

# 33 Raymond Street, Ashwood

PA2201986



Officer Assessment Report  
Development Approvals & Design

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## Contents

<b>Executive Summary</b>	<b>2</b>
<b>Proposal</b>	<b>4</b>
<b>Subject Site and Surrounds</b>	<b>6</b>
<b>Planning Provisions</b>	<b>8</b>
<b>Referrals and Notice</b>	<b>11</b>
<b>Assessment</b>	<b>12</b>
<b>Recommendation</b>	<b>19</b>

# Executive Summary



Key Information	Details		
<b>Application No:</b>	PA2302360		
<b>Received:</b>	12 July 2023		
<b>Statutory Days:</b>	1 (31 January 2024)		
<b>Applicant:</b>	Frank Dando Sports Academy Association Ltd c/ G2 Urban Planning		
<b>Planning Scheme:</b>	Monash		
<b>Land Address:</b>	33 Raymond Street, Ashwood		
<b>Development Value:</b>	\$ 4.7 million		
<b>Why is the Minister responsible?</b>	<p>In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because:</p> <p>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:</p> <ul style="list-style-type: none"> <li>• There is no existing primary school or secondary school on the land.</li> <li>• The estimated cost of development is \$3 million or greater.</li> </ul>		
<b>Why is a permit required?</b>	<b>Clause</b>	<b>Control</b>	<b>Trigger</b>
<b>Zone:</b>	Clause 32.08-2	General Residential Zone – Schedule 3 (GRZ3)	Use of the land for an education centre (secondary school)
	Clause 32.08-10	General Residential Zone – Schedule 3 (GRZ3)	Construct a building or construct or carry out works associated with a Section 2 use
<b>Overlays:</b>	N/a	N/a	N/a
<b>Particular Provisions:</b>	Clause 52.06	Car Parking	Reduction to the car parking requirements
	Clause 52.05	Signage	Display business identification signage
<b>Cultural Heritage:</b>	<p>The site is located within an area of Cultural Heritage Sensitivity. Despite this, The Aboriginal Heritage Regulations 2018 exempt the proposal from requiring a CHMP as follows:</p> <p>Regulation 46 states:</p> <p>(1) <i>The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—</i></p> <p style="padding-left: 40px;">(a) <i>would result in significant ground disturbance; and</i></p> <p style="padding-left: 40px;">(b) <i>is for, or associated with, the use of the land for any one or more of the following purposes</i></p> <p>An education centre is a high impact activity.</p> <p>Sub regulation 3 then states:</p> <p><i>Despite sub regulation (1), the construction of a building or the construction or carrying out of works on land is not a high impact activity if it is for, or associated with, a purpose listed under sub regulation (1)(b) for which the land was being lawfully used immediately before 28 May 2007.</i></p> <p>As an education centre is a purpose listed under sub regulation 1 and it was lawfully established before 2007 then it is not a high impact activity and a CHMP is not required.</p>		
<b>Total Site Area:</b>	868	m <sup>2</sup>	



<b>Gross Floor Area:</b>	585	m <sup>2</sup>	
<b>Height:</b>	3	Storeys excluding plant	
	10.58	Metres excluding plant	
<b>Parking:</b>	<b>Cars</b>	<b>Motorcycles</b>	<b>Bicycles</b>
	7	0	14
<b>Referral Authorities:</b>	N/a		
<b>Advice sought:</b>	Monash City Council		
<b>Public Notice:</b>	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner: <b>One</b> objection has been received as of <b>31 January 2024</b> .		
<b>Delegates List:</b>	Approval to determine under delegation received on <b>31 January 2024</b>		



## Application Process

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

Milestone	Date
Application lodgement	12 July 2023
Further information requested	27 July 2023
Further information received	3 November 2023
Amendment	On 17 January 2024, the application was amended in accordance with Section 57a of the Planning and Environment Act 1987 to include the use of the land for an education centre.
Decision Plans	<ul style="list-style-type: none"><li>Plans prepared by Smith and Tracey Architects, titled 'Frank Dando Sports Academy', dated 3 November 2023</li><li>Landscape Plan prepared by RDLA dated 18 October 2023.</li></ul>
Other Assessment Documents	<ul style="list-style-type: none"><li>Planning Report prepared by G2 Urban Planning dated July 2023</li><li>Sustainable Design Assessment prepared by Sustainable Development Consultants dated November 2023.</li></ul>

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

## Proposal

3. The proposal seeks approval for the use of the land for an education centre and the construction of a three storey building comprising:

- Semi-basement comprising carparking (total of 7 car spaces) accessed via the laneway, storage, waste, bicycle parking and laundry/washroom facilities. The site falls about 3m to the rear which enables the car park to be constructed under the building's ground floor at the lower part of the site to the rear.
- Ground floor comprising a café/dining area, resistance, dojo and ninja training areas.
- First floor comprising six classrooms, office and staff facilities.

The existing buildings on the site will be demolished, noting that no planning approval is required for demolition.

4. The proposed building has a:

- ground floor area of 585m<sup>2</sup>, first floor area of 571m<sup>2</sup> and a total floor area of 1,156m<sup>2</sup> (current floor area is 483m<sup>2</sup>).
- site coverage of 65% and permeable area of 25%.
- front setback of 6.1m to 5.6m; north boundary setback of 1.7m to 31 Raymond Street; 0.9m setback to the adjoining lane and 3.2m setback to the rear boundary.
- façade height of 7.7m that increases at the rear to 10.85m where the site falls away.
- materials schedule that includes metal finish in basalt colour, glazing and porch entry with lighter surf mist colour painted finish at the lower portions.

5. The new school building will accommodate a total of 70 students and 7 staff.

6. The proposal also seeks approval for business identification signage to the front (east) elevation of the building.

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



Figure 1: 3D render from corner of 33 Raymond Street and the laneway, Ashwood Source: Applicant

# Subject Site and Surrounds



## Site Description

8. The subject site is located on the western side of Raymond Street, Ashwood. The site is generally rectangular in shape with a street frontage of 14.3m and a depth of 50.8m, yielding a total site area of approximately 868sqm. The site falls about 3m to the rear.
9. The site is formally known as Lot 7 on Plan of Subdivision 031288. There is a 3.05m wide drainage and sewerage easement located along the western (rear) boundary (shown as E-1). The site is not subject to any covenants.
10. The site is currently occupied by the Frank Dando Sports Academy. The existing school utilises a double storey building (converted from a dwelling) which comprises brick at ground floor, weatherboard cladding to the first floor with a sloping metal roof. The subject site has extensive site coverage with little vegetation and four car parking spaces provided within the front setback and one sub-standard car space provided adjoining the side laneway.

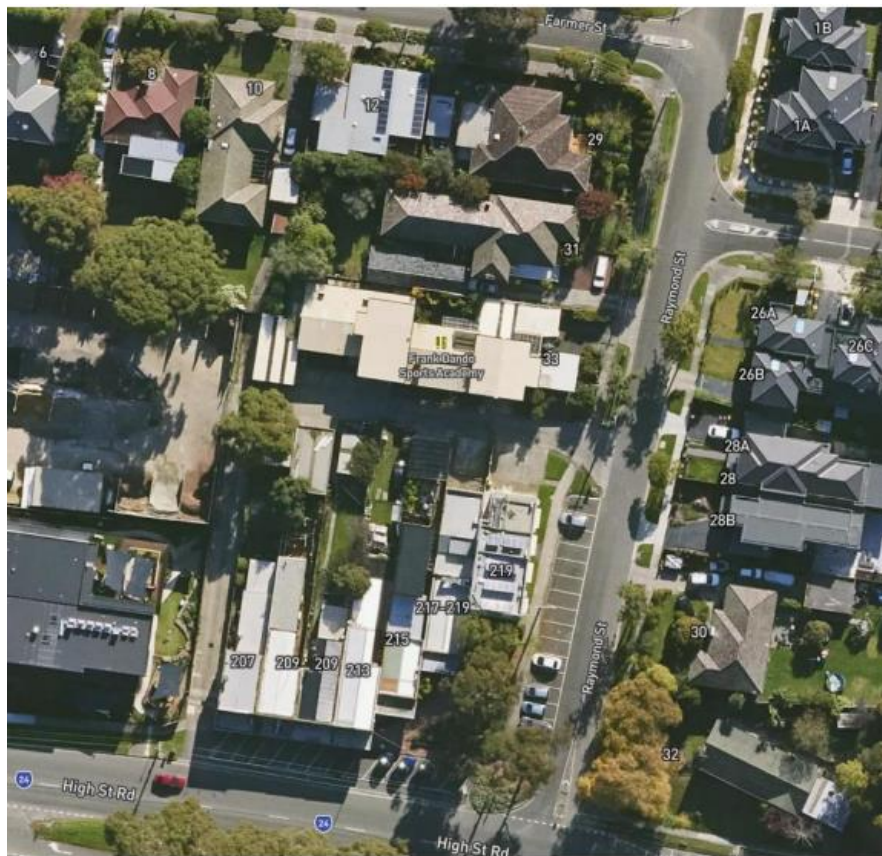


Figure 2: Aerial Image of subject site

## Site Surrounds

11. The subject site is located within a well-established residential area within the General Residential Zone – Schedule 3 (GRZ3). The area is characterised by detached single and double storey dwellings from the original subdivision with generous front and rear setbacks. Some more recent examples of infill development within the surrounding area generally consist of 2-3 storey dwellings.
12. Development surrounding the site can be described as follows:
  - To the **north** of the site: The property adjoins only two residential sites, the side boundary of 31 Raymond Street to the north and the rear portion of 10 Farmer Street to the north-west. 31 Raymond Street is a single storey brick dwelling with vehicle access provided via a single width cross over located to the south of the dwelling (adjoining the subject site).



- To the **south** of the site: there is a laneway adjoining the subject site which provides through vehicle access from Raymond Street to High Street Road. The land adjoining the laneway to the south is commercially zoned which forms part of a local shopping strip fronting High Street Road.
- To the **east** of the site: 26 Raymond Street has been developed with four double storey town houses.
- To the **west** of the site: 189-205 High Street Road is occupied by Daisy's Garden Supplies business. It is also noted that further west land is within the Public Use Zone – Schedule 2 (PUZ2) which is occupied by Ashwood Secondary College.

The site has good access to active transport options being 10 minutes by foot from Jordanville train station, close to the Gardiners Creek bike trail and with bus routes along High Street Road and nearby Huntingdale Road.





## Municipal Planning Strategy

13. 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 11 – Settlement
    - Clause 11.01-1S – Settlement
  - Clause 15 – Built Environment and Heritage
    - Clause 15.01-1S – Urban Design
    - Clause 15.01-1R – Urban Design Metropolitan Melbourne
    - Clause 15.01-2S – Building design
    - Clause 15.01-5S – Neighbourhood character
    - Clause 15.03-2S – Aboriginal Cultural Heritage
  - Clause 17 – Economic Development
    - Clause 17.01-1S – Diversified Economy
  - Clause 18 – Transport
    - Clause 18.02-1S – Sustainable personal transport
    - Clause 18.02-2S – Public Transport
    - Clause 18.02-4S – Car Parking
  - Infrastructure
    - Clause 19.03-3S – Integrated Water Management
    - Clause 19.03-5S – Water and Resource Recovery
14. 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.
15. The following clauses are relevant to this application:
- Clause 21.05 – Economic Development
  - Clause 21.08 – Transport and Traffic
  - Clause 21.13 – Sustainability and Environment
  - Clause 22.03 – Industry and Business Development Character Policy
  - Clause 22.04 – Stormwater Management Policy
  - Clause 22.05 – Tree Conservation Policy
  - Clause 22.08 – Outdoor Advertising Policy
  - Clause 22.09 – Non-residential use and development in residential areas
  - Clause 22.13 – Environmentally Sustainable Development Policy
16. The assessment section of this report provides a detailed assessment of the relevant planning policies.

## Zoning and Overlays

### Applicable Zone/s

#### General Residential Zone – Schedule 3 (GRZ3)

17. Pursuant to Clause 32.08-2, an education centre (secondary school) is a section 2 use and therefore a planning permit is required (refer to existing use rights assessment).
18. Pursuant to Clause 32.08-8, 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.
19. The purpose of the GRZ3 is:



- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The neighbourhood character objectives as set out in Schedule 3 to the GRZ are:

- To support new development that contributes to the preferred garden city character through well landscaped and spacious gardens that include canopy trees.
  - To promote the preferred garden city character by minimising hard paving throughout the site by limiting the length and width of accessways and limiting paving within open space areas.
  - To support new development that minimises building mass and visual bulk in the streetscape through generous front and side setbacks, landscaping in the front setback and breaks and recesses in the building form.
  - To support new development that locates garages and carports behind the front walls of buildings.
20. The following sections include a discussion of how the proposal responds to these requirements.

## Particular and General Provisions

### Provisions that Require, Enable or Exempt a Permit

#### Clause 52.06 – Car Parking

21. Pursuant to Clause 52.06-3, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5. As relevant to this proposal, the applicable rates are as follows:

Use	Rate	Requirement	Proposal
Secondary School	1.2 to each employee that is part of the maximum number of employees on the site at any time.	The proposal is for 7 staff which results in a statutory requirement for 8 car parking spaces.	7 spaces

22. There is a statutory requirement for 8 car parking spaces in total. The proposal includes 7 spaces within the basement and therefore, a permit is required for the reduction in car parking.

#### Clause 52.05 – Signage

23. Pursuant to Clause 32.08-16 (GRZ), sign requirements are at Clause 52.05. This zone is in Category 3.

24. Pursuant to Clause 52.05-13 (Category 3- High Amenity Areas), a permit is required for business identification signage.

#### Clause 52.34 – Bicycle Facilities

25. Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6. As relevant to this proposal, the applicable rates are as follows:

Use	Rate	Requirement	Proposal
Secondary School	1 to each 20 employees	7 employees = 0	
	1 to each 5 pupils	70 students = 14	10



		14	
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26. The proposal includes the provision of 10 bicycle parking spaces within the ground floor basement. A permit condition has been included within the recommendation to ensure that the proposal will comply with the required bicycle parking requirements, as discussed below.

**Clause 53.18 – Stormwater Management in Urban Development**

27. Pursuant to Clause 53.18-3 an application to construct a building or construct or carry out works must meet all of the objectives of Clauses 53.18-5 (Stormwater management objectives for buildings and works) and 53.18-6 (Site management objectives) and should meet all of the standards of Clauses 53.18-5 and 53.18-6. An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system. The application was accompanied by a Sustainable Design Assessment prepared by SDC dated November 2023 and a full assessment is provided below.

**Clause 53.19 – Non-Government Schools**

28. Clause 53.19 applies to applications to use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as a primary school or secondary school.

**Clause 62.05 - Demolition**

29. A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

**Clause 63.05 – Section 2 and 3 Uses**

30. The school has been in operation since 1980 as confirmed by Planning Permit TP1397 for the ‘use of the land for the purpose of the conduct of a school for 20 under achieving boys in the existing judo school’.

31. . Given the land has been used as a school for over 15 years continuously, the permit applicant sought to establish existing use rights associated with the use of the land for an education centre.

•  
32. Pursuant to Clause 63.05, a use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

33. The proposal seeks approval for 7 staff and 70 students. Given there is an implied restriction on the land for 20 students, a permit is required to use the land for an education centre given the proposal will no longer comply with this restriction.

**Clause 71.02-3 – Integrated decision making.**

34. 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.



## Referrals

35. No statutory referrals were required for this application.

## Notice

36. 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 the following provisions:

- General Residential Zone – Schedule 3

37. The applicant was directed to give notice of the original application by way of erecting a sign/s on the site and notifying adjoining owners and occupiers. The Department formed the view (Project Discussion Meeting on 10 January 2024) that the amended application (to include the land use trigger for the education centre) did not require advertising because it would not cause material detriment to any person and noting that notice of the original application was for 'buildings and works to an existing education centre (secondary school), advertising signage and reduction in car parking', which included reference to the use.

38. One objection has been received to date (17 January 2024) from the Monash City Council as outlined below.

## Municipal Council Comments

39. On 1 December 2023, Monash City Council objected to the application. Council's concerns relating to the following matters are addressed in the body of this report:

- Car parking reduction and design including inclusion of an accessible car space and ramp gradient.
- Setbacks including front, rear and side setbacks.
- Built form/neighbourhood character.
- Overlooking to 207 High Street Road and 31 Raymond Street.
- Waste management.
- Kerb and channel.
- Location of the fire booster.



## Planning Policies

41. The application seeks approval for the use of the land for an education centre and the construction of a three storey building to cater to the needs of students, maintain a source of employment, and contribute to 20-minute neighbourhoods (Clauses 15.01-4R, 17.01-1S, 19, 19.02-2S).
42. . The proposal will provide for improved facilities for the existing and new students at the school. Accordingly, the proposal maintains land use compatibility with the surrounding area (Clause 13.07-1S and Clause 22.09).
43. The proposed built form, scale, siting and appearance of the development responds to the varied materiality and character of the mixed residential and commercial area (Clauses 15, 15.01-2S, 15.01-5S, 21.05-7). A full assessment is provided below.
44. The development includes water sensitive urban design (WSUD) measures to support a cooler environment and minimise impacts of stormwater runoff (Clause 15.02-1S and Clause 19.03-3S).
45. Clause 15.03-2S seeks to ensure the protection and construction of places of Aboriginal Cultural Heritage significance. A CHMP is not required in accordance with the Aboriginal Heritage Act 2006.
46. Overall, it is considered that the proposed use and development is consistent with the relevant policies of the Monash Planning Scheme

## General Residential Zone – Schedule 3

47. The proposed use and development of the land for an education centre (secondary school) meets the purpose (as relevant) of the GRZ to allow educational uses to serve local community needs in appropriate locations.
48. The land has been occupied by an education centre since 1990 when the original permit was issued. The key considerations for this application are the intensification of the land use and the increase in built form on the site, as outlined below.
49. Clause 22.09 and the GRZ3 outline a number of decision guidelines for non-residential uses. The proposed use of the land as an education centre is considered to respond appropriately as follows:
  - The proposed land use is considered to be compatible with the surrounding mixed residential and commercial uses/zoned land, noting that a school has operated on the site since 1990. Education centres co-located in residential areas contribute to 20-minute neighbourhoods noting that there are other established schools nearby:
    - i. Ashwood Secondary College
    - ii. Essex Heights Primary School
    - iii. Ashwood School
  - The use of the land as an education centre services local community needs by providing education facilities to surrounding residents.
  - The proposal seeks to intensify the development by allowing for 7 staff and 70 students. Conditions have been included in the recommendation to ensure that any off-site amenity impacts including noise, light, waste, smell do not detrimentally affect surrounding properties and their occupants.
  - The proposed education centre is located adjacent to an existing neighbourhood activity centre being within close proximity to High Street Road.
  -



- 50. The GRZ3 provides neighbourhood character objectives which support new development that contributes to the preferred garden city character through well landscaped and spacious gardens by minimising hard paving and providing generous front and side setbacks to reduce building mass and bulk.
- 51. Clause 22.09 and the GRZ3 outline relevant built form guidance for the proposal.
- 52. An assessment is provided below.

**Built Form**

- 53. Clause 22.09 seeks to retain existing residential buildings where feasible. The current education centre has been operating out of the former dwelling at the site for a number of years, however it is no longer viable for the school to continue to cater for the needs of the students within the existing facilities.
- 54. Council raised concerns with the neighbourhood character response, specifically the presentation of the building and suggested that the design should include further articulation, reference to pitched roof forms and softer materials in keeping with the surrounding residential development.
- 55. The GRZ3 requires consideration to be given to the transition between built form on adjoining sites. It is considered that the proposal, with a 2 storey presentation to Raymond Street, provides an appropriate built form transition between the adjacent 1 storey residential and 2 storey commercial development, whilst the flat roof form, materials and landscaping provide a clear sense of identity consistent with the use of the land as an education centre whilst providing an appropriate design response to the surrounding mixed built form and neighbourhood character setting.
- 56. In addition, Clause 22.09 states development should maintain consistency of building height with the existing residential neighbourhood and residential scale. The proposal seeks approval for the construction of a three-storey building with an overall building height of up to 10.35m. Given the natural slope of the land to the rear (Refer to Figure 3), the building will appear as a two-storey built form with a height of 7.76m to Raymond Street. As a result, the proposed height and scale of the development is generally consistent with other built form within the surrounding area, noting the similar scaled adjoining double storey commercial building to the south and townhouses on the eastern side of Raymond Street.



Figure 3: South elevation

- 57. The proposal includes 65% site coverage, which is considered a moderate increase of 9% noting the existing dwelling at the site includes 56% site coverage. Ordinarily, Standard B8 (which would apply to any new residential developments in the surrounding area) would allow for a site coverage of 60%. The proposed site coverage in this case is considered acceptable noting that the proposed design includes an appropriate level of landscaping (as discussed below), implements SDA measures to reduce impacts of hard surfacing and the overall proposal is not considered to unreasonably contribute to visual bulk impacts as outlined above.
- 58. The GRZ3 requires consideration of the robustness of the materials and finishes. It is noted that the proposal incorporates a mix of metal cladding, face brickwork and render. The proposed materials are considered appropriate, with the brick providing a necessary reference to nearby dwellings and a level of tactility. Whilst brick has not been



provided on the southern elevation, it is considered appropriate given the context of the laneway at this interface and the provision of landscaping to soften the facade. In addition, the use of render at the lower level assists to break up the otherwise sheer three storey-built form.

59. Clause 22.09 seeks to ensure that there will be minimal impacts on residential amenity.
60. Council raised concerns with overlooking to the habitable room windows and secluded private open space of 31 Raymond Street and 207 High Street Road. Whilst not applicable, Standard B22 (Overlooking) of Clause 54/56 seeks to limit views into existing secluded private open space and habitable room windows of dwellings. The permit applicant has agreed to a condition to address the overlooking concerns raised by the Council whereby screening to the first floor western most northern facing window (north elevation) will need to be provided. Given the orientation of the subject site, there is no overshadowing to the residential property located to the north. The proposal results in some overshadowing to the sand/soil facility located to the west and the commercial properties located to the south, which is largely confined to the laneway and to vehicle accessways and outbuildings. As such, the proposed overshadowing is not considered to result in any unreasonable amenity impacts on residential properties or surrounding properties.

### Setbacks

61. Clause 22.09 states that developments should maintain a consistency of street setbacks, whilst the GRZ3 seeks to support new development that minimises building mass and visual bulk in the streetscape through generous front and side setbacks including landscaping in the front setback.
62. The proposal includes a varied frontage (east) setback of 5.6m (northern end) to 6.1m (southern end) and the first floor cantilevers over the ground floor with a consistent 5.6m setback. Council raised issues with the proposed setbacks concluding that a 6.1m setback should be maintained at both ground and first floor.
63. The dwelling to the north includes a street setback of 8m, whilst the commercial building to the south includes a 0m setback to Raymond Street. Whilst not applicable in this case, Clause 55 ordinarily applies a minimum street setback being the average distance of the setback of the front wall of the existing buildings on the adjacent allotments. In which case, the required setback for this development would be 4m. As such, the proposed 5.6m-6.1m setback is considered acceptable in ensuring that the development maintains a consistent street setback whilst also providing view lines from the nature strip adjacent to the commercial property at 219 High Street Road. Further, it is noted that the 5.6m setback at first floor (0.5m cantilever) is not considered to contribute to the overall visual bulk of the built form in the context of the street.
64. Council raised concerns with the location of the proposed fire booster cupboard and noted that this should be integrated within the design of the proposal. A condition has been included within the recommendation to achieve this outcome. The proposal includes a 2.4m setback to the northern boundary. It is noted that Council raised concerns with the visual bulk impacts to the adjoining residential property located to the north (31 Raymond Street) due to the limited setback and articulation in the built form. It is noted that the owner/occupier of 31 Raymond Street has not objected to the application.
65. Whilst it is not applicable in this case, ordinarily Standard A10/B17 (Side and Rear Setbacks) of Clause 54/55 would require a setback distance from the northern boundary of between 1.81m to 2.56m (noting the increase in wall height as a result of the slope in the land). The proposed setback of 2.4m is considered appropriate given:
- The existing neighbourhood character does not demonstrate extensive side setbacks, with side setbacks of 1-2m provided along side boundaries.
  - The northern elevation has been appropriately articulated using a variety of materials to break up the sheer wall that is provided along this elevation.
  - The landscape plan demonstrates that planting to a height of 6-8m can be provided along the northern boundary which will assist to mitigate visual bulk impacts to the adjoining residential property.



66. The proposal includes a 3.3m setback from the rear. Council raised issues with the proposed rear setback concluding that a 5m setback should be provided in accordance with the GRZ3 to allow for landscaping to the rear of the site to meet the neighbourhood character guidelines.
67. For clarity, it is noted that the provision for a 5m rear setback outlined in the GRZ3 relates to Clause 54 and Clause 55 which apply to residential development and the GRZ3 neighbourhood character objectives require generous front and side setbacks. In this instance, the proposed rear setback is considered acceptable given:
- The existing conditions, slope of the land to the rear and the adjoining uses (commercially zoned land to the south and the garden supplies use located to the west), the rear of the site is not considered to contribute to the 'garden city character' being achieved in the surrounding area through the provision of well landscaped and spacious gardens to the rear of dwellings.
  - The existing and proposed vegetation on the site and on adjoining residential properties will ensure that the rear of the building is appropriately screened from the residential properties located at 31 Raymond and 10 Farmer Street.

### Landscaping

68. Clauses 22.05, 22.09 and the GRZ seek to maintain and enhance the canopy treed environment through the consideration of the proposed landscaping and the location, quantity and species of vegetation provided.
69. The development plans indicate the removal of 12 existing trees. Despite this, the existing vegetation on site is not considered to be substantial or of high quality (refer to Figure 4) and therefore the removal is considered acceptable.



Figure 4: Existing Vegetation (noting tree shown at the rear is not located on the subject land).

70. The application was supported by a landscape plan prepared by RDLA dated 18 October 2023. The proposed landscaping plan has been prepared in accordance with the City of Monash Indigenous Species List which is considered appropriate to support the neighbourhood character objectives and ensures sufficient replacement landscaping to compensate for the trees to be removed. A condition has been included within the recommendation to ensure that the submitted landscape plan will have ongoing maintenance implementation and enforcement requirements.
71. It is noted that in promoting the preferred garden city character, hard paving should be minimised by limiting the length and width of accessways and limiting paving within open space areas as per the GRZ3. A condition has been





included within the recommendation to reduce the hard surfacing within the front setback to ensure additional landscaping can be provided within this area.

### Vehicle Access/Car Parking

- 72. The decision guidelines of the GRZ requires consideration of the provision of car parking, bicycle parking and associated accessways. The below assessment is provided.
- 73. The GRZ3 requires consideration of the location and number of vehicle crossovers. The proposal has appropriately located vehicle access from the southern laneway to provide access to car parking within the basement. This is consistent with the neighbourhood character objectives which seek to ensure that accessways limit paving within open space areas and ensure that the proposal does not impact on nature strips and street trees.
- 74. The proposal includes a 1 in 8 ramp from the laneway. Council has raised concerns with the ramping grade noting that it does not comply with the design requirements of Clause 52.06-9 which states that accessways must not be steeper than 1:10 within 5 metres of a frontage to ensure safety for pedestrians and vehicles. A condition has been included within the recommendation to ensure that the proposal is in accordance with the design standards of Clause 52.06.
- 75. Council noted the plans should indicate that the existing vehicle crossing to Raymond Street is to be removed and reinstated with kerb and channel. A condition has been included in the recommendation to require this to be shown on the plans.
- 76. Pursuant to Clause 52.06-3, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5. As relevant to this proposal, the applicable rates are as follows:

Use	Rate	Requirement	Proposal
Secondary School	1.2 to each employee that is part of the maximum number of employees on the site at any time.	The proposal results in a total of 7 staff, requiring a total of 8 car parking spaces to be provided.	7 spaces

- 77. The proposal includes the provision of 7 car parking spaces within the basement accessed from the laneway located along the southern boundary of the subject site.
- 78. Council concluded that they could accept a reduction in 1 car parking space given there is access to on street parking in front of the site and new parking restrictions such as no stopping might be implemented in this area.
- 79. The reduction in 1 car parking space is considered to support the intent of Clause 21.08-3 which seeks to provide a more environmentally friendly transport system by linking the future provision of on street and off-street car parking to the wider traffic reduction objectives. The proposal is conveniently located with access to the 734 and 767 bus, the Gardiners Creek bike trail and Jordanville train station within 1km. In addition, Raymond Street does not currently have car parking restrictions to restrict on-street car parking. Despite this, a note will be included within the permit to inform the permit holder that should Council implement restrictions (as they have intended), they would not be eligible for a parking permit.
- 80. Council indicated that the proposal may be required to provide disabled parking. The permit applicant has been made aware of this but has not sought to amend the plans to include this. Disabled parking may be a requirement at the building permit stage and, should the plans need to be amended via secondary consent, there is ample space for parking lot 6 to be nominated as a disabled space.

### Bicycle Parking

- 81. Pursuant to Clause 52.34-2, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6. As relevant to this proposal, the applicable rates are as follows:

Use	Rate	Requirement	Proposal
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Secondary School	1 to each 20 employees	7 employees =0	
	1 to each 5 pupils	70 students = 14	10
		14	

82. The proposal includes the provision of 10 bicycle parking spaces within the ground floor basement. Given there is space within the ground floor basement and the overall site to provide the appropriate number of bicycle spaces, a condition has been included within the recommendation including a requirement for 14 bicycle spaces in accordance with Clause 52.34-6 (Design of bicycle spaces).

## Amenity

83. Clause 13.07-1S seeks to protect community amenity, human health and safety whilst facilitating appropriate commercial or other uses with potential adverse off-site impacts. As such, it is considered appropriate to include standard conditions within the recommendation to cap staff and student numbers and manage off-site amenity impacts including noise, emissions and light.

## Waste

84. The GRZ requires consideration to be given to any proposed loading and refuse collection facilities. The proposal includes 3 x 660L bin storage areas within the basement. Council raised concerns with a lack of detail pertaining to waste management on the site.

85. A condition has been included within the recommendation requiring a waste management plan be provided for the site to ensure that waste can be appropriately managed and collected from the site.

## Signage

86. Pursuant to Clause 32.08-14 of the GRZ3, the site is Category 3 'High Amenity Area' for signage. Pursuant to Clause 52.05, a permit is required for business identification signage.

87. The proposal seeks approval for business identification signage comprising a single sign on the eastern façade (front façade) at 2.37 x 2.37m. The signage is acrylic/aluminium and is not illuminated.

88. The proposed signage has been assessed in accordance with the decision guidelines at 52.05-8:

- The sign has been appropriately located closest to the commercial zone, which has several examples of business identification signs associated with the business' that operate within the area.
- The sign is of an appropriate scale with respect to the host building and is not considered to clutter or detract from the built form outcomes that are being achieved on the site given the simple design of the signage being proposed.
- The sign does not include any structures given it is mounted to the building.
- The sign is appropriate given the use of the land for an education centre and the need for it to be identified.
- The sign will not impact on road safety, given it is not illuminated or animated and is located a sufficient distance from the closest main intersection of Raymond Street and High Street Road.

89. As concluded above, the proposed sign is considered acceptable. Conditions have been included in the recommendation to ensure that amended plans are provided indicating the proposed colours/materials and finishes and a notation that the sign is not illuminated/animated.



## Environmentally Sustainable Design

90. The stormwater management plan prepared by Sustainable Design Consultants dated November 2023 details the proposed stormwater management in response to Clause 53.18.
91. The proposal includes the provision of a 10,000L rainwater tank which will collect rainwater from the roof area, reducing impact on the stormwater system and ensures that the development achieves 100% STORM rating.
92. Furthermore, the proposal achieves a 55% BESS score and meets the mandatory categories of water, energy, stormwater and IEQ.
93. Subject to conditions, the proposal is considered to satisfactorily respond to Clause 53.18 and Clause 19.03 which encourages development to be designed to minimise wastewater and stormwater discharge and maximise reuse. It is recommended that conditions be included on the permit to ensure that the proposed stormwater management measures can be implemented and enforced.

# Recommendation



94. The proposal is generally consistent with the relevant planning policies of the Monash Planning Scheme and will enhance the education facilities on the site whilst contributing more broadly to the provision of education facilities within the area. Whilst the Monash City Council did object to the application, it's considered that the issues the council raised have been addressed by the applicant or can be addressed by conditions on the permit.
95. It is **recommended** that Planning Permit No. PA2302360 be issued, subject to conditions.
96. 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.

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Name: [Redacted] Signed: [Redacted]

Title: Senior Planner, Development Approvals and Design

Phone: [Redacted] Dated: [Redacted]

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**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:
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Name: [Redacted] Signed: [Redacted]

Title: Manager, Development Approvals and Design

Phone: [Redacted] Dated: 31 January 2024

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