# Assessment Officer Report

PA2302689 90 Alexandra Road, Ringwood East Tintern Grammar School



Officer Assessment Report Development Approvals & Design



Department of Transport and Planning

OFFICIAL

# **Executive Summary**



Key Information	Details			
Application No:	PA2302689			
Received:	22 December 2023			
Statutory Days:	70 days	70 days		
Applicant:	Tintern G	rammar School c/- Rachael O'Neill		
Planning Scheme:	Maroondah			
Land Address:		90 Alexandra Road, RINGWOOD EAST, 3135 (Formally Lot A on Plan of Subdivision 632865L Vol 11347 Fol 544)		
Proposal:	Buildings and works to construct a new three-storey addition to the existing senior school building and new facilities buildings, the display of a flood-lit business identification sign and the removal of vegetation.			
Development Value:	\$15,200,000			
Why is the Minister responsible?	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 it is for an extension to an existing non-government school and the estimated cost of works is more than \$3 million.			
Why is a permit required?	Clause	Control	Trigger	
Zone:	32.09	Neighbourhood Residential Zone Schedule 3 (NRZ3)	Clause 32.09-10 – Construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.	
Overlays:	42.02	Vegetation Protection Overlay (VPO1)	Clause 42.02-2 - To remove, destroy or lop any vegetation specified in a schedule to the overlay.	
	42.03	Significant Landscape Overlay Schedule 3 (SLO3)	Clause 42.03-2 - Construct a building or construct or carry out works (as the building exceeds 8m in height).	
Particular Provisions:	52.05	Signs	Clause 52.05-13 - Display of a flood-lit business identification sign.	
	52.17	Native Vegetation	Clause 52.17-1 - To remove, destroy or lop native vegetation, including dead native vegetation.	
Heritage:	Not locat	ed in an area of Aboriginal Cultural He	eritage Sensitivity, VHI or VHR.	
Referral Authorities:	None			
Public Notice:	<ul> <li>Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner:</li> <li>Notice of the application under section 52(1)(a) of the <i>Planning and Environment Act</i></li> </ul>			
	<ul> <li>1987 (the Act) was given to owners and occupiers of all land adjoining the sit</li> <li>Notice of the application was given to Maroondah City Council under section the Act.</li> </ul>			
Submissions/objections:	<ul> <li>18 total:</li> <li>1 submission from Maroondah City Council (no objection subject to conditions)</li> <li>17 objections</li> </ul>			
Delegates List:	Delegation received 3 July 2024			

## Proposal



## **Application Process**

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

Milestone	Date	
Application lodgement	22 December 2023	
Further information provided	19 April 2024	
Decision Plans	Development Plans prepared by McIldowie Partners, titled 'Tintern Grammar', and advertised with the application (43 pages).	
Other Assessment Documents	Access and Car Parking Assessment prepared by Ratio and dated 14 December 2023.	
	Acoustic Report prepared by Resonate, Rev A, 6 February 2024.	
	Arboricultural Assessment prepared by Treelogic, Ref. 013168, dated 1 March 2024.	
	Native Vegetation Removal Report ID: 342_20240409_IWF created 9 April 2024.	
	Report of Available Native Vegetation Credits ID 23678 dated 9 April 2024.	
	Landscape Architectural Schematic Design prepared by McIldowie Partners and dated December 2023.	
	Stormwater Management Plan Response prepared by IPSUM Structures, dated 20 December 2023.	
	Planning Response, prepared by O'Neill Consulting and dated 18 April 2024.	
	Waste Storage and Collections Arrangements Assessment prepared by Ratio and dated 10 January 2024.	

### **Proposal Summary**

2. The proposal can be summarised as follows:

Scope of Works A: Facilities Building

- Demolition and relocation/reconstruction of existing facilities sheds to the southeastern portion of the land, accessed off Gracedale Avenue
- Construction of two new facilities buildings containing offices, meeting rooms, workshop, stores, wash-bay, and bathroom facilities
- Maximum height of 5.07m, setback 17.66m from the property boundary
- Colorbond Shale Grey cladding
- Vehicle parking, driveway and hardstand
- Petrol storage
- Bin enclosure
- New fencing and gate on Gracedale Avenue
- Flood-lit business identification sign (904mm x 150mm) fixed to the fence

#### Scope of Work B: Senior School Building

- Partial demolition of the north side of the existing building and removal of 0.031 ha of native vegetation (1 tree)
- Construction of a three-storey addition, containing a reception, classrooms, meeting rooms, offices, kitchen, breakout space, archive, bathroom facilities and undercroft auditorium space
- Maximum height of 14.295m
- Constructed of light brick, concrete and metal cladding, metal roof sheeting





Figure 1: Site overview of the proposed areas of works



Figure 2: Render of the proposed senior school building extension from the north west



Figure 3: Render of the proposed senior school building extension from the north



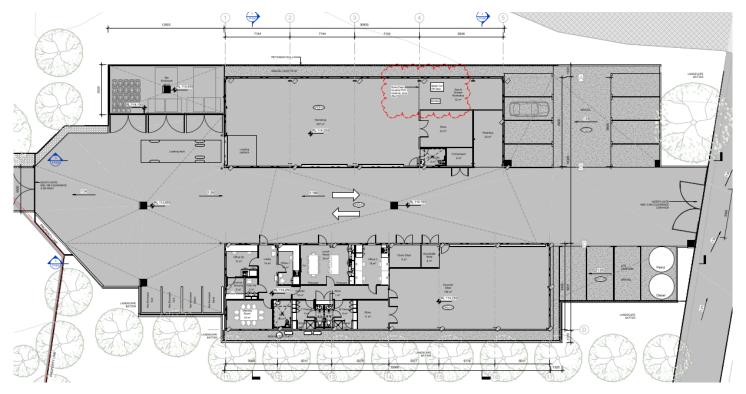


Figure 4: Layout of the proposed facilities buildings



Figure 5: Render of the proposed facilities buildings from the south (Gracedale Avenue)

# **Subject Site and Surrounds**



#### **Site Description**

- 3. The site is located at 90 Alexandra Road, Ringwood East and is operating as Tintern Grammar School.
- 4. The existing site comprises of various education buildings, sports facilities, ovals and landscaped areas, and an atgrade carpark at the principal frontage on Loma Street. The existing buildings are generally clustered within the western part of the campus.
- 5. The central part of the school campus contains a heavily vegetated area that is affected by the Vegetation Protection Overlay (VPO1) as shown in Figure 8 below.
- 6. The eastern part of the campus is used for agricultural studies and is largely vacant except for some scattered buildings and barns that house animals.
- 7. The majority of the school is located within the Neighbourhood Residential Zone Schedule 3 (NRZ3), though a small section off Alexandra Road is located within the General Residential Zone (GRZ1) as shown in Figure 7.
- 8. The school is affected by two Significant Landscape Overlays (SLO3 and SLO4). SLO3 affects the part of the land that is proposed to be developed by this application.



Figure 6: Aerial overview of the school campus

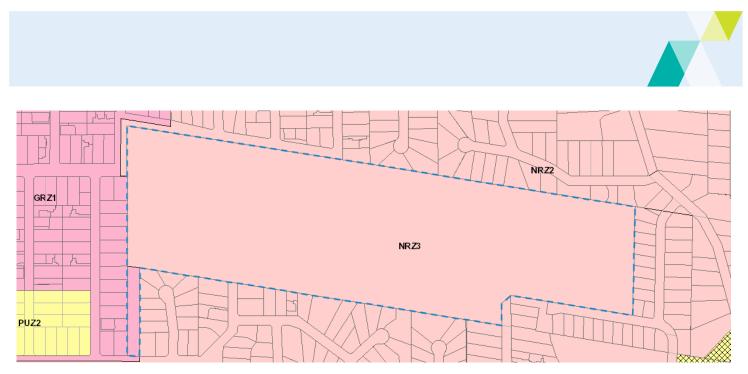


Figure 7: Planning zone map



Figure 8: Vegetation Protection Overlay map



Figure 9: Location of the two Significant Landscape Overlays map



- 9. The site is formally described as Lot A on Plan of Subdivision 632865L, Volume 11347, Folio 544.
- 10. The site contains a number of easements for the purpose of sewerage, drainage, gas distribution and water supply. There are no works proposed within the easements.
- 11. The development surrounding the school consists primarily of established residential dwellings located in the NRZ and GRZ. Built form is characterised by predominantly single and double storey post-war dwellings constructed of brick. Dwellings surrounding the school are generally well landscaped and often contain large trees.
- 12. Photos of the site viewed from Gracedale Avenue are shown in Figures 10 and 11.



Figure 10: View north towards the school from Gracedale Avenue (source: Google Maps)



Figure 11: View south along Gracedale Avenue from the location of the proposed new site entrance (Source: Planning Officer 18 June 2024)

## **Referrals and Notice**



### Referrals

13. The application was not required to be referred to any authorities under section 55 of the Act.

#### Notice

- 14. The application is <u>not</u> exempt from the notice requirement of sections 52 (1)(a), (b) and (d) of the *Planning and Environment Act 1987*. However, it is noted that the application <u>is</u> exempt from 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 53.19-2 (Non-Government Schools).
- 15. The applicant was directed to give notice by notifying adjoining and nearby owners and occupiers under sections 52(1)(a) and (c) of the *Planning and Environment Act 1987*. DTP officers also gave notice to Council under section 52(1)(b) of the *Planning and Environment Act 1987*.
- 16. Seventeen objections have been received at the time of writing the report. The key concerns raised in the objections are:
  - Traffic on Gracedale Avenue from vehicles accessing the proposed facilities building
  - Proposed height of the secondary school building
  - Vegetation removal
  - Construction impacts
  - Amenity impacts such as noise and visual impact
- 17. A submission from Maroondah Council was received on 8 March 2024 outlining support for the application subject to the preparation of a Construction Management Plan. A condition to this effect has been included on the permit.

# **Planning Assessment**



### **Planning Policy Framework**

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

Clause 11	Settlement	Assessment		
11.01-1R	Settlement – Metropolitan Melbourne	The proposed upgrade of the existing school supports mixed-use neighbourhoods and enhances access to services and facilities within the community.		
Clause 15	Built Environment and Heritage			
15.01-1S	Urban Design	The proposal enhances an existing school to create modern, inclusive and functional senior leaning space and updates to the schools facilities buildings.		
15.01-1R	Urban Design – Metropolitan Melbourne			
15.01-1L	Signs	The design of the senior school building is largely obscured from		
15.01-2S	Building Design	view from the public realm due to its location within the centre of the school grounds. As such it will not have a significant impact on the		
15.01-2L	Environmentally Sustainable Development	character of the surrounding area.		
15.01-5S	Neighbourhood Character	<ul> <li>The new crossover and entry gate to the proposed facilities building does not impact the existing walking path on Gracedale Avenue an Auburn Grove and is considered an acceptable impact on the publi realm.</li> <li>The proposed illuminated sign on Gracedale Avenue is compatible with the character of the streetscape and is in keeping with other business identification signs located at other entrances to the school.</li> <li>The proposed siting and design of the building promotes environmentally sustainable development via the provision of:         <ul> <li>33,000L rainwater tank to the senior school building, connected to toilets for flushing</li> <li>Use of low-water indigenous plants</li> <li>Use of water efficient fixtures and fittings</li> <li>5kW PV array to the facilities buildings</li> </ul> </li> </ul>		
15.01-5L	Preferred Neighbourhood Character			
Clause 19	Infrastructure			
19.02-2S	Education Facilities	The proposed buildings will enhance and support an established education facility, meeting present and future community needs with a functional and engaging design, without increasing student or staffing numbers.		
19.03-3S	Integrated Water Management	The development encourages the catchment and recycling of		
19.03-3L	Integrated Water Management	<ul> <li>stormwater and incorporates water sensitive urban design principals through the provision of a 33,000L rainwater tank.</li> </ul>		

As per the table above, it is considered that the proposal is consistent with the relevant planning policy framework.

## Zoning and Overlays

### Neighbourhood Residential Zone (Schedule 3) [NRZ3]

- 19. A planning permit is required to construct a building or construct or carry out works for a Section 2 use (Education centre) in accordance with Clause 32.09-10 of the Maroondah Planning Scheme. The purpose of the NRZ is:
  - To implement the Municipal Planning Strategy and the Planning Policy Framework.
  - To recognise areas of predominantly single and double storey residential development.



- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
- 20. The proposal aligns with the intent of the NRZ purpose, as it aims to meet local community needs through the upgrade of the educational centre.
- 21. As detailed above, the design of the senior school building is largely obscured from view from the public realm due to its location within the centre of the school grounds. The single-storey scale and design of the proposed facilities buildings is considered acceptable and reasonable in the predominantly singe-storey residential character of the surrounding area.
- 22. The proposal also responds positively to the relevant decision guidelines of the NRZ3:
  - The proposed development will improve the existing facilities and overall operation of the established nonresidential use of the land (Tintern Grammar School). The proposal does not involve any increase in staff or student numbers on site and therefore no intensification in use that would impact surrounding residential development.
  - The proposed upgrades will continue to serve local community needs by providing educational infrastructure and associated landscaping and improved school spaces and facilities.
  - The scale and intensity of the development is reasonably low scale at 14.3m (senior school) and 5.1m (facilities buildings) in height, in keeping with the neighbourhood character of the area. The senior school building is substantially well set back from the nearest residential uses by approximately 65m.
  - The landscaping proposed will facilitate the integration of the building into the surrounding school grounds.
  - The existing car and bicycle parking arrangements remain largely unaltered, except for the addition of 11
    additional car spaces behind the new facilities buildings, to be used for the schools agricultural studies vehicles.
  - Bin storage and loading is provided next to the facilities buildings accessed from Gracedale Avenue, separating the waste facilities from those in the more pedestrianised areas of the school grounds.

### Vegetation Protection Overlay (VPO1)

- 23. The purpose of the VPO is to protect areas of significant vegetation and trees and encourage the regeneration of native vegetation.
- 24. The proposed extension to the senior school building requires the removal of the following trees that are located within the extent of the VPO1:
  - Tree 4 (Willow-leaved Hakea)
  - Tree 5 (Red Stringybark)
  - Tree 6 (Box Elder)
  - Tree 7 (Willow-leaved Hakea)
  - Tree 8 (Willow-leaved Hakea)
  - Tree 9 (Willow-leaved Hakea)
  - Tree 10 (Monterey Pine)
- 25. However, trees 4 and 6 10 are not indigenous to Victoria and are therefore exempt from triggering a permit in the schedule to the VPO as they do not meet the definition of 'native vegetation' at Clause 73.01.
- 26. Tree 5 (Red Stringybark) is indigenous to Victoria and its removal does trigger a permit in the VPO1.



- 27. The arborist assessment prepared by Treelogic and submitted with the application demonstrates that Tree 5 is a maturing tree in poor health with a fair-poor structure. Its useful life expectancy is 1-5 years. It is also recognised is 'dying' in the arborist report.
- 28. Given the poor health of Tree 5 and the replacement planting proposed, its removal is supported. A condition of the recommendation will require the preparation of a landscape plan showing replacement tree planting with prioritisation of indigenous species.



Figure 12: Tree 5 (Red Stringybark). Source: Arborist report

### Significant Landscape Overlay (SLO3) and (SLO4)

- 29. The subject site is located within the Schedules 3 and 4 of the SLO. However, it is noted that the proposed works are only located within the SLO3, with no works proposed in the SLO4.
- 30. In the SLO3, a permit is required to carry out works to the senior school building as the works exceed 8m above the natural surface level of the ground.
- 31. The following trees proposed for removal are located within the SLO, but are exempt from triggering a permit:

Tree #	Reason for exemption
Tree 4 (Willow-leaved Hakea)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Tree 5 (Red Stringybark)	Tree 5 is dying. The SLO3 does not require a permit for a 'dead or dying tree' unless it provides fauna habitat.
Tree 6 (Box Elder)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Tree 7 (Willow-leaved Hakea)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Tree 8 (Willow-leaved Hakea)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Tree 9 (Willow-leaved Hakea)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Tree 10 (Monterey Pine)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.



Tree 11 (Southern Red	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Ironbark)	
Tree 12 (Southern Red	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Ironbark)	
Tree 13 (Southern Red	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Ironbark)	
Tree 14 (Southern Red	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.
Ironbark)	
Tree 15 (Moonah)	Meets the definition of 'planted vegetation' in the table of exemptions at Clause 42.03-3.

32. The proposed buildings and works will have a low visual impact on the landscape within the SLO3 as they are located within the centre of the subject site and will be obscured from view due to the location of surrounding buildings and existing vegetated areas.

### **Particular and General Provisions**

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

#### **Car and Bike Parking**

- 33. Clause 52.06 sets out the requirements of car parking rate and design. Clause 52.34 sets out the requirements of bicycle parking rate and design.
- 34. Clauses 52.06 and 52.34 are not applicable for this application given that number of car and bicycles parking spaces on site remains unaltered due to no proposed changes to the staff or student numbers at the school.
- 35. However, it is noted that this application seeks to provide 11 additional car spaces next to the proposed facilities buildings. The Access and Car Parking Assessment submitted with the application demonstrates that the proposed car parking layout and vehicular access arrangements have been designed in accordance with the dimensional requirements of Clause 52.06 and the relevant Australian Standards (AS/NZS 2890.1:2004). A swept path assessment demonstrates that all nominated vehicles will be able to enter/exit the site in a forward direction.
- 36. The location of the additional car spaces is considered suitable as they are separate from the main pedestrian entrance of the school on Loma Street and are only proposed to be used for staff parking and the school's facilities vehicles (e.g. utes etc).

#### Signs

- 37. Clause 52.05 sets out the requirements for signs.
- 38. The application proposes a 0.2m x 1.0m (approx.) flood-lit business identification sign on a pillar near the entry gate on Gracedale Avenue (see Figure 12).
- 39. The sign is considered appropriate to identify the new entrance to the school. It is not dominant, will not impact views or vistas or cause visual clutter. Amenity impacts from the proposed light within the sign will be avoided due to its discrete design with the lighting incorporated into the pillar. As such the sign is supported, subject to standard conditions.



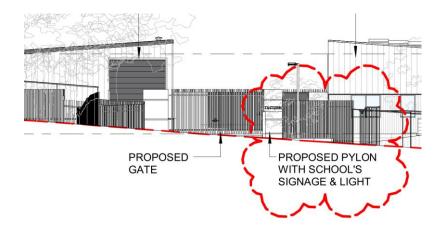


Figure 13: Proposed sign on Gracedale Avenue

**Native Vegetation** 

- 40. Clause 52.17 (Native vegetation) seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
- 41. Tree 5 (Red Stringybark) is an indigenous species and appears to potentially be of natural origin. As such, a permit is required at Clause 52.17-1 for its removal.
- 42. The purpose of Clause 52.17 is:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

- 1. Avoid the removal, destruction or lopping of native vegetation.
- 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
- 43. The Native Vegetation Removal Report ID: 342\_20240409\_IWF submitted with the application demonstrates that the removal of the tree equates to 0.031ha. As the tree is in Location 1 it falls under the Basic Assessment Pathway of the Guidelines and does not require a referral to DEECA.
- 44. As discussed above, Tree 5 is of poor health and is dying. As such its removal is supported, subject to a condition requiring the offset of the vegetation in accordance with Native Vegetation Removal Report ID: 342\_20240409\_IWF. The report of available native vegetation credits submitted with the application demonstrate that suitable credits are available.

#### **General Requirements and Performance Standards**

- 45. <u>Clause 53.18 (Stormwater Management in Urban Development</u>) applies to the buildings and works of this application. The clause includes standards and objectives relating to stormwater and objectives relation to stormwater management, treatment, and reuse.
- 46. The application is supported by a Sustainability Management Plan, including a STORM and MUSIC assessment. The plan confirms the proposal will comply with the recommendations of *Urban Stormwater – Best Practice Environmental Management Guidelines*. The stormwater management commitments proposed are as follows:
  - 30,000L rainwater tank to the senior school building connected to toilets for flushing
  - Hydro-system stormwater treatment device connected to the facilities buildings and surrounding hardstand
  - Use of low-water indigenous plants



- Use of water efficient fixtures and fittings
- 47. Based on the above, the proposal results in appropriate stormwater outcomes. A condition of the recommendation will require the WSUD (and also the ESD) initiatives to be implemented during construction.
- 48. <u>Clause 53.19 (Non-Government Schools)</u> applies to this application to facilitate upgrades and extensions to existing non-government schools and exempts this application from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

#### Other matters

Noise

- 49. An acoustic assessment prepared by Resonate was submitted to support the approval of the relocated facilities buildings in line with EPA Victoria Publication 1826.4 *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and* entertainment venues (Noise Protocol).
- 50. The assessment identifies that the equipment used in the facilities buildings includes table panel saws, metal cut-off saws, thicknessers and grinders, capable of emitting the noise levels shown in Figure 14. Since schools only operate during the day, the assessment only considers noise impacts during the Daytime period (7am 6pm):

Equipment	Time	Measured noise level L <sub>Aeq</sub>	Description	
Table panel saw	9.31 am	81	At 3 metres form the equipment in the	
Metal cut off saw	9.35 am	91	current Facilities building.	
Thicknesser	9.39 am	88		
Grinder	9.41 am	94		

Table 5 Noise measurement results

Figure 14: Noise measurement results of facilities building equipment

51. The assessment outlines that the predicted noise levels at the closest sensitive receiver at 82-84 Gracedale Avenue will comply with the Daytime noise limit as shown in Figure 15.

#### Table 6 Predicted noise levels

Sensitive receiver	Time period	Predicted noise level, L <sub>Aeq</sub> dB	Noise limit, L <sub>Aeq</sub> dB	Compliant
84 Gracedale Ave	Day	48	50	Yes

Figure 15: Predicted noise levels at 82-84 Gracedale Avenue

- 52. As such, the proposed relocation of the facilities buildings are not expected to have any unreasonable noise impacts.
- 53. It is noted that noise is regulated by the EPA in accordance with the Noise Protocol. As such, a note has been included on the recommendation explaining that the facility should comply with the protocol.

#### Waste Management

- 54. The application proposes the construction of a new waste collection and storage area (bin enclosure) to the south of the facilities building, accessed from Gracedale Avenue. This will enable the relocation of the school's waste collection from the current location at the main entrance on Loma Street, improving student safety.
- 55. The swept path assessment included in the Waste Assessment report demonstrates that waste collection vehicles will be able to access the hardstand area adjacent to the proposed bin enclosure, conduct waste collection, turn around, and exit the site on to Gracedale Avenue in a forward direction.



56. To minimise impacts on neighbouring residents, the waste collection is proposed to occur between 10am and 3pm. This complies with EPA Victoria's *Noise Control Guidelines* and is supported given the concerns raised by objectors in this regard.

## Recommendation



- 57. The proposal is consistent with the relevant planning policies of the Maroondah Planning Scheme and will contribute to the provision of an upgrade to non-government school facilities within metropolitan Melbourne.
- 58. It is recommended that the delegate of the Minister of Planning:
  - Issue Planning Permit No. PA2302655 for buildings and works to construct a new three-storey addition to the existing senior school building and new facilities buildings, the display of a flood-lit business identification sign and the removal of vegetation at 90 Alexandra Road, RINGWOOD EAST, subject to conditions.
  - Endorse the following documents to form part of the permit:
    - Development Plans prepared by McIldowie Partners, titled 'Tintern Grammar', and advertised with the application (43 pages).
    - Stormwater Management Plan Response prepared by IPSUM Structures, dated 20 December 2023.
  - Notify the permit applicant, the objectors and the council of the decision in writing.



Prepared by:						
I have co	I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:					
No 🛛	No Conflict					
🗌 Con	Conflict and have therefore undertaken the following actions:					
🗌 Comp	Completed the Statutory Planning Services declaration of Conflict/Interest form.					
Attacl	Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.					
Attacl workspace	hed the Statutory Planning Services declaration of e.	f Conflict/In	terest form into the relevant electronic			
Name:						
Title:	Senior Planner, Development Approvals and Design	Signed:				
Phone:	(03) 8508 0395	Dated:	4 July 2024			
Approve	d by:					
I have co	nsidered whether there is a conflict of interest in a	ssessing th	his application and I have determined that I have:			
No 🛛	Conflict					
🗌 Con	Conflict and have therefore undertaken the following actions:					
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Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.						
Name:						
Title:	Manager, Development Approvals and Design	Signed:				
Phone:	0428809519	Dated:	10 July 2024			