

Officer Assessment Report

PA2302282 –

51 Centre Road, Vermont



Officer Assessment Report
Development Approvals & Design

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Prepared by:	19
Reviewed / Approved by:	19

Executive Summary



Key Information	Details		
Application No:	PA2302282		
Received:	2 June 2023		
Statutory Days:	35 days		
Applicant:	Hansen Partnership		
Planning Scheme:	Whitehorse Planning Scheme		
Land Address:	51 Centre Road, Vermont		
Proposal:	Construct a building and construct and carry out works associated with an existing primary school, removal of vegetation and display and display of business identification sign.		
Development Value:	\$3,340,000m		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Whitehorse Planning Scheme, the Minister for Planning is the responsible authority for this application because: - Primary school or secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, if any of the following apply: - The estimated cost of development is \$3 million or greater.		
Cultural Heritage:	The subject site is not located within an area of cultural heritage sensitivity.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.09-9	Neighbourhood Residential Zone – Schedule 2	Buildings and works associated with a Section 2 Use (Primary School).
Overlay:	Clause 42.03-2	Significant Landscape Overlay – Schedule 9	Removal of vegetation and works within 4 metres of protected trees
	Clause 52.05-13	Advertising Signs	Display of a business identification sign within a Category 3 area (Neighbourhood Residential Zone).
Particular Provisions	Clause 53.19	Non-government schools	N/A
Total Site Area:	21,010	m²	
Gross Floor Area:		m²	
Height:	2	Storeys excluding plant – due to the slope of the land	
	6.9	Metres excluding plant	
Referral Authorities:	Whitehorse City Council – section 52 notice (no objection, subject to conditions)		
Public Notice:	Notice was given and one objection was received		
Recommendation	Grant planning permit PA2302282 and notify council, the applicant and objectors of decision in writing.		



1. The application proposes to construct a new administration building that will be visible along the Centre Road frontage, within the school campus. Details as follows:
 - A new single storey administration building with a gross floor area of 295 sqm is to be built, south of the existing main building. The building has a maximum height of 6.9 metres and is set back 7.7 metres from Centre Road. The building is of contemporary and modular design by Harmer Architecture, utilising aluminium.
 - The proposed building is sited a substantial distance from neighbouring properties.
 - There are 3 native trees (Trees 7, 8 and 12 which are above 5 metres tall) proposed for removal. The proposed administration building is accessible from Centre Road, the gravel car parking area to the west, and the existing driveway to the east.
2. In addition to the new building, additional ancillary works are proposed which involve:
 - A new vehicle crossing is proposed to the existing car parking area and single dwelling on the south-west corner of the subject site. The accessway is located on the western edge of the site, and results in the removal of one (1) on-street space.
 - The existing car parking area is proposed to be rearranged and modified to provide 2 accessible car parking bays. The car parking area will not be resurfaced or line-marked. The rearrangement and modification does not result in a change to the total number of car parking spaces (30). The car parking is and will continue to be for staff only.
 - A new electronic gate to the existing car parking area. The gate will be used only by school staff before and after school drop-off/pick-up periods, and by waste collection contractors every Thursday outside of school hours of operations.
 - Signage is proposed to be fixed to the exterior wall of the new administration building. The proposed signage will display the name and logo of the school. The sign will not be internally illuminated nor comprise any external lighting.
 - The existing sand pit playground and sail shade area, and the gravel driveway, are proposed to be demolished, which does not trigger planning permit.
 - The metal boundary fencing along Centre Road is to be modified to suit the proposed electronic vehicle access gate.
3. The applicant has also confirmed that there are no proposed changes to the number of staff and student enrolments nor school hours of operations. It will remain at a maximum of 43 staff and a maximum of 350 students.
4. The applicant has provided a concept image of the proposal below:

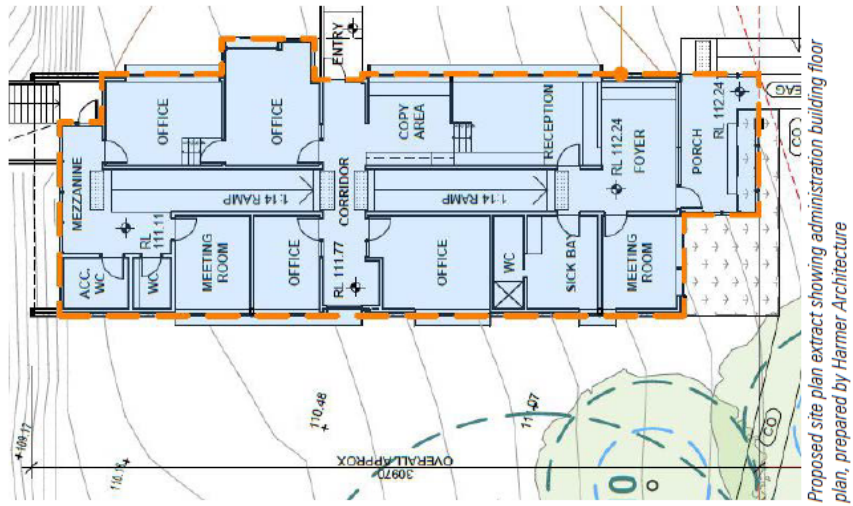


Figure 1: new building floor plan

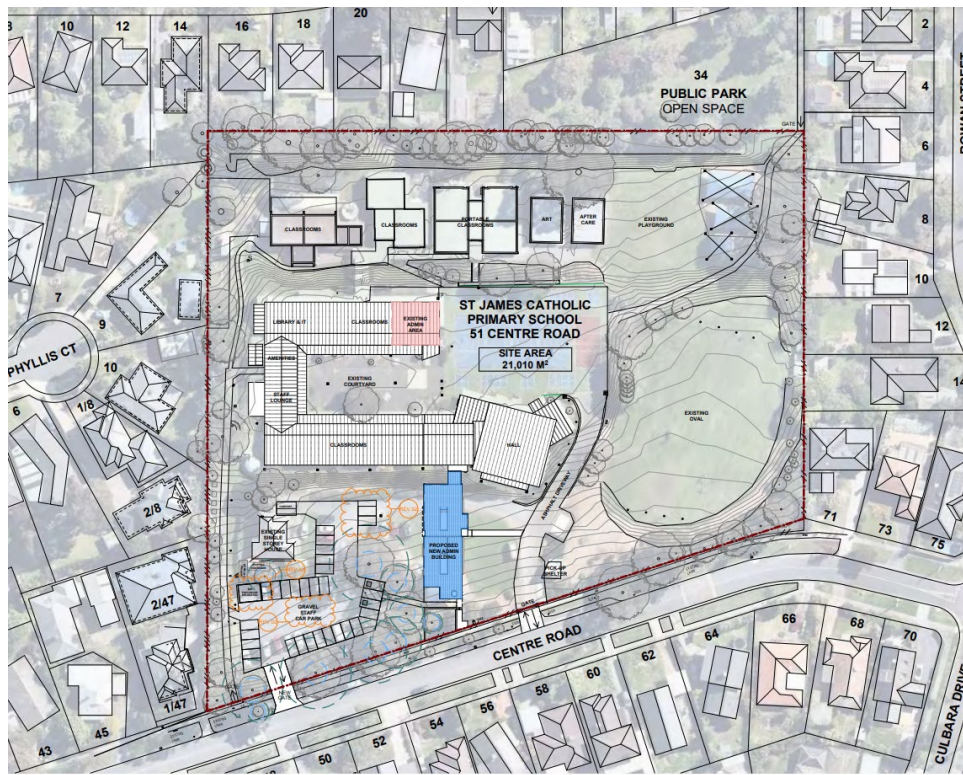


Figure 2 new building floor



Figure 6: Concept image of proposal



Site Description

1. The site is trapezoidal in shape, with an overall lot size of 21,010m² and is located in a residential area in the eastern part of Vermont (Figure 1), which is approximately 21km east of the Melbourne CBD.
2. The site is located on a gradient that rises from north to south. The site currently contains St James Primary School.
3. St James Primary School occupies the site with a maximum of 43 staff and 350 students.
4. The subject site and school campus currently accommodates the following facilities:
 - 15 classrooms (including portables);
 - Staff and office rooms;
 - A library;
 - Amenities areas;
 - A multi-purpose hall with kitchen and storage rooms;
 - Courtyards (including a hard court);
 - Playground areas;
 - An oval.
5. There is a single storey weatherboard parish building with a carport and two shipping containers that are visible along the Centre Road frontage.
6. There is a bin enclosure and a gravel car parking area with 30 spaces located on the south-western corner of the subject site, which are accessible via a gravel driveway from the existing driveway. It is noted that the provision of car parking at the site is used for school staff only and is based on the number of students.



Figure 1: Site plan/ aerial (Source: applicant submission)



Subject site / proposed development area

Figure 2: Subject site (Source: applicant submission)

Site Surrounds

8. The surrounding development consists mainly of residential dwellings at one and two storeys, typically of brick construction, and contain a range of architectural styles ranging from post-war to contemporary designs.
9. St James Primary School is also appropriately serviced by other amenities and services including:
 - Local shops and the Vermont General Store cafe located approximately 200 metres to the south-west of the subject site, on the corner of Centre Road and Beddoe Avenue.
 - Eastmont Pre-School, located at 32 Frank Street, north of the subject site, which serves as the local kindergarten in the eastern part of Vermont.
10. Development surrounding the site can be described as follows:
 - **North** –These include the secluded private open space (SPOS) associated with single storey dwellings facing Frank Street, and 34 Frank Street, which provides
 - pedestrian access to St James Primary School from Frank Street.
 - **South** – Centre Road and directly opposite are several sites containing detached single dwellings.
 - **West** –47 Centre Road and the SPOS associated with dwellings within Phyllis Court comprising of dwellings.
 - **East** –71 Centre Road and the SPOS of dwellings facing onto Rowan Street. These sites contain single detached dwellings.



34 Frank Street, to the north (rear) of the subject site



56 and 58 Centre Road, to the south (opposite) of the subject site



1/47 Centre Road, to the west of the subject site



71 Centre Road, to the east of the subject site

Figure 3: buildings in the vicinity of the site (Source: applicant submission)



Planning Policy Framework

11. The Planning Policy Framework (PPF) provides the broad policy direction within the Victoria Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this application:

- Clause 12.05-2S (Landscapes) seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.
- Clause 15.01-2S (Building Design) seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
- Clause 15.01-5S (Neighbourhood Character) seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- Clause 19.02-2S (Education Facilities) seeks to assist the integration of education and early childhood facilities with local and regional communities.

Local Planning Policy Framework

12. The Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) within Planning Schemes across Victoria outline principal characteristics of a given municipality (municipal profile) and provide specific visions, goals, objectives, strategies and implementation plans.

13. The following clauses are relevant

- Clause 21.01 (Municipal Profile) notes that Whitehorse is *characterised by pleasantly undulating topography, with some steeply sloping areas, enhanced by a range of native and exotic landscapes.*
- Clause 21.03 (A Vision for the City of Whitehorse) sets down the following vision: We aspire to be a healthy, vibrant, prosperous and sustainable community supported by strong leadership and community partnerships. It also sets the following relevant strategic directions:
 - *Support a healthy, vibrant, inclusive and diverse community;*
 - *Maintain and enhance our built environment to ensure a liveable and sustainable city; and*
 - *Protect and enhance our open space and natural environments.*
- Clause 21.05 (Environment) outlines the strategic direction for the natural and built environment in Whitehorse. Clause 21.05 highlights the following key issues that are relevant to the application: *promotion of vegetation protection and regeneration, promotion of design excellence, visual amenity, streetscape planting, and waste management and litter reduction.*
- Clause 21.06-7 (Non-Residential Uses) highlights a key issue relevant to the application, which is: Ensuring non-residential uses are designed in a way that integrates these uses and their built form into their residential environments and that there is no detriment to the community or the surrounding residential amenity. Clause 21.06-7 has the following relevant objectives:
 - *To ensure buildings for non-residential uses are designed to integrate with and respect the surrounding neighbourhood character.*
 - *To ensure that non-residential uses do not cause detriment to the community or the amenity of the surrounding residential area.*
- Clause 22.04 (Tree Conservation) is a local policy that applies to all land in Whitehorse. Clause 22.04 provides policy guidance on tree retention, and buildings and works near existing trees. Clause 22.04 has the following relevant objectives: To improve the tree canopy cover in residential areas across the municipality.
 - *To protect and strengthen the preferred neighbourhood character of residential areas within the municipality.*
 - *To recognise the positive contribution of tree canopy to development and built form outcomes.*
 - *To assist in the management of the City's tree canopy by ensuring that new development minimises the loss of significant trees.*
 - *To identify techniques to assist in the successful co-existence of trees and new buildings or works.*

- *To promote the regeneration of trees through the provision of adequate open space and landscaping areas in new development.*

Operational Provisions

Clause 71.02-3 – Integrated decision making

14. Clause 71.02-3 outlines that planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Statutory Planning Controls

15. ZoningThe subject site is located within a Neighbourhood Residential Zone – Schedule 3 (NRZ3).
16. A planning permit is triggered for the proposal pursuant to Clause 32.09-9 for buildings and works associated with a Section 2 use (primary school).:

Significant Landscape Overlay – Schedule 9 (SLO9)

17. The subject site is wholly affected by SLO9.
18. A planning permit is triggered for tree removal (Trees 8, 9, 11) and works within 4m of protected trees under the provisions of SLO9.

Particular Provisions

Clause 52.05 – Advertising Signs

19. The application involves displaying a business identification sign.
20. A planning permit is triggered for the proposal pursuant to Clause 52.05-13.

Clause 53.19 – Non-Government Schools

21. Clause 53.19 applies to use or 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.
22. 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.



Municipal Council Comments

23. Notice of the application was given to Whitehorse council under section 52(1)(b) of the Act, who did not object to the application, subject to conditions.
24. Council officers support the following items:
- The need to expand the education facility is supported on principle.
 - The building appearance and architectural expression, being robust and of architectural merit.
25. Council officers are not supportive of the following which can be addressed under conditions:
- SLO9 permit triggers originally not included. The application/permit preamble does not include correct permit triggers under Clause 42.03 -2 of the Significant Landscape Overlay Schedule 9 for removal of protected trees 7, 8 and 12 and buildings and works within 4m of protected trees 9, 10 and 11 Tree impacts There are high levels of TPZ intrusion identified within tree 1 (21.37%), tree 3 (22.64%) and tree 4 (12.37%) and tree 11.
 - Details of how the new vehicle crossover and modified car park will be constructed should be provided on plans and included under permit conditions to minimise impacts within these trees in accordance with recommendations within the Arborist report prepared by Howell Arboriculture Consultants (version 3, dated 22/5/2023).
 - Amended plans are recommended under permit conditions to show the location of earthworks or cut and fill within TPZ of existing trees in accordance with consultant arborist report recommendations.
 - A Landscape plan is required under conditions of permit to include canopy tree replacement to offset the loss of existing canopy trees and landscape planting around the periphery of the car park and new building.

Traffic

- Waste collection is recommended outside school hours.
- The gravel car park should be sealed with all-weather surface (e.g asphalt) with drainage, kerbing (to minimise tree impacts) and line marking to all designated staff parking spaces, any location of 'no parking' areas for waste vehicle access and DDA parking.

Applicants' response to council comments

26. The applicant has responded to the council's comments, as follows:
- *Amended application for to include the removal of trees 7, 8 and 12 trigger a permit under the SLO9 as these trees are at least 5 metres high.*
 - *Submission of a revised arborist report prepared by Howell Arboriculture Consultants, dated 13 September 2023.*
 - *Line 9.6 and chapter 10 in the revised arborist report provide tree protection measures for tree 11 to remain viable during construction and into the long-term.*
 - *Assessments of the adequacy of the proposed setbacks of works to the relevant trees are provided in chapter 9 of the revised arborist report.*
 - *Justification for the removal of trees 7, 8 and 12 is provided in lines 8.4, 9.4 and 9.7 in the revised arborist report.*
 - *Tree protection measures are provided [within the] revised arborist report.*



Figure 4: tree structural root zones nominated (source: arborist report)

27. The overall justification presented in the revised arborist report for the removal of trees 7, 8 and 12 are supported for the following reasons:

- The application involves the removal of 'Low' or 'No' retention valued trees. These are recommended for removal to facilitate the best possible tree related cost/benefit scenario throughout the works.
- Tree 12 is located upon an embankment, this specimen is of good health with a poor structure and should not be retained. This specimen is planted vegetation and does not require a permit under clause SLO9.

28. The proposal will see 23 carpark bays, an existing sand pit & playground, along with an existing gravel road removed. The existing carpark will then be reinstated along with a new proposed crossover & and a admin building constructed. It is considered not required to have this car park sealed.

Notice

29. The application was advertised via letters to adjoining land owners and occupiers as well as display of a notice on the Centre Street frontage.

30. One objection has been received which raised concerns in relation to:

Constant development at the school without any consideration for the drainage upgrade for the whole site. With concern relating to the further increasing the ground hard surface and increasing intensity of run off. Reports that the half round drain and the outlet structure constantly overflows in periods of heavy storms resulting in flooding of the properties along the northern (western) corner boundary.



Key Policy Issues

Planning Policies

31. The state planning policies encourage appropriate land use and development that considers demographic trends, existing and future demand requirements and the integration of facilities into local and regional communities in planning for the location of education and early childhood facilities (Clause 19.02-2S).
32. The proposal is consistent with the planning policies which seek to facilitate the establishment and expansion of primary education facility to meet the existing and future education needs of communities. Policy also recognises 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) (Clause 19.02-2S).
33. The proposal is consistent with the planning policies for an existing education facility by ensuring that new development has been sited and designed to respect adjacent buildings and is compatible with the surrounding residential area (Clause 13.07-1L-01).
34. The building is built-for-purpose school buildings and incorporate a traditional and modest two storey building design that is compatible with the surrounding context.
35. The proposed signage is located on the face of the building and is classified as business identification signage with no animation, bunting or fluorescent or reflective paints (Clause 15.01-1L), and has been integrated within the overall building design.
36. The removal of trees onsite is acceptable given the majority of trees in this location will be retained and the vegetated streetscape character will be maintained which responds to the objective of the SLO9.
37. Overall, it is considered that the proposed development is consistent with the relevant policies of the Scheme.

Land Use and Built Form

Neighbourhood Residential Zone – Schedule 3

38. The proposal involves a new building and works to the existing school which with the decision guidelines of the NRZ3.
39. In particular:
 - A permit is required for the proposed buildings and works given they are associated with the school (a section 2 permit required) land use. It meets the purpose (as relevant) of the NRZ to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
 - The proposal is an appropriate response to the site and neighbourhood character and will have minimal impacts on the amenity of surrounding residential land.
 - The proposed 2 storey building height is not a significant deviation from the 1-2 storey buildings in the area and is generally consistent with the scale of existing school buildings.
 - The proposal is capable of achieving an appropriate landscaping outcome, as noted below, consistent with the objectives of Clause 21.06-7 and SLO9, as noted below.
 - Car parking, waste collection and vehicle arrangements are not altered.
 - Student and staff numbers are not increased, and therefore will be no increase to traffic impacts.

- [illegible]

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3D RENDER - NEW ADMINISTRATION BUILDING
SOUTH VIEW

Figure 8 – street frontage

Amenity Impacts

49. The proposed building will create additional shadow compared with existing conditions. However, this will fall within the subject site boundaries (predominantly over the existing car park) as shown on shadow diagrams for 22 September submitted by the applicant. There will be no impact on neighbouring dwellings at the equinox.
50. There are no residential dwellings within proximity to the new building, therefore no new overlooking or amenity impacts are created.
51. Standard permit conditions will ensure that the amenity of the surrounding area is maintained with respect to noise and light spill.

Landscaping

52. The landscape plans show landscaping which is supportive of the new building and car park space. which is considered acceptable. In addition, a number of existing trees to the south of the car park will be retained which will provide some screening and softening of the built form.
53. The proposed trees for removal (7, 8 and 12) have low retention values, according to the arborist's assessment. Trees 7 and 8 are assessed to be majorly intruded by the proposed ramp, and tree 12 has been assessed to have a poor structure as detailed in the arborist report.
54. The arborist report confirms the works will be excluded from the structural root zone of Tree 11, including the proposed accessible parking bays, and therefore will not impact the long term health of that protected tree.
55. The proposed concrete path from the existing car parking area to the new administration will not have a significant impact on the retained trees.
56. There is sufficient space for the planting of new trees around the new administration building and within the subject site.
57. The proposed removal of trees will not significantly diminish the bush suburban character in Vermont.
58. Overall, the proposal provides a balance of retained and proposed landscaping and generally responds to the SLO9, Clause 21.06 (Built Environment and Heritage) and Clause 21.04 (Environment and Landscape Values) which seek to protect the natural landscape and neighbourhood character.



Traffic, Car Parking and Bicycle Facilities

59. The application is supported by traffic report prepared by OneMileGrid.
60. The proposed accessway complies with the design standards specified in Clause 52.06-9 of the Whitehorse Planning Scheme. The traffic report confirms the modified layout of the existing staff-only car parking area is capable of entering and exiting the site in a safe and efficient manner.
61. The new accessway for the existing car parking area readily provides for vehicle capable of entering and exiting in a forward direction, and access for waste vehicles when collection is undertaken outside of school hours of operations.
62. The removal of 1 on-street car parking space will not adversely impact the on-street pick up/drop-off arrangements.
63. The proposed accessway will not have any material impact to traffic conditions in the vicinity of the site.
64. The proposed electronic access gate and vehicle crossover will operate with the same arrangement as the existing access, and is not expected to generate any additional traffic or queuing impacts.
65. It is considered that the proposal will result in negligible change to traffic generation compared with existing conditions given there is no increase to staff or student numbers This responds to planning policy which seeks to ensure that traffic generated by the use is appropriate to the street and the locality and will not adversely affect existing traffic patterns and safety.

Clause 53.18 (Stormwater Management in Urban Development)

66. The application is supported by a Water Sensitive Urban Design (WSUD) response prepared by Makao Group. The development provides an appropriate response to Clause 53.18 (Stormwater Management in Urban Development) for the following reasons:
67. A 5,000 L rainwater tank is proposed for the new administration building. The rainwater will be collected from the new roof area, allowing for on-site detention and reuse, as well as reducing potable water use.
68. The development achieves a 123% STORM Rating, indicating it will meet current best practice performance objectives for stormwater quality.
69. Existing lawns and the staff-only gravel car parking area are permeable areas provided within the subject site.
70. A permit condition will ensure that the proposed sustainable design elements are implemented.

Business Identification Signage

71. Pursuant to Clause 52.05-13, a planning permit is required for a business identification sign within a Category 3 area (NRZ). It is considered that the proposal is consistent with the following purpose of Clause 52.05.
72. In considering the relevant decision guidelines outlined in Clause 52.05-8, the proposed sign is appropriate for the following reasons:
 - The size of the proposed sign will not detract from the semi-natural bush suburban character of Vermont.
 - The proposed sign will not impede views on the landscape nor other signage in its vicinity, being fixed on the external wall of the new administration building.
 - The siting of the proposed sign will avoid the cluttering of signage along Centre Road.
 - The proposed sign will not have any internal or external illumination.
 - The position of the proposed sign on the new administration building will not overwhelm existing buildings or the natural landscape along Centre Road.
 - The proposed sign will not have an impact on road safety, as it will not be visible to drivers, being sited over 10 metres from the Centre Road frontage.

Response to submitter concerns



73. The submitter to the application raised concern with existing drainage problems with the site. This application is for a single dwelling and works to the car park in a small portion of the overall school site.
74. It is not the role of this planning application to remedy existing draining concerns across this existing land use.



75. The development is generally consistent with the relevant planning policies of the Whitehorse Planning Scheme and will contribute to the provision of education facilities within the area.
76. Whitehorse City Council has been notified of the proposal and their comments have been considered through this assessment.
77. It is **recommended** that:
- Planning Permit No. **PA2302282** to construct a building and construct and carry out works associated with an existing primary school, removal of vegetation and display and display of business identification sign, subject to conditions.
 - The applicant, council and submitter be notified of the decision 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: Senior Planner, Development Approvals and Design

Signed:

Phone:

Dated: 19 December 2023

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**.
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- ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title: Senior Planner, Development Approvals and Design

Signed:

Phone:

Dated: 21 December 2023