

16 April 2024

Planning Manager  
Banyule City Council

*Via email / online portal*

Attn: Hayley Plank (Team Leader)

### Further Information Response

#### Planning Permit Application No. P4/2024

#### 321 Lower Heidelberg Road and 1 Maltravers Road, Ivanhoe East

Dear Hayley,

Ratio Consultants continue to act for the permit applicant in this matter.

We refer to the Request for Further Information (RFI) letter dated 16 February 2024 and enclose the following for Council's consideration:

1. A legal option detailing that the proposed use and development does not breach the covenants encumbering the land (Letter prepared by Rigby Cooke Lawyers – dated 14 March 2024).
  2. The rendered perspectives included in the Urban Context Report provided as a separate document (see Architectural Report prepared by VIA Architects – dated 15 April 2024).
  3. Additional perspective provided for King Street near Burton Crescent intersection showing the development from the south-west and local residential area (as above).
  4. Updated Planning Report (Ratio Consultants – Version 3, dated April 2024).
  5. Updated Traffic and Parking Assessment (One Mile Grid – dated 15 April 2024).
  6. Updated Waste Management Plan (One Mile Grid – dated 12 April 2024).
  7. As discussed with Council on 5 April 2024, an assessment against the CPTED considerations have been provided within the architectural response, RFI Response Summary (VIA Architects – dated 15 April 2024) and the body of this Cover Letter.
  8. Updated SMP / ESD report (Erbas – dated 12 April 2024).
- As discussed with Council on 28 March 2024, it is understood that Council are happy to address Item 8.a-d via condition on any permit that may issue to the built-
  - Accordingly, the SMP has only been updated to reflect the changes to the built-form (made in response to Council's RFI concerns).

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9. As discussed with Council in the meeting on 1 March 2024, we understand that the Environmentally Sustainable Design (ESD) Drawing can be addressed by way of condition on any permit that may issue.
10. As discussed with Council in the meeting on 1 March 2024, we understand that the Water Sensitive Urban Design (WSUD) Drawing can be addressed by way of condition on any permit that may issue.
11. Updated lighting plan (VIA Architects – Revision F, dated 15 April 2024).
12. Updated site plans (VIA Architects – Revision F, dated 15 April 2024).
13. Updated elevation plans (VIA Architects – Revision F, dated 15 April 2024).

In response to Council’s concerns, a number of plan changes have been incorporated. A full list of changes is included within the Architectural Report (VIA Architects – dated 15 April 2024).

A site inundation / overland flow report (Robert Bird Group – dated 11 April 2024) has been prepared in response to Council’s RFI concerns.

For completeness, the following consultant reports have also been updated to reflect the changes to the architectural plans:

Landscape plan (John Patrick Landscape Architects – Revision A, dated 12 April 2024).

- Updates to proposed tree species in response to Council’s RFI.
- An indicative Lighting Plan has been provided within the landscape package.

Acoustic report (Watson Moss Growcott – dated 15 April 2024).

- Updates to graphics.

Childcare needs assessment (Ratio Consultants – Version 2, dated April 2024).

- Updates to graphics.

Urban context report (Hanson Partnership – dated April 2024).

- Updates to graphics.

We submit that the information requested has been adequately addressed and request that Council progress the application to advertising at its earliest convenience.

Preliminary concerns have been raised, and the applicant responds as follows.

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## Response to Concerns

This Cover Letter is intended to be read in conjunction with the written response prepared by the project architects (see Architectural Report prepared by VIA Architects – dated 15 April 2024).

We respond to the key issues as follows:

Concern / Issue	Response
<p>Proposed land uses – in particular the extent of the Health Club (gym, swimming pool, health &amp; wellbeing building) and amenity impacts onto surrounding residential uses</p>	<p>In response to Council’s concerns, the operation hours of the following uses have been scaled back:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• The gym, pool, wellness centre and splash area for part of the ‘Health Club’ which is managed by a single operator.</li> <li>• The Health Club will operate as a members-only facility and will not be open to the general public.</li> </ul> <p>In our view, the <b>decreased</b> operational hours and clarification that the Health Club will be operated as a single facility (members only) provides greater certainty to the adjoining residential uses regarding the management of the proposed uses.</p> <p>It is also an established planning principle that a lack of need does not warrant refusal of an application.</p> <p>While the Health Club could be located in other locations, planning does not seek for</p>

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	<p>ideal outcomes, but rather acceptable outcomes (Clause 71.03-2).</p> <p>The site abuts three street frontages including being adjacent to a road in a TRZ2 which increases accessibility to / from the site.</p> <p>In our view, the provision of the Health Club on this site will enable greater choice and convenience to the community / visitors by locating such facilities within a local neighbourhood context.</p> <p>As outlined within this Cover Letter and the accompanying documentation, we say that the provision of an integrated, mixed-use facility on this site will achieve net community benefit for the local community and broader catchment.</p>
<p><b>Safety / functionality – including consideration of CPTED design principles</b></p>	<p>As outlined within the Architectural Report, the entryway to the medical centre / internal configuration of the medical and childcare centres have been amended to respond to Council's concerns.</p> <p>In summary:</p> <ul style="list-style-type: none"> <li>• Entry to medical centre relocated to improve legibility and ensure it is not concealed behind the gallery.</li> <li>• Western internal lift / stairs amended for the exclusive use of the childcare only to minimise access by other uses / visitors and to deter antisocial behaviour. These lift / stairs also provide vertical access between the two levels of the childcare.</li> <li>• Separate entryway provided for the childcare.</li> <li>• Additional wayfinding signage for each respective land use / component of the development.</li> <li>• Increased glazing to the café portion of the building (south-eastern interface) to improve passive</li> </ul>

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surveillance and activation of the public realm.

- DDA spaces within the basement relocated to adjacent the primary lift / stair.
- Barrier to the outdoor childcare play area increased from 1.2 metres to 1.5 metres with the use of vertical palisades.
- The change room to the pool / gym have vertical access to the two levels by way of stairs (without having to exit the respective area). Should patrons require lift access, the lift is located conveniently adjacent the lobby area where staff members will be able to direct patrons to this area.
- As discussed with Council on 5 April 2024, the architectural response has incorporated the Council recommended changes to improve safety / accessibility within the facility.
- The combination of increased security / relocated entryways, on-site lighting provision (refer to landscape package), increased wayfinding signage and minimising areas of concealment / entrapment provides a direct response to Banyule's *Safe Design Guidelines 2003* (referenced under Clause 15.01-1L-02). The proposal also responds to Council's *Safer Banyule Plan 2017-2021* by incorporating CPTED design principles into the development at planning approval stage.
- Having regard to the specific strategies under Clause 15.01-1L-02 (Safer design), the proposal provides for a mix of uses at differing hours of the day to generate activity and

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	<p>facilitate passive surveillance of public / private spaces.</p> <ul style="list-style-type: none"> <li>• The pedestrian and vehicle movements are clearly delineated (separate access points to each street frontage) and does not conflict with areas set aside for car parking or public transport stops.</li> <li>• The use of landscaping, paving and increased wayfinding signage ensures that paths are clearly defined and provide for continuous paths of travel.</li> <li>• As outlined within the landscape package (indicative Lighting Plan), adequate lighting will be provided throughout the development to increase personal security.</li> <li>• Areas of potential concealment / entrapment have been minimised by relocating and separating the entryways for the medical centre and childcare.</li> <li>• The various components of the development (including differing levels) maximises opportunities for informal surveillance.</li> <li>• The public and private realms are clearly defined. As outlined above, the Health Club is a members-only facility which will be enforced by staff members located on site.</li> <li>• The design response is of a high-quality and materials / finishes have been chosen to discourage graffiti.</li> </ul>
<p><b>Landscaping</b></p>	<p>An updated Landscape Plan (prepared by John Patrick Landscape Architects) forms part of this submission.</p> <p>In response to Council's concerns:</p> <ul style="list-style-type: none"> <li>• The Lower Heidelberg Road frontage continues to be planted with evergreen trees, and the 2 x 'Red Emperor' trees have been</li> </ul>

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	<p>substituted for 2 x Large Canopy 'Deodar Cedar' trees along the frontage.</p> <ul style="list-style-type: none"> <li>• In the southern corner of the site on the intersection of Lower Heidelberg Road and King Street, the Magnolia grandiflora have been substituted for 2 x 'Deodar Cedar' and 2 x Eucalyptus Scoparia trees. The garden has also been widened to facilitate the larger evergreen trees.</li> <li>• The project landscape architect has reviewed the proposed planting along the Maltravers Road frontage and is of the view that the planting proposed is appropriate in this site context. If ultimately required, tree species / pot size can be amended by Council by way of permit condition.</li> </ul>
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<p><b>ESD considerations</b></p>	<p>An updated Sustainability Management Plan (prepared by Erbas) forms part of this submission.</p> <p>In response to Council's concerns:</p> <ul style="list-style-type: none"> <li>• The extent of glazing to the roof of the pool has been decreased substantially (refer TP-10-007).</li> <li>• Best practice has been achieved with a BESS score of 61%, an increase of 2%.</li> <li>• Energy modelling has been provided in updated SMP.</li> <li>• Outlined in SMP the development is all-electric and there is no use of gas for heating or cooking.</li> <li>• Glazing to the indoor swimming pool roof and eastern façade have been removed and replaced with solar panels (see TP-10-007). A new total of 62kW solar PV panels are installed on the roof and connected to the entire development.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Addition of 3 x rain gardens to treat the impervious areas and 2 x 12.5kL rainwater tanks have been included. This results in the reduction of portable water consumption by 30%. Also, the tank water supply reliability for both the tanks are 82% and 81% as shown in the Melbourne STORM calculator. All further details are provided in the updated Architect Drawing and SMP Report.</li> <li>• Clarification that the Daylight Modelling utilises the Green Star hand calculation methodology. See updated ESD Report for further details.</li> <li>• As outlined above, it is understood that the ESD and WSUD drawings can be addressed by way of condition on any permit that may issue.</li> </ul>
<p><b>Services – in particular the location of the substation within the front setback</b></p>	<p>It is unfeasible to relocate the substation behind the front building line of the gallery / childcare.</p> <p>Notwithstanding, the substation will be appropriately screened with vertical palisade fencing and direct views onto this element is tempered by way of the sloping topography of the land / required retaining structures (see Perspective View 05 and 06 within the VIA Architectural Design Response).</p> <p>Maintenance of this area is proposed via the accessway (no access to the substation directly off King Street).</p> <p>It is submitted that the location of the substation is appropriate as currently proposed and will not result in any unreasonable visual amenity impacts to the public realm and surrounding properties.</p>
<p><b>Access (traffic / carparking) – including loading arrangements and bicycle end-of-trip facilities</b></p>	<p>An updated Traffic Impact Assessment (prepared by One Mile Grid) forms part of this submission.</p>

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In response to Council's concerns:

- The Health Club components (swimming pool, gym and health & wellbeing building) will be managed by a single operator. It is therefore submitted that the operator will be able to regulate the number of patrons on site at any given time. No public access is proposed for the Health Club (members only).
- The TIA has been updated to provide an empirical assessment justifying the adoption of a 0.6 rate for the Health Club (i.e. Restricted Recreation Facility).
- The car parking demand profiles referenced are based on the experience of the project engineers. Please refer to TIA for further details.
- As outlined within the TIA, the access has been amended to provide a 'left turn only' onto King Street from the proposed basement (see TP-10-002).
- The existing pram ramp has been included on the plans (see TP-01-100). As recommended by the project engineer, the existing pram ramp is required to be relocated (aligned to the north and south of King Street).
- Dimensions of the carparking spaces are already shown on the development plans (see TP-10-001 and TP-10-002 – top left hand corner of sheets).
- A loading bay has been provided within Basement Level 1.
- An end-of-trip facility has been shown on TP-10-003 adjacent the medical centre use.

Please refer to enclosed TIA for further detail.

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<p><b>Waste management</b></p>	<p>An updated WMP (prepared by One Mile Grid) forms part of this submission.</p> <p>In response to Council's concerns:</p> <ul style="list-style-type: none"> <li>• An electric security roller door has been added to the bin room to prevent vermin.</li> <li>• A sink has been added to the bin room for washing FOGO caddies.</li> <li>• The bin room walls to be lined with bumper rails.</li> <li>• Waste management for the Gallery use has been included at Section 4.1.5 in the updated WMP.</li> <li>• As discussed with Council at the meeting on 1 March 2024, it is understood a nappy linen service is not a mandatory requirement for private childcare centres. As outlined in the WMP (see Section 4.2.7), sanitary waste bins are proposed for nappy disposal and will be collected by a private sanitary waste contractor.</li> </ul> <p>Please refer to enclosed WMP for further detail.</p>
<p><b>Drainage / flooding (management of overland flows)</b></p>	<p>In response to Council's concerns, drainage advice has been obtained from Robert Bird Group (RBG) and forms part of this submission.</p> <p>Upstand has been provided to the western title boundary adjacent the outdoor play area of the childcare (refer TP-10-003) and eastern title boundary adjacent the swimming pool (refer TP-10-005) as per the RBG advice.</p> <p>Apex ramps have been provided to both the driveway on King Street and the pedestrian ramp on Lower Heidelberg Road – first 2 metres of ramps graded towards King Street / Lower Heidelberg Road with a 150 mm apex at 2 metres from the respective front title boundary per Council's engineering requirements.</p>

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	<p>Amendments to the finished floor level of the built-form is therefore considered unnecessary with the implementation of the above changes.</p> <p>In particular, we note the gallery / community centre (former Church) is an existing structure on the site and the finished floor levels cannot be readily amended without substantial changes to the built-form.</p> <p>Notwithstanding, as per the RBG letter, overland flow can be appropriately managed by implementing the abovementioned design changes.</p> <p>Please refer to enclosed letter prepared by RBG for further detail.</p>
<b>Signage</b>	<p>In response to Council's concerns, additional wayfinding signage has been proposed for each land-use component.</p> <p>Refer to signage plan contained within the architectural package (sheet TP-42-003) for further detail.</p>
<b>Restrictive covenant</b>	<p>As outlined above, a Legal Opinion has been sought from Rigby Cooke Lawyers and forms part of this submission.</p> <p>The Legal Opinion concludes that (inter alia) the Proposal is consistent with the Dwelling Restriction and the Proposal is consistent with the Use Restriction.</p>
<b>Existing bluestone wall on Council's road reserve (King Street frontage)</b>	<p>The majority of the existing bluestone wall along the King Street reserve will be retained.</p> <p>Discrete sections of the stone wall is proposed to be altered (particularly to facilitate the proposed basement entry ramp) – see TP-01-001 and TP-01-003 for further detail.</p> <p>Where the wall is proposed to be removed, the materials can be salvaged and reused as part of the reconstruction of the wall.</p>

On balance, we submit that the abovementioned changes provide a meaningful response to the concerns raised by Council.

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## Response to Urban Design Referral

We note that the majority of the concerns raised within the urban design referral has been captured within Council's RFI.

Please refer to the above response and written report prepared by the project architects (see Architectural Report prepared by VIA Architects – dated 15 April 2024) for further detail.

## Conclusion

We trust the information provided satisfies the further information request and look forward to advertising of the application at your earliest convenience.

If additional information is required, we hereby request a **30-day extension to the lapse date** by which information must be provided (i.e. by **16 April 2024**) and ask for this to be confirmed in writing.

If you have any further queries, please do not hesitate to contact the undersigned on (03) 9429 3111 or by email at [angela.mok@ratio.com.au](mailto:angela.mok@ratio.com.au).

Yours sincerely,



**Angela Mok**  
**Associate: Planning**  
**Ratio Consultants Pty Ltd**



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## PRELIMINARY ASSESSMENT REPORT REVIEW

We acknowledge receipt of Banyule City Council's Preliminary Assessment Report letter dated 16 February 2024, containing items considered acceptable, may need further consideration, and critical issues.

At the time of issue, council had not received internal urban design advice. As such, we have responded separately to the items raised in the latter document.

Below is a summary response to key architectural and design items identified in the report.

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### **SITING AND DESIGN**

***"The setback of the wellness building to Maltravers Road should be further setback behind the line of the adjoining dwelling. This would also assist in providing capacity of larger canopy tree species in this area (as recommended by the landscaping consultant below) and avoid conflict with the proposed easement."***

### **RESPONSE**

It has been identified that the front elevation of 7 Maltravers Road has changed from the survey drawing presented as part of the original application. The updated building outline has now been added to all architectural drawings. As such, based on this larger front elevation and the noted street setback, we believe that the setback and positioning of the Health and Wellbeing building is appropriate, and responds to the prevailing character of the area.

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### **SAFETY AND FUNCTION**

***"The ground level access to the medical centre and childcare centre are located behind the existing church building, obscured by the overhanging outdoor play area, do not directly face the public area and do not appear to include signage to identify the entry points. In particular, this is the only access point to the medical centre and the obscured entrance may result in difficulties in locating it and a potential place of entrapment."***

***The narrow hallway to the ground floor lift area (adjacent to the childcare/medical centres) also creates a potential area of entrapment."***

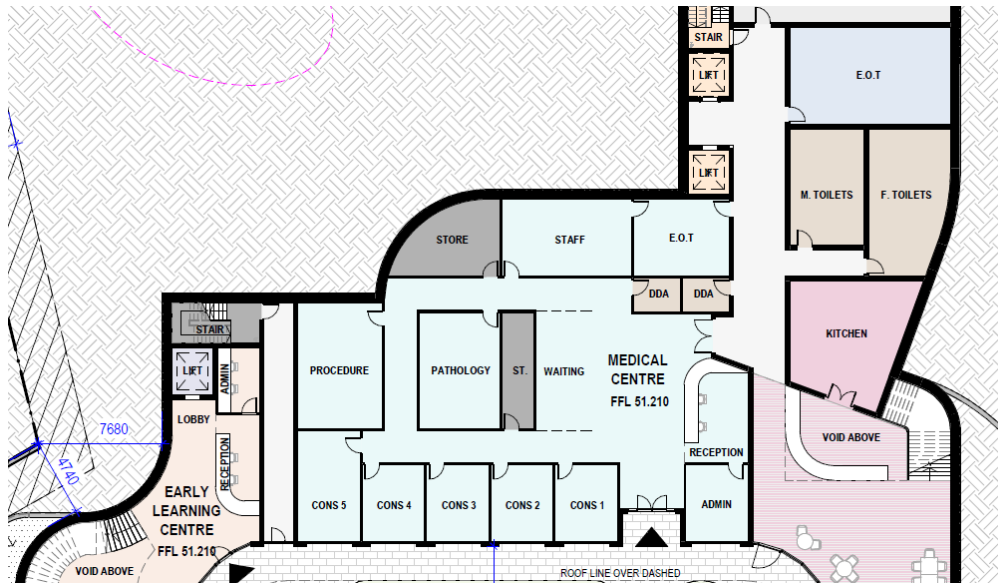
***The floor plan does not indicate that the medical centre has access to toilets other than one DDA accessible space."***

### **RESPONSE**

We have carried out a significant internal redesign of the lower ground floor plan in order to address these concerns. A summary of the key changes is noted below, which should be read in conjunction with the updated plans:

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**VIA ARCHITECTS**

- Medical entry relocated further east to improve its sense of presence and legibility within the lower ground forecourt, as well as providing clearly delineated entries for all separate building functions and address identified safety concerns;



- An additional internal entry to the medical centre has been added, to facilitate visitors who arrive via the primary entrance lobby on Lower Heidelberg Road, and to allow access to additional toilet facilities on lower ground floor;
- Additional wayfinding and building signage has been added to facilitate improved visibility into the lower ground forecourt;
- Vertical circulation has been revisited, with an additional lift added adjacent to the primary lobby space accessed from Lower Heidelberg Road, to accommodate a better flow of visitors to all levels and functions of the development;
- The western stairwell has been redesigned to eliminate safety concerns around concealment / entrapment in this area;
- Glazing to the café area has been increased in both height and width to provide greater sightlines from Lower Heidelberg Road towards the centre of the forecourt;
- The eastern café courtyard has been deleted and replaced with increased planter beds, to allow for expanded landscaping opportunities to Lower Heidelberg Road and eliminate safety concerns around concealment / entrapment in this area.

***“The floor plan does not indicate there to be any security measures to separate the childcare centre [ground floor] from the gym area accessed via the same foyer. Room 6 also appears to only be accessed via Room 5 and the adjoining toilet area. There is no lift directly between the two levels of the childcare centre [lower ground floor users would be required to exit the centre to use the lift].”***

**RESPONSE**

Security measures have been added to the ground floor childcare access from the main entry foyer. Following changes to the medical centre layout, the western lift has now been repurposed as a dedicated lift for the childcare space, to improve internal circulation

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VIA ARCHITECTS



***“There is no lift between the two levels of the gym/pool facility. The change rooms are at ground level and persons would be required to exit the gym area to take the lift up to the swimming pool.”***

**RESPONSE**

There is a dedicated stair from the ground floor change rooms to the upper ground floor pool area, meaning patrons will not need to exit into the lobby area to access the pool. For patrons who are unable to use the stairs and require an accessible option for change and access, staff will direct them to the lifts, where they can utilise the dedicated accessible change facility on the upper ground floor.

***“All DDA accessible parking spaces are located in one part of the building [close to the western lift]. Some accessible spaces should be provided close to the eastern lift to enable more convenient access to the gym/pool facility and the upper level of the childcare centre”***

**RESPONSE**

DDA accessible parking spaces have been relocated adjacent to primary lift and stair access in basement.

***“A 1.2m high barrier is proposed to the childcare outdoor play area at ground level, which seems low and a safety hazard.”***

**RESPONSE**

The height of the ground floor outdoor play area barrier has been increased to 1500mm with the use of vertical palisades.

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**AMENITY**

***“The application is supported by an Acoustic Assessment which demonstrates that measures can be implemented to mitigate the impacts of noise from the site [particularly the childcare centre] on the adjoining residential dwellings.***

***It is noted that barriers are proposed around the outdoor play areas in accordance with the consultant’s recommendations, however the plans are not clear that the outdoor play areas will be covered with soft floor coverings [not concrete], as recommended, to assist in absorbing noise.”***

**RESPONSE**

Notes have been added to outdoor play areas to confirm the use of soft floor coverings.

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**ARCHITECTS**



***“No details have been provided in relation to the proposed lighting of outdoor spaces. A concept plan should be provided indicating types of lighting proposed, general location and times of use.”***

**RESPONSE**

An external lighting concept plan is now included within the landscape package.

***“Further information is required to demonstrate that potential overlooking from the upper level of the childcare centre (west elevation) and the garden terrace area to the residential dwellings at 7 Maltravers Road and 10 King Street has been sufficiently mitigated.”***

**RESPONSE**

Opaque glazing to 1700mm is proposed to the west elevation of the ground floor early learning centre to mitigate overlooking issues to 10 King Street, and this is reflected on the elevations. An additional overlooking diagram is now included to indicate no overlooking from the upper floor garden terrace towards 7 Maltravers Road.

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**LANDSCAPING**

**Refer to Preliminary Assessment Report for details of queries**

**RESPONSE**

Please refer to the updated landscaping plans to indicate changes made to tree species, in line with council’s recommendations. Please also refer to our response to the Urban Design Advice in relation to the inclusion of larger species following the redesign of the south-east corner of the development site.

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**ESD/WSUD & Clause 53.18**

**Refer to Preliminary Assessment Report for details of queries**

**RESPONSE**

An updated SMP has been provided to address comments within the Preliminary Assessment Report. Please note, per council’s advice, the following items have not been provided at this stage of the process, as they will be dealt with as conditions under any issued permit:

- Preliminary NCC Section J Energy Efficiency Report;
- Implementation Schedule;
- Preliminary lighting calculations
- A dedicated Environmentally Sustainable Design (ESD) Drawing;
- A dedicated WSUD drawing.

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**VIA ARCHITECTS**



## **SITE SERVICES**

*“While it is accepted that the substation must be located within the front setback, it is considered that the proposed location in front of the retained church is inappropriate. The substation structure is also not shown on the elevations so the impact on the streetscape is not fully clear.”*

## **RESPONSE**

The substation is proposed to be screened along King Street with a combination of solid wall and vertical palisades, with maintenance access off the driveway. This is shown in the architectural plans and elevations.

Whilst there are council concerns around the location of the substation on the development site, the location on King Street, opposite non-residential uses, and the proposed screening, will result in minimal visual intrusion into the streetscape of King Street.

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## **ACCESS, CAR PARKING AND BICYCLE PARKING**

Refer to Preliminary Assessment Report for details of queries

## **RESPONSE**

An updated traffic impact assessment report has been provided to address comments within the Preliminary Assessment Report. In addition, we can confirm the following:

- Left turn only exit from the car park is now shown on the plans;
- An amended pram ramp is now proposed to accommodate the new crossover location;
- Dimensions of parking spaces are indicated on the basement floor plans in the top left corner;
- End of Trip facilities have been added to various locations throughout the building.

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## **WASTE**

Refer to Preliminary Assessment Report for details of queries

## **RESPONSE**

An updated waste management report has been provided to address comments within the Preliminary Assessment Report. In addition, we can confirm the following:

- Electric security roller door added to bin room;
- Sink added to plans for washing FOGO caddies;
- Note added to drawings indicating the inclusion of bumper rails.

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## **DRAINAGE / FLOODING**

Refer to Preliminary Assessment Report for details of queries

### **RESPONSE**

A site inundation / overland flow advice report has been carried out by a civil engineer to address council's concerns. Notes have been added to the architectural plans to indicate where boundary treatment is required.

Apex ramps have been added to both the driveway on King Street and the pedestrian ramp on Lower Heidelberg Road.

---

## **SIGNAGE**

*"It is noted that there are no signs proposed to individually identify the medical centre, café, gym or wellness facility. Consideration should be given to whether individual signage will be required for these uses and should be integrated into the design."*

### **RESPONSE**

An updated signage package is now included to address the above concerns.

---

## **OTHER**

*"It is noted that the development will involve works on Council land [demolition of retaining wall on King Street road reserve]. Consent will be required from Council for works within the road reserve. It is noted that the bluestone wall is a feature of this streetscape, extending along the street well beyond the application site and therefore consent may not be forthcoming. It is recommended that consideration is given to retaining this wall and incorporating it into the design."*

### **RESPONSE**

The architectural drawings and renders have been updated to correctly reflect the extent of bluestone wall retention / removal / amendment.

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## URBAN DESIGN ADVICE REVIEW

We acknowledge receipt of Banyule City Council's Urban Design Advice Note received on 28 March 2024. This advice Note has been read in conjunction with the Preliminary Assessment Report dated 16 February 2024, which has been addressed earlier in our response.

The Advice Note contained a number of identified issues/opportunities for improvement which our design team have reviewed in detail.

Subsequently, we have made a number of key changes to the proposal in order to address these concerns.

---

### **URBAN DESIGN COMMENT 01**

*"Improve the function and design of the proposed publicly accessible Lower Ground forecourt to King Street, by:*

- *Relocating the primary entrance to the Medical Centre further east toward Lower Heidelberg Road. We appreciate this will have substantial internal programming ramifications.*
- *Reducing the extent of solidity within the walls of the proposed café use, and maximising glazing instead. This will markedly improve sightlines from Lower Heidelberg Road towards the centre of the forecourt and assist with the legibility of the proposed medical centre.*
- *Contemplating how further design modifications to the retained church could lessen the effect to which it currently acts as a visual barrier to the broader forecourt design. As it is not affected by a HO, the scope for potential design changes would logically be greater than would otherwise be possible and could include further 'opening up' the rear of the structure (including through greater use of glazing) to improve sightlines and way finding.*
- *Deleting the below-grade café seating area (where between the café use and Lower Heidelberg Road), which currently acts as a poorly designed and unnecessary place of entrapment and concealment instead. Outdoor seating should logically be concentrated within the centre of the forecourt where it will tangibly improve vibrancy and safety during operational hours. The 'reclaimed' area should ideally be repurposed for a wider landscape buffer to Lower Heidelberg Road capable of accommodating a more meaningful landscape offering."*

### **RESPONSE**

As referenced in the previous section, we have carried out a significant internal redesign of the lower ground floor plan in order to address these concerns. The adjustments to the plans provide improved safety and amenity for staff and patrons.

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We acknowledge comments around considering additional amendments to the existing church building. Whilst the building is not affected by a Heritage Overlay, we are cognisant that many parties (including council) have indicated on previous occasions that there is historic merit to the structure. In the Preliminary Assessment Report from council, it states, “*While the site is not located within a Heritage Overlay, it is acknowledged to be of heritage significance. The proposed built form appears respectful in regard to the significance of the 1941 church in terms of its separation from the proposed built form and height of development. The retention of existing features on the façade is strongly encouraged*”. Our design proposes to retain the form and proportions of the 3 sides of the church visible from King Street, and introduce a large glazed element to the rear, allowing passive surveillance to the lower ground forecourt. As such, what we have proposed is considered a sensitive intervention which strikes an appropriate balance between old and new built forms.

---

## **URBAN DESIGN COMMENT 02**

***“Improve the function and design of the proposed publicly accessible Garden Terrace to Maltravers Road:***

- We do not see any obvious reasons why public access to the Garden Terrace could not be controlled after hours by simply ‘gating off’ public access. We also think far more could be done to facilitate meaningful engagement between the Garden Terrace and balance of the proposal during operational hours by redesigning the western elevation of the proposed pool/gym structure [i.e. glazing should be maximised and the internal program considered so as to interface to the Garden Terrace with meaningful activity-generating uses]. Given the dimensions of the subject site, the double-storey ‘Health and Wellbeing’ module could be readily relocated toward the east of the Garden Terrace and subsumed into the broader pool footprint, which would simultaneously provide for a better interface to the Garden Terrace whilst solving existing issues associated with its ‘foreign’ approach to siting and architectural language within the Maltravers Road streetscape. The proposed maintenance access paths along the west of the subject site will similarly require controlled access to ensure they are not accessible by the public.”***

## **RESPONSE**

We have reviewed the proposed access arrangements along Maltravers Road, and have introduced vertical palisade fencing to 1800mm high along the north western component of the boundary, in keeping with the character of street fencing in the immediate vicinity of the site. A large sliding security gate has been introduced to the pedestrian entry point to maintain openness during operational hours, and security afterhours. The remaining section of fencing follows a sweeping path around the landscaping towards the corner of the pool building to allow a large section of the landscaping to present to the street corner, providing a transition to the Lower Heidelberg Road façade, and eliminate any potential areas of concealment/entrapment. The maintenance access paths follow a similar palisade design, with secure gates for staff/maintenance access only.

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We acknowledge comments in relation to the interface between internal and external functions. The vertical circulation of the main building has been placed along the western edge to act as a buffer between the internal (active and noisy) pool area and external (calm and tranquil) functions. It gives privacy to users of the pool (who benefit from the expansive elevated northern/eastern glazing and vistas in that direction), and allows the external spaces to connect with the quieter, more contemplative direction of the Health and Wellbeing component of the site.

To this effect, we believe the Health and Wellbeing building's function, and its relationship with the surrounding landscaping, lends itself to remain as a standalone structure in the northern corner, rather than be subsumed into the main built form. The existing site is made up of a series of separated built forms (dwellings, church, hall, etc.) and the streetscape consists of domestic scale detached forms with moderately scaled gaps between structures - by creating a separate Health and Wellbeing structure, we are referencing the history of built form on the site, as well as respecting the articulation and spacing of built form along Maltravers Road, and providing a clear centralised pedestrian entry to the site.

---

### **URBAN DESIGN COMMENT 03**

***“Incorporate additional glazing to increase passive surveillance and public realm engagement. We recommend further contemplating the role of glazing at:***

- ***The southern wall of the Early Learning Centre (Room 1 at Lower Ground Floor)***
- ***The Lower Ground Floor café (as discussed earlier).***
- ***The southern and eastern walls of the Early Learning Centre (outdoor play area and void space at Ground Level).***
- ***The eastern wall of the gym reception (Ground Floor).***

***Each stand in addition to our earlier recommendation regarding further engagement with the Garden Terrace.”***

### **RESPONSE**

Taking into consideration the balance between increased passive surveillance and ESD requirements, we have made the following adjustments to the extent of glazing on the building;

- The full-height glazing on the southern wall of the Early Learning Centre has been extended across both levels;
- The lower ground café glazing has been extended vertically and horizontally to improve sightlines towards the lower ground forecourt;
- The slot window on the eastern elevation to the ground floor play area has been extended;
- Due to the functional changes to the ground floor lobby, we have retained the existing extent of glazing to the gym reception area.

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**V / A**  
**A R C H I T E C T S**



## **URBAN DESIGN COMMENT 04**

*“Further modulate the Lower Heidelberg Road elevation to reduce breadth*

- *Although the proposal is sufficiently modulated to King Street, the same attention and care has not been employed toward Lower Heidelberg Road. The resultant proposed elevation is excessively broad and does little to gesture to the existing built form condition [ie a three-part composition of a tennis court, church hall and dwelling] and is so despite Lower Heidelberg Road being similar to King Street in terms of residential character, streetscape rhythm and road width.*
- *We recommend further, meaningful modulation by removing the projecting double height foyer element [ie the ‘white frame’], breaking down the indoor pool into two distinct modules, and incorporating different brickwork tones between modules. Refer below. The importance of sufficient built form modulation is only elevated by the ‘higher order’ role of Lower Heidelberg Road within the local streetscape network as it is the eastern elevation that will be most experienced by the public.”*

### **RESPONSE**

The Urban Design Advice raises concerns about the articulation of the built form along Lower Heidelberg Road, and the lack of perceived reference to the existing built form condition (which is referred to as a ‘three-part composition of a tennis court, church hall and dwelling’).

When considering Lower Heidelberg Road, we must consider not just the immediate site, but the wider context. As a main arterial route, Lower Heidelberg Road consists of an eclectic mix of boundary treatments, with many instances of high unarticulated fences and walls. The existing site also includes a large blank façade addressing Lower Heidelberg Road.

As such, we believe our proposed design provides sufficient modulation and articulation along Lower Heidelberg Road, by providing 2 main built forms of differing heights, ‘broken’ by a strong vertical element, which also acts as a visual marker for the building’s main entry. The white frame referenced in the advice is a double storey component, which purposely has a different language from the adjacent built forms, and sits partially recessed to break the modulation.

We believe it would be inappropriate to introduce a recessive break into the main pool building, as it would have a significant impact on the amenity of the internal spaces, and be of little benefit to the streetscape rhythm.

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## URBAN DESIGN COMMENT 05

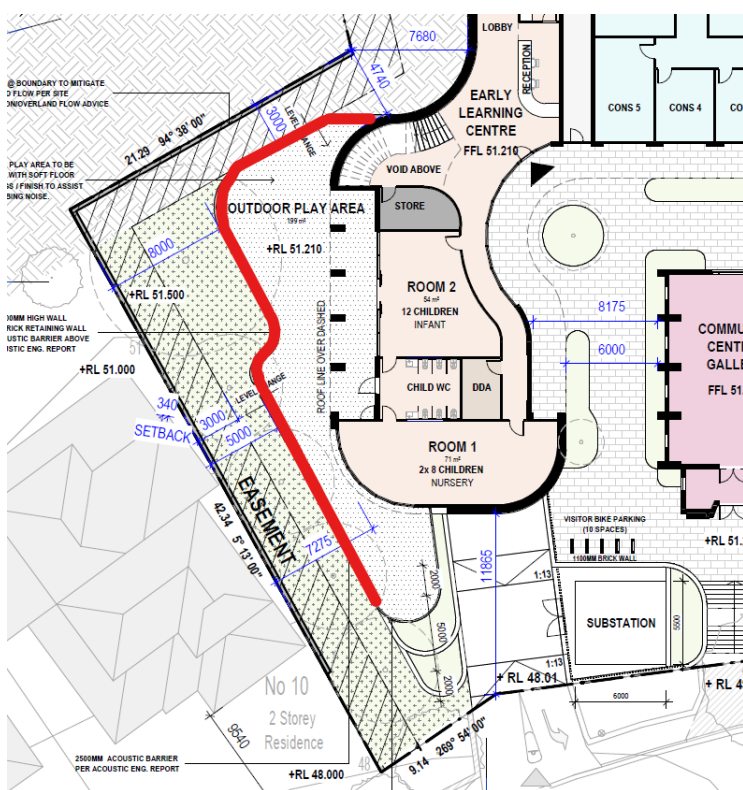
*“Remove the brightly-coloured glazing associated with the Early Learning Centre*

- We recommend replacing the proposed brightly-coloured glazing with a far more muted material that is more sympathetic to the character of King Street, such as timber or brickwork. Doing so will further assist the proposal to integrate into its local context and character.”*

## RESPONSE

The brightly coloured glazing being referred to is solely located along the western boundary adjacent to the lower ground floor childcare play area, acting as an acoustic screen whilst allowing visibility from the play area into the adjacent landscape buffer between the site boundary and the play area.

For clarity, the below extract highlights the extent of coloured glazing in plan. The remaining curved section of the play area (i.e. the section presenting to the street) consists of a low-level brick wall, in keeping with the general architecture of the building and the surrounding context.



As the glazing is not located on the main elevation (i.e. runs parallel with the western side boundary), nor is it generally visible from the street, we believe the coloured glazing is an appropriate inward-presenting inclusion for the childcare outdoor play area, which does not have a detrimental impact on the local context or character.

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## **URBAN DESIGN COMMENT 06**

*“Further consider the role of internal illumination for signage within King Street*

- *King Street is a lower-order, predominantly residential streetscape that is designated as a ‘Category 3 – High Amenity Area’ under the GRZ and Clause 52.06. There is a real risk that excessive internal illumination will markedly impact upon the existing amenity and character of the street. Where away from the corner of Lower Heidelberg Road, we recommend removing all illumination from proposed signage to King Street. Non-illuminated wayfinding and operator signage will minimise the impact of the proposal on the residential character of King Street in a way that is similar to the signage associated with the existing East Ivanhoe Preschool directly opposite.”*

## **RESPONSE**

In assessing the above comments, we make reference to the Preliminary Assessment Report issued by Banyule Council dated 16 April 2024, which states, “*The proposed signage is considered to be reasonable in scale for the surrounding area and the low level of illumination proposed is unlikely to adversely impact the amenity of any residential dwellings.*” In addition, the Preliminary Assessment Report also states, “*It is noted that there are no signs proposed to individually identify the medical centre, café, gym or wellness facility. Consideration should be given to whether individual signage will be required for these uses and should be integrated into the design.*”

In considering the above, we would agree with the initial Preliminary Assessment Report that additional signage for the individual uses would be advantageous and as such, have indicated additional appropriate signage within our drawing package. These additions will significantly help with wayfinding and public identification of the uses located on different levels.

The Urban Design Advice Review seems primarily concerned with excessive illumination towards King Street. We would refer to our drawings which indicate that all external illuminated signage is dimmer-controlled and time-controlled, which we believe is appropriate for this site.

The main building signage is oriented towards Lower Heidelberg Road away from King Street, and the other King Street signs sit some 12m back from boundary and 18m from the footpath. In addition, this particular section of King Street (located between Burton Crescent and Lower Heidelberg Road) is not residential in use, with the Maternal & Child Health Centre / Preschool directly facing the subject site. As such, based on signage positioning, operational controls, and the immediate surrounding context, it is not believed that the illuminated signage will have any impact on the existing amenity or character of the street.

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## **URBAN DESIGN COMMENT 07**

*“Replace the Exmouth Bull Bay Magnolias (‘MgE’) with a taller species*

- In conjunction with our earlier recommendation to expand the opportunity for landscaping towards Lower Heidelberg Road, we also recommend replacing all proposed ‘Exmouth Bull Bay Magnolias’ with a taller and more appropriate landscaping species capable of softening the extent of proposed built form. By deleting the outdoor area associated with the Lower Ground Floor café, we anticipate that the revised landscape area depth of 6.5m will be sufficient to facilitate the type of canopy landscaping proposed elsewhere to Lower Heidelberg Road (including, ideally, taller-height species such as the proposed ‘Deodar Cedars’).”*

## **RESPONSE**

Our Landscape Architect has reviewed the above comments in conjunction with those provided in the Preliminary Assessment Report issued by Banyule Council dated 16 April 2024.

Following the adjustments to the architectural plans, the landscape proposal has removed the ‘Exmouth Bull Bay Magnolias’ and replaced these with additional ‘Deodar Cedars’. Where garden beds are narrower, ‘Wallangara White Gum’ trees have replaced the Magnolias. Additional species adjustments have also been made to the western boundary interface to address concerns raised in the Preliminary Assessment Report.

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# SUMMARY OF ARCHITECTURAL DRAWING CHANGES

## TP-00-001 SITE SURVEY

- No change

## TP-00-002 EXISTING CONDITIONS SITE PLAN

- No. 7 Maltravers Road building outline updated to reflect current conditions
- Street setbacks of dwellings on immediately adjoining sites added

## TP-00-003 REMOVAL & PROPOSED EASEMENTS PLAN

- Street setbacks of dwellings on immediately adjoining sites added

## TP-01-001 DEMOLITION PLAN

- Street setbacks of dwellings on immediately adjoining sites added
- Extent of retained/amended bluestone wall along King Street identified

## TP-01-002 TREE RETENTION PLAN

- Street setbacks of dwellings on immediately adjoining sites added

## TP-01-003 DEMOLITION PLAN HERITAGE

- No change

## TP-01-004 PROPOSED HERITAGE

- No change

## TP-10-001 BASEMENT LEVEL 02

- Internal reconfiguration of vertical circulation, including additional lift
- DDA spaces relocated adjacent to primary circulation
- Staff parking spaces redistributed to suit revised vertical circulation
- Note: dimensions of parking spaces included in top left of page

## TP-10-002 BASEMENT LEVEL 01

- Internal reconfiguration of vertical circulation, including additional lift
- DDA spaces relocated adjacent to primary circulation
- Staff parking spaces redistributed to suit revised vertical circulation
- 1 additional parking space added
- Additional notes added to bin storage area (relating to security, sink and bumper rails)
- Amended basement entry to include required apex
- Left turn only added to vehicle exit point
- Pram ramp relation identified
- Substation access updated
- Extent of retained/amended bluestone wall along King Street identified
- Note: dimensions of parking spaces included in top left of page

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#### **TP-10-003 LOWER GROUND FLOOR PLAN**

- Internal reconfiguration of vertical circulation, including additional lift
- Internal plan reconfigurations to medical centre and Early Learning Centre entry
- Eastern café courtyard removed and replaced with additional landscaping
- Additional glazing to café and Early Learning Centre Room 1
- End of Trip facilities added to Medical Centre
- End of Trip facilities added to main area for gym/pool/health + wellbeing/café staff
- Minor adjustments to landscaping and wayfinding signage
- Note added to outdoor play area in relation to soft floor coverings
- Gradient of pedestrian path from King Street near south-east corner of the site added
- Location of amended pram crossing note added (refer to traffic)

#### **TP-10-004 GROUND FLOOR PLAN**

- Internal reconfiguration of vertical circulation, including additional lift
- Internal plan reconfiguration to main entry lobby and gym facilities
- End of Trip facilities added to Early Learning Centre
- Additional glazing to outdoor play area on eastern elevation and Early Learning Centre Room 3
- Note added to outdoor play area in relation to soft floor coverings

#### **TP-10-005 UPPER GROUND FLOOR PLAN**

- Internal reconfiguration of vertical circulation, including additional lift
- Minor adjustments to landscape, including addition of boundary fence

#### **TP-10-006 LEVEL 1 FLOOR PLAN**

- No change

#### **TP-10-007 ROOF PLAN**

- Addition of solid roof section over pool building, including additional PV panels

#### **TP-10-100 SHADOW DIAGRAMS**

- No change

#### **TP-10-101 SHADOW DIAGRAMS**

- No change

#### **TP-10-102 SHADOW DIAGRAMS**

- No change

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#### **TP-40-001 BUILDING ELEVATIONS WEST & NORTH**

- Addition of boundary fence to Maltravers Road
- Additional notes added to Early Learning Centre to confirm opaque glazing to 1700mm to mitigate overlooking concerns
- Additional signage to Health + Wellbeing Centre

#### **TP-40-002 BUILDING ELEVATIONS EAST & SOUTH**

- Café eastern courtyard removed and replace with on-grade landscaping
- Additional glazing to outdoor play area on eastern elevation
- Additional signage to gym/pool building
- Additional signage to café building
- Removal of church (dashed outline only) from south elevation

#### **TP-40-003 COLOUR ELEVATIONS WEST & NORTH**

- Addition of boundary fence to Maltravers Road
- Additional signage to Health + Wellbeing Centre

#### **TP-40-004 COLOUR ELEVATIONS EAST & SOUTH**

- Café eastern courtyard removed and replace with on-grade landscaping
- Additional glazing to outdoor play area on eastern elevation
- Additional signage to gym/pool building
- Additional signage to café building
- Confirmation that substation is shown on elevation, with screening provided to King Street

#### **TP-41-001 SECTIONS**

- No change

#### **TP-41-002 SECTIONS**

- No change

#### **TP-41-003 SECTIONS - OVERLOOKING DIAGRAM**

- Additional drawing to demonstrate no overlooking to 7 Maltravers Road from garden terrace

#### **TP-42-003 SIGNAGE PLAN**

- Additional signage added to provide signage for all individual uses within the building

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## SUMMARY OF ALL DOCUMENT CHANGES

### ARCHITECTURAL DRAWINGS

- As per previous summary list provided on pages 16 to 18

### ARCHITECTURAL REPORT

- Renders updated to capture design changes

### LANDSCAPE PROPOSAL

- Updated drawings to reflect architectural changes
- Adjustments to tree species in response to Council's Preliminary Assessment Report

### ARBORIST REPORT

- No change

### ACOUSTIC REPORT

- Appendix updated to reflect updated architectural drawings

### ESD REPORT

- Updates to address Council's Preliminary Assessment Report
- Recalculated BESS Report
- Updated STORM Rating Report
- Updated Daylight Compliance calculations
- Updates to reflect architectural changes

### TRAFFIC REPORT

- Updates to address Council's Preliminary Assessment Report
- Redesign of vehicle crossover to provide left-turn only exit onto King Street
- Updates to reflect architectural changes

### WASTE REPORT

- Updates to address Council's Preliminary Assessment Report
- Updates to reflect architectural changes

### CHILDCARE NEEDS ASSESSMENT

- Minor graphical updates to reflect architectural changes

### URBAN CONTEXT REPORT

- Minor graphical updates to reflect architectural changes

### SITE INUNDATION + OVERLAND FLOW REPORT

- Additional report in response to Council's Preliminary Assessment Report

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