

Client
TLC Melbourne Pty Ltd

Date
16 April 2024

Planning

Transport

Urban Design

Town Planning

321 Lower Heidelberg Road & 1 Maltravers Road, Ivanhoe East



ratio:

ADVERTISED PLAN
Application No. P4/2024

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Project
321 Lower Heidelberg Road & 1
Maltravers Road, Ivanhoe East
Version 3 – dated April 2024

Prepared for
TLC Melbourne Pty Ltd
Our reference
15074.1P

Ratio Consultants Pty Ltd

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Acknowledgement of Country

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Table of Contents

Section	Page No.
1. Introduction	8
1.1. Instructions	8
1.2. Investigation and Research	8
1.3. Summary	8
2. Existing Conditions	10
2.1. Subject site	10
2.2. Restrictive covenants	16
2.3. Surrounding Land	16
3. The Proposal	21
3.1. Overview	21
3.2. Land Uses	21
3.3. Built form	23
3.4. Signage	28
3.5. Landscaping	30
4. Planning Controls	31
4.1. Zone	31
4.2. Overlays	32
5. Planning Policy Framework	35
5.1. Municipal Planning Strategy (MPS)	35
5.2. Particular Provisions	47
5.3. Relevant strategic documents	50
6. Planning Considerations	53
6.1. Introduction	53

ADVERTISED PLAN
Application No. P4/2024

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6.2. Is there general strategic support for the proposal?	53
6.3. Is the proposed built form appropriate to its context?	56
6.4. Will the proposal result in unreasonable amenity impacts?	62
6.5. Is the advertising signage appropriate?	65
6.6. Is the proposal appropriate having regard to traffic, parking and waste considerations? 66	
7. Conclusion	67

Table of Figures

Figure 1: Subject site	10
Figure 2: Extract of survey plan	11
Figure 3: Cadastral Plan (site outlined in blue)	12
Figure 4: Extract of 1941 Church building	14
Figure 5: Extract of 1961 Church building	15
Figure 6: Extract of 1961 Church tower	15
Figure 7: Extract of PTV map	17
Figure 8: Extract of component breakdown table (OMG)	21
Figure 9: Demolition Plan	24
Figure 10: Extract of Tree Impact Assessment	26
Figure 11: Easement removal/ relocation	27
Figure 12: Proposed render	28
Figure 13: Extract of proposed signage	29
Figure 14: Landscape Plan	30
Figure 15: Zoning map	31

ADVERTISED PLAN
Application No. P4/2024

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Figure 16: VPO map	33
Figure 17: DCPO map	34
Figure 18: Extract of Strategic Framework Plan (Plan 1)	37
Figure 19: Extract of Natural Environment Framework Plan (Plan 2)	38
Figure 20: Neighbourhood Character Area and Precincts Map	45
Figure 21: Extract of car parking requirements table (OMG)	48
Figure 22: Extract of bicycle requirements table (OMG)	49
Figure 23: Extract of bicycle facilities requirements table (OMG)	49
Figure 24: Extract of Neighbourhood Character Precinct Map	51
Figure 25: Extract of south elevation (King Street)	57
Figure 26: Extract of east elevation (Lower Heidelberg Road)	57
Figure 27: Extract of north elevation (Maltravers Road)	57
Figure 28: Extract of landscape plan	58
Figure 29: Extract of colour and materials schedule	59
Figure 30: Extract of west elevation	63
Figure 31: Extract of shadow diagrams - additional overshadowing in green	63
Figure 32: Extract of acoustic barrier markup (WMG)	64

ADVERTISED PLAN
Application No. P4/2024

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Application Summary

Site

Address of the land 321 Lower Heidelberg Road & 1 Maltravers Road, Ivanhoe East

Title Details

321 Lower Heidelberg Road, Ivanhoe East

- Lot 1 on Title Plan 337218E
- Lots 1,2 and 3 on Title Plan 814934S
- Lot 46 on Plan of Subdivision 008311
- Lot 47 on Plan of Subdivision 008311
- Lot 48 on Plan of Subdivision 008311

1 Maltravers Road, Ivanhoe East

- Lot 1 on Title Plan 868576N
- Lot 1 on Title Plan 337219C

Site Area 6,293 square metres

Are there any covenants? Yes. However, the proposal will not result in a breach of the covenants (discussed in report).

Are there any easements? Yes, there are 2 drainage and sewerage easements located at the site (discussed in report).

Are there any Section 173 Agreements? No.

Controls

Zone General Residential Zone, Schedule 2 - GRZ2 'Incremental Areas'.

Overlays

- Development Contributions Plan Overlay - Schedule 1 (DCPO1).
- Vegetation Protection Overlay - Schedule 3 - VPO3.

Particular Provisions

- Clause 52.02 'Easements, Restrictions and Reserves'
- Clause 52.05 'Signs'

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Application No. P4/2024

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- Clause 52.06 'Car Parking'
- Clause 52.17 'Native Vegetation'
- Clause 52.34 'Bicycle Facilities'
- Clause 52.29 'Land Adjacent to the Principal Road Network'

Current relevant Planning Scheme Amendments	None
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Bushfire prone area	No.
----------------------------	-----

Cultural Heritage sensitivity	No.
--------------------------------------	-----

Registered Aboriginal Party	Wurundjeri
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Flood prone area	No.
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Application

Planning Scheme Clause No	Description of Permission Sought
Clause 32.08-2	Use of the land as a 'childcare centre' in the General Residential Zone.
Clause 32.08-2	Use of the land as a 'medical centre' exceeding a gross floor area of 497 sqm in the General Residential Zone.
Clause 32.08-2	Use of the land as a 'food and drink premises' (café) in the General Residential Zone.
Clause 32.08-2	Use of the land for 'restricted recreation facility' (health club – gym, swimming pool, wellness) in the General Residential Zone.
Clause 32.08-2	Use of the land as a 'place of assembly' (gallery) in the in the General Residential Zone.
Clause 32.08-9	Buildings and works associated with Section 2 Uses under the General Residential Zone.
Clause 42.02-2	Removal of vegetation under the Vegetation Protection Overlay, Schedule 3.
Clause 52.05-13	Display of internally illuminated and business identification signage pursuant to Clause 52.05.
Clause 52.29-2	Creation and alteration of access to a road in a Transport 2 Zone.

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Application No. P4/2024

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1. Introduction

1.1. Instructions

Ratio Consultants has been engaged by *TLC Melbourne Pty Ltd*, the permit applicant in this matter. This report provides a town planning assessment in support of a planning permit application for the use and development of the land as an integrated community facility, including a 96 place childcare centre, restricted recreation facility (health club), food and drink premises (cafe), place of assembly (gallery) and medical centre.

The removal of vegetation (VPO), alteration of access to a Transport 2 Zoned (TRZ2) road and display of signage are also proposed.

1.2. Investigation and Research

In preparation of this report, we have:

- Assessed the proposal against the relevant planning controls and policies contained within the Banyule Planning Scheme;
- Reviewed the site and surrounds;
- Reviewed the Certificate of Title and accompanying encumbrances;
- Reviewed the application plans prepared by VIA Architects;
- Reviewed the Child Care Needs Assessment prepared by Ratio Consultants;
- Reviewed the Urban Design Report prepared by Hansen Partnership;
- Reviewed the Acoustic Report prepared by Watson Moss Growcott Acoustics;
- Reviewed the Arborist Report prepared by John Patrick Landscape Architects;
- Reviewed the Landscape Plan prepared by John Patrick Landscape Architects;
- Reviewed the Sustainability Management Plan prepared by Sustain Erbas;
- Reviewed the Traffic Impact Report prepared by One Mile Grid Pty Ltd; and
- Reviewed the Waste Management Plan prepared by One Mile Grid Pty Ltd.

1.3. Summary

In summary, it is submitted that the proposal should be supported because:

- It is consistent with the strategic directions of State and Local Policies set out within the Banyule Planning Scheme;

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- It will facilitate the provision of an integrated community facility to serve the growing population within the municipality;
- The childcare centre will provide for ‘long day care’ with the proposed operating hours of Monday to Friday from 7.00am - 6.00pm to suit local families working regular weekdays;
- The childcare centre, medical centre, gallery, health club and café use represent a true community hub which has relevance to local residents at all life stages;
- The scale and siting of the proposed building is responsive to the residential context of the land and the residential abutments of the site; and
- The proposed car and bicycle parking provision will appropriately serve the uses.

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2. Existing Conditions

2.1. Subject site

The subject site is an amalgamation of several different parcels of land, which forms an irregularly shaped site. The site is generally bounded by three roads:

- Lower-Heidelberg Road (TRZ2) to the east;
- King Street to the south; and
- Maltravers Road to the north.

Figure 1: Subject site



Source: NearMap (3 September 2023)

The key features of the site are summarised as follows:

- The subject land generally has the following dimensions:
 - Northern boundary (Maltravers Road) – 65.89 metres.
 - Southern boundary (King Street) – 54.41 metres with a 9.14 metre splay to the south-west corner.
 - Eastern boundary (Lower Heidelberg Road) – 86.73 metres.

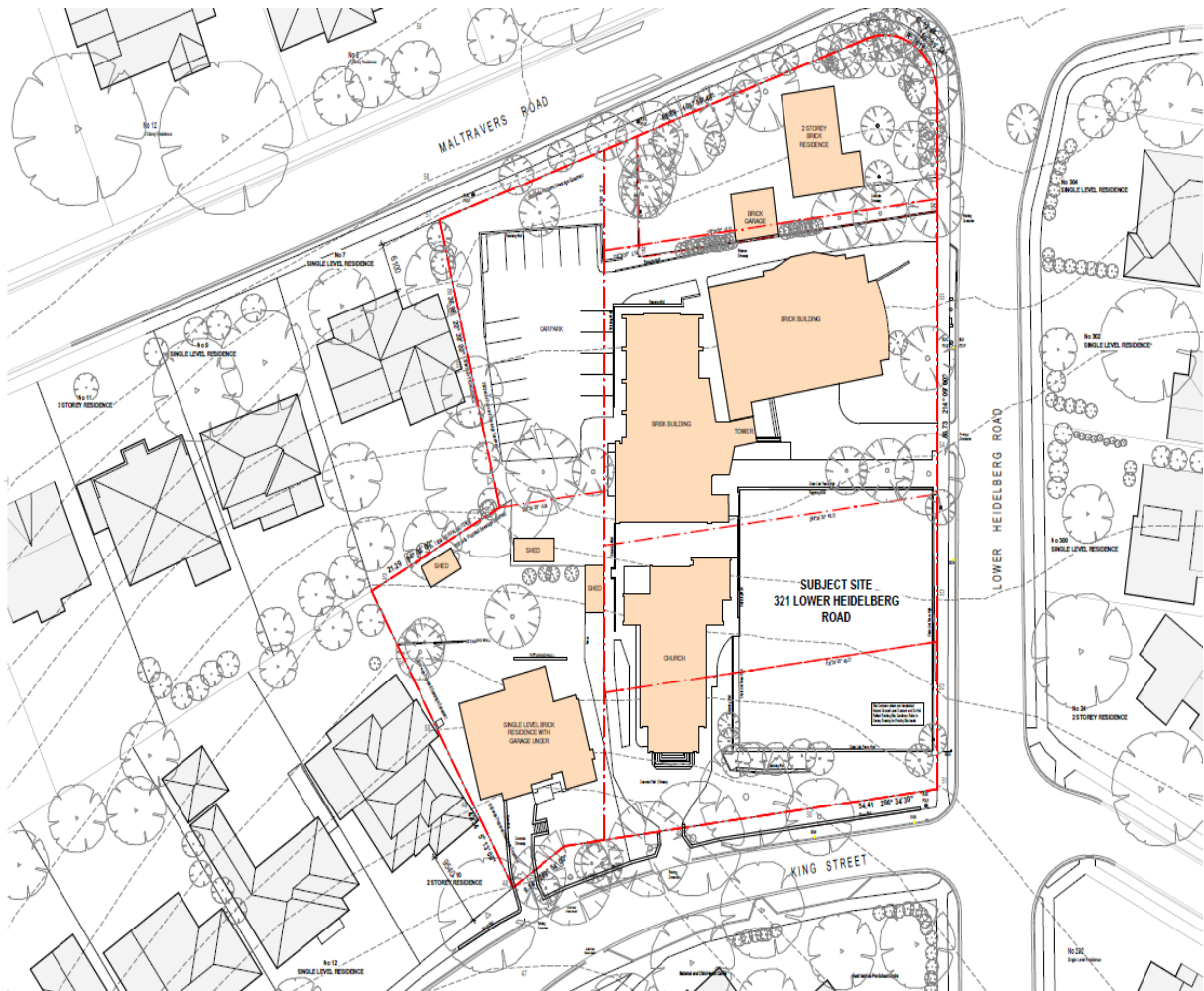
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- Western boundary – 42.34 metres (south-west corner) stepping into the east by 21.29 metres and extending north by 36.98 metres (north-west corner).
- The total site area is 6,293 sqm.

Figure 2: Extract of survey plan



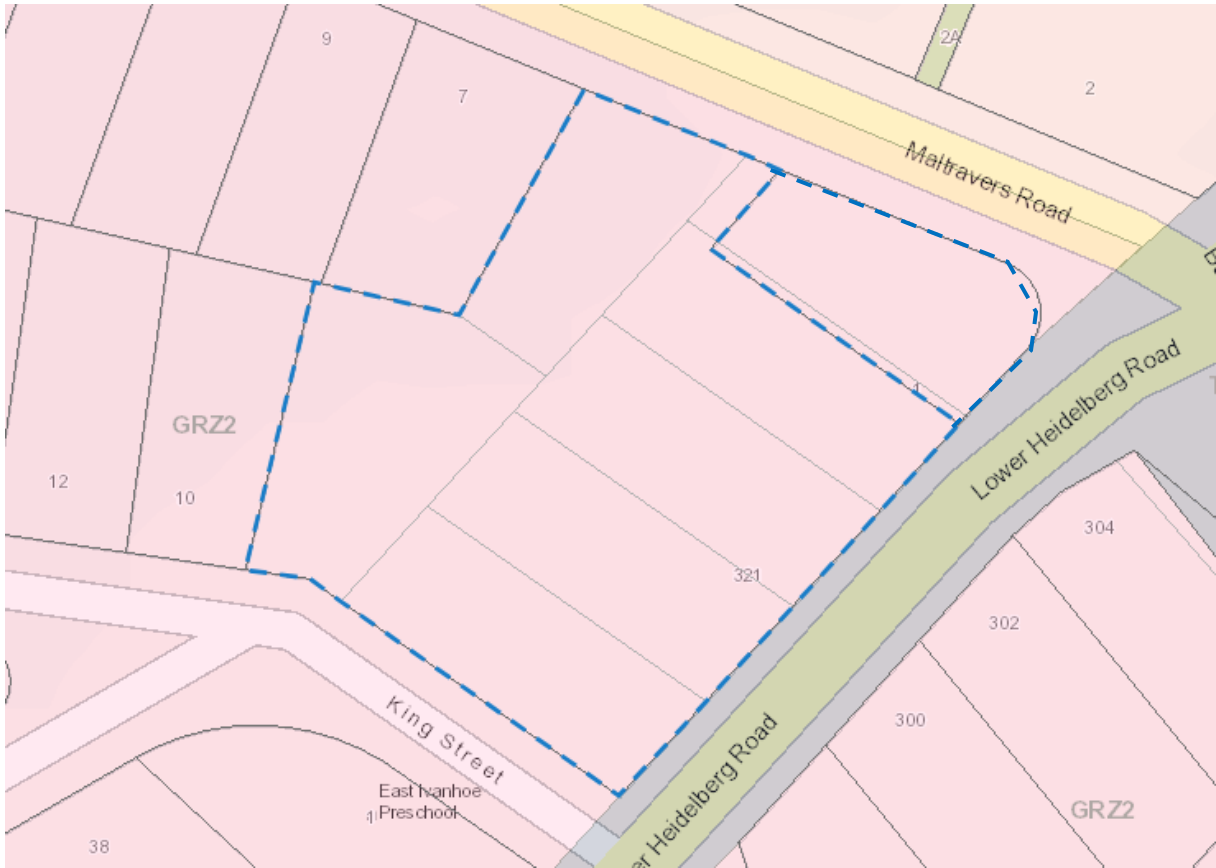
- There are several existing buildings, structures, paving, and other amenities located across the site. There are several buildings associated with the former Uniting Church located in the central and south-eastern quadrants of the subject land.
- The Church buildings are constructed of brick including the 1941 red brick Church with terracotta roof, a 1961 yellow brick Church, a hall dated circa 1953, parsonage dated circa 1955 and brick sheds.
- The yellow brick Church has a large tower structure which appears to be currently utilised for antenna etc.
- The subject land includes scattered vegetation throughout, particularly canopy trees to the periphery of wider site and individual lots.
- A car parking area associated with the Church is located to the rear of the Church buildings, with access from Lower-Heidelberg Road.

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– There are two tennis courts located on the corner of King Street and Lower-Heidelberg Road.

Figure 3: Cadastral Plan (site outlined in blue)



Source: VicPlan (17 November 2023)

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Photograph 1: View of subject site from Maltravers Road



Photograph 2: Close up view of the subject site (tennis court and surrounds) as taken from King Street



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Photograph 3: View of the subject site as taken from Lower-Heidelberg Road



Figure 4: Extract of 1941 Church building



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Figure 5: Extract of 1961 Church building



Figure 6: Extract of 1961 Church tower



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2.2. Restrictive covenants

The site is comprised of 9 parcels on seven separate titles.

Each parcel is encumbered by a covenant in similar terms, which provides that the owner 'will not erect ... more than one dwelling house ... such house to have a roof of slate or tiles or any other material approved ... and ... will not carry on ... any brick making or quarrying operations nor remove any sand or gravel ... nor carry on ... any fell-mongery butchering poultry farming or other offensive operations or manufactures ...'.

Neither the development proposal nor any of the proposed uses breach the terms of the covenants.

The covenants are contained in the following documents:

321 Lower Heidelberg Road, Ivanhoe East

- Lot 1 on Title Plan 337218E
 - Covenant 1350689 (dated 1927)
- Lots 1, 2 and 3 on Title Plan 814934S
 - Covenant as to part 1394247 (dated 1928)
 - Covenant as to part 1408211 (dated 1929)
 - Covenant as to part 1532483 (dated 1933)
- Lot 46 on Plan of Subdivision 008311
 - Covenant 1101301 (dated 1923)
- Lot 47 on Plan of Subdivision 008311
 - Covenant 1127466 (dated 1923)
- Lot 48 on Plan of Subdivision 008311
 - Covenant 1394247

1 Maltravers Road, Ivanhoe East

- Lot 1 on Title Plan 868576N
 - Covenant 1350689 (dated 1927)
- Lot 1 on Title Plan 337219C
 - Covenant 1532483 (dated 1933)

2.3. Surrounding Land

Contextually, the subject site is in close proximity to the intersection of a number of key roads including Lower Heidelberg Road and Burke Road North.

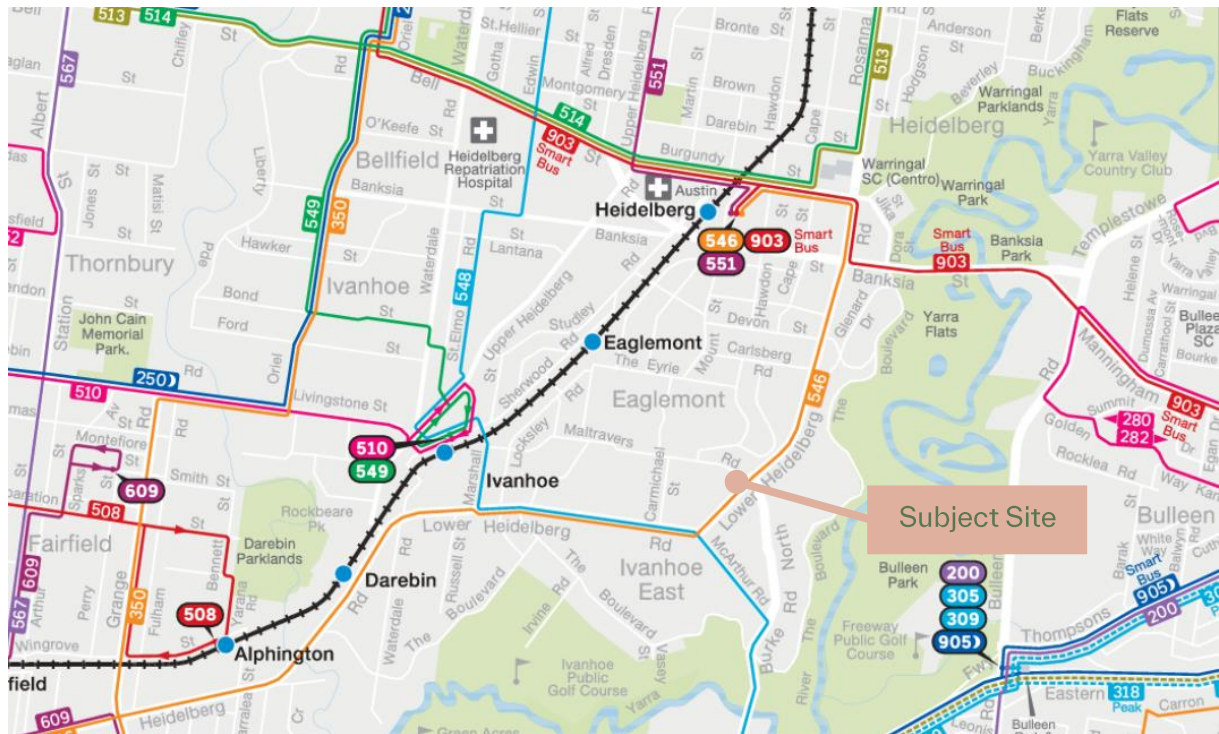
Two of these roads, Lower Heidelberg Road and Burke Road, are Transport 2 Zones.

Burke Road ultimately forms part of the PPTN (Principal Public Transport Network) further to the south.

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The subject site is located on one corner of a roundabout which connects Lower-Heidelberg Road, Maltravers Road, Keam Street, and Burke Road North.

Figure 7: Extract of PTV map



The surrounding context contains some variances in built form, however the prevailing neighbourhood character is a mixture of single and double storey dwellings with hipped and tiled roofs.

More specifically, an overview of the site’s various interfaces are as follows:

North

- There is a pattern of residential development to the immediate north of the subject site (across Maltravers Road), generally indicative of single (both single and double storey) dwellings set within large expansive yards. Swimming pools and tennis courts are often present in rear yards.
- This low-density pattern of residential development continues until Banksia-Bell Link/Banksia Street, which transitions into commercial land uses mixed within higher density residential lots.
- Outlook Drive Reserve, a small recreational park, is located approximately 70 metres due north from the subject site.

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Photograph 4: View of residential properties to the north on Maltravers Road



Source: Landchecker (2 September 2023)

East

- To the immediate east of the subject site is Lower Heidelberg Road (a major road). Within the wider area to the east is a slightly denser residential pattern in contrast to the area to the north.
- Beyond the residential area is the Main Yarra Trail and Yarra River which includes expansive informal recreational grounds and significant vegetation.
- Bulleen Park is located approximately 800 metres to the east and contains two football ovals and soccer fields.

Photograph 5: Looking south down Lower Heidelberg Road



Source: Landchecker (2 September 2023)

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South

- To the immediate south of the subject site is King Street. Across King Street is East Ivanhoe preschool, and a Maternal and Child Health services centre. These are housed within single storey dwellings constructed of brick with hipped and tiled roofs.
- Further south residential development extends down to East Ivanhoe Neighbourhood Activity Centre. The Neighbourhood Activity Centre is located approximately 225 metres to the south of the subject land. This area contains a number of small strip-shop commercial buildings generally 1-2 storeys in height. Uses commonly include cafes, restaurants, and general retailing.
- Notable land uses include St George’s Anglican Church and Ivanhoe East Primary School, both being located on Warncliffe Road. Further to the south, approximately 1km, is Ivanhoe Public Golf Course and Yarra River beyond.

Photograph 6: View of East Ivanhoe Preschool



Source: Landchecker (17 November 2023)

West

- To the immediate north-west of the subject site, at number 7 Maltravers Road, is a single-storey dwelling with hipped roof forms. The dwelling is constructed within close proximity of the common boundary with the subject site and setback approximately 6.1 metres from Maltravers Road.
- To the immediate west of the subject site, at number 10 King Street, is a double storey brick and render dwelling. The roof form is hipped with a tiled roof; the upper floor is well recessed from the ground floor.
- Number 12 King Street, the abutting lot to the property aforementioned, presents a substantial profile to the streetscape. The dwelling is effectively three storeys in height and offers a form that is essentially boundary to boundary across the frontage.

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- The wider area to the west is predominantly residential in nature.
- Ivanhoe Park, a football oval, is located approximately 900 metres to the south-west.
- Ivanhoe Activity Centre is located approximately 1.5km to the west of the subject site and contains numerous retail developments as well as Ivanhoe Train Station.

Photograph 7: View of 10 King Street



Source: Landchecker (17 November 2023)

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3. The Proposal

3.1. Overview

The proposal seeks planning approval for the use and development of the land as an integrated community facility, including a 96 place childcare centre, restricted recreation facility (health club), food and drink premises (cafe), place of assembly (gallery) and medical centre.

The removal of vegetation, alteration of access to a Transport 2 Zoned (TRZ2) road and display of signage are also proposed.

3.2. Land Uses

The proposal seeks to provide the following uses at the subject site:

- Childcare centre
- Medical centre
- Restricted recreation facility (health club – incorporating gym, pool, wellness)
- Food and drink premises (café)
- Place of Assembly (gallery – within the existing Church building)

Figure 8: Extract of component breakdown table (OMG)

Component	No. / Area
Childcare centre	96 children 1,241 sqm
Medical centre	5 practitioners/ consulting rooms 497 sqm (net floor area) 465 sqm (leasable floor area)
Health club (gym, swimming pool, wellness)	118 patrons 1,350 sqm
Café	310 sqm
Gallery/ community centre	20 patrons 128 sqm

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Application No. P4/2024

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Childcare Centre

A 96-place childcare centre is proposed along the southern portion of the building, occupying part of lower ground and ground floor of the subject site and comprise an area of 1,241 sqm.

The childcare centre will accommodate 12 x infants, 16 x nursery children, 24 x toddlers and 44 x kinder children across 6 rooms. The childcare is accessed via King Street at lower ground level and Lower Heidelberg Road at upper ground level.

An outdoor play area is also proposed on the lower ground floor.

The childcare centre is intended to operate as 'Long Day Care' and will be open Monday to Friday 7:00am to 6:00pm. The childcare will not operate on Saturday and Sundays.

A Childcare Needs Assessment has been prepared by Ratio Consultants which demonstrates that there is an undersupply of childcare places within this catchment.

Medical Centre

The facility includes an integrated medical centre that will accommodate 5 practitioners/consultation rooms, a pathology room and procedure room and will be located at lower ground floor.

The medical centre has a gross floor area of 497sqm and a leasable floor area of 465sqm.

The medical centre will be open Monday to Friday 9:00am to 5:00pm.

Restricted Recreation Facility (Health Club – gym, pool, wellness centre, splash area)

The total area of the health club is 1,350 sqm, with a total of 118 patrons between the gym, pools and wellness centre.

The gym will be located towards the northern portion of the building and will occupy an area of approximately 208 sqm on the ground floor.

An indoor pool is proposed to be located on upper ground floor with an associated outdoor splash area, both of which can be accessed via the gym at the main pedestrian access point at Lower Heidelberg Road.

The gym will accommodate up to 42 patrons and be open Monday to Friday 7:00am to 9:00pm and Saturday and Sunday 7:00am to 3:00pm.

The pool will accommodate up to 58 patrons and be open Monday to Friday 7:00am to 9:00pm and Saturday and Sunday 7:00am to 3:00pm.

The outdoor splash area will operate in conjunction with the pool area and will be open Monday to Friday 7:00am to 9:00pm and Saturday and Sunday 7:00am to 3:00pm. A double storey health and wellbeing space is proposed along the northern portion of the site and can be accessed by Maltravers Road at upper ground level.

The Wellness Building will accommodate up to 18 patrons and be open Monday to Friday 6:00am to 5:00pm and Saturday and Sunday 7:00am to 3:00pm.

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The Gym, Pool, Wellness centre and Splash area will be formed under one single facility as a part of a health club.

The health club will operate as a members-only facility. It will not be available for use to the general public.

Food and Drink Premises (Café)

A café is proposed to be located on lower ground floor, which has a floor area of 310 sqm and can be accessed via King Street.

The café is proposed to accommodate between 50-100 patrons and open Monday to Friday 7:00am to 4:00pm and Saturday and Sunday 8:00am to 2:00pm.

Place of Assembly (Gallery)

A community centre / gallery is proposed within the existing church fronting King Street.

The gallery will only be open to specific ad hoc events including (but not limited to):

- Dance classes
- Language classes
- Birthday functions

The gallery will accommodate up to 20 patrons and be open Monday to Friday 10:00am to 8:00pm and Saturday and Sunday 9:00am to 4:00pm.

3.3. Built form

Demolition

The proposal seeks to demolish all of the existing structures on the subject site except for the original 1941 Church fronting King Street, as shown in the figure below.

The later rear extension of the Church is proposed to be demolished, as well as the stairs located at the front of the Church. A permit is not required for demolition as the site is not affected by the Heritage Overlay.

Some on-site trees / vegetation are proposed for removal (outlined in red). Trees highlighted in green are proposed to be retained. The Tree Protection Zone (TPZ) of trees to be retained is shown in dashed blue.

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Application No. P4/2024

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Figure 9: Demolition Plan



Source: Town Planning Drawings prepared by VIA Architects

The Arborist Report prepared by John Patrick Landscape Architects identifies 100 trees on or within close proximity to the subject site, including 61 trees within the site, 17 trees on adjoining properties and 22 Council-owned street trees.

Only one (1) on-site tree is identified to be of high arboricultural value (Tree 11 – Deodar Cedar), located within the King Street frontage. This tree is proposed to be retained.

The proposal seeks to remove 6 x medium retention trees, 46 x low retention trees and 15 x trees within the road reserve.

The following trees require a permit to remove under the VPO3:

- 6 x medium arboricultural value trees (Trees 17, 20, 26, 27, 64 and 67)
- 18 x low arboricultural value trees (Trees 21, 22, 23, 28, 30, 35, 45, 46, 47, 48, 58, 66, 68, 71, 72, 78, 82 and 101)

The trees located within the road reserve that are proposed to be removed include Trees 2, 3, 4, 5, 6, 8 and 9 (within the King Street road reserve) and 89-96 (within the road reserve at the intersection of Maltravers Road and Lower Heidelberg Road). The arborist notes:

- Trees 2, 3, 5 and 6 are suppressed and are of low arboricultural value and not worthy of retention.

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Application No. P4/2024

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- Tree 4 is a large White Cedar that appears healthy, but on closer inspection it is structurally poor with a fracture down its main trunk and signs of decay. It is therefore considered of low arboricultural value and not worthy of retention beyond 15 years, if it lasts that long.
- Tree 8 is a Claret Ash which has senesced and is in advanced decline and requires removal regardless of any redevelopment of the site.
- Tree 9 is a Golden Ash which is in the initial stages of senescence and is stressed, evident by the sucker growth coming from its base and the canopy being predominantly made up of epicormic growth. It is of medium arboricultural value.
- Trees 89 – 96, while on public land, appear to have been planted by a previous owner of 1 Maltravers Road. Four of these are Christmas Berries, three are Italian Cypress, and one is a self-germinated Cotoneaster weed. The Italian Cypresses appear to be regularly lopped to keep them clear of power lines above. They are all of low arboricultural value.

All trees located within the road reserves require approval from the Responsible Authority for their removal regardless of whether they are weedy or covered by VPO3.

The remaining street trees (Trees 1, 10, 32, 33, 34, 97 and 98) are all proposed to be retained.

There are no naturally occurring Victorian native trees that would require a permit to remove under Clause 52.17. Any Victorian Native trees within the site have been planted and are therefore exempt.

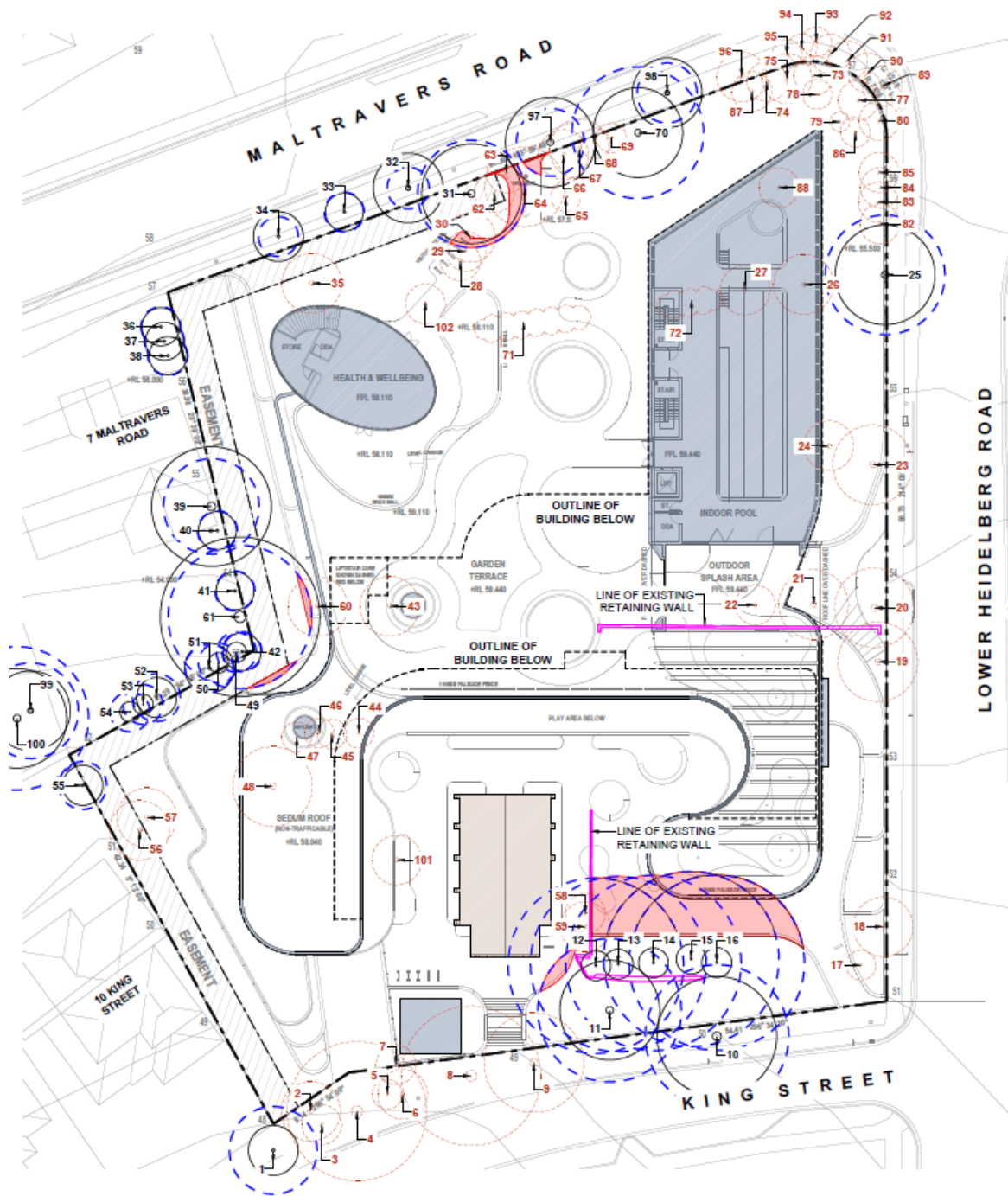
In addition, a non-destructive root investigation (NDRI) was undertaken for Trees 12-16 (medium arboricultural value trees – to be retained) to determine the impact of the encroachment by the proposed paved walkway and seating area (TPZ encroachments ranging between 15.4% - 33.8%). The NDRI determined that based on these results and the high tolerance this taxon has to root pruning, the trees are likely to tolerate the level of encroachment.

We defer to the Arborist Report and Landscape Plan prepared by John Patrick Landscape Architects for further details around tree removal (permit required), retention and proposed planting.

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Figure 10: Extract of Tree Impact Assessment



In addition, the consolidated lot features an existing drainage and sewerage easement that runs through the subject site across all individual Titles.

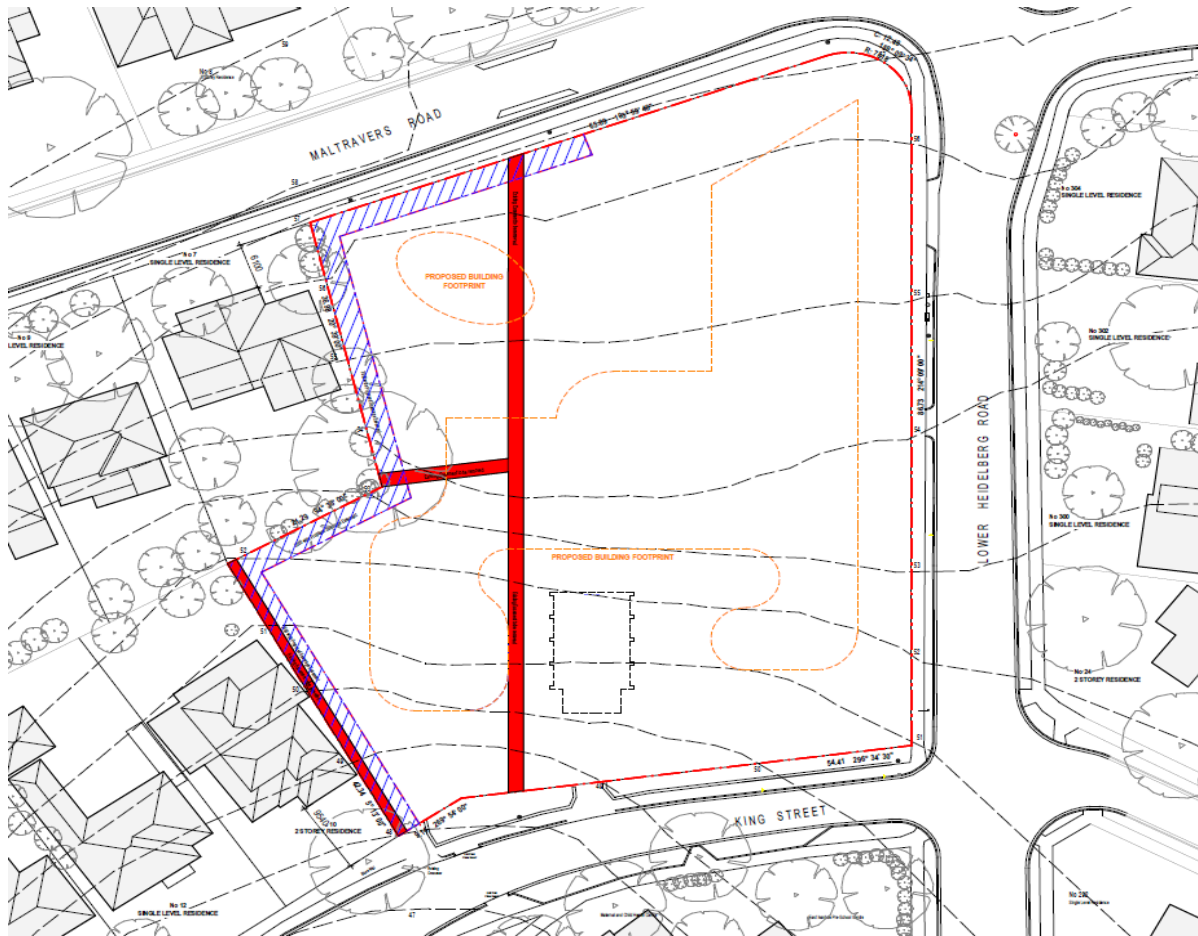
In order to cater for this application, it is proposed to remove and relocate the easement along the western periphery of the site, as shown in the below figure.

The blue hatching refers to the proposed location of the existing easements that are currently located in red.

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Figure 11: Easement removal/ relocation



Source: Town Planning Drawings prepared by VIA Architects

Built form

It is proposed to construct a predominantly 2-storey building (due to site slope) above two levels of basement car parking. The proposal is described as follows:

- A series of buildings with a maximum height of 11.725 metres.
- A site coverage of 39.8%.
- A garden area of 58.0%.
- 12 illuminated business identification signs (discussed in Section 6 of this report).
- Vehicle access is proposed along King Street via a cross-over (two-way directional), which connects to the basement levels (lower ground level).
- 97 car parking spaces are proposed across both basement levels (49 at B2 and 48 at B1).
- 16 staff bicycle spaces are located at basement 1, 10 visitor bicycle spaces are proposed on lower ground level and another 10 are proposed on upper ground level for visitors, resulting in 36 bicycle spaces in total.
- Pedestrian access to the building is proposed along Lower Heidelberg Road (ground level).

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- Pedestrian access to the garden terrace is proposed along Maltravers Road (upper ground level).

The proposed building has been designed to follow the topography of the sloping land thus limiting the height and scale of the building at each of its public and private interfaces. The site slopes down by 9 metres from Maltravers Road to King Street.

Figure 12: Proposed render



3.4. Signage

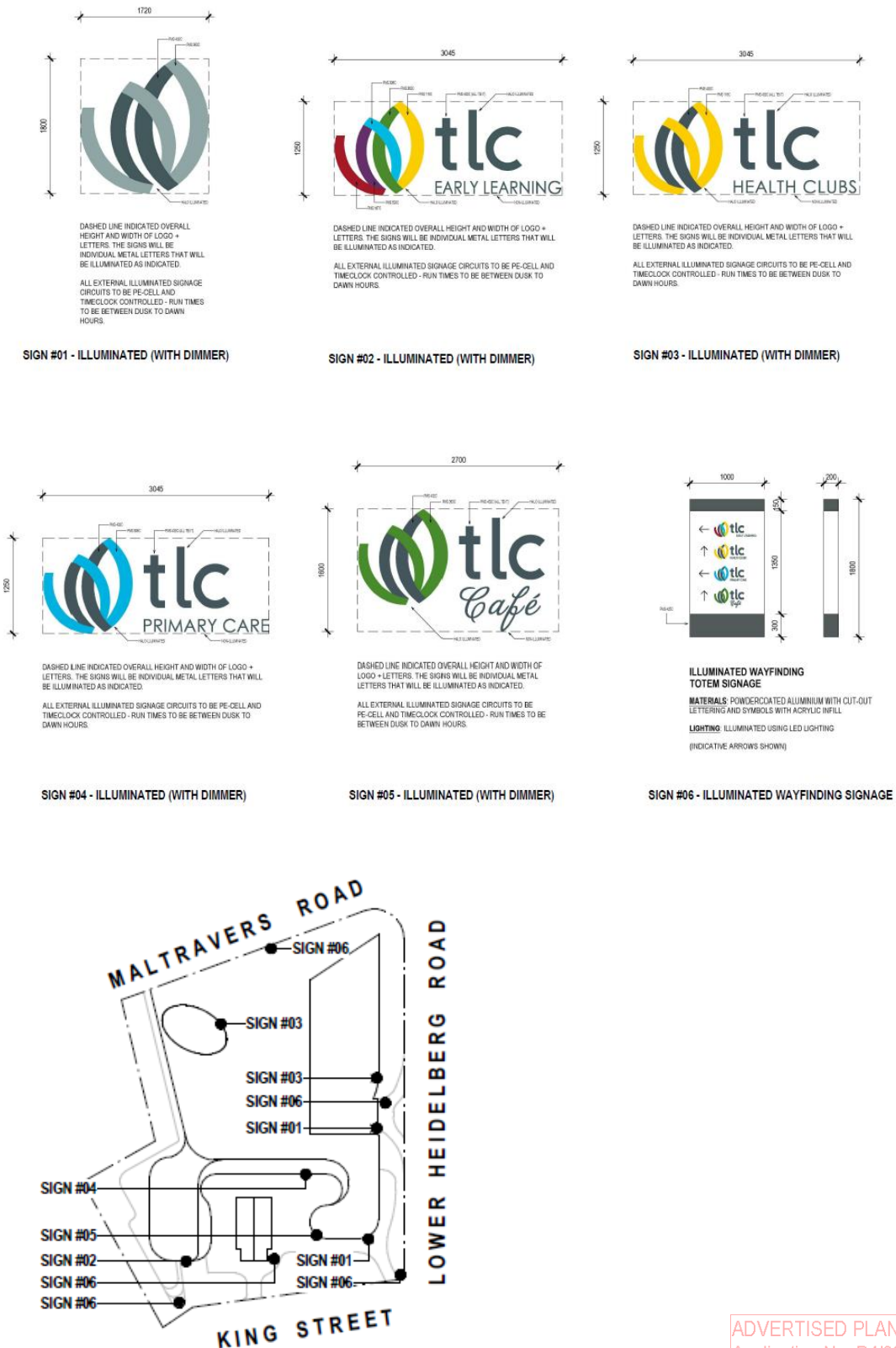
A total of 12 illuminated business identification signs are proposed. The signage comprises of four (4) types, as follows:

- Sign #01 – 1.8 m (h) x 1.72 m (w) business identification (logo) sign, illuminated with dimmer (halo-lit).
- Signs #02, #03, #04 – 1.25 m (h) x 3.045 m (w) business identification sign, illuminated with dimmer (halo-lit).
- Sign #05 – 1.60 m (h) x 2.70 m (w) business identification sign, illuminated with dimmer (halo-lit).
- Sign #06 – 1.35 m (h) x 1.0 m (w) wayfinding totem sign, illuminated (via LED).

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Figure 13: Extract of proposed signage



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3.5. Landscaping

The landscape plan prepared by John Patrick Landscape Architects has an important role as part of the overall design response where a significant balance of the site is devoted towards garden space and tree planting which will complement the scale and form of the building, as shown in the below figure.

A total of 8 x large canopy trees (up to 15 metres in height), 29 x medium canopy trees (up to 12 m in height) and 16 x small canopy trees (up to 6 metres in height) is proposed throughout the site.

We defer to the Landscape Plan for further details around the landscaping proposed for the site.

Figure 14: Landscape Plan



Source: John Patrick Landscape Architects

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4. Planning Controls

4.1. Zone

The subject site is located within the General Residential Zone – Schedule 2 pursuant to Clause 32.08 of the Banyule Planning Scheme. The purpose of the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Figure 15: Zoning map



Source: VicPlan (21 November 2023)

Pursuant to Clause 32.08-2, a permit is required for:

- Use of the land for a ‘childcare centre’.
- Use of the land as a ‘food and drink premises’ (café).

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- Use of the land for a ‘minor sports and recreation facility’ (health club – including gym and pool).
- Use of the land for a ‘restricted recreation facility’ (health club – swimming pool, gym, wellness).
- Use of the land for ‘place of assembly’ (gallery/ community centre).

Use of the land for a ‘medical centre’ is a Section 1 Use (no permit required) on the proviso that:

- *The gross floor area of all buildings must not exceed 250 square metres.*
- *Must not require a permit under Clause 52.06-3.*
- *The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.*

The medical centre has a gross floor area of 497sqm and therefore requires a permit pursuant to Clause 32.08-2.

Pursuant to Clause 32.08-9, a permit is required for buildings and works associated with Section 2 Uses.

Pursuant to Clause 32.08-14, the site is within Category 3 (High amenity areas) as per Clause 52.05 (Signs).

It is noted that the minimum garden area requirements (Clause 32.08-4) and maximum building height requirements (Clause 32.08-10) do not apply to this application given no dwellings or residential buildings are proposed.

4.2. Overlays

Vegetation Protection Overlay

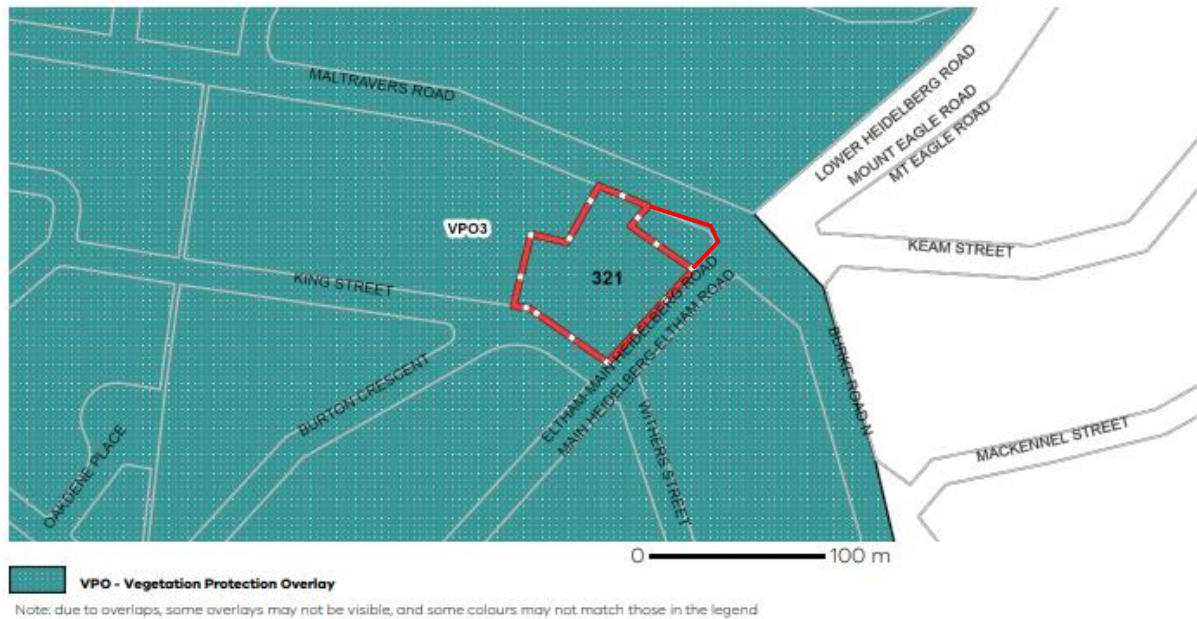
The subject site is affected by a Vegetation Protection Overlay – Schedule 3 (VPO3) pursuant to Clause 42.02 of the Banyule Planning Scheme. The purposes of the VPO are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.*
- *To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

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Figure 16: VPO map



Source: VicPlan (21 November 2023)

Pursuant to Clause 3 of the Schedule, a permit is required to remove, destroy or lop any vegetation. There are several exemptions that are stated within this section, including:

- To the removal, destruction or lopping of native vegetation which has been planted for garden or horticultural purposes and which is less than 5 metres high and has a single trunk circumference of less than 0.5 metres at a height of 1 metre above ground level.
- To the removal, destruction or lopping of exotic vegetation which is less than 5 metres in height and has a trunk circumference of less than 0.5 metres at a height of 1 metre above ground level.
- To the removal, destruction or lopping of vegetation identified as environmental weed species in Banyule Weed Management Strategy 2006
- To the removal or pruning of street trees in accordance with the Banyule Street Tree Strategy.

As per the accompanying Arborist Report, the following trees require a permit to remove under the VPO3:

- 6 x medium arboricultural value trees (Trees 17, 20, 26, 27, 64 and 67)
- 18 x low arboricultural value trees (Trees 21, 22, 23, 28, 30, 35, 45, 46, 47, 48, 58, 66, 68, 71, 72, 78, 82 and 101)

All trees located within the road reserves require approval from the Responsible Authority for their removal regardless of whether they are weedy or covered by VPO3.

We defer to the Arborist Report prepared by John Patrick Landscape Architects for further details.

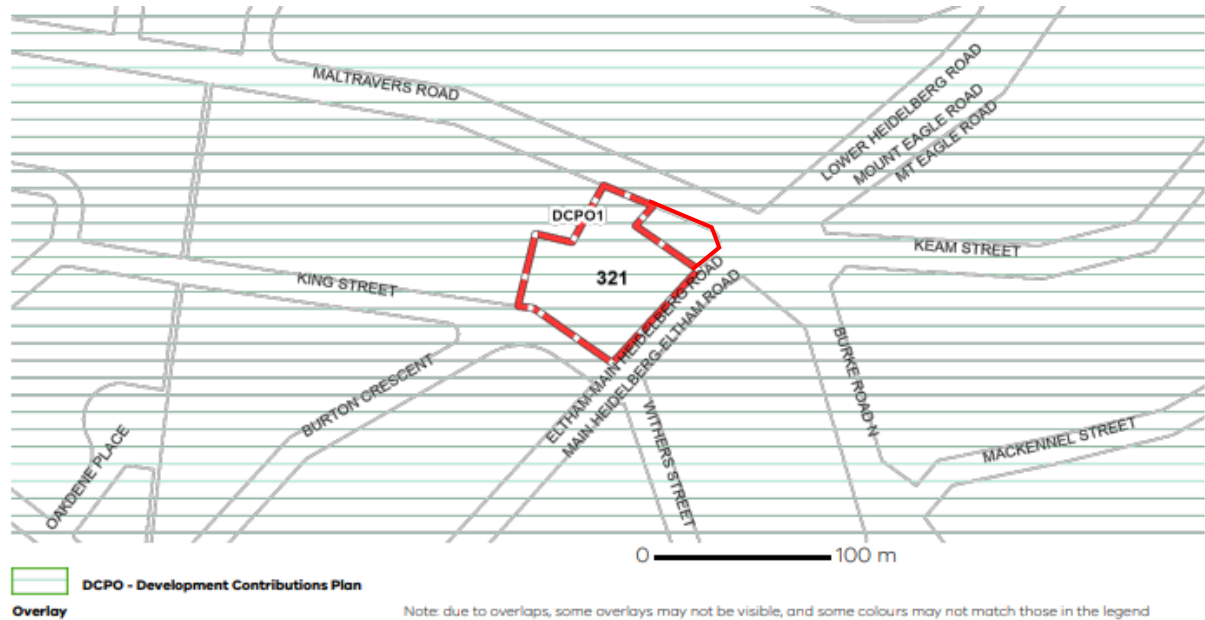
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Development Contributions Plan Overlay

The subject site is affected by the Development Contributions Plan Overlay – Schedule 1, pursuant to Clause 45.06 of the Banyule Planning Scheme.

Figure 17: DCPO map



Source: VicPlan (21 November 2023)

Pursuant to Clause 45.06-1 – a permit must not be granted to subdivide land, construct a building or construct or carry out work until a development contributions plan has been incorporated into this scheme.

Schedule 1 to the DCP relates to the Banyule Development Contributions Plan, which applies to all new development within the 24 Charge Areas shown on Map 1 within this overlay. The subject site is contained within Charge Area No. 24.

We note that the permit applicant will need to pay a contributions fee in accordance with this schedule.

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5. Planning Policy Framework

5.1. Municipal Planning Strategy (MPS)

- Clause 02.01 – Context
- Clause 02.02 – Vision
- Clause 02.03 – Strategic Directions
- Clause 02.04 – Strategic Framework Plans

Overview of MPS

Clause 02.01 notes that the City of Banyule is located between 7 and 22 kilometres north-east of central Melbourne. The municipality has an area of approximately 63 square kilometres. The Yarra River and Darebin Creek clearly define its southern and western boundaries respectively.

Clause 02.02 outlines the vision and strategic framework for the municipality. Banyule's City Plan (Corporate Plan) sets the aims and actions, and key strategic directions for the relevant three-year period. The vision included in that plan guides the Municipal Strategic Statement:

- *Banyule will be regarded as a city offering a range of quality lifestyles in an urban setting enhanced by the natural environment, and served by an efficient and committed Council.*

Clause 02.03-2 provides strategic directions for environmental and landscape values, including:

- *Retain and plant Significant Trees, Substantial Trees and other vegetation to protect and enhance Banyule's landscape character, habitat links and biodiversity, contribute to water-sensitive design, and to manage the urban heat island effect.*

Clause 02.03-3 provides strategic directions for environmental risks and amenity. In relation to non-residential uses in residential areas, Council seeks to:

- *Support non-residential uses that serve the needs of the local community and complement the surrounding area.*
- *Direct non-residential uses to locations that are convenient to intended users.*
- *Minimise any adverse effects on the amenity and character of residential areas from non-residential uses and associated development.*

Clause 02.03-4 outlines various strategic directions for built environment and heritage. With respect to neighbourhood character, Council seeks to:

- *Encourage development that contributes to the preferred character of residential neighborhoods in a manner that supports varying degrees of housing change.*
- *Retain and plant Significant Trees, Substantial Trees and other vegetation to protect and improve neighbourhood character and streetscapes.*

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Further Council's strategic direction for environmentally sustainable development pursuant to Clause 02.03-4 is to:

- *Encourage development that delivers more environmentally sustainable design and construction.*

Clause 02.03-7 outlines strategic directions for transport, including:

- *Reduce residents' reliance on private vehicle transport by facilitating a safe, efficient and effective integrated transport network that caters for all abilities.*
- *Support land use and development that will facilitate sustainable modes of transport and reduce the distances residents need to travel.*
- *Reduce the detrimental effects of transport on amenity and the natural environment.*

Clause 02.03-8 provides strategic directions for infrastructure. In relation to community facilities, Council seeks to:

- *Support a wide range of cultural, health, educational and institutional uses that are responsive to the existing and likely future needs of the community.*
- *Minimise any negative impacts of cultural, health, educational and institutional facilities on the amenity of the surrounding area.*

Clause 02.04 provides the relevant strategic framework plans accompanying the strategic directions under Clause 02.03.

The subject site is located within an area of landscape significance (which aligns with the application of the VPO), pursuant to Plan 1. The site is located approximately 230 metres north-east of the Ivanhoe East Neighbourhood Activity Centre and approximately 920 metres west of the Ivanhoe Major Activity Centre/ Railway Station.

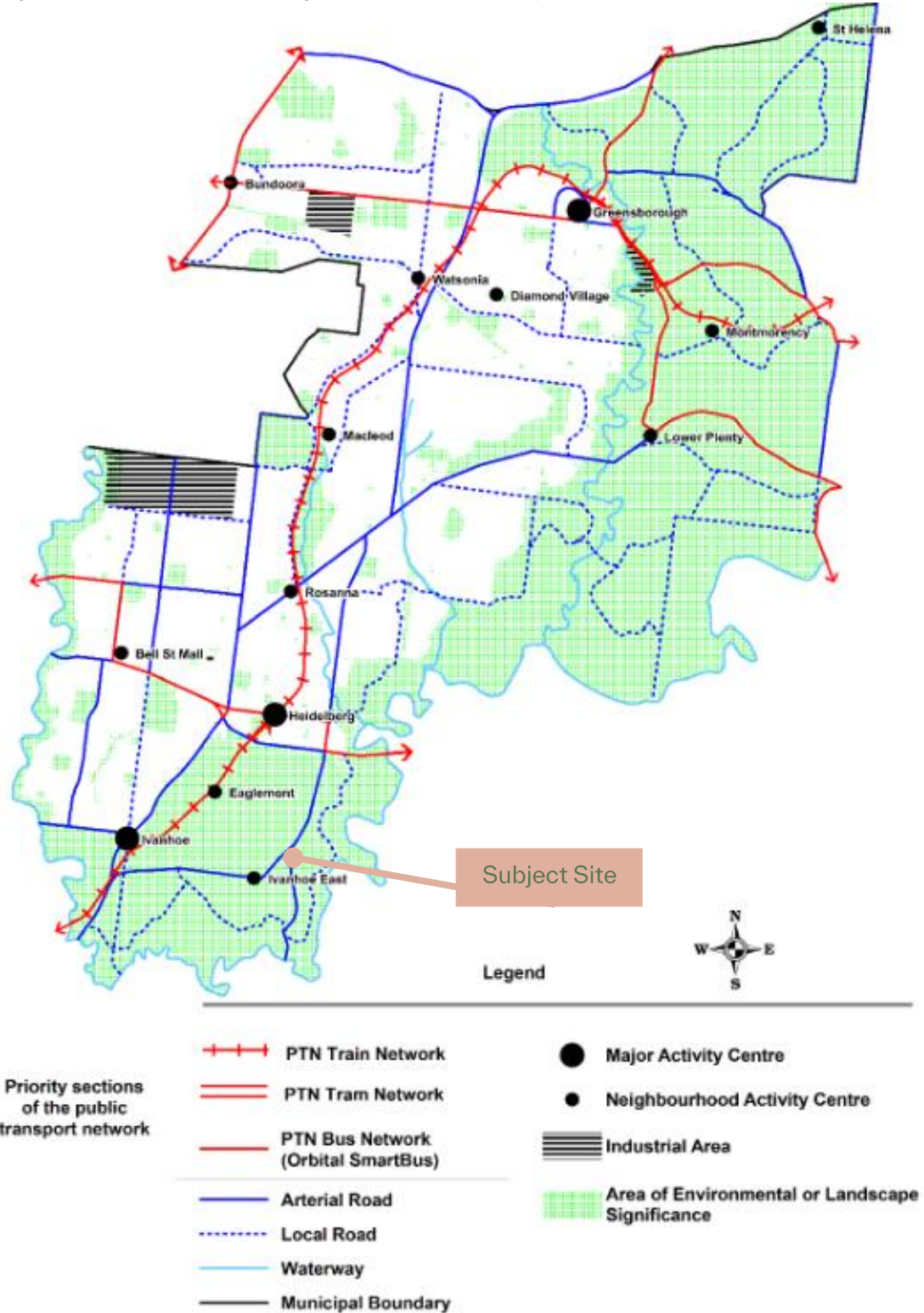
The site is not identified within an area of environmental significance or within a wildlife corridor/ habitat link, pursuant to Plan 2.

While the site is located within a residential area, this application does not propose any residential uses. Therefore Plan 3 is not applicable to this application.

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Figure 18: Extract of Strategic Framework Plan (Plan 1)



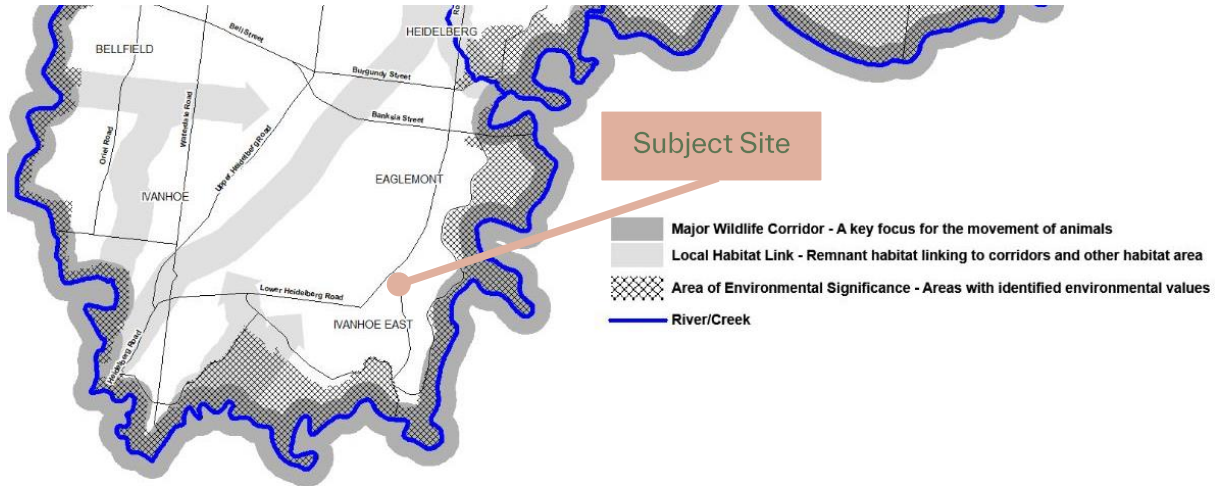
Source: Clause 02.04 of the Banyule Planning Scheme

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Figure 19: Extract of Natural Environment Framework Plan (Plan 2)



Source: Clause 02.04 of the Banyule Planning Scheme

Planning Policy Framework

The following Planning Policy Framework (PPF) (some identified as ‘S’ state, ‘R’ regional and ‘L’ local) that are relevant to this proposal include:

Clause	Policy/ Response
Clause 11.01-1S – Settlement	<p>Seeks to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.</p> <p>The proposal provides for community uses/ employment opportunities in an established area proximate to the Ivanhoe East NAC, Ivanhoe MAC and within the PPTN.</p>
Clause 11.02-1S – Supply of Urban Land	<p>Seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.</p> <p>The proposal caters for community/ retail (food and drink) uses in an established residential area (where non-residential uses can be contemplated).</p>
Clause 12.05-2S – Landscapes	<p>Seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.</p> <p>The proposal seeks to retain a number of medium and high arboricultural value trees on and within proximity of the site. In addition, the proposal will provide for an improved landscape outcome for the area.</p>
Clause 13.07-1S – Land Use Compatibility	<p>Seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, and residential uses.</p>

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	<p><i>infrastructure or other uses with potential adverse off-site impacts.</i></p> <p>The site abuts three (3) street frontages which minimises sensitive abutments. The proposal has had appropriate regard for the surrounding residential uses and its direct interfaces to residential dwellings.</p> <p>Amongst other things, an acoustic report and traffic report accompanies this submission which demonstrates that the proposed use and development will not result in unreasonable amenity impacts.</p> <p>This is discussed further within the ‘Planning Considerations’ section of this report.</p>
<p>Clause 13.07-1L – Non-Residential Uses in Residential Zones</p>	<p><i>Location strategies</i></p> <p>– <i>Locate non-residential uses:</i></p> <ul style="list-style-type: none"> • <i>Where there is a demonstrable local community need for the proposed facility or service.</i> • <i>On a corner lot.</i> • <i>Fronting a road in a Road Zone.</i> • <i>With convenient access to public transport, such as within the Principal Public Transport Network Area, to minimise traffic impacts on local streets.</i> <p>– <i>Locate office uses, including multi-practitioner medical centres, in or adjacent to activity or other commercial centres.</i></p> <p>– <i>Locate recreational, religious and community uses, and single-practitioner medical centres, in or adjacent to activity centres, unless they predominantly serve local community needs.</i></p> <p>– <i>Avoid locating non-residential uses in a manner that isolates existing dwellings from the surrounding residential area.</i></p> <p>We defer to the Childcare Needs Assessment prepared by Ratio Consultants that specifically responds to this policy in terms of establishing that there is an identified need in the community.</p> <p>The proposal seeks to take advantage of a large site on the corner of Maltravers Road and Lower Heidelberg Road, whilst also directly abutting King Street. The site’s largest interface is towards Lower Heidelberg Road (Transport 2 Zone) and it has convenient access to public transport, being located within the Principal Public Transport Network.</p>

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The site is also located 235m north of the East Ivanhoe Neighbourhood Activity Centre and 1.5km east of the Ivanhoe Major Activity Centre. As the site is not specifically located within an activity centre, it is proposed to serve the needs of the local community whilst also having convenient access to the commercial areas and activity centres within the Ivanhoe Area.

Siting and design strategies

- *Encourage the re-use of existing non-residential buildings for new non-residential uses.*
- *Encourage the use of existing dwellings in preference to developing purpose-built non-residential buildings.*
- *Design buildings for non-residential uses that are sympathetic to neighbouring dwellings in terms of siting, density, scale, form and style.*
- *Encourage the preparation of a master plan to guide the development or expansion of larger non-residential uses.*
- *Locate car parking associated with a non-residential use at the side or rear of the site to avoid it dominating the development or street frontage.*
- *Minimise the number of additional crossovers in the street.*

Landscaping and amenity strategies

- *Landscape the front setbacks of buildings used for non-residential purposes to enhance the appearance of the site and the locality.*
- *Provide landscape buffers between non-residential uses and neighbouring residential properties to mitigate visual, noise and other adverse amenity impacts.*
- *Minimise any adverse impacts on the amenity of the neighbourhood by way of noise, traffic, parking, lighting, odours, or hours of operation.*

The site slopes 9m down from Maltravers Road to the southernmost portion of the site along King Street. With this in mind, the proposal has been designed to follow the topography of the land proposing 2 levels of basement car parking that will be accessed via King Street. The basement arrangement ensures that the streetscape is not dominated by car parking.

The development has adopted the design approach to orientate the massing of the building towards Lower Heidelberg Road, which allows the development to be sympathetic to the surrounding dwellings (particularly to the immediate west). The

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	built form has also been softened through landscaping throughout the site.
Clause 15.01-1S – Urban Design	<p>Seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</p> <p>The proposal provides for an integrated childcare/ medical / health & leisure facility that promotes a safe and enjoyable urban environment to support the social and leisure needs of the community.</p>
Clause 15.01-1L-01 – Urban Design	<p>As relevant to the proposal, this clause seeks to ‘design buildings that have active frontages and direct pedestrian access to abutting open space’.</p> <p>The proposal seeks to provide active frontages along all interfaces adjoining a street i.e. – Maltravers Road, Lower Heidelberg Road and King Street.</p> <p>The building is proposed to be constructed in high quality, earthy materials to complement the preferred neighbourhood character strategies of the Garden Suburban Area Precinct 3 (GS3), whilst also incorporating brick, which is consistent throughout the Ivanhoe area. In addition, extensive use of glazing has been adopted to promote internal and external passive surveillance opportunities.</p>
Clause 15.01-1L-02 – Safer Design	<p>This policy applies to all land within the City of Banyule excluding land within the Activity Centre Zone. Policy Objectives within this Clause include the following:</p> <ul style="list-style-type: none"> – Encourage a mix of uses that generate activity and facilitate the informal surveillance of public, and publicly accessible private, spaces. – Site and design developments and public spaces that provide for safe pedestrian movement between areas of activity, and to car parks and public transport stops, by: <ul style="list-style-type: none"> • Incorporating clearly defined and continuous paths of travel with unobstructed sightlines. • Providing appropriate lighting to increase personal security. • Eliminating areas of potential concealment and entrapment. • Maximising opportunities for informal surveillance. • Clearly defining private, public and community spaces. • Utilise materials, colours, finishes, fixtures, landscaping and building forms that discourage graffiti.

ADVERTISED PLAN
Application No. 1492024

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	<p>In considering any proposal to use and develop land, the responsible authority will have regard to the Banyule Safer Design Guidelines.</p> <p>The heavy glazing adopted throughout the development promotes informal surveillance within the different internal spaces throughout the site and also externally.</p> <p>The development has also been designed to adopt an open-style, welcoming community space which is encouraged by the number of pedestrian links and landscaping throughout the site.</p>
Clause 15.01-1L-03 - Signs	<p>Seeks to support signs that:</p> <ul style="list-style-type: none"> – <i>Complement the building or land on which they are displayed, through their appearance, size, illumination and other characteristics.</i> – <i>Do not detract from the character or amenity of the locality.</i> <p>The proposed signage, whilst illuminated, will be on a dimmer and loaded towards the three street frontages to minimise impacts to the adjoining residential properties to the west.</p> <p>A response to the signage provisions is provided within the ‘Planning Considerations’ section of this report.</p>
Clause 15.01-2S – Building Design	<p><i>Seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</i></p> <p>The proposal provides for a high-quality architectural response that takes advantage of the corner location, proximate to a NAC and within the PPTN.</p> <p>Please refer to the SMP prepared by Erbas for further details regarding ESD design treatments.</p>
Clause 15.01-2L-02 – Environmental Sustainable Development	<p>Clause 15.01-2L-02 Environmental Sustainable Design seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation. This clause contains the following strategies:</p> <p><i>Facilitate development that minimises environmental impacts.</i></p> <p><i>Encourage environmentally sustainable development that:</i></p> <ul style="list-style-type: none"> – <i>Is consistent with the type and scale of the development.</i> – <i>Responds to site opportunities and constraints.</i> – <i>Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.</i>

BYERLEY PLANNING
Application No. P4/2024

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	<p>For a non-residential building with a gross floor area greater than 1000 sqm, a Sustainable Management Plan must be submitted with the application.</p> <p>This has been prepared by Sustain Erbas and has been provided with the application.</p>
Clause 15.01-4S – Healthy Neighbourhoods	<p>Seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing.</p> <p>The proposal provides for an integrated childcare/ medical/ health & leisure facility that will foster healthy and active living community wellbeing.</p>
Clause 15.01-5S – Neighbourhood Character	<p>Seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.</p> <p>The proposal seeks to retain the existing 1941 Church building on the site which appropriately responds to the character/ cultural identity of the site.</p>
Clause 15.01-5L-01 – Preferred Neighbourhood Character (Garden Suburban 3 Precinct)	<p>This policy applies to all applications for development in the General Residential Zone (GRZ) within the areas identified on the Neighbourhood Character Area Map forming part of this clause.</p> <p>All areas objectives include the following:</p> <ul style="list-style-type: none"> – To encourage the retention and planting of canopy trees and understorey vegetation to soften the appearance of dwellings, enhance landscape settings, and improve existing wildlife and habitat links. – To ensure buildings and extensions do not dominate the streetscape, the building, or the outlook and amenity of neighbouring dwellings. – To protect and enhance the dominant continuous tree canopy and natural vegetated appearance of ridgelines. – To ensure that household services, vehicle access and storage facilities are not visually prominent features of streetscapes. <p>The subject site is located within the Garden Suburban Area Precinct 3 (GS3), per Figure 12.</p> <p>Garden Suburban Area wide objectives are as follows, inter alia:</p> <ul style="list-style-type: none"> – To maintain and strengthen the landscape setting of each precinct with spacious leafy gardens, tree-dominated streetscapes and spines of trees in rear setbacks. – To ensure development on sites zoned NRZ3 and GRZ2 prioritises tree protection and planting around and between dwellings to create an attractive, treed landscape setting.

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Garden suburban area wide policy guidelines are as follows, inter alia:

- *Building site coverage not exceeding 40 per cent to enable the planting, growth and retention of vegetation.*
- *Providing one medium to large tree for every 400 square metres of site area, with a preference for large trees and including existing trees that are worthy of retention.*
- *Providing at least one large tree in the front setback area.*

Garden Suburban Precinct 3 (GS3) strategies are as follows:

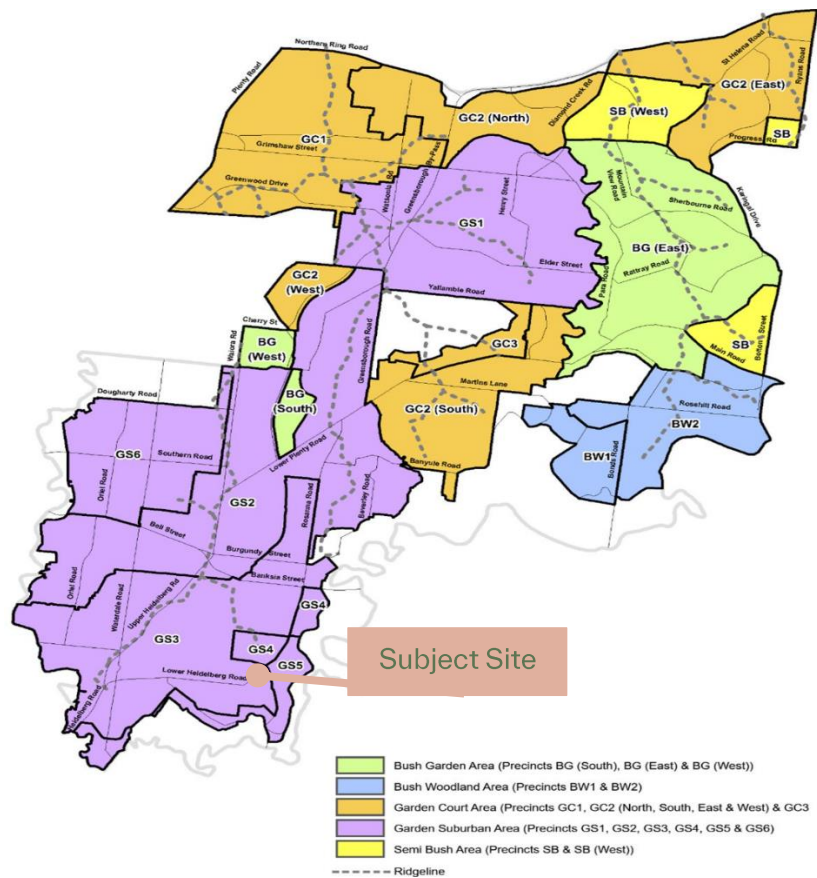
- *Provide a mix of exotic, native or indigenous trees and understorey vegetation that complements the character of the precinct.*
- *Encourage the retention of intact, good condition Victorian, Edwardian and Interwar buildings, particularly where individually significant, in a row, or streetscapes of dwellings from these periods.*
- *Retain the front façade when altering or extending dwellings that contribute to the character of the precinct.*
- *Incorporate main design themes in correct proportions and scale, from the Edwardian, Interwar, post-war or 1960s era in new development, as appropriate to the street.*
- *Incorporate second storeys within roof spaces where possible.*
- *Reflect the architectural style and form of the existing building in second storey additions.*
- *Match materials of new buildings to the predominant wall and roof materials in the street.*
- *Match wall and roof materials of existing buildings in extensions to those buildings.*
- *Use weatherboard or rendered brick in predominantly weatherboard areas south of Banksia Street.*
- *Use low and permeable front fencing appropriate to the predominant era of dwellings in the street to maintain the view of front gardens in the streetscape*

A response to Clause 15.01-5L-01 is provided within the 'Planning Considerations' section of this report.

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Application No. P4/2024

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Figure 20: Neighbourhood Character Area and Precincts Map



Source: Clause 15.01-5L-01 Preferred Neighbourhood Character of the Banyule Planning Scheme.

<p>Clause 17.01-1S – Diversified Economy</p>	<p>Seeks to strengthen and diversify the economy.</p> <p>The proposal will result in the creation of both direct and indirect jobs associated with the various uses.</p>
<p>Clause 17.02-2S – Out of Centre Development</p>	<p>Seeks to manage out-of-centre development.</p> <p>The proposal promotes development proximate to a NAC and within the PPTN.</p>
<p>Clause 19.02-1S – Health Facilities</p>	<p>Seeks to assist the integration of health facilities with local and regional communities.</p> <p>The proposal appropriately co-locates the 5-consultation room medical centre with compatible uses such as a childcare and health & wellbeing hub.</p>
<p>Clause 19.02-1L – Health Facilities</p>	<p>This policy outlines the following strategy:</p> <ul style="list-style-type: none"> – Encourage the preparation of master plans to guide the development or expansion of larger health facilities, such as hospitals and large specialist medical centres.

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	<p>Although not directly related to this proposal, it is proposed to establish a small medical centre and a health club at the site to service the needs of the local community.</p>
<p>Clause 19.02-2S – Education Facilities</p>	<p><i>Seeks to assist the integration of education and early childhood facilities with local and regional communities.</i></p> <p>The proposal caters for an integrated childcare centre development where there is an identified undersupply within this catchment.</p> <p>Please refer to the enclosed Needs Assessment prepared by Ratio Consultants.</p>
<p>Clause 19.02-2L – Education Facilities</p>	<p>The objective contained within this policy is to assist the integration of education and early childhood facilities with local and regional communities.</p> <p>Strategies identified within this clause to support this objective are outlined below:</p> <ul style="list-style-type: none"> – <i>Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.</i> – <i>Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.</i> – <i>Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.</i> – <i>Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.</i> – <i>Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).</i> – <i>Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.</i> – <i>Locate tertiary education facilities within or adjacent to activity centres.</i> – <i>Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.</i>

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Application No. P4/2024

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	<ul style="list-style-type: none"> – Consider the existing and future transport network and transport connectivity. – Develop libraries as community based learning centres. – Co-locate a kindergarten facility with all new Victorian Government primary schools. <p>We defer to the Needs Assessment prepared by Ratio Consultants and our assessment in Section 6 of this report for further details.</p>
Clause 19.03-3S – Integrated Water Management	<p>Seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.</p> <p>Please refer to the SMP prepared by Erbas for further details regarding WSUD design treatments.</p>

The proposal responds well to the prevailing PPF objectives and strategies and will result in an acceptable planning outcome for this site.

5.2. Particular Provisions

Clause 52.02 – Easements, Restrictions and Reserves

A permit is required before a person proceeds (inter alia):

- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

The proposal seeks to remove the existing drainage and sewerage easements and proposes a new 3 metre-wide easement to the rear (west) of the allotments as per Figure 11.

Clause 52.05 - Signs

A permit is required for all signage, given it comprises business identification and internally illuminated signage, which is listed within Section 2 (permit required) per Clause 52.05-13 – Category 3 ‘High amenity areas’.

Clause 52.06 – Car Parking

The car parking table under **Clause 52.06-5** prescribes the number of car parking spaces required having regard to the activities on the land.

The subject site is located within the PPTN and as such benefits from **Column B** rates per Clause 52.06 of the Banyule Planning Scheme.

The prescribed number of car parking spaces for the proposed use is as follows:

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Application No. P4/2024

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Figure 21: Extract of car parking requirements table (OMG)

Use	No/Area	Rate	Car Parking Measure	Total
Child care centre	96 children	0.22	to each child	21
(Café) Food and drink premises	310 m ²	3.5	to each 100m ² of leasable floor area	10
Medical centre	465 m ²	3.5	to each 100m ² of leasable floor area	16
Gallery (Place of assembly)	20 patrons 128 m ²	0.3	to each patron permitted	6
Health Club (Restricted Recreation Facility)	1,350 m ²	N/A	To the satisfaction of the relevant authority	Refer to Car Parking Demand Assessment
Total				53 + Health Club

Vehicle access to the site is proposed from King Street at the south-western corner of the site, which provides access to 2 basement car parking levels. A total of 96 car parking spaces are provided. Both basement levels have been designed to accommodate on-site car parking for staff and visitors. Waste collection and loading activity will be undertaken from the upper basement level.

Of the 96 car parking spaces proposed within the basement, 4 spaces will be DDA compliant, and a further 7 spaces will be marked for future EV charging facilities.

It is proposed to provide a total of 97 car parking spaces to service the proposed development, which satisfies the Planning Scheme requirements for the childcare, café, medical centre and gallery components for 53 spaces.

The remainder of 44 spaces will be allocated to the health club.

We defer to the Transport Impact Assessment and Car Parking Demand Assessment prepared by One Mile Grid for further information.

Clause 52.17 - Native Vegetation

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

As per the accompanying Arborist Report, there are no naturally occurring Victorian native trees that would require a permit to remove under Clause 52.17. Any Victorian Native trees within the site have been planted and are therefore exempt.

We defer to the Arborist Report prepared by John Patrick Landscape Architects for further details.

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Clause 52.29 - Land Adjacent to the Principal Road Network

A permit is required to create or alter access to a road in a Transport 2 Zone. Lower Heidelberg Road is a Transport 2 zoned road and given that it is proposed to alter the existing crossovers to the site, a permit is required under Clause 52.29.

The application must be referred to the Roads Corporation (being VicRoads in this instance) under Section 55 of the Act.

Clause 52.34 - Bicycle Facilities

The bicycle parking requirements for the subject site are identified in Clause 52.34 of the Banyule Planning Scheme, which specifies the following requirements for the different components of the proposed development.

The prescribed number of bicycle spaces and facilities is as follows – noting there is no rate listed for a childcare centre use:

Figure 22: Extract of bicycle requirements table (OMG)

Component	No/Area	Requirement	Total
Medical centre	5 practitioners	1 space per 8 practitioners for employees	1
		1 space per 4 practitioners for visitors	1
Health Club (Minor sports and recreation facility)	10 employees 1,350 m ²	1 space per 4 employees for employees	3
		1 space per 200m ² for visitors	7
Gallery (Place of assembly)	128 m ²	1 space per 1,500m ² for employees	-
		2 + 1 space per 1,500m ² for visitors	2
Café (Retail Premises)	310m ²	1 space per 300 m ² of leasable floor area	1
		1 space per 500 m ² of leasable floor	1
Total		Employees	5
		Visitors	11

Figure 23: Extract of bicycle facilities requirements table (OMG)

Facility	Employee Bicycle Spaces	Requirement	Total
Showers	5 spaces	1 shower for the first 5 employee bicycle spaces; plus 1 to each 10 employee bicycle spaces thereafter	1

Showers must have access to a communal change room, or combined shower and change room

A total of 36 bicycle spaces are proposed across the development which comprises of 16 staff spaces and a repair station on the upper basement level, 10 visitor spaces on the lower ground floor (accessible from King Street), and 10 visitor spaces on the upper ground floor (accessible from Maltravers Road).

Considering the above, the proposed provision of employee and visitor bicycle parking exceeds the requirements of the Planning Scheme and is therefore considered appropriate.

Additionally, the provision of bicycle facilities (in the form of showers and change rooms) meets the requirements of the Planning Scheme and is therefore considered appropriate.

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Application No. P4/2024
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ratio:

We defer to the Transport Impact Assessment prepared by One Mile Grid for further details.

Clause 65.01 - Approval of an Application or Plan

This Clause outlines 'Decision Guidelines' which state that, before deciding on an application, considerations should be given to a series of matters including the purpose of the zone, overlay or other provision, the orderly planning of the area and the effect on the amenity of the area.

Clause 71.02-3 - Integrated Decision Making

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making and that planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

5.3. Relevant strategic documents

Plan Melbourne 2017-2050

Plan Melbourne was released in 2017.

Amongst other things, the strategies set out in Plan Melbourne include an intention to limit the outward spread of the urban area and to focus employment, services and development in national employment and innovation clusters, urban renewal precincts and activity centres linked by public transport.

In particular, Outcome 5 seeks for Melbourne to be a city of inclusive, vibrant and healthy neighbourhoods. This includes:

- Direction 5.1: Create a city of 20-minute neighbourhoods by (inter alia) providing services and destinations that support local living.
- Direction 5.3: Deliver social infrastructure to support strong communities by (inter alia) making the most of existing public facilities such as repurposing existing buildings and co-locating community services (such as childcare centres).
- Direction 5.3.2: Create health and education precincts to support neighbourhoods by (inter alia) the delivery of local health and education precincts to allow for more tailored planning of community services. Neighbourhood health and community wellbeing precincts will be supported where health and community wellbeing services—such as general practitioners, allied-health services, community health facilities and not-for-profit health providers—are co-located with good public transport access and are close to community infrastructure.

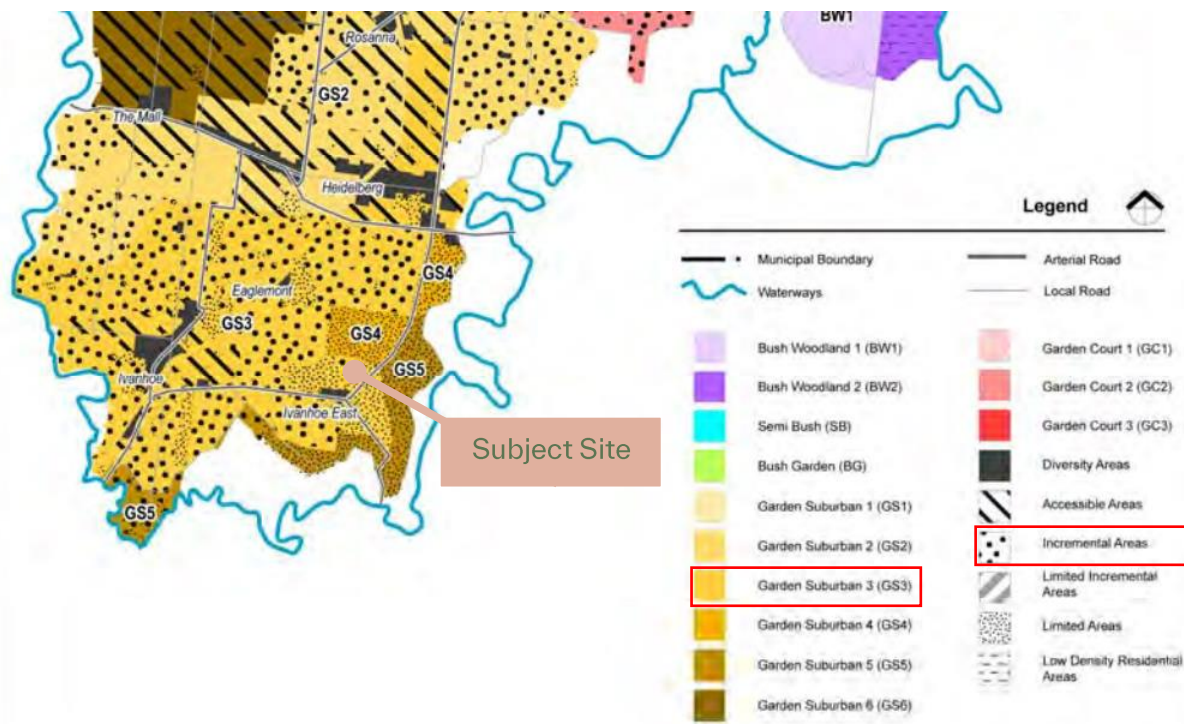
Neighbourhood Character Strategy, 2012

The City of Banyule Neighbourhood Character Strategy, 2012 is reference document under the Planning Scheme.

The subject site is located within Garden Suburban 3 (GS3) Precinct.

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Figure 24: Extract of Neighbourhood Character Precinct Map



The preferred future character of the GS3 Precinct seeks to:

The character of the precinct is to be retained and enhanced by:

- Encouraging the retention of Victorian, Edwardian and Inter war buildings, particularly where individually significant, in a row, or streetscapes of dwellings from these periods.
- Designing new dwellings and extensions in an architectural style and in materials sympathetic with existing dwellings in the street.
- Encouraging detailed design variation between dwellings to prevent mirror image street presentations.
- Maintaining the overall one or two storey scale of the dwellings outside the accessible areas.
- Ensuring the scale of new dwellings in the accessible areas are sympathetic to the existing dwellings on neighbouring properties and the surrounding precinct.
- Encouraging new dwellings to follow the natural topography of the land.
- Removing environmental weeds where appropriate, retaining existing canopy trees and encouraging further planting of a mix of native and exotic trees that complement the character of the precinct.
- Positioning new buildings and appurtenances in keeping with the front setbacks of dwellings along the street and with sufficient space for tree planting.
- Keeping front fencing low and permeable with landscaped front gardens.
- Designing site layouts (including basements) with spacing around dwellings that allows for the planting and future growth of trees to maturity.

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- *Protecting and enhancing spines of trees along neighbouring rear yards.*
- *Landscaping the front setback to improve the garden setting and discourage car parking in front of dwellings.*
- *Designing developments with only one single width crossover and a driveway that is softened with curves and vegetation.*
- *Ensuring basement ramps, carports, garages and tennis courts do not dominate the streetscape.*
- *Protecting and enhancing the scenic and environmental qualities of treed ridgelines.*
- *Conserving and enhancing the heritage values of the Beaumont Estate, Beauview Estate, Ivanhoe Views Estate, Sherwood Road and Throsby Grove Estate and Warringal Village Heritage Precincts.*
- *Protecting and enhancing avenues of street trees, and the views of trees on private property from the street.*
- *Obscuring household services from street view.*

Outside Accessible Areas

- *These areas will protect and enhance the garden suburban character of the precinct with an emphasis on protecting trees and creating new opportunities for vegetation throughout sites. They will provide for a mix of well-designed single dwellings medium density dwellings in garden settings, with space around and between dwellings to create an attractive, treed landscape setting.*

A response to the relevant objectives and the preferred character statement is provided within the 'Planning Considerations' section of this report.

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Application No. P4/2024

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6. Planning Considerations

6.1. Introduction

Clause 71.02-3 of the PPF promotes the “balancing” of sometimes conflicting policies in favour of net community benefit and sustainable development.

In this case, the “balancing act” needs to take into account matters such as the value of providing a wide range of community services including a childcare centre, medical centre, health club (gym, pool, wellness), gallery and cafe in this location, against other matters such as character amenity and access considerations.

In particular, we say the proposal prompts the following questions:

- Is there general strategic support for the proposal?
- Is the proposed built form appropriate to its context?
- Will the proposal have acceptable amenity outcomes?
- Is the proposed signage appropriate?
- Have traffic and parking considerations been appropriately considered?

6.2. Is there general strategic support for the proposal?

Overview

The common theme running through the PPF is that local communities consistently require complementary non-residential land uses that are accessible and appropriately located.

The proposal provides a wide array of community uses in an established area close to activity centres and the PPTN, and in a location where there is an identified shortfall of childcare places.

In particular, the proposal accommodates ‘Long Day Care’ at the childcare centre which suits many families who work regular weekdays during a typical 12-13 hour window between 6:00am – 7:00pm. The proposed centre will be open Monday to Friday 7:00am to 6:00pm to cater for the above.

Childcare centres are becoming increasingly important for a growing population where more people are moving into the workforce therefore requiring child minding services. They also provide employment opportunities and are consistent with state policy objective to promote economic development in terms of allowing for parents to participate in the work force.

The proposed medical facilities will benefit the wider community in terms of providing modern medical suites that are highly accessible to the local community. In particular, the PPF encourages medical facilities to be located in the residential areas which they serve. Local

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Application No. P4/2024
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residents and people from further afield will be able to walk, ride or drive to the site, noting that all car parking associated with the proposed medical facility is able to be provided on site.

The health and wellness hub (incorporating gym, pool, wellbeing facility), café and gallery provides for appropriately located amenities and facilities for local residents and the wider community, close to the Ivanhoe East NAC and Ivanhoe MAC/ Railway Station within the PPTN.

The provision of an integrated community facility and the creation of employment, childcare, leisure and healthcare opportunities close to home, work and schools is an important part of maintaining a liveable city and a 20-minute city.

Overall, it is submitted that the proposal will be a valuable integrated community hub for the Ivanhoe area and its surrounds and contributes to social need and economic growth.

Planning Policy Framework (PPF)

The PPF seeks to anticipate and respond to the needs of existing and future communities, through the provision of zoned and serviced land for a range of uses, including community facilities and infrastructure. Specifically it seeks to:

- Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts that, amongst other things, create jobs and opportunities for local businesses and deliver better access to services and facilities (Clause 11.01-1R).
- Achieve building design outcomes that contribute positively to the local context and enhance the public realm (Clause 15.01-2S).
- Promote a city of 20-minute neighbourhoods where people can meet their everyday needs within a 20 minute walk, cycle or public transport trip (Clause 15.01-4R).
- Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region (Clause 17.01-1S).
- To encourage development which meets the communities' need for retail, entertainment, office and other commercial services and provides new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres (Clause 17.02-1S).
- Facilitate the location of health-related facilities with consideration given to demographic trends, the existing and future demand requirements and the integration of services into communities (Clause 19.02-1S).

In summary, the proposal is supported by the PPF. The proposal provides a well-balanced community facility that integrates a number of essential services for community use.

At a local level, the MPS at Clause 02.04 identifies the site as being within proximity to the Ivanhoe East Neighbourhood Activity Centre (approximately 225 metres walking distance), on an arterial road.

Clause 13.07-1L (Non-residential uses in residential areas) identifies the preferred location for such uses. In particular, the policy encourages non-residential uses in locations where:

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Application No. P4/2024
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- There is a demonstrable local community need for the proposed facility or service.
- On a corner lot.
- Fronting a road in a Road Zone.
- With convenient access to public transport, such as within the Principal Public Transport Network Area, to minimise traffic impacts on local streets.

The proposal complies with all of the above requirements. In particular, a Needs Assessment accompanies this submission which identifies a need for childcare places within this catchment area, the site abuts Lower Heidelberg Road which is a road within the TRZ2 and the site is within the PPTN.

Notwithstanding, we note that Clause 13.07-1L is a ‘one size fits all’ policy and seeks to address all discretionary uses within residential zones (e.g. medical facilities, childcare centres, places of worship, retail, service stations). One of the challenges of a multi-purpose policy such as this is that the issues surrounding specific non-residential uses will differ from use to use.

In this case, we say the proposed integrated community facility provide an appropriate planning outcome for this site.

An assessment against the amenity considerations under Clause 13.07-1L is provided further within this report.

Zone

The proposed uses of childcare centre, medical centre, food and drink premises, restricted recreation facility and place of assembly are all Section 2 uses pursuant to the GRZ.

Given the discretion afforded by the Planning Scheme, it reasonably follows that the Scheme’s provisions anticipate that there will be circumstances when these uses will be acceptable under the zone. If this were not the case, the uses would be prohibited.

Importantly, the purposes of the GRZ specifically acknowledge the potential for a limited range of non-residential uses that will serve the needs of the local community. This is an acknowledgment that local needs, whether it is for education, worship, health, or childcare, should be met within the community these uses serve, and these uses can sit comfortably within a residential context where the location is deemed appropriate.

Often, they are uses that are not best located within commercial centres, perhaps due to the size of land required, or the need for lower land prices to make such services affordable. Council’s MPS and the PPF recognise the role of residential areas in meeting such needs.

Contextual Considerations

Contextually the site provides an excellent opportunity for the proposed uses. The site has the strategic advantage of being in an exposed corner location with a main road frontage (with three street interfaces) and is not located in a remote hinterland location. In particular:

- The site abuts a road within the TRZ2 (Lower Heidelberg Road).

PLANNING SCHEME
Application No. P4/2024

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- There is a bus stop at the site’s Lower Heidelberg Road entrance, which is Route 546 (Heidelberg – Melbourne Uni – Queen Victoria Market via Clifton Hill).
- The three closest train stations are located approximately 1.8 km to the west, 1.6 km to the north-west and 2.0 km north of the subject site (being Ivanhoe, Eaglemont and Heidelberg Stations respectively).
- The previous uses of the site were non-residential purposes, being a Church (Wesley Mission Victoria). There are also associated tennis courts located in the south-eastern corner.
- The proposal will not isolate dwellings from the surrounding residential area.

6.3. Is the proposed built form appropriate to its context?

The proposal has achieved an appropriate balance between providing a modern and functional facility whilst also respecting its specific context.

Character Assessment – Overview

The subject site forms part of a Church site that has existed for many years, which is an existing ‘non-residential’ land use built form. The proposal seeks to respond positively to the character of the area, noting:

- The design seeks to reinforce a minimalist notion via discrete ‘wings’ of the development spread across different levels to respond to the sloping topography of the site and to present as a predominant 2-storey form when viewed at the various street frontages.
- For example, the built-form facing King Street to the south presents as 2-storeys (lower ground and ground level). When viewed from Lower Heidelberg Road, the gym and pool on the lower ground and upper ground floors present as 2-storeys. From Maltravers Road, the wellness building on the upper ground and Level 1 floors similarly presents as 2-storeys.
- This design ensures the built-form provides an appropriate transition to the surrounding residential context (the housing stock is generally 1 – 2 storeys, noting GRZ allows up to 3-storeys). It is generally accepted that a transition of 1 – 2 storeys between built-form is considered reasonable.

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Application No. P4/2024

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Figure 25: Extract of south elevation (King Street)



Figure 26: Extract of east elevation (Lower Heidelberg Road)



Figure 27: Extract of north elevation (Maltravers Road)

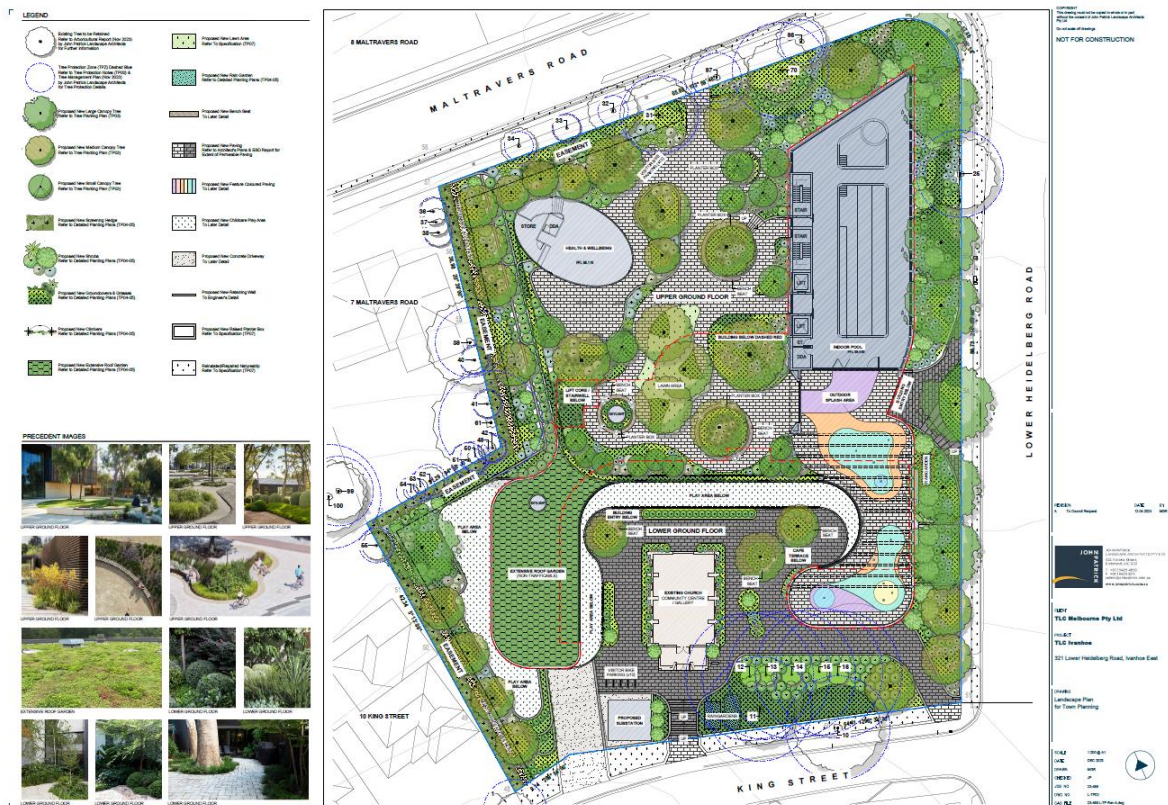


- The built-form is setback appropriately from the street frontages, in particular the proposal is setback 11.675 m – 11.865 m from King Street (noting the existing Church to be retained is setback 9.055 m), 6.1 m (wellness building – matching the existing setback of 7 Maltravers Road), 7.075 m to the gym /pool and 6.5 m to Lower Heidelberg Road. There are also generous areas set aside for landscaping/ ‘breaks’ in built-form to ensure the proposed scale and massing does not overwhelm the surrounding streetscape.
- This includes a substantial garden terrace and sedum roof (non-trafficable) of 1,875 sqm and 312 sqm respectively on the upper ground level.

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Application No. P4/2024

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Figure 28: Extract of landscape plan











- The proposal has sought to retain the existing 1941 Church. As outlined above, there are currently no heritage controls that affect the subject site. Notwithstanding, it is considered the retention of the existing Church (and demolition of the non-original additions to the rear and steps to the front) minimises disturbance to the streetscape and strikes an appropriate balance between the historical / cultural heritage significance of the site and the development potential in relation to overarching PPF objectives.
- The building is well articulated with each facade treatment incorporating a mix of materials and varied setbacks to all elevations which provide for interesting and varied building forms when viewed from the surrounding vantage points. This includes the use of red brick, patterned / hit & miss brick to respond to the predominantly brick housing stock in the area and lighter/ more contemporary materials such as white cladding and clear glazing found in newer infill development.

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Application No. P4/2024

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Figure 29: Extract of colour and materials schedule

MATERIALS LEGEND		
BL01	MIXED RED BRICK	
BL02	WHITE COLOURED BRICK	
BL03	PATTERNED/HIT & MISS BRICK	
BL04	PATTERNED/TEXTURED BRICK	
FC01	WHITE FC SHEET CLADDING	
MT01	WHITE METAL TRIM	
GL01	CLEAR GLAZING	
GL02	OPAQUE GLAZING	

- The development proposes modern flat roof forms which is appropriate having regard to the island nature of the site and some of the emerging contemporary architecture in the immediate area.
- All parking is easily located and accessible, and hidden from view being wholly contained within a two-level basement, accessed from King Street.
- Sufficient on-site car parking has been provided for the proposed new uses for both staff and visitors to the facility. Please refer to the Traffic Assessment prepared by One Mile Grid accompanying this submission.

Overall, the design provides for a sympathetic design approach to the area. We rely on the report prepared by urban designers at Hansen Partnership in terms of a detailed response to the appropriateness of the design and its response to neighbourhood character.

Response to Clause 13.07-1L

Having regard to the siting and design strategies under Clause 13.07-1L, the proposal responds as follows:

- The proposal seeks to retain and repurpose the existing Church building for a gallery/ community use. The gallery / community use will operate on an ad hoc basis as required by the local and broader community.
- The proposal adopts a predominantly 2-storey form (as detailed above) which provides an appropriate transition to the prevailing 1 – 2 storey forms in the area (noting the GRZ allows

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up to 3-storeys). The proposal is appropriately setback from all side boundaries to ensure the scale and massing does not overwhelm the adjoining sensitive interface (7 Maltravers Road) and the public realm.

- Car parking is provided by way of two basement levels (accessed via King Street) which minimises the appearance of hard standing when viewed from the street and adjoining properties.
- The proposal limits access to one (1) vehicle crossover to King Street.

It is submitted the proposal responds well to the siting and design guidelines under this Clause.

Response to Clause 15.01-5L-01

While no residential development is proposed as part of this application, Clause 13.07-1L (Non-residential uses in residential areas) requires non-residential uses in residential areas to have regard to the prevailing Neighbourhood Character policy/ strategy.

Pursuant to Clause 15.01-5L-01 (Preferred neighbourhood character), the subject site is located within the Garden Suburban 3 (GS3) Precinct.

The proposal responds to the general and specific objectives, strategies and design guidelines as follows:

Objectives	Response
<p>All areas objectives (as relevant)</p> <ul style="list-style-type: none"> – <i>To encourage the retention and planting of canopy trees and understorey vegetation to soften the appearance of dwellings, enhance landscape settings, and improve existing wildlife and habitat links.</i> – <i>To ensure buildings and extensions do not dominate the streetscape, the building, or the outlook and amenity of neighbouring dwellings.</i> – <i>To protect and enhance the dominant continuous tree canopy and natural vegetated appearance of ridgelines.</i> 	<p>Ample opportunity is set aside for landscaping and canopy tree planting which will enhance and improve the landscape character of the area in accordance with the VPO3 objectives.</p> <p>The proposal will also seek to retain a number of existing medium and high arboricultural value trees on the site.</p> <p>Please refer to the Landscape Plan and Arborist Report prepared by John Patrick Landscape Architects for further details.</p>
<p>Garden Suburban Area wide objectives (as relevant)</p> <ul style="list-style-type: none"> – <i>To maintain and strengthen the landscape setting of each precinct with spacious leafy gardens, tree-dominated streetscapes and spines of trees in rear setbacks.</i> 	<p>The site is zoned GRZ2.</p> <p>The predominant 2-storey form of the proposal will ensure that the built-form remains subservient to the existing and proposed vegetation and sit below the prevailing canopy line.</p>

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Application No. P4/2024

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– *To ensure development on sites zoned NRZ3 and GRZ2 prioritises tree protection and planting around and between dwellings to create an attractive, treed landscape setting.*

There is ample opportunity for meaningful landscape along all site boundaries and the proposed garden terrace towards the centre of the site.

Garden Suburban Precinct 3 (GS3) strategies (as relevant)

- *Provide a mix of exotic, native or indigenous trees and understorey vegetation that complements the character of the precinct.*
- *Encourage the retention of intact, good condition Victorian, Edwardian and Interwar buildings, particularly where individually significant, in a row, or streetscapes of dwellings from these periods.*
- *Retain the front façade when altering or extending dwellings that contribute to the character of the precinct.*
- *Incorporate main design themes in correct proportions and scale, from the Edwardian, Interwar, post-war or 1960s era in new development, as appropriate to the street.*
- *Incorporate second storeys within roof spaces where possible.*
- *Match materials of new buildings to the predominant wall and roof materials in the street.*
- *Use weatherboard or rendered brick in predominantly weatherboard areas south of Banksia Street.*

A mix of tree species is provided – please refer to the enclosed Landscape Plan for further details.

While no heritage controls exist over the site, the 1941 Church building will be retained as part of this development. It is considered the retention of the Church building strikes an appropriate balance between the historical / cultural heritage significance of the site and the development potential in relation to the wider PPF.

The proposed built-form is recessed in excess of 2 metres behind the front façade of the Church building to maintain appropriate built-form separation and to retain the prominence of the existing building.

The use of brick and rendered materials in a warm/ muted colour palette responds appropriately to the existing built-form of the area while providing a contemporary interpretation that is akin to the infill development in the area.

On balance, it is submitted that the built-form can sit comfortably within this streetscape and provides an innovative design response that takes advantage of its corner location. The buildings are contemporary, yet respond appropriately to the more conservative character of dwellings in the surrounding area. The limited height, building separation and extensive landscaping will result in a very high-quality building that can be rightly described as exemplary architectural response.

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Application No. P4/2024

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6.4. Will the proposal result in unreasonable amenity impacts?

It is relevant that the subject site enjoys a main road abuttal to the east, a road to the north, and a road/non-residential use directly to the south. The north and western interfaces both have residential dwellings.

The development is well mannered and will not result in unreasonable visual impacts to the amenity of neighbouring properties.

The building has been carefully articulated with horizontal and vertical elements which provide for a well-articulated and interesting presentation to its key interfaces, noting that the setbacks to the building facades are generous.

The main potential amenity impacts on the neighbouring properties relate to overlooking, overshadowing, building bulk and noise. In response to each of these matters we make the following comments:

Visual Bulk

The development has been designed such that it does not unreasonably impact the amenity of adjoining properties, whilst having appropriate regard to the development potential of the subject site.

Potential visual impacts to abutting residential properties are minimised by the extent of cut proposed, 'stepped' built-form and the use of a mix of building materials and finishes which provides articulation between levels.

The sectional diagrams demonstrate the proposed building responds appropriately to the topography of the land by effectively stepping down the slope of the land with varying heights (max. 11.725 metres at its highest point, but generally closer to 9 metres when viewed from the various vantage points).

No walls are to be constructed on boundary and significant setbacks (in excess of 7 metres) are proposed to the adjoining residential interface to the west.

Overlooking

While this proposal does not trigger ResCode (as it is not a residential building), the built-form has been designed to generally minimise overlooking opportunities onto the adjoining residential interface.

For example, the wellness building is setback 8.715 m from the western boundary with no windows proposed along this interface towards 7 Maltravers Road.

Due to the site slope, the 'outdoor play area' associated with the child care centre will generally interface with the neighbouring property at 10 King Street.

The child care is opened Monday to Fridays between 7:00am and 6:00pm and is not considered to result in unreasonable impacts to the adjoining dwellings.

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Application No. P4/2024

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Figure 30: Extract of west elevation

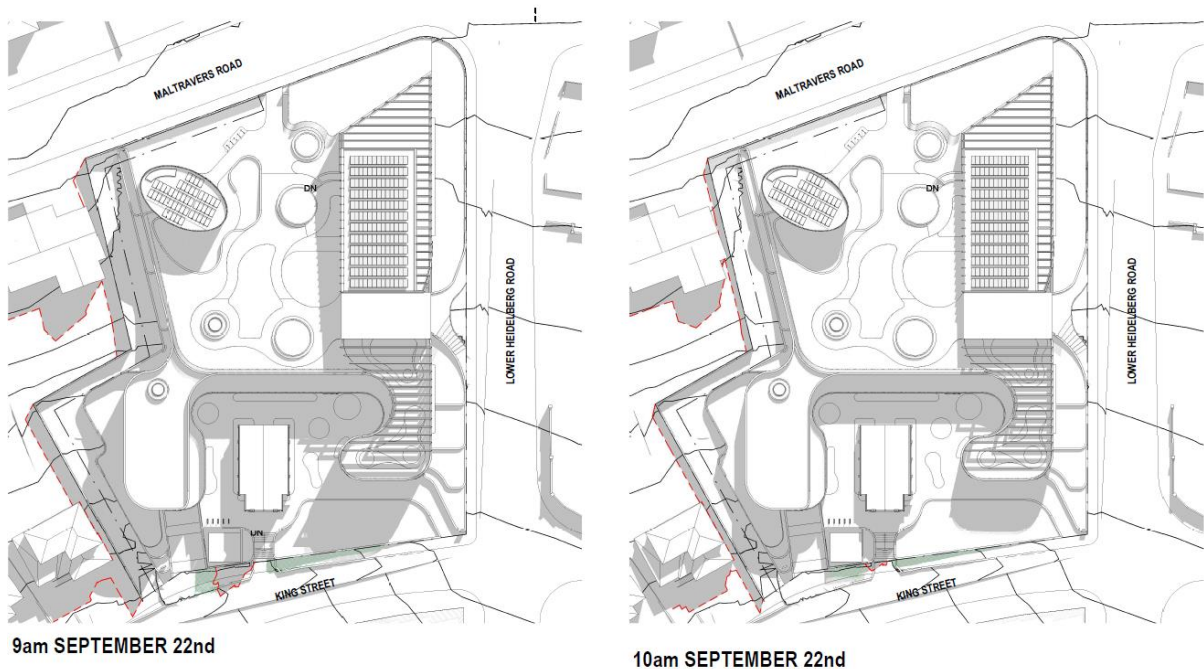


Overshadowing

As detailed on the shadow diagrams (TP-10-100 to TP-10-102), the development will not result in any unreasonable overshadowing of secluded private open space areas at 7 Maltravers Road and 10 King Street.

Importantly, there will be no additional overshadowing onto these properties (shadows will remain within the existing fence/ built-form shadows). The 9 am and 10 am shadow diagrams provided below show the worst case scenario for the neighbouring properties to the west.

Figure 31: Extract of shadow diagrams - additional overshadowing in green



Acoustic Amenity

An acoustic report has been prepared by Watson Moss Growcott Acoustics which addresses external noise impacts. Potential noise associated with a proposal of this nature would most likely be caused by:

- Children playing in the outdoor area of the childcare centre;
- Mechanical plant and equipment;

Application No. P4/2024

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- Goods service and delivery, and;
- Traffic / vehicles.

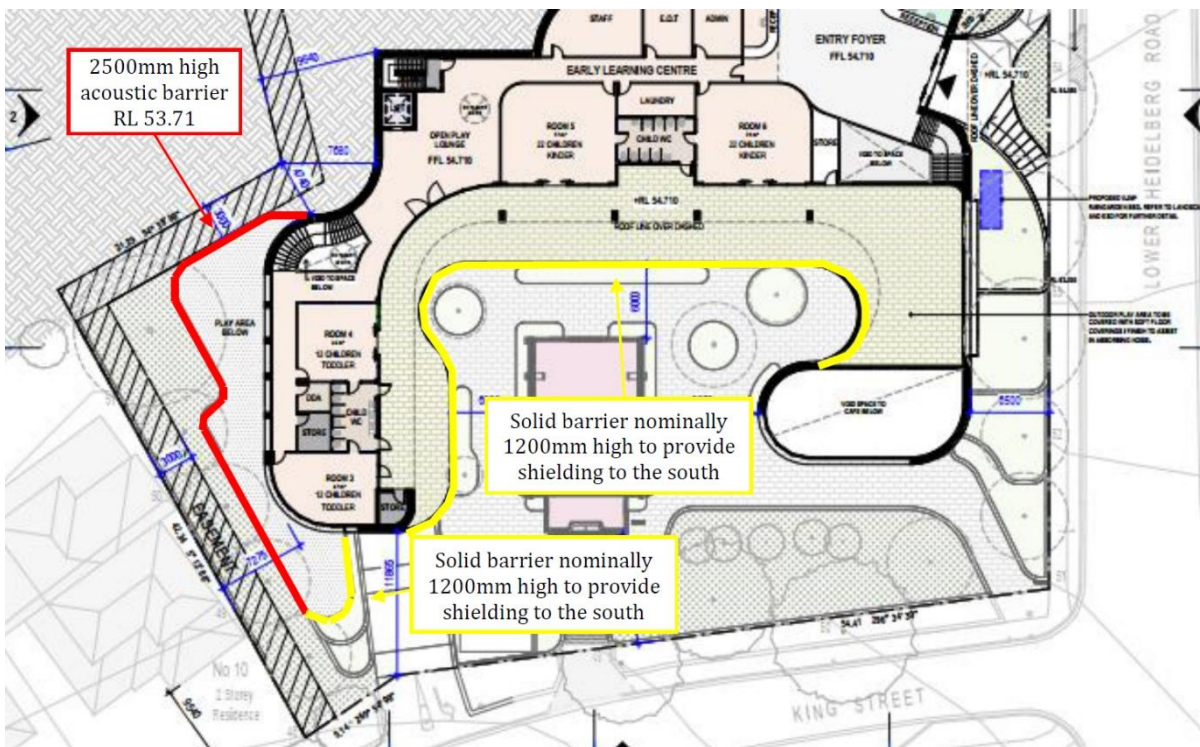
In a general sense, while there will be some noise associated with arrivals and departures from the various facilities and from children’s play, we do not consider that these activities would cause unacceptable impacts upon nearby residential properties.

These operational impacts will be largely limited to the weekday business hours, consistent with the childcare centre’s opening hours of 7:00am and 6:00pm Monday to Friday (also closed on public holidays). Such activity will not be unreasonable in the context of the site’s abuttal to Lower-Heidelberg Road (which of itself generates some background traffic noise).

The acoustic report makes a number of recommendations that we confirm will be adopted as part of this proposal:

- Acoustic barriers will be installed predominantly along the western boundary of the childcare outdoor area and to external terrace boundaries.
- Preparation of a Noise Management Plan.
- Abiding by the General Environmental Duty.

Figure 32: Extract of acoustic barrier markup (WMG)



We further confirm:

- Any noise generated by mechanical noise or equipment can comply with the relevant requirements.
- All goods or service delivery will occur within the basement.
- In relation to noise from vehicle movements, including the use of the basement car park, we note:

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Application No. P4/2024
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- The proposed days and hours of operation are such that the use will not interfere with the main sleep periods.
- Given the varied uses and their associated peak times, the activity within the car park will be spread throughout the day.

Response to Clause 13.07-1L

Having regard to the landscaping and amenity strategies under Clause 13.07-1L, the proposal responds as follows:

- The site has three street frontages – each frontage will be appropriately landscaped, with a mix of existing retained vegetation and proposed canopy trees/ understory planting. Please refer to the Landscape Plan prepared by John Patrick Landscape Architects for further details.
- A 7.25 m – 7.75 m wide landscape buffer is provided along the western boundary of the site where it abuts 7 Maltravers Road and 10 King Street. As per the enclosed Landscape Plan, 9 x new canopy trees are proposed along this interface, in addition to the existing vegetation within the neighbouring properties.
- The hours of operation have been appropriately staggered between the various uses to minimise disturbance to the surrounding residential properties. Signage is appropriately designed to be on a dimmer to minimise undue light spill, noting the signage is generally oriented towards the street frontages and away from the adjoining properties.
- Noise, traffic and parking considerations have been addressed elsewhere in this report.

In our submission, the proposal will not unreasonably impact upon the amenity of neighbouring properties.

6.5. Is the advertising signage appropriate?

The proposed development seeks approval for illuminated business identification signage.

Response to Clause 52.05

The advertising signage package associated with the proposed TLC facility is considered appropriate with regard to the decision guidelines at Clause 52.05-3 as:

- The subject site is residentially zoned, however abuts a main road (Lower Heidelberg Road) which generally allows a more robust character response, and therefore is where advertising signage is more existent and accepted.
- The proposed signage will not result in visual clutter or disorder.
- The proposed signage will not obscure or compromise important views from the public realm.
- The proposed signage will not dominate the skyline.
- The proposed signage will not impact on the quality of significant public views.
- The proportion, scale and form of the proposed signage is considered appropriate with regards to the character of its three road frontages.

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Application No. P4/2024
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- While landscaping is proposed, it should be noted that none of the proposed advertising signage has structures that create visual impact or clutter. As such, the landscaping is proposed to provide a buffer around the subject site and proposed hardstand / buildings.
- The scale and form of all signage proposed is appropriate with regard to the scale and characteristics of the subject site and the proposed uses of the site (i.e. integrated childcare/ medical/ health & leisure facility).
- It is expected that the illumination of all signage on site will be at an intensity to ensure no adverse impacts with regards to glare and illumination for pedestrians and vehicles. A standard condition regarding the intensity of internal illumination of signage is considered an appropriate response.
- The proposed advertising signage scheme provides for adequate identification and directions on the subject site.
- None of the proposed signage will create adverse impacts on road safety or become a safety hazard due to appropriate siting and design.

6.6. Is the proposal appropriate having regard to traffic, parking and waste considerations?

Please refer to the Traffic Impact Report and Waste Management Plan prepared by One Mile Grid Pty Ltd with respect to all matters relating to parking and traffic and waste.

Significantly, the proposal is fully compliant with the car parking requirements for residents and visitors pursuant to Clause 52.06 (noting that parking for the health club/gym/pool/wellness is to be provided to the satisfaction of the responsible authority).

The submitted traffic report confirms that the proposal includes appropriate access arrangements and parking provision, and will not result in unreasonable impacts on the surrounding road network.

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Application No. P4/2024

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7. Conclusion

The proposal seeks planning approval for buildings and works in association with a childcare facility, medical centre, health club, café, gallery and associated removal of vegetation and display of advertising signage.

In conclusion, it is submitted that the proposal is appropriate for the following reasons:

- The use and development of the subject site for an integrated childcare/ medical/ health & leisure facility is supported by the PPF that promote the provision of uses that provide a community service and benefit.
- The site has three road frontages, is large and accessible and provides the opportunity for a range of non-residential uses in a residential zone.
- Despite not being affected by the heritage overlay, the existing Church building on site has been retained and integrated into the design of the building.
- Generous setbacks and thoughtful design ensure that there are no unreasonable amenity impacts to neighbouring lots.
- The facility provides the opportunity for child minding and is particularly important in the context of the associated increase in demand for ‘Long Day’ childcare within this catchment area.
- The low site coverage and large setbacks provide ample opportunity for landscaping around the periphery of the site to help integrate the building form with its surrounds.
- The car parking provision meets the statutory requirements, and the bicycle parking exceeds the statutory requirements. Both are designed for safe and convenient access. Traffic impacts will be negligible, and traffic generation can be easily accommodated by the surrounding street network.

The PPF requires that decision makers integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

The proposal will have positive social implications and will provide for a strong net community benefit. Therefore, it is considered worthy of support.

Ratio Consultants Pty Ltd

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Application No. P4/2024

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