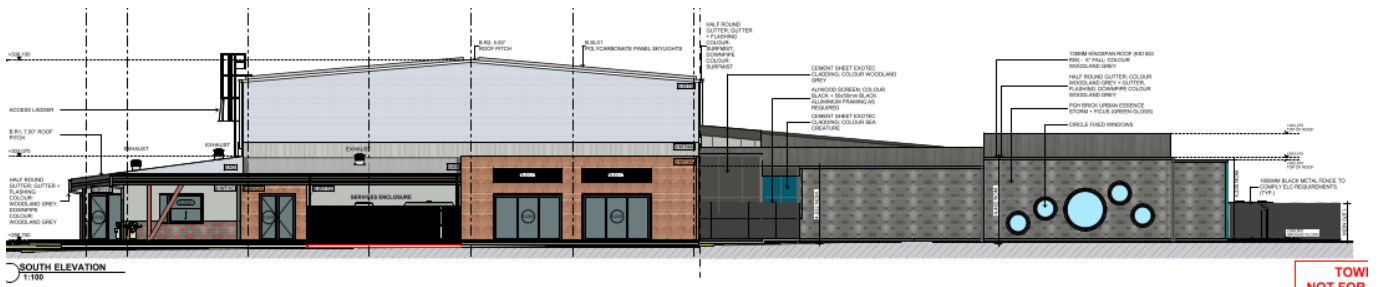


Assessment Officer Report

Permit Application No.
P2403236,
30 Alcantara Boulevard,
WALLAN



Officer Assessment Report
Development Approvals & Design



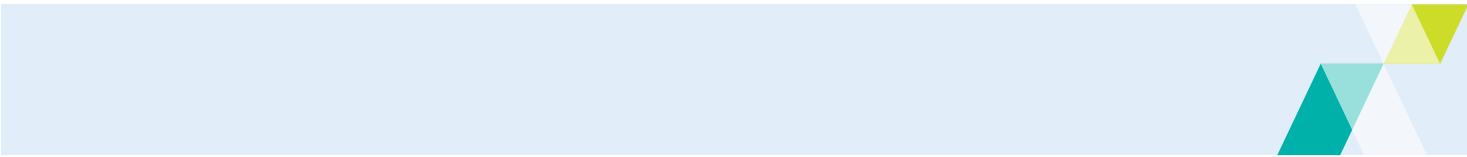
Department of Transport and Planning

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Executive Summary



Key Information	Details		
Application No:	PA2403236		
Received:	25 September 2024		
Statutory Days:	29		
Applicant:	Melbourne Archdiocese Catholic Schools Early Years Education Limited (MACSEYE) c/- Echelon Planning		
Planning Scheme:	Mitchell		
Land Address:	30 Alcantara Boulevard, Wallan		
Proposal:	Use and development of land for a new early learning centre and a reduction in car parking provision.		
Development Value:	\$ 5.2 m		
Why is the Minister responsible?	Clause 72.01-1 of the Scheme specifies that the Minister for Planning is the responsible authority for, among other things, an 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 and for which the estimated cost of development is \$3 million or greater.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.04-10	Mixed Use Zone (MUZ)	<i>Construct a building or construct or carry out works for a Section 2 use</i>
Overlays:	Clause 43.04-2	Development Plan Overlay Schedule 4	<i>A permit granted must:</i> <ul style="list-style-type: none"> <i>Be generally in accordance with the development plan</i> <i>Include any conditions or requirements specified in a schedule to this overlay</i>
Particular Provisions:	Clause 52.06-3	Car Parking	<i>Reduction to the car parking requirements</i>
Cultural Heritage:	The subject site is not located within an area of cultural heritage sensitivity		
Total Site Area:	35,265 m ²		
Referral Authorities:	Mitchell Shire Council (informal)		
Public Notice:	<p>Notice of the application under section 52 of the Act was not required because:</p> <p>If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirement 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.</p> <p>The application has been prepared to the satisfaction of the Responsible Authority.</p>		
Delegates List:	N/A		



Application Process

1. The school was issued with a planning permit by Mitchell Shire Council on the 27 November 2015. Planning Permit No. PLP193/15.03 was issued for:

Use and development of a primary school and place of worship and a reduction in car parking requirements.

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

Milestone	Date
Application lodgement	25 September 2024
Further information requested	21 October 2024
Further information received	13 November 2024
Decision Plans	Plans prepared by Architecture matters - Architects , titled ' Our Lady of the Way School Children's Hub and School Hall ' and dated 31/10/2024 .
Other Assessment Documents	<ul style="list-style-type: none">- Landscape Plan, prepared by Leftfield, Rev D, dated 11/10/2024.- Traffic Engineering Assessment, prepared by Traffix Group, dated 13 November 2024.- Waste Management Plan, prepared by Traffix Group, Rev. B, dated 13 November 2024.

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

Proposal Summary

4. Planning permit application PA2403236 proposes to expand the existing school use and undertake the construction of a new school hall and early learning centre, increase in student numbers and teaching staff.
5. Specific details of the application include:

Early Learning Centre (ELC)

- 3 year old kinder room, 2x 4-year-old kinder rooms.
- Kitchen & Laundry
- Consulting room
- Office, staff room, planning room.
- Reception and Foyer
- Library
- Lunchroom, amenities and store room.

Outdoor spaces

- Outdoor play area, concrete paving and garden beds.
- Shed, verandah, bin storage and service yard.



- New boundary fencing and associated access gates.

School Hall

- Indoor sports court and fixed seating.
- 2 x specialist classrooms
- 2 x storerooms
- Canteen
- Amenities, Foyer and Hall administration
- Undercover paved areas
- Services and 3000Lt rainwater tank.
- Mesh sports fencing and associated access gates.

ELC/School Signage

- Proposed signage

Proposed sign	Dimension and area	Location of sign	Type of sign
Children's Hub – Signage A (White acrylic block lettering)	5.3m x 0.92m = 4.88m ²	Eastern façade of ELC building	Business Identification sign.
Children's Hub – Signage B (Stainless steel bulletin board with black lettering)	0.84m x 0.59m = 0.5m ²	Northern façade of ELC building	Business Identification sign.
School Hall – Signage A (Vinyl sign sticker material with school's logo)	1.52m x 2.3m = 3.5m ²	Northern façade of School Hall building	Business Identification sign.

6. The applicant has provided the following concept image/s of the proposal:

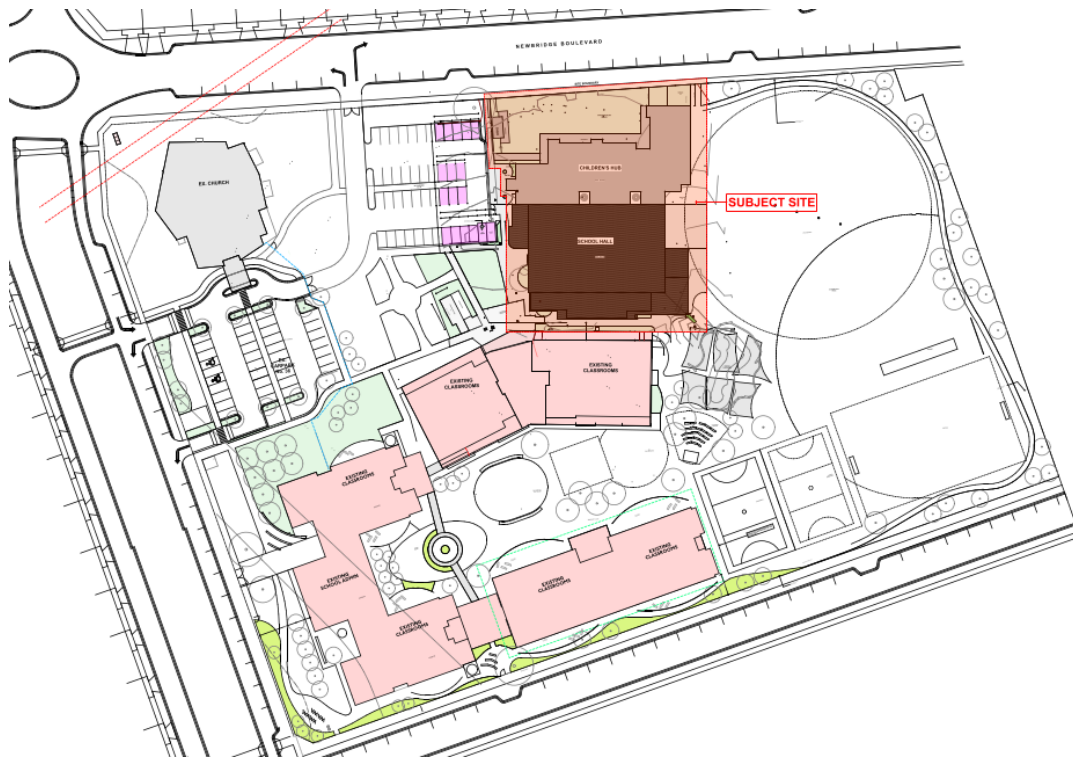


Figure 1: Proposed Site Plan

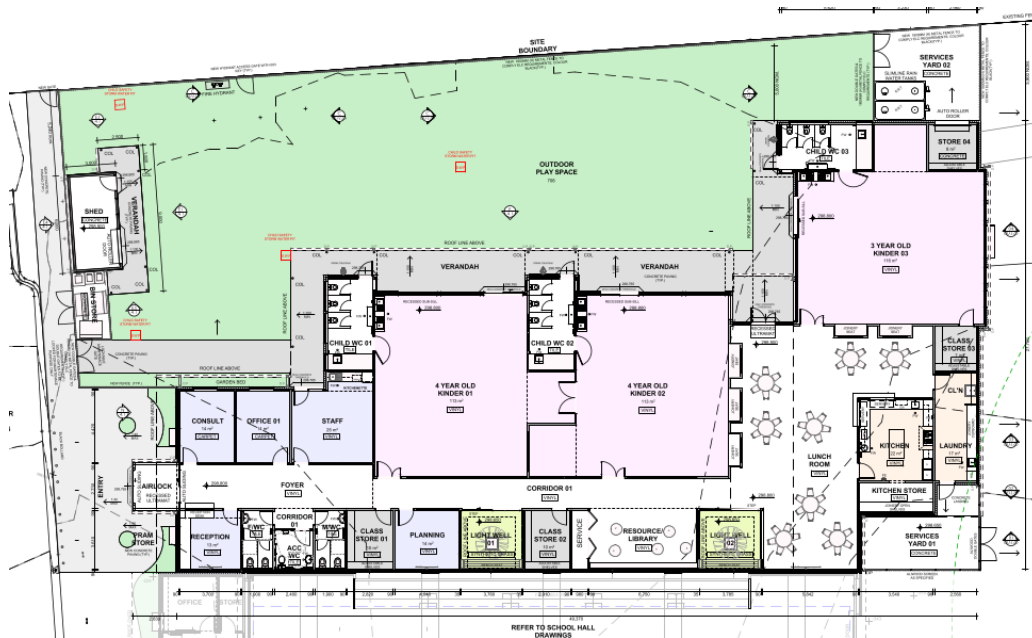


Figure 2: Proposed ELC Plan

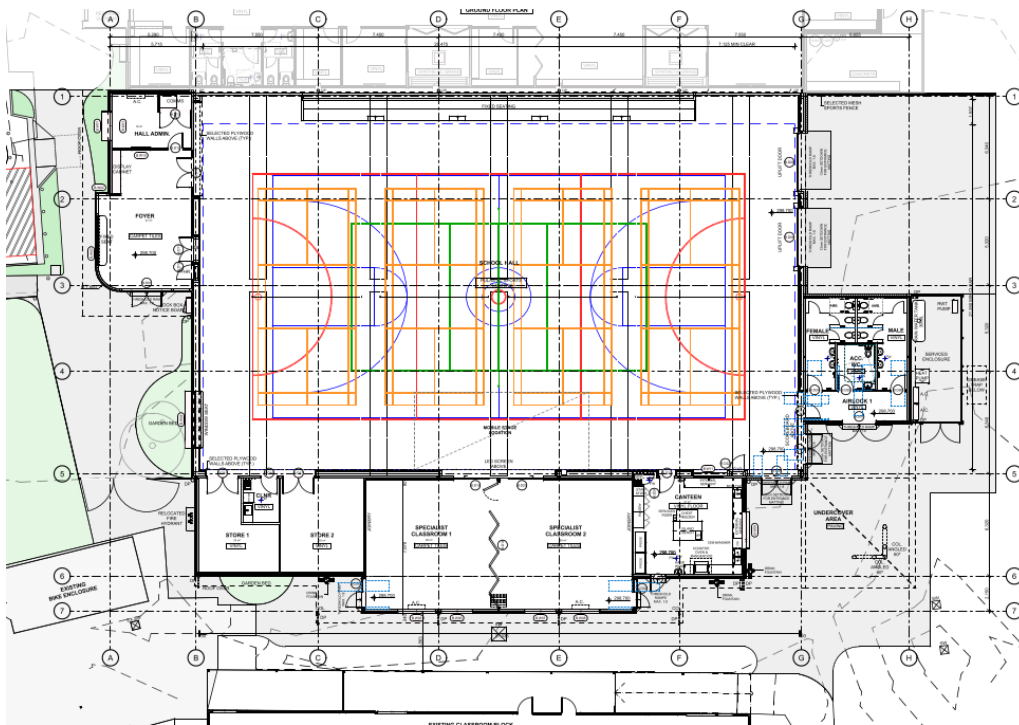


Figure 3: Proposed School Hall Plan

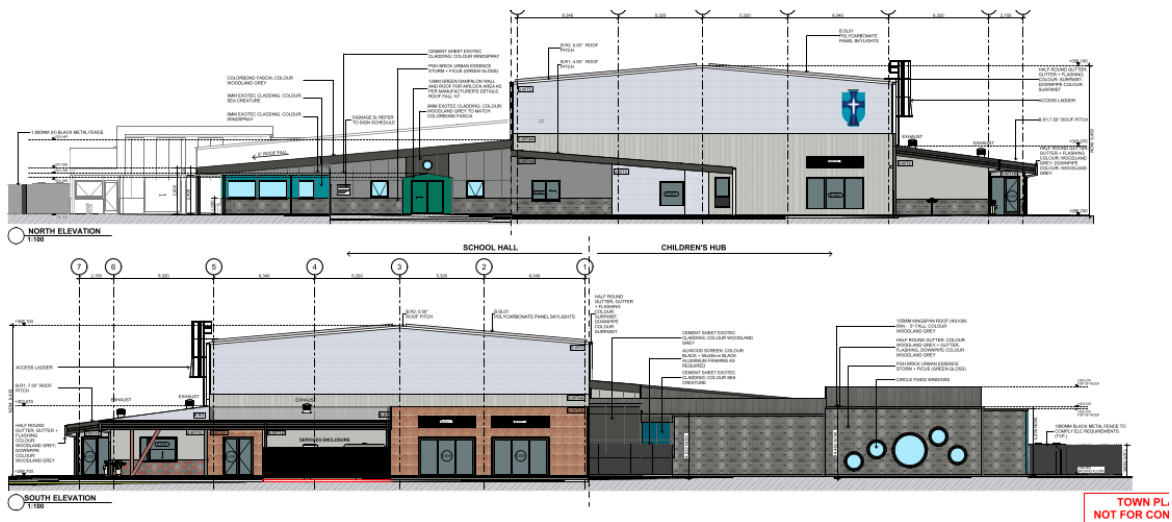


Figure 4: Proposed North and South Elevations

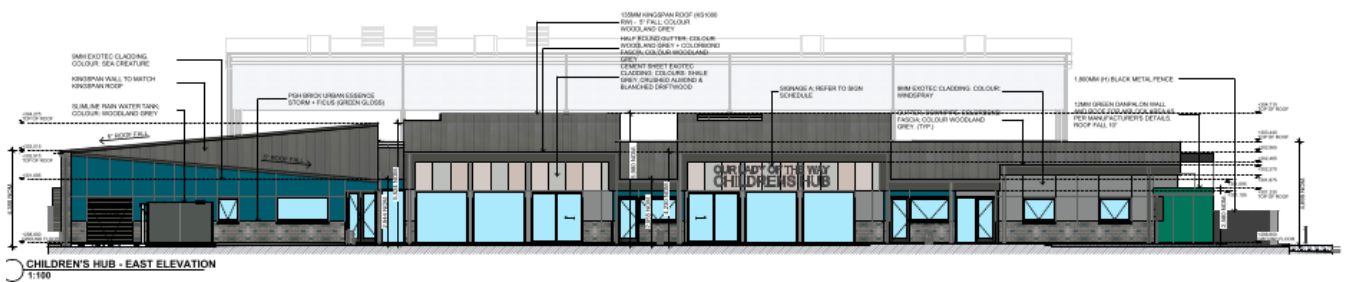


Figure 5: Proposed East Elevation

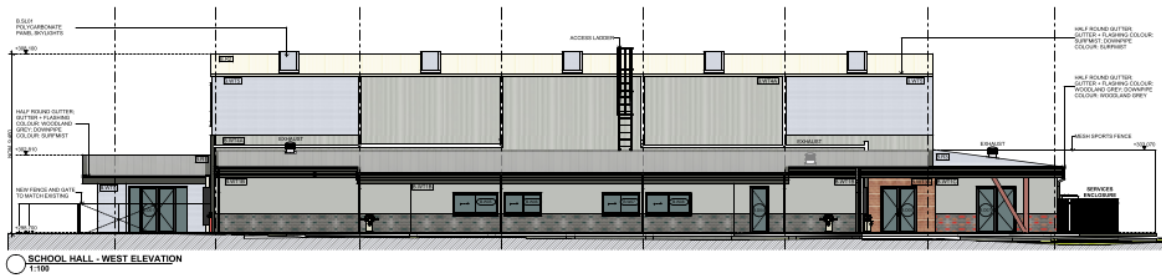


Figure 6: Proposed West Elevation (School Hall)

Subject Site and Surrounds

Site Description

- The subject site forms part of a larger land parcel situated on the southwest corner of the Newbridge Boulevard/ Alcantara Boulevard intersection in Wallan. The proposed ELC will be located along the eastern edge of the subject site as it fronts Newbridge Boulevard and immediately to the south of the existing southern (Church) car park area. The larger land parcel is currently occupied by Our Lady of the Way Primary School and Our Lady of the Way Church.



- The area associated with the proposed works is along the Newbridge Boulevard between the street frontage and the existing school buildings.

Site Surrounds

- The surrounding development consists of a mix of single detached dwellings and some median density development which is prevalent throughout the Wallan Waters Estate.

- Development surrounding the site can be described as follows:

- To the **north** of the site:

Alcantara Boulevard is described as a local boulevard connector street which features a divided carriageway with a traffic lane and indented parallel parking lane in each direction. The opposite side of Alcantara Boulevard features predominantly single level and some double-storey residential development. The Wallan Train Station (approximately 1.2 kilometres) and industrial area as well as Wallan-Whittlesea Road access to the Hume Freeway are all located further to the north of the subject site.

- To the **south** of the site:

The southern boundary is adjacent to a reserve containing landscaping, further to the south is the Wallan East Kindergarten.

- To the **east** of the site: Newbridge Boulevard is a local connector street with a single traffic and bicycle lanes travelling in each direction as well as indented car parking.
- To the **west** of the site:

Regular pattern of subdivision and single storey dwellings have been constructed on the western side of Mackinac Avenue.



Municipal Planning Strategy

11. 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 – within the urban growth boundary
02.03-3	Amenity, Safety, Noise
02.03-9	Infrastructure

Planning Policy Framework

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

Clause 11	Settlement
11.01-1S	Settlement <i>Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.</i>
11.02-2S	Structure Planning <i>To facilitate the fair, orderly, economic and sustainable use and development of urban areas. Assist the development of walkable neighbourhoods. Facilitate the logical and efficient provision of infrastructure.</i>
Clause 13	Environmental Risks and Amenity
13.07-1S	Land use compatibility <i>Ensure that the use or development of land is compatible with adjoining or nearby land use.</i>
Clause 15	Built Environment and Heritage
15.01-1S	Urban design <i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
15.01-4S	Healthy Neighbourhoods <i>To achieve neighbourhoods that foster healthy and active living and community wellbeing.</i>
15.01-5S	Neighbourhood character <i>To recognise, support and protect neighbourhood character, cultural identity, and sense of place.</i>
Clause 19	Infrastructure
19.02-2S	Education Facilities <i>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). Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.</i>

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

Zoning and Overlays

Applicable Zone/s

Mixed Use Zone

14. A planning permit is required to construct a building or construct or carry out works in accordance with a Section 2 use of Clause 32.04-1. The site benefits from existing use rights and therefore no planning permit is required to use land for the ELC or sports stadium as part of the school infrastructure.
15. The purpose of the Mixed Use Zone is:
 - *To implement the State Planning Policy Framework and the Planning Policy Framework.*
 - *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
 - *To provide for housing at higher densities.*
 - *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
 - *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*
16. The following sections include a discussion of how the proposal responds to these requirements.

Applicable Overlay/s

Development Plan Overlay – Schedule 4

17. Pursuant to Clause 43.04-2 a permit is required to construct a building or construct or carry out works. A proposal must be generally in accordance with the development plan and include any conditions or requirements specified in a s schedule to this overlay.
18. The relevant approved development plan for the DPO4 is the Wallan East (Newbridge) Development Plan, dated November 2012. The proposal is generally in accordance with the masterplan for the school which shows the land designated as a primary school.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 (Car Parking)

19. Clause 52.06-1 is applied to a use of the site for a childcare centre. The addition of a new Early Learning Centre and Sports Stadium is ancillary to the primary school, no permit is required for the use, however an additional 99 ELC children and 11 staff members will be onsite requiring an additional 21 car parking spaces to be provided onsite.

Planning Scheme Categorisation	Parking Rate	Requirement	Supply
Child care centre	0.22 space to each child.	99 children are anticipated to be onsite for the ELC	21 additional spaces are required to be provided to meet the car parking requirement.



20. The site has several car parking locations, including 36 car parking spaces located in the school car park and 44 car parking spaces located in the church car park. The church car park has 16 available parking spaces which will be used for the ELC staff leaving a shortfall of 5 car parking spaces.
21. A planning permit is required to reduce the number of car parking spaces provided on a site.

Clause 52.05 (Signs)

22. Pursuant to Clause 52.05 a permit is required to display a business identification sign within a Category 3 area.
23. Clause 52.05-13 identifies the proposed sign located on the front of the ELC and the sports stadium, there are a total of the three signs proposed with the following areas, the signage is Section 2 – permit required.

Proposed sign	Dimension and area	Location of sign	Type of sign
Children's Hub – Signage A (White acrylic block lettering)	5.3m x 0.92m = 4.88m ²	Eastern façade of ELC building	Business Identification sign.
Children's Hub – Signage B (Stainless steel bulletin board with black lettering)	0.84m x 0.59m = 0.5m ²	Northern façade of ELC building	Business Identification sign.
School Hall – Signage A (Vinyl sign sticker material with school's logo)	1.52m x 2.3m = 3.5m ²	Northern façade of School Hall building	Business Identification sign.

Clause 53.18 (Stormwater in Urban Development)

24. Clause 53.18 applies to this application for buildings and works. The clause includes standards and objectives relating to stormwater management and aim to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.
25. An application to construct a building or construct or carry out works must meet all the objectives and should meet all the standards of Clause 53.18-5 and 53.18-6.

Clause 53.19 (non-government schools)

26. Clause 53.19 applies to the use and development of 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.
27. An application to which Clause 53.19 applies, exempts it from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

Relevant Strategic Plan / Background Documents

Wallan East (Newbridge) Development Plan

28. The Wallan East (Newbridge) Development Plan was approved in November 2012.
29. The proposal is generally in accordance with the Development Plan with the subject site designated as a 'Proposed Primary School', the proposed early learning centre will operate an ancillary use of the land to the existing primary school.
30. The proposal is in accordance with the principles of the Master Plan through the provision of community infrastructure in the form of ELC, the primary school and the new sports hall.



Figure 7: Concept Master Plan (Wallan East – Newbridge Development Plan)



Referrals

31. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Referral – Informal	Mitchell Shire Council	No response

Municipal Council Comments

32. The application was referred to the Mitchell Shire Council (the council) on the 22 November 2024. To date there has been no response to the application.

Notice

33. 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 43.04-3 (DPO).
- If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme 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*.
34. 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

36. The proposal is generally supported by the relevant planning policies.
37. The proposal will deliver a new ELC to operate in conjunction with the existing 'Our Lady of the Way' catholic primary school located on the site. The development will provide childcare an outside school hours services for children who attend the school. The school is identified in the Wallan East Master Plan as a 'primary school'.
38. The *Planning Policy Framework* encourages 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.
39. The proposal is an appropriate land use within a high amenity area, co-located with existing community facilities. The proposal will deliver an additional educational 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, 15.01-4S and 15.01-5S.
40. The building design and siting is consistent with the approved development plan for the school site and is considered to positively contribute to the wider context, noting the ongoing development within the broader context.
41. 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

42. The proposal meets the purpose of the Mixed Use Zone and the Development Plan Overlay – Schedule 4, which identifies the site for use as a primary school. The provision of childcare and outside school hours services will support the needs of current and future residents, which require accessible and conveniently located education facilities.
43. The guidelines of the zone give direction for non-residential uses which are allowable under Section 2 of Clause 32.04-2. For the consideration of non-residential uses, the decision guidelines direct decisions to consider the Municipal Planning strategy and the Planning Policy Framework.
44. In accordance with the purpose of the zone which recognises the land should provide for a range of residential, commercial, industrial and other uses which complement the mixed use function of the locality. The proposed construction of the ELC and sports stadium provides an acceptable built form when assessed against the decision guidelines.
45. The use of the land as a school is ongoing and does not trigger a planning permit.

Buildings and Works

46. Detailed plans have been submitted for the proposed new ELC and sports stadium.
47. The works include the following:
 - ELC consisting of 3 kinder rooms, consulting rooms, staff room, library, kitchen, laundry and bathrooms.
 - Sports Stadium consisting of sporting hall, foyer, admin office, 2 classrooms, 2 storerooms, bathrooms and canteen.

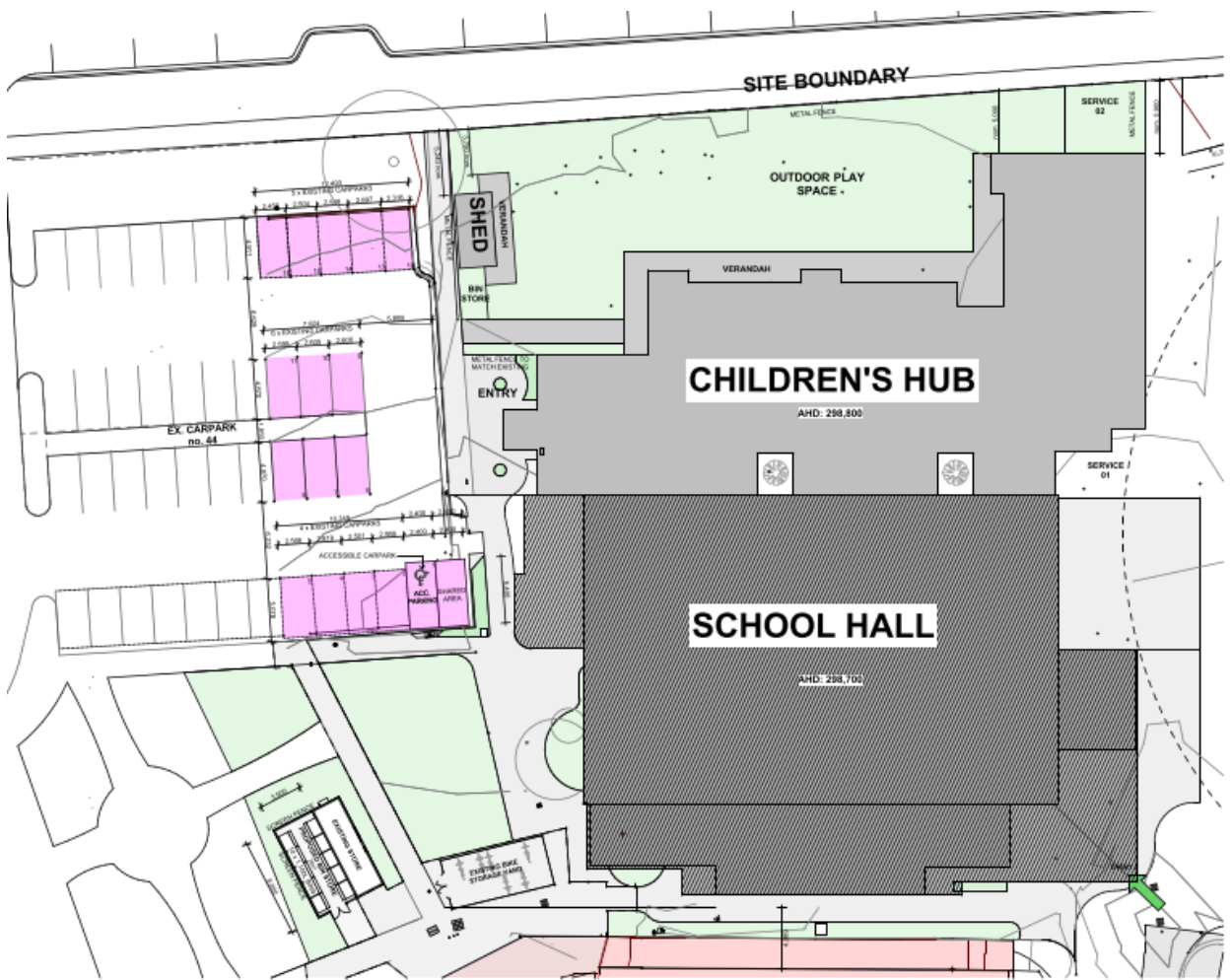


Figure 8: Proposed works

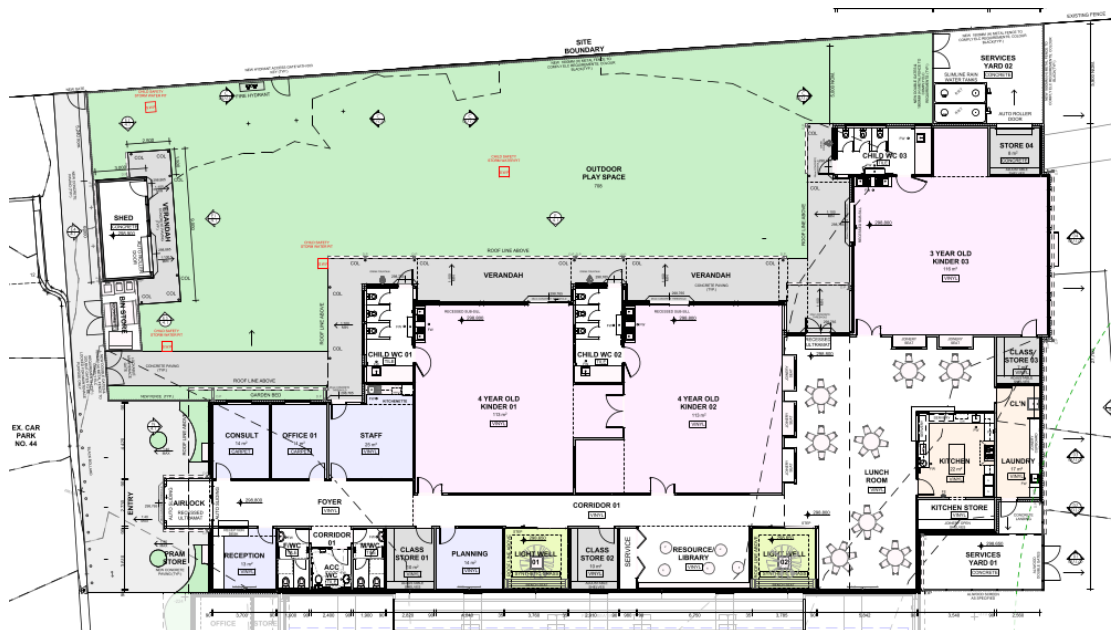


Figure 9: Floor layout of ELC (Children's Hub)

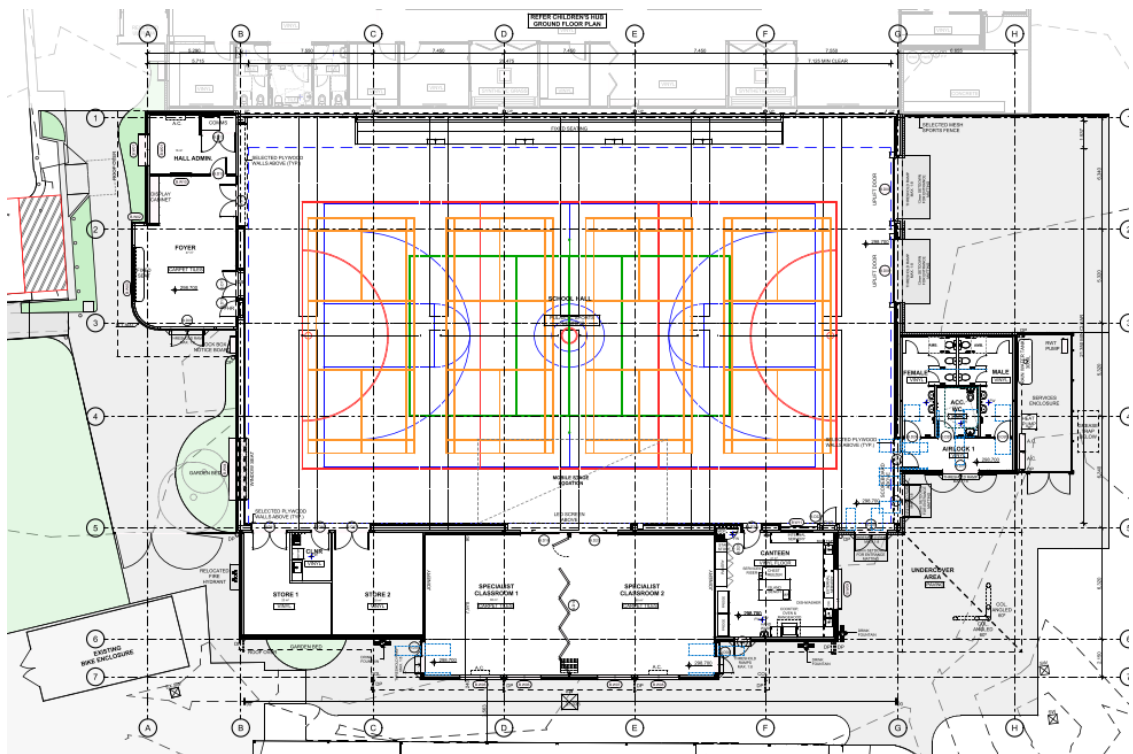


Figure 10: Sports stadium layout

ELC – Children’s Hub

48. The proposed ELC building is single storey with a maximum building height of 5.68m to the ridgeline of the roof.

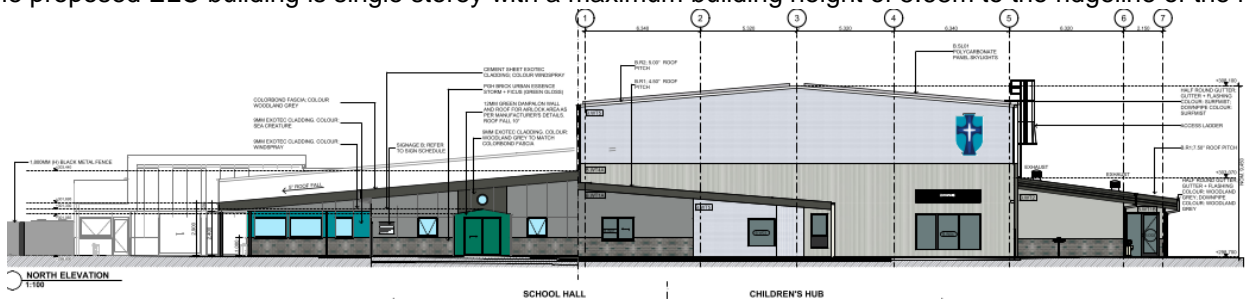


Figure 11: North elevation of both ELC and Sports stadium

- 49. The scale and the height of the proposed buildings are considered appropriate noting the existing built form within the school grounds and the separation of the buildings from the primary, single storey residential development in the surrounding area.
- 50. The ELC is setback a minimum of 5m from the Newbridge Boulevard boundary with setbacks increasing due to the outdoor play space being located within the ELC frontage.
- 51. The eastern elevation which faces Newbridge Boulevard consists of a combination of various materials including face brickwork, external cladding and clear glazing. The colour palette includes white, light and dark grey with highlights of green and blue.
- 52. The mix of materials, varied setbacks and roof angles provide articulation and is consistent with design features of existing buildings within the school grounds.



53. A new fixed business identification sign consisting of white acrylic block lettering is located above the entry doors, on the eastern façade of the building (total signage of 4.88m² dimensions of 5.3m x 0.92m).



Figure12: East elevation signage

54. Additional signage is located on the north elevation for the ELC, the stainless-steel bulletin board sign is fixed to the wall, it will have black lettering and consists of the following size 0.84m x 0.59m = 0.5m².

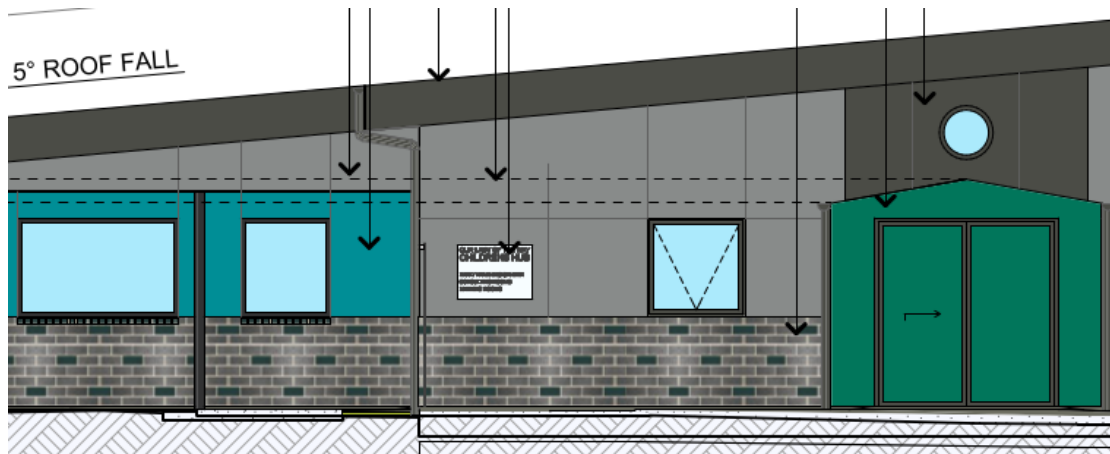


Figure13: North elevation signage

Sports Stadium

55. The proposed Sports Stadium is double storey-built form with a maximum building height of 9.4m. The building is located centrally within the school grounds, located between the new ELC and existing classrooms.
56. The sporting facility will contain various amenities which are ancillary to the primary school use, including additional classrooms, undercover play area and a new canteen.
57. The sports hall will consist of a combination of various materials including face brickwork, external cladding and clear glazing to classrooms. The colour palette includes white, light and dark grey to complement the adjoining ELC and classrooms on the broader site.
58. The mix of materials, varied setbacks and roof angles provide articulation and is consistent with design features of existing buildings within the school grounds.
59. A new fixed business identification sign consisting of a vinyl sign sticker showing the school logo is located on the northern façade of the building (total signage of 3.5m² dimensions of 1.52m x 2.3m).

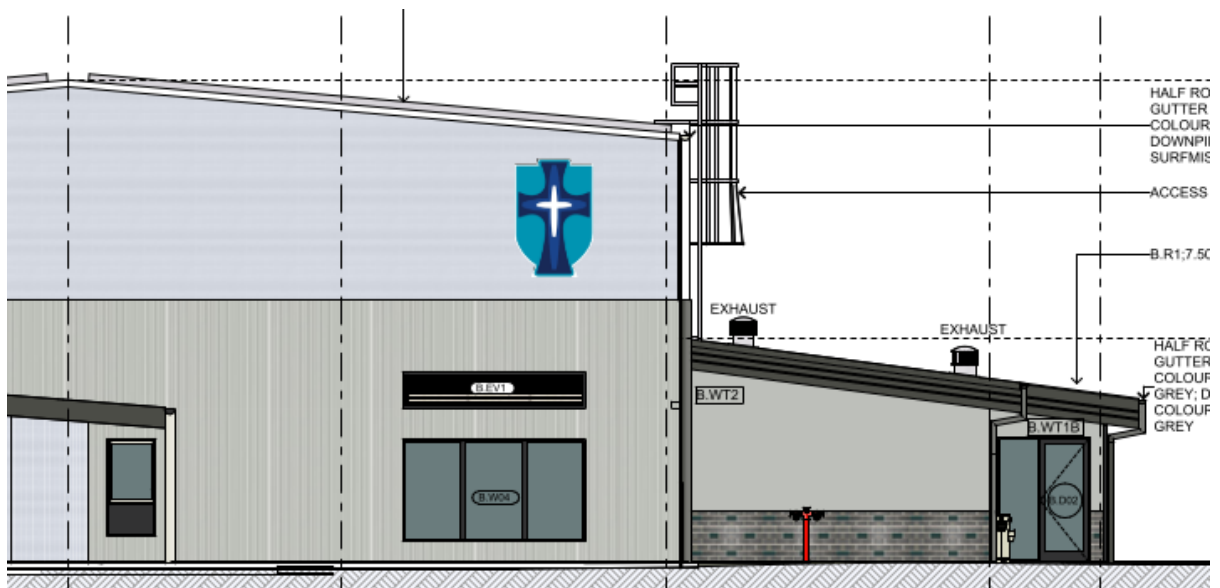


Figure14: North elevation school emblem.

Signage

60. A permit is required for the use of land for signage including business identification. The proposed signage is located on both the ELC, and the Sports Stadium as discussed above. Permit conditions will be included on any permit issued to ensure that ongoing amenity impacts to adjoining properties are taken into account.
61. For this application, approval is sought for the provision of business identification signage located on the front of the ELC and Sports Stadium. The signage has an appropriate scale for the buildings on which it is located, and no lighting is proposed in association with the signs. The extent of signage is not anticipated to create off site impacts or degrade the preferred character of the area.

Amenity

Amenity Impacts (internal and offsite)

62. Any amenity impacts anticipated to result from this development are minor. The buildings are well separated from site boundaries and will not cast shadows onto surrounding properties. The school has been developed on land specified for a primary school and the inclusion of the Early Learning Centre and Sports Stadium are ancillary uses to the existing approval.
63. 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.

Landscaping

64. The application was submitted with a comprehensive landscape plan demonstrating the proposed works around the new buildings and along the boundary with Newbridge Boulevard.
65. The landscape plan details the provision of a mix of evergreen and deciduous trees with a variety of heights at maturity ranging from 4m to 15m, in addition to a comprehensive planting schedule of screening shrubs and ground covers.

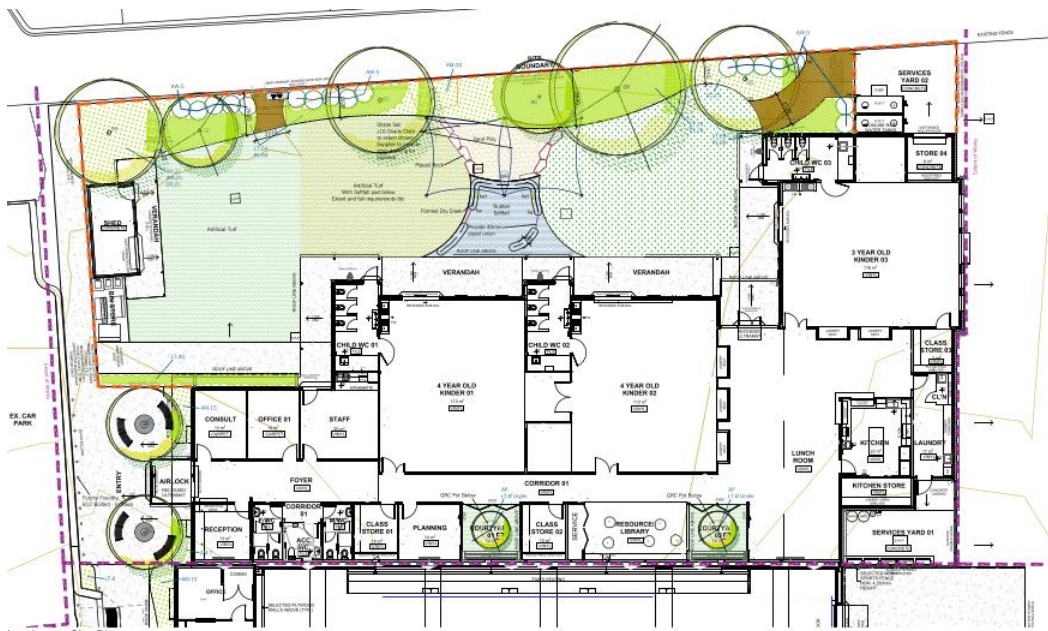


Figure 15: ELC Landscape Plan.

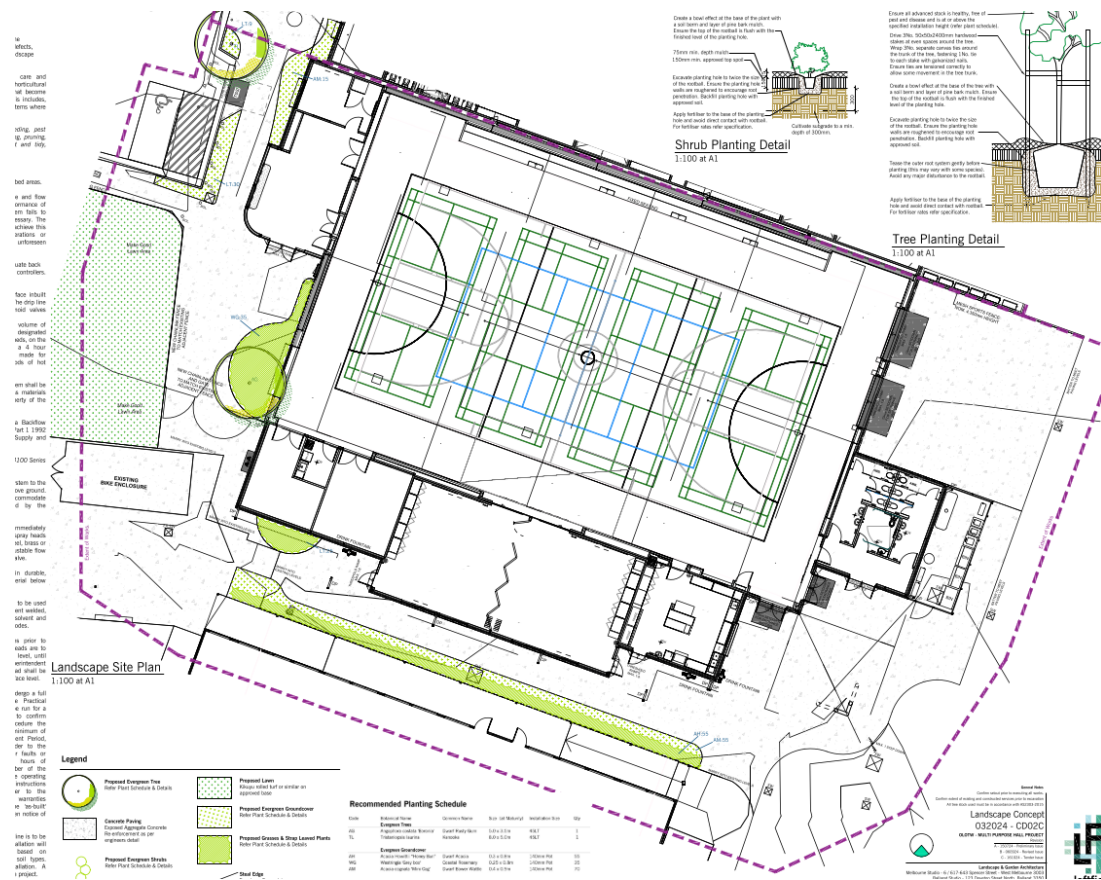


Figure 16: Sports Stadium Landscape Plan.



66. The landscape plan will be endorsed as part of any planning permission.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

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

Use (Childcare)	Rate	Amount Required	Amount Provided
Car Parking	0.22 spaces to each child	21	16

68. The application has a shortfall of 5 car parking spaces as required under Clause 52.06 for the use as a kindergarten.

69. The reduction in car parking provision is an acceptable outcome for this application when the context of the school's locality is taken into consideration. A Traffic Impact Assessment has been undertaken and it demonstrates that there is sufficient on street, car parking to accommodate the anticipated peak of car parking demands during school dropoff and pickup. It is also noted that the ELC will be utilised by a component of parents who have students already attending the school. The school is located within a new housing estate and the surrounding street network provides designated pedestrian paths to allow parents alternative access arrangements.

70. The traffic impacts have been assessed in the submitted transport impact assessment, which confirms that vehicle and pedestrian access will be appropriate.

Bicycle Facilities

71. Clause 52.34-1 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 the proposal.

Loading / Unloading

72. 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

73. A waste management plan has been provided, the waste arrangements for the ELC include the provision of a new secure bin store to be located adjacent to the church car park, with collection undertaken by a private contractor.

74. The proposed waste collection arrangements are acceptable and can be approved.

Sustainability

Environmentally Sustainable Design (ESD)

75. The Mitchell Shire Planning Scheme does not include local policy relating to environmentally sustainable development, and as such there is no requirement for submission of a sustainable management plan or similar.

Stormwater Management

76. The application has not submitted documentation demonstrating a response to the objectives at Clause 53.18 of the scheme or WSUD criteria to achieve best practice environmental management guidelines.
77. A permit condition will require a WSUD report detailing how the proposal meets stormwater management.

PLANNING PERMIT

Permit No.:	PA2403236
Planning scheme:	Mitchell Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	30 Alcantara Boulevard, Wallan

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
37.07-4	Construct a building and construct and carry out works for an ancillary education centre (childcare centre) associated with an existing primary school.
52.05-13	Display of business identification signage.
52.06-3	A reduction in car parking requirements

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit


1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Commencement

2. This permit will operate from the issued date of this permit.

Approved and endorsed plans

3. Before the development starts, excluding demolition, bulk excavation and site preparation works, detailed development plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions and be generally in accordance with the architectural plans, prepared by Architecture Matters Pty Ltd, dated 31 October 2024, but amended to show the following details:

- 
- a) Any changes required to be consistent with the endorsed Stormwater Management Plan.
 - b) Plans updated to show the location of street trees located within the nature strip adjacent to the subject site.

Layout not altered

4. The development as shown on the endorsed plans must not be altered (unless the Mitchell Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Student numbers

5. No more than 99 students are permitted to attend the Early Learning Centre (ELC) without the prior written consent of the Responsible Authority.

Waste Management

6. All waste material must be regularly removed from the land. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled, or dust or odour is created to the satisfaction of the Responsible Authority.
7. Waste and recyclables must only be collected between the hours of 7.00am and 6.00pm, Monday to Saturday unless otherwise agreed in writing by the Responsible Authority.

Waste storage

8. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained, and screened from public view to the satisfaction of the Responsible Authority.

Landscape Plan

9. Concurrent with the endorsement of plans, the landscape plan prepared by Leftfield Landscape and Garden Architecture, dated 16 October 2024, must be approved and endorsed by the responsible authority.

Landscaping completion

10. Before the development is occupied, the landscaping shown on the approved landscape plans must be carried out and completed to the satisfaction of Mitchell Shire Council.

Landscaping maintenance

11. At all times, the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of Mitchell Shire Council.

Traffic and parking management

12. Concurrent with the endorsement of plans, Traffic Engineering Assessment prepared by Traffix Group, dated 23 July 2024, must be approved and endorsed by the responsible authority.

Stormwater Management Plan

13. Concurrent with the endorsement of plans, a stormwater management plan must be submitted approved and endorsed by the responsible authority in consultation with Mitchell Shire Council. The system must be constructed prior to the occupation of the development and provision made to connect this system to Mitchell Shire Council's stormwater drainage system.

Stormwater management system – implementation and management

14. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of Mitchell Shire Council.



Construction Management Plan

15. Before the development starts, a Construction Management Plan must be submitted to, and be to the satisfaction of the Responsible Authority. The Construction Management Plan in consultation with Mitchell Shire Council will then be endorsed and form part of the planning permit. The Construction Management Plan must include details of:
- a) A Site Management and Safety Plan including, but not limited to, the following:
 - i. Locations of temporary on-site facilities such as equipment storage areas, litter control compounds, contractor rest and car parking areas and the likes;
 - ii. On-site safety procedures;
 - iii. Relevant service authority and emergency services contact details;
 - iv. Site access address for emergency vehicles;
 - v. Working hours and days;
 - vi. Site specific safety and risk analysis;
 - vii. Methods to ensure the recommendations of any approved Cultural Heritage Management Plan applying to the land are carried out.
 - b) An Environmental Management Plan including but not limited to, the following:
 - i. Methods to contain dust, dirt and mud within the subject site, and the method and frequency of clean up procedures;
 - ii. Sediment control techniques to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system;
 - iii. Stormwater management and water quality control procedures;
 - iv. Methods to prevent and manage illegal dumping on the land;
 - v. Tree Protection Zones around the trees to be retained on the endorsed plans;
 - vi. Machinery wash down areas, clearly fenced and located in disturbed areas, which ensure that all machinery entering and exiting the land is seed and pathogen free;
 - vii. Methods to ensure that all contractors working on the land are aware of the requirements of the Construction Management Plan and any other obligations of the planning permit.
 - c) A Traffic Management Plan including, but not limited to, the following:
 - i. Proposed haulage routes to and from the subject land;
 - ii. Expected frequency of vehicle movements to and from the land;
 - iii. Site access arrangements for construction vehicles;
 - iv. Measure proposed to mitigate traffic impacts resulting from construction vehicles accessing the land.

All works must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

Tree Protection

16. Before the development starts, including demolition, excavation, piling, site preparation works, and works to remediate contaminated land:



- a) A Tree Protection Management Plan (TPMP), setting out how Mitchell Shire Council owned nature strip trees on Newbridge Boulevard will be protected during construction, must be submitted to and approved by the Responsible Authority. When approved, the TPMP will be endorsed and form part of the approval. The TPMP should generally follow the layout of Section 5 (i.e. General, Tree Protection Plan, Pre- construction, Construction stage and Post Construction) of AS 4970-2009 *Protection of trees on development sites*.
 - b) A Tree Protection fence must be erected around Mitchell Shire Council owned nature strip trees on Newbridge Boulevard to comply with AS 4970-2009 *Protection of trees on development sites* to the satisfaction of Mitchell Shire Council.
17. The proposed must not cause any damage to any retained existing street tree. Any existing street tree must not be removed, lopped or pruned (including root pruning) without the prior consent of Mitchell Shire Council.
 18. Any Mitchell Shire Council owned trees shown on the endorsed plans to be removed must not be removed, lopped or pruned without prior consent from Mitchell Shire Council. If removal is approved, the amenity value along with removal and replacement costs must be reimbursed to Council by the developer.

Sign maintenance

19. The signs, including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority.

Lighting

20. All outdoor lighting must be baffled and/or located to prevent light from the site causing detriment to the locality to the satisfaction of Mitchell Shire Council.

Noise control

21. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of Mitchell Shire Council.

General amenity provision

22. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of verminto the satisfaction of Mitchell Shire Council.

Expiry – Development

23. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the issued date of this permit.
 - b) The development is not completed within eight years of the issued date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request



is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

Expiry – Signs

24. This permit as it relates to a signs will expire 15 years from the issued date of this permit.

Recommendation



78. The proposal is generally consistent with the relevant planning policies of the Mitchell Planning Scheme and will contribute to the provision of education facilities within the Wallan area.
79. It is **recommended** that Planning Permit No. **PA2403236** for the **construction of a building and carrying out works for an ancillary education centre (early learning centre) and display of business identification signage and a reduction in car parking** at **30 Alcantara Boulevard, Wallan** be issued subject to conditions.
80. 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: Cath te Lintelo

Title: Senior Planner, Development Approvals and Design

Signed:



Phone:

Dated: 11/12/2024

Approved by:

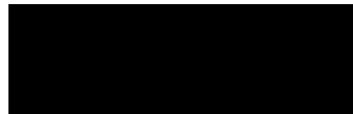
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Name: Grant Logan

Title: Manager, Development Approvals and Design

Signed:



Phone:

Dated: 12/12/2024