



Urban Planning Collective

Planning Submission

204 Churchill Avenue, Braybrook –
Caroline Chisholm Catholic College
19 September 2023

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This planning submission has been prepared on behalf of Caroline Chisholm Catholic College (CCCC), in respect of the proposed development of the land at 204 Churchill Avenue in Braybrook (the 'subject site').

Pursuant to the Maribyrnong Planning Scheme, the subject site is located within the General Residential Zone – Schedule 1 (GRZ1) and is affected by the Development Contributions Plan Overlay – Schedule 2 (DCPO2) and the Environmental Significance Overlay – Schedule 2 (ESO2).

This planning submission supports the granting of a Planning Permit for the development of a new Vocational Education & Training (VET) and Science, Technology, Engineering & Mathematical (STEM) building, located in the northern portion of the existing school site. A Planning Permit is required to:

- construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2;
- construct a building or construct or carry out works, pursuant to Clause 42.01-2; and
- lop a tree, pursuant to Clause 42.01-2.

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It is noted that the subject portion of the subject site is already used for an Education Centre.

The following submission describes the site and the broader urban context in which it is located, the development proposal, the relevant planning controls and policies set out in the Maribyrnong Planning Scheme (the Scheme) and provides an assessment of the planning merits of the proposal against these various policies and controls.

The following submission should be read in conjunction with the following documents:

- Feature and Level Survey prepared by Hellier McFarland, dated 1 March 2023;
- Architectural Plans prepared by Watson Young, dated 12 September 2023;
- Traffic Impact Assessment prepared by WGA, dated 1 September 2023;
- Arboricultural Report – Quantified Tree Risk Assessment prepared by Toolern Tree Services, dated 9 July 2023;
- Arboricultural Report – Construction Impact Assessment prepared by Toolern Tree Services, dated 27 July 2023; and

- Stormwater Management Plan prepared by BYP Consulting Structural and Civil Engineers, dated 25 August 2023.

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2.1 CAROLINE CHISHOLM CATHOLIC COLLEGE (CCCC)

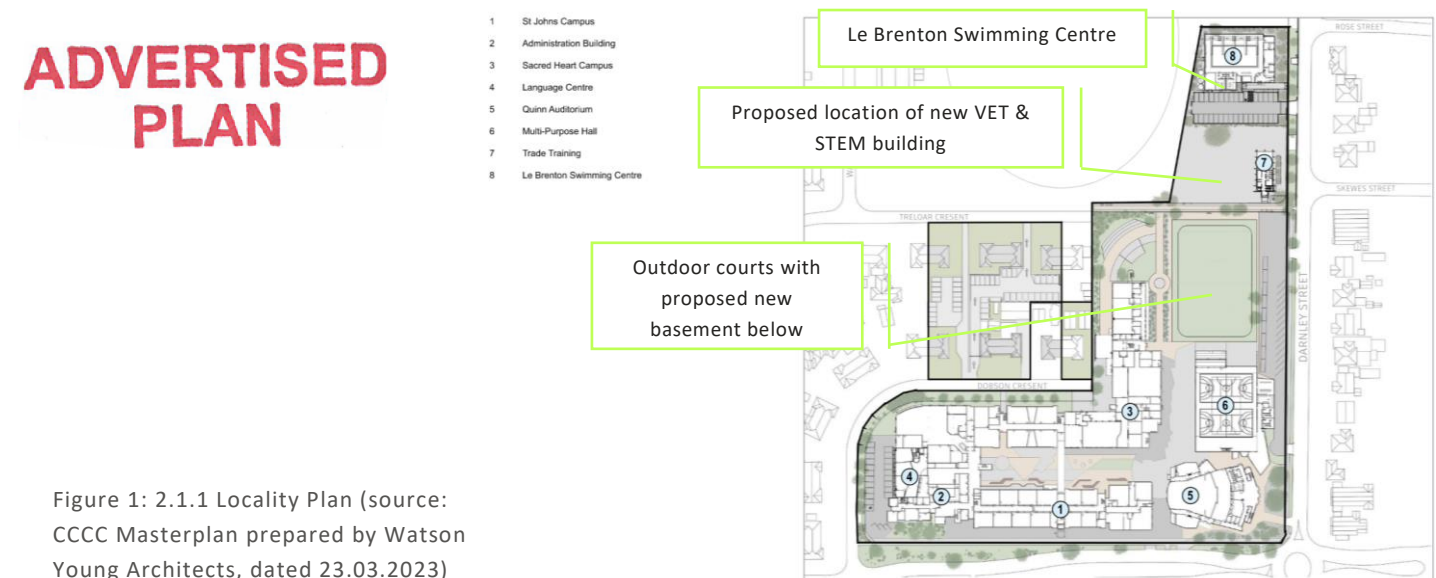
Caroline Chisholm Catholic College (CCCC), founded in 1997, is an independent Catholic College. It has a long established history across three (3) campuses and two (2) sites located in Braybrook:

- Christ the King which caters for girls in Years 7 – 9 at 65 Churchill Ave, Braybrook.
- St John's which caters for boys in Years 7 – 9 at 204 Churchill Avenue, Braybrook.
- Sacred Heart which caters for Years 10 – 12 in a co-educational setting at 204 Churchill Avenue, Braybrook.

2.2 SUBJECT SITE

The proposal relates to the land located at 204 Churchill Avenue in Braybrook (the primary CCCC campus). Specifically, a portion of the land (approximately 7,070 square metres) located to the north of the existing Multipurpose Hall (reference no. 6 on the plan below) and to the south of Le Brenton Swimming Centre (reference no. 8 on the plan below).

Existing Conditions Site Plan



The subject site is an irregular shaped land parcel and is a compilation of several titles. These lots are formally known as:

- Lot 1 on Title Plan TP335156L (formerly known as part of Lot 1 on Plan of Subdivision 021035);

- Lot 1 on Title Plan TP 955729E; and
- Land in Plan of Consolidation 172858.

There are three (3) drainage easements within the Subject Site's title boundaries. Two (2) essentially at the centre of the site (Figure 4), aligned east to west, and one (1) at the site's northwestern abuttal with Treloar Crescent (Figure 3).

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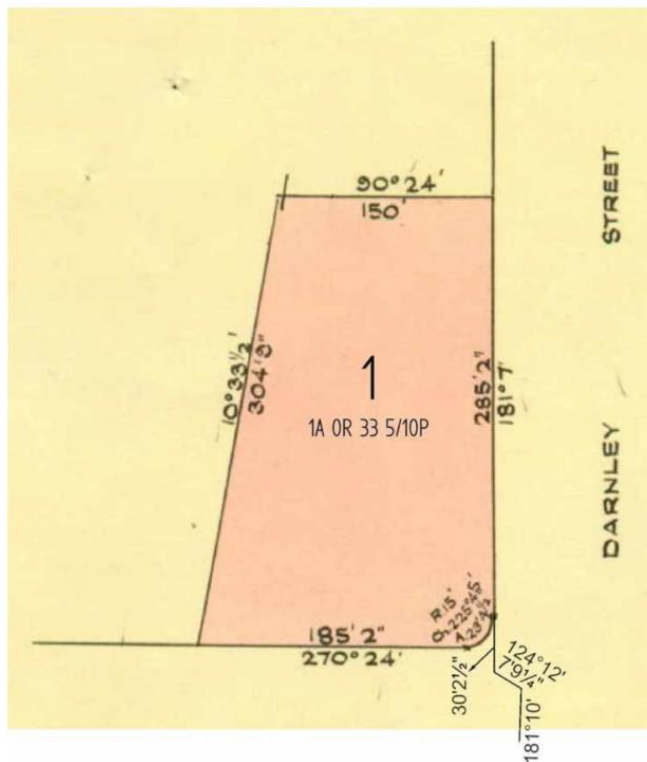


Figure 2: Lot 1 on Title Plan TP335156L (source: Landata)

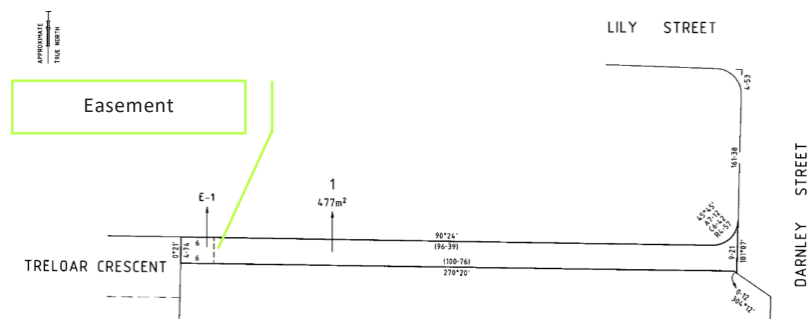
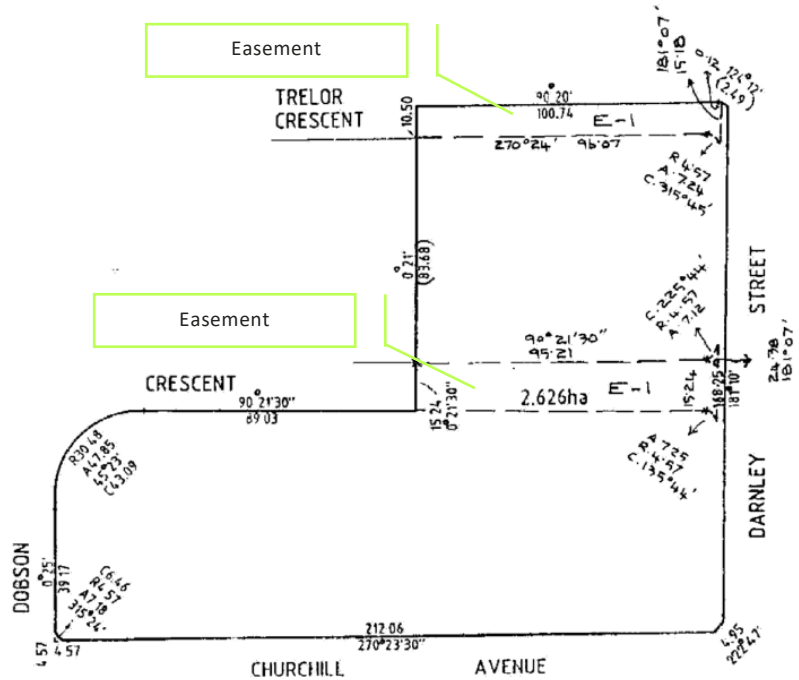


Figure 3: Lot 1 on Title Plan TP 955729E (source: Landata)

Figure 4: Land in Plan of Consolidation 172858 (source: Landata)



The subject site is generally bordered by Churchill Avenue to the south, Darnley Street to the east, Dobson Crescent and residential properties to the west and Kinder Smith Reserve to the north.

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Figure 5: Aerial photography of the subject site which is shown in red (source: Nearmap)



An Existing Conditions Ground Floor Plan is provided at Figure 6, detailing the existing structures located on the campus.

Existing Conditions Ground Floor Plan

- 1 Main Entrance
- 2 Car Park
- 3 Reception & Management
- 4 Years 7 and 9 - General Learning
- 5 Technology
- 6 Quin Auditorium Performing Arts
- 7 Multi-use Sports Hall
- 8 Chapel
- 9 Library
- 10 IT Services
- 11 Science (lower school)
- 12 Home Economics Kitchen
- 13 Canteen
- 14 Year 11 and 12 Common Room
- 15 Music
- 16 Amphitheater
- 17 Outdoor Sports Courts
- 18 Overflow Car Park
- 19 Le Brenton Swimming Centre

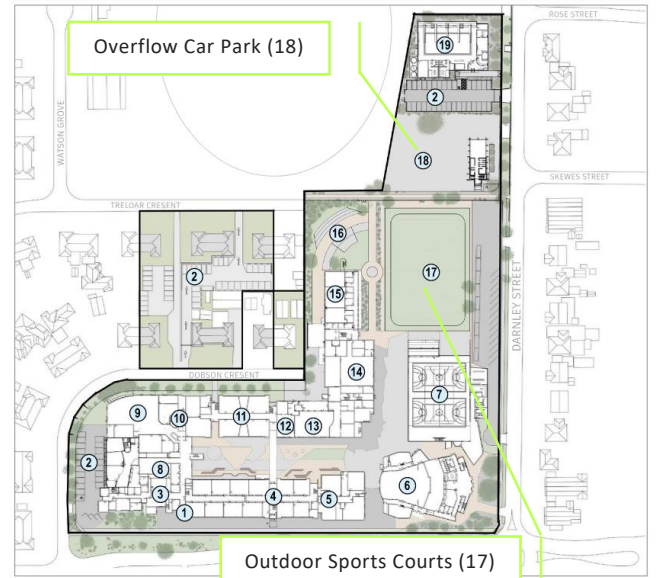


Figure 6: 2.1.2 Ground Floor (source: CCCC Masterplan prepared by Watson Young Architects, dated 23.03.2023)

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Vehicle access from Darnley Street to the subject site is currently provided via two separate crossovers, a third crossover allows for cars to exit the site from the existing drop off zone / car park / bus car park located between the outdoor sports courts and the subject site's Darnley Street boundary. The crossover to the north-east of the existing Trade Training building provides access to an internal overflow car park which can accommodate approximately 45 cars. The existing crossover to the south provides an ingress point for the existing drop off zone / car park / bus car park.

The existing Trade Training building is setback 5.78 metres from Darnley Street and comprises two storeys with an overall height of approximately 8 metres. The front setback to this existing building currently comprises a mix of gravel hardstand and planted garden beds.

A steel palisade fence extends along the perimeter of the subject site.

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Figure 7: Existing crossover to Trade Training building and overflow car park.



Figure 8: Existing Trade Training building and Tree 15 (east elevation) viewed from Darnley Street.





Figure 9: Existing Trade Training building (west elevation) viewed from Overflow Car Park

There are several existing trees located around the perimeter of the outdoor sports courts and to the east of the Trade Training building and drop off zone /car park / bus car park – with the majority of these (i.e., all but one) being planted. They have been plotted on the feature survey that forms part of the application plans. Some of these (i.e., those predominantly located well within the site) will be removed to facilitate the development whilst those on the perimeter of the site (i.e., Darnley Street) will be retained as part of the proposal.

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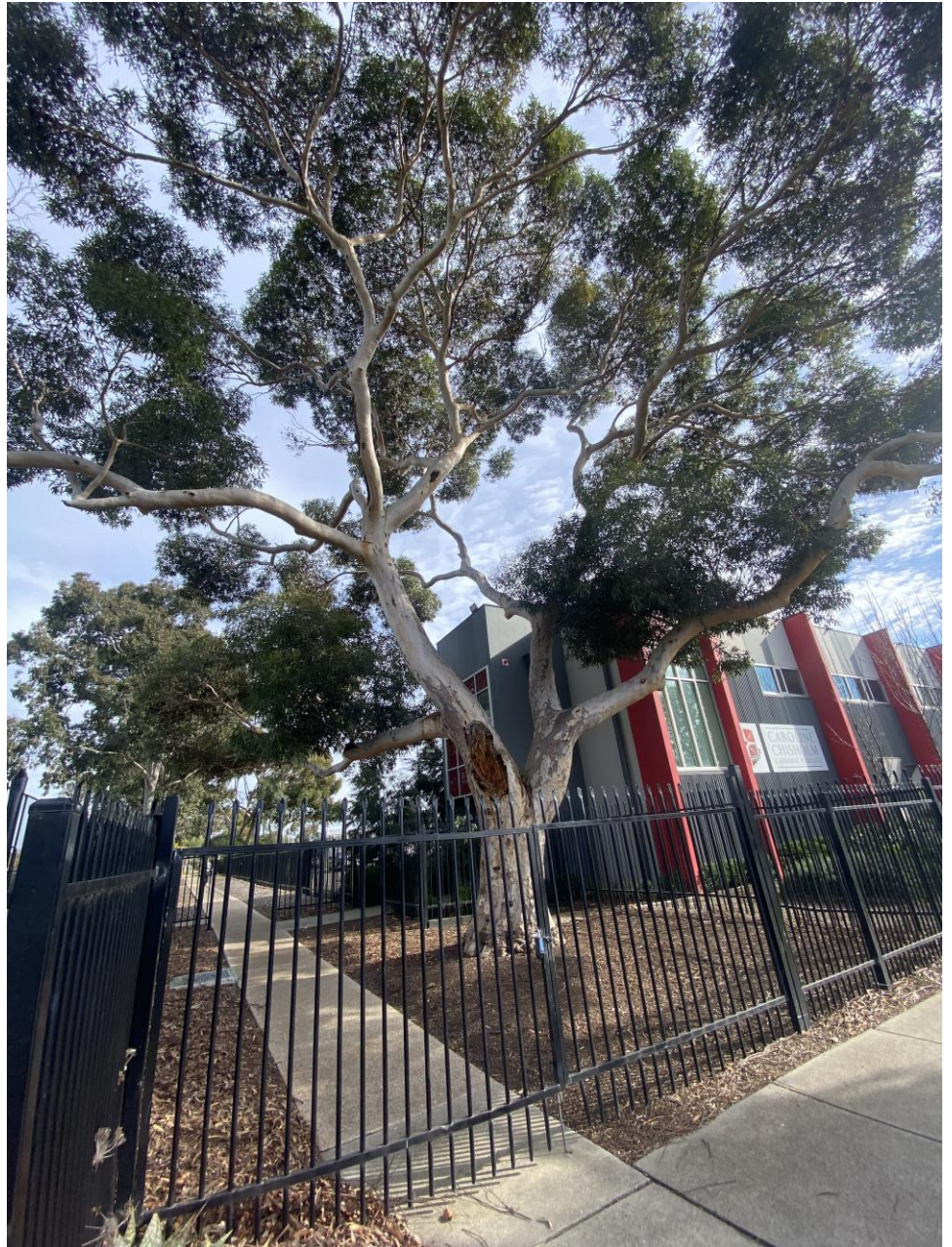


Figure 10: Row of planted Spotted Gum located between the overflow car park (north) and the outdoor sports courts (south).

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Figure 11: Tree 15 (to be retained) at the south-eastern corner of the Trade Training building (front setback)



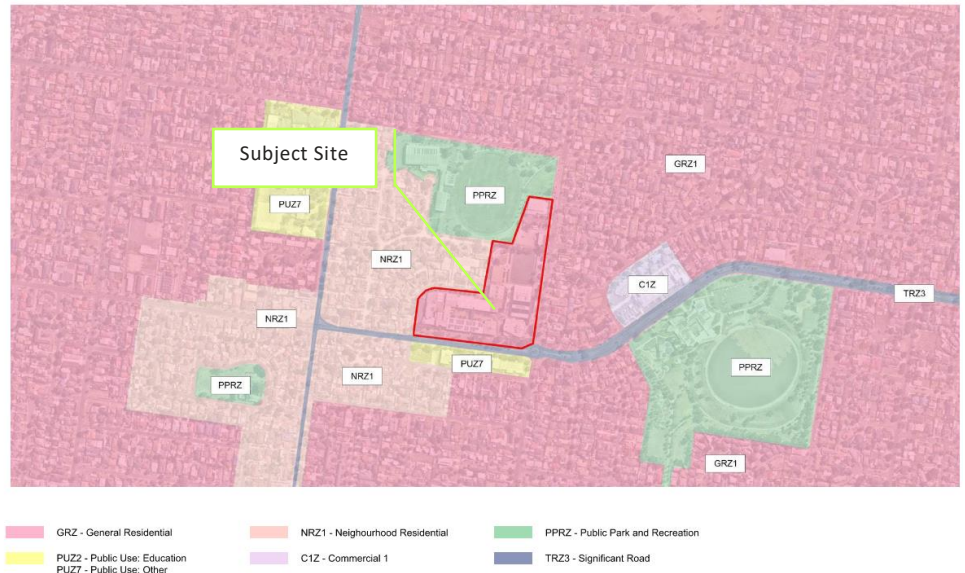
2.3 ADJOINING LAND

The subject site is located within the General Residential Zone, Schedule 1 (GRZ1) and is general neighboured by other residential zones in addition to a public use zone to the immediate south and a public park and recreation zone (Kinder Smith Reserve) to the immediate north.

The zoning of the surrounding land is shown in Figure 12, below.

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Figure 12: 3.2.1. Planning Zones
(source: CCCC Masterplan prepared by Watson Young Architects, dated 23.03.2023)



2.3.1 North

To the **north-west** of the subject site is Kinder Smith Reserve. The reserve features an AFL / cricket oval, cricket nets, a playground, seating and walking path. To the west of the sporting oval are sporting team club clubhouse and the RecWest Braybrook building which offers sport-based activities and programs.

This land is identified as being within Heritage Overlay Schedule HO5 which relates to 'Munition worker's housing heritage area'.



Figure 13: Aerial image of adjoining land to the north-west (source: Nearmap)

2.3.2 East

To the **east** of the development site is Darnley Street, a local access road which runs from Ballarat Road in the north, to South Road in the south.

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In the vicinity of the development site, Darnley Street operates one lane of traffic in each direction. Darnley Street has a carriageway width of approximate 9 metres. Unrestricted kerbside parking is permitted in the vicinity of the proposed development.

Darnley Street has nature strips and footpaths on both sides, with consistent street tree planting. There is a presence of established street trees along both Darnley Street and surrounding streets.

On the eastern side of Darnley Street, in the vicinity of the development site, is an established residential area which is typical of 'middle-ring' suburban areas.

There is a combination of dwelling types and styles in Darnley Street and the surrounding neighbourhood. The original housing stock includes Interwar and 1950s dwellings, with infill developments consisting of dwellings constructed from the 1980s to today.

Built form is predominately one and two storeys and roof profiles vary, though most are pitched.

Front setbacks vary, though they are typically between 7-9 metres.

Fencing in the street typically ranges between 1 to 2 metres in height and is constructed in a variety of materials and styles.



Figure 14: Adjacent residential dwellings fronting Darnley Street (source: Google Maps)



2.3.3 South

To the **south** of the subject site is Churchill Avenue, a local distributor road which runs from Mitchell Street, Maidstone in the east to its continuation at Devonshire Road in the west, adjacent the south-western corner of the CCCC.

In the vicinity of the subject site, Churchill Avenue generally operates with a single trafficable lane, dedicated on-road bicycle lane and dedicated kerbside parallel parking lane in each direction. Churchill Avenue has an approximate carriageway width of 22-metre and includes a 7.5-metre-wide centre median.

On the southern side of Churchill Avenue, in the vicinity of the subject site, is Mambourin. Mambourin, a not-for-profit community service organisation, is effectively located on an 'island site' as shown below.

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Figure 15: Southern interface (source: Nearmap)

2.3.4 West

To the **west** of the subject site, between Treloar Crescent (north) and Dobson Crescent (south), are several properties owned and occupied by CCCC. Two (2) of which share a common boundary with the subject site, being 46 Treloar Crescent and 25 Dobson Crescent, Braybrook (Figure 16).



Figure 16: Western interface showing land owned by CCCC (source: Nearthmap)

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3.1 GENERAL OVERVIEW

The proposal includes the partial demolition of the existing Trade Training building on the development site and thereafter, the construction of a new two (2) storey VET and STEM building above a basement car park. The building is proposed to be constructed in two (2) stages (Basement 1 & Basement 2).

The building is for the sole use of staff and students of CCCC and it will operate ancillary to the existing campus.

As shown in Figure 17, the building is proposed to be constructed in the northern portion of the CCCC grounds, between the Aquatic Centre (Le Brenton Swimming Centre) to the north and the Multipurpose outdoors courts to the south (to be reconstructed as part of this proposal).

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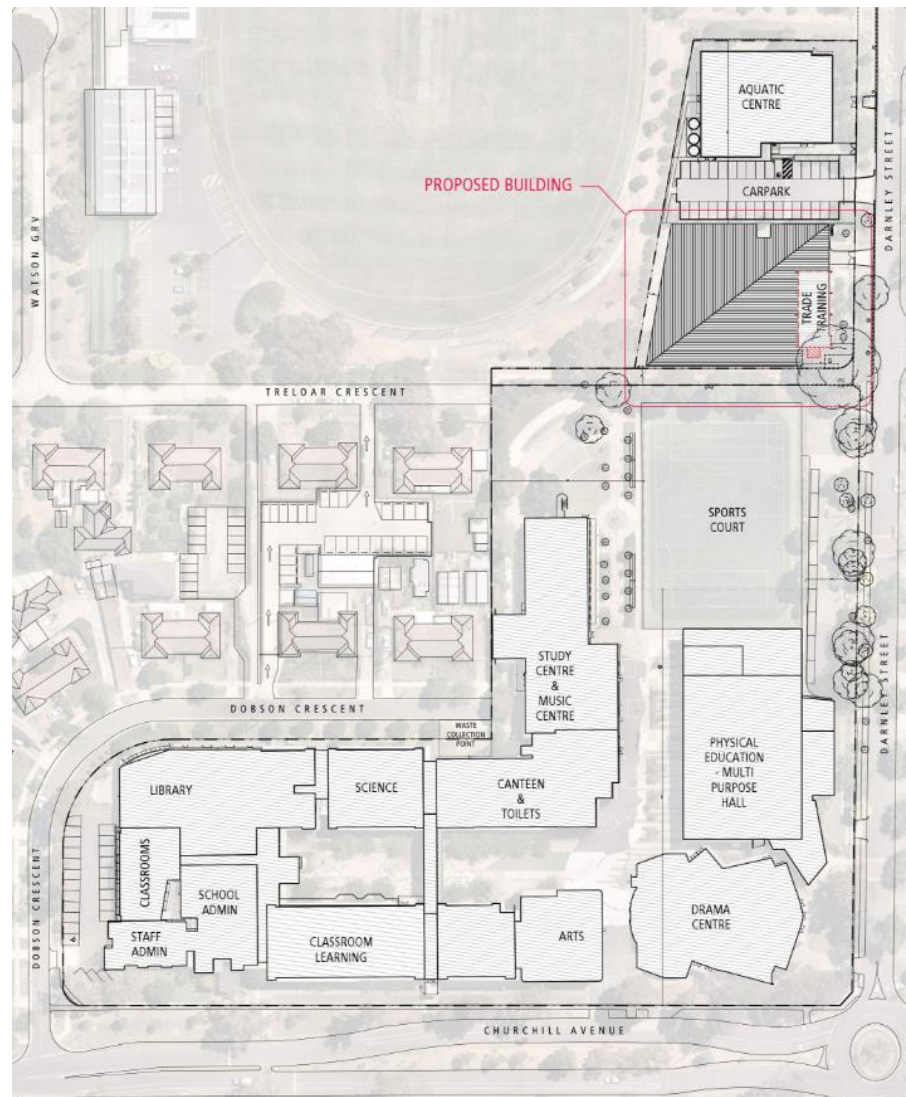


Figure 17: Proposed Site Plan (source: Watson Young Architects)

The land is currently utilised as an overflow gravel car park, comprising forty-five (45) at grade car parking spaces and the existing Trade Training building, shown in Figure 18.

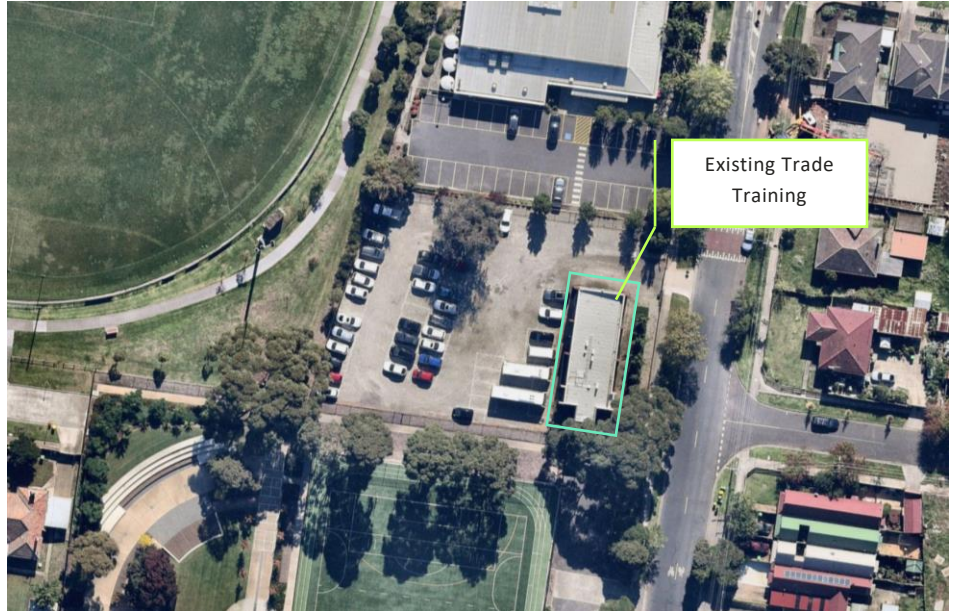


Figure 18: Aerial Image of the subject site (source: Nearmap, August 2023)

Notably, the proposal includes:

- The replacement of an existing overflow carpark with a new VET and STEM building of approximately 1,750 square metres.
- Alterations to the existing Trade Training building which is to be partly incorporated into the proposed building.
- Replacement of the outdoor sports courts (to cater for various sporting codes) as part of the delivery of the Stage 2 basement construction (below).
- Student numbers that remain at 1,181 (Sacred Heart and St. John's).
- A front setback from Darnley Street of 5.74 metres.
- At-grade, universal access entry and building.
- Provision of additional landscaped courtyard space with defined passive and active recreational spaces and additional canopy trees / landscaping.
- One (1) rainwater tank that has a 6,000-litre capacity located on the northern side of the proposed building.
- A Darnley Street interface that presents a contemporary and resolved built form response with a cohesive palette of quality external materials and finishes (refer to Materials and Finishes Schedule in the Watson Young Architects package of plans).

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Figure 19: Artist Impression of the proposal (source: Watson Young Architects)

3.1.1 Basement

Basement

- A single level basement car park is provided for staff, comprising of 4,331 square metres.
- The staff car park ingress/egress utilises an existing crossover in Darnley Street which is proposed to be widened to 6 metres. The entrance will be secured by a roller shutter door. Afterhours access for staff will be by a security pass-card.
- A total of 145 car parking spaces are accommodated within the basement, inclusive of two (2) accessible car parking spaces.
- The basement car park is proposed to be delivered across two (2) stages, with Stage 1 comprising 49 car spaces and Stage 2 (below the sports courts) comprising 96 car spaces.
- A lift and staircase are provided generally central to the basement car park and provides access to pedestrians from the car park to each level of the building.

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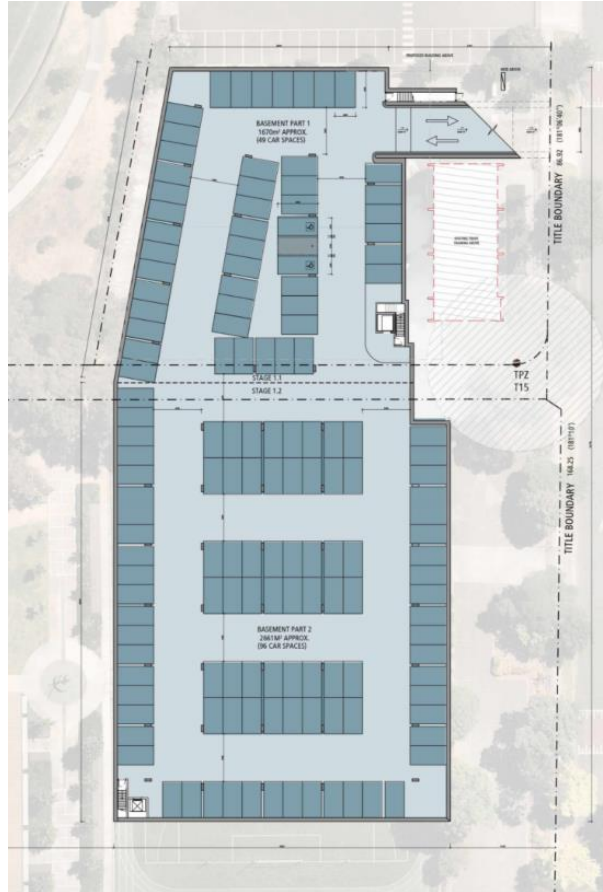
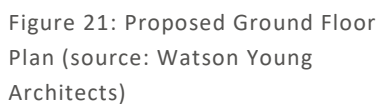


Figure 20: Proposed Basement Car Park (source: Watson Young Architects)

3.1.2 Ground Floor Level / Sports Courts

Ground Floor Level

- The ground floor level has an overall area of 1,230 sqm square metres (excluding undercover learning and plant) and is setback a minimum distance of 5.74 metres from the street adjoining title boundary (east) and 4.77 metres from the rear title boundary (west).
- The ground floor level includes a foyer, six (6) workshops, a flexible learning space, maker space, store room, machine room, staff office, bathroom and an undercover learning space which provides direct access to outdoor facilities.
- The existing multipurpose outdoors courts located to the south of the proposed building will be removed and reinstated as part of the delivery of the Stage 2 basement car park.



First Floor Level

- The first-floor level has an overall area of 1,615 square metres (excluding terrace) and is setback a minimum distance of 5.74 metres from the street adjoining title boundary (east) and three (3) metres from the rear title boundary (west).
- The first-floor level includes a foyer, two (2) exam spaces, six (6) storage rooms, male and female bathroom facilities (including an accessible water

closet/toilet), a student work area (kitchen) with a wash area, bakery, servery, laundry, coolroom and freezer.

- An undercover terrace (105 square metres) is provided in the southwestern portion of the first-floor level. It includes a staircase down to the outdoor facilities.



Figure 22: Proposed First Floor Plan(source: Watson Young Architects)

3.2 AROBORICULTURAL ASSESSMENT

3.2.1 Quantified Tree Risk Assessment

A Quantified Tree Risk Assessment was undertaken by Toolern Tree Services on 9 June 2023. The assessment reviewed a defective limb on Tree 15, identified on

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Maribyrnong's Significant Tree Register as Asset ID #63. The asset / Tree 15 (in the arboricultural report) is shown in Figure 23, below.

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Figure 23: Tree 15 - Maribyrnong's Significant Tree Register Asset ID #63

The report confirms that the risk assessment was undertaken using Quantified Tree Risk Assessment (QTRA), Version 5 (2015).

Toolern Tree Services advises that an acceptable threshold for risk is usually in the order of 1/10,000 and any tree that scores less than 10,000 would be required to be remedied within the next twelve months.

In its assessment, Toolern Tree Services conclude that:

3.2.2 Construction Impact Assessment

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“Based on current conditions the QTRA risk score of Tree 15 is 1/5000 which places risk of harm below QTRA’S advisory threshold of 1/1000 for ‘Unacceptable’ risk (where imposed on others).

Management actions to control risk is either reduce the limb to the epicormic regrowth midway along the limb or to remove the limb all together back to the tree’s trunk.”

In this regard, selective lopping of this limb is proposed as part of the subject application.

In terms of construction impact on existing trees, we defer to the assessment provided by Toolern Tree Servies, dated 27 July 2022, which states that Toolern Tree Services *“conducted an inspection on a total of fifty-eight (58) trees located within the school grounds at Caroline Chisholm Catholic College - Sacred Heart & St Johns Campus in November 2021 as part of the annual tree assessment for the tree populations within the school grounds”*.

From the fifty-eight (58) trees assessed, the following twelve (12) trees (Trees 1, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27 and 28) will require removal to support the proposal (refer to Drawing No. TP02). No trees have been assigned a *“very high”* / *“high”* retention value, six (x6) trees have been assigned a *“low”* retention value and six (x6) trees have been assigned a *“medium”* retention value. All trees are classified as planted specimens.

As noted above, Tree 15 is proposed to be retained and lopped as recommended by Toolern Tree Services - *“Management actions to control the risk is either reduce the limb to the epicormic regrowth midway along the limb or to remove the limb all together back to the tree’s trunk”*.

The existing Trade Training building occupies 11.5% of Tree 15’s optimum TPZ area with additional encroachments from hard surface pavements (i.e., pathways and carparks). Toolern Tree Services confirm that *“Amendments to the layout and design of the proposed basement will have no TPZ encroachment and no impact on Tree 15”*.

Further, it is recommended that Tree 30 (located to the northeast of the sports courts) be removed due to a compromised structural integrity. Refer to Arboricultural Report – Annual tree risk / hazard assessment – Toolern Tree Service – November 2021. Section 5.

3.3 BUILT FORM AND LANDSCAPE DESIGN

The proposal materials and finishes will deliver a contemporary building that integrates with the existing school buildings further to the south and the Le Brenton Swimming Centre to the north. The design includes a good amount of glazing to maximise natural light (incorporating doors and openable windows that

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are screened to break up building mass) but also to improve internal amenity of activity areas which are expected to be well-populated during the day.

The new building will consist of the following materials and finishes:

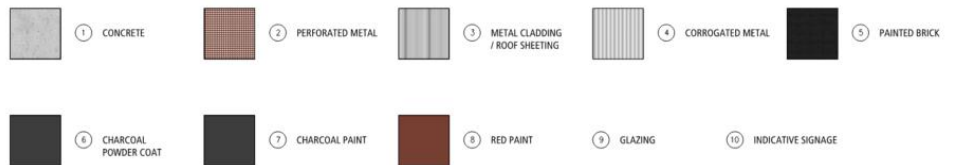


Figure 24: Material and Finishes Schedule (source: Watson Young Architects)



Figure 25: Artist Impression (source: Watson Young Architects)

The external areas are regarded as high importance for the student's welfare and will realise a major makeover (multipurpose outdoors courts) and good separation between active and passive space. The setback to Darnley Street allows for a generous linear courtyard / landscape zone with a north-eastern aspect that allows for the retention of a number of existing trees (Tree 15) and the planting of new canopy trees and lower-level landscaping. The new ground floor outdoor learning space is covered, ensuring year-round use.

A landscape plan will be submitted under a separate cover.

3.4 VEHICLE ACCESS AND PARKING

The VET and STEM building proposes to widen the existing 4 metres wide crossover to Darnley Street to 6 metres to accommodate simultaneous ingress and egress movements for vehicles accessing the basement car park. A two-way ramp provides connections from the basement car park to Darnley Street.

The existing northern vehicular access crossover to the car park located adjacent and parallel to Darnley Street (immediately south of the existing Trade Training building and east of the outdoor courts) is proposed to be retained to

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Figure 26: Darnley Street looking south-west



Figure 27: Existing drop off zone / car park / bus car park and outdoor sports courts looking south-west



Ground floor pedestrian access is proposed to be provided immediately from Darnley Street to the south-east of the proposed building and via the existing

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external and internal formal pedestrian footpaths to the south and east of the proposed building.

A lift and staircase are provided generally central to the basement car park which provides access to pedestrians from the car park to the ground floor foyer.

3.5 BICYCLE FACILITIES

The proposal does not include provision for additional bicycle parking spaces or end of trip facilities given there is no increase in staff, or student numbers.

3.6 LOADING AND WASTE COLLECTION

A loading zone is proposed to the south-east of the VET & STEM building, at the northern end of the existing Darnley Street car park.

A total of five (5) car parking spaces are required to be removed to formalise the proposed loading and bus parking area. It is understood that this car park does not currently facilitate any car parking for staff or parents/guardians in this location but is instead utilised as a parking bay for a 10.2 metre coach. Access for the coach is currently provided via the northernmost crossover.

Loading activities are proposed to be undertaken in this area, with manual handling to be completed from the loading zone and north across the proposed footpath.

Waste collection is proposed to be completed in line with the existing waste management storage and collection arrangements for CCCC.

3.7 STORMWATER MANAGEMENT

A Stormwater Management Plan (SMP), prepared by BYP Consulting Structural and Civil Engineers, is enclosed within this submission.

We defer to Section 3.0 of the SMP report which states that (in part) *“Given that there is no landscaping at present, it is an improvement on the current situation, and a Spell system is to be incorporated to treat the building and hard surfaces runoff, which will dramatically improve the water treatment relative to the current situation and achieve best practice targets. The proposal incorporates a 6000 litre RWT for water re-use.”*

The following planning controls and permit triggers are relevant to this application.

4.1 ZONING

The site is located within the General Residential Zone – Schedule 1 (GRZ1), 'General Residential Areas'.



Figure 28: Zoning Map (source: Vicplan)

The purpose of the GRZ1 is:

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

Pursuant to Clause 32.08-9, a planning permit is required to construct a building or construct or carry out works for any use in Section 2.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider relevant matters as outlined in Clause 32.08-13.

4.2 OVERLAY CONTROLS

4.2.1 Development Contributions Plan Overlay

The subject site is affected by the Development Contributions Plan Overlay – Schedule 2, pursuant to Clause 45.06.

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Figure 29: Development Contributions Plan Overlay map (source: Vicplan)

The purpose of the DCPO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

The land is located within sub-precinct 2A and is categorised as 'Commercial Development' for the purposes of this overlay. The proposal would attract a contribution rate of \$6.73 per square metre and this would be addressed through a condition of any planning permit.

4.2.2 Environmental Significance Overlay

The subject site is affected by the Environmental Significance Overlay – Schedule 2, pursuant to Clause 42.01.

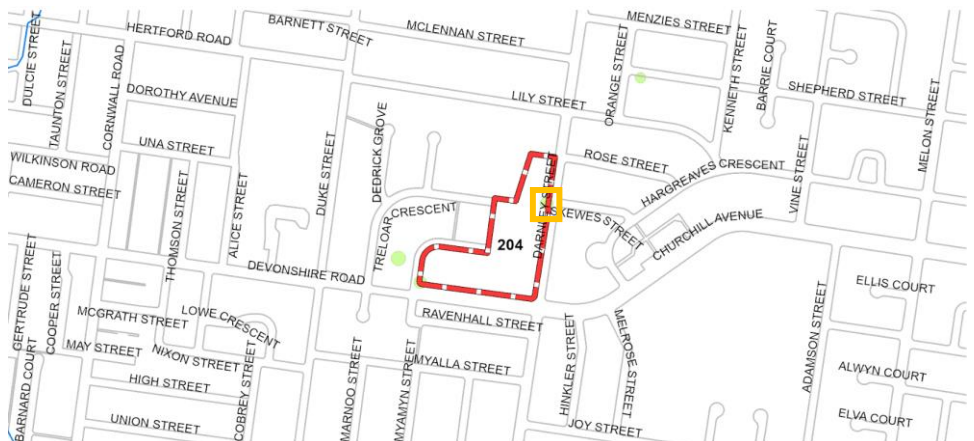


Figure 30: Environmental Significance Overlay map (source: Vicplan)

The environmental objective of the ESO2 is:

To preserve and enhance trees with significance identified in the Maribyrnong Significant Tree Register (2021) and listed in the table to this schedule.

As annotated in orange on the overlay map above (Figure 30), Tree 15 is affected by ESO2 as the tree is included on Maribyrnong's Significant Tree Register (2021), identified as Asset ID #63.

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

- *Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.*
- *Construct a fence if specified in a schedule to this overlay.*
- *Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:*
 - *If a schedule to this overlay specifically states that a 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.*

Pursuant to 42.01-2, the proposal requires a permit to:

- *construct a building or construct or carry out works; and*
- *remove, destroy or lop any vegetation (relating to Tree 15).*

For further details, please refer to the enclosed Quantified Tree Risk Assessment prepared by Toolern Tree Services.

4.3 PARTICULAR PROVISIONS

The following Particular Provisions are relevant to the proposal.

4.3.1 Clause 52.06 - Car parking

Pursuant to Clause 52.06-1, a new use or an expansion of an existing use must not commence until the required car spaces have been provided on the land.

Clause 52.06-5 outlines the number of car parking spaces required for an 'Secondary school' which is 1.2 spaces to each employee that is part of the maximum number of employees on the site at any time.

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4.3.2 Clause 52.17 - Native vegetation

There is no increase in staff numbers, so the VET and STEM building does not generate a carparking requirement. There are however, 145 car spaces provided at the basement level of the building.

Clause 52.06-9 outlines the design standards for carparking accessways. This matter has been considered by WGA in its Traffic Impact Assessment, which forms part of the application documentation.

The purpose of Clause 52.17 – Native vegetation is 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 any vegetation, including dead vegetation. However, this does not apply:

- *If the table to Clause 52.17-7 specifically states that a permit is not required.*
- *If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.*
- *To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.*

Pursuant to Clause 52.17-7 - Table of exemptions, the requirement to obtain a permit does not apply to:

Planted vegetation - *Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.*

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

The enclosed Arboricultural Report prepared by Toolern Tree Services, identifies all onsite trees proposed to be removed or lopped as “*Planted vegetation*”. Consequently, a permit is not required pursuant to Clause 52.17.

4.3.3 Clause 53.19 - Non-government schools

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

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.

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4.4 OPERATIONAL PROVISIONS

Clause 72.01 designates the Minister for Planning as the Responsible Authority for a 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, where the estimated cost of development is \$3 million or greater.

The subject proposal meets this criteria and, as a result, the Minister for Planning is the Responsible Authority for the project.

4.5 SUMMARY OF PERMISSIONS REQUIRED

Planning approval is required to:

- construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2;
- construct a building or construct or carry out works, pursuant to Clause 42.01-2; and
- lop a tree, pursuant to Clause 42.01-2.

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5.1 PLANNING POLICY FRAMEWORK (PPF)

The PPF is at Clauses 10–19 of the Scheme. The PPF underpins the key objectives of the *Planning and Environment Act 1987* and its objectives are a fundamental and determinative consideration in the administration of land use and development planning across Victoria. It informs the preparation and implementation of local planning policy objectives and the introduction of zone and overlay controls. It is therefore necessary that planning permit applications build on and achieve these important policy objectives.

Clauses 11–19 constitute Planning Policy Framework that provides policy direction whereby the ‘community’ will benefit from clear and consistent policy framework within which decisions about the use and development of land can be made.

Of the PPF, the following clauses are relevant to the proposed development:

- **Settlement at Clause 11**

- Clause 11.01-1R - Settlement
- Clause 11.02-1S - Supply of urban land
- Clause 11.03-1R - Activity centres
- Clause 11.03-1R - Activity centres - Metropolitan Melbourne

- **Environment and Landscape Objectives at Clause 12**

- Clause 12.01-2S - Native vegetation management

- **Environmental Risks and Amenity at Clause 13**

- Clause 13.05-1S - Noise abatement
- Clause 13.07-1S - Land use compatibility

- **Built Environment and Heritage at Clause 15**

- Clause 15.01-1S - Urban design
- Clause 15.01-1R - Urban design - Metropolitan Melbourne
- Clause 15.01-2S - Building design
- Clause 15.01-4S - Healthy neighbourhoods
- Clause 15.01-4R - Healthy neighbourhoods - Metropolitan Melbourne
- Clause 15.01-5S - Neighbourhood character

- **Economic Development at Clause 17**

- Clause 17.01-1S - Diversified economy
- Clause 17.01-1R - Diversified economy - Metropolitan Melbourne

- **Transport at Clause 18**

- Clause 18.01-1S - Land use and transport integration

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- Clause 18.01-3S - Sustainable and safe transport
- Clause 18.01-3R - Sustainable and safe transport - Metropolitan Melbourne
- Clause 18.02-4S - Car parking

- **Infrastructure at Clause 19**

- Clause 19.02-2S - Education facilities
- Clause 19.03-3S - Integrated water management

5.2 LOCAL PLANNING POLICY FRAMEWORK (LPPF)

The Municipal Strategic Statement includes policy direction that reflects the land use, built form and environmental values of the municipality. The policies build on the overarching strategic directions of the Planning Policy Framework with the following clauses of relevance to the application:

- **Council Vision at Clause 21.03** provides a land use vision for Maribyrnong through to 2030 of a vibrant and diverse community, with significant redevelopment with a greater residential character, an enhanced network of open spaces and improved accessibility to Maribyrnong River.

The Land Use Framework Plan identifies CCCC to the south-east of Kinder Smith Reserve ('Open space') and north-west of the Braybrook Community Hub / Skinner Reserve. The Braybrook Village Local Activity Centre is approximately 230 metres to the east and the Central West Major Activity Centre (MAC) is approximately 900 metres to the south-east.

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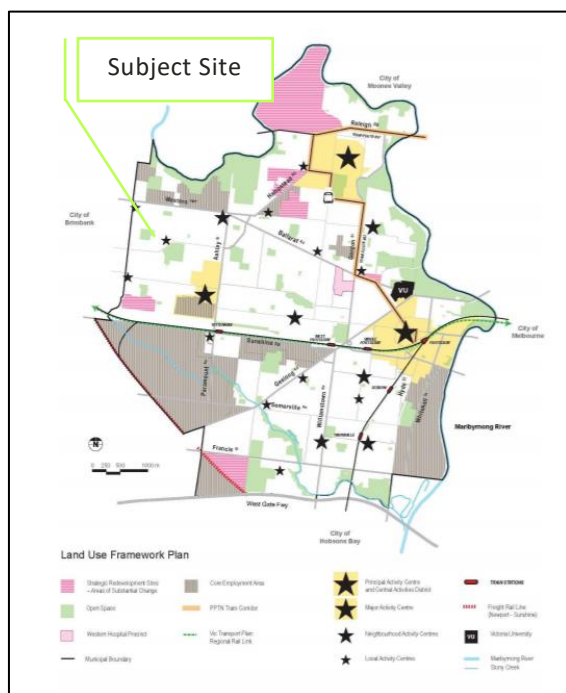


Figure 31: Land Use Framework Plan
(source: Clause 21.03 Maribyrnong
Planning Scheme)

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- **Environmental and Landscape Values at Clause 21.05** sets out environmental related matters and relevant to this application is Clause 21.05-5 - Significant Trees which seeks to protect and enhance identified significant trees in Maribyrnong.

Strategies to achieve this (of relevance to the subject site) include:

- *Preserve and enhance the trees identified as significant in the Maribyrnong Significant Tree Register (2021).*
- *Ensure new development integrates and effectively responds to significant trees.*
- *Enable tree growth to maturity and provide for onsite tree planting that regenerates and adds to the urban forest.*
- *Acknowledge significant trees by the publication of information demonstrating their value to the City.*
- *Ensure new development and works to trees are informed by appropriate expertise to provide for a significant tree's ongoing contribution to the environment and urban forest.*

- **Built Environment and Heritage at Clause 21.06** sets out objectives and strategies for Urban Design, ESD and heritage matters and relevant.

Relevant to this application is Clause 21.06-2 - Environmentally Sustainable Design which seeks to:

- *provide sustainable building design.*
- *improve stormwater quality.*
- *ensure that water resources are managed in a sustainable manner.*

Also relevant to this application is Heritage at Clause 21.06-3 which seeks to preserve significant trees and landscapes.

Strategies to achieve this (of relevance to the subject site) include:

- *Support development applications that retain trees and landscapes of cultural significance.*
- *Ensure new street trees complement the species of contributory trees.*

- **Transport at Clause 21.09** recognises the context of the City in relation to Melbourne CBD and connectivity to various transport routes. It recognises the important linkages through passenger rail, freight, trucking and other more sustainable forms between key destinations. Objectives contained within the policy, which will be facilitated through the proposal include:

- *To support and promote public transport.*
- *To support and promote cycling and walking.*
- *To support and promote sustainable transport.*
- *To develop a safe, efficient and accessible transport network.*

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It is noted that the subject site is located within the Principal Public Transport Network.

- **Community and Development Infrastructure at Clause 21.11**

Clause 21.10-1 states that there are gaps in some facilities and services and there is limited capacity in existing community facilities to accommodate significant increases in users or provide additional services. It is expected that additional integrated children and family facilities, libraries, community centres, community art spaces, schools and aged care facilities will be needed in Maribyrnong.

Clause 21.10-1 seeks:

- *To provide facilities which meet the needs of the community.*

The following strategies are identified to underpin this objective (as relevant to the proposal) include:

- *Encourage co-location of complementary facilities.*
- *Ensure all future community facilities can accommodate co-location and multi purpose uses and can be adapted to suit the needs of the community.*
- *Implement a network of community hubs which are:*
 - *Close to residents and public transport.*
 - *Accessible for people of all life stages and capacities.*
 - *Within activity centres unless there is broader community benefit locating them elsewhere.*
- *Provide new community facilities, where needed, in strategic redevelopment sites and in areas of population growth and development.*
- *Encourage the development of education facilities, including private education facilities, to service the needs of the community.*

5.3 LOCAL PLANNING POLICIES

Local Planning Policies provide statements of intent or expectation. They set out what the responsible authority will do in specified circumstances, or the responsible authority's expectation of what should happen. The following is of relevance to the proposal:

- **Preferred Neighbourhood Character Statements at Clause 22.05**

The Maribyrnong Neighbourhood Character areas comprise 13 neighbourhood character types across the municipality. CCCC is identified as being located within the Garden Court – GC precinct. The Preferred Neighbourhood Character Statement is set out below:

The spacious, informal streetscapes of this precinct will be strengthened through the continued maintenance of existing dwellings and gardens, as

well as replacement buildings that enhance these characteristics. Where possible, original dwellings including Interwar and 1950s homes will be retained and restored to promote a sense history within the precinct. New development will incorporate wide pitched roof forms with well-articulated facades that include variations in materials. The visual prominence of car parking structures and crossovers will be minimal, with single-lane driveways and garages that are set behind the line of the front façade. Dwellings will be surrounded by spacious gardens that comprise canopy trees, shrubs and lawn, and views to these landscaped areas will be retained through the provision of low, permeable or no front fencing.

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Development proposals such as this raise a range of important matters which require more detailed consideration.

For this proposal, it is considered that the following key considerations must be satisfied:

1. Is the proposal consistent with the Planning Policy Framework and the Municipal Planning Strategy?
2. How does the proposal respond to applicable planning controls?
3. Does the proposal respond to neighbourhood character?
4. Will the proposal avoid unreasonable off-site amenity impacts?
5. Is the proposed vehicle access, provision of car and bicycle parking and waste delivery appropriate?
6. Is the proposed extent of vegetation removal acceptable?

As the following assessment demonstrates, the proposal satisfactorily balances all policy objectives and delivers the net community benefit and sustainable development outcomes contemplated by the Scheme.

6.1 RESPONSE TO PLANNING POLICY

Education is understood to be critical to Victoria's economic and social recovery, given the challenges presented to Victoria by the global COVID-19 pandemic.

In December 2020, Amendment VC180 updated all planning schemes in Victoria by inserting additional strategies to support the expansion and upgrade of non-government schools by fast-tracking approvals for upgrades and assist their integration within local and regional communities.

Upgrades and extensions to existing non-government schools are now specifically recognised at **Clause 19.02-2S**, which recognises the need to strengthen their integration with surrounding transport networks and activity centres. Further, it acknowledges that their built form is different to dwellings as is their purpose and function and thus they can have a different built form (including height, scale and mass).

It is accepted that an 'Education centre' will ultimately take a different form and scale to adjacent residential development. Also, and significantly, the development proposed is explicitly encouraged at **Clause 21.03**, **Clause 21.06**, **Clause 21.09** and **Clause 21.11**, noting that it:

- is located on an existing, established campus of Caroline Chisholm Catholic College where there are multiple buildings of differing height and configurations – in contrast to the existing residential housing in the surrounding area;
- is located approximately 230 metres from the Braybrook Village Local Activity Centre and approximately 900 metres from the Central West Major Activity Centre (MAC);

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- is located on a corner site that adjoins a Significant Municipal Road (TR23) and has access arrangements that do not interrupt the local residential streets;
- allows for critical, at-grade, universal access / egress from the building for staff and students;
- is designed and managed to result in minimal loss of amenity, privacy and convenience to people living in nearby dwellings;
- allows for alternate forms of transport in providing appropriately for staff and students to ride to school;
- appropriately manages stormwater with suitable water sensitive urban design;
- ensures carparking is appropriately designed at lower ground away from the street frontage and thus minimise off-site impacts and ensure the safe movement of pedestrians, cyclists and vehicles; and
- is within walking distance of good public transport.

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The proposed site planning and design takes advantage of an already serviced, underutilised portion of the existing CCCC campus. It has been thoughtfully conceived, integrates successfully with the existing campus and will provide a substantial community benefit.

It respects the existing built form of the area and that located on the school campus site at present, with well-informed decisions made in relation to vehicle access, waste, water sensitive urban design and landscaping.

It has had regard for policies that promote a high standard of urban design and architecture. Building design and appearance have taken on details that contribute to a lightness of structure, incorporating curved metal and rendered panels to the upper volume that appear to float above the more robust lower ground.

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Figure 32: Render of the north-western interface

Importantly, the proposed improvements to the existing school is necessary to support its longer-term viability. Schools are experiencing a host of challenges arising from growing costs to provide high quality education and the need to provide accessible, adaptable, flexible, multipurpose collaborative learning and teaching spaces. Further, the challenges of dealing with disruptive events such as a global pandemic have necessitated the upgrades proposed with an emerging need for learning spaces that accommodate remote online learners and (mobile) technology for lessons to be recorded. Accordingly, when considering the proposal's implications for planning policy, it is both necessary and important to also consider the policy implications of the proposed expansion not proceeding as this may compromise the ability of CCCC to continue to provide the curriculum the community expects into the future.

On balance, it is submitted that the proposal aligns consistently with the planning policy framework and will deliver a net community benefit to the community.

6.2 HOW DOES THE PROPOSAL RESPOND TO APPLICABLE PLANNING CONTROLS?

The GRZ accepts the importance of co-locating education, recreation, religious and community uses within the residential neighbourhoods they serve.

There is no maximum building height requirement that applies in this instance and the proposed development meets the design, height, setback criteria set out in the Decision guidelines at Clause 32.08-13.

Notably, there are no built form controls that apply to the site.

The proposed VET and STEM building is setback 5.74 metres from Darnley Street, and therefore appropriately responds to the existing residential dwellings on the eastern side of Darnley Street, in the vicinity of the subject site.

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6.3 DOES THE PROPOSAL RESOND TO NEIGHBOURHOOD CHARACTER?

The scale and form of the proposal is not dissimilar to the existing Trade Training building and multiple other two storey buildings on the site. In particular, the proposal reflects the contemporary design of the existing Physical Education / Multipurpose Hall (south) and will present to Darnley Street as an extension of the existing campus buildings.

The landscape concept plan (to be submitted under a separate cover), confirms a well-considered approach that complements the built form with soft landscape treatment across the building's frontage, plenty of passive outdoor space, suitably sized outdoor sports courts and at-grade treatments to the east, providing a welcoming entry.

Importantly, the proposal has carefully considered and appropriately responded to the applicable ESO and Tree 15's significance by retaining the tree, nominating selective lopping and avoiding any further TPZ encroachments, as confirmed by the Arboricultural Report's prepared by Toolern Tree Services.

Car parking has been integrated mindfully at lower ground level and waste collection is proposed to be completed in line with the existing waste management storage and collection arrangements for CCCC.

The setback to Darnley Street (adjacent to the new building and sports courts) allows for a generous linear courtyard / landscape zone with a north-eastern aspect that allows for the retention of a number of existing trees (including Tree 15) and the planting of new canopy trees and lower-level landscaping. The new ground floor outdoor learning space is covered, ensuring year-round use.

The *Garden Court* – GC preferred character statement contained within **Clause 22.05** is not intended as a mandatory design brief but assists in identifying key themes within a neighbourhood and are more typically applied in residential proposals. Of course, this local policy (last gazetted in September 2011) significantly pre-dates Amendment VC180 which introduced updated State policy expectations around education facilities, noting that their built form is different to dwellings as is their purpose and function and thus they can have a different built form (including height, scale and mass).

To this extent, and in reference to the wording of the statement, the proposal:

- Provides a well-articulated façade that include variations in materials.
- Strengthens the garden setting with space for canopy tree planting within the frontage.
- Minimises the visual prominence of car parking structures and accessways by proposing a basement car park and utilising the existing crossover

locations (removing a large area of at-grade car parking that current dominates part of the subject site).

- The proposal includes a generally low scale form (when considering the use of the land and other existing buildings within the school campus) being only two storeys and includes generous setbacks to its side and rear boundaries.

The proposal makes efficient use of land in proximity to public transport, whilst presenting a form of development that is respectful of the existing character and consistent with the emerging neighbourhood character (which importantly, is mixed).

6.4 WILL THE PROPOSAL AVOID UNREASONABLE OFF-SITE AMENITY IMPACTS?

In considering the development's potential amenity impacts, it must be recognised that not only does the proposal have unequivocal planning policy support, but it also proposes a high-quality architectural outcome that makes a rich and positive contribution to the public realm on a site that does not have any immediate residential neighbours.

It is also noted that:

- The upgrade of the outdoor sports courts does not result in any facilities shifting / increasing in size and student and staff numbers are not proposed to increase, therefore noise levels should remain consistent with existing conditions;
- the VET and STEM building is more than 60 metres from the closest dwelling to the buildings west. Noting that this property is a CCCC owned and operated site (refer to section 2.3.4) and is separated by the existing open space and Study and Music Centre on the subject site, which provides sufficient separation;
- the 5.74 metres setback to the Darnley Street boundary allows for an open landscaped setting and views from the west and north of an attractive 'pedestrian-oriented' streetscape;
- the basement will be secured so noise is unlikely to be a significant concern;
- the shadows cast by the proposed building will be of no consequence to surrounding facilities on the campus given the separation provided in all directions;
- roof plant is not visible from the public realm;
- waste collection will be conducted as per the existing CCCC campus arrangements and no additional collections made from Darnley Street; and

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6.5 IS THE PROPOSED VEHICLE ACCESS, PROVISION OF CAR AND BICYCLE PARKING AND WASTE DELIVERY APPROPRIATE?

- east facing windows are more than 30 metres from the closest dwelling on the eastern side of Darnley Street and mostly screened.

A Traffic Impact Assessment (TIA) has been prepared by WGA and is submitted with this application.

WGA concludes that the proposal is an acceptable outcome for the site and provides the following summary to support its position:

- *The proposed operation of the building will operate ancillary to the existing operations of the school and therefore will not be accommodating any increase to staff and student numbers.*
 - *In this regard, there is no statutory requirement to provide any additional car parking or bicycle parking spaces.*
- *Nevertheless, the number of existing car parking spaces within the proposed development land parcel will be reinstated with a total surplus of four (4) car parking spaces for a total of 49 spaces. Notwithstanding, the development will provide an additional 96 car parking spaces underneath the multipurpose courts for a total of 145 proposed car parking spaces to formalise existing informal car parking areas available on-site and replace any car parking spaces taken up for the proposed loading bay in the Darnley Street car park.*
- *The car park and accessway layout has been designed in accordance with the Planning Scheme, with swept path assessments in Appendix A confirming the appropriateness of the design.*
- *Accommodating two existing school uses, the development is not expected to generate any additional staff or student vehicle trips during typical morning and afternoon school pick-up and drop-off operations, with trip redistributions expected to have negligible traffic impacts to the surrounding road network.*
- *In the event of after-hours use, the car park is assumed to generate 145 inbound vehicle movements during the commuter PM peak period and 145 outbound vehicle movements after the PM peak period, noting that staff are likely to already be parked at the school and remain for after-hours events.*
- *Existing traffic data for Darnley Street, allowing for 3% compound growth since 2010, suggests that 145 additional vehicle movements is likely to have negligible impacts to Darnley Street.*

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- Existing publicly available traffic data of the Churchill Avenue signalised pedestrian crossing adjacent the south of the school shows that the peak volume of traffic occurs from 3:15pm – 4:15pm (school pick-up time). As such, after hours use and peak traffic generation is expected to coincide with traffic outside peak traffic levels and therefore be accommodated in the existing road network configuration.
- Notwithstanding, the proposed development is catering for existing school uses, and therefore any traffic redistribution of existing after-hours event car parking is expected to result in negligible traffic impacts.
- A dedicated on-site loading bay is proposed to the north of the existing Darnley Street car park and will utilise the existing access crossover currently utilised by the school's existing 10.2m coach for bus parking. All deliveries will be transported manually to the proposed development.
 - Swept path analysis diagrams demonstrate that a MRV access the area whilst the 10.2m bus is parked.

6.5.1 Vehicle access

A two-way ramp is proposed to provide access to the basement car park from Darnley Street.

The existing crossover to Darnley Street is proposed to be widened to 6m to accommodate simultaneous ingress and egress movements for vehicles accessing the basement car park.

No changes are required to the remaining crossovers servicing the site from Darnley Street.

6.5.2 Bicycle parking and facilities for cyclists

No additional bicycle parking spaces or end of trip facilities are provided as part of the VET and STEM building. Adequate facilities are currently provided at CCCC and these will be made available to the new VET and STEM building.

6.5.3 Waste collection

It is expected that the VET and STEM building will utilise the existing waste management processes currently undertaken by CCCC, with waste to be manually transported from the VET and STEM building to an existing on-site waste storage area. Therefore, no dedicated waste room is proposed as part of the development.

6.6 IS THE PROPOSED EXTENT OF VEGETATION REMOVAL ACCEPTABLE?

Principally, we defer to the Arboricultural Report prepared by Toolern Tree Services which confirms that no significant vegetation is proposed to be removed from the site. Tree 15 is to be retained and will not be adversely impacted.

Importantly, the removal of vegetation from the site will be appropriately offset with replacement planting, including an extensive variety of native/indigenous and exotic tree species that are tolerable and suited to CCCC's campus conditions.

As previously stated, a landscape concept plan will be submitted under a separate cover.

Tree protection measures will be implemented to ensure that the health of all onsite trees proposed to be retained, and those within the road reserve, will be maintained.

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In summary, the proposal represents a high-quality development that appropriately responds to the context of the site, as follows:

- The proposal is consistent with planning policy which supports the expansion and upgrade of non-government schools and assists in strengthening their integration with surrounding transport networks and activity centres.
- The proposed site planning and design takes advantage of an already serviced, underutilised and large portion of land associated with an established education facility (CCCC). It has been thoughtfully conceived and integrates successfully with the existing school buildings and will provide a substantial community benefit.
- The VET and STEM building will significantly improve the amenity and functionality of the existing CCCC campus but also the internal connectivity between the school buildings and facilities to the south and those to the north which are currently segregated (Trade Training building).
- The universal access to the STEM building and improved outdoor spaces, improved connectivity, daylight and spatial planning meets the general comforts of students, staff and visitors. It will also realise improvements to administrative functions and back of house facilities.
- The proposed expansion of the existing CCCC campus supports its longer-term viability with attendant benefits to the local community.
- The buildings height, roof form and its materials and finishes are an appropriate response to the existing campus buildings.
- Traffic and parking impacts associated with the development are appropriately managed by providing increased car parking on-site and providing adequate access and egress arrangements for vehicles and pedestrians expected to utilise the site.
- The site will be landscaped to enhance the presentation of the building, consistent with policy imperatives and the context of the site. The removal of existing trees will be balanced by the opportunity to deliver new landscaping that complements the site layout and design. Without the removal of these trees, the project (and its policy imperatives to support the expansion and upgrade of non-government schools) will not be possible.
- The proposed use will not adversely affect the amenity of the area by way of the transportation of goods to/from the land, the operation of the use and any associated plant/equipment.

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For the reasons outlined in the proceeding sections of this submission, it is submitted that the development is worthy of a planning permit, subject to standard planning permit conditions.

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