

# Assessment Officer Report

31 Waterway Boulevard,  
Weir Views



Officer Assessment Report  
Development Approvals & Design



Department  
of Transport  
and Planning

OFFICIAL



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# Executive Summary



Key Information		Details		
<b>Application No:</b>	PA2403059			
<b>Received:</b>	6 August 2024			
<b>Statutory Days:</b>	19 days			
<b>Applicant:</b>	Melbourne Archdiocese Catholic Schools (MACS) c/- Ethos Urban			
<b>Planning Scheme:</b>	Melton			
<b>Land Address:</b>	31 Waterway Boulevard, Weir Views			
<b>Proposal:</b>	Construction of a building and carrying out of works for an ancillary education centre (early learning centre) (land use as of right) and display of business identification signage.			
<b>Development Value:</b>	\$ 8.06 million			
<b>Why is the Minister responsible?</b>	<p>In accordance with Clause 72.01 of the Melton Planning Scheme, the Minister for Planning is the responsible Authority for this application because:</p> <ul style="list-style-type: none"> <li>• Proposal seeks consent for an education centre that is ancillary to, carried out in conjunction with and on the same land as a primary school.</li> <li>• Proposed development cost exceeds \$3 million.</li> </ul>			
<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 3)	<i>Construct a building or construct or carry out works</i>	
<b>Overlays:</b>	Clause 45.06	Development Contribution Plan Overlay (Schedule 3)	N/A	
<b>Particular Provisions:</b>	Clause 52.05	Signs	<i>Display of business identification signage</i>	
<b>Cultural Heritage:</b>	Subject site is not in an area identified as having aboriginal cultural heritage sensitivity.			
<b>Total Site Area:</b>	30,000	m <sup>2</sup>		
<b>Gross Floor Area:</b>	1,397	m <sup>2</sup>		
<b>Height:</b>	2	Storeys excluding plant		
	8.85	Metres maximum		
<b>Land Use:</b>	<b>Students</b>	<b>Staff</b>		
	99 (maximum)	13 staff (maximum)		
<b>Parking:</b>	<b>Cars</b>	<b>Motorcycles</b>	<b>Bicycles</b>	
	21	0	0	
<b>Referral Authorities:</b>	Melton City Council (informal)			
<b>Advice sought:</b>	N/A			
<b>Public 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. *Toolern Precinct Structure Plan, July 2011.*

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## Application Process

1. The subject site is not in an area identified as having Aboriginal cultural heritage sensitivity, as such preparation of a Cultural Heritage Management Plan is not required.
2. The key milestones in the application process were as follows:

Milestone	Date
Pre-application meeting	N/A
Application lodgement	6 August 2024
Further information requested	5 September 2024
Further information received	10 October 2024
<b>Decision Plans</b>	<ul style="list-style-type: none"><li>• Plans prepared by Baldasso Cortese Architecture, titled 'St Lawrence of Brindisi Children's Hub' and dated 8 October 2024.</li><li>• Planning Report prepared by Ethos Urban, titled 'St Lawrence of Brindisi ELC' and dated 10 October 2024.</li><li>• Landscape Plans prepared by Land Projects Pty Ltd, titled 'St Lawrence of Brindisi Children's Hub Landscape' and dated 7 October 2024.</li><li>• Traffic Impact Assessment prepared by onemilegrid, titled 'St Lawrence of Brindisi Children's Hub Project – Stage 4 Traffic Impact Assessment' and dated 8 October 2024.</li><li>• Water Sensitive Urban Design/ MUSIC report prepared by Intrax Projects, titled 'MUSIC Report - St Lawrence of Brindisi Stage 4 ELC' and dated 8 October 2024.</li><li>• Waste Management Plan prepared by onemilegrid, titled 'St Lawrence of Brindisi Children's Hub Project – Stage 4 Waste Management Plan' and dated 11 July 2024.</li></ul>
<b>Other Assessment Documents</b>	<ul style="list-style-type: none"><li>• Bushfire Report prepared by Terramatrix, titled 'Bushfire Attack Level Assessment and Advice, proposed development of the children's hub on the St Lawrence of Brindisi site' and dated August 2024.</li><li>• Bushfire Risk Letter prepared by Southern Cross Town Planning, titled 'Response to FI Response – 655 Exford Road, Weir Views – Clause 13.02' and dated 13 November 2019.</li></ul>

3. The subject of this report is the decision plans (as described above).
4. The site is located within the Toolern Precinct Structure Plan (PSP) area. Plan 1 to Schedule 3 of Clause 37.07 identifies the subject site for a Catholic Education Facility. The urban structure shows the site co-located with other community infrastructure/ facilities including community facility and government education facility immediately to the south, unencumbered active open space immediately to the east, and neighbourhood activity centre immediately to the west.
5. This assessment relates to the development of the proposed Children's hub only. The development is confined to the southwestern portion of the subject site. The land has already been partially developed for stages 1-3 of the St Lawrence of Brindisi primary school (refer figure 3 below).

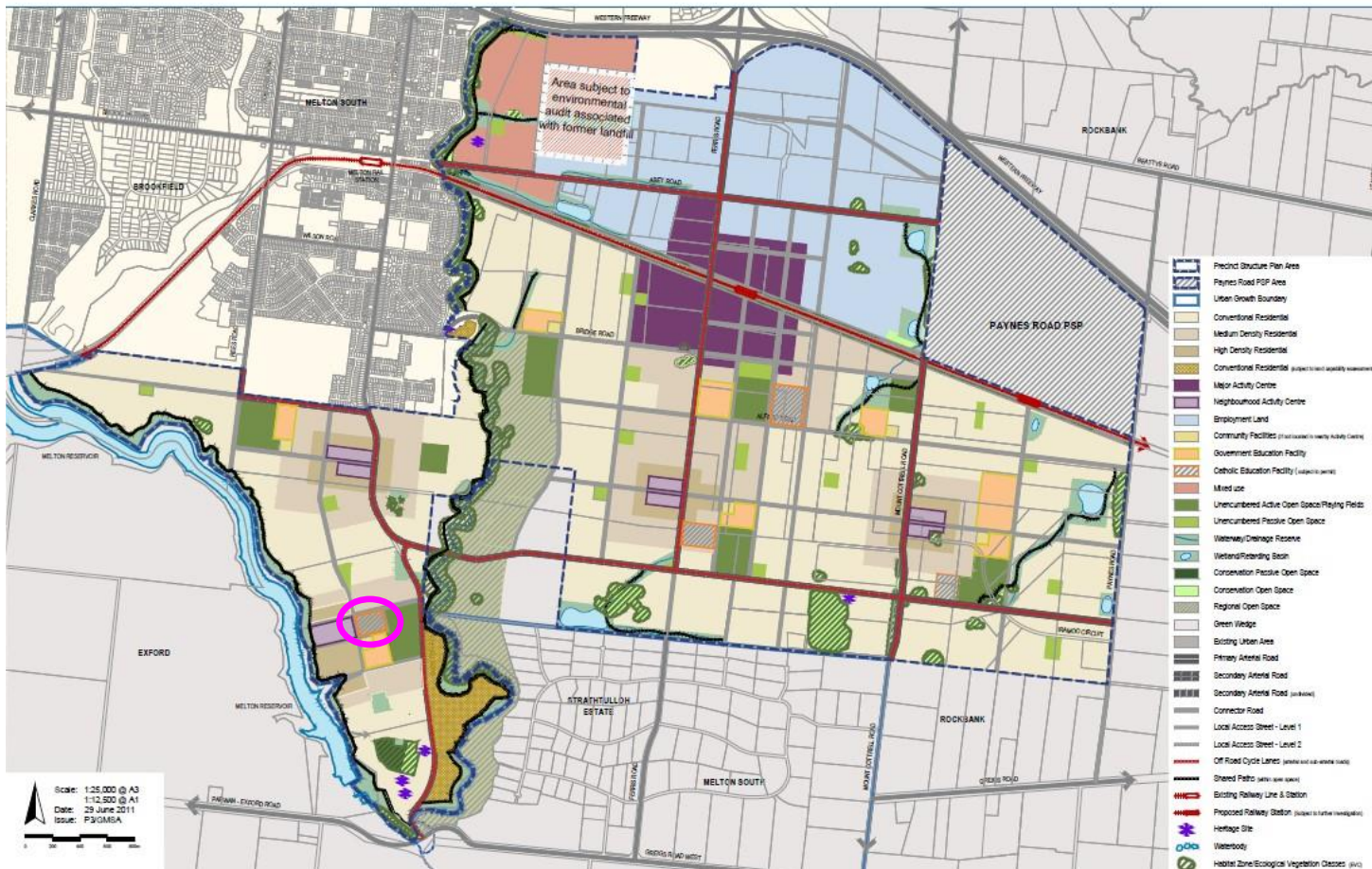


Figure 1 Toolern Urban Structure Plan, subject site circled

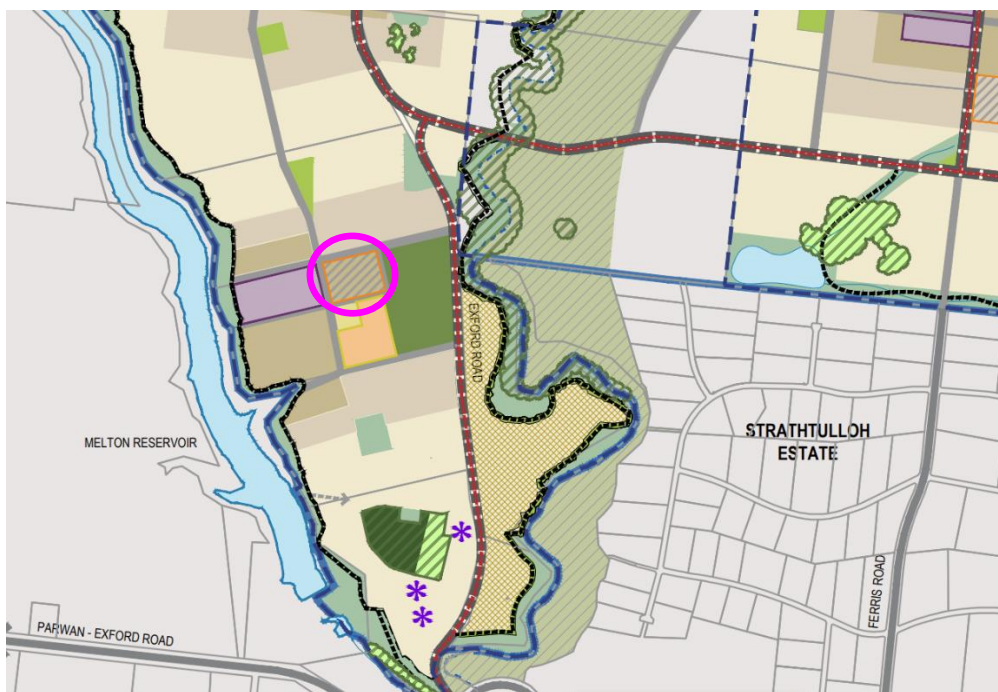


Figure 2 Toolern PSP Structure Plan (southwestern area), subject site circled

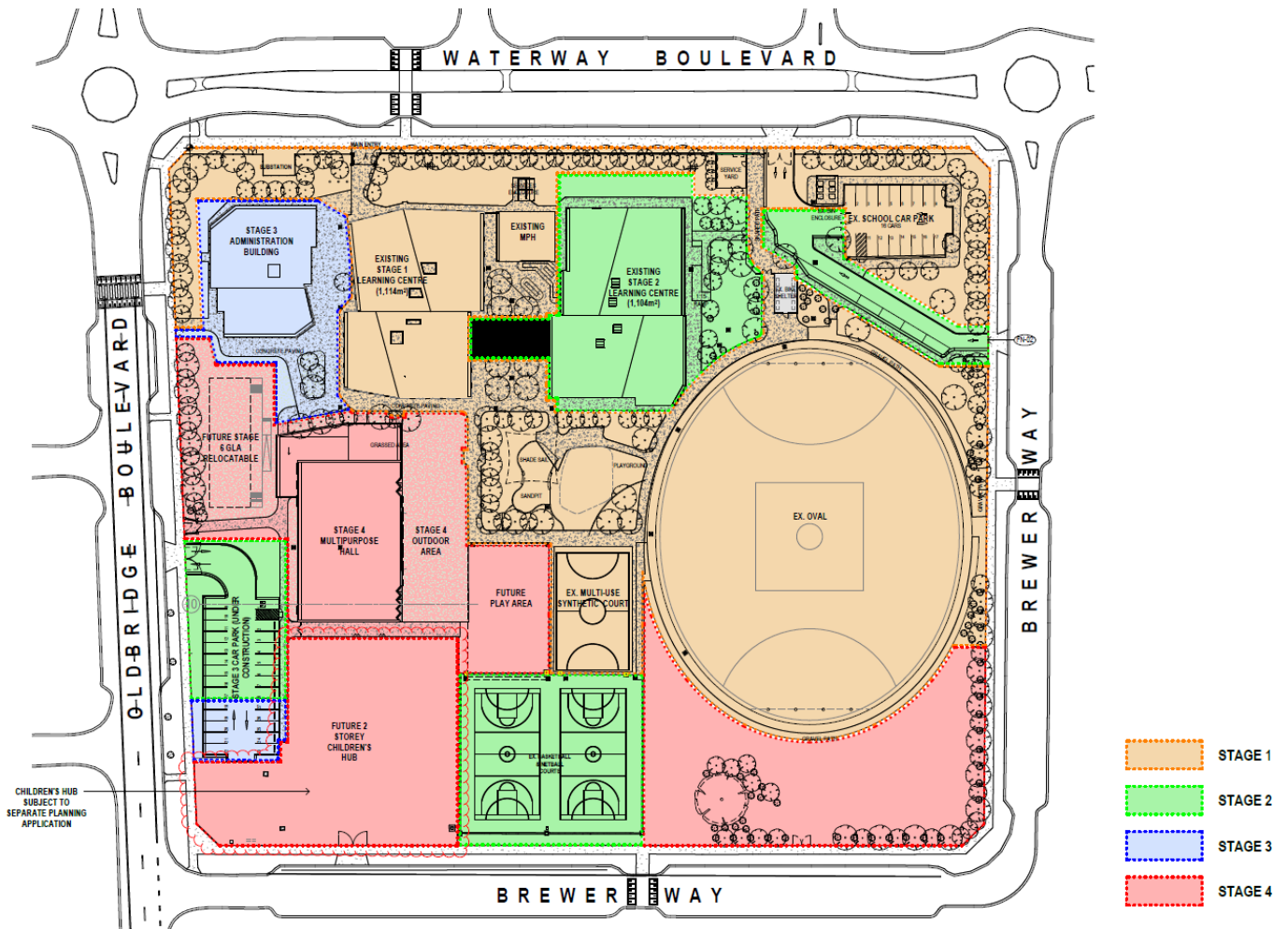


Figure 3 St Lawrence of Brindisi primary school - Endorsed Staging Plan

## Proposal Summary

6. The proposal can be summarised as follows:

Key Information	Details
<b>Proposal:</b>	Development of Children's Hub (Early Learning Centre and Outside School Care Facility) and associated business identification signage.
<b>Total Site Area:</b>	30,000 sqm
<b>Gross Floor Area:</b>	1,397 sqm
<b>Height:</b>	8.85 metres
<b>Setbacks:</b>	Minimum setbacks: <ul style="list-style-type: none"> <li>• 17.20 metres from southern boundary (Brewer Way)</li> <li>• 21.88 metres from western boundary (Oldbridge Boulevard)</li> </ul>
<b>Land Uses:</b>	Education centre, including childcare centre and outside school hours care room.
<b>Students:</b>	99 students (childcare) 45 students (outside school hours care)



<b>Staff:</b>	13 staff
<b>Car Parking:</b>	21 spaces
<b>Bicycle Parking:</b>	0 spaces
<b>Motorcycle Parking:</b>	0 spaces
<b>Total Parking:</b>	21 car parking spaces only
<b>Loading and Waste arrangements:</b>	Loading and waste bay provided in southern carpark, accessible via Brewer Way.

7. The application seeks consent for the development of an Early Learning Centre, ancillary to the existing St Lawrence of Brindisi primary school. The proposed centre consists of three playrooms, one outside school hours care (OSHC) room and associated office, consultation room, storage and staff amenities across two storeys. A portion of the first floor is proposed to extend beyond the ground floor footprint on the east, west and south elevation. Outdoor play areas are provided on the ground and first floors, with external staircase for access between these spaces.
8. The centre is orientated south, fronting Brewer Way. A minimum setback of 17.20 metres is proposed.
9. External finishes will mainly comprise of face brickwork, pre-finished panel cladding, glazing and metal roof sheeting. Steel columns, non-combustible timber-look horizontal cladding, palisade and timber picket fencing is provided to add additional articulation. The first-floor outdoor play area is screened by translucent performance glass in white.
10. Two fixed metal business identification signs are proposed. One sign on first floor southwestern external wall with a total area of 8.56 sqm and one the entrance fencing fronting Brewer Way, with a total area of 3.0 sqm.
11. The centre is provided with dedicated vehicle access and pedestrian access via Brewer Way. A separate carparking area is to be constructed to accommodate 21 car parking spaces, immediately south of the development. Loading and waste collection is proposed via this car park, with truck bay and bin storage provided to the east of the car park.
12. The applicant has provided the following plans/ concept images of the proposal:



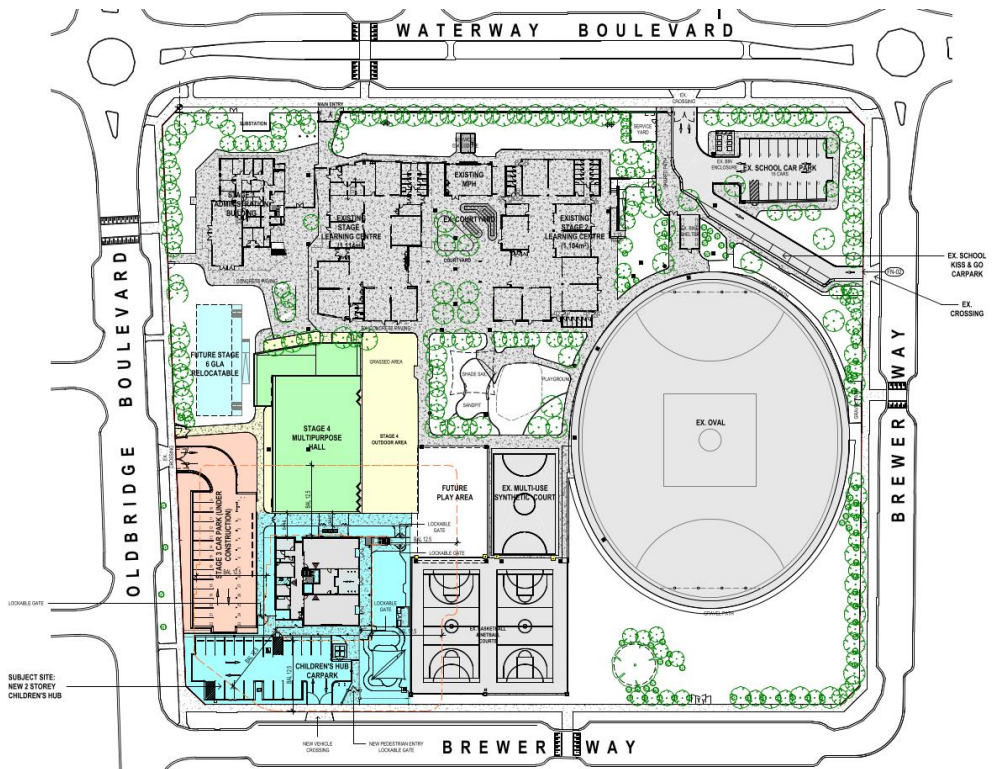


Figure 4 Overall site plan

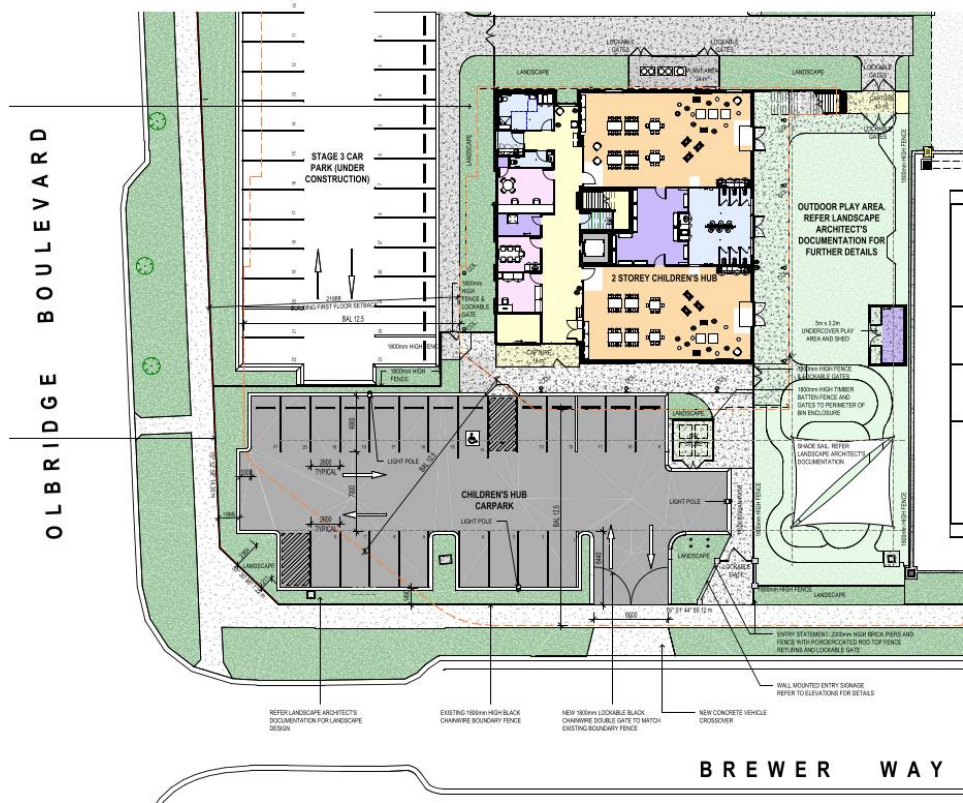


Figure 5 Children's hub site plan

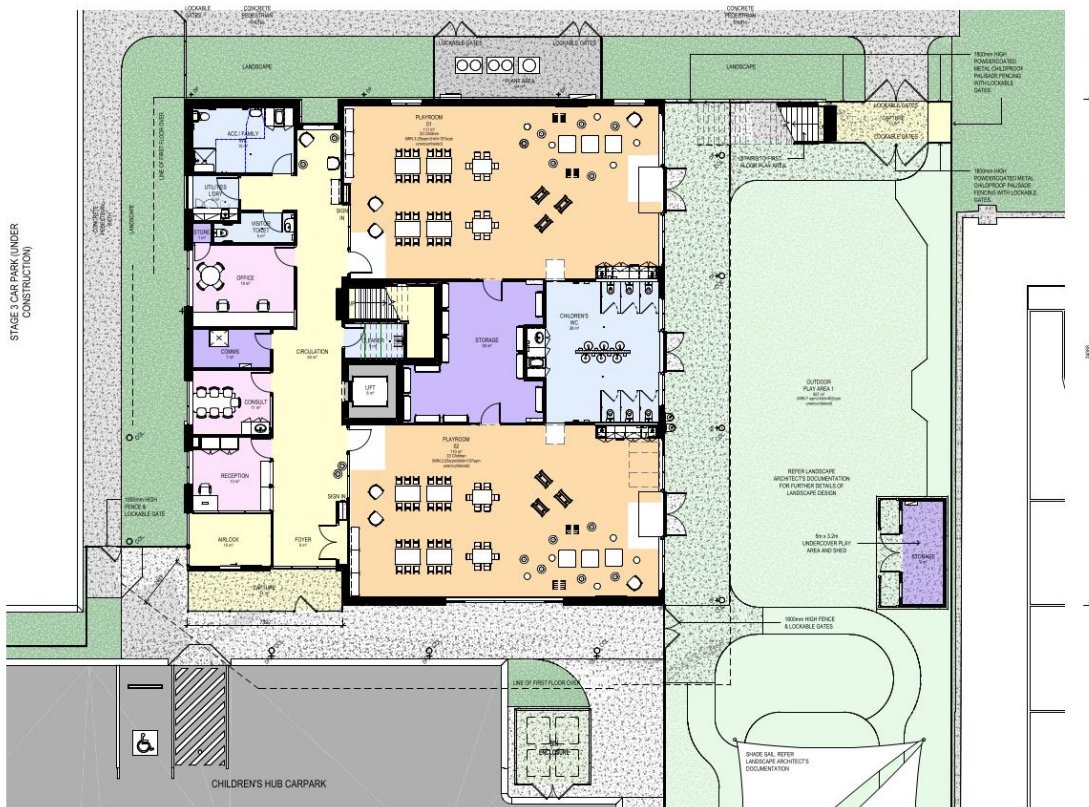


Figure 6 Ground floor plan

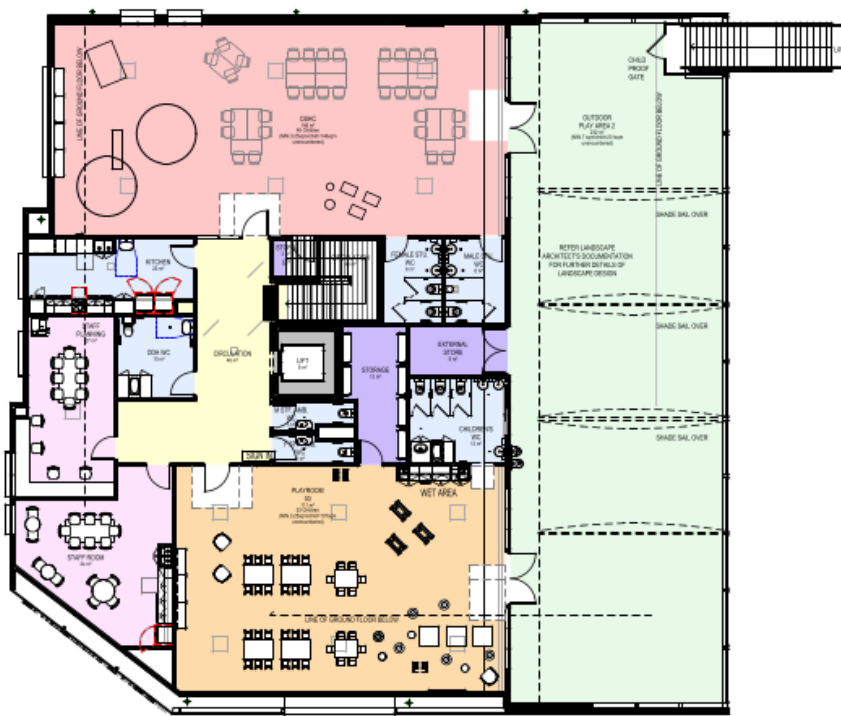


Figure 7 First floor plan



Figure 8 Concept image - south elevation



Figure 9 Concept image - view from the southeast



Figure 10 Concept image - view from north east



### **School staging plan**

13. The development of the primary school, including development staging plan was approved by the City of Melton via Planning permit PA2019/6745/3. Stages 1 and 2 of site development are completed and operational. Works approved as part of stage 3 include an administration building at the northwest of the site, which is currently under construction and expected to be completed by November 2024. A maximum of 575 students and 43 staff are permitted on the site at any one time for stage 1, 2, and 3, as per conditions 11 and 12 of permit PA2019/6745/3.
14. This application seeks separate consent for the development of children's hub building as part of stage 4 and will facilitate additional students and staff on the site.



## Site Description

15. The school site is located on the southern side of Waterway Boulevard, immediately adjacent to the intersection of Waterway Boulevard and Oldbridge Boulevard. This application relating to the Children's hub relates to the southwestern portion of the site only.
16. The existing site comprises of three major school buildings, oval, synthetic playing courts and two car parking areas. The existing development on the site represents stages 1, 2 and 3 of the St Lawrence of Brindisi primary school development.
17. The site measures approximately 3 hectares and has frontages to Waterway Boulevard, Oldbridge Boulevard and Brewer Way.



Figure 11 Aerial image of subject site (March 2024)



Figure 12 Existing primary school entrance as viewed from Waterway Boulevard (April 2023)



Figure 13 Subject site as viewed from intersection of Oldbridge Road and Brewer Way (April 2023)

18. The site is formally described as Lot K on Plan of Subdivision 813104F.

19. The following easements, restrictions or reserves affect the site:

**Covenant F121367** – relates to the creation of a 7-metre-wide easement in favour of the Gas and Fuel Corporation, for the purpose of construction/ operation of gas pipelines.

*The proposed development will have no impact on existing assets within this easement, which is located approximately 225 metres west of the subject site.*

**Agreement AG340368E** - implements Section 173 Agreement between Melton City Council and Wegg Pty Ltd, requiring any planning permit issued for the subject land to include development proposed for the northern and southern parts, which may be developed in stages.

*The proposal does not contradict the requirements of this agreement.*



**Agreement AS596286W** – implements Section 173 Agreement between Melton City Council and Wegg Pty Ltd. The agreement requires any planning permit issued for the subject land to include development proposed for both the northern and southern parts of the land. The agreement includes an exemption to this requirement, allowing the subdivision and development of the school site without the need to obtain a planning permit for the entirety of the subject land.

*The obligations of this agreement have been met, as the subdivision of the school site has occurred and Statement of Compliance to create this lot has been issued.*

**Agreement AU124910W** – implements Section 173 Agreement between Melton City Council and Wegg Pty Ltd. The agreement requires the owner to construct road R-1 (now Brewer Way) prior to any new use on Lot K and vest land to Council.

*The obligations of this agreement have been met.*

## Site Surrounds

20. The subject site is located in the southern portion of Weir Views, situated between the Toolern Creek and the Werribee River. The site is located approximately 4 kilometres south of Melton railway station and 45 kilometres northwest of the Melbourne CBD.
21. Development surrounding the site is still emerging, and can be described as follows:
  - To the **north** of the site: low density residential development, typically consisting of single or double storey detached dwellings.
  - To the **south** of the site: farmland extending to Riversdale Boulevard, with low density residential development beyond.
  - To the **east** of the site: farmland extending to Exford Road and Toolern Creek corridor.
  - To the **west** of the site: farmland extending to Werribee River corridor.

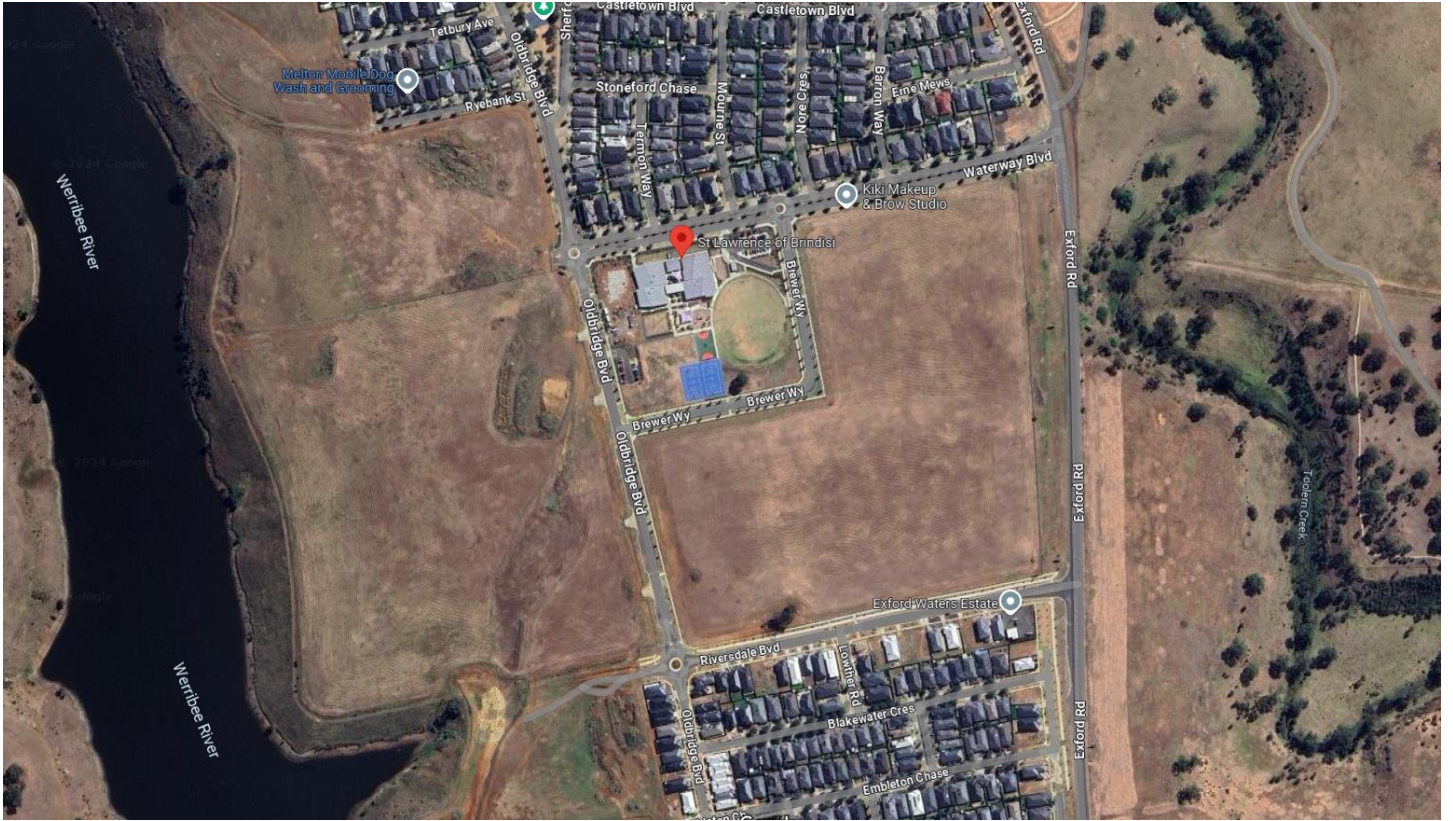


Figure 14 Aerial image of subject site and surrounds





## Municipal Planning Strategy

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

Clause	Description
02.01	Context
02.02	Vision
02.03-1	Settlement
02.03-5	Built environment and heritage
02.03-9	Infrastructure
02.04-1	Strategic framework plan

## Planning Policy Framework

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

<b>Clause 11</b>	<b>Settlement</b>
11.01-1R	Settlement – Metropolitan Melbourne
11.02-2S	Structure planning
11.03-2S	Growth areas
<b>Clause 15</b>	<b>Built Environment and Heritage</b>
15.01-1S	Urban Design
15.01-2S	Building design
15.01-2L	Commercial building design
15.01-5S	Neighbourhood character
15.01-5L	Neighbourhood character
<b>Clause 17</b>	<b>Economic Development</b>
17.01-1S	Diversified economy
<b>Clause 18</b>	<b>Transport</b>
18.01-1S	Land use and transport integration
18.01-1L	Land use and transport planning
<b>Clause 19</b>	<b>Infrastructure</b>
19.02-2S	Education facilities

24. The assessment section of this report provides a detailed assessment of the relevant planning policies.

## Zoning and Overlays

### Urban Growth Zone Schedule 3 (UGZ3)

25. 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.



26. Pursuant to Clause 37.07-11 (Buildings and Works), the provisions of specified zones as identified in Schedule 3 to the UGZ apply to the development of land.
27. Clause 2.2 of the UGZ3 confirms applied zone provisions are relevant for construction of a building and construction and carrying out of works.
28. Schedule 3 to the UGZ confirms that the subject site is designated 'Residential' and Clause 32.08 – General Residential Zone (GRZ) is the relevant applied zone.

#### **Applied Zone Provision – General Residential Zone**

29. A planning permit is required to construct a building or construct or carry out works associated with a Section 2 use, in accordance with Clause 32.08-10. The purpose of the General Residential Zone includes:
  - To implement the *Municipal Planning Strategy* and the *Planning Policy Framework*.
  - To encourage development that respects the neighbourhood character of the area.
  - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
30. The proposed centre is to be developed on the site of the existing St Lawrence of Brindisi primary school and will be used as ancillary to the school. As such, it is considered a permit is not required for the use aspect of the proposal.
31. The following sections include a discussion of how the proposal responds to these requirements.

#### **Development Contributions Plan Overlay Schedule 3 (DCPO3)**

32. Pursuant to Clause 45.06-1 a permit must not be granted to construct a building or carry out works until a development contributions plan has been incorporated into this scheme.
33. The *Toolern Development Contributions Plan, July 2011 (amended December 2023)* notes in Section 2.2.5 Charge areas, non-government schools' benefit from a reduced development contributions charge rate.
34. Since the Toolern Development Contributions Plan (DCP) was prepared, *Ministerial Direction on the Preparation and Content of Development Contributions Plans and Ministerial Reporting Requirements for Development Contributions Plans* was issued (dated 11 October 2016). This direction specifies 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. As such, the site is not subject to contributions as identified in the Toolern DCP.

### **Particular and General Provisions**

#### **Clause 52.05 – Signs**

35. Schedule 3 to Clause 37.07 identifies land is in the signage category specified in the applied zone. The subject site is designated 'Residential' and Clause 32.08 – General Residential Zone (GRZ) is the relevant applied zone.
36. Clause 32.08-15 identifies signage category 3 applies in the zone.
37. Pursuant to Clause 52.05 a permit is required for a business identification signage in Category 3 - high amenity areas.

#### **Clause 52.06 – Carparking**

38. Pursuant to Clause 52.06-5, carparking for childcare land use is required at a rate of 0.22 spaces to each child.



39. The proposed development is to accommodate a maximum of 99 children for the purpose of childcare, with the option to accommodate 45 additional students from the primary school in an outside school hours program. The statutory requirement of carparking spaces is 21.
40. A separate carparking area is provided for the centre, which will accommodate 21 spaces. No reduction in the car parking requirement is required.

### **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 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.

## **Relevant Strategic Plan / Background Documents**

### **Toolern Precinct Structure Plan (PSP)**

43. The Toolern PSP was originally prepared July 2011 and incorporated into the Melton Planning Scheme via Amendment C084Pt1, gazetted on 11 November 2010. The PSP sets vision objectives for the precinct including:
- Establish a sense of place and community
  - Greater housing choice, diversity and affordability
  - Create highly accessible and vibrant activity centres
  - Provide for local employment and business activity
  - Provide better transport options.
44. The structure plan identifies the subject site for a Catholic education facility.





## Referrals

45. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Informal Referral	Melton City Council	Comments for consideration - 23 August 2024 Comments for consideration - 25 October 2024

## Municipal Council Comments

46. Melton City Council (the council) considered the application and provided comments for consideration, summarised below:

Council Comment	Applicant Response	DTP Response
<p>A review of the site in relation to the wider Toolern Precinct Structure Plan (PSP) context shows that the site is located opposite a small Neighbourhood Activity Centre (NAC) and adjacent to a future community centre (refer to Figure 1).</p>  <p>Figure 1   Toolern PSP Context</p> <p>This context should be taken into consideration. The endorsed site plan under Planning Permit No.PA2019/6745/1 shows more activation on the southwestern corner of the site (refer to Figure 2)</p>  <p>Figure 2   Endorsed vs This Application</p>	<p>We note that an amended site plan and staging plan under Planning Permit No.PA2019/6745/1 has been recently endorsed by Council on 4 October 2024. The endorsed plans show the location and building footprint of the Children's Hub as consistent with this application. A copy of the endorsed plans is attached at Appendix F.</p> <p>The endorsed plans do not identify specific built form outcomes. Whilst it is noted that the previously endorsed plans showed the Children's Hub situated closer to the Brewers Way frontage, this cannot be accommodated without a substantial loss of floor area.</p> <p>The proposed layout will locate car parking in the front setback. Generous landscaping will be delivered within the car park, including 14 canopy trees to provide an attractive interface with Brewers Way. The proposal is consistent with the masterplan recently endorsed by Council. Meaningful landscaping will be delivered with the Children's Hub to compliment the Brewers Way and Oldbridge Road streetscapes and provide visual amenity to the surrounding area as expected within the Toolern PSP.</p>	<p>Applicant has provided a copy of most recent plans endorsed under planning permit PA2019/6745/3, which identifies the development of children's hub in the location consistent with this proposal.</p> <p>While the layout has not been amended to provide improved interface with the adjoining properties which are earmarked for a future activity centre and community centre, the extent of landscaping has been increased to improve general visual amenity.</p> <p>Childcare centres are generally required to be secured from the public realm with fencing/ gates and as such do not typically provide a high level of street activation, compared with other community infrastructure. The proposed layout is considered acceptable.</p>
<p>To ensure the proposal is consistent with the relevant Planning and Design Guidelines (i.e. 4.1.1, 4.1.3, 4.3.3 and 4.4.3) of the Toolern Precinct Structure Plan (PSP), the indicative layout plan shown below in Figure 3 is recommended.</p>	<p>We acknowledge the design intent Council is seeking. The project team have spent a significant amount of time investigating alternative layouts and cannot accommodate the suggested layout without compromising the operation requirements of the school and the Child's Hub. In addition, the land left for the Child's Hub is too tight to accommodate a layout with the building closer to Brewers Way without substantially reducing floorspace and therefore the child places that can be accommodated.</p>	<p>The site layout has not been amended to be consistent with the council's recommendation to create more active street frontages. However, the practical and safety concerns the applicant has noted in their response are considered reasonable and the proposed layout is acceptable. Additional landscaping is provided to improve the interface with</p>



Council Comment	Applicant Response	DTP Response
 <p>Figure 3  </p> <p>Avoid extending the carpark to sit forward of built form and / or wrap around the corner.</p> <p>(1) Built form to front onto Brewer Way.</p> <p>(2) Main Entrance to be clearly visible and accessible from the street.</p> <p>(3) North facing play yards.</p> <p>(4) A widened entrance plaza to activate and visually connect the NAC and Community Centre with the school site (refer to the examples below).</p>	<p>The operating hours of the school and Children’s Hub will overlap. Combining the school and Children’s Hub parking using tandem parking spaces creates the risk of staff being unable to exit the site as another car has parked in the rear tandem space.</p> <p>The Children’s Hub will be fenced and gated to create a secure site which is required for the ELC component of the building. The suggested entrance plaza and public pathways would present a significant security issue to the kindergarten and school children and would be difficult to manage by the school.</p> <p>The proposed layout has been amended to ensure the main entrance is clearly visible and integrated with the Brewer’s Way streetscape. The pedestrian entrance to the Children’s Hub on Brewers Way has been widened and includes a feature stone wall with signage to create an improved sense of entry to the site from the street. This will ensure the pedestrian entry is clearly the entrance to the Child’s Hub.</p> <p>Amendments have also been made to improve the extent of landscaping interfacing with both street frontages.</p> <p>An additional 6 canopy trees are included along the southern boundary of the outdoor play area that interfaces with Brewers Way. The car park has been amended to include larger garden beds, with a total of 14 trees provided within the car park. This landscape response will make vegetation a prominent feature of the proposal to compliment the public realm on Oldbridge Road and Brewers Way.</p>	<p>the street.</p>
<p>The proposed car park does not comply with Melton’s Off-street Carparking Guidelines which requires as a minimum 35% tree canopy coverage within the car park and 15% of the car park footprint landscaped. Every 6th car space must be set aside as a landscape outstand (2.6m wide) capable of accommodating a high canopy tree. This will assist in breaking up the amount of hardstand area within the car park and ensure adequate levels of shade is provided within the car park.</p>	<p>The Melton Off-Street Car Parking Guidelines are a non-statutory document. The Landscape Plan has been amended to include additional tree planting and deliver a total of 14 trees to the Children’s Hub car park.</p> <p>All trees within the car park will have a height and canopy width of between 4m-8m to provide a meaningful landscape response at the site.</p> <p>Further planting is included in garden beds that border the car park to make vegetation a prominent feature of the Children’s Hub from the public realm.</p> <p>The garden bed immediately west of the new crossover has been widened to include 2 new canopy trees. An additional garden bed is included in the southern parking aisle to break up the hardstand area of the car park, particularly when viewing the car park from Brewers Way.</p> <p>This is the maximum amount of landscaping</p>	<p>The site plans and landscape plan have been amended to increase the extent of landscaping. The updated design provides landscapes along all street frontages and achieves 16.03% landscaped area throughout the carparking area, complying with this guideline.</p>




Council Comment	Applicant Response	DTP Response
	<p>the project has been able to accommodate around the carpark without losing parking spaces and therefore reducing the number of child places accommodated by the ELC component of the Child's Hub.</p> <p>The additional landscaping proposed with the Children's Hub car park will achieve a high-quality landscaping response and is consistent with the overarching objectives of the Melton City Council Off-Street Car Parking Guidelines.</p>	
<p>Provision of a high fence should be considered between the play area and basketball / tennis courts to avoid harm to children playing outdoors.</p>	<p>The MACSEYE team consider the 1.8m fencing east of the outdoor play area appropriate to maintain the safe use of the play space adjacent to the basketball and netball courts.</p>	<p>The site plan shows a 1.8-metre-high fence between the existing basketball/netball courts and the proposed ground floor outdoor play area. This is considered practical and sufficient.</p>

47. The further information response received on 10 October was re-referred to the council on 14 October. The council provided the following comments in response.

Council Comment	DTP Response
<p>Council does not support the proposal in its current form as the concerns raised in its previous correspondence dated 23 August 2024 have not been addressed.</p>	<p>Council's outstanding concerns regarding layout and lack of active frontage to Brewer Way are noted. DTP considers the visual amenity and frontage to the street is acceptable as per responses above.</p>
<p>Drainage plan</p> <ul style="list-style-type: none"> <li>Any amount of hydrocarbon and other oil-based contaminants discharged to Council drains must not exceed 5 parts per million.</li> <li>Any proposed stormsacks must clearly be shown on the drainage plan.</li> <li>The proposed stormsack litter basket with RFM pillows and hydrocarbon booms must satisfy the above conditions. All surface run-off must go through the filter membrane. A cross section for the pits with the basket including the invert levels of pipes must be provided.</li> <li>The Legal Point of Discharge (LPOD) need to be consistent with Melton City Council LPOD certificate.</li> <li>The drainage plan must include a pit Schedule with remarks.</li> </ul>	<p>Recommended changes to the drainage plan/ MUSIC report are to be required through permit conditions.</p> <p>Relocation of stormwater pit is also to be required to accommodate large canopy tree proposed in central outstand.</p>
<p>Landscape plan</p> <ul style="list-style-type: none"> <li>A large canopy tree atop a stormwater pit is proposed in the new central southern outstand (see image below). As a minimum relocation of the stormwater pit should be considered.</li> <li>The narrow outstand west of the carpark entrance is far too narrow and constrained in root volume to accommodate plantings of any significant size, and further, the proposed plantings will inevitably be impacted by overhang from turning vehicles as they will grow across the carriageway and the adjacent car parking space. This will in turn impede vehicle movements and block sightlines of vehicles entering and exiting the car park.</li> </ul>	<p>Recommended changes to the landscape plan are to be required through permit conditions.</p>



Council Comment	DTP Response
	

### Advice sought from other agencies

48. Advice was not sought from any other external agencies in relation to this application.

### Notice

49. The application 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* pursuant to Clause 37.03-13 (UGZ). This exemption applies to any provision of the scheme; therefore, the display of business identification signage pursuant to Clause 52.05 is also exempt from notice requirements.



## Key Considerations

50. The proposal is generally supported by the relevant planning policies.
51. The proposal will deliver a new Children's Hub on the site of the existing St Lawrence of Brindisi primary school. The development will provide childcare and outside school hours services for children who attend the school. The hub will operate as ancillary to and on the same site as the school, which was identified for use as a Catholic education facility in the approved Toolern PSP.
52. The *Planning Policy Framework* encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
53. The proposal is an appropriate land use within a high amenity area, co-located with future activity centre and community facilities. The proposal will deliver an additional education facility within a growing residential community and is considered to contribute to the emerging built form character of the area, consistent with the objectives of Clauses 11.02-2S, 15.01-1S, 15.01-5S and 15.01-5L.
54. The building design and siting is consistent with the approved staging plan for the school site overall and is considered to positively contribute to the wider context, noting the future development to occur to the south and west.
55. A bushfire risk assessment has been undertaken, which confirms the development site does not exceed BAL-12.5 and risk is identified as low (Clause 13.02-1S). The assessment recommended building controls and areas for further design refinement of building services to ensure compliance with building regulation Specification 43.
56. The extent of business identification signage proposed is considered compatible with the desired future character of the area and is not anticipated to create any excessive visual clutter or adverse amenity impacts.

## Zones and Overlays

57. The proposal meets the purpose of the Urban Growth Zone and the Toolern PSP, which identify the site for use as a Catholic education facility. The provision of childcare and outside hours school care services will support the needs of current and future residents, which require accessible and conveniently located education facilities.

## Buildings and Works

58. The purpose of the UGZ and the applied zone GRZ have been considered. The proposal is consistent with the approved PSP and provides educational, non-residential land uses which services community needs.
59. The decision guidelines of the GRZ have been considered. The proposal is located on an existing school site and is compatible with the existing and planned future land uses surrounding. While the surrounding area is yet to be developed, the scale and design of the proposed children's hub is not considered to have any adverse amenity or safety impacts for future residents. The proposed landscaping provides an appropriate interface between the site and the street, and the impacts of traffic and waste can be effectively managed.

## Built form

60. The proposed building is double storey, with a maximum building height of 8.83 metres. The development is proposed at the southwest of the school site, fronting Brewer Way. The applied zone (GRZ) specifies a maximum building height of 11 metres and 3 storeys for dwellings. The scale and height of the proposed building is considered appropriate noting the expected scale of future development in the surrounding area.
61. The development is to be well separated from property boundaries and allows for landscaped frontages. A minimum setback of 17.20 metres from Brewer Way and 21.88 metres from Oldbridge Road is proposed.





- 62. The building incorporates face brickwork, pre-finished panel cladding, steel columns, timber-look cladding, glazing and metal roof sheeting. The colour palette includes white, dark and light grey with natural timber.
- 63. The mix of materials, varied setbacks and roof angles provide articulation and is consistent with design features of existing buildings on the school site.



1 BREWER WAY STREETSCAPE - SOUTH ELEVATION  
SCALE: 1:100



2 OLDBRIDGE AVENUE - WEST ELEVATION  
SCALE: 1:100

Figure 15 South and west elevations

- 64. Two fixed metal business identification signs are proposed, on the external wall of the building (total signage area of 8.56 sqm) and at the entrance on fencing fronting Brewer Way (total signage area of 3 sqm).
- 65. The centre is provided with dedicated vehicle and pedestrian access via Brewer Way. A separate carparking area is to be constructed, immediately south of the development along Brewer Way frontage. A total of 21 car parking spaces are proposed. Loading and waste collection is proposed via this car park, with truck bay and bin storage provided to the east of the car park.

**Amenity Impacts (internal and offsite)**

- 66. Any amenity impacts anticipated to result from this development are minor. The building is well separated from site boundaries and is not expected to cast shadows onto surrounding properties. The school has been developed on land specified for Catholic education in the PSP, which is co-located with future community uses including community centre, active open space, activity centre. While these land uses are yet to be developed, the proposed building will not detrimentally impact the use of any adjacent properties.
- 67. While the childcare and outside school hours care will generate some noise, offsite impacts will likely be minor given the setbacks within the site and separation from residential development. The noise levels are not anticipated to be significantly more than that associated with the existing primary school on the site.

## Public Realm

### Signage

68. Pursuant to Clause 2.2 of the UGZ3, the zone applied to the subject site is GRZ. This zone is specified as Category 3 for signage requirements at Clause 52.05. A permit is required for all business identification signage in Category 3.
69. Two fixed metal business identification signs are proposed. One sign on first floor southwestern external wall with a total area of 8.56 sqm and one the entrance fencing fronting Brewer Way, with a total area of 3.0 sqm. The signs are not illuminated and are generally considered typical to an education land use. The extent of signage is not anticipated to create off site impacts or degrade the preferred character of the area.

### Landscaping

70. A detailed landscape plan has been submitted with the application, proposing landscaping along both street frontages, garden beds within carparking area and outdoor play area. A total of 12 new canopy trees area proposed, as well as 33 compact exotic trees and various shrubs and ground cover species.
71. Permit conditions will require minor alterations to proposed landscaping to ensure sightlines for vehicles. Condition will also ensure landscaping is planted and maintained in accordance with the endorsed plan, to the satisfaction of Responsible Authority.

### Infrastructure

72. Pedestrian and vehicle access to the Children's hub is provided via Brewer Way. A new 6.6-metre-wide vehicle crossover is to be constructed to carparking area.

## Car and Bicycle Parking, Loading, and Other Services

### Car Parking

73. The following car parking rates are relevant to the application:

Use (Childcare)	Rate	Amount Required	Amount Provided
<b>Car Parking</b>	0.22 spaces to each child	21	Achieved
<b>Car Share</b>	Nil	0	N/A
<b>Motorcycle Parking</b>	Minimum rate of one motorcycle parking space for every 100 car parking spaces	0	N/A

74. The children's hub will accommodate a maximum of 99 children for childcare services, triggering a requirement for 21 spaces pursuant to Clause 52.06-5. The carparking provided complies with the requirements and no reduction to the statutory rate is sought.
75. An outside school hours care (OSHC) service will also be provided from the hub, accommodating a maximum of 45 children who attend the existing primary school on site. Specific car parking allocation is not required for these students, noting separate carparking has been provided to meet demand generated by primary school use. Pick up and drop off will vary throughout the morning and evening for children attending OSHC and there is ample parking available to accommodate this service.

## Design Standards for Car Parking

76. The proposed car parking configuration complies with the design standards at Clause 52.06-9. Entrance to the carpark from Brewer Way has a width of 6.6 metres, internal accessway proposed width is 7-metres and all spaces comply with dimensions of 4.9 metres long and 2.6 metres wide.
77. The traffic impacts of the proposed hub have been assessed in the submitted transport impact assessment, which confirms that vehicle and pedestrian access will be appropriate.

## Access, Traffic Movement and Circulation

78. The traffic assessment includes estimated traffic generation with anticipated traffic volumes as low and able to be easily absorbed by the surrounding road network, which has been designed to accommodate movements associated with the school and future activity centre/ community centre, as part of modelling through the preparation of the Toolern PSP.

## Bicycle Facilities

79. Clause 52.34-5 of the Scheme does not specifically require bicycle parking requirements for childcare land uses. As such, there is no statutory requirement for the provision of bicycle parking associated with this proposal.
80. There is an existing bicycle parking shelter associated with the primary school, located at the northeast of the site. This may be utilised by students attending the OSHC program within the hub.

## Loading / Unloading

81. No specific loading bay is proposed. The submitted transport impact assessment notes the childcare land use does not require large quantities of deliveries, and where required will be provided via small vans or utility vehicles.

## Waste

82. A waste management plan has been provided, which identifies demand for six bins, accommodating four waste streams. Collection will be undertaken by 9.8m long waste trucks, entering via Brewer Way and reversing into the turnaround bay adjacent to the bin enclosure. Swept paths are provided demonstrating trucks can enter and exit the site in a forward direction. A permit condition will require waste collection to be undertaken outside the hours of childcare operation.
83. Council have not provided specific comments on the WMP.
84. A bin enclosure is proposed to the east of the carparking area, within the Brewer Way frontage. The enclosure will be obscured by timber picket fencing and landscaping along the street frontage.

## Environmental Risks

### Bushfire Risk

85. The site is located within a Designated Bushfire Prone Area.
86. A bushfire attack level assessment prepared by Terramatrix has been submitted and identifies possible bushfire exposure from grassfire to the west or south. The risk can be mitigated through setbacks, management of landscaping to reduce fuel load and constructing building to a bushfire attack level of BAL12.5.
87. The report includes assessment against performance requirements Specification 43 of the National Construction Code, which sets out bushfire protection measures for applicable buildings. Where some requirements are not met, performance solutions are suggested to ensure compliance. While not a requirement of the planning scheme, resolution of requirements which are not deemed to comply will be required prior to construction.



## Sustainability

### Environmentally Sustainable Design (ESD)

88. The application generally responds to the objectives of Clause 15.02-S. The Melton Planning Scheme does not include local policy relating to environmentally sustainable development, and as such there is no requirement for submission of a sustainability management plan or similar.
89. The proposal incorporates some ESD measures as follows:
- Siting and passive design and shading to minimise lighting/ cooling.
  - Separation of waste streaming including mixed recycling, glass and food/organics.

### Stormwater Management

90. A MUSIC report has been submitted in response to the objectives at Clause 53.18 of the Scheme and WSUD criteria best practice environmental management guidelines. To achieve best practice water quality, mechanical stormwater treatment products including Atlan Stormsacks and Flowfilter are proposed. These products remove sediments and pollutants from stormwater but do not allow for the reuse or retention of stormwater.
91. Melton City Council have reviewed the response and are supportive of the proposed stormwater management subject to conditions. The proposal is considered to result in appropriate stormwater outcomes.

## Other Matters

### Cultural Heritage

92. The subject site is not identified as within an area of Aboriginal Cultural Heritage and as such not Cultural Heritage Management Plan is required to be prepared.

### Development Contributions

93. As previously discussed, the subject site is not subject to contributions as identified in the Toolern DCP, as per *Ministerial Direction on the Preparation and Content of Development Contributions Plans and Ministerial Reporting Requirements for Development Contributions Plans*.

### UGZ Requirements

94. Clause 4.0 (Conditions and requirements for permits) of the Schedule 3 to the UGZ includes a requirement for planning permits to include a condition or conditions which ensure any requirements or conditions set out in the *Toolern Precinct Structure Plan* and *Toolern Native Vegetation Precinct Plan* are implemented as part of the planning permit or plans endorsed under the planning permit. The conditions specified in this clause are not relevant to this proposal.
95. The PSP specifies the following requirements relevant to the proposal which have been addressed in plans:

#### 4.1.1 Image and Character Objectives

- Create neighbourhoods and vibrant streets and spaces with their own distinct character that deliver environmental, aesthetic and functional benefits to the entire community.
- Establish a coherent interconnected network of places that support social interaction and display a clear hierarchy of private, commercial and civic functions.

#### 4.1.3 Image and Character - Planning and Design Guidelines

- Focus concentrations of commercial, civic and institutional activity into mixed-use activity centres.
- Ensure the pedestrian environment is characterised by active frontages at street level.



#### 4.4.3 Community Facilities - Planning and Design Guidelines

- Locate community facilities so they are easily accessible by walking, cycling or public transport.
- Allocate community facilities as part of the mix of uses in activity centres.
- Ensure that the building proportion, scale and character are appropriate to their urban context.
- Locate long day care adjacent to schools or multi-purpose community centres where possible.



96. The proposal is generally consistent with the relevant planning policies of the Melton Planning Scheme and will contribute to the provision of childcare and outside school hours care services available in the Toolern PSP.
97. The proposal has been reviewed by City of Melton (Council), who have provided comments which have been considered in this assessment.
98. It is **recommended** that Planning Permit No. **PA2403059** for **construction of a building and carrying out of works for an ancillary education centre (early learning centre) (land use as of right) and display of business identification signage at 31 Waterway Boulevard, Weir Views**, be issued subject to conditions.
99. It is **recommended** that 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:

Title:

Phone:

Signed:

Dated:

**Reviewed / Approved by:**

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

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