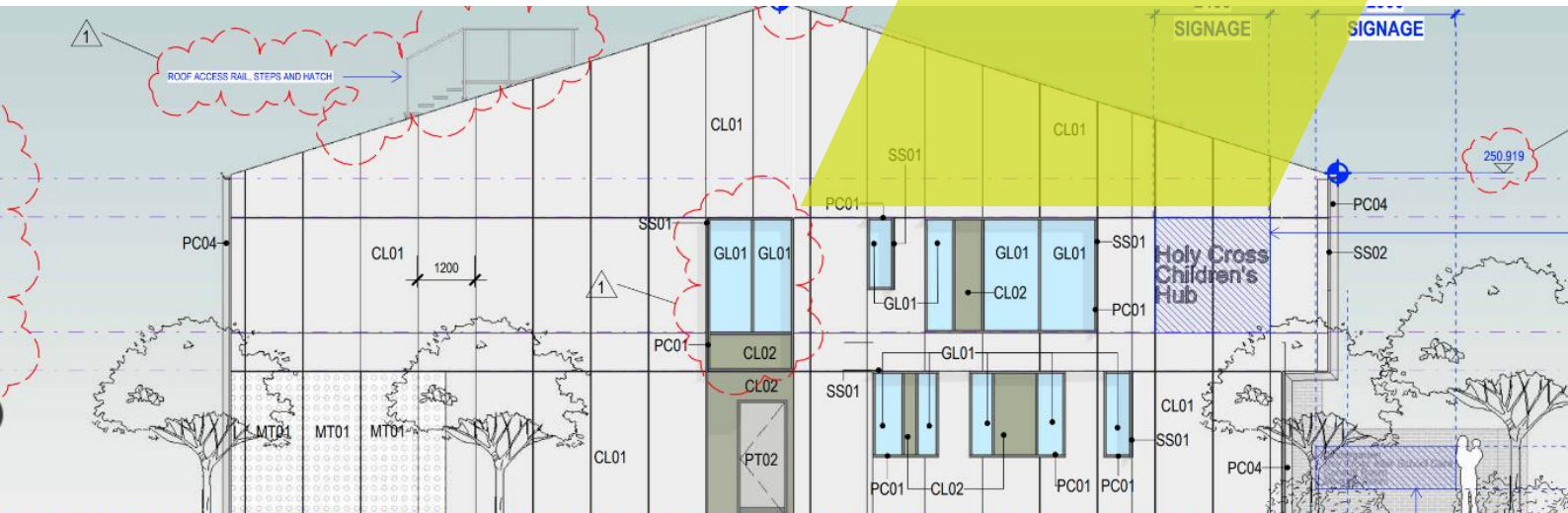


# Holy Cross Catholic Primary School Early Learning Centre

2-14 Carlingford Road, Mickleham PA2403093



## Officer Assessment Report Development Approvals & Design

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# Executive Summary



Key Information	Details		
<b>Application No:</b>	PA2303093		
<b>Received:</b>	1 August 2024		
<b>Statutory Days:</b>	24		
<b>Applicant:</b>	Melbourne Archdiocese Catholic Schools Early Years Education (MACSEYE)		
<b>Planning Scheme:</b>	Hume		
<b>Land Address:</b>	2-14 Carlingford Road, Mickleham		
<b>Proposal:</b>	Construct a building or construct or carry out works for an education centre (childcare centre) (land use as of right) ancillary to an existing primary school and display of business identification signage.		
<b>Development Value:</b>	\$8.13 m		
<b>Why is the Minister responsible?</b>	In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because it is for an education centre (childcare centre) that is ancillary to, carried out in conjunction with, and on the same land in the same ownership as, the proposed primary school and the estimated cost of works is greater than \$3 million.		
<b>Why is a permit required?</b>	<b>Clause</b>	<b>Control</b>	<b>Trigger</b>
<b>Zone:</b>	Clause 37.07	Urban Growth Zone Schedule 4 (UGZ4)	<ul style="list-style-type: none"> <li>Construct a building or construct or carry out works</li> </ul> Clause 2.2 specifies applied zone provisions which apply to the use of land and construction of a building and construction and carrying out of works.
<b>Applied Zone</b>	Clause 32.08	General Residential Zone	<ul style="list-style-type: none"> <li>Construct a building or construct or carry out works associated with a section 2 use.</li> </ul>
<b>Particular Provisions</b>	Clause 52.05	Signs	<ul style="list-style-type: none"> <li>Display of business identification sign</li> </ul>
<b>Cultural Heritage:</b>	Not in an area identified as having aboriginal cultural heritage sensitivity.		
<b>Total Site Area:</b>	2.6 hectares		
<b>Gross Floor Area:</b>	1,062.5m <sup>2</sup>		
<b>Height:</b>	2 storeys 11m maximum		
<b>Children</b>	144 (99 childcare, 45 outside school hours care (OSHC))		
<b>Staff</b>	13		
<b>Car Parking</b>	22		
<b>Bicycle parking</b>	0 proposed 44 existing bicycle parking spaces		
<b>Referrals:</b>	Hume City Council (informal)		
<b>Notice:</b>	Notice of the application under section 52(1)(a), (b) and (d) is exempt under Clause 37.07-13 for an application under any provision of the scheme which is generally in accordance with the precinct structure plan applying to the land, i.e. the <i>Merrifield West Precinct Structure Plan, March 2012 (updated June 2018)</i> .		

## Proposal Background

1. The key milestones in the application process were as follows:

Milestone	Date
Pre-application meeting	NA
Application lodgement	1 August 2024
Further information requested	19 August 2024
Further information received	30 September 2024
Decision Plans	<ul style="list-style-type: none"><li>Plans prepared by Hayball, dated 25 September 2024</li><li>Landscape Plan prepared by Fraser Design, dated 12 September 2024</li><li>Traffic Impact Assessment prepared by One Mile Grid, dated 26 September 2024</li><li>Green Travel Plan prepared by One Mile Grid, dated 25 July 2024</li><li>Sustainability Management Plan prepared by Intrax Projects, dated 25 July 2024</li><li>Planning Report prepared by Ethos Urban, dated 26 September 2024</li><li>Waste Management Plan prepared by One Mile Grid, dated 25 July 2024</li></ul>

2. The subject of this report is the decision plans (as described above).

3. The site is located within the *Merrifield West Precinct Structure Plan, March 2012 (updated June 2018)* (the PSP). Plan 1 to Schedule 4 of Clause 37.07 identifies the site for non-government primary school. Land directly north and east of the site is identified for residential uses and has been developed.



Figure 1 PSP urban structure plan, subject site circled

4. The Holy Cross Catholic Primary school has already been established on the subject site. Hume City Council (the council) issued permit P23005 which allows use and development of an education centre (primary school) in accordance with an endorsed masterplan.
5. The endorsed masterplan shows a future childcare centre / early learning centre (ELC) building 'subject to future separate application', located in the north-east corner of the site.

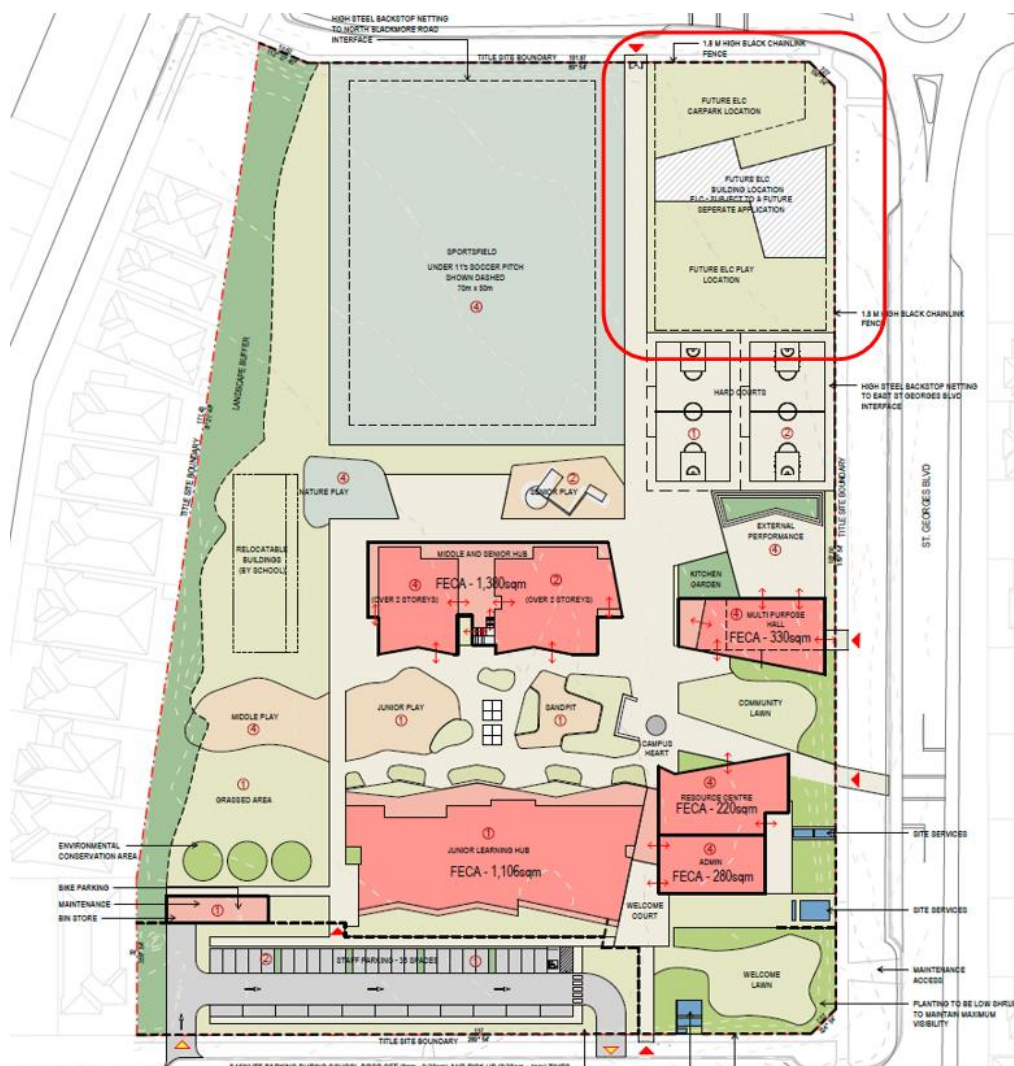



Figure 2 endorsed masterplan under permit P23005 (ELC circled)

6. Planning permit P16701 issued by Hume City Council on 22 May 2013 allowed the broader subdivision of the area, specifically for multi-lot subdivision and creation of access to main road in relation to 450 Donnybrook Road, Mickleham. Conditions of permit P16701 address many of the requirements of the PSP as well as the UGZ4 including in relation development contributions; infrastructure; biodiversity, native vegetation and offsets among other matters.

## Proposal Summary

7. The application seeks approval for the construction a new building and works associated with an education centre (childcare centre).

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8. The new building referred to as the 'Children's Hub' is designed to enable childcare and OSHC accessible to students at the existing Holy Cross Catholic Primary School. The Children's Hub will operate as an ancillary use to the existing school and will accommodate 99 childcare places and 45 OSHC places. The childcare element is proposed to operate between 8:30am and 4pm while the OSHC element will operate around the primary school hours, between 7 and 9am, and then between 3-6pm on weekdays.
  9. Buildings and works include:
    - A double storey building with a maximum height of 11m, setback 32m to the north and 3.1m to the east.
    - An outdoor plan area accessed directly to the north and west of the proposed building.
    - A new car park with 22 spaces, access from a 7m wide crossover to Blackmore Road.
    - An external store and bin enclosure with a height of 3.1m, setback 23m from the north boundary and access from the proposed car park.
    - Pedestrian paths around the north, south and east perimeter of the car park.
    - Landscaping to the north and east boundaries.
    - A new chain link fencing with a height of 1.2m to the eastern boundary.
    - Palisade fencing with a height of 1.8m to the boundary of the outdoor play area.
  10. Business identification signage including:
    - A signage zone of 5.76m<sup>2</sup> (2.4m x 2.4m) on the east elevation at first floor.

## Subject Site and Surrounds

### Site Description

11. The land is bounded by Blackmore Road to the north, St Georges Boulevard to the east, Carlingford Road to the south and is bordered by dwellings along the western boundary. The subject site is currently occupied by the Holy Cross Catholic Primary School which has operated since 2022.
12. Specifically, the site has been developed up to Stage 2 of the endorsed masterplan. This includes car parking, two double storey learning buildings and play spaces, including a hardcourt basketball court. Stage 3 of the school was endorsed on 29 May 2024 and includes the completion of the senior learning building and construction of the single storey administration building and resource centre and landscaping.
13. Vehicle access to the site is provided via two separate crossovers to Carlingford Road along the southern boundary of the site. The crossovers provide access to a car parking and drop-off/pick-up area. The existing car parking area includes 36 car parking spaces, and 11 drop-off/pick-up spaces.
14. The site at the location of the proposed works is clear of vegetation.
15. The site is Lot Y on Plan of Subdivision 810954V, Volume 12027 Folio 329. There are no covenants or easements affecting the site.
16. Section 173 Agreement AN452005H affects the land and requires the construction of Construction Project IT06 generally in accordance with the Functional Layout Plan within 24 months from 13 January 2017. The Merrifield West Development Contributions Plan, March 2012 shows that Construction Project IT06 relates to construction of a signalised intersection at the intersection of the western collector street and Donnybrook Road and that the obligation has previously been met.

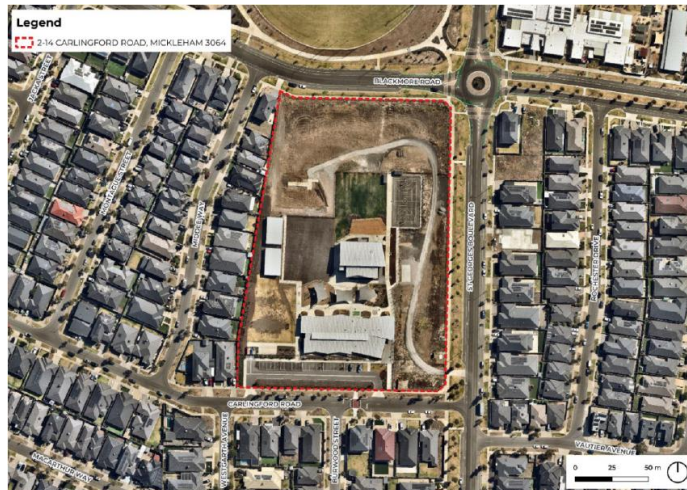


Figure 3 aerial subject site

## Site Surrounds

17. The broader area is primarily comprised of residential development in line with the PSP. Housing in the area typically comprises detached dwellings.
18. A variety of community and education facilities are dispersed throughout the area to the north including the Merrifield Recreation Reserve on the north side of Blackmore Road, the Mickleham North Community Centre (approximately 50m north), Gaayip-Yagila Primary School (approximately 160m northeast) Mickleham Secondary College (approximately 250m northwest).
19. Development surrounding the site can be described as follows:
  - **North:** Merrifield Recreation Reserve which provides large areas of public open space and recreational facilities.
  - **East:** St Georges Boulevard with dwellings on the east side, opposite the subject site.
  - **South:** Carlingford Road with dwellings on the south side, opposite the subject site.
  - **West:** dwellings that face Middle Way.



## Municipal Planning Strategy

20. The following objectives and strategies are relevant to the proposal:

Clause	Description
02.01	Context
02.02	Vision
02.03-1	Settlement
02.03-2	Environmental and landscape values
2.03-3	Environmental risks and amenity
2.03-5	Built environment and heritage
2.03-8	Transport
2.03-9	Infrastructure

## Planning Policy Framework

<b>Clause 11</b>	<b>Settlement</b>
11.01-1S	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
11.03-2S	Growth areas
<b>Clause 13</b>	<b>Environmental Risks and Amenity</b>
13.05-1S	Noise management
13.06-1S	Air quality management
<b>Clause 15</b>	<b>Built Environment and Heritage</b>
15.01-1S	Urban Design
15.01-1R	Urban design - Metropolitan Melbourne
15.01-1L-05	Signs
15.01-2S	Building design
15.01-2L-01	Building design - Hume
15.01-2L-02	Energy and resource efficiency - Hume
15.01-2L-03	Environmentally sustainable development - Hume
15.01-2L	Environmentally sustainable development
15.01-4R	Healthy neighbourhoods - Metropolitan Melbourne
15.01-5S	Neighbourhood character
<b>Clause 17</b>	<b>Economic Development</b>





<b>17.01-1S</b>	Diversified economy
<b>17.01-1R</b>	Diversified economy - Metropolitan Melbourne

<b>Clause 18</b>	<b>Transport</b>
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<b>18.01-1S</b>	Land use and transport integration
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<b>Clause 19</b>	<b>Infrastructure</b>
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<b>19.01-2R</b>	Renewable energy - Metropolitan Melbourne
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<b>19.02-2S</b>	Education facilities
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<b>19.02-2R</b>	Education precincts - Metropolitan Melbourne
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<b>19.03-3S</b>	Integrated water management
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## Statutory Planning Controls

### Urban Growth Zone Schedule 4 (UGZ4)

21. The UGZ specifies that the provisions of Clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.
22. Pursuant to Clause 37.07-9 (Table of Uses) any requirement in the table of uses and any requirement specified in Schedule 4 to the UGZ must be met. The Table of Uses specifies that section 1 permit not required uses are as per any use in Section 1 of a zone applied by the schedule to this zone. A permit granted must be generally in accordance with the precinct structure plan.
23. Pursuant to Clause 37.07-11 (Buildings and Works), the provisions of specified zones as identified in Schedule 4 to the UGZ apply to the development of land.
24. Clause 2.2 of the UGZ4 confirms applied zone provisions are relevant for land use and construction of a building and construction and carrying out of works.
25. Schedule 4 to the UGZ confirms that the subject site is designated 'All other land' (i.e. not local town centre or mixed use) and Clause 32.08 – General Residential Zone is the relevant applied zone.

### Applied Zone Provisions – General Residential Zone (GRZ)

26. Pursuant to Clause 32.08 a permit is required to use the land for an education centre.
27. The proposed education centre (childcare centre) centre is to be ancillary to the school use as it will be located on the same land and operated in conjunction with the primary school. The primary school has already been granted permission under Permit P23005 issued by Hume City Council. Accordingly, it is considered that a permit is not specifically required for this aspect of the proposal.
28. Pursuant to Clause 32.08-10 a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

### Development Contributions Plan Overlay, Schedule 4 (DCPO4)

29. Pursuant to Clause 45.06-1, a permit must not be granted to construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.
30. Clause 4.0 of Schedule 4 to the DCPO states that land or development excluded from development contributions plan includes non-government schools (among other things).



## Particular Provisions

### Clause 52.05 – Signs

31. Pursuant to Clause 32.08-15 sign requirements are at Clause 52.05. The GRZ is within Category 3.
32. Pursuant to Clause 52.05-13 a permit is required for a business identification sign.

### Clause 52.06 – Carparking

33. Pursuant to Clause 52.06-5, car parking is required at a rate of 0.22 spaces to each child.
34. The proposal includes a maximum of 99 children for the ELC and 22 spaces are provided in excess of the statutory requirements.
35. The OSHC is not expected to generate new car parking demand in its own right as the children will be part of the existing primary school. Accordingly, car parking demand associated with the OSHC is provided for as part of the existing primary school and will continue to be accommodated within the existing parking on site.
36. No reduction in the car parking requirements is required.

### Clause 52.34 – Bicycle Facilities

37. Pursuant to Clause 52.34-2 a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.
38. There is no bicycle parking rate specified for a child care centre use and therefore there is no requirement for bicycle parking.
39. The school includes 44 existing bicycle parking spaces are northwest of the school car park accessed from the south.
40. The OSHC is not expected to generate new bicycle parking demand in its own right as the children will be part of the existing primary school. Accordingly, bicycle parking demand associated with the OSHC is provided for as part of the existing primary school and will continue to be accommodated within the existing bicycle parking on site

### Clause 53.18 – Stormwater

41. Clause 53.18 applies to the buildings and works of this application. An application to construct a building or construct or carry out works must meet all of the objectives and should meet all of the standards of Clauses 53.18-5 and 53.18-6.

### Clause 53.19 – Non-Government Schools

42. Clause 53.19 applies to use or development for a primary school, secondary school or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

## Other Strategic Considerations

### Merrifield West Precinct Structure Plan, March 2012

43. The PSP sets objectives and provides for their implementation in relation to nine key elements including:
  - Identity, character and landscape
  - Housing density
  - Neighbourhood structure



- Connectivity
- Town centre and employment
- transport and movement
- Servicing
- Biodiversity and cultural heritage
- Bushfire management

44. The PSP earmarks the site for a potential non-government primary school.

## Referrals

### Hume City Council Comments

45. The application was informally referred to Hume City Council which advised that overall, the proposal appears relatively compliant with the Hume Planning Scheme. The following comments were provided in relation to landscaping and traffic:
- Most proposed plant species will tolerate site conditions, but the *Allocasuarina torulosa* and *Chrysocephalum apiculatum* should be replaced with species on Humes's Landscape Guidelines.
  - There is room for more canopy trees on the western side of the carpark and along both road interfaces.
  - Internal road and carparks are to have stormwater runoff treated to best practice i.e. in raingardens.
  - Sight triangles to Planning Scheme dimensions are needed on both sides of the driveway
  - A condition on the permit is recommended to limit site access to vehicles no larger than a 6.4m waste collection vehicle.
  - The permit should include a condition requiring that child numbers are capped at 99.

### DTP Response

46. In response to the councils comments, the following is noted:
- The applicant has advised that plant species is based the planting schedule included on the Stage 3 endorsed plans which includes both *Allocasuarina torulosa* and *Chrysocephalum apiculatum* and which was endorsed by the council on 29 May 2024. It is considered acceptable to maintain a consistent planting palette across the school site.
  - The proposed planting is considered sufficient. The submitted landscape plan shows two proposed canopy trees west of the carpark and one canopy tree west of the driveway. These trees will have a mature height of 9m and canopy width of 5m.  
  
These trees will be supplemented by canopy trees to the east as well as a range of smaller trees, shrubs and grasses to the north, east and west of the car park interfacing with road frontages.
  - Stormwater runoff from the car park will be collected via a 3m<sup>2</sup> raingarden.
  - A permit condition will require sight triangles to be shown on the exit lane of the driveway.
  - The submitted traffic impact assessment shows swept paths for an 8.8m long service vehicle which can access and exit the site in a forward direction. Given this, a condition requiring a smaller 6.4m long service is considered unreasonable in this instance.
  - It is not considered appropriate to cap childcare numbers. The number of spaces will be limited as they relate to car parking requirements of the planning scheme. In addition, the childcare land use is not a permit trigger and is ancillary to the existing school. As such, it is not appropriate to include a land use permit condition such as a cap on child numbers.

## Notice

47. Pursuant to Clause 37.07-13 (UGZ) an application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless the schedule to this zone specifies otherwise.
48. Accordingly, the application was not advertised.

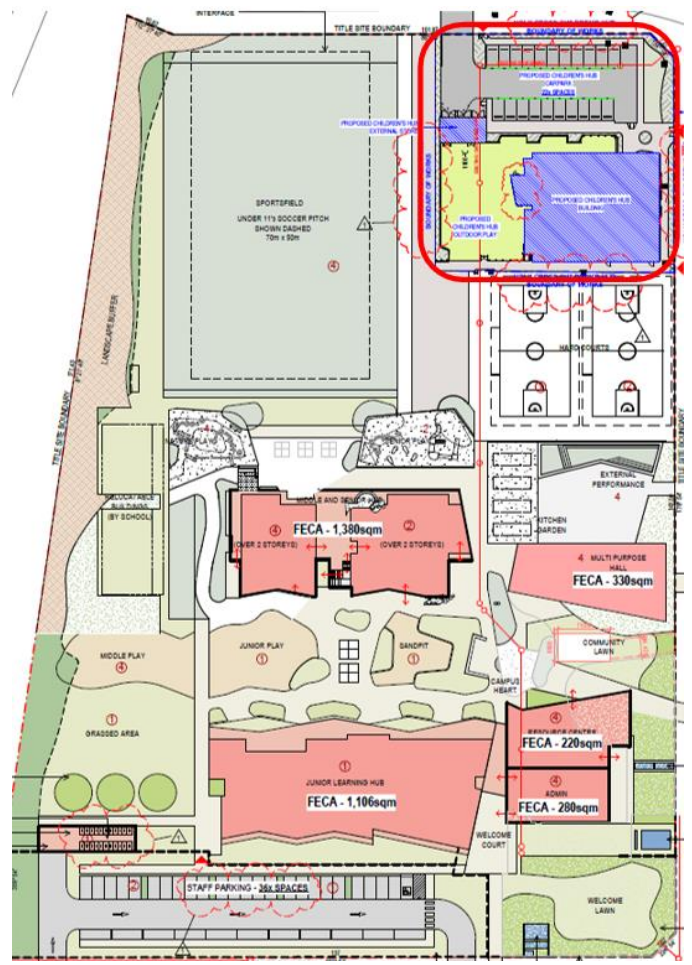
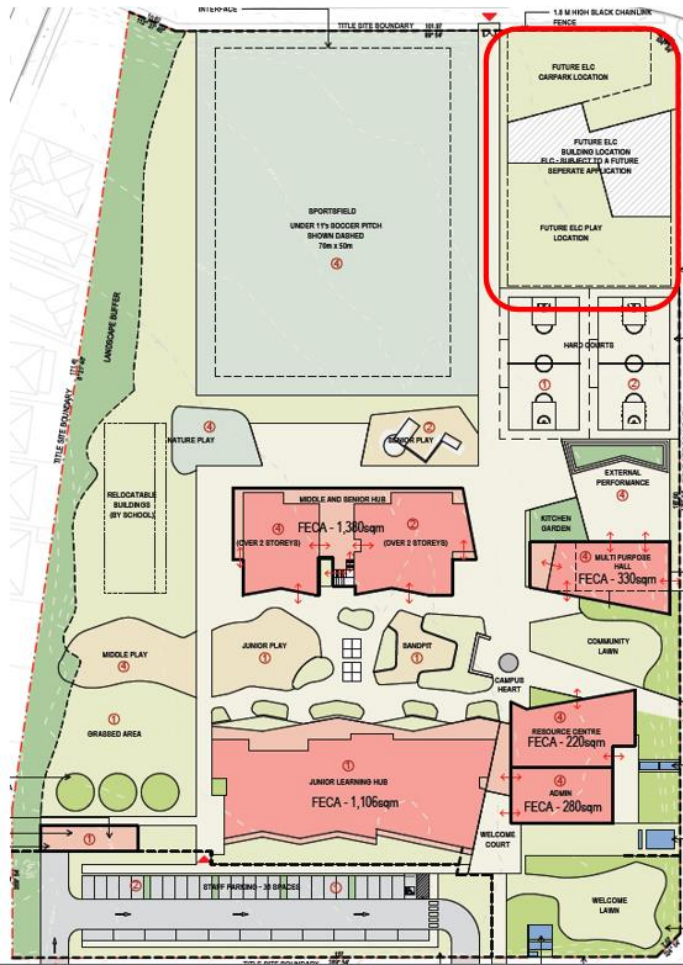
49. The proposal is supported by relevant planning policies.
50. The proposal will deliver expanded school facilities within the Merrifield West Precinct, generally in accordance with the PSP.
51. The proposal is supported by strategic directions:
  - Clause 2.03-7 planning for economic development which seeks to facilitate development that provides opportunities for local employment and education that are close to homes and are accessible by a variety of transport options.
  - Clause 2.03-9 planning for infrastructure which seeks to enhance educational and recreational opportunities through the provision of community infrastructure, including new schools and youth services.
52. Planning policy encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers education facilities to assist the integration of education and early childhood facilities with local and regional communities (Clause 19.02-2S).
53. The proposal is consistent with state planning policies for land use and education facilities. The works will introduce a new education centre to the site in a way that is compatible with the surrounding area and the proposed future character (Clause 11.03-2S, 13.05-1S, 13.07-1S).
54. The new school will cater to the needs of the growing local community, provide a source of local employment, and contribute to 20-minute neighbourhoods. The building is built-for-purpose relevant to the land use and incorporates a contemporary architectural design and siting that is compatible with the surrounding context (Clause 15.01-4S, 17.01-1S, 19, 19.02-2S).
55. The building design and siting contribute positively to the local context and meet best practice in environmentally sustainable development (Clauses 15.01-2S, 15.01-2L-03).

### Zoning and Overlays

56. The proposal meets the purpose of the UGZ and the PSP, which identifies a non-government primary school in the location of the subject site. The growth of these newly developed areas relies on the provision of new community infrastructure, including new schools to support the needs of the local community.


### Master Plan

57. The proposed Children's Hub is located in the northeastern corner of the site, consistent with the endorsed masterplan (endorsed under Hume Planning Permit P23005).
58. The endorsed masterplan shows a slightly different layout of the Children's Hub than proposed. Endorsed plans show an irregular shaped Children's Hub building that extends across the centre of northeastern corner, with limited setbacks to the east and west. Children's Hub car parking is shown north of the building with outdoor play areas to the south. The proposal reorientates the building footprint to deliver a greater setback from the northern boundary and outdoor play space to the west of the building.
59. The proposed Children's Hub provides a similar setback to the eastern boundary as shown on endorsed plans, however the building now extends south with a minimal setback to the existing hardstand basketball courts. The reorientation of the building enables a greater northern setback than shown in the endorsed masterplan.
60. While the layout of the Children's Hub slightly deviates from the layout shown on the endorsed masterplan, the proposal is generally consistent with the overarching vision of the masterplan.



### Built Form

61. The proposed double storey (11m maximum) building within is located to the north-east corner of the site at setbacks of 32m to the north and 3.1m to the east to Blackmore Road and St Georges Boulevard respectively.
62. The generally low scale and form of the proposed school building is acceptable in the context of existing single and double storey dwellings and school buildings in the area.
63. The new building materials include brickwork, cement sheeting, perforated aluminium screening, timber screening profiled metal sheet roofing, and glazing with aluminium frames. The colour palette is proposed to be generally grey, and green with timber screening elements.
64. The building design is articulated with gabled end roof forms, a variety of materials, various glazed openings to the street to encourage passive surveillance and interaction with the public realm.
65. The proposal includes new fencing around the site boundaries, comprising:
  - A new chain link fencing with a height of 1.2m to the eastern boundary.
  - Palisade fencing with a height of 1.8m to the boundary of the outdoor play area
66. Trees and shrubs will provide a landscape buffer between the fence and the new buildings. The fencing is largely transparent, allowing views between the public realm and the subject site and will not create the impression of an enclosed barrier. The fencing is acceptable as it optimises opportunities for landscaping and passive surveillance, whilst also serving the safety and security needs of the and childcare centre.

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67. The design of the building, proposed fencing and landscaping address requirements R13 and R14 of the PSP that development abutting open space must be well articulated and facilitate passive surveillance with windows, balconies and pedestrian access points.
  68. The proposed store building is low in scale (3.1m high) and adequately setback (23m) from the north boundary to minimise visual impacts to the street. Garden beds throughout the north and east setbacks will also soften the visual appearance of this structure.
  69. Overall, the design is considered to be an acceptable architectural outcome for an existing school site within the PSP area.

### Landscaping

70. Landscaping will include 10 new trees primarily located throughout the street setbacks and car parking area. Shrubs will also be planted including up to 425 1.2m – 2m high species.
71. Planting is proposed throughout garden beds around the perimeter of the proposed building and carpark including north and east street frontages.
72. The proposed 3m<sup>2</sup> raingarden will ensure that stormwater discharge is minimised.
73. The proposed landscaping generally responds to policy that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

### Amenity Impacts

74. There are no amenity concerns on the surrounding properties resulting from the proposal.
75. The proposal is in the location shown on the PSP as being for a potential non-government primary school.
76. The subject site is separated by streets from neighbouring land to the north, south and east.
77. From the west the proposed buildings and works have a generous setback of approximately 70m and separated by a school sports field.

### Signs

78. It is proposed to display a business identification sign within a signage zone of 5.76m<sup>2</sup> (2.4m x 2.4m) on the east elevation at first floor.
79. The sign is considered proportionate to the building, will sit comfortably with the architecture and will provide appropriate identification of the children's hub.
80. The plans confirm that the sign will have no illumination.
81. The proposed signage generally complies with signs policy at Clause 15.01-1L-05 and is considered acceptable.

### Car parking, Traffic and Waste

#### Car parking

82. As discussed above, the number of car spaces provided exceeds the requirements of Clause 52.06.
83. The car park design including car parking space dimensions, accessway widths and access point widths meet the requirements of the Clause 52.06 generally as follows:
  - The accessway minimum width of accessway is 7m which exceeds the 3m minimum.
  - changes of direction between accessways of more than 4.2 m wide
  - the dead-end accessway enables the last car spaces to exiting in a forward direction with one manoeuvre.



- the accessway is designed so that cars can exit the site in a forward direction.
  - Corner sightlines splays are not explicitly shown. This will be required as a permit condition.
  - Standard car spaces have a minimum width of 2.6m, length of 4.9m and are accessed from a 6.4m wide aisle.
84. Swept path diagrams have been provided and demonstrate acceptable access into critical car parking spaces.
85. As per the above discussion, the OSHC is not expected to generate new car parking demands in its own right. These existing demands, which are primarily associated with the existing primary school, will continue to be accommodated within existing parking provisions in the area.
86. The traffic report suggests that allocation of car parking space should include staff members instructed to park on the north side of the parking aisle, so that parking on the southern side of the aisle is more readily available for visitors. This would reduce the number of visitors who would need to cross the parking access aisle.
87. A pathway is provided from the northern side of the car park, around the eastern end of the aisle, to the frontage of the building to provide a separated pedestrian connection from the northern row of parking to the building, so that people who park in the northern row of parking do not need to cross the aisle if they prefer not to.
88. This informal arrangement is considered acceptable.
89. Overall, car parking provision and design is acceptable.

#### Traffic

90. The traffic impacts of the proposal have been assessed in the submitted traffic report which confirms that access to/from the site will be appropriate.
91. The submitted traffic report notes that, given that the OSHC demand is related to existing students, there is no increase in traffic generation as these children are already dropped off/picked up from the existing primary school. As a result, the additional traffic generation due to the development is related to the early learning centre only.
92. Based on case-studies of childcare centres, it is expected that a total of 33 new vehicle movements will be generated during the morning peak hour, and a total of 17 new movements to be generated during the evening peak hour to the road network.
93. Accordingly, the traffic volumes generated by the proposed development are expected to be low and easily absorbed into the surrounding road network.
94. A gate is proposed at the vehicle entrance of the car park. This is not clearly shown on the architectural plans but is reflected on the landscape plans.
95. Given the car park is to provide for drop-off/pick-up to the childcare, it is considered unreasonable to have a gate that may restrict access and cause queueing concerns, particularly during school peak times. Accordingly, it is recommended that a permit condition require remain open between 7am and 6pm on weekdays, or at any time the building is in use. This requirement has been accepted by the permit applicant.

#### Waste

96. A waste area is located adjacent to the south-west of the proposed car park with a dedicate store for bins.
97. Private waste collection is proposed. The waste collection vehicle will enter the site and prop adjacent to the bin store, and bins will be transferred directly to the waiting truck for emptying. The bins will be returned to the bin storage compound immediately following collection.
98. The truck will utilise the vehicle aisle of the car park as a turnaround area in order to exit the site in a forward direction. Submitted swept path diagrams show that movements of the waste collection vehicle can be accommodated.





99. The WMP confirms that, to minimise the disturbance to the surrounding residential areas during waste collection, the collection should follow the criteria specified by the Environment Protection Authority, including:
- Collections occurring once a week restricted to the hours: 6:30am to 8:00pm, Monday to Saturday; 9:00am to 8:00pm, Sunday and Public Holidays.
  - Collections occurring more than once a week should be restricted to the hours: 7:00am to 8:00pm, Monday to Saturday; 9:00am to 8:00pm, Sunday and Public Holidays.
100. It is considered that waste collection times should be scheduled outside of peak school drop-off times to minimise potential conflict and congestion. This will be required as a permit condition.

## Environmental

### Environmentally Sustainable Design (ESD)

101. The proposal incorporates several ESD measures into the design of the new buildings, including:
- Water efficient fittings, fixtures and appliances
  - Collection from roof area to 5000 litre rainwater tank with rainwater used to flush toilets and irrigation
  - Drainage of the car park to raingarden (3m<sup>2</sup>).
  - Rooftop solar panels.
  - All electric development.
  - High performance fabric and glazing.
  - High efficiency heating and cooling systems
  - High efficiency hot water system.
  - High performance double glazing
102. The application of ESD principles generally responds to the objectives at Clauses 15.01-2S, 15.01-2L-03

### UGZ Requirements

103. Clause 4.5 (Biodiversity) of the UGZ4 includes requirements for management and offsets in relation to the Eastern Grey Kangaroo, Growling Grass Frog, Golden Sun Moth and Striped Legless Lizard.
104. The subject site is within potential Golden Sun Moth and Stripped Legless Lizard habitat but is outside Growling Grass Frog habitat as identified in the PSP.
105. Planning Permit P16701 (issued by the council for subdivision of the broader area within which the subject site is located) addresses the requirements under Clause 4.5 of the UGZ4. Condition 42 of planning permit P16701 addressed the Golden Sun Moth and Striped Legless Lizard requirements as follows:

42. *Unless otherwise agreed in writing by the Secretary to the Department of Environment and Primary Industries, to ensure the implementation of requirements or conditions set out in the Urban Growth Zone Schedule 4 and the Merrifield West Native Vegetation Precinct Plan and the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (June 2013, Department of Environment and Primary Industries), prior to the commencement of any works associated with the subdivision the permit holder must provide for the following to the satisfaction of the Secretary to the Department of Environment and Primary Industries:*
- a) *Payment of compensatory habitat fees for Golden Sun Moth;*
  - b) *Payment of compensatory habitat fees for Growling Grass Frog;*
  - c) *Payment of compensatory habitat fees for Matted Flax Lily;*
  - d) *Salvage and translocation of the Striped Legless Lizard;*
  - e) *Salvage and translocation of the Growling Grass Frog;*
  - f) *Salvage and translocation of the Matted Flax Lily; and*



*g) Payment of compensatory habitat fees for native vegetation*

*all to be in accordance with the Biodiversity conservation Strategy for Melbourne's Growth Corridors (June 2013, Department of Environment and Primary Industries) and the Habitat Compensation under the Biodiversity Conservation Strategy (August 2013, Department of Environment and Primary Industries).*

106. The applicant has also provided advice from the Department of Energy, Environment and Climate Action (DEECA) that:
- UGZ4 standard conditions for the Golden Sun Moth and Striped Legless Lizard are considered to have been met, noting that these are old conditions which have been superseded by the Metropolitan Strategic Assessment levy and the Salvage and Translocation Protocol for Melbourne's Growth Corridors (DEPI, 2013).
  - As the application isn't for a staged subdivision, the Kangaroo Management Plan condition wouldn't be relevant to the application.
107. Accordingly, the biodiversity conditions of the UGZ4 have either already been addressed or are not applicable to the proposal.
108. It is noted that the subject site is not within an area where the approved Merrifield West Conservation Management Plan applies or in an area where the Matted Flax Lily is mapped as identified on the Threatened Species Action Plan in the PSP.

**Potentially contaminated land**

109. The explanatory report for planning scheme amendment C162, which introduced controls that gave effect to the PSP, notes that an Environmental Site Assessment Phase 1 and preliminary Phase 2 assessment were carried out across the planning scheme amendment area with the exception of the property at 425 Donnybrook Road, where access was not possible.
110. The UGZ4 identifies where further site assessment of the potential for contaminated land is required in relation to 425 Donnybrook Road 495 and 555 Donnybrook Road.
111. The subject site was formerly part of 450 Donnybrook Road as confirmed in the subdivision permit P16701 issued by Hume City Council. Further site assessment requirements are not identified for the subject site.

**Conclusion**

112. The proposal is generally consistent with the relevant planning policies of the Hume Planning Scheme and will contribute to the provision of primary school facilities within the Merrifield West PSP area.
113. The proposal is generally supported by the council.

**Recommendation**

114. It is recommended that a delegate for the Minister for Planning issue Planning Permit No. PA2303093 for construction of a building or construction or carry out works for an education centre (childcare centre) (land use as of right) ancillary to an existing primary school and display of business identification signage at 2-14 Carlingford Road, Mickleham, subject to conditions.
115. It is recommended that the applicant and the council be notified of the above in writing.

**Prepared by:**

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I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

**No Conflict**

Conflict and have therefore undertaken the following actions:

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- 
- Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

[Redacted Signature]

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Dated: 16 October 2024

**Approved by:**

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I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
  - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
  - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
  - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

[Redacted Signature]

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Dated: 23 October 2024