

184-186 Hearn Street, Colac

Application for a Planning Permit

Planning Permit Application No. PA2503498



Officer Assessment Report
Development Approvals & Design

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Department
of Transport
and Planning

Executive Summary

Key information	Details
Application No.:	PA2503498
Received:	21 January 2025
Statutory Days:	48 days (as of 7 April 2025)
Applicant:	Context Planning Pty Ltd
Planning Scheme:	Colac Otway
Land Address:	184-186 Hearn Street, Colac
Proposal:	<p>Development of a building associated with the extension of an education centre (secondary school) and a reduction in the car parking spaces required under clause 52.06-5.</p> <p>The project proposes to develop the adjoining lot with a single-storey building that will cater for a maximum of 70 students and 12 staff.</p>
Development value:	\$250,000
Why is the Minister responsible?	<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><i>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:</i></p> <ul style="list-style-type: none"> <i>There is no existing primary school or secondary school on the land.</i>
Why is a permit required?	<p>Clause 34.01-4 – A permit is required to construct a building or carry out works.</p> <p>Clause 52.06-3 – Reduction in the car parking requirements required under Clause 52.06-5.</p>
Zone:	<p>Clause 34.01-4</p> <p>Commercial 1 Zone - Building and Works</p>
Overlays:	N/A
Particular Provisions:	<p>Clause 52.06 Car Parking</p> <p>Clause 52.34 Bicycle Facilities</p> <p>Clause 53.18 Stormwater Management in Urban Development</p> <p>Clause 53.19 Non-Government Schools</p> <p>Clause 65 Decision Guidelines</p>
Cultural Heritage	N/A
Total site area:	390m ²
Gross Floor Area:	122.4m ²
Referral authorities	<p>Colac Otway Shire Council (Section 52 Notice)</p> <p>Adjoining Owners and Occupiers (Section 52 Notice)</p>
Public Notice	<p>Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner:</p> <ul style="list-style-type: none"> Letters to neighbouring properties posted on 19 February 2025 <p>Advertising closed on 19 March 2025 and received nil submissions.</p>
Recommendation	The application is recommended for approval subject to the conditions as discussed in this assessment.



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

Milestone	Date
Application lodgement	21 January 2025
Further information requested	N/A
Further information received	N/A
Further plans submitted (formally under section 50 of the Act)	The formally substituted plans illustrated (in summary):
Further informally substituted sketch plans submitted (date)	The sketch plans illustrated (in summary):
Decision Plans	Architectural Plans prepared by A & A Portable Buildings and dated 12 December 2024. Traffic Engineering Assessment prepared by Traffix and dated 19 December 2024

2. The subject of this report is the decision plans (as described above).
3. St Joseph's Flexible Learning Centre has been in operation for 3 years and works with young people who are disengaged from mainstream education with the aim of re-engaging them in creative, meaningful and intentional learning.
4. The Planning Permit application is summarised as follows:
- Development of a portable classroom building associated with a secondary school to cater for a maximum of 70 students and 12 staff;
 - Reduction in car parking requirements, as there is no ability to provide on site car parking in a safe and manageable way.

5. The proposal can be summarised as follows:

Key Information	Details
Proposal:	Development of a building associated with the extension of an education centre (secondary school) and a reduction in the car parking spaces required under clause 52.06-5. The project proposes to develop the adjoining lot with a single-storey building that will consist of two classrooms and cater for a maximum of 70 students and 12 staff.
Total site area:	390m ²
Gross Floor Area:	122.4m ²
Height:	2.7m
Setbacks:	Area of proposed works are setback approximately 21.3 metres from the nearest residential property to the west and approximately 35.1 metres from the nearest residential property to the north.
Loading and Waste	The School seeks to utilise the existing loading and waste arrangements on site; the existing loading and waste arrangements are considered appropriate.

6. Specific details of the application include:

- The placement of a demountable classroom on the north-western corner of the subject site. Further the existing workshop will be redeveloped to be utilised for school storage.
- No on-site car parking and no vehicle access is proposed for the secondary school. No changes to the on-street car parking along the site's frontage will result from the school. 16 bicycle parking spaces are provided in the south-west corner of the land.
- The proposed development will allow 12 staff and 70 students to attend the school.

7. The applicant has provided the following renders of the proposal:

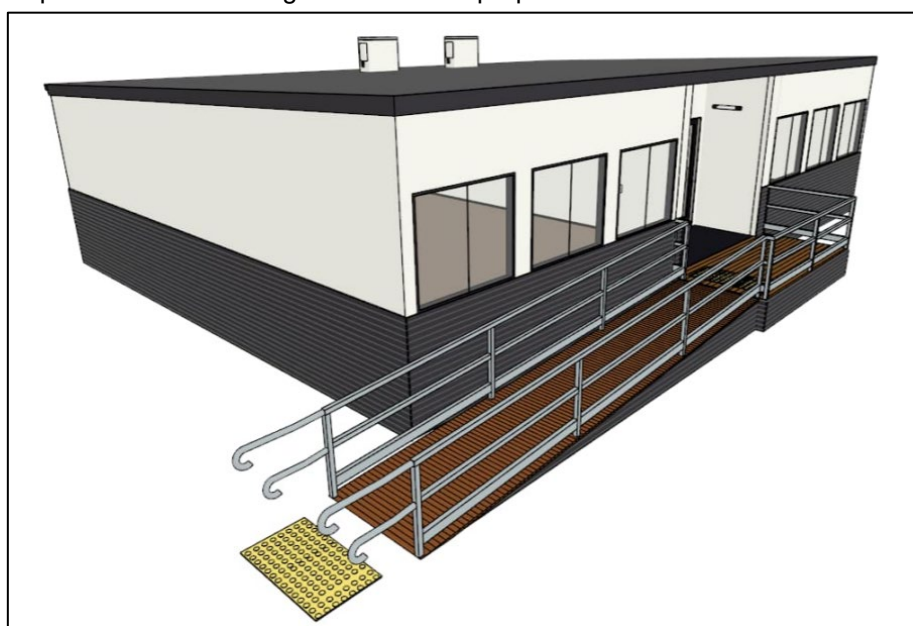


Figure 1: Render of the proposal

Subject Site and Surrounds

Site Description

8. The site is located at 184-186 Hearn Street, Colac, approximately 152km from the Melbourne CBD and 1.2km from the Colac City Centre. The site is predominantly vacant of any development, with a 38m² workshop located in the southern corner. The subject site is surrounded by land which is located in the General Residential Zone and which is used for residential purposes.
9. The development area is entirely located within land formally described as Lot 29,30 and 31 on Plan of Subdivision 043620 Volume 07517 Folio 077.
10. The main entrance of the campus, including pedestrian and vehicular entries, are via Hearn Street, on the northern side of the site. 12 carparking bays are located within the front setback to Hearn Street. The site also fronts Borwick Street to the west.

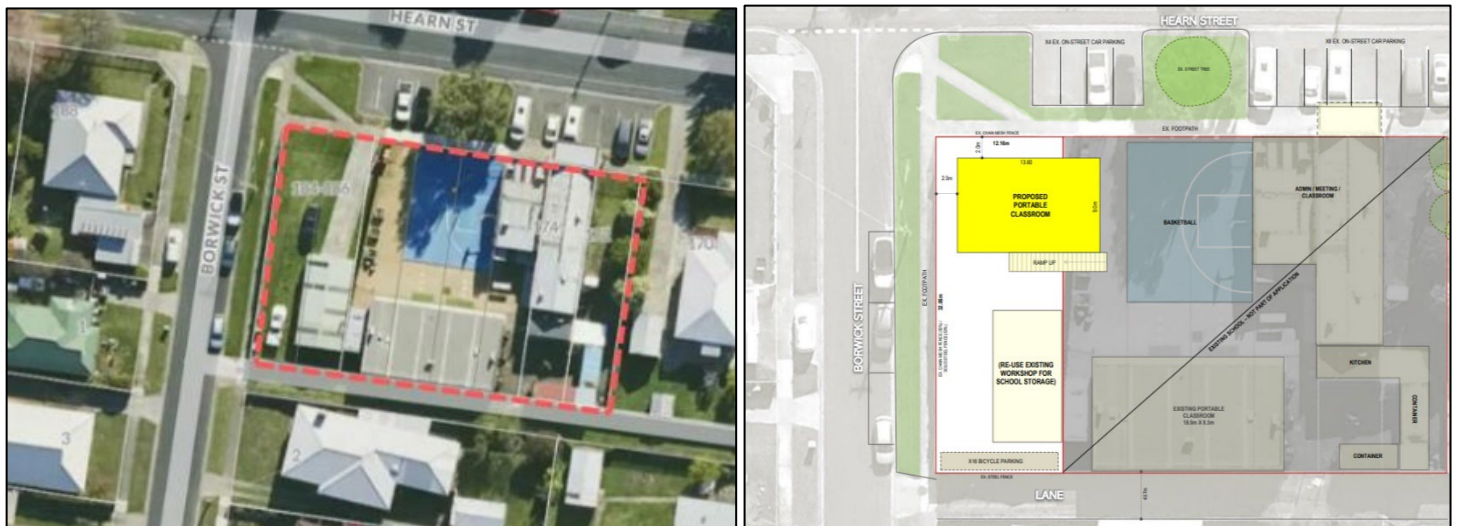


Figure 1: Aerial Site Plan (left) Figure 2: Site Context Plan (right)

Site Surrounds

11. The surrounding development consists predominately of residential area characterised by a mix of detached dwellings of varying architectural styles and scale. There are no notable or highly consistent built form features of this area in terms of allotment size, development pattern, layout, form or presentation of dwellings.
12. Development surrounding the site can be described as follows:
 - To the **north** of the site: is Hearn Street. Beyond this road reserve, is low density residential which is zoned General Residential Zone.
 - To the **east** of the site: the eastern boundary abuts with predominantly residential dwellings.
 - To the **south** of the site: is a laneway that services the back of the school and adjoining residential properties. Beyond the laneway is low density residential.
 - To the **west** of the site: is Borwick Street. Beyond this road reserve, is low density residential which is zoned General Residential Zone.



Municipal Planning Strategy

13. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause no.	Description
02.01	Context
02.02	Vision
02.03	Strategic Directions
02.03-1	Settlement
02.03-5	Built Environment and Heritage
02.04	Strategic Framework Plans

Planning Policy Framework

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

Clause no.	Description
11	Settlement
11.01-1R	Settlement – Metropolitan Melbourne
Clause no.	Description
13	Environmental Risks and Amenity
13.05-1S	Noise Management
13.07-1S	Land Use Compatibility
15	Built Environmental and Heritage
15.01	Built Environment
19	Infrastructure
19.02-2S	Education Facilities

15. The Assessment section of this report provides a detailed assessment of the relevant planning policies (as relevant to the proposal and key considerations).

Statutory Planning Controls

Commercial 1 Zone (C1Z)

16. A planning permit is required to construct a building or construct or carry out works for a Section 2 use in accordance with Clause 34.01-4. The purpose of the C1Z is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
 - *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Particular provisions

17. Clause 52.06 (Car Parking) seeks ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. There is a permit trigger



as the application proposes to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay – Clause 52.06-3.

18. Clause 53.19 (Stormwater Management in Urban Development) applies to the proposal as it is an application to construct or carry out works in the NRZ.
19. Clause 53.19 (Non-Government Schools) applies to this application as it is a non-government school.



Referrals

20. The application was referred to the following groups:

Provision/ Clause	Organisation	Response Received (date)
Section 52 – Notice	Colac Otway Shire Council	Referred on 14 February 2025. Colac Otway Shire Council provided a response on 14 March 2025 with no objections to the proposed application subject to two conditions requiring a landscaping plan.

Notice

21. 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:
- Clause 53.19-2 (Non-Government Schools) **applies exemption from review but not notice requirements*
22. Notice of the application was undertaken by DTP at the direction of the Minister for Planning in the following manner:
- Letters to neighbouring properties posted on 14 February 2025.
23. Advertising closed on 07 March 2025 and no submissions were received.



Strategic Direction and Land Use

24. The Planning Policy Framework encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
25. The site already operates as a school and the proposed additions and alterations to the existing building remain consistent with the current use and are therefore consistent with the purpose of the Commercial 1 Zone given the delivery and improvement of community infrastructure and education facilities within the precinct.
26. As the use of the land for a school is established, the development remains compatible with surrounding residential uses.
27. The relevant MPS and PPF policies have been considered in assessing the application.

Built form

28. The zoning and overlay provisions have been considered in the application.
29. The proposed works are reflective of the character of the area, maintaining the single storey scale of development and providing for a simple built form outcome. Positioned to the immediate west of the existing school, the portable classroom will be one storey in scale and of a consistent design to the existing portable classroom to the south. It is therefore considered that the built form is consistent with the purpose of the C1Z and building and works decision guidelines under Clause 34.01-8. The design, materials and colours are also typical of other portable buildings used for education facilities.
30. The proposal incorporates a number of window openings and an outdoor ramp/ deck area along its southern façade to minimise large expanses of blank walls and provide articulation and visual interest to the new part of the building.

Amenity


31. Impacts to surrounding developments or dwellings are considered negligible for the following reasons:
 - The area of proposed works are setback 20 metres from the nearest residential properties to the west and 37 metres from the nearest residential properties to the north.
 - The proposed built form and scale is commensurate with the other school buildings.
 - No vegetation is proposed to be removed.

Car Parking, Loading, Bicycle Storage and Other Services

Car Parking

32. The proposed development falls under the land-use category of 'secondary school' under Clause 73.03 of the Planning Scheme. The Planning Scheme sets out the statutory parking requirements for new developments under Clause 52.06-5. The site is not located within the Principal Public Transport Network area and accordingly the Column A parking rates apply to the development.
33. The statutory parking rates require 1.2 spaces to each employee that is part of the maximum number of employees on the site at any time, equalling 14 car parking spaces required for the school.
34. The Traffic Impact Assessment prepared by Traffix Group dated 19/12/2024 provided a car parking demand assessment which states:

The car parking demand assessment indicates that the demand of the secondary school is likely to be up to 14 car spaces, during the pick-up and drop-off times, with lower demands outside of these times.

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35. A total of 15 car spaces are provided along the site's frontage to Hearn Street (12 x 90 degree spaces) and Borwick Street (3 parallel spaces), which can be used by the secondary school. Additional unrestricted car parking is provided within the nearby area, including street parking on Hearn Street directly opposite the site. These car parking spaces have historically been used for the land use on the subject site.
36. The proposal also retains the external areas for outdoor recreation areas for students. Accordingly, it is not practical to provide for car parking on the site whilst maintaining these elements of the proposal.
37. The site is located 20m away from a No. 2 bus stop, which circulates Colac and travels past the Colac Railway Station, central Colac and residential areas. Accordingly, access via public transport represents a viable option for the school.
38. The proposed car parking arrangement is considered acceptable for the reasons discussed above.

Bicycle Parking

39. The statutory bicycle parking requirement of the development under Clause 52.34 is 1 space to each 20 staff and 1 space to each 5 pupils.
40. The plans provide space for 16 bicycle spaces, satisfying the statutory demand for staff and students.

Waste

41. The proposed building will utilise the existing waste arrangements on site and do not require the submission of a separate waste management plan. The current operations include landfill and recycling bins within the campus.

Environmental

Vegetation Removal and Landscape

42. A condition requiring the preparation a landscape plan will be imposed. The plan must be drawn to scale with dimensions and must show:
- a survey (including botanical names) of all existing vegetation to be retained and/or removed
 - a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant landscaping and planting along the frontage to Hearn Street and Browick Street
 - An in-ground irrigation system is to be provided to all landscaped areas.

Cultural Heritage

43. Areas of cultural heritage sensitivity are defined within Division 3 of the Aboriginal Heritage Regulations, 2018. The site is not located within an area of cultural heritage sensitivity and therefore a CHMP is not required.

Conclusion



Recommendation

44. **It is recommended that the Delegate of the Minister for Planning** issue Planning Permit No. PA2503498 to allow buildings and works for an existing secondary school and reduction of carparking spaces at 184-186 Hearn Street, Colac subject to conditions.
45. In addition, the following documents are to be endorsed and form part of the planning permit:
 - Architectural Plans prepared by A & A Portable Buildings and dated 12 December 2024.
 - Traffic Engineering Assessment prepared by Traffix and dated 19 December 2024.

Conclusion

46. The proposal is generally consistent with the relevant planning policies of the Colac Otway Planning Scheme and will contribute to the provision of education centres within the Colac area.
47. It is recommended that the applicant be notified of the above in writing.



I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title:

Phone:

Reviewed / Approved by:

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