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PLANNING REPORT

Emmaus College Year 9 Campus
Prepared for Melbourne Archdiocese Catholic Schools for land at:
17-23 Stevens Road, Vermont
December 2024

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ATTACHMENTS

Attachment 1: Title

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Project Number	2818
Prepared by	DC
Reviewed by	AD
Version	241205

1 Introduction

Echelon Planning has been engaged by Melbourne Archdiocese Catholic Schools (MACS) in support of a planning permit application for the introduction of a new use (Secondary School) and the development of a new Specialist Education Building at 17-23 Stevens Road, Vermont (subject site), to establish Emmaus College's new Year 9 Campus.

This report provides an assessment of the application against the relevant provisions of the Whitehorse Planning Scheme, with particular consideration to consistency with the planning framework and impacts that the new school may have on amenity, local traffic, car parking, stormwater, waste and neighbourhood character.

Pursuant to Clause 72.01-1, the Minister for Planning is the responsible authority for this application, given that a new Secondary School development with costs exceeding \$3 million is proposed.

The proposed use and development of the site has strong planning policy support and will:

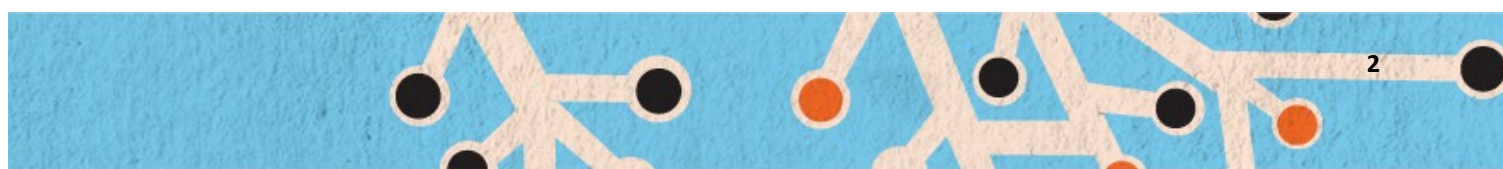
- Realise the site's potential for a secondary school education facility
- Help meet existing and future demand for the education needs of the community
- Co-locate education facilities through retaining the existing childcare centre
- Sensitively develop a new building that is appropriately located and designed to minimise impact to neighbouring residential uses, noting policy recognises that secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass)
- Facilitate safe vehicle access, sufficient on-site parking for empirical demand and maximise access to public transport and encourage active transport.

This report has the following structure:

- Section 2 provides a summary of the site context and title
- Section 3 provides a summary of the development proposal
- Section 4 provides a summary of the planning controls applying to the proposal
- Section 5 provides a summary of the planning policy framework and relevant planning strategies
- Section 6 provides an assessment of the application against the planning framework, including planning policy, controls and planning scheme provision.

The permit application is supported by the following documents:

- Architectural plans prepared by Roam Architects (November 2024)
- Landscape Plan prepared by Fooks Landscape Architecture & Urban Design (November 2024)
- Traffic Engineering Assessment prepared by Traffix Group (November 2024)
- Waste Management Plan prepared by Traffix Group (November 2024)
- Sustainability Management Plan prepared by Suho (November 2024)
- Arboricultural Impact Assessment prepared by TMC Reports (October 2024)
- A current copy of the title.



2 Site Context

2.1 The Site

The Subject Site is located at 17-23 Stevens Road, Vermont, and has an area of approximately 2.03ha. The land generally slopes gently upwards from the west to the east of the site.

St Timothy's Primary School currently operates from the site, however will close at the end of the 2024 school year in a few weeks' time. The St Timothy's Catholic Parish also exists on the site with mass services at 10:30am and 6pm on Saturdays, which is intended to continue. An existing childcare centre (Vermont Children's Centre) is in operation on the site and is also proposed to continue, independently of the secondary school proposed in this application.

The site has a western frontage to Stevens Road, and northern, eastern and southern interfaces with residential lots. There are currently two formal crossovers giving access to the site (both from Stevens Road), with car parking provided on site at the main entrance.

2.2 Surrounds

The subject site is situated within a residential area, approximately 19km east of the Melbourne CBD (**Figure 1** overleaf shows the site and its surrounds).

The subject site's immediate surrounds are as follows:

- *North:* The site abuts residential lots containing detached dwellings. Further to the north is the arterial road Canterbury Road, with residential and light industrial uses located beyond. Nunawading and Mitcham railway stations are located approximately 2.1 and 2.5km north of the site, respectively.
- *West:* The site is bounded by Stevens Road, with residential lots containing detached dwellings and arterial road Springvale Road located further to the west.
- *South:* The site is adjacent to residential lots containing detached dwellings. Further to the south is a linear reserve and further residential lots. The Emmaus College Springvale Road campus is located approximately 1.1km southwest of the subject site.
- *East:* The site is adjacent to residential lots containing detached dwellings. Stephens Reserve is located further to the east, with the Eastlink Freeway located approximately 3km east of the site.

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SITE CONTEXT PLAN

17-23 Stevens Road, Vermont


 Site boundary



Figure 1. Site Context Plan

2.3 Title

The subject site comprises the title known as Lot 1 on TP247098.

The title contains no restrictions or covenants that would affect the proposal.

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3 Planning Proposal

3.1 Staging and Layout

The proposal is for the use of the site as a Secondary School as the new Year 9 Campus for Emmaus College, and the development of a new two-storey Specialist Education Building within a southern portion of the site (refer to **Figure 2** for the location). The proposed Specialist Education Building will comprise the following:

Ground Floor:

- Art classroom
- Kiln
- Art Store
- Kitchen Prep
- Food Tech
- Lobby/Circulation
- Student toilets
- Cleaning room
- Server room
- Lift

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Level One:

- Maker Space
- Study/Staff room
- 2 x Laboratory classrooms
- Preparation room
- Store room
- Staff toilets
- Collaboration/Circulation
- Lift

General:


- External circulation area
- Service Yard
- Covered outdoor plaza
- External stairway.

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SITE CONTEXT PLAN

17-23 Stevens Road, Vermont

 Site boundary

 Location of proposed buildings and works



Figure 2. Proposed Buildings and Works Plan

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3.2 Built Form and Layout

The proposed Specialist Education Building is located in a southern section of the site where a storage shed and surrounding lawn area are currently located, to the south of the existing sports field and to the east of the existing library and classrooms.

The proposed Specialist Education Building includes extensive glazing along external walls, providing natural light and ventilation. This is to reduce reliance on artificial lighting as well as heating and cooling.

Materials have been illustrated on the elevation plans and include a mixture of lightweight cladding, external bricks and powder coated steel.

3.3 Site Access

Site access is currently provided via two crossovers, both from Stevens Road. The northern access point is to the main entrance while the southern access point is to a shed and section of the site containing open space.

3.4 Operation times and Staff and Student Numbers

The school's operating hours Monday to Friday will be as follows:

- Staff: 6:30am-8:00pm
- Student Class times: 8:40am-3:20pm
- After hours: 4:30pm-8pm.

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The new Year 9 Campus will be staffed by 15 employees that will be present at the site at any one time.

The Year 9 Campus will operate with approximately 300 students. However, fluctuations may occur from time to time, and it is requested that the planning permit allow for this through being flexible on student numbers.

3.5 Car Parking

34 car parking spaces are provided on the site, including one disabled space, as shown in the Architectural Plans (Existing Site Plan). Further informal car parking spaces are provided in an asphalt area to the north of the existing school classrooms.

As detailed in the Traffic Engineering Assessment prepared by Traffix Group, the relevant car parking rates required under Clause 52.06-5 are as follows:



- Child Care Centre (continuing use): 0.22 spaces to each child
- Place of Assembly (continuing use): 0.3 spaces to each patron permitted
- Secondary School (proposed use): 1.2 spaces to each employee that is part of the maximum number of employees on the site at any time.

No changes are proposed to the existing Childcare Centre and Place of Assembly uses on the site or associated car parking provision. The use of the car park for the Place of Assembly use on will be confined to Saturdays and so will fall outside of school times.

18 car parking spaces are required for the proposed Secondary School use, considering the 15 staff members proposed as part of this use. With 10 of the total 34 spaces allocated to the existing Child Care Centre (which has a maximum capacity of 47 children), 24 spaces are available for use by the proposed Secondary School. This exceeds the required number of car parking spaces and therefore no permit is required for a reduction in car parking spaces.

The Traffic Engineering Assessment provides an assessment of likely car parking demand during peak drop-off/pick-up times, which provides an empirical assessment that an additional 51 spaces beyond the capacity of the formal car park are required during these times. This is planned to be accommodated in the asphalt car park area that is currently used for parent pick-up parking for the current primary school.

3.6 Bicycle Facilities

A total of 62 bicycle parking spaces are proposed to be provided on site, as shown in the Architectural Plans (Proposed Site Plan). This is sufficient for the required bicycle parking spaces under Clause 52.34, which is 1 staff space (*1 to each 20 employees*) and 60 student spaces (*1 to each 5 pupils*).

3.7 Waste

As detailed in the Waste Management Plan prepared by Traffix Group, waste collection is proposed to occur on-site within the asphalt informal parking area via a private contractor using up to a medium rigid vehicle (MRV) as similar to the existing arrangement for the current primary school. Waste collection should be scheduled to occur outside school operating hours when the asphalt area will not be occupied. Swept path diagrams are provided at Appendix B of the Waste Management Plan, and guidelines for managing odour, noise, vermin prevention, litter and stormwater pollution are provided at section 5.

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3.8 ESD

A Sustainability Management Plan has been prepared by Suho for the proposed development, including a BESS assessment with a score of 51%. ESD initiatives included in the development are as follows:

- 20,000L rainwater tank, to be connected to all toilets for flushing
- 4-5 star WELS rating for water fittings/fixtures
- WSUD treatments, including rainwater runoff to be collected in the 20,000L rainwater tank and untreated concrete surfaces to be graded in accordance with the engineer designed drainage system
- Maximum illumination power density (W/m^2) to meet the requirements of NCC2022
- 10kW solar PV on the roof of the new building
- Indoor CO2 concentration to remain below 800ppm
- Appropriate daylight and ventilation outcomes
- 61 bicycle spaces
- On-site management of food and garden waste
- Recycling facilities provided
- 40% of site covered with vegetation
- Light colour roof (low absorbance value <0.45) to minimise urban heat island effect

3.9 Landscaping

The Landscape Plan prepared by Fooks includes landscaped areas surrounding the proposed building, including areas of lawn, tussocks, compacted gravel and paving. Two proposed new trees are will be planted on the site.

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4 Planning Controls

4.1 Zoning

General Residential Zone

The General Residential Zone – Schedule 1 (GRZ1) applies to the subject site (see **Figure 3**). Relevant aspects of the purpose of the GRZ include:

- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-2, a Secondary School use is classed as a Section 2 use (permit required).

Pursuant to Clause 32.08-10, 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.

Relevant Application Requirements at Clause 32.08-12 include:

- *Plans drawn to scale and dimensioned which show:*
 - *Site shape, size, dimensions and orientation.*
 - *The siting and use of existing and proposed buildings.*
 - *Adjacent buildings and uses.*
 - *The building form and scale.*
 - *Setbacks to property boundaries.*
- *The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.*

Furthermore, the following Application Requirements apply at Clause 5.0 of the GRZ1:

- *Plans showing existing vegetation and any trees proposed to be removed.*
- *Plans showing proposed landscaping works and planting including tree species and mature height.*

The following relevant Decision Guidelines apply at Clause 32.08-14:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*

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- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Non-residential use and development

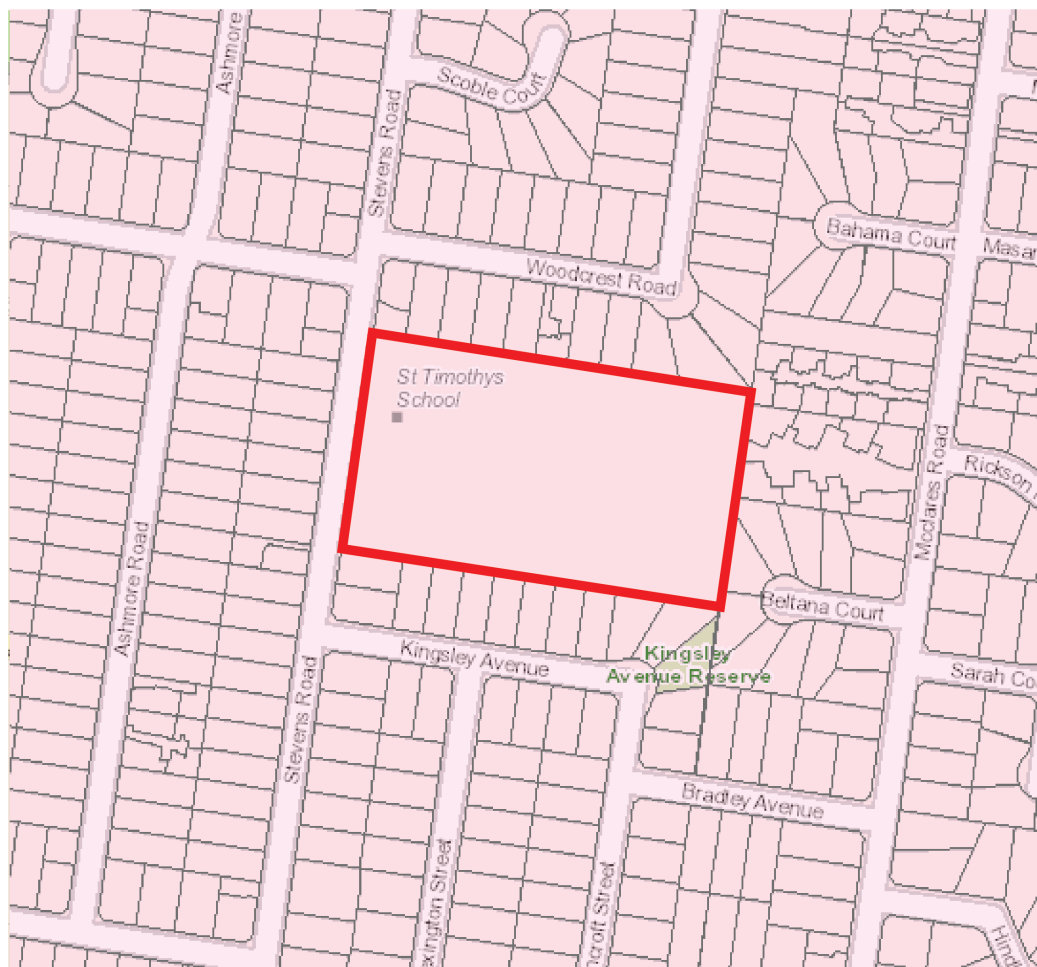
- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

The following Decision Guidelines apply at Clause 6.0 of the GRZ1:

- *Whether the proposal provides for an appropriate built form transition to residential properties in the Neighbourhood Residential Zone.*
- *Whether the vegetation in the street setback will contribute to the preferred neighbourhood character and the public realm.*
- *Whether there is sufficient permeable space that is not encumbered by an easement to enable the planting of canopy trees.*
- *Development should provide for the retention and/or planting of trees, where these are part of the character of the neighbourhood.*

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ZONING PLAN

17-23 Stevens Road, Vermont

■ Site boundary

■ General Residential Zone – Schedule 1 (GRZ1)

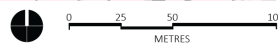


Figure 3. Zoning Plan

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4.2 Overlays

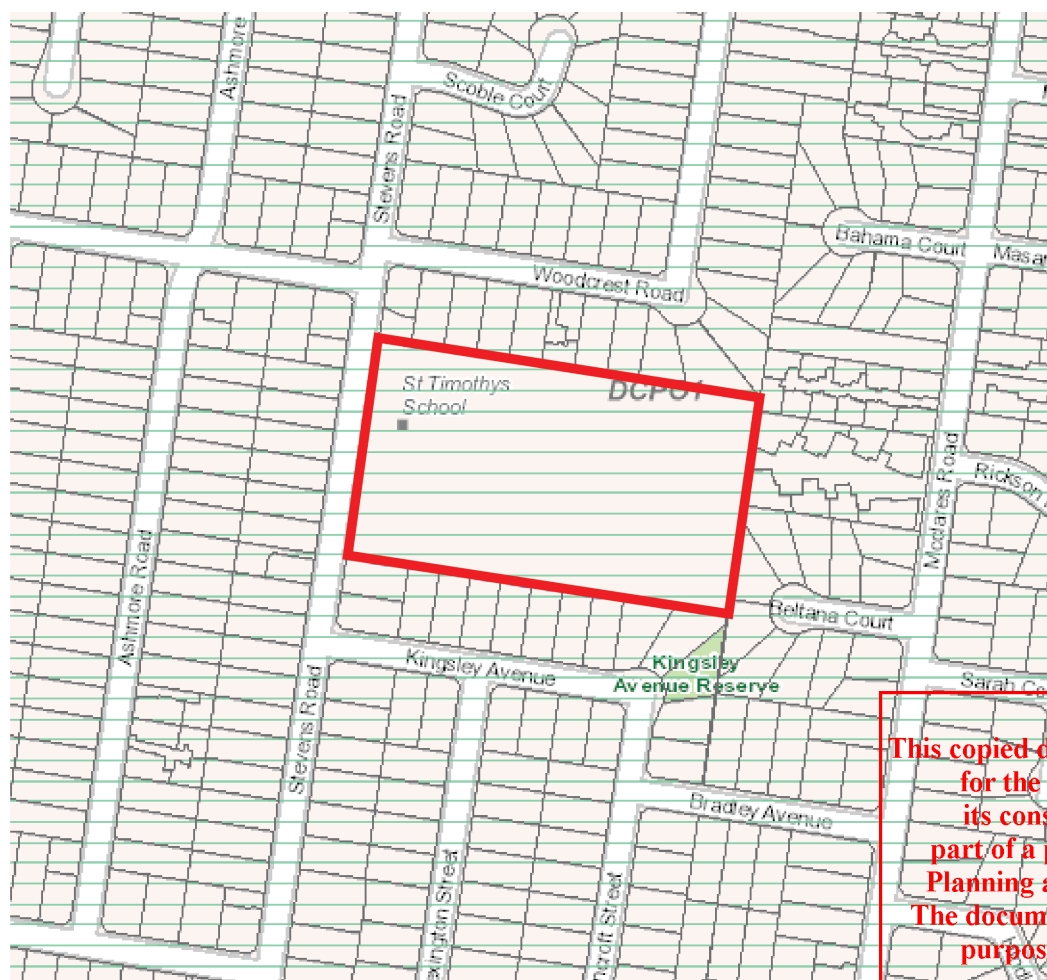
Development Contributions Plan Overlay

The land is subject to the Development Contributions Plan Overlay – Schedule 1 (DCPO1) (see **Figure 4**).

Clause 45.06-1 requires that *a permit must not be granted to construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.*

The Whitehorse Development Contributions Plan applies to the site, as detailed in Clause 1.0 of the DCPO1.

Pursuant to Clause 4.0 of the DCPO1, land developed for a non-government school is exempt from the provisions of the DCPO, therefore this proposal is exempt from the requirements of the DCPO.



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DCPO1 PLAN

17-23 Stevens Road, Vermont

Site boundary

Development Contributions Plan Overlay – Schedule 1 (DCPO1)

Figure 4. DCPO1 Plan

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Significant Landscape Overlay

The land is subject to the Significant Landscape Overlay – Schedule 9 (SLO9) (see **Figure 5**).

The subject site is located within the Garden Suburban Neighbourhood Character Area detailed at Clause 1.0 of the SLO9, as set out in Whitehorse City Council’s Neighbourhood Character Study 2014.

Landscape character objectives to be achieved under the SLO9 are as follows:

- *To retain and enhance the canopy tree cover of the Garden and Bush Suburban Neighbourhood Character Areas.*
- *To encourage the retention of established and mature trees.*
- *To provide for the planting of new and replacement canopy trees.*
- *To ensure that development is compatible with the landscape character of the area.*

Pursuant to Clause 42.03-2, *a permit is required to construct a building or construct or carry out works*. This does not apply if the schedule to the overlay specifically states that a permit is not required.

Pursuant to Clause 3.0 of the SLO9, *a permit is not required to construct a building or construct or carry out works provided the buildings or works are set back at least 4 metres from any tree protected under the provisions of this schedule when measured at ground level from the outside of the trunk*.

A tree protected under the SLO9 is defined as having:

- A height greater than 5 metres; and
- A single trunk circumference of greater than 1 metre at a height of 1 metre above ground level.
- A location greater than 3 metres from the wall of an existing dwelling.

Therefore, a permit is required to construct a building or construct or carry out works under the SLO9 if the proposed buildings and works are located within 4 metres of a tree protected under the SLO9, as defined by the above criteria.

Furthermore, a permit is required pursuant to Clause 42.03-2 *to remove, destroy or lop any vegetation specified in a schedule to this overlay*. Vegetation removal that triggers a permit is broadly as outlined in the above criteria. No relevant exemptions apply at Clause 42.03-3.

As detailed in the attached Arboricultural Impact Assessment, two trees (Trees #3 and 6) that are subject to the permit requirements of the SLO9 are proposed to be removed as part of the development of the proposed Specialist Education Building. The entire Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) of Tree #3 is encroached upon by the proposed building and works, while 13.5% of the TPZ and 4.9% of the SRZ of Tree #6 is under encroachment. Both trees are assessed as having poor amenity value and poor retention value.

A further four trees (Trees #2, 4, 5 and 7) are proposed to be removed, however do not require a permit for removal under the SLO9 due to the limited height and trunk circumference (Trees #2, 4 and 5) and due to an environmental weed species (Tree #7).

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It follows from the above that a permit is required for the proposed buildings and works and removal of Trees #3 and 6, pursuant to Clause 42.03-2.

Pursuant to Clause 4.0 of the SLO9 (Application Requirements), *applicants must provide a report from a suitably qualified arborist to:*

- *Justify the removal of trees.*
- *Outline the measures to be taken, particularly during the construction phase, to ensure the long-term preservation of trees on, or adjoining, the development site.*

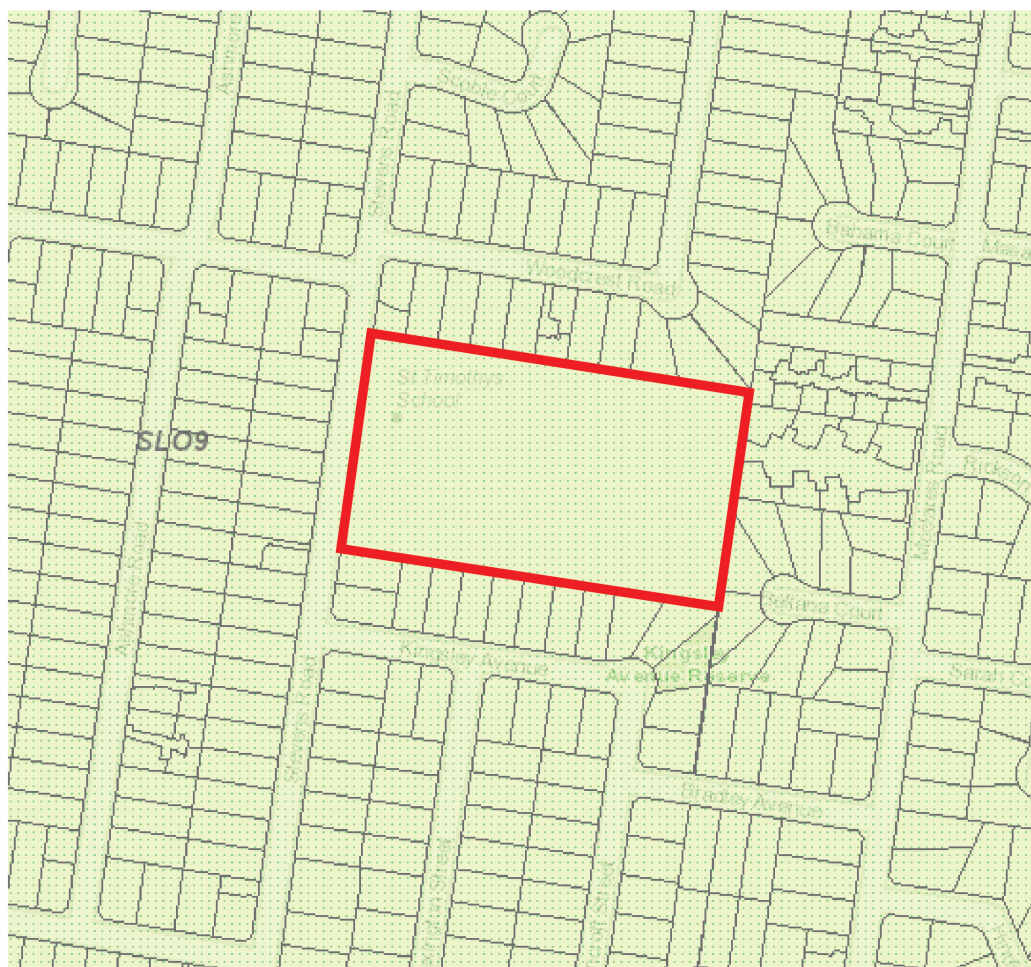
Relevant Decision Guidelines at Clause 42.03-5 include:

- *The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.*
- *The conservation and enhancement of the landscape values of the area.*
- *The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.*
- *The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.*
- *The impact of buildings and works on significant views.*

Furthermore, the following Decision Guidelines apply at Clause 5.0 of the SLO9:

- *The contribution of the tree to neighbourhood character and the landscape.*
- *The need to retain trees that are significant due to their species, age, health and/or growth characteristics.*
- *Where the tree is located, its relationship to existing vegetation and its role in providing habitat and corridors for fauna and their contribution to local ecological systems.*
- *The cumulative contribution the tree makes with other vegetation to the landscape and the impact of the incremental loss of trees.*
- *Where the location of new and existing footings and impervious areas are in relation to the root zone of established trees.*
- *The compatibility of any buildings and works with existing vegetation proposed to be retained.*
- *The effect of any proposed lopping on the significance, health or appearance of the tree.*
- *Whether there is a valid reason for removing the tree and whether alternative options to removal have been fully explored.*
- *If retention cannot be achieved, or a tree is considered appropriate for removal, consider whether:*
 - *a replacement tree has been provided; and*
 - *the site provides adequate space for offset planting of trees that can grow to a mature height similar to the mature height of the tree to be removed.*
- *If it is not appropriate to select an indigenous or native tree species, the selected species should be drought tolerant.*
- *Whether the planting location of the replacement tree(s) will enable the future growth of the canopy and root system of the tree to maturity.*

- Whether the replacement tree species and planting locations conflict with existing or proposed overhead wires, buildings, easements and existing trees.
- Whether the proposal is consistent with the Whitehorse Neighbourhood Character Study (April 2014), the Municipal Wide Tree Study Options and Recommendations Report (June 2016) and the Municipal Wide Tree Study Part 2: Additional Analysis in Garden Suburban and Bush Suburban Character Precincts (March 2019).



SLO9 PLAN

17-23 Stevens Road, Vermont

Site boundary

Development Contributions Plan Overlay – Schedule 1 (DCPO1)

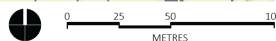


Figure 5. SLO9 Plan

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4.3 Particular Provisions/General Provisions

The following particular provisions have been considered for their relevance:

Clause 52.06 – Car Parking

This clause is relevant to the proposal given the proposed introduction of the new Secondary School use and increase in the floor area, pursuant to Clause 52.06-1.

Pursuant to Clause 52.06-5, the car parking requirement for a Secondary school use is 1.2 car parking spaces per employee that is part of the maximum number of employees on the site at any time. As detailed above, the 18 spaces required for the proposed Secondary School use (for the 15 staff members) are provided for by the 24 spaces available once allocating 10 spaces to the continuing Child Care Centre use. Therefore, no permit is required under Clause 52.06.

Clause 52.17 – Native Vegetation

This provision aims to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Pursuant to Clause 52.17-1, *a permit is required to remove, destroy or lop native vegetation*. This permit requirement is relevant to three trees (Trees # 3, 6 and 7) which are native species that are proposed to be removed as part of the buildings and works.

Tree #7 (Sweet Pittosporum) is exempt from this permit requirement, as an environmental weed species. Sweet Pittosporum is listed as an environmental weed in Victoria in the *Advisory list of environmental weeds in Victoria* document (prepared for DELWP in 2018), which lists the species as ‘highly invasive’ and having a ‘typically significant’ impact on natural systems.

Trees #3 and 6 are exempt from the permit requirement pursuant to Clause 52.17-7 which applies for planted vegetation, which is defined as *native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding*.

Trees #3 and 6 are planted vegetation, as evidenced by Nearmap aerial photography included below (refer to **Figure 6 and 7**).

Therefore, no permit requirement is triggered for the application under Clause 52.17.

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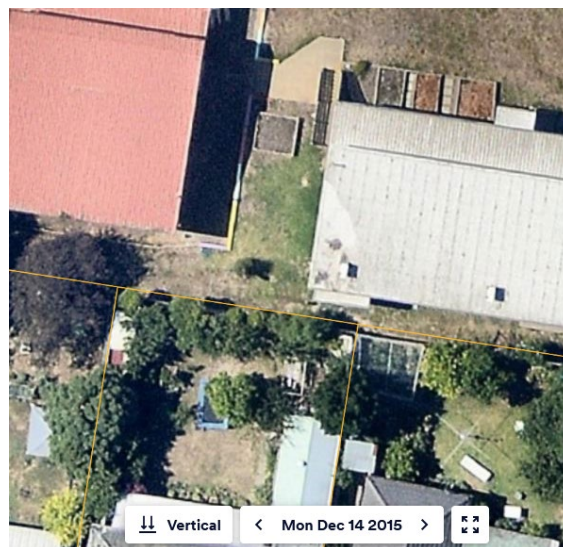
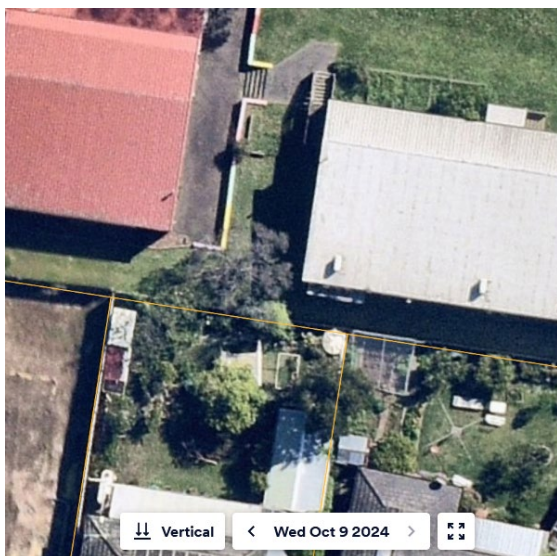


Figure 6. Tree #3 (2024 and 2015)

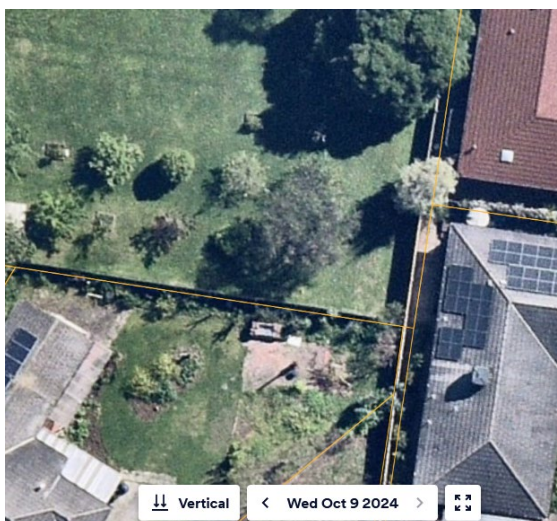


Figure 7. Tree #6 (2024 and 2009)

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Clause 52.34 – Bicycle Facilities

Pursuant to Clause 52.34-1, this clause is relevant to the proposal, given the proposed increase in the floor area.

As detailed above, the 61 bicycle spaces required under Clause 52.34-5 is provided for within the 62 spaces proposed within a northern section of the site.

Clause 53.18 – Stormwater Management in Urban Development

This provision seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Pursuant to Clause 53.18-3, an application to construct a building or construct and carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

Clause 53.19 – Non-Government Schools

This provision helps to streamline the process for development of new, and the upgrade and expansion of existing, non-government primary and secondary schools.

As per Clause 53.19-2, an application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act (i.e. there is no opportunity for the planning application to be appealed to VCAT by a third party).

Clause 62.02 – General Exemptions (Buildings and Works)

Relevant exemptions from permit requirements under Clause 62.02-2 include:

- *Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.*
- *Disability access and disability facilities associated with an education centre (not including a lift external to a building).*

Clause 65.01 Decision Guidelines – Approval of an Application or Plan

Pursuant to Clause 65.01, before deciding on an application or approval of a plan, the responsible authority must consider:

- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

4.4 Aboriginal Cultural Heritage

The subject site is unaffected by areas of Aboriginal Cultural Heritage Sensitivity.

4.5 Bushfire Prone Areas

The subject site is unaffected by designated bushfire prone areas.

4.6 Planning Permit Triggers

Having regard to the above, the permit triggers for the proposal are as follows:

- Clause 32.08-2 (GRZ) – to use the land as a Secondary School.
- Clause 32.08-10 (GRZ) – to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
- Clause 42.03-2 (SLO) – to construct a building or construct or carry out works.
- Clause 42.03-2 (SLO) – to remove vegetation.

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5 Planning Policy Context

The following section outlines the key policy considerations of the Planning Policy Framework and Local Policy Frameworks as well as the planning controls, which apply to the site.

An assessment of the proposal against the policy framework is addressed at Section 6 of this report.

5.1 State Planning Policy Framework

The Planning Policy seeks to guide proposals in a manner which benefits local communities and the wider region.

State policy seeks to ensure that Melbourne remains a thriving city by encouraging development which contributes to Melbourne's liveability, economic viability and provides benefits to the wider community.

The following State Planning Policies are relevant to the proposal:

- **Clause 11 – Settlement**
- **Clause 15 – Built Environment and Heritage**
- **Clause 17 – Economic Development**
- **Clause 18 – Transport**
- **Clause 19 – Infrastructure**

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The key policy directions which emerge from these include:

- *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses (Clause 11.02-1S).*
- *Planning should promote excellence in the built environment and create places that:*
 - *Are enjoyable, engaging and comfortable to be in.*
 - *Accommodate people of all abilities, ages and cultures.*
 - *Contribute positively to local character and sense of place.*
 - *Reflect the particular characteristics and cultural identity of the community.*
 - *Enhance the function, amenity and safety of the public realm (Clause 15).*
- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity (Clause 15.01-1S).*
- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm (Clause 15.01-2S).*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles (Clause 15.01-2S).*
- *To strengthen and diversify the economy (Clause 17.01-1S).*
- *To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport (Clause 18.01-1S).*
- *To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing (Clause 18.01-3S).*

- Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities (Clause 19.02-2S).
- Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones (Clause 19.02-2S).
- Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities (Clause 19.02-2S).
- Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass) (Clause 19.02-2S).
- Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport (Clause 19.02-2S).
- Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access (Clause 19.02-2S).
- Consider the existing and future transport network and transport connectivity (Clause 19.02-2S).

5.2 Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) provides localised direction in relation to land use and development objectives within the municipality. The following clauses are relevant to the proposed development:

- **Clause 02 – Municipal Planning Strategy**
- **Clause 13 – Environmental Risks and Amenity**
 - **Clause 13.07-1L – Non-residential uses in residential areas**
- **Clause 15 – Built Environment and Heritage**
 - **Clause 15.01-2L – Environmentally sustainable development**
 - **Clause 15.01-5L – Preferred neighbourhood character**
- **Clause 18 – Transport**
 - **Clause 18.02-1L – Sustainable personal transport**
 - **Clause 18.02-4L – Car parking**

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Key Policy Considerations include:

- Clause 02.03-3 recognises the sensitivity of non-residential uses in residential areas and the importance of these being integrated into the residential environment with minimal impact on residential amenity. Council's strategic directions are to:
 - *Direct non-residential uses to locations that are able to service the needs of the local community.*
 - *Ensure buildings for non-residential uses are designed to integrate with and respect the surrounding neighbourhood character.*
 - *Ensure non-residential uses do not cause detriment to the community, or the amenity of the surrounding residential area.*
- *Provide for services and facilities that are needed by local communities in a way that does not detract from the amenity of the area (Clause 13.07-1L).*
- *Encourage non-residential uses to locate:*
 - *Where there is a demonstrable local community need for the proposed facility or service.*
 - *Within convenient walking distance to activity centres, or other non-residential uses or zones.*

- *On a corner site abutting a road in a Transport Zone.*
- *In a highly accessible location where the traffic they generate is compatible with the role and function of the street and the surrounding area (Clause 13.07-1L).*
- *Achieve best practice in environmentally sustainable development from the design stage through to construction and operation (Clause 15.01-2L).*
- *Ensure that development contributes to the preferred neighbourhood character of the area and minimises the loss of trees and vegetation (Clause 15.01-5L).*
- *Improve pedestrian and bicycle path connectivity throughout the municipality (Clause 18.02-1L).*
- *Locate parking areas to the side or rear of buildings to reduce the visual impact of on-site car and truck parking from the street (Clause 18.02-4L).*

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6 Planning Considerations

6.1 Assessment against relevant Planning Policy

The proposal achieves a high level of compliance with the policies and strategies of both the PPF and LPPF, particularly those aiming to ensure provision of high-quality education facilities and protection of local character and amenity, through achieving the following:

Planning Policy Framework

- The proposal contributes to a diversity of education facilities and will assist in meeting the future education needs of the wider community, supporting Clauses 11.01-1S and 19.02-2S.
- Consistent with Clauses 15 and 15.01-2S, the school will create a pleasant, safe, healthy, accessible and functional school environment. The design of the new school building will sit harmoniously within the existing and emerging neighbourhood character of the area and will enhance the public realm through providing interest and high-quality built form and landscaping.
- Safe access for pedestrians and vehicles will be provided via Stevens Road at the west of the site which includes a dedicated school crossing, in accordance with Clause 15.01-2S.
- The proposal takes advantage of public bus stops on both sides of Stevens Road directly abutting the site and the site is well connected to the wider road network via nearby arterial roads Canterbury Road and Springvale Road, in accordance with Clause 18.01-3S and Clause 18.01-1S.
- The proposal is strongly supported by Clause 19.02-2S through:
 - Providing a safe vehicular drop-off zone within the asphalt car parking area.
 - Facilitating safe vehicle access, sufficient on-site parking for empirical demand and access to public transport through siting adjacent to the Stevens Road bus stops.
 - Co-locating education facilities through retaining the existing childcare centre.
 - Realising the site's potential for a secondary school education facility in order to help meet existing and future demand for the education needs of the community.
 - Sensitively developing a new building that is appropriately located and designed to minimise impact to neighbouring residential uses, noting Clause 19.02-2S recognises that secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).
 - Taking advantage of the existing comprehensive transport network, with limited impacts anticipated to surrounding roads, as detailed in the Traffic Engineering Assessment.

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- The proposal is appropriate to the existing neighbourhood character and surrounding sensitive residential uses, including through the limited two-storey height, muted colours, minimum 4.5m setbacks from neighbouring residential lots and the retention of the majority of existing trees (including the largest and highest value trees for retention). The proposal is well-located to service the needs of the local community, considering the easy access to surrounding arterial roads and the bus network. This is in accordance with Clause 02.03-3.
- The proposal supports the objective and location strategies of Clause 13.07-1L by providing education infrastructure for families in the area and facilitating a choice of learning centres and services in the community. As outlined above, the building design, siting and retention of significant vegetation will ensure the amenity of the residential area is maintained. Furthermore, the location is within convenient walking distance to a range of services, including the Brentford Square Shopping Centre, Aqualink Nunawading, Vermont Tennis Club and a range of local parks and businesses.
- As detailed in the Traffic Engineering Assessment, traffic resulting from the proposal will likely be similar to that generated by the past operation of the primary school when enrolments were comparable to numbers currently proposed. The proposal is compatible with the role and function of the street and can be adequately accommodated by the surrounding road network and intersections, in accordance with Clause 13.07-1L.
- The proposal supports Clause 15.01-2L through environmentally sustainable design features such as a rainwater tank, 4-5 star WELS ratings for water fittings, rooftop solar, design for good daylight and ventilation outcomes and on-site management of food and garden waste via a compost bin.
- As detailed above, the proposal is in harmony with the existing neighbourhood character through built form and siting, in accordance with 15.01-5L.
- The proposal minimises the removal of existing vegetation, in particular large trees assessed as having moderate-high retention value, in accordance with Clause 15.01-5L.
- Techniques to minimise the impact of construction on existing vegetation are provided at section 8 of the attached Arboricultural Impact Assessment and can be adhered to during construction, in accordance with Clause 15.01-5L.
- The proposal provides for educational facilities without detracting from the amenity of the area and while supporting the existing character of the area, including through built form aspects identified above and the minor nature of the intensification of the site, in accordance with Clause 15.01-5L.
- The proposal supports cycling infrastructure through provision of bicycle parking spaces and retains direct access to the pedestrian network from the site, in accordance with Clause 18.02-1L.
- The proposal retains the existing car parking area which has previously been used as a car park for St Timothy's Primary School. Extensive vegetation including canopy trees are located surrounding the car park, including along the interface with Stevens Road, in accordance with Clause 18.02-4L.

Development and Amenity Impacts

The proposed development is appropriate with regards to potential amenity impacts, including to neighbouring residential properties. While State Planning Policy recognises that *secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass)* at Clause



19.02-25, the proposed new building has been designed to respond positively to its context and minimise potential amenity impacts to neighbouring residential interfaces as follows:

- Scale and design – the scale of the proposed development is appropriate for the site context and typical of an educational use. The design is articulated and external materials include a mix of bricks, lightweight cladding and raised windows that will result in an attractive design including at the southern interface with residential properties.
- Setbacks – the proposed building is setback 4.5m from the southern boundary and 6.69m from the eastern boundary, with vegetation included within sections of these setbacks. These setbacks follow the existing southern setback from existing buildings at the school site to neighbouring residential lots.
- Overlooking – overlooking diagrams are supplied from the first floor of the proposed building in the architectural plans. Overlooking to private open space of properties to the south of the subject site is restricted and confined to school hours when the buildings are in use.
- Overshadowing – an analysis of overshadowing to neighbouring properties is provided in the architectural plans. This finds that, on 22 September, the proposed building will result in minor additional overshadowing of two neighbouring properties to the south of the subject site at 9am, with no overshadowing to result at other times or to the neighbouring properties to the east. No overshadowing will be caused to rooftop solar panels on neighbouring dwellings.
- Noise – the proposed use and development of the site will not result in noise levels greater than generally resulting from the past operation of the primary school when student numbers were comparable to that of the current proposal. This potential impact will generally only occur during school times. The Waste Management Plan includes measures to manages noise impacts relating to waste collection.

As detailed above, the proposed development is appropriate in relation to parking, traffic, waste, vegetation and ESD matters, which are addressed in detail in the attached specialist reports.

6.2 Assessment against relevant Planning Controls

General Residential Zone

The proposal is consistent to the Purpose and Decision Guidelines of the GRZ, discussed as follows:

Purpose

- The development provides an education facility in a manner that respects the existing and emerging residential character of the area, noting again that planning policy specifically contemplates secondary school facilitates to differ to dwellings in both function and form, including height, scale and mass.
- The design of the new building is modest in scale and intensity, being a carefully designed double storey building that will lead to a relatively minor increase in development intensity at the site. The building design is articulated and retains vegetation across the site and along boundaries to ensure that a high amenity and compatibility with neighbouring residential lots is achieved.

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- The proposal facilitates the development of an educational use that will address local community needs in a highly appropriate location, within an existing residential precinct and close to transport and pedestrian networks and open space.

Decision Guidelines

- The proposal is in accordance with the Municipal Planning Strategy and the Planning Policy Framework, as outlined above.
- As detailed in the attached architectural plans, the proposal will not cause overshadowing to existing rooftop solar energy systems on dwellings on adjoining lots, including at neighbouring lots 17 Kingsley Avenue and 8 Beltana Court.
- As noted above, the low scale and intensity of the proposed design ensures that the development is compatible with the existing residential community.
- The proposal directly addresses a key local community need through providing an education facility that will provide essential services as well as expand the function and offer of the neighbourhood and surrounding area.
- The proposed design is consistent with the provisions of Clause 19.02-2S in adopting a scale and bulk appropriate for a non-residential use. As outlined above, the scale, intensity and design of the proposed building, in addition to the retention of high value vegetation, will ensure that the proposal and will sit harmoniously amidst the existing built form and landscaping of the surrounding area.

The proposed building is appropriately setback from site boundaries, as well as the existing buildings on the site, and will maintain existing viewlines.

Materials have been illustrated on the elevation plans and include a mixture of lightweight cladding, external bricks and powder coated steel. Colours are of muted tones.

- As outlined in Section 3.9, the proposal includes a Landscape Plan demonstrating landscaping and garden beds surrounding the proposed building.
- Waste collection will occur via the asphalt informal car parking area as noted in Section 3.7. Waste collection arrangements will follow Council and EPA guidelines to ensure acoustic impacts are minimised and the implementation of ventilation, vermin prevention, litter management, washing facilities and stormwater pollution measures outlined in the Waste Management Plan will ensure amenity impacts are minimised.
- As detailed above, the proposal meets the provision of car and bicycle parking spaces required under the planning scheme. The provision of 24 car parking spaces and 61 bicycle parking spaces is appropriate for the proposed educational use and will allow safe and functional movement of students, staff, parents and visitors to the school.
- As detailed in the Traffic Engineering Assessment, the traffic impacts generated by the proposal are modest and comparable to that likely created by past operation of the primary school.
- As shown in the Landscape Plan, vegetation is included in the setbacks to the southern and eastern property boundaries.
- Ample permeable space is provided surrounding the proposed building in all directions that would enable the planting of canopy trees.

- As noted above, the proposed building provides for the retention of existing trees on the site, including large canopy trees assessed as having high retention value in the attached Arboricultural Impact Assessment. Two new trees are proposed to the west of the new building.

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Significant Landscape Overlay

The proposal is consistent to the Landscape Character Objectives and Decision Guidelines of the SLO, as follows:

Landscape Character Objectives

- The proposal retains existing large trees on the site that provide for extensive canopy cover, including established and mature trees that are assessed in the Arboricultural Impact Assessment as having the highest amenity and retention value.
- As outlined above, areas of permeable surface are provided surrounding the proposed building on all sides providing opportunities for the planting of new canopy trees.
- The proposal is consistent with the Garden Suburban Neighbourhood Character that applies to the site, including through the retention of canopy trees, lawn areas and well-defined property boundaries as a result of the building siting and boundary treatment.

Decision Guidelines

- As detailed in the attached Arboricultural Impact Assessment (AIA), the proposal includes the retention of the majority of trees on the site, including the largest and most mature trees which are assessed as having high amenity and retention values.
- As outlined above, the scale, intensity and design of the proposed building is in accordance with the existing character and landscape of the area and will have no impact on significant views. The proposed increase in floor area is of a minor nature and the double-storey built form is in keeping with the character of the area.
- The trees that are proposed to be removed as part of the proposal are assessed in the AIA as having poor amenity value and poor retention value (except for Tree #7, which is identified as an environmental weed species), and therefore have low value in contributing to the neighbourhood character and landscape.
- As outlined above, mature and large trees identified as having moderate and high amenity and retention value are proposed to be retained on the site.
- As detailed in the AIA, two trees are subject to the permit requirements of the SLO9 (Trees #3 and 6). Tree #3 is assessed as having poor health and structure and Tree #6 is assessed as having fair/good health and structure, with both trees assessed as having poor amenity value and retention value. It is anticipated that the removal of these trees, along with the other four trees proposed to be removed that do not require a permit under the SLO9, will have minor impacts on the provision of habitat and local ecological systems.
- Section 5.2 of the AIA details the locations of the structural root zones in relation to the proposed building, which has informed the proposed removal and retention of trees on the site.
- As detailed at section 7.3 of the AIA, all trees proposed to be retained are assessed as having minor encroachment from the proposed development, except for Tree #14 on the neighbouring property which is expected to remain viable despite the major encroachment.
- No trees are proposed to be lopped as part of the development.
- As detailed in the AIA, the trees proposed to be removed cannot be retained with the development of the proposed building.
- As detailed in the Landscape Plan, two new trees are proposed to the west of the new building.



- There is ample space on the site as part of the proposal to plant trees that can grow to mature heights similar to the mature heights of the trees to be removed, including along site boundaries and to the north of the proposed building.
- Planting within the site may be native tree species or otherwise drought tolerant species.
- Potential locations for replacement trees exist on the site that will enable the future growth of the canopy and root system of trees to maturity, noting the ample permeable area along site boundaries and north of the proposed building.
- Potential locations for replacement trees exist which do not conflict with overhead wires, buildings, easements or existing trees.
- The proposal is in accordance with the identified traits of the Garden Suburban Area in the *Whitehorse Neighbourhood Character Study (April 2014)*, including the retention of lawn areas and canopy trees and well-defined property boundaries as a result of the building siting and setbacks.
- The proposal is in accordance with the *Municipal Wide Tree Study Options and Recommendations Report (June 2016)* and the *Municipal Wide Tree Study Part 2: Additional Analysis in Garden Suburban and Bush Suburban Character Precincts (March 2019)*, insofar as the proposal is in accordance with the strategic and statutory recommendations included in these documents that have been incorporated into the planning scheme, including those included in the SLO.

Clause 52.06 – Car Parking

As outlined in detail within the Traffic Engineering Assessment, the proposal meets the required car parking spaces required under Clause 52.06.

Clause 52.17 – Native Vegetation

As outlined above, three trees (Trees #3, 6 and 7) are native species that are proposed to be removed. These are exempt from permit requirements as planted vegetation.

Clause 52.34 – Bicycle Facilities

As outlined in detail within the Traffic Engineering Assessment, the proposal meets the required student and staff bike parking spaces required under Clause 52.34.

Clause 53.18 – Stormwater Management in Urban Development

The proposal is consistent to the purpose of the clause through mitigating impacts to stormwater on the environment (litter will be managed through the ongoing implementation of a waste management plan) and cooling of the environment (landscaping will help to cool the school environment).

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The proposal meets the objectives and standards of clause 53.18-5 and 53.18-6 as follows:

Clause 53.18-5

- A waste management plan has been prepared that will help avoid litter from entering into the drainage system.
- The proposal will not result in the production or disposal of chemical pollutants.

Clause 53.18-6

- The buildings will be serviced by an engineered drainage system installed at the site.
- Works at the site will be managed during construction to prevent waste, chemicals and sediment from entering the drainage system. A Construction Management Plan will document the processes utilised to prevent unacceptable impacts to the environment during construction.
- Given the infill nature of the development and the established urban context of the site, it is not expected that erosion will result during construction.

Clause 65.01 Decision Guidelines

The development is consistent with the Clause 65.01 Decision Guidelines as follows:

- The development is consistent with the Planning Policy Framework and the planning controls relevant to the proposal.
- The development will maintain the quality of stormwater through implementing best practice in relation to drainage, including harvesting rainwater for use in the rainwater tank.
- The proposal will implement a waste management plan that manages off-site impacts relating to collection (ie. traffic impacts), noise and odour. The Plan will encourage the minimisation of land fill waste through encouraging recycling and general reduction of single use material.

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7 Conclusion

The proposal achieves a high level of compliance with State and Local Planning Policy, zoning and other planning scheme provisions. The proposal is for the introduction of a new Secondary School use and a new non-government secondary school Specialist Education Building which will provide essential education facilities and additional education choice for the surrounding area.

The proposed use and development will help to meet existing and future demand for the education needs of the community and provide a variety of high-quality learning spaces and associated facilities for future students, as part of the new Year 9 Campus of Emmaus College.

The proposed development has been designed to integrate within the surrounding built and natural environment, including through the use of appropriate setbacks and landscaping along the site boundary. The use of the site for a Secondary School represents an efficient use of the site and constitutes a logical approach to land use planning which should be supported.

The proposal will provide a positive influence on the character of the area and will not cause unacceptable impacts to the amenity of surrounding properties. The works will complement and enhance the existing built form through being sensitively designed and through use of setbacks and vegetation on the site. New high-quality landscaping including trees, garden areas and the articulated nature of the overall design will enhance the outward appearance of the school and will ensure that the school is appropriately screened from neighbouring residential interfaces.

Given the high level of compliance with the assessment framework, it is respectfully requested that the application be approved, and the plans submitted with the application endorsed.

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ATTACHMENT 1: Title

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