



St Bernadette's Catholic Primary School, The Basin

Town Planning Report

Report for St Bernadette's Catholic Primary School, The Basin

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Public

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Customer:

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1 Introduction

Ricardo Energy Environment & Planning have prepared this planning application on behalf of St Bernadette's Catholic Primary School, The Basin.

It is proposed to construct a building and carry out associated works on the site to develop a new single storey building, together with creation of a formal vehicular crossover from Thornton Court (rear) and resurfacing an existing informal vehicle accessway.

The use of the land for the purposes of an Education Centre is nominated as a Section 2 Use under the jurisdiction of the Knox Planning Scheme. Therefore, pursuant to Clause 32.09-9 (Neighbourhood Residential Zone), a planning permit is required to construct a building or construct or carry out works associated with a Section 2 Use.

The Victorian Government has committed to funding the construction and upgrade of non-government schools across the State under the Non-Government Schools Capital Fund in order to meet the growing need for this essential community infrastructure.

Clause 53.19 (Non-Government Schools) was recently introduced via Planning Scheme Amendment VC180 to address the growing need for primary and secondary school capacity across Victoria. The purpose of this particular provision is to facilitate new non-government schools and to facilitate upgrades and extensions to existing non-government schools. The proposal satisfies the criteria for consideration under this clause.

This report is to be read in conjunction with the following reports and plans:

- Cover Letter
- Planning Permit Application Form
- Copy of Certificate of Title
- MPL Certificate
- Architectural Plans prepared by Baldasso Cortese
- Arborist Report prepared by Arboriculture Pty Ltd
- Landscape Plan prepared by John Patrick Landscape Architects.
- Bushfire Statement prepared by Bushfire Planning
- Letter confirming staff and student numbers.

It is noted that a pre-application briefing was held with Knox Council on 10 December 2020 to discuss the proposal and the feedback from Council was positive.

St Bernadette's has long provided an important role in the education of students in The Basin and its surrounding suburbs, and the proposed development will continue to support this important community need. The school currently employs 28 staff for the 202 enrolled students and the proposed development will not alter these numbers.

We submit that the proposal is consistent with the relevant requirements of the Knox Planning Scheme and should be supported by the Minister for Planning through the recommendations of the Department Environment Land Water and Planning.

2 Site Context

2.1 Site and Surrounds

The subject site is located at 1264 Mountain Highway, The Basin, between Forest Road and Liverpool Road. The land is formally identified as Lot 1 of Title Plan 853562.

The land at 1264 Mountain Highway is currently occupied by St Bernadette's Catholic Primary School and is used as a co-educational Catholic primary school. The school opened in 1983, and currently employs 28 staff for the 202 enrolled students (refer to attached letter from Principal St Bernadette's Catholic Primary School).

A combination of one to two storey learning and administration buildings are located at the centre of the site and are laid out in quadrangle. Whilst a variety of recreational sporting facilities and play areas occupy the site to the south and the west.

Vehicular access to the site is via Mountain Highway through a one way entrance and exit drop off zone leading into a formalised car park along the eastern boundary.

The formal pedestrian access points are also along the northern boundary via Mountain Highway, whilst an additional access point also exists in the south eastern corner of the site via Thornton Court. However, this is not used for regular vehicular movement of dropping and picking up students.

In terms of topography, it is noted that the site has a significant fall from the street down to the south.

The site is located in an established residential area with the land to the west and south typified by single and double storey residential developments. The land abutting the site to the east has recently been developed into 24 townhouses, whilst the land to the north is vacant.

The site is accessible by public transport with the Bus Route 755 stop approximately 15 metre to the west along Mountain Highway.



Figure 2-1 - Site Aerial

3 History

3.1 Recent Planning Applications

St Bernadette's has undergone a number of planning permit applications over the last twenty years, including the following:

- P/2005/6828 – Building and works for an education facility
- P/2007/7157 – Double sided internally illuminated advertising panel
- P/2011/7047 – Buildings and work (library and staff room)
- P/2016/6767 – Removal of five trees

Also on the record, on 21 August 2009 the Catholic Education Office (on behalf of St Bernadette's) received written approval from the then Department of Planning and Community Development (Reference 09/000885-01) for the construction of a new library and staff room, in accordance with Clause 52.40-4 of the Knox Planning Scheme. The buildings and works approved were exempted from the need for a planning permit under Clause 52.40, and were funded as part of the Commonwealth's Economic Stimulus Plan. At the time, we note that Knox Council requested the access road (from Thornton Court) be constructed above grade, in order to protect canopy trees and vegetation located in the southern portion of the site.

3.2 Pre-application Meeting

A pre-application meeting was held with Council's Statutory Planning Co-ordinator and Planning Officer on 10 December 2020. Council officers were generally supportive of the proposal and provided positive feedback on the design of the built form. Officers noted that the four new learning areas (classrooms), a collaborative zone, break out rooms, and toilet facilities within the new building is clustered with other school buildings centrally on the site, and as such did not raise concerns in terms of external amenity impacts. In particular, the good levels of separation provided between the proposed buildings and the adjoining residential properties, and that the materials and colour palette was acceptable, having muted tones and colours comprising warm grey bricks, with concrete structure below, and Australian hardwood timber feature cladding were well received.

Council Officers also made favourable comments in relation to the ESD measures included, such as the deep eaves, passive solar design, good accessibility to both natural light and ventilation, thermal sealing of the building, and proposed high level of insulation.

The primary matter raised related to the access track from Thornton Crescent. Officers noted that there is a reasonably significant patch of vegetation through the southern section of the site, and that it is contained within the Environmental Significance Overlay Schedule 3. It was noted that there is potential for detriment to be caused to existing canopy trees and other vegetation located in the south of the site. Council Officers noted that it would be necessary to engage site management practices during construction, and may require preparation of a Construction Management Plan to limit impacts on adjoining residential streets from truck movements and other construction vehicles.

We request that when the application is referred to Council it is directed to the below mentioned Statutory Planning Co-ordinator to assist with consistency and efficiency.

Email address: Peter.Steele@knox.vic.gov.au

3.3 Certificate of Title

The site is identified as Lot 1 on Title Plan 853562J, and was formerly known as part of Lot 4 on Plan of Subdivision 004773.

There are no registered restrictions, such as a Section 173 Agreement or Covenant, registered on the title.

There are two easements that. They are as follows:

- E-1 is 1.83 metres wide, is located parallel to the southern section of the eastern (side) boundary of the site and was created owing to the Transfer of Land Act 1928.
- E-2 is 2.44 metres wide, bisects the site from east to west, located in the lower third of the land, and is in favour of Knox City Council

The proposed works will not occur within these areas.

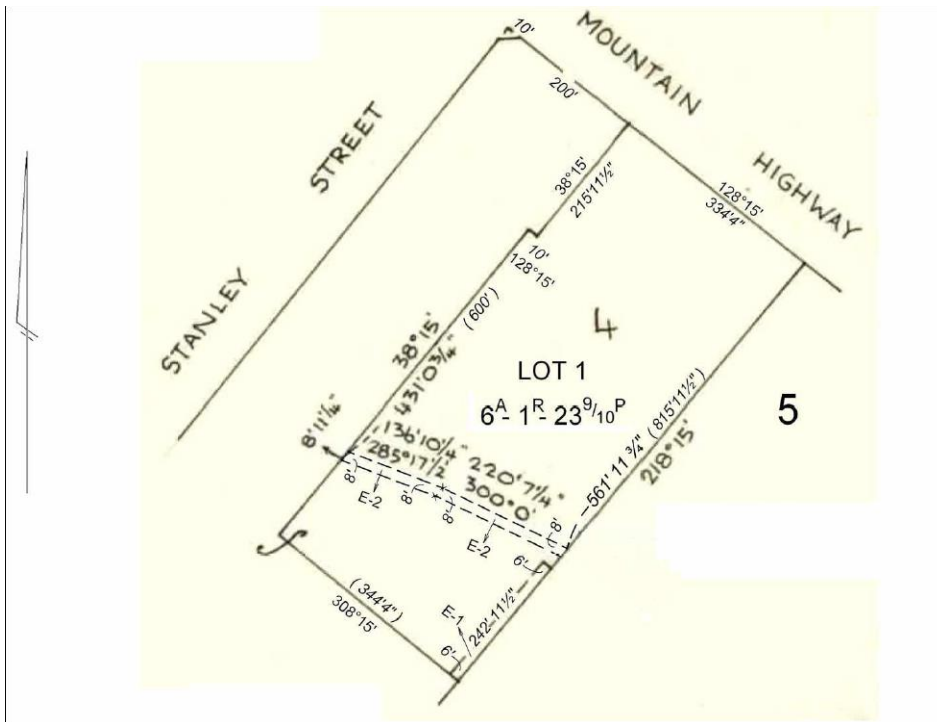


Figure 3-1 - Location of Easements

4 The Proposal

The proposal seeks to construct a building and carry out associated works on the site to develop a new single storey building with undercroft that will comprise four new learning areas (classrooms), a collaborative zone, break out rooms, and toilet facilities. An external deck will be constructed on the eastern side of the building, and a new outdoor project space created on the north-western side of the building. Associated with the buildings and works, it is proposed to create a formal vehicular crossover in Thornton Court (rear south-eastern corner of site), and resurfacing an existing informal vehicle access connected to this.

The proposal involves the demolition of an existing single storey building containing two classrooms, a multi-purpose space, withdrawal space and storage area, together with the removal of four (4) exotic trees. The trees proposed for removal have been identified by the project arborist as a Thornless Golden Honey Locust, an Evergreen Alder, and a Lombardy Poplar. Existing retaining walls will also be removed and reconstructed to improve the batter area located in the east of the site.

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The new single storey learning building will have a total building footprint of 470sqm, increasing from the existing buildings footprint of 265 sqm.

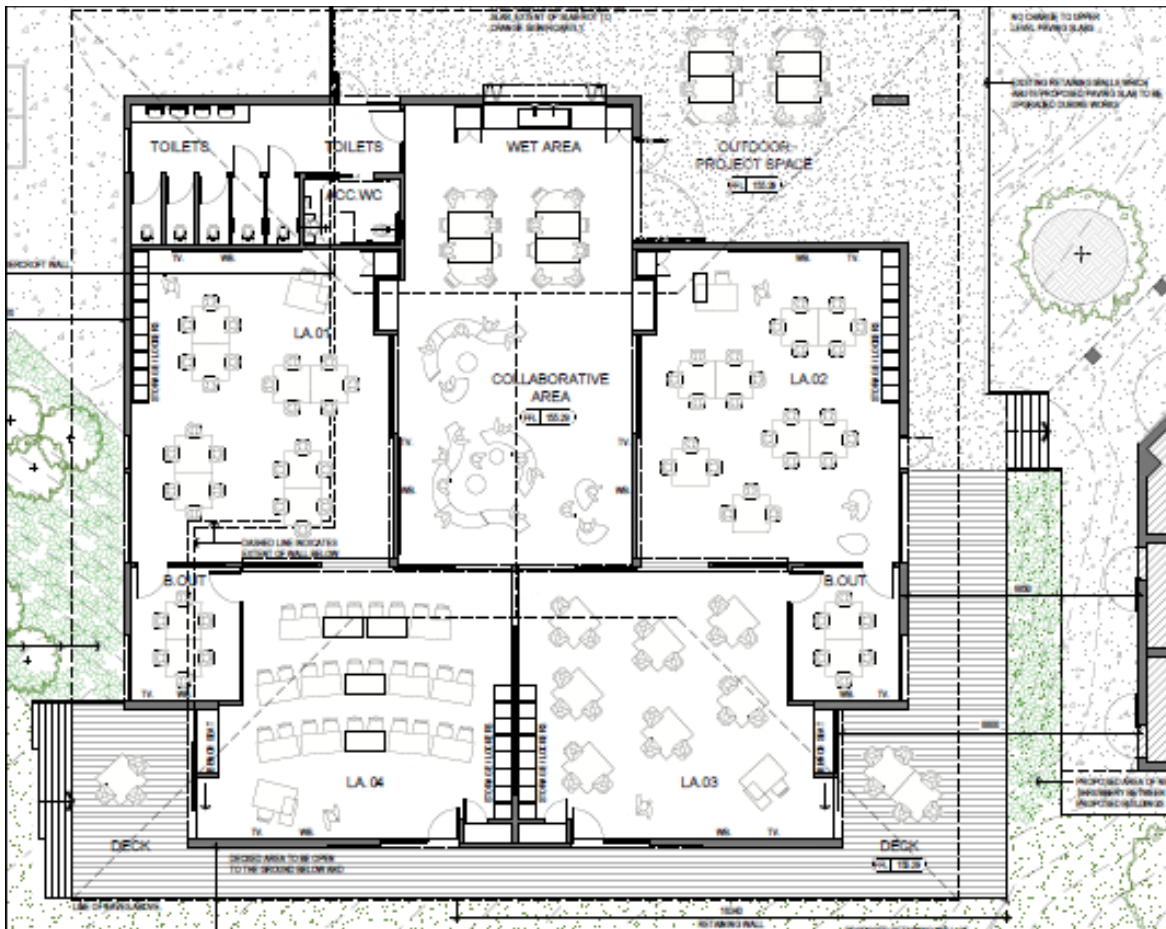


Figure 4-1 - Proposed Floor Layout

The proposal is set to retain generous setbacks and will be located 8.9 metres from the eastern (side) boundary.

Due to the nature of the site fall, the existing building is elevated with an undercroft area, and the proposed building will adopt the same design, albeit with a larger undercroft area. A new staircase will provide access to the proposed building from the existing amphitheatre. The maximum building height above natural ground level will range from 5.57 metres at the south, to 9.85 metres to the north owing to the slope of the land. As the land rises to the eastern (side) boundary, the proposed building will sit quite low when viewed from adjoining properties (refer to south elevation).

In terms of design response, the building has a modest presentation, and incorporates a simple brick structure with feature timber cladding, and a dutch gable roof.

It has been identified that the best way for construction vehicles to enter and exit the site is via Thornton Court (located in the rear south-eastern corner of the land). The applicant intends to seek approval from Knox Council for the creation of a formal vehicular crossover from Thornton Court, and associated vehicle crossover permit. This interface has previously been used as an access point for builders, and for site maintenance works. The existing informal vehicle access track that is attached to this crossover will be resurfaced with gravel. Noting that it has previously being surfaced with gravel but needs redoing to enable construction trucks to use it.

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5 Planning Controls

The wider school site is contained within the following three zones, under the jurisdiction of Knox Council:

- Neighbourhood Residential Zone – Schedule 1 (NRZ1)
- General Residential Zone – Schedule 2 (GRZ2)
- Road Zone – Category 1 (RDZ1)

Furthermore, the wider school site is also covered by the following planning overlays:

- Design and Development Overlay – Schedule 2 (DDO2)
- Environmental Significance Overlay – Schedule 2 (ESO2)
- Environmental Significance Overlay – Schedule 3 (ESO3)
- Significant Landscape Overlay – Schedule 3 (SLO3)

The area of the land relevant to this planning application is located in the eastern portion (proposed building) and southern portion (proposed new crossover and resurfacing of existing access track), which are located within the Neighbourhood Residential Zone (NRZ1), and is covered by all overlay controls.

5.1 Neighbourhood Residential Zone (NRZ1)

The majority of the site is located within the Neighbourhood Residential Zone.

A key purpose of the Neighbourhood Residential Zone is '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 32.09-9, A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.



Figure 5-1 - Neighbourhood Residential Zone (NRZ1)

5.2 General Residential Zone (GRZ2)

The General Residential Zone applies to the land along the eastern boundary. A key purpose of the zone is '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 32.08-5, a planning permit is required to construct a building or construct or carry out works any use not in Section 1 or Section 3 of the clause. However as the building and works will

not occur within this area no planning permit is required pursuant to the GRZ. Noting the GRZ has a small slither along part of the eastern boundary as demonstrated on VicPlan.



Figure 5-2 - General Residential Zone (GRZ2)

5.3 Road Zone Category 1 (RDZ1)

Mountain Highway is a zoned Road Zone Category 1. A key purpose of the Road Zone is to identify significant roads.

Pursuant to Clause 36.04-2, as no changes are proposed to either the present access arrangements, no changes to the existing use including the numbers of students or staff, nor are there buildings and works along the northern boundary where the land interfaces with RDZ1, there is no planning permit trigger under this zone.

5.4 Design and Development Overlay (DDO2)

The Design and Development Overlay Schedule 2 (DDO2) seeks 'to identify areas which are affected by specific requirements relating to the design and built form of new development'.

Schedule 2: Dandenong Foothills: Lower Slope and Valley Area which applies to the site has the following design objectives:

- To ensure that residential development reflects the existing subdivision character of the area.
- To ensure that lots are large enough to accommodate development, while retaining natural or established vegetation cover and providing substantial areas for planting and revegetation to occur.
- To minimise site coverage and impervious surface cover to protect environmental values and minimise the visual dominance of development

Pursuant to Section 2 of the DDO2, a permit is not required to construct a building or to construct or carry out works if the site area covered by buildings does not exceed 40%; and the site area covered by buildings and impervious surfaces does not exceed 60%. Refer to calculations provided on the architectural plans prepared by Baldasso Cortese.

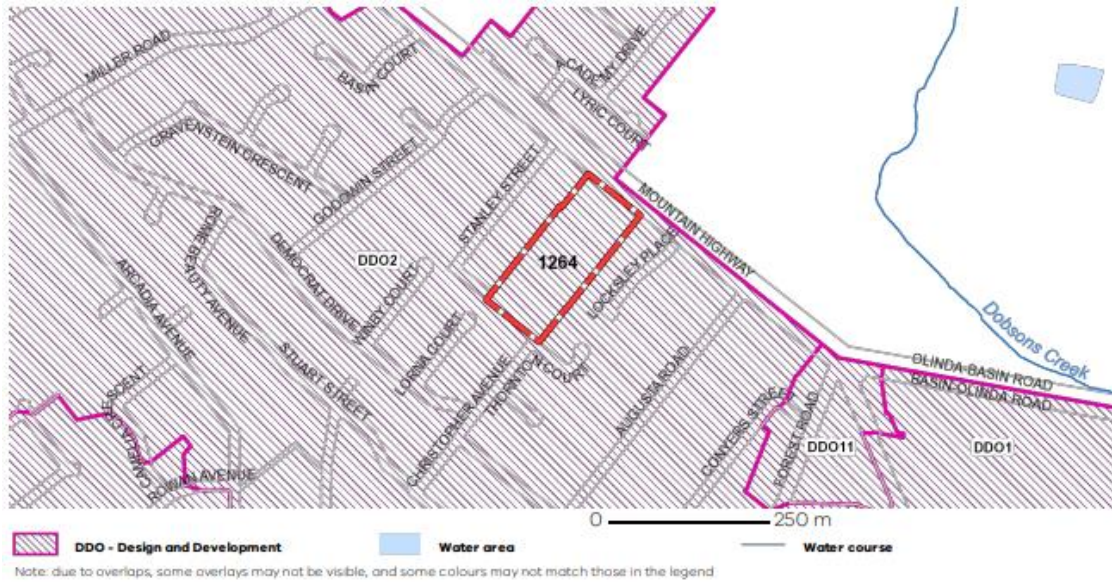


Figure 5-3 - Design and Development Overlay Map

5.5 Environmental Significance Overlay (ESO2 and ESO3)

The Environmental Significance Overlay (ESO) seeks 'to identify areas where the development of land may be affected by environmental constraints'; and 'to ensure that development is compatible with identified environmental values'.

Pursuant to Clause 42.01-2, a planning permit is required to:

- Construct a building or construct or carry out works; and
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
 - If a schedule to this overlay specifically states that permit is not required.
 - If the table to Clause 42.01-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.



Figure 5-4- Environmental Significance Overlay Map

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Schedule 2 to Clause 42.01 Environmental Significance Overlay (ESO2) applies to sites of biological significance. Section 3.0 of the ESO2 states that a permit is required for the proposed buildings and works, as the proposed building and works do not comply with the listed exemptions. The ESO2 also states a permit is not required to remove, destroy or lop vegetation that is not indigenous within Knox, or a tree with its trunk within two metres of the main roof structure of an existing building used for accommodation, or a tree overhanging the roof of a building used for accommodation.

Schedule 3 to Clause 42.01 Environmental Significance Overlay (ESO3) applies to the Dandenong Ranges Buffer. Section 3.0 of the ESO3 states that a permit is required for the proposed buildings and works, as the proposed building and works do not comply with the listed exemptions. The ESO3 also states a permit is not required to remove, destroy or lop vegetation that is not indigenous within Knox, that is dead, or a tree with its trunk within two metres of the main roof structure of an existing building used for accommodation, or a tree overhanging the roof of a building used for accommodation.

St Bernadette's Catholic Primary School has been assessed as having vegetation formations that are of state significance. According to the project arborist, who prepared the arborist report, these areas contain representations of two vegetation types that are regionally endangered, albeit with substantial modification by humans and weeds with two of the indigenous plant species present being rare (but not threatened) in Knox.

5.6 Significant Landscape Overlay (SLO3)

The Significant Landscape Overlay Schedule 3 (SLO3) seeks 'to identify significant landscapes'; and 'to conserve and enhance the character of significant landscapes'.

Pursuant to Clause 42.03-2, a planning permit is required to:

- Construct a building or construct or carry out works.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay.

Pursuant to Schedule 3 to Clause 42.03 Significant Landscape Overlay, at Section 3.0, a permit is required for the proposed buildings and works, as the proposed building and works do not comply with the listed exemptions. The SLO3 also states a permit is not required to remove, destroy or lop vegetation that is not indigenous within Knox, that is dead, or a tree with its trunk within two metres of the main roof structure of an existing building used for accommodation, or a tree overhanging the roof of a building used for accommodation

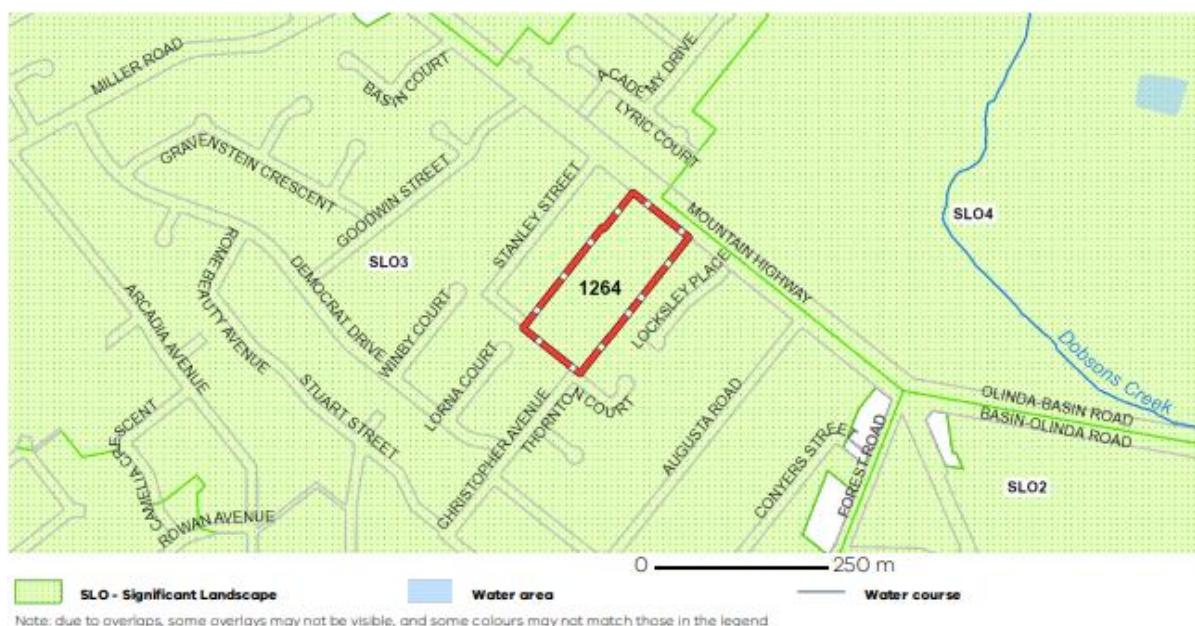


Figure 5-5 - Significant Landscape Overlay Map

The plans do not include the destruction, removal, lopping, or pruning any of the indigenous vegetation. Four (4) planted, exotic and weedy trees growing around the existing building (to be demolished) are to be removed as part of the project, and as such a planning permit will be required under Schedule 3 of the Significant Landscape Overlay for the removal of a Lombardy Poplar, a Thornless Golden Honey Locust, and an Evergreen Alder.

5.7 Particular Provisions

Clause 52.06 Car parking

Clause 52.06 outlines the number of car parking spaces that must be provided in accordance with the requirements of Table 1. One to each employee that is part of the maximum number of employees on the site at any time.

There is no trigger under Clause 52.06 as staff numbers will remain unchanged as a result of the proposed buildings and works.

Clause 52.34 Bicycle Facilities

Clause 52.34 sets out the requirements for bicycle parking provision for new developments. Table 1 of states that for a primary school, 1 bicycle parking space is to be provided to each 20 employees and 1 bicycle parking space to each 5 pupils, Grade 4 and up.

There is no change to staff or pupils as a result of the proposed buildings and works, and as such there is no trigger under Clause 52.34. It is noted that there are 20 existing bicycle spaces on site for students and staff.

Clause 53.18 Stormwater Management in Urban Development

Clause 53.18 aims 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.

Clause 53.19 Non-Government Schools

The Victorian Government has committed to funding the construction and upgrade of non-government schools across the State under the Non-Government Schools Capital Fund in order to meet the growing need for this essential community infrastructure.

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Clause 53.19 was recently introduced via Planning Scheme Amendment VC180 to address the growing need for primary and secondary school capacity across Victoria.

The purpose of this provision is to facilitate new non-government schools and facilitate upgrades and extensions to existing non-government schools.

This clause applies to an application under any provision of this scheme for any of the following provided that the proposed use or development has a total project value of more than \$3 million:

- Use or development of land for a new primary school or secondary school.
- Construction of a building on land used for a primary school or secondary school provided the combined gross floor area of all new buildings is 5,000 square metres or greater.
- Construction of additional classrooms on land used for a primary school or secondary school.
- An increase of the permitted number of students associated with additional classrooms on land used for a primary school or secondary school.
- Removal or replacement of non-conforming or non-compliant building products on land used for a primary school or secondary school.

An application to which Clause 53.19 applies is exempt from the notice requirements of section 52(1)(a), (b), (c) and (d), the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

Clause 65 Decision Guidelines

Matters are set out under this clause and must be considered during the planning application process to determine whether the proposed development will produce acceptable planning outcomes.

Clause 72.01 Responsible Authority for this Planning Scheme

This clause confirms the Minister for Planning is the responsible authority for matters required by a permit or the scheme to be endorsed in relation to the use and development of land for a primary school or secondary school to which Clause 53.19 applies.

5.8 Summary of Planning Permit Triggers

A planning permit is required for buildings and works to construct a school building. The relevant permit triggers as follows:

Control	Permit Requirement
Neighbourhood Residential Zone Clause 32.09	Pursuant to Clause 32.09-9, a <u>permit is required</u> to construct a building or construct or carry out works.
Environmental Significance Overlay – Schedule 2 Clause 42.01	Pursuant to Clause 42.01-2, a <u>permit is required</u> to construct a building or construct or carry out works.
Environmental Significance Overlay – Schedule 3 Clause 42.01	Pursuant to Clause 42.01-2, a <u>permit is required</u> to construct a building or construct or carry out works.
Significant Landscape Overlay – Schedule 3 Clause 42.03	Pursuant to Clause 42.03-2, a <u>permit is required</u> to construct a building or construct or carry out works, and for the removal of four (4) exotic trees.

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5.9 State and Regional Policies

Clause 15.01-2S Building design

Objective is 'to achieve building design outcomes that contribute positively to the local context and enhance the public realm'. Key strategies include:

Ensure development responds and contributes to the strategic and cultural context of its location.

Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

Clause 15.01-5S Neighbourhood character

Objective is to 'to recognise, support and protect neighbourhood character, cultural identity, and sense of place. Key strategies include:

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment

Clause 17.01-1S Diversified economy

Objective is to 'to strengthen and diversify the economy. Key strategies include:

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Clause 17.01-1R Diversified economy – Metropolitan Melbourne

Objective is to 'support the Central City to become Australia's largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces'. Key strategies include:

Plan for the redevelopment of Major Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.

Clause 19.02-2S Education Facilities

Objective is 'to assist the integration of education and early childhood facilities with local and regional communities'. Key strategies include:

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

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

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).

5.10 Local Planning Policies

Clause 21.07 Economic Development

This Clause recognises the need to increase the number and range of viable local employment opportunities. As well as to encourage appropriate mixed-use development while ensuring that the amenity of neighbourhoods is not adversely affected.

Clause 21.01 Environment and Landscape Values (Treed Character)

At Clause 21.03-1 A Treed City, it states that the *Knox Community and Council Plan* recognises that preventing the loss of vegetation and enhancing the green and leafy image of Knox is central to its overall vision.

Clause 21.05 Built Environment and Heritage

At Clause 21.05-1 Local Character, Identity and Sense of Place, it is stated that Knox Council is committed to an integrated place-based approach to the planning and delivery of development, infrastructure, services and activities for local areas of strategic and community importance. This approach considers not only the physical and economic determinants of a local area, but also the social, cultural, community and health and wellbeing attributes that help define a place and contribute to its liveability.

Clause 21.06-5 Non-Residential Uses in Residential Areas

This policy aims to support local employment opportunities and reduce dependence upon car based travel by encouraging non-residential uses to generally locate in and around activity centres and other commercial precincts. Despite these broader objectives, the policy also recognises that residential areas require some complementary non-residential uses for the convenience of residents and provide some local employment opportunities.

Clause 22.03 Non-Residential Uses in Residential Areas

Clause 22.03-1 states that the basis for the policy is to support local employment opportunities and reduce dependence upon car based travel. The policy aims to support the establishment of appropriately located, attractive and well-designed developments which can fulfil local community needs, noting that care must be taken in siting and designing these facilities to avoid any negative impact on the residential amenity of an area.

Clause 22.04 Environmentally Sustainable Development

The overarching objective of Clause 22.04 is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. Specific objectives relate to energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology. It is noted that an Sustainable Design Assessment (SDA) is not triggered due to the size of the proposal being under 500sqm.

6 Planning Considerations

6.1 Policy Context

The new school building represents a well-designed practical building that will provide a comfortable learning space for students and staff.

The development meets the purpose of the Neighbourhood Residential Zone (NRZ1) which is to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

St Bernadette's Catholic Primary School provides an important role in the education of students in The Basin and its surrounds. The proposal will strengthen an important community asset by providing a new school building that will improve school facilities and function on site. The proposed building has also been designed to be sympathetic to and integrate well within the context of existing school buildings on site, the surrounding grounds, and the wider neighbourhood character.

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The proposal is well-supported by state, regional and local planning policy and is consistent with the objectives and vision of the Knox Planning Scheme.

6.2 Neighbourhood Character & Built Form

The proposal meets the objectives of Clause 15.01-1S (Urban Design) which is to 'create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity' and Clause 15.01-2S (Building Design) to 'achieve building design outcomes that contribute positively to the local context and enhance the public realm'.

The proposed building will be located centrally on the lot, in a cluster of existing school buildings, and as such will not be visible from the street. It will present well to adjoining properties, and provides a good integration with the existing school vernacular. The proposed building has been designed to be sympathetic to and will integrate well within the context of existing school buildings on site, the surrounding grounds and wider neighbourhood character. The generous setbacks also provide ample space for play area and landscaping.

The design of the single storey building is well articulated with a dutch gable roof form, deep eaves, decking and large windows to maximise natural light. This design maximises access to natural light with large windows provided in the roof form.

The building will consist of a muted colour palette with a mix of grey brickwork, with Australian hardwood feature cladding, and roofing in neutral tones. The modest design and colour palette suitably references and is respectful of existing school forms, colours, finishes and materials to ensure complementary built form outcome with adjacent school buildings.

The proposed layout has been well considered to maximise access to natural day light and passive ventilation, with the four learning areas, collaborative area, and break out areas having access to openable windows and doors. The outdoor project space will be located to the north-west of the building, and a deck will be constructed along the eastern edge of the building.

The proposed internal layout has been well considered to provide a dynamic learning area with opportunities for central gathering, indoor and outdoor learning spaces, and informal and formal breakout areas.

This well resolved architecturally designed school building, flanked by meaningful landscaping and useable play areas will be welcome replacement for the school for the existing building.

6.3 Access and Car Parking

The number of students or employees on site at any given time will not change as a result of the proposed development. Therefore, there is no trigger under Clause 52.06 for car parking, or Clause 52.34 for bicycle parking.

The applicant intends to seek approval from Knox Council for the creation of a formal vehicular crossover from Thornton Court, to be located in the south-eastern corner of the land. The rationale for this is that it has been identified that the best way for construction vehicles to enter and exit the site is via Thornton Court given the location of the proposed building and works. This interface has previously been used as an access point for builders, and for site maintenance works. The existing informal vehicle access track that is attached to this crossover will be resurfaced with gravel.



Figure 6-6 – Aerial image of the subject site, with the informal access track visible from Thornton Court.

6.4 Environmental Significance Overlay and Tree Protection

An arborist report, prepared by Arboriculture Pty Ltd and dated December 2020 and amended February 2021 has been prepared to ensure that the proposed works to create a formal access to Thornton Court, and resurface the existing access track with gravel, will not detrimentally impact any native vegetation to be retained in the Environmental Significance Overlay area, and to provide guidance on tree protection measures during construction.

The arborist report notes that the proposal does not include the destruction, removal, lopping, or pruning of any of the indigenous vegetation located within the Environmental Significance Overlay area, and as such a planning permit is not required under the ESO2 or ESO3.

Additionally, there are no Victorian native trees proposed to be removed, lopped or destroyed, and accordingly, there is no planning permission required under Clause 52.17 Native Vegetation of the Knox Planning Scheme.

A survey of the vegetation located on either side of the informal access track from Thornton Court has found that trees consists mainly of indigenous native eucalypts (*Eucalyptus obliqua*, *Eucalyptus radiata*, and *Eucalyptus cepharlocarpa*), wattles and blackwoods, bursaria and cherry ballart, as well as a range of other native and weedy species.

As there is no indigenous vegetation removal proposed it is not considered necessary in this instance to prepare a report in accordance with the application requirements at Clause 3.0 of the Environmental Significance Overlay Schedules 2 and 3. The arborist report has prepared an assessment of the proposal's potential impact on the natural environment and has included measures to mitigate any potentially detrimental impacts.

In Section 3.0 of the arborist report, an assessment has been made of the impact of the proposed resurfacing of the informal accessway on the existing vegetation. It has concluded that there will be no unreasonable detriment caused to vegetation to be retained, subject to the implementation of appropriate tree protection measures during construction, which are detailed in Section 4.0 of the report. To ensure protection of vegetation during the building process, measures including minimising disruption to local traffic (see *Area for vehicles/ trucks to wait or pass outside of the TPZ areas in Appendix 3 of the Arborist Report*) can be incorporated into a Construction Management Plan.

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It is considered that the proposal satisfies the decision guidelines and objections of the ESO2 and ESO3 as the proposal adopts appropriate siting, design and management measures to avoid any adverse impacts on indigenous vegetation, habitat, hydrology and land stability. The supporting arborist report also highlights how the proposed development has avoided any major encroachments into the Tree Protection Zone of retained large trees. The proposal will not have any impact on the environmental objectives of either schedule.

6.5 Significant Landscape Overlay and Tree Removal

A number of planted exotic and weedy trees growing around the existing building (to be demolished) that are greater than 5.0 metres in height are to be removed as part of the project, and as such planning permission is required under Schedule 3 of the Significant Landscape Overlay. The four (4) trees proposed for removal, as identified in the arborist report as Trees # 13, 14, 19 and 23, are a Lombardy Poplar (*Populus nigra var. italica*), a Thornless Golden Honey Locust (*Gleditsia triacanthos* 'Sunburst'), a Silver Birch (*Betula pendula*), and an Evergreen Alder (*Alnus acuminata subsp. glabrata*).

The project arborist has assessed the significance of these trees, taking into account the arboricultural, landscape, and amenity value, and has assigned three of the trees to be removed a 'medium' retention value rating and fourth tree is dead and had a low retention value. The arborist details that the trees are not of significant value to the landscape and are appropriate in this instance to be removed.

The proposed school building will not cause any detriment to the landscape, as the height, materials and colour palette, generous setbacks, existing vegetation and limited degree of vegetation removal will ensure that the general appearance of the site will be maintained. The height of the proposed building is modest and responds to the slope of the land to ensure that it will not be either visually prominent, nor will it impact on significant views. When viewed from adjoining properties it will appear single storey with an undercroft internal to the school, as illustrated by the perspectives.

Post development, it is intended to undertake formal landscaping around the new building, which will significantly enhance the area, as well as contributing to the broader natural environment. Future landscaping will soften the built form, and garden beds are designed to provide shade, passive cooling, and visual screening where required. Details of the proposed landscaping, including the planting of replacement trees, can be found on the landscape plan.

It is therefore considered that the objectives and decision guidelines of the SLO3 are satisfied. Noting that the proposed development will not have a detrimental impact on the local views within the foothills, the proposal is kept at a modest height so that it does not penetrate the tree canopy or protrude above a ridgeline and the proposal is of a high architectural standard and landscape design that is sympathetic to the natural landscapes and neighbourhood character.

6.6 Environmentally Sustainable Design

The proposed building incorporates several ESD features including:

- Large sliding doors and opening windows to promote cross ventilation.
- Double glazing throughout.
- All key internal materials to be low VOC.
- High efficiency WELS rated bathroom fittings.
- Centrally positioned skylights reduce the need for artificial lighting in learning spaces.
- Eaves sized to restrict summer sun but allow solar access in winter.
- Building oriented to limit windows facing east / west and thereby reducing solar loading caused by low sun.

- Water sensitive urban design.

The proposal will achieve a healthy indoor environment quality for the wellbeing of the students and teachers. The building design will also ensure efficient use of energy by way of maximising natural light and ventilation, double glazing and building orientation which will reduce total operating greenhouse emissions and to reduce energy peak demand.

6.7 Stormwater

Stormwater management has been undertaken by CREO Consultants and the results have been included within the relevant Stormwater Management Plan.

The development will be served by an underground stormwater system that will be designed for the 10% storm event. This system will contain an underground detention system that will manage and limit the flow from the 10% storm event to the predevelopment flows. The total detention system volume is to be 5.5m³.

The proposed water sensitive urban design techniques will appropriately mitigate the impacts of stormwater as required by Clause 53.18 Stormwater Management in Urban Development.

6.8 Designated Bushfire Prone Areas

A small portion of the site is located within the Designated Bushfire Prone Area.

An assessment has been prepared by Bushfire Planning which is included in this submission. The assessment concluded that the proposal is consistent with the bushfire policies and directions contained in the planning scheme.

The assessment confirms that there is no planning scheme bushfire factor that would warrant the proposal not proceeding.

7 Conclusion

In conclusion, it is submitted that the proposed development is an appropriate outcome that responds well to State, Regional and Local planning policy provisions, to the site and to the surrounding context and character. In summary:

- The proposal fully aligns with the purpose of Clause 53.19 (Non-Government Schools) to facilitate new non-government schools and facilitate upgrades and extensions to existing non-government schools.
- The proposal fully embraces the State, regional and local policy objective that aims to achieve neighbourhoods that foster healthy and active living and community wellbeing.
- The proposed building is well located, and has been designed so that it will not be visually intrusive or dominant from surrounding properties.
- Future landscape improvements around the new school building will significantly improve the aesthetic, play area, and planting options in this location.
- The proposed development design sits well within its context, is respectful of and will integrate well with existing school buildings.
- The colours, finishes and materials palette is sympathetic to, will integrate well with, and will be respectful of surrounding residential development ensuring a positive contribution to the neighbourhood character,
- The exotic vegetation to be removed is not significant within the landscape and will be appropriately replaced with planting shown on the concept landscape plan.
- Existing native vegetation on site will not be removed and will be protected during construction as outlined in the arborist report.

Overall, the proposal is well-considered and responds appropriately to its physical and policy context. This will result in a high quality architectural designed building form and presentation that will contribute positively to the area and provide a much-needed facilities boost for the school.

We consider that the proposal is consistent with all relevant requirements of the Knox Planning Scheme and submit that the application is worthy of the Minister for Planning's support.



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