

# Addendum B

## Summary Response to Council Pre-Application Comments

### MVCC comment

### UPco response

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#### Building Design

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| <ul style="list-style-type: none"> <li>Services, including on the roof be screened from the street and residential area.</li> </ul> | <ul style="list-style-type: none"> <li><b>Drawing TP1.800</b> includes notations confirming all roof services will be screened. This is confirmed on the elevations – <b>drawings TP2.000</b> and <b>TP2.100</b>. Apart from the external fire hydrant adjacent to the eastern boundary and waste services adjacent to the Slater building, which are both screened all other services are within the lower ground car park</li> </ul> |
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| <ul style="list-style-type: none"> <li>The building designed to comply with DDA access.</li> </ul> | <ul style="list-style-type: none"> <li>The building is designed to comply with DDA access</li> </ul> |
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| <ul style="list-style-type: none"> <li>Minimise overlooking to the adjacent residential area, reference is made to the windows along the western side of the building.</li> </ul> | <ul style="list-style-type: none"> <li>This is not a residential development so there are no habitable room windows. Though a useful tool in the consideration of overlooking, the provisions of Clause 55 apply to a dwelling or residential building.</li> </ul> |
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**Drawing TP2.100** shows a combination of dark grey spandrel (obscure) glass panels below clear grey tinted glazed panels to west-facing windows however **drawing TP1.000** confirms the building is setback more than 20 metres from the closest windows at 155 Buckley Street which would meet the Clause 55 provisions applied for a dwelling

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| <ul style="list-style-type: none"> <li>Heritage advisors comments are to be provided</li> </ul> | <ul style="list-style-type: none"> <li>Not received to date.</li> </ul> |
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While all of 2 Leslie Road is affected by HO43, the heritage fabric described in the Victorian Heritage Database Report for HO43 is only the two-storey Bruton building that fronts Leslie Road. **Drawing TP0.111** shows the location of the Bruton building and its significant distance from the proposed building.

Nevertheless, the arched elements at the entrance and the lighter render finish are

heritage elements that reference the 'two level arcade' of the 19th century villa style.

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## Fencing

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| <ul style="list-style-type: none"><li>• Fencing details should be consistent and match that of existing fencing around the perimeter of the school, including materials and colours</li></ul>  | <ul style="list-style-type: none"><li>• <b>Drawing TP2.200</b> shows the fence along the Buckley Street frontage will match the materials and colours of the existing concrete pillars and picket insets</li></ul>  |
| <ul style="list-style-type: none"><li>• High fencing adjacent to the competition court along Buckley Street is discouraged. The proposal should provide netting or other measures to prevent errant balls from the competition court</li></ul> | <ul style="list-style-type: none"><li>• <b>Drawings TP1.600</b> and <b>TP2.200</b> shows the 3.4 metres high netting and sports poles positioned adjacent to the playing court. It is also noted that comparable fencing was approved as part of Planning Permit MV/627/2019 approved at the direction of VCAT in May 2021</li></ul>                              |
| <ul style="list-style-type: none"><li>• Provision of an acoustic fence no less than 1.8 metres in height along the shared boundary with 4 Lorraine Street to minimise amenity impacts</li></ul>  | <ul style="list-style-type: none"><li>• This is unnecessary. This application does not seek to increase the number of students at the school.<br/><br/>The building is setback approximately 20 metres from the boundary with 4 Lorraine Street and is separated by the existing courts on the College owned land, which provide sufficient separation.</li></ul> |

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## Traffic, car parking and bicycle parking

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| <ul style="list-style-type: none"><li>• Confirm the users of the 39 on-site car parking spaces and whether they are utilised by staff only</li></ul>  | <ul style="list-style-type: none"><li>• This application does not seek to increase the number of staff at the school.<br/><br/>The existing informal / temporary carpark accommodates 25 spaces. It is proposed to increase onsite parking to 39 car spaces. There is no justification for controlling allocation of spaces.</li></ul> |
| <ul style="list-style-type: none"><li>• Details on the plans to ensure the basement and accessways are designed in accordance with Clause 52.06, Car parking of the Planning Scheme</li></ul> | <ul style="list-style-type: none"><li>• The TIAR enclosed with the confirms the carpark meets design requirements of Clause 52.06</li></ul>  |
| <ul style="list-style-type: none"><li>• Provision of a 'No Left Turn' sign and associated line marking in the Right of Way at the approach to Lorraine Street;</li></ul>                      | <ul style="list-style-type: none"><li>• The Right of Way is not part of the subject site / activity area under this application.<br/><br/>A notation is shown on <b>drawing TP1.500</b> that confirms vehicles will be prevented from turning left into Lorraine Street</li></ul>  |



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| <ul style="list-style-type: none"> <li>• Vehicular sightlines to prevent conflict with oncoming vehicles along the accessway and within the basement</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Drawings TP1.000 and TP1.500</b> shows the sightlines adjacent to the ingress/egress of the carpark</li> </ul>   |
| <ul style="list-style-type: none"> <li>• The redundant crossovers on Buckley and Lorraine Streets should be removed and re-instated</li> </ul>                  | <ul style="list-style-type: none"> <li>• <b>Drawing TP1.000</b> shows the redundant crossovers on Buckley Street being removed however the redundant Lorraine Street crossovers are not part of the subject site and therefore will remain.</li> </ul>   |
| <ul style="list-style-type: none"> <li>• The crossover at 4 Lorraine Street is to be retained and modified to be a single width crossover</li> </ul>            | <ul style="list-style-type: none"> <li>• The crossover at 4 Lorraine Street is not part of the subject activity area / application and therefore will remain un</li> </ul>   |
| <ul style="list-style-type: none"> <li>• The proposal should provide bicycle parking and at a rate of 30 student and 1 staff space</li> </ul>                   | <ul style="list-style-type: none"> <li>• Planning Permit MV/627/2019 Condition 1q requires bicycle parking for 30 students and 1 staff within the site boundary, which comprised the whole school site.<br/><br/>The 30 student spaces and 1 staff space can be provided but rather than being confined to the subject site should be spread across the whole school site as required by MV/627/2019.</li> </ul> |

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#### Landscaping and trees

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| <ul style="list-style-type: none"> <li>• Revisit the building design to retain the existing Oak tree to avoid loss of mature tree canopy and greening that will help mitigate the bulk of the building and enhance the overall design. Ensure protection of existing Oak tree and its tree root zones to current Australian Standards</li> </ul> | <ul style="list-style-type: none"> <li>• Retention of an existing trees must be considered in the context of planning policy.<br/><br/>Clause 19.02-2S seeks to facilitate the expansion of education facilities and recognises they are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).<br/><br/>Removal of the Oak tree is required to make the site level for the competition court but also allow for a seamless transition to the building entrance to meet universal access requirements – a critical consideration for school facilities. While considerable thought was given to its potential retention in the preliminary design stage, its removal became apparent and logical once it was determined that the building and ultimately the development wasn't viable. Ample additional canopy tree planting has been proposed in the Landscape Plan to more than compensate for the loss of this exotic species.</li> </ul> |
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- Continue the row of tree plantings along the Buckley Street frontage nature strip, using Jacaranda trees for consistency

- There is no row of consistent mature planting in Buckley Street. There are two immature *Jacaranda* trees located adjacent to the corner of Buckley Street and Lorraine Street but there is also a mature *Melaleuca* as shown below as assessed in the enclosed Arborist report.

Further, there is limited opportunity to plant canopy trees given the narrow naturestrip and indented parking as shown below.



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- Provision of a 2.0 metre (min) landscape buffer along the Buckley and Lorraine Street frontages, where the works are to occur, including planting of screening trees

- The 3.37 metres setback to Buckley Street includes trees and the 3.4 metres setback to Lorraine Street includes shrubs that will provide a limited level of screening.

- Provision of a 2.0 metre landscape buffer along the shared side boundary with 4 Lorraine Street

- There is no shared boundary with 4 Lorraine Street.



- The existing established row of trees to the west of the Slater Street building, fronting Buckley Street should be retained

- The 8 Magnolia grandifloras that extend for approximately 7.5 metres in front of the existing court will be retained. They are described in the Arborist report as young healthy evergreens.



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- The development should protect existing trees on the site where possible. It is noted a tree removal permit is required for existing trees that meet the threshold requirements

- Apart from the Oak, the Chinese Elm located to the south of the existing playing court is the only tree which requires a permit to be removed under the Moonee Valley Local Law. It is clear that a net community benefit will result from the loss of these two trees via the delivery of critical educational infrastructure that meets modern day needs whilst also compensating for the loss of these trees via the planting of 20 new canopy trees within the development

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- The development should provide more greenspace

- The site is not affected by an Environmental Significance Overlay.  
This is a school site so the landscape design is 'tailored' to its use and setting and green space needs to be balanced with school-related outcomes that ensure the recreational needs of the students are realised.

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- Any crossover should be setback 2.0 metres from any street tree and 1.0 metres from any services

- These setbacks have been met.

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- Landscape plan to include new medium / large tree plantings across the site, in order to mitigate the bulk of the building

- The landscape plan achieves this objective.

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### Waste collection

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- Confirm whether any additional waste storage and collection will result from waste generated

- The WMP ensures additional waste is planned for.



from the proposal. If so this should be included on the plans and supporting documents

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| <ul style="list-style-type: none"><li>• Any new waste enclosure should be visually screened, if visible from the street or any residential area</li></ul> | <ul style="list-style-type: none"><li>• The waste enclosure is screened. It is set back approximately 10 metres from the Buckley Street frontage, adjacent to the Slater building and not visible from any residential area.</li></ul>  |
| <ul style="list-style-type: none"><li>• No waste should be collected along Buckley Street</li></ul>   | <ul style="list-style-type: none"><li>• This ignores the VCAT decision that directed the issue of Planning Permit MV/627/2019 that specially allows for waste to be collected from Buckley Street as opposed to the adjacent residential streets provided the hours of collection do not coincide with peak drop off and pick up times.</li></ul> |
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#### Drainage / easements

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| <ul style="list-style-type: none"><li>• The proposed plans slightly encroach on the existing ROW which contains a drainage asset. The drainage asset is to be protected with an easement if the ROW status is removed</li></ul>                                     | <ul style="list-style-type: none"><li>• <b>Drawing TP1.500</b> shows the building set back off the existing ROW approximately 2 metres to ensure the drainage asset is protected.</li></ul> |
| <ul style="list-style-type: none"><li>• Based on the plans it appears the drainage asset will be impacted from the proposed development. It is recommended the building be set back at least to the existing ROW</li></ul>  | <ul style="list-style-type: none"><li>• As above</li></ul>  |
| <ul style="list-style-type: none"><li>• The proposal will still require a build over easement application for the proposed easement if the building abutting the future easement. No part of the building is to be constructed over the drainage easement</li></ul> | <ul style="list-style-type: none"><li>• Not required</li></ul>  |
| <ul style="list-style-type: none"><li>• There are pedestrian steps that currently exist over the existing drain located along the rear of 2 Lorraine Street running south should be retained, it is noted City West Water has assets in this easement.</li></ul>    | <ul style="list-style-type: none"><li>• These pedestrian steps are not located on the subject site and will therefore not be affected.</li></ul>  |
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#### Property

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| <ul style="list-style-type: none"><li>• The right of way along Lorraine Street is currently owned by Council</li></ul> | <ul style="list-style-type: none"><li>• Noted</li></ul> |
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#### Planning permit (MV/627/2019)

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| <ul style="list-style-type: none"><li>• It is expected that the permit conditions on Planning Permit MV/627/2019 relating to staff and student numbers form part of DELWP submission, as below.</li></ul> | <ul style="list-style-type: none"><li>• Noted</li></ul> |
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- The staff numbers should remain at 123 staff as per Condition 18 on Planning Permit MV/627/2019.
- The student numbers to remain at 1,050 as per Condition 3 of Planning Permit MV/627/2019.
- Annual auditing of staff and student numbers as per Condition 4 of Planning Permit MV/627/2019

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### Operation

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| <ul style="list-style-type: none"> <li>• Operation hours of the competition court be restricted to minimise impact on the amenity of the residential surrounds, in relation to car parking, vehicular and sporting noise, lighting etc</li> </ul>  | <ul style="list-style-type: none"> <li>• The competition court will be ‘buffered’ by the STEAM building, the Slater building and the Multipurpose Centre – all substantial 3 storey buildings that will provide an appropriate level of protection from excessive noise or light spill – especially given the immediate context of busy Buckley Street immediately adjacent.</li> <li>• Any proposal for lighting will be subject to a separate planning application</li> </ul> |
| <ul style="list-style-type: none"> <li>• Waste collection hours be restricted to minimise impact on the road network and the amenity of the residential surrounds</li> </ul>   | <ul style="list-style-type: none"> <li>• The WMP confirms waste collection will be conducted from the service road in Buckley Street in a single weekly collection and no additional collections made from Stanley Street. There is an expectation that waste collection does not coincide with peak drop off and pick up times consistent with the VCAT decision that directed the issue of Planning Permit MV/627/2019</li> </ul>   |
| <ul style="list-style-type: none"> <li>• A loading bay should be provided for deliveries with the hours restricted to minimise impact on the road network and amenity of the residential surrounds. It is noted the loading bay has been removed from the Lorraine Street ROW as illustrated on the advertised plans associated with Planning Permit MV/627/2019.</li> </ul> | <ul style="list-style-type: none"> <li>• Loading can be readily accommodated within the lower ground carpark. Swept paths also confirm the competition court has a suitable circulation area to accommodate an 8.8 metres long vehicle</li> </ul>   |

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### Master Plan

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| <ul style="list-style-type: none"> <li>• A Master Plan should be provided in accordance with Clause 19.02-2L, Major educational uses. The information that should be included relates to maximum school enrolment numbers, future site acquisitions, future building envelopes, sporting fields, open spaces etc, car parking provision and future landscape scheme etc</li> </ul> | <ul style="list-style-type: none"> <li>• A non-statutory Master Plan was prepared in August 2019 and updated in March 2021. We do not consider any merit in completing additional work on this Master Plan given approval of the proposed building will see the site built out. There is nothing further to plan for.</li> </ul> |
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The VCAT decision that directed the issue of Planning Permit MV/627/2019 made the following comments:-

*While master planning is good practice, I find that it is not appropriate that this be a pre-condition of the commencement of the use approved by this permit. Such a process should not be rushed. In Montessori v Bayside [2017] VCAT 1045 a similar condition was placed on the permit with the agreement of the permit applicant but allowed a two-year timeframe following the grant of the permit to prepare the master plan to the satisfaction of the responsible authority.*

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#### Other

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- The proposal should provide consultants reports to allow for the proper consideration of the proposal and should include (but not limited to) the following:
    - Traffic report, including traffic impact assessment and swept path movements;
    - Car parking management plan, that includes signage, line marking, encourages all vehicle access and egress via Buckley Street etc;
    - ESD report, including a sustainable design (SDA) assessment and water sensitive urban design (WSUD) plan;
    - Waste report;
    - Green travel plan;
    - Lux level lighting report, if lighting is proposed to the competition courts;
    - Arborist report, that includes tree protection measures for trees on the site and street trees; and
    - Landscape Plan
  - The following consultant reports are included with the application:
    - Town Planning Submission (including architectural plans and design response material) prepared by CHT Architects.
    - Landscape Plans prepared by Tract;
    - Planning report prepared by UPco;
    - Transport Impact Assessment prepared by Stantec;
    - An Arboricultural Preliminary Assessment prepared by Rob Galbraith;
    - SMP (including WSUD assessment) prepared by Stantec; and
    - Waste Management Plan prepared by Leigh Design Pty Ltd.
  - A Green Travel Plan and Car parking management plan can be conditioned as part of approval.
  - The application does not include lighting for the competition court.
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