

87 Moore Street, Ararat

PA2302636



Officer Assessment Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL

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Executive Summary



Key Information	Details		
Application No:	PA2302636		
Received:	5 December 2023		
Statutory Days:	59		
Applicant:	St Mary’s Parish Primary School, Ararat c/- Myers Planning & Associates		
Planning Scheme:	Ararat		
Land Address:	87 Moore Street, Ararat		
Proposal:	Development of the land to construct a building and construct and carry out works associated with an existing primary school.		
Development Value:	\$3.284 million		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Ararat Planning Scheme, the Minister for Planning is the responsible authority for this application because it relates to a primary school where the cost of development is \$3 million or greater.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 37.08	General Residential Zone – Schedule 1 (GRZ1)	A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
Cultural Heritage:	The site is not located within an area of known cultural heritage significance.		
Total Site Area:	Approx 8000 m² (whole site)		
Gross Floor Area:	190m² (new)		
Height:	4.2m		
Advice sought:	Ararat Rural City Council (s52 notice)		
Public Notice:	Notice of the application to owners and occupiers of adjoining properties under section 52 of the Act was not required because it was considered that grant of the permit would not cause material detriment.		
Delegates List:	Not required		



Application Process

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

Milestone	Date
Pre-application meeting	2 November 2023
Application lodgement	5 December 2023
Decision Plans	Plans prepared by Law Architects dated August 2023
Other Assessment Documents	- Town Planning Report prepared by Myers Planning & Associates dated 28 November 2023 - Onemap Site Report prepared by Myers Planning & Associates dated 28 August 2023 - Site photos prepared by Myers Planning & Associates dated August 2023 - Tree Impact Assessment prepared by Taylor Arboriculture dated 20 September 2023

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

Proposal Summary

3. The proposal can be summarised as follows:

- Demolition of part of the existing school building (not a permit trigger).
- Construction of a single storey building for the purposes of a new classroom, collaboration hub, a reception and office area and a landscaped outdoor area.
- The proposed new building has a 3.5m setback from the western title boundary (Princes Street). The outdoor area is proposed to be partially covered, and the two large native trees at the west of the site retained. The building employs modern architecture with a sloped roof form, with the material and colour palette including a mix of timber and metal cladding.
- An overall reduction in the gross floor area of the school building.

4. The proposal does not include an application for the use of the land as a primary school despite this being a Section 2 use in the GRZ. This is because St Mary's Parish Primary School has been in operation on site since 1963, and thus existing use rights apply.

5. The applicant has provided the following concept images of the proposal:



Figures 1 and 2: Render of the proposal from Princes Street and the corner of Princes and Moore Streets.

Source: Decision Plans (Law Architects)



Site Description

6. St Mary's Parish Primary School is located on a large rectangular allotment bound by Moore Street to the south, Princes Street to the west, a shared border with Ararat Early Learning Centre to the east and an unnamed laneway to the north. The school also extends across this laneway in one section to reach Barkly Street to the north, with 306 and 316 Barkly Street neighbouring to the west and east respectively. It is located in a well-established neighbourhood of Ararat, clustered with other educational land uses nearby to the city's retail centre.
7. The subject site to which this application relates is located within the boundaries of St Mary's Parish Primary School, located on the north-east corner of Moore and Princes Streets. It makes up the western portion of the school's address, 87 Moore Street. It is generally rectangular, measuring roughly 18 metres east-west and 52 metres north-south with a total size of approximately 776 square metres.
8. The existing site comprises of school buildings including an entry way, foyer, reception, two general learning areas, a specialist learning area, and assorted service areas including a store, meeting room, first aid room, and corridor/circulation space. Its main frontage is to Princes Street, and it has an additional smaller frontage to Moore Street and a small interface with the unnamed laneway to the north. A range of trees and landscaping are present in the outdoor areas of the site, along with a sign identifying the school set at the corner of Moore and Princes Streets.
9. The subject site is formally described as comprising Crown allotments 16 and 17 Section 11 Township of Ararat Parish of Ararat.
10. The subject site is not affected by any covenants or restrictions.

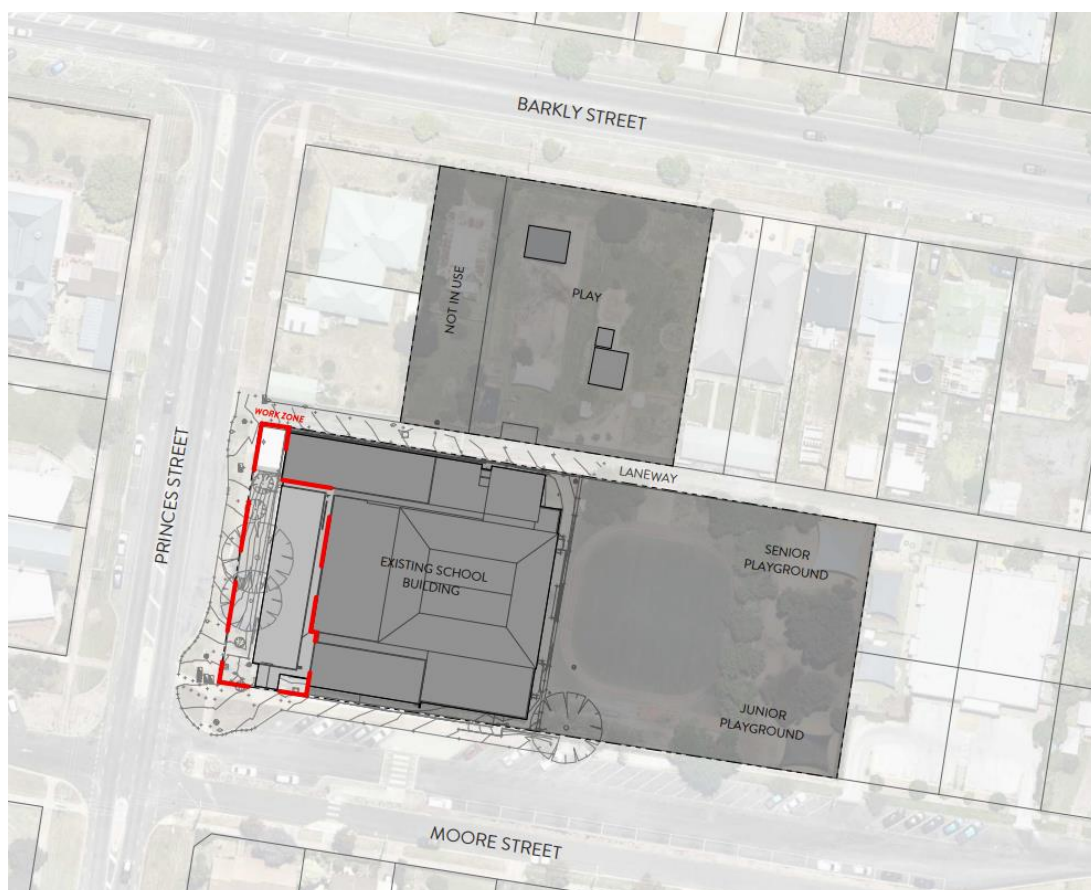
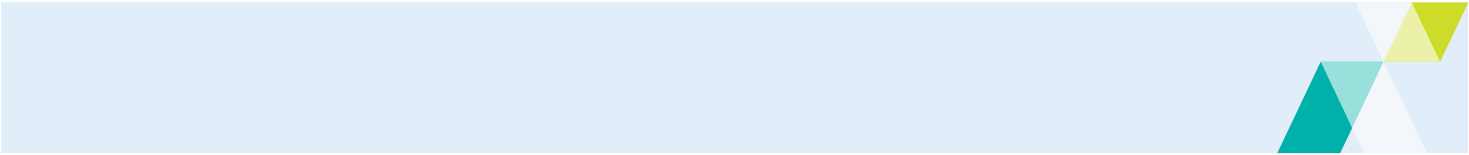


Figure 3: Subject site and surrounds

Source: Decision Plans (Law Architects)



Site Surrounds

11. The surrounding development consists mainly of single-storey detached dwellings, along with two other nearby schools in Marian College and Ararat Primary School, and an early learning centre. There is land zoned Commercial 1 within the general vicinity.
12. Development surrounding the works area of the subject site can be described as follows:
 - To the **north** of the site is a very small interface with an unnamed laneway. Across this laneway is a single storey detached dwelling, 306 Barkly Street, which is setback 18 metres from its back fence and 23 metres from the proposed works area.
 - To the **south** of the site is the school's Moore Street frontage, with only modest interface with the proposed works area. Across Moore Street, which is a local street bisected by a median strip, are single storey detached dwellings.
 - The **east** of the site is fully bordered by existing school buildings, providing a substantial buffer between the proposed works and the early learning centre at 89-91 Moore Street adjoining the school to the east.
 - To the **west** of the site is the Princes Street frontage of the school, which is the main interface of the proposed buildings and works with the school's surrounding context. Across Princes Street is Marian College, a Catholic secondary school.



Municipal Planning Strategy

13. 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 – Regional centre
02.03-5	Urban design, sustainable development
02.03-9	Community infrastructure

Planning Policy Framework

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

Clause 11	Settlement
11.01-1R	Settlement – Central Highlands
11.01- 1L	Settlement – Ararat Rural City
Clause 15	Built Environment and Heritage
15.01-1S	Urban design
15.01-2S	Building design
15.01-5S	Neighbourhood character
Clause 19	Infrastructure
19.02-2S	Education Facilities

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

Zoning and Overlays

General Residential Zone – Schedule 1

16. Pursuant to Clause 32.08-2, a permit is required for any use in Section 2 of the schedule to this zone. However, existing use rights apply the school as it has been in operation on site since 1963. Therefore, a permit is not required for the use of the land for a primary school.
17. Pursuant to Clause 32.08-9, a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.05 – Signage

18. Pursuant to Clause 52.05, no permit is required to remove a sign. There is no current proposal to replace the school identification sign being removed from the site near the corner of Moore and Princes Streets, and therefore Clause 52.05 does not apply to this application.

Clause 52.06 – Car Parking

- 
19. Pursuant to Clause 52.06-5, where an existing use is increased by the measure specified in Column C of Table 1 for the use, the car parking requirements only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.
 20. Therefore, the provision of car parking does not apply to this application as the number of students and staff are not proposed to change because of this application and the existing provision of car parking currently being provided is not being altered as part of this application.

Clause 52.17 – Native Vegetation

21. It is not proposed to remove any native vegetation from the site. Therefore, Clause 52.17 does not apply to this application.

Clause 52.34 – Bicycle Facilities

22. The statutory requirements for the provision of bicycle facilities do not apply to this application as the numbers of students and staff are not proposed to change because of this application.

General Requirements and Performance Standards

Clause 53.18 – Stormwater Management in Urban Development

23. Pursuant to Clause 53.18-1, an application to alter, extend or make structural changes to an existing building is exempt from the requirements of Clause 53.18 provided the gross floor area of the building is not increased by more than 50 square metres. Given that this proposal will result in an overall reduction in gross floor area, this clause does not apply.

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.



Referrals

25. No statutory referrals are required for this application.

Municipal Council Comments

26. On 25 January 2024, Ararat Rural City Council (the council) confirmed it offered no objection to the application and did not wish to include any conditions within the recommendation.

Notice

27. The application is not 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 32.08-13.

28. However, the application was not advertised other than to the municipal authority under section 52(1)(b) as it was considered that grant of the permit would not cause material detriment to any other person, because:

- the proposed new building is setback at least 23m from the nearest dwelling, and will therefore not result in any visual impact, overshadowing or overlooking
- the proposed works are minor and will not impact the amenity of the area noting that the only trigger is under the GRZ and there is no heritage overlay, and
- there is no change in use proposed.



Planning Policies

30. The application seeks approval for buildings and works to construct a new building associated with the existing school which will improve the capacity of the school to cater to the future needs of the local community, maintain a source of local employment, and contribute to 20-minute neighbourhoods (Clauses 15.01-1S, 17.01-1S, 19, 19.02-2S).
31. The proposal will be developed in association with the existing school which has existing use rights. The proposal will improve the facilities for the existing school community noting that there will be no change in student or staff numbers as a result of the proposal. Accordingly, the proposal maintains land use compatibility with the surrounding area (Clause 13.0-7-1S).
32. The proposed built form, scale, siting and appearance of the development is appropriate for the context, introducing a modern building style while respecting the existing neighbourhood character. The materials and architectural style are modest and non-intrusive, and have respect for the existing heritage buildings opposite the site at Marian College (Clauses 15.01-2S, 15.01-5S).
33. The building design has incorporated a number of ESD principles, for example, maximisation of natural ventilation through the central courtyard and window placement, deep canopy and eaves to prevent sun penetration into the building during the warmer season and use of light-coloured roof products (Clauses 02.03-5 and 15.01-2S).
34. The proposal aims to continue and prolong the integration of education and early childhood facilities with local and regional communities (Clause 19.02-2S).
35. The subject site is not located within an area designated for bushfire risk or cultural heritage sensitivity (Clause 13.02-1S and Clause 15.03-2S).
36. Overall, it is considered that the proposed development is consistent with the relevant policies of the Ararat Planning Scheme.

Land Use and Built Form Issues

General Residential Zone – Schedule 1

37. The proposal meets the purpose (as relevant) of the GRZ to allow educational uses to serve local community needs in appropriate locations.
38. The proposal is an appropriate response to the site considering the built form and landscape context and is not expected to have a detrimental impact on the amenity of surrounding land, noting the lack of any particularly sensitive interfaces. The development appropriately responds to the decision guidelines for building and works in the GRZ1 as follows:
 - The proposal seeks approval for the construction of a single storey building. The proposed scale and intensity of the proposal is considered to be in keeping with the surrounding built form, noting the existing character of single storey buildings within the existing school grounds and within the immediate surrounds.
 - The proposed new school building has been appropriately located within the site as a refurbishment of the facilities along its principal frontage on Princes Street. The proposal seeks to increase the setbacks from Princes Street and a small section of Moore Street and accommodate landscaping along these frontages, which will enhance the amenity of the neighbourhood. The small section of the site with a shelter to be demolished and proposed for landscaping near the corner of Princes Street and the unnamed laneway will improve the amenity of the laneway and add visual interest without causing any detrimental impact on the property across the laneway to the north.
 - The proposal adopts a contemporary architectural approach, with a modular form and sloped roof. The design incorporates materials such as native timber cladding and metal cladding, with significant glazing

facing the proposed courtyard. These are considered to be acceptable, contributing to incremental modernising of the school and other nearby buildings without clashing with existing styles.

- Landscaping is discussed in detail below.
- The proposal does not make any alterations to car or bicycle parking or loading and refuse collection and is therefore not considered to impact on the amenity and traffic of the surrounding area.

Environmental

Environmentally Sustainable Design (ESD)

39. Stormwater management is not required to be considered for this application, as the buildings and works proposed will decrease gross floor area and thus Clause 53.18 does not apply.
40. A range of ESD principles have been incorporated into the design, as discussed earlier in this report.

Tree Removal and Landscaping

41. The set of plans supporting the application also includes a proposed landscape plan (TP06), which provides an indicative overview of the proposed landscaping. Overall, to the extent of the detail shown in this plan, the proposed landscaping appears to be acceptable, however it is considered that amendments to this landscape plan should be required as a condition to the permit in order to provide further detail regarding the changes to the existing landscaping. It is recommended that the following amendments be required in a permit condition:
- a) A survey of all vegetation to be removed and retained and a schedule of all vegetation to be planted, including species, size and extent of tree protection zones
 - b) Labelling of specific plants on the landscape plan
 - c) Details of surface finishes of all landscaped areas and pathways
42. The proposal was supported by a Tree Impact Assessment report prepared by Taylor Arboriculture dated 20 September 2023. The arborist report provided an assessment of two native trees: a Spotted Gum and a Narrow-leaved Peppermint, identified as Tree 1 and Tree 2 respectively. The report provided two options as recommendations, with a preference for removing both trees and replacing them with better specimens (option 1). The alternative (option 2) is retaining both trees and ensuring strict methods of demolition and construction and retention of the raised garden bed to protect them during development.



Figure 4: Trees 1 and 2

Source: Tree Impact Assessment (Taylor Arboriculture)

43. The permit applicant has decided to take option 2 and retain both trees, integrating them into the proposed landscape plan. As such, DTP's standard tree protection condition will be included on the planning permit to ensure the trees are protected through the period of works through the enforcement of tree protection zones of 5.64 metres and 8.28 metres for Tree 1 and tree 2 respectively.



Figure 5: Photo of existing landscaping condition taken from Princes Street

Source: Site Photos (Myers Planning & Associates)



44. The proposal is generally consistent with the relevant planning policies of the Ararat Planning Scheme and will enhance the education facilities on-site.
45. The proposal has received no objection from Ararat Rural City Council.
46. It is **recommended** that Planning Permit No. PA2302636 for buildings and works at 87 Moore Street, Ararat, be issued and the architectural plans prepared by Law Architects dated August 2023 be endorsed concurrently, except for sheet TP06 entitled 'Proposed Landscape Plan', which will be assessed separately as a landscape plan.
47. 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: [REDACTED]

Title: Planner, Development Approvals and Design

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 30 January 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]

Title: Manager, Development Approvals and Design

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 2 February 2024