause a) above, the owner must pay to the registered housing agency (as agreed with the Responsible Authority) within 60 days after this sunset date, a sum of money equal to the cumulative market value of 2% of the total number of dwellings.
 - c) The dwellings referred to in clause a) above must include a diversity of housing stock that is representative of the total number of dwellings to the satisfaction of the Responsible Authority.

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

Legal agreement southern laneway

9. Prior to the commencement of the development, the owner of the land must enter into an agreement with the City of Melbourne, pursuant to Section 173 of the Planning and Environment Act 1987. The owner of the land must pay all of the City of Melbourne's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. The agreement must provide for the following:
 - a) The southern laneway is to have no upper level limit above the road level.
 - b) The southern laneway is to have a lower level set to the Australian Height Datum lying at least 1.5 metres below the road level.
 - c) The southern laneway must be designed and constructed to Council requirements.
 - d) The minimum 4.5m wide southern laneway consistent with the upper and lower level clearance provides in paragraphs (a) and (b) must be declared a public highway for vesting in Council as a road under the provision of the Subdivision Act 1988 when directed by the City of Melbourne or as agreed between parties to the satisfaction of the City of Melbourne, in accordance with the Macaulay Structure Plan to create a link between Boundary Road and Moonee pond Creek.

- e) Indemnify the City of Melbourne against any claims arising from the existence of the structures above and or below the subject land. The agreement must require the owner to maintain and repair all structures above or below the subject land at their cost and to the satisfaction of the City of Melbourne.

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

Legal agreement easements

10. Prior to the commencement of the development, the owner of the land must enter into an agreement with the City of Melbourne, pursuant to Section 173 of the Planning and Environment Act 1987. The owner of the land must pay all of the City of Melbourne's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. The agreement must provide for the following:

- a) Should the southern laneway not be vested in Council prior to the occupation of the development, the owner must lodge with the Responsible Authority, an application for Planning Permit and Certification pursuant to Section 23 of the Subdivision Act 1988 for the Creation of an Easement for stormwater drainage, way and light and air purposes over the southern laneway. The easement will be to the satisfaction of the Responsible Authority – the City of Melbourne.
- b) The easement must be limited in depth to 1.5m below the road level, excluding any basement structures below road. The easement must have no upper level.
- c) The easements shall be in favour of Melbourne City Council and all abutting properties.

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

Legal agreement openings on boundary

11. Prior to the commencement of the development, excluding demolition, bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, the owner of the land must enter into an agreement with Melbourne City Council pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:

- a) Any windows/openings on the boundary must be removed if the adjoining property is further developed in a manner that the Melbourne City Council considers would affect these windows/openings.
- b) The owner of the land must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Waste Management Plan

12. Prior to the commencement of the development (excluding bulk excavation and demolition) an amended Waste Management Plan (WMP) must be prepared and submitted to the City of Melbourne (Assets and Infrastructure). The waste management plan must be generally in accordance with the One Mile Grid WMP prepared 8 October 2020. The WMP must detail waste storage and collection arrangements, any organic bin collection and be prepared with reference to the City of Melbourne Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without

prior consent of the Melbourne City Council – Assets and Infrastructure and include the following changes:

- a) Any changes required by the endorsed Sustainability Management Plan
13. No garbage bin or surplus materials generated by the permitted use may be deposited or stored outside the site and bins must be returned to the garbage storage areas as soon as practicable after garbage collection.
14. The loading and unloading of vehicles and delivery of goods to and from the premises must at all times take place within the boundaries of the site.

Sustainable Management Plan

15. Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council. The amended SMP must be generally in accordance with the SMP by Ark Resources dated 29 July 2020, but modified to include:
 - a) Additional Green Star pathway points to provide contingency for design changes.
 - b) Further detail on the on the management initiatives in accordance with the Green Star submission guidelines
 - c) The Climate Adaptation Plan to be provided as an Appendix to the SMP
 - d) Update the Green Star Wat-1 calculator assessment and Multi-Residential legacy tool with the current assessment tools for Green Star;
 - e) Copies of the full preliminary NatHERS reports provided in the SMP (not a summary table of results);
 - f) The MUSIC model results contained in Appendix C of the SMP updated to demonstrate that stormwater quality will meet the objectives of Clause 22.23.
16. The performance outcomes specified in the endorsed Sustainability Management Plan (SMP) must be achieved in the completed development. Any change during detailed design that affects the approach of the endorsed SMP, must be assessed by a suitably qualified professional. The revised SMP must be endorsed by the Responsible Authority, in consultation with Melbourne City Council, prior to the commencement of the development.
17. Within six months of occupation of the development, a report must be provided to the satisfaction of the Responsible Authority, in consultation with Melbourne City Council, which details the design initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed Sustainability Management Plan (SMP).

Landscape Plan

18. Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, an amended Landscape Plan, Landscape Maintenance Plan and Irrigation Performance Specification must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. These documents must be generally in accordance with the Landscape Report by Tract Consultants Pty Ltd dated 8 October 2020, but modified to include:

- a) Urban design elements, including but not limited to, paving, lighting, seating, public art, and demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
- b) All proposed works within the southern laneway to be constructed to Council standards and approved by City of Melbourne – Infrastructure and Assets.
- c) How the project responds to water sensitive urban design principles, including how stormwater will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks.
- d) Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- e) Detailed planter sections, including soil volumes and schedules of species with consideration given to soil volume requirements and growing medium proposed, and indicative irrigation and drainage layouts.
- f) Further detail with respect to the ongoing maintenance beyond the 52 week period following practical completion.
- g) Detailed irrigation performance specifications.

Except with the prior written consent of the Responsible Authority, the endorsed Landscape Plan must be implemented prior to occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

19. Prior to commencement of development, a Landscape Maintenance Plan providing details of proposed maintenance regimes with provision for maintenance beyond the fifty two week period following Practical Completion must be submitted to, and be approved by the Responsible Authority. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.

Wind assessment

20. Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Wind Report, including a wind tunnel assessment and wind effects and comfort criterion consistent with the Melbourne Planning Scheme (as indicated in DDO10), prepared by a suitably qualified consultant must be submitted to and approved by the Responsible Authority. Any modifications required to ensure acceptable wind conditions must be high quality, integrated solutions and not rely on street trees. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority at no cost to the Responsible Authority or Melbourne City Council.

Construction management plan

21. Prior to the commencement of the development, including bulk excavation and site remediation, a detailed Construction Management Plan (CMP) must be submitted to and approved by Melbourne City Council – Site Services. The CMP must be prepared in accordance with the City of Melbourne’s Construction Management Plan Guidelines and is to consider the following:
 - a) Staging of construction and demolition.

- b) Management of public access and linkages around the Site during construction and demolition including consideration of current or anticipated construction activities on nearby sites to avoid simultaneous conflict.
- c) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian access ways).
- d) Any works within the adjoining street network road reserves.
- e) Sediment control and site drainage.
- f) Hours of construction and demolition.
- g) Control of noise, dust and soiling of roadways.
- h) Discharge of polluted waters.
- i) Collection and disposal of building and construction waste.
- j) Reasonable measures to ensure that disruption to adjacent public transport services are kept to a minimum.

Civil Engineering

- 22. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Responsible Authority – Infrastructure and Assets.
- 23. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – Infrastructure and Assets. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's underground stormwater drainage system. Where necessary, the City of Melbourne's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by City of Melbourne – Infrastructure and Assets.
- 24. Prior to the commencement of the use/occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by City of Melbourne – Infrastructure and Assets.
- 25. All new proposed laneway or portion of laneway that are to be vested in Council (including the provision of footpaths, public lighting, street trees, pavement marking and signage) must be constructed prior to the occupation of the development, in accordance with plans and specifications first approved by City of Melbourne – Infrastructure and Assets.
- 26. All portions of roads affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by City of Melbourne – Infrastructure and Assets.
- 27. The footpath adjoining the site along Sutton Street must be reconstructed together with associated works including the renewal of kerb and channel with 300mm wide new sawn bluestone kerb and 250mm wide new sawn bluestone gutterstone and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by City of Melbourne – Infrastructure and Assets.
- 28. Existing street levels in Sutton Street adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from City of Melbourne – Infrastructure and Assets.
- 29. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of City of Melbourne – Infrastructure and Assets.

30. Any street furniture such as street litter bins recycling bins, seats and bicycle rails must be supplied and installed on Sutton Street footpaths outside the proposed building to plans and specifications first approved by City of Melbourne – Infrastructure and Assets.

Public lighting

31. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include the provision of public lighting in Sutton Street and any new proposed laneway or portion of laneway. The lighting works must be undertaken prior to the commencement of the use/occupation of the development, in accordance with plans and specifications first approved by City of Melbourne – Infrastructure and Assets.

Development Contribution Plan Overlay – Schedule 2

32. Prior to the commencement of the development, excluding bulk excavation and site remediation, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with Melbourne City Council for the following:
- a) The owner/developer to pay a development contribution of:
 - i. \$17,053 per dwelling,
 - ii. \$193 per sqm of gross commercial floor area,
 - iii. \$161 per sqm of gross retail floor area,
 - iv. or other amount outlined within an approved development contribution plan to the satisfaction of the Responsible Authority, in consultation with Melbourne City Council,
 - b) Require that development contributions are to be indexed quarterly from 1 January 2018 to the Price Index of the Output of the Construction Industries (Vic.) published by the Australian Bureau of Statistics (ABS).
 - c) Require registration of the agreement on the titles to the affected lands as applicable.
 - d) Confirm that contributions will be payable to the City of Melbourne.
 - e) Require that where the planning permit authorises building and works and a subdivision of the subject land, full payment of the development contribution must be paid before the issue of a Statement of Compliance in respect of that subdivision or where the planning permit authorises buildings and works but not subdivision, the development contribution must be paid before the issue of either the certificate of occupancy (in the case of a building) or a certificate of completion (in the case of works).
 - f) Confirm the procedure for reducing the contribution paid if the permanent development contributions plan for the area is less than the amount stipulated in the Section 173 Agreement.
 - g) The agreement must make provision for its removal from the land following completion of the obligations contained in the agreement.

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

Design and Development Overlay – Schedule 26 (noise attenuation)

33. Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Acoustic Report prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The report must:
- a) Provide for noise attenuation measures to achieve a maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms with all windows and doors closed, unless there is no suitable air conditioning and/or mechanical ventilation, in which case the maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms must be achieved with all the windows half open and the doors closed.
 - b) Be based on external noise levels measured as part of a noise level assessment representative of the noise from industrial operations which occur in Arden-Macaulay. The recommendations in the approved acoustic report must be implemented at no cost to the Responsible Authority, prior to the occupation of the dwellings.

Prior to occupation of the development, acoustic testing must be conducted by a qualified acoustic consultant. The test must verify that the maximum noise level specified in the condition above is achieved to the satisfaction of the Responsible Authority. A report containing the results of the testing must be submitted to and approved by the Responsible Authority prior to occupation of the development.

Potentially contaminated land

34. Prior to the commencement of the development, including bulk excavation and site remediation, the owner of the site must provide to the Responsible Authority, in consultation with Melbourne City Council, either:
- a) A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970; or
 - b) A Statement of Environmental Audit under Section 53Z of the Environment Protection Act 1970. This Statement must specifically state that the site is suitable for the intended use(s) hereby permitted and separate the conditions for privately owned land and land to be vested in Melbourne City Council.
35. Where a Statement of Environmental Audit is provided, all of the conditions of this Statement must be complied with to the satisfaction of the Responsible Authority, in consultation with Melbourne City Council. Written confirmation of compliance must be provided by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or other person acceptable to the Responsible Authority. In addition, the signing off of the Statement must be in accordance with any requirements in it regarding the verification of works.
36. If there are conditions on the Statement that the Responsible Authority, in consultation with Melbourne City Council, consider requires significant ongoing maintenance and/or monitoring, the applicant must enter into a legal agreement in accordance with Section 173 of the Planning and Environment Act 1987 with Melbourne City Council. This Agreement must be executed on title prior to commencement of the development. The owner must meet all costs associated with the drafting and execution of this agreement, including those incurred by Melbourne City Council.

Traffic impact assessment

37. Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Traffic Impact Assessment (TIA) must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council. The amended TIA must be generally in accordance with the TIA by onemilegrid dated 8 October 2020, but modified to include:

- a) All spaces, ramps, grades, transitions, accessways and height clearances designed generally in accordance with the Melbourne Planning Scheme or AS/NZS 2890.1:2004.
- b) A ramp grade of <1:10 for the first 5m from the site boundary.
- c) Pedestrian sight triangles of 2m x 2.5m at the exit from the car park.
- d) Columns to be located between 0.25 - 1.25m from the open end and ≤1.75m from the closed end of the relevant standard car spaces, as per Clause 52.06 of the MPS.

Car parking access and layout and access to be constructed and maintained

38. The accessways and areas set aside for car parking must be constructed, delineated and clearly line-marked to indicate each car space and the direction in which vehicles must proceed along the accessways, in conformity with the endorsed plans. Accessways and parking areas must be kept available for these purposes at all times and maintained to the satisfaction of the Melbourne City Council.

Parking and loading

39. The parking, loading and unloading areas shown on the endorsed plans must be kept available for that use at all times and the car parking spaces and accessways must not be obstructed or otherwise rendered inaccessible.
40. The areas set aside for car parking on the endorsed plans must not be operated as a public car parking facility.

Road safety audit

41. Prior to the commencement of the development, excluding bulk excavation and site remediation, a formal independent desktop Road Safety Audit of the development must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council, at the owner/developer's expense. The Audit must include, but not be limited to, the vehicular/bicycle/pedestrian access arrangements, loading arrangements and internal circulation and layout, as well as any works in the public realm. The findings of the Road Safety Audit must be incorporated into the detailed design, at the owner/developer's expense.

Building appurtenances and services

42. All building plant and equipment on the roofs, balcony areas and common areas are to be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery equipment, including but not limited to air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment shall be to the satisfaction of the Responsible Authority.
43. Any satellite dish, antennae or similar structure associated with the development must be designed and located at a single point in the development to the satisfaction of the Responsible Authority, unless otherwise approved to the satisfaction of the Responsible Authority.
44. All service pipes, apart from roof down pipes, must be concealed from the view of a person at ground level within common areas, public thoroughfares and adjoining properties.
45. No building services or architectural features other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

Development time limit

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

- a. The development is not started within three years of the date of this permit.
- b. The development is not completed within five years of the date of this permit.

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

Notes:

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

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

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

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

The City of Melbourne (CoM) will not change the on-street parking restrictions to accommodate the access, servicing, delivery and parking needs of this development. However, new parking restrictions may be introduced in the surrounding streets if considered appropriate by the CoM. As per Council's policy, new developments in this area that increase residential density are not entitled to resident parking permits. Therefore, the residents/visitors/staff of this development will not be eligible to receive parking permits and will not be exempt from the on-street parking restrictions