

413-418 Ballan Road, Wyndham Vale, Assessment Officer Report

Wyndham Christian College
Permit Application number PA21402972



Officer Assessment Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL



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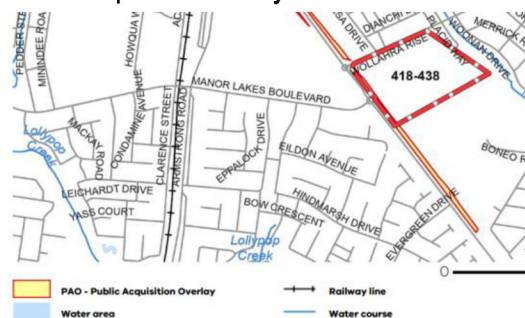


Bushfire Risk _____	22
Accordingly, bushfire management has been considered and will be addressed in further detail at building permit stage. _____	23
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Executive Summary



Key Information	Details		
Application No:	PA2402972		
Received:	7 June 2024		
Statutory Days:	27 days		
Applicant:	[REDACTED]		
Planning Scheme:	Wyndham		
Land Address:	418-438 Ballan Road Wyndham Vale VIC 3024		
Proposal:	Construction of a two-storey building (gymnasium and specialist building associated with the existing school) associated with an existing education centre		
Development Value:	\$ 6.5 million		
Why is the Minister responsible?	<p>In accordance with the schedule to Clause 72.01 of the Casey Planning Scheme, the Minister for Planning is the responsible authority for this application because:</p> <ul style="list-style-type: none"> - Primary school or 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, if any of the following apply: - The estimated cost of development is \$3 million or greater. 		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 37.07-4	Urban Growth Zone Schedule 8	<p>A permit is required to construct or carry out any of the following:</p> <ul style="list-style-type: none"> • A building or works associated with a use in Section 2 of Clause 37.07-1.
Overlays:	Clause 43.02	Development Contributions Plan Overlay – Schedule 11	N/A
	Clause 45.01-1	Public Acquisition Overlay	N/A – public acquisition overlay applies to the front of the site and the buildings and works do not touch this overlay.





Particular Provisions:	Clause 53.19	Non-government schools	N/A
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Cultural Heritage: There is an approved Cultural Heritage Management Plan (CHMP) that applies to the Site (No. 16127, amended document approved 15th June 2021), a copy of which is included as part of this application package as a background document. The activity area within the approved CHMP covers the extent of the Site which includes the area of the proposed gymnasium and specialist classrooms, confirmed as follows:

- The Activity Area approved by the CHMP relates to the entire parcel of land at 418-438 Ballan Road, as shown in Figure 3 below.
- Section 4 of the CHMP lists approved activities covered by the CHMP. The works proposed are included in the list of activities.

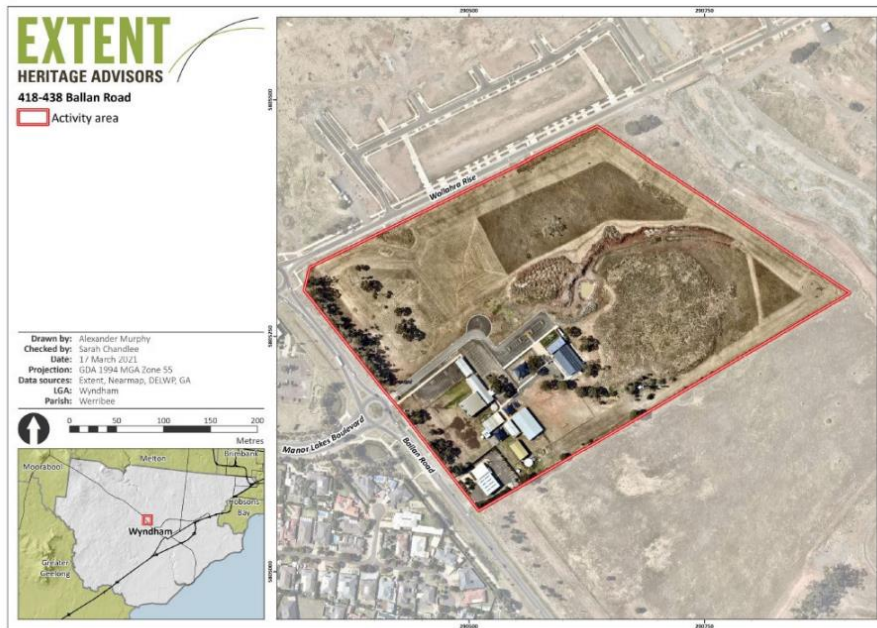


Figure 3 – Extent of Activity Area approved under the CHMP (Figure 2a of Extent Heritage Advisors CHMP).

Referral Authorities: Pursuant to Clause 66.03 an application under the zone (Urban Growth Zone) within Metropolitan Melbourne is required to be referred to Victorian Planning Authority as a determining authority.

Advice sought: Wyndham City Council

Public Notice: **Exempt** – pursuant to Clause 37.07-13 (UGZ) an application under any provision of the scheme which is generally in accordance with the Precinct Structure Plan (PSA) 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 Planning and Environment Act 1987 (the Act).

Delegates List: N/A

Site History: There is an informal masterplan for the school site, shown below:

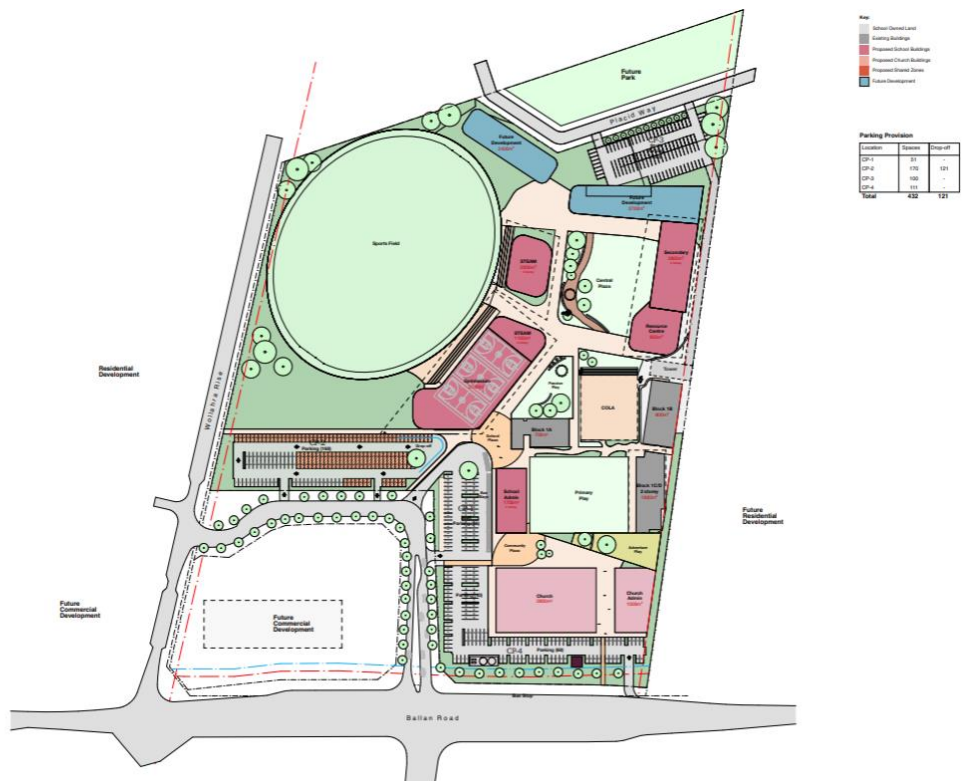


Figure 2 – indicative masterplan prepared by Stanton Dahl Architects (background document only).

Stage 1A

On 21 June 2018, Wyndham City Council issued planning permit WYP10338/17 for the Site allowing:

‘Use and development of a primary school (Stage 1A), alteration to a road in a Road Zone (Category 1) and works within a Public Acquisition Overlay (PAO2)’

The above planning permit approved the development of the Wyndham Christian College (Stage 1, Building 1A, Prep – Year 4) at the Site which included, but not limited to, Building 1A, car parking, footpaths and landscaping. It includes approval for:

- 275 Students (prep - year 4);
- 16 staff; and
- 48 car parking spaces.

Construction of Stage 1A has been completed.

Stage 1B

On 14 November 2019, Wyndham City Council issued planning permit WYP11589/19 for the Site allowing:

‘Use & Development of an Education Centre (Stage 1B) for the Wyndham Christian college, alteration to a road in a Road Zone (category 1) works on land within a PAO2 and staged display of business identification sign’

The above planning permit approved the development of the Wyndham Christian College Stage 1B expansion of the junior school component of the Site (Prep - Year 7) with a total of up to 425 pupils and 45 staff (including the approved students and staff from Stage 1A) once Stage 1B is completed. The approval comprises the development of a new Stage 1B building and a large, covered play space.

Construction of Stage 1B has also been completed

Stages 1C and 1D

On 27 May 2021, the Minister for Planning issued Planning Permit PA2001060 for:

‘Use and development for an education centre in an Urban Growth Zone and Public Acquisition Overlay and alteration of access to a road in a Road Zone, in accordance with the endorsed plans.’

The permit (PA2001060-1) was amended on 12 November 2021 to make minor changes to permit conditions and amendments to the endorsed plans. Another amendment under Secondary Consent was made on 19 May 2023. This building was completed and opened at the beginning of the 2024 school year and is currently in use.



Application Process

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

Milestone	Date
Pre-application meeting (DTP & applicant)	24 January 2024
Application lodgement	7 June 2024
Further information requested	20 June 2024
Further information received	25 June 2024
Further plans submitted on 20 August 2024 formally under s50 of the Act	<p>In summary, the formally substituted plans include:</p> <ul style="list-style-type: none">Architectural plans updated to remove signage from the plans and depict operable windows on the elevationsUpdates to the Stormwater Management Plan to reflect council requirements and revise the detention calculationsSustainability Management Plan updated to include a breeze path. <p>Updated documents include:</p> <ul style="list-style-type: none">Written response to Wyndham Council's comments prepared by Tract ConsultantsUpdated Architectural Drawings prepared by Stanton Dahl ArchitectsUpdate Landscape Plans prepared by PlatylobiumUpdated Sustainability Management Plan prepared by GIWUpdated Stormwater Management Strategy prepared by SMEC.
Decision Plans	Architectural Drawings prepared by Stanton Dahl Architects titled " Christway College Wyndham, New Gymnasium 418-438 Ballan Road, Wyndham Vale, VIC Planning Application Issue ", dated 5 June 2024 and 16 August 2024.
Other Assessment Documents	<ul style="list-style-type: none">Current Masterplan prepared by Stanton Dahl Architects (background document only).Landscape Plans prepared by PlatylobiumSustainable Management Plan prepared by GIW Environmental Solutions.Traffic and Parking Implications Memo of Advice prepared by Impact Traffic Engineers.Waste Management Plan prepared by Impact Traffic Engineers.Bushfire Attack Level (BAL) Assessment Report prepared by Terramatrix.Stormwater Management Plan (Ultimate) prepared by SMEC.Preliminary Site Investigation prepared by Scaada.Cultural Heritage Management Plan (Amended) prepared by Extent Heritage Advisors

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

Proposal Summary

3. The application proposes a new two-storey school building within an existing education centre. Details are as follows:

- A new two-storey, purpose-built facility incorporating:
 - Ground level comprises a double height gymnasium, specialist dance and drama room, general staff and student amenities and storage.



- Level 1 comprises specialist learning areas, including visual arts, graphics and science rooms, staff room, collaboration area and general amenities.
- The proposal has been designed to accommodate the natural topography of the Site. Building heights and setbacks are:
 - A maximum building height of 9.62m (to the top of the roof ridge).
 - Setbacks from property boundaries are:
 - 202m to Ballan Road.
 - 148m to the northern boundary.
 - 136m to the eastern boundary.
 - 96m to the southern boundary.
- Building materials include:
 - Face brick (mixed coloured).
 - Brickwork (light grey).
 - Concrete (textured).
 - Metal cladding (Monument).
 - Perforated metal mesh (powder coat).
 - Colour backed glass (various colours).
 - Compressed fibre cement (blue).
 - Glass (clear).

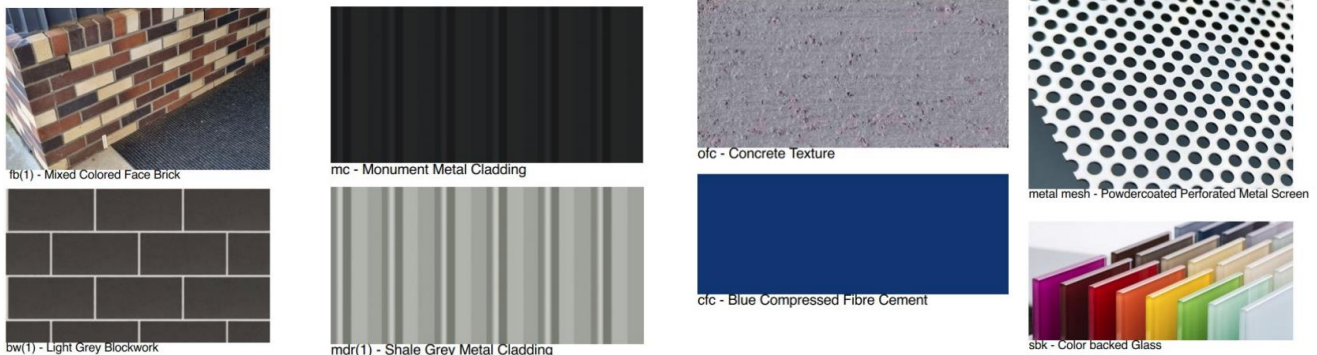


Figure 2 – materials

- New outdoor spaces including proposed turfed play areas on either side of the building.
 - Landscaping, including seating areas and native vegetation
 - New internal pedestrian pathways designed to connect and integrate the new building to existing facilities.
 - A sustainable building design capable of achieving a BESS rating of 53%.
 - Implementation of a best-practice stormwater management system with a 105% STORM rating.
 - Interim stormwater infrastructure improvements including:
 - Decommissioning the existing detention basin (north portion of Site under the proposed building footprint).
 - Construction of new “ultimate” pipework capturing previous catchment of decommissioned temporary basin and upsizing previous temporary outfall.
 - Upsizing stormwater detention and raingarden asset for treatment of flows prior to discharge in temporary swale.
4. Importantly, no changes to the existing vehicle access arrangements are proposed. The Site continues to provide access via the existing road connection to the Ballan Road/Manor Lake Boulevard intersection.
5. The applicant has provided concept images of the proposal below:

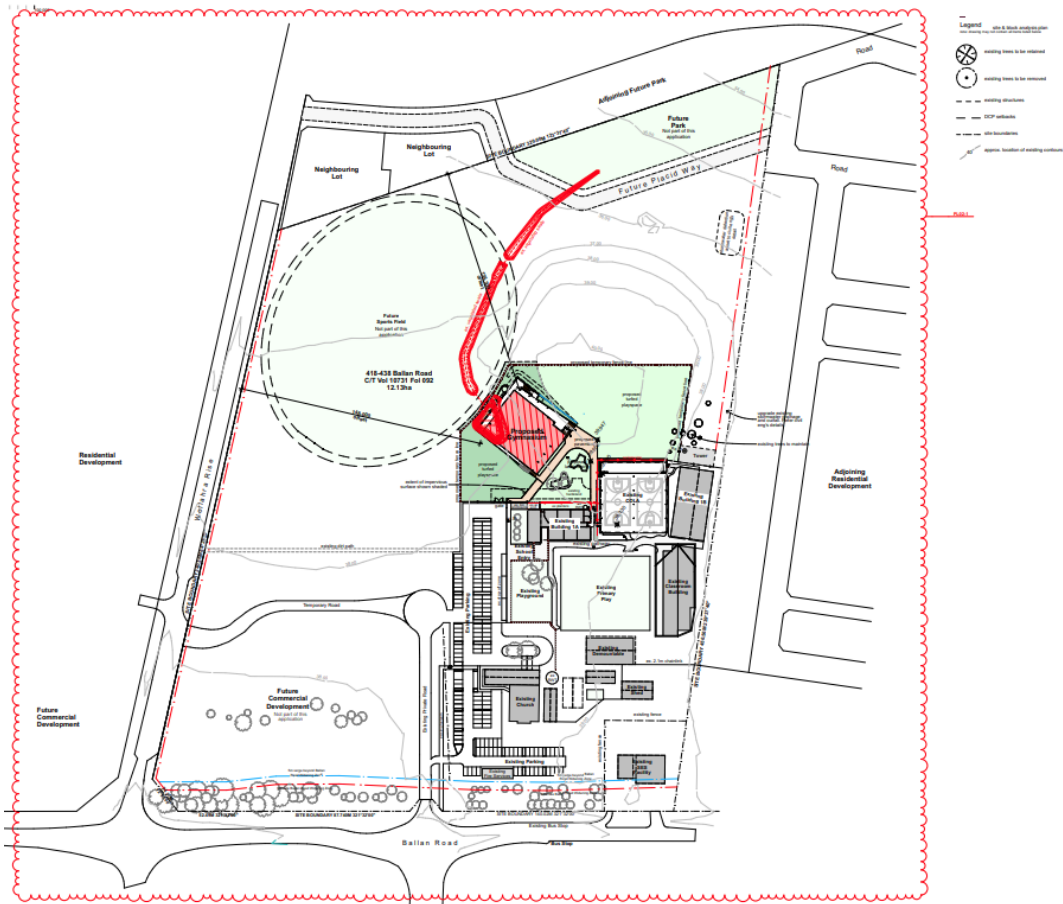


Figure 3 – site plan showing proposed building in red

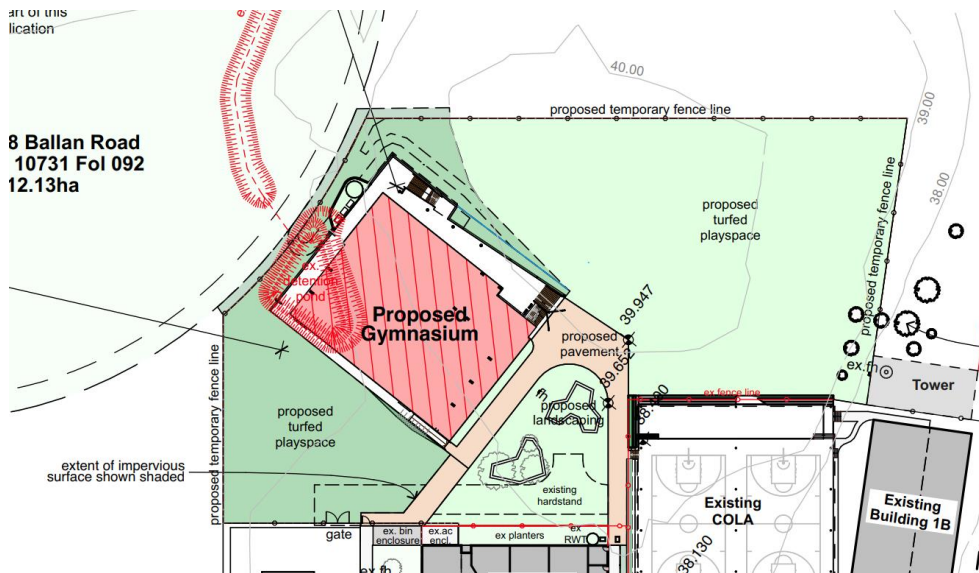


Figure 4 – zoomed in image of the building and landscape works



Figure 5: ground floor plan

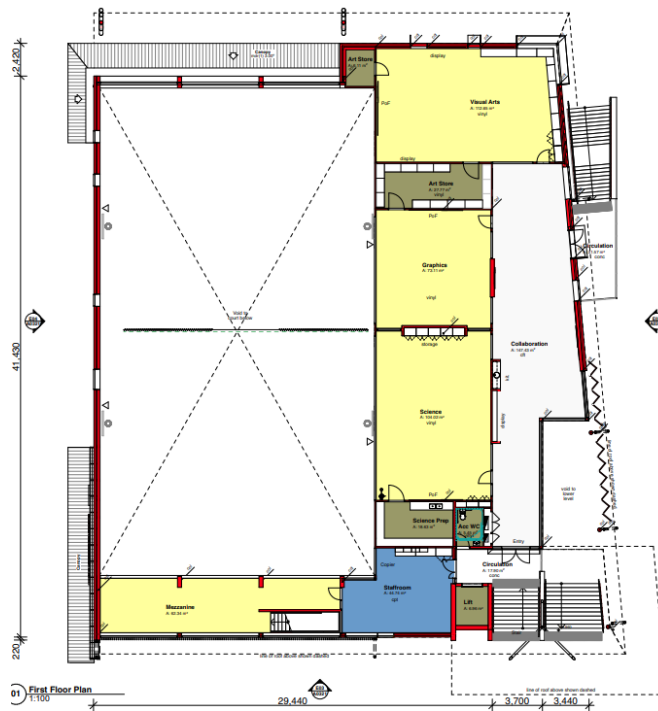


Figure 6 – first floor plan

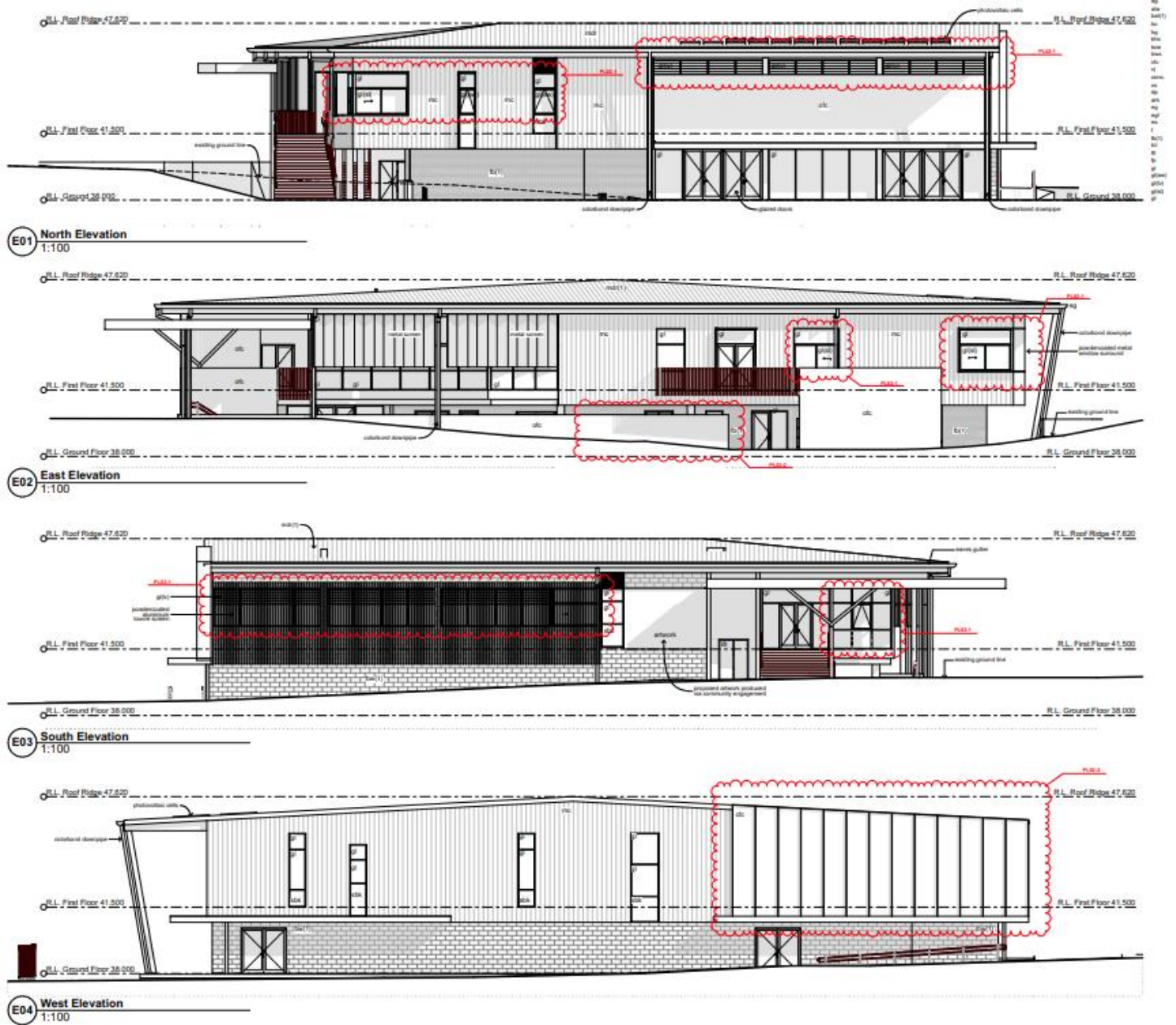


Figure 7 – elevations



01 Perspective 01



03 Perspective 09



02 Perspective 02



04 Perspective 08



01 Perspective 03



03 Perspective 05



02 Perspective 04



04 Perspective 06

Figure 8 – perspective images



Site Description

6. The Site address is 418-438 Ballan Road, Wyndham Vale and comprises of a single parcel of land formally identified as Lot 1 on Plan of Subdivision 506355R. The title is not affected by any easements, covenants or agreements under section 173 of the Act.
7. The overall Site accommodates an existing school - Wyndham Christian College.
8. The proposal only seeks to develop a small portion at the centre of the Site, with additional facilities to support the maturation of the students as their curriculum needs develop and enhanced facilities are required, including a gymnasium and specialist classrooms (such as art and science rooms).
9. The Site is approximately 12.15 hectares in area, generally rectangular in shape and has a frontage to Ballan Road of approximately 300m and a frontage along Wollahra Rise of approximately 360m. The Site is generally flat, with a gentle slope towards the northeastern corner. The Site is largely vacant with the established Wyndham Vale Christian Centre, SES Facility and Stages 1A, 1B and 1C & D of the Wyndham Christian College located generally toward the southern corner of the Site. There are existing trees on the Site unaffected by this proposal.
10. The new building is located towards the centre of the Site, adjacent to the future sports field and to the north of the existing school buildings.

Site Surrounds

11. The Site is located within the City of Wyndham, approximately 30 kilometres southwest from Melbourne's CBD and 4.5km from the Werribee Major Activity Centre. Wyndham Vale is identified within the Western Growth Corridor Plan (2012) as a Principal Activity Centre, which sits directly opposite the Site to the west of Ballan Road.
12. The Site is located within a broader region which is undergoing significant physical transformation from previously rural dominated land uses into urban land uses. The Site is located opposite the emerging Manor Lakes Town Centre which currently exhibits a supermarket, specialty retail, Wyndham Vale CFA as well as a large childcare centre. The Manor Lakes Town Shopping Centre is expected to expand over the coming years.
13. The surrounding areas to the north, east and south are included within the Ballan Road PSP and intended to be developed for residential dwellings. The Site forms a key non-government school parcel identified in the PSP.



Figure 9: Aerial Plan of the subject site (source: applicants planning report submitted with the application)



Municipal Planning Strategy

14. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.02	<p>Vision</p> <p>Clause 02.02 (Vision) outlines Wyndham City's planning vision for a healthy, liveable city that:</p> <ul style="list-style-type: none"> • 'Is future-focused and plans for sustainable development. • Consists of connected, vibrant neighbourhoods that provide for the cultural, social, economic and recreational needs of the community. • Supports the diverse educational needs of the community'.
02.03	<p>Strategic Direction</p> <p>Clause 02.03-1 (Settlement – Urban Growth) identifies population growth in Wyndham as a significant issue requiring careful planning and management to ensure equitable and timely delivery of services, jobs and infrastructure to support a liveable community. Specifically, Council seeks to</p> <ul style="list-style-type: none"> • 'Provides for growth on a scale and form consistent with maintaining the containment, compactness, accessibility and affordability of key growth areas' <p>Clause 02.03-5 (Built Environment and Heritage – Urban Design) highlights that urban areas in Wyndham often lack visual appeal due to ineffective landscaping. Council's strategic directions for urban design include:</p> <ul style="list-style-type: none"> • 'Improve the presentation of all urban areas and entrances, particularly from major roads, gateways and waterways. • Support new development that preserves the character and historical attributes of urban areas by improved design, siting and landscaping.' <p>Clause 02-03-9 (Infrastructure – Community Facilities) outlines:</p> <ul style="list-style-type: none"> • 'the need for Council to align community infrastructure provision with population and housing growth.'

Planning Policy Framework

15. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 11	Settlement
11.01-1S	<p>Clause 11 (Settlement) identifies planning is to 'anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure'.</p> <ul style="list-style-type: none"> • Clause 11.01-1S (Settlement) seeks to 'facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements'.
Clause 13	Environmental Risks and Amenity
11.01-1S	<p>Clause 13 (Environmental Risks and Amenity) highlights that planning 'should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through land use and development compatibility and effective controls to prevent or mitigate significant impacts'.</p> <ul style="list-style-type: none"> • Clause 13.02-1S (Bushfire Planning) applies to land designated bushfire prone area and seeks to 'strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'. • Clause 13.04-1S (Contaminated and Potentially Contaminated Land) seeks to 'ensure that contaminated and potentially contaminated land is used and developed safely'.
Clause 15	Built Environment and Heritage
15.01	<p>Clause 15.01-2S (Building Design) seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</p> <p>Clause 15.01-2L-01 (Environmentally Sustainable Development) applies to non-residential development and aims to 'achieve best practice in environmentally sustainable development from the design stage through to construction and operation'.</p>



Clause 19 Education Facilities

Clause 19.02-2S (Education Facilities) seeks to assist the integration of education and early childhood facilities with local and regional communities. And further:

19.02

- Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.
- Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).
- Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Zoning and Overlays

Urban Growth Zone, Schedule 8 (UGZ8)

16. Pursuant to Clause 37.07-11 (Buildings and Works), if a schedule to the zone specifies that the provisions of a particular zone apply to the development of land, then the provisions of that zone apply to the land in the circumstances specified in the schedule.
17. Clause 2.2 (Applied Zone Provisions) of the UGZ8 confirms that the Residential Growth Zone Schedule 1 (RGZ1) is to be applied to unspecified land uses.

Residential Growth Zone – Schedule 1 (RGZ1)

18. Pursuant to Clause 32.07-2, a school is not listed in section 1 (permit not required) or section 3 (prohibited) and therefore falls under section 2 (permit required). The council and the Minister, under delegation, have previously issued approval for use and development of the subject land as an education centre.
19. Pursuant to Clause 32.07-8, a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

Development Contributions Plan Overlay Schedule 11 (DCPO11) (Wyndham West Development Contributions Plan)

20. 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. The DCPO11 sets out the costs and contributions prescribed in the Wyndham West Development Contributions Plan area. 24.
21. However, the Minister's Direction dated 11 October 2016 confirms that a development contributions plan must not impose a development infrastructure levy or a community infrastructure levy in respect of the development of land for a non-government school. Therefore, the proposal does not require a development contribution.

Public Acquisition Overlay 2 (PAO2) (VicRoads)

22. Pursuant to Clause 45.01-1, a permit is required to use land for any section 1 or section 2 use in the zone and to construct a building or construct or carry out works. The Schedule to Clause 45.01 confirms that the acquiring authority under the PAO2 is VicRoads and the purpose of acquisition is by for road purposes.
23. The front portion of the whole Site is affected by the PAO2 as shown in Figure 9 below. However, the buildings and works are not proposed within this PAO area, therefore no planning permit is required.



Figure 10: Public Acquisition Overlay 2 shown in yellow

Particular and General Provisions

Clause 53.19 – Non-Government Schools

24. Clause 53.19 applies to applications to use or develop land 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.

Clause 53.18 – Stormwater Management in Urban Development

25. The purpose of Clause 53.18 is: 'To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.'

Relevant Strategic Plan / Background Documents

Amendment C262wynd

26. Amendment C262wynd was gazetted on 22nd February 2024. The purpose of the amendment was to update the Ballan Road Precinct Structure Plan to include an additional non-government school at 418-438 Ballan Road, Wyndham Vale and amend the Wyndham West Development Contributions Plan to account for the proportionate decrease of net developable area as a result of the non-government school. As a result, Plan 1 to Schedule 8 (Plan 2 Future Urban Structure Plan, Ballan Road PSP) of Clause 37.07 Urban Growth Zone now identifies the Site for a non-government school, shown below in Figure 11.
27. Amendment C262wynd supports the continued use and development of the Site for the purpose of a school as is relevant to the current proposal for a new building at the school.

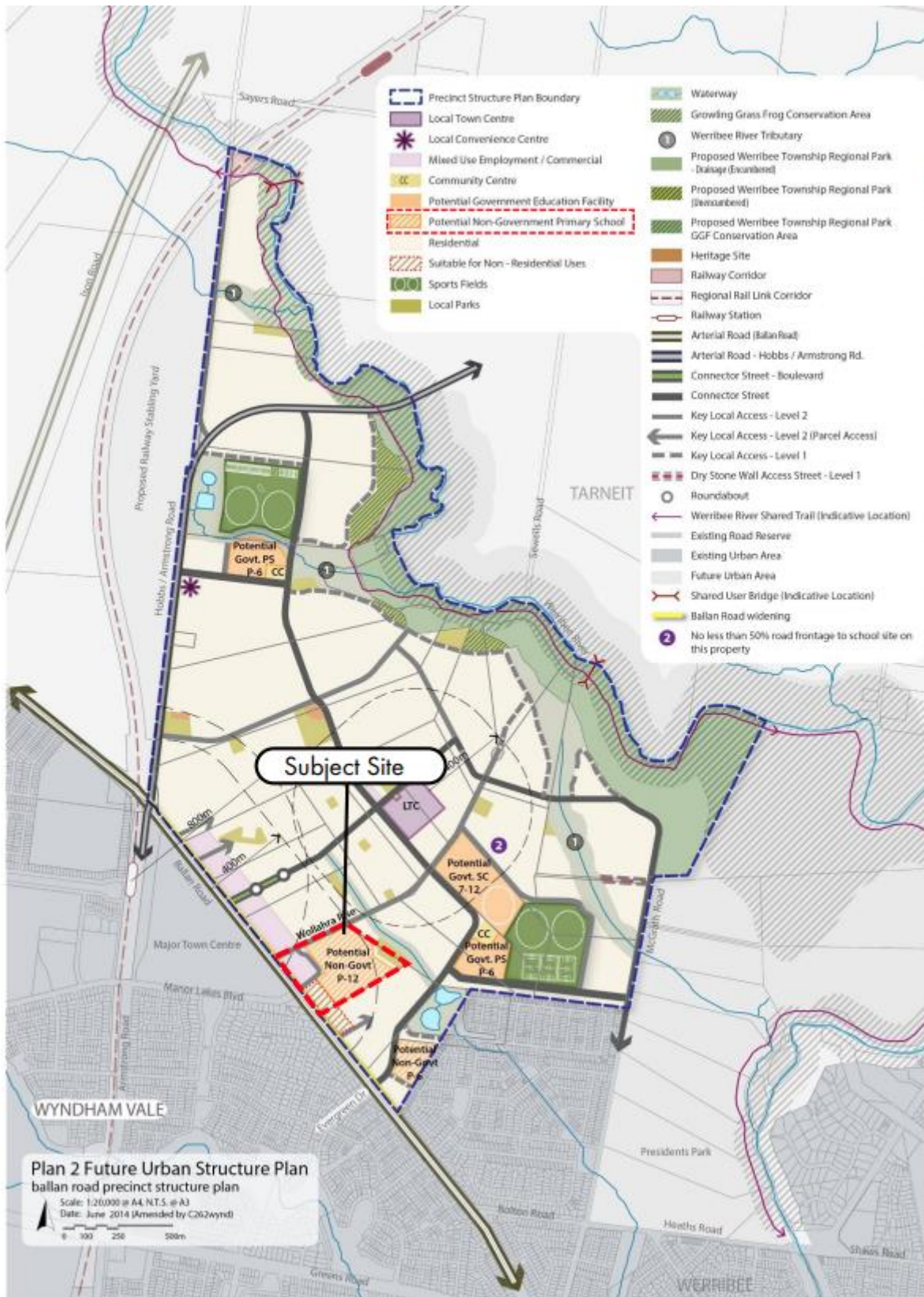


Figure 11 – Image from applicant’s planning report showing subject site overlaid on Plan 1 to Schedule 8 of Clause 37.07 Urban Growth Zone (Ballan Road Precinct Structure Plan)



Referrals

28. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 55 Referral – Determining	Victorian Planning Authority Pursuant to Clause 66.03, the VPA are a referral authority for any permit application for an education centre.	27 June 2024 No objection

Municipal Council Comments

29. The Wyndham City Council (the council) considered the application and provided the following conditions for permit. A discussion of the conditions is below:

Condition proposed	Included on permit	Discussion
<p>Amended Development Plans Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans Architects titled “Christway College Wyndham, New Gymnasium 418-438 Ballan Road, Wyndham Vale, VIC Planning Application Issue”, dated 5 June 2024 and 16 August 2024, but modified to show:</p> <p>a) Details of initiatives contained within the Endorsed Sustainability Management Plan (SMP), including any amendments specified in condition 2 and the following:</p> <ol style="list-style-type: none"> i. External shading devices that are effective in reducing unwanted summer solar gain, provided to west-facing glazing to the Sports Hall; ii. A Landscape Plan that identifies any impervious surfaces, water-efficient landscaping and/or irrigation strategy; iii. WELS ratings of plumbing fixtures; iv. Commitment to all-electric development with no gas connection; v. Window operability; vi. Glazing Visible Light Transmission (VLT), to align with daylight assessment assumptions; vii. Mechanical ventilation commitments; viii. Depth (projection) of roof overhangs, dimensioned on floorplans; ix. Ceiling fans; x. Low VOC and low formaldehyde internal finishes; xi. Sustainable materials commitments; xii. Commitment to recycling or reusing 90% of construction and demolition waste; xiii. Provision of separate recycling bins for each classroom; and xiv. Any other changes as per the amended SMP. 	Yes	The applicant has agreed to this condition.
<p>Submission of Amended Sustainability Management Plan (SMP) Before the development commences, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of the permit. The SMP must be generally in accordance with the SMP dated 10 May 2024 but modified to show:</p> <ol style="list-style-type: none"> a) Preliminary JV3 energy modelling provided to demonstrate that energy efficiency requirements are met without relying on solar generation to offset thermal envelope performance. BESS Energy profile inputs must be updated accordingly; b) A daylight assessment to demonstrate that at least 40% of the floor area of Regular Use Areas achieves a Daylight Factor of 2 % or above, per SMP commitments; c) A breeze path diagram showing areas meeting the BESS criteria for Effective Natural Ventilation; d) Details of any irrigation strategy for the proposed area of landscaping; 	Yes	The applicant has agreed to this condition.



<p>e) The STORM report amended so that:</p> <ul style="list-style-type: none"> i. All areas of proposed paving are entered, including 'Proposed Pavement' areas shaded orange in the Proposed Site Plan; <p>f) The BESS report amended so that:</p> <ul style="list-style-type: none"> i. The Servery, Staff Room and Mezzanine are included in the Non-Residential Spaces; ii. The Unconditioned Sports Hall is entered as 'Unconditioned Showroom/Machine Shop' and all other spaces are entered as 'Public Building'; iii. The floor area for the Science classroom is corrected; iv. WELS ratings for the proposed showers is included in the Water Profile; v. Water credit 3.1 is amended to reflect any irrigation strategy for the proposed landscaped areas; vi. A minimum score of 50% Overall is maintained and minimum 'Pass' scores for Energy, Water, Stormwater and IEQ categories are achieved. 		
<p>Environmental Sustainability The development must be constructed in accordance with the endorsed Sustainability Management Plan (SMP) approved under this permit (as amended from time to time).</p>	No	The applicant has agreed to this condition. However this is a repeat of another condition. The condition is not included on the permit for this reason.
<p>Landscaping Completed and Maintained The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.</p>	Yes	The applicant has agreed to this condition.
<p>Heritage Planning All works must be undertaken in accordance with the conditions of approved Cultural Heritage Management Plan 16127 (Amended 2021).</p>	Yes	The applicant has agreed to this condition.
<p>Environmental Planning Tree protection fencing must be erected around the canopy area of all trees to be retained on or adjacent to works prior to the commencement of works. The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.</p> <p>Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:</p> <ul style="list-style-type: none"> g) vehicular or pedestrian access h) trenching or soil excavation i) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products j) entry and exit pits for underground services k) any other actions or activities that may result in adverse impacts to retained tree(s). 	Yes	The applicant has agreed to this condition.
<p>General Exterior Treatment The exterior treatment of the building(s) permitted by this permit including all exterior decoration, materials, finishes and colours must be to the satisfaction of the Responsible Authority. All tilt slab or precast concrete buildings must be painted, treated and textured to the satisfaction of the Responsible Authority. The exterior treatment of the building(s) must be maintained to the satisfaction of the Responsible Authority.</p>	Yes	The applicant has agreed to this condition.
<p>Amenity The development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods, or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise. No emissions from the site are permitted to cause a nuisance to surrounding properties under the Public Health and Wellbeing Act 2008, Environment Protection Act 1970 or any other legislation.</p>	No	<p>This application proposes buildings and works only to construct a new building. The land use as an education centre has already been approved and is facilitated through other permits.</p> <p>Therefore, conditions relating to land use cannot be included in this permit.</p>
<p>Exposed Storage Goods, equipment or machinery or any other structure must not be erected or stored or left exposed outside a building, including walkways, car parking and landscape areas so as to be visible from any public road or thoroughfare.</p>	No	This condition is not relevant to the proposed buildings and works being applied for in this application.
<p>No Mud on Roads No mud, crushed rock or other debris is to be permitted to be carried onto public roads or footpaths from the subject land. Appropriate measures must be in place at all times during construction to prevent this occurrence to the satisfaction of the Responsible Authority.</p>	No	This condition is outside the realm of this buildings and works application and beyond the boundaries of the subject site.
<p>Sealed Carpark Areas set aside for the parking of vehicles together with the aisles and drives must be properly formed to such levels that they can be utilised in accordance with the endorsed plan and must be drained and provided with an impervious all-weather seal coat. The areas must be constructed, drained and maintained in a continuously useable condition to</p>	No	<p>There is no car parking proposed as part of this application.</p> <p>The applicant does not propose to conceal the existing carpark as part of this application.</p>



the satisfaction of the Responsible Authority.		Therefore this condition is not included.
Comply with Noise Policy N1. Noise levels emanating from the premises must not exceed noise levels as determined by the EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4 or result in unreasonable and aggravated noise as defined by Part 5.3 of the <i>Environment Protection Regulation 2021</i> , or other equivalent policy to the satisfaction of the Responsible Authority.	No	This application proposes buildings and works only to construct a new building. The land use as an education centre has already been approved and is facilitated through other permits. Therefore, conditions relating to land use cannot be included in this permit.
Construction Phase All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality. Measures must be taken to suppress dust, noise or other emissions during construction to prevent nuisance to surrounding neighbours.	Yes	The applicant has agreed to this condition.
Use of Parking Areas Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be maintained in a usable and safe condition to the satisfaction of the Responsible Authority and made available for such use and must not be used for any other purpose.	No	There is no car parking proposed as part of this application. The applicant does not propose to seal the existing carpark as part of this application. Therefore, this condition is not included.
Dust and Drainage Control The surface of the car parking area(s) together with access and egress lanes must be treated to the satisfaction of the Responsible Authority so as to prevent loss of amenity to the neighbourhood by the emission of dust or the discharge of drainage.	No	There is no car parking proposed as part of this application. The applicant does not propose to seal the existing carpark as part of this application. Therefore, this condition is not included.
Stormwater from a Building The whole of the subject land, including landscaped and paved areas, must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.	Yes	The applicant has agreed to this condition.
Stormwater Management Strategy Prior to the development, a revised Stormwater Management Strategy is to be prepared which demonstrates the ultimate drainage solution and submitted to the satisfaction of Council and Melbourne Water. The report is to consolidate any material previously submitted in relation to drainage and water quality treatment, and provide any additional information required by Council or Melbourne Water. The report is to confirm the dimensions of any drainage or natural waterway within or adjacent to the land, including any associated water quality treatment assets, to the satisfaction of the Responsible Authority.	No	The applicant has confirmed the school is working with the council on an ultimate drainage solution for the overall site. This plan is hinging on the input from surrounding neighbours to update drainage. This requirement for the whole site goes beyond the scope of what is being applied for on this application for buildings and works for the construction of one building. Therefore, this condition is not included.

Notice

30. The application is exempt from notice pursuant to Clause 37.07-13 (UGZ), as an application under any provision of the Scheme which is generally in accordance with the PSA 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



Key Considerations

Planning Policies

32. The application seeks to upgrade facilities associated with the existing school, noting that there will be no change to student numbers, with the school continuing to cater to the local community. The state planning policies encourage appropriate land use and development that considers demographic trends, existing and future demand requirements and the integration of facilities into local and regional communities in planning for the location of education and early childhood facilities (Clause 19.02-2S).
33. The proposal is in accordance with the strategic policy direction for the Site and maintains land use compatibility with the surrounding area.
34. The proposal inserts a new built form which maintains generous setbacks to all Site boundaries, including Ballan Road, and responds to the low scale character of area. The contemporary style of architecture and modest scale-built form is consistent with existing buildings on the Site and responds to the local context (Clauses 15.01- 2S and 15.01-5S).
35. The development includes environmentally sustainable design measures to support a cooler environment and minimises greenhouse gas emissions.

Zone and Overlays

36. The proposal involves the continued development of Wyndham Christian College, which meets the purpose of the UGZ to (as relevant) provide for a range of uses and the development of land generally in accordance with a PSP. The proposal meets the purpose of the RGZ (the applied zone) to (as relevant) allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
37. The proposal is an appropriate response to the relevant decision guidelines for non-residential use and development outlined in the UGZ and RGZ. The development is generally in accordance with the PSP and will not prejudice the orderly planning of the area or unreasonably impact surrounding residential and other land uses. The proposal seeks to add to an existing school site and will make appropriate use of existing and planned infrastructure outlined in the PSP.

Built Form

38. The proposed siting, design, height, bulk, colours and materials are suitable for the location and nature of the use and are consistent with other school buildings existing on the broader school site, which responds to the decision guidelines of the UGZ and RGZ and Clause 15.01-2S.
39. Ground level comprises a double height gymnasium, specialist dance and drama room, general staff and student amenities and storage. Level 1 comprises specialist learning areas, including visual arts, graphics and science rooms, staff room, collaboration area and general amenities.
40. The new building is situated behind existing school facilities, presenting a contemporary aesthetic and maintaining a significant setback from the primary frontage, as well as sensitive interfaces to the east, north and south.
41. The two-storey building is connected to the existing facilities through a landscaped play area and pedestrian pathways, and has been designed fit into the sloping landscape, giving the appearance of being partially embedded in the ground and surrounded by sports fields.
42. The applicant confirms that the school has an educational goal to specialise in sports education. The proposed sports building will reach this educational goal while enhancing the overall campus environment and offering.



43. The proposal has been designed to accommodate the natural topography of the site. This approach ensures that the building harmonises with the landscape, minimizing impacts to the existing terrain and creating a cohesive and integrated campus appearance.
44. The maximum building height is 9.62m (to the top of the roof ridge). Setbacks of the building are 202m to Ballan Road, 148m to the northern boundary, 136m to the eastern boundary, and 96m to the southern boundary. If Clause 54/55 of the planning scheme applied, the development far exceeds setback requirements which will protect the amenity of any future adjoining development. The low building heights, generous setbacks and landscaping treatment will provide an appropriate response to the character of the area. The central siting and generous setbacks of the proposed building will result in it being visually buffered by existing and proposed buildings on the Site.
45. The landscape concept will ensure the development integrates with the surrounding area and existing school buildings on the Site.
46. The contemporary architectural style is in keeping with the existing/approved school buildings on the land (depicted in the perspective images above) and will maintain the modern institutional building style and character of the school. This will ensure a cohesive and legible character for the school site as a whole.
47. The proposed building is appropriately articulated with modern materials including face brick work, concrete and metal cladding, a roof plane consistent with a sporting facility, and a mixture of colours. The use of various bricks, metal cladding, and concrete not only establishes the building's identity as an educational institution but also harmonises with the emerging architectural context. The extensive glazing facilitates connection between the interior and exterior landscaping area.
48. In relation to overshadowing, the building setbacks are extensive and whilst no shadow diagrams are provided with the application, the shadow anticipated that would be cast from this two-storey building will be wholly contained within the school site..

Landscaping

49. A Landscape Plan has been prepared by Platylobium, Revision 4 dated 15 August 2024. The landscaping will provide for a multi-purpose informal outdoor space to allow for outdoor teaching, assemblies and general play. The landscaping also integrates the new building with the existing school and creates space for the students to move between the buildings.
50. Use of concrete planters to enclose trees and larger planting and accommodate seating off the concrete planters to allow for students to sit under shaded area, see image below. Planting of a variety of native water efficient plant species including small shrubs, ground cover and strappy plants as well as new trees to match the local environment. The plant species selection is in accordance with Wyndham City Council's preferred plant species.



51. Tree protection conditions have been provided by the council and these will be included on the permit.



Figure 12 imagery of landscaped area (Landscape Plan prepared by Platylodium, dated 16 May 2024)

Waste

52. A Waste Management Plan has been prepared by Impact (dated 22 May 2024) which confirms that the proposed development, (which does not seek to increase the maximum number of students or staff on-site at any one time) is not expected to yield a material increase in the total volume of waste generated at the Site.
53. The school will continue to engage a private contractor to manage the collection, storage and disposal of the waste which has been generated at the Site. No changes are proposed to the communal bin storage area that was previously approved, with the store located along the northeast corner of the main car park area.

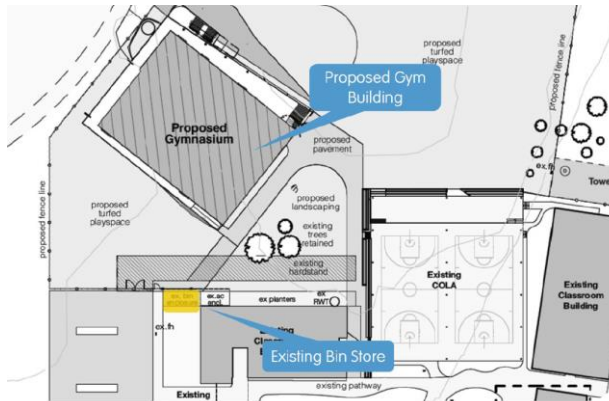


Figure 13: location of existing bin storage (source Waste Management Plan)

Environmental Risks

Bushfire Risk

54. The Site is located within a Bushfire Prone Area which means Clause 13.02 Bushfire applies under the Wyndham Planning Scheme. A BAL Report has been prepared by Terramatrix (dated 14 March 2024) to identify the relevant BAL rating for the proposed gymnasium and specialist classroom building.
55. The BAL Report identifies that the proposed gymnasium and specialist classrooms are located within an area of grassland which is within the Site and therefore within CRM's purview to maintain to a standard which would lower the risk presented by the vegetation. The BAL Report considers a 19m setback from unmanaged areas of grassland would sufficiently enable a BAL rating of minimum 12.5 to be sufficient.
56. The applicant confirms that the proposal has been designed collaboratively with the bushfire consultant to ensure that the proposal will meet the relevant requirements under the Building Act 1993 and relevant building regulations, NCC and Australian Standards and has been designed to be able to comply with a BAL rating of up to 19.



57. The applicant further confirms that this can be achieved through measures such as non-combustible building materials, concrete slab on ground, masonry veneer walls, door and windows with compliant glazing, fully sarked metal roofing, non-combustible metal eaves and leaf guards, noting that not all these design specifications and measures are required to be nominated at the building permit stage.

Accordingly, bushfire management has been considered and will be addressed in further detail at the building permit stage.

Environmental Risks

58. Clause 13.04-1S seeks to ensure that potentially contaminated land is suitable for its intended future use and development. It is also noted the UGZ8 provides for environmental site assessment for residential subdivision. Pages 40-41 of the Ballan Road and Westbrook Precinct Structure Plans Background Report, April 2013 state that:

The site history assessment found that the site has had a long history of agricultural land uses dating back to at least the 1960s and is currently used for agricultural purposes.

...

Based on the information obtained from the sources described in this report, there do not appear to be any significant constraints from a site contamination perspective which would render the land unsuitable for a particular land use. Localised contamination is likely to be able to be effectively remediated or managed.

59. There is no relevant overlay pertaining to potential environmental risks that applies to the Site. The land use has already been established via Stages 1A, 1B 1C and D as per planning permits issued by the council and the Minister and considered suitable for the Site. No similar conditions relating to investigations have previously been required. A note will be included on the permit drawing the applicant's attention this matter.

Sustainability

Environmentally Sustainable Design (ESD)

60. The applicant has submitted a Sustainability Management Plan ('SMP') prepared by GIW Revision D (dated 16 August 2024). The proposal has been designed to achieve a BESS Score of 53% and includes of the following key initiatives:

- Installation of a rooftop solar PV system to supplement grid power demand and reduce greenhouse gas emissions.
- Use of best practice water efficient fixtures, fittings and appliances with the following minimum Water Efficiency
- Labelling (WELS) ratings.
- Rainwater harvesting from roof area to be stored in a 20kL rainwater tank and reused for toilet flushing.
- Achieve a rating of 105% best practice WSUD outcome modelled in STORM.
- Selection of structural, façade, services and finishes items with recognised environmental credentials.
- Exceeding best practice for daylight access with 40% of regular use areas achieving a 2% daylight factor.
- A comprehensive shading strategy to assist with passive cooling of the building.
- Landscape plant selection focussing on native vegetation with no to low water demand.

61. Conditions have been provided by the council to seek changes to the Sustainability Management Plan and the BESS Report. These changes have been discussed and agreed to with the applicant. The recommended conditions from Council have been included on the permit.

Other Matters

Cultural Heritage

62. There is an approved Cultural Heritage Management Plan (CHMP) that applies to the Site (No. 16127, amended document approved 15th June 2021), a copy of which is included as part of the application package as a background document. The activity area within the approved CHMP covers the extent of the Site which includes the area of the proposed gymnasium and specialist classrooms, confirmed as follows:

- The Activity Area approved by the CHMP relates to the entire parcel of land at 418-438 Ballan Road, as shown in Figure 3 below.
- Section 4 of the CHMP lists approved activities covered by the CHMP. The works proposed are included in the list of activities.

63. A condition has been provided by the council that all works must be undertaken in accordance with the conditions of the approved Cultural Heritage Management Plan 16127 (Amended 2021) and this has been included on the permit.



Figure 14: Extent of Activity Area approved under the CHMP (Figure 2a of Extent Heritage Advisors CHMP)



63. The proposal is generally consistent with the relevant planning policies of the Wyndham Planning Scheme and will contribute to the provision of quality education facilities within the Wyndham Vale area.
64. The proposal is generally supported by the council and the majority of their conditions for permit have been included (see municipal council comments section of this report).
65. It is **recommended** that:
 - Planning Permit No. PA2402972 for the construction of a building within an existing education centre at 418-438 Ballan Road, Wyndham Vale be issued subject to conditions.
 - The applicant and the council be notified of the above in writing.

Prepared by:

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.

Name: [REDACTED] Signed: [REDACTED]
Title: Senior Planner, Development Approvals and Design
Phone: [REDACTED] Dated: 12 September 2024

Reviewed / Approved by:

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.

Name: [REDACTED] Signed: [REDACTED]
Title: Manager, Development Approvals and Design
Phone: [REDACTED] Dated: 12 / 09 / 2024
