

Assessment Officer Report

PA2402993 – 17 Regal
Avenue, Thomastown.
St John's XXIII Primary
School



Officer Assessment Report
Development Approvals & Design



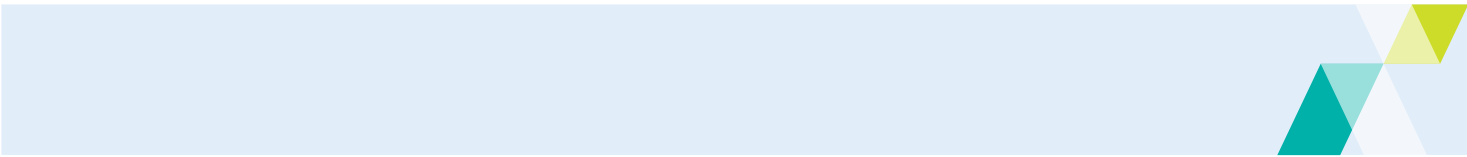
Department
of Transport
and Planning

OFFICIAL



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Executive Summary



Key Information	Details		
Application No:	PA2402993		
Received:	18 June 2024		
Statutory Days:	25		
Applicant:	Melbourne Archdiocese Catholic Schools c/- Crosier Scott Architects		
Planning Scheme:	Whittlesea		
Land Address:	17 Regal Avenue, Thomastown		
Proposal:	Buildings and works for the partial demolition of existing classrooms, construction of new administration building and refurbishment of existing buildings.		
Development Value:	\$ 3.838,680 m		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Whittlesea Planning Scheme, the Minister for Planning is the responsible Authority for this application because it is for the development of school building 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 as the estimated cost is greater than \$3 million.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.08	General Residential Zone Schedule 5 (GRZ5)	<i>Construct a building or construct or carry out works</i>
Overlays:	Clause 45.06	Development Contributions Overlay Schedule 3 (DCO3)	<i>N/A – the development for a non-government school is exempt from a development contribution.</i>
Particular Provisions:	Clause 52.06	Car Parking	<i>N/A – no change to student or staff numbers</i>
Cultural Heritage:	A CHMP is not required.		
Total Site Area:	20,300	m ²	
Referral Authorities:	Whittlesea Council - Notice		
Public Notice:	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner: No objections have been received as of 12 August 2024.		



Application Process

1. The site has had previous approvals granted by council throughout the history of the school, however these permits were unable to be provided.
2. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	18 June 2024
Further information requested	01/07/2024
Further information received	17/07/2024
Decision Plans	Plans prepared by Crosier Scott Architects , titled ' New Administration Building and Refurbishment works ' and dated 5/06/2024
Other Assessment Documents	<ul style="list-style-type: none">• Landscape Plan prepared by Crosier Scott Architects, dated 05/05/2024.• BESS report, Dated 18 June 2024• Daylight Analysis Report, prepared by Northern Environmental Design, dated 11 June 2024• Site Analysis & Survey Report, dated 20 Dec. 2023• Sustainability Management Plan (SMP), prepared by Northern Environmental Design, dated 18 June 2024

3. The subject of this report is the decision plans (as described above).

Proposal Summary

4. Planning Permit application PA2402993 seeks approval for the refurbishment of existing classrooms and construction of a new administration building on the site of 17 Regal Avenue, Thomastown.
5. Specific details of the application include:

Stage 1

- Internally renovating / refurbishing of existing Building 1 and minor external updates to finishes.
- Construction of new administration building (approx. 340 m²)

Stage 2

- Internally renovating / internal refurbishment of existing GPLA's in Building 2, along with minor enhancements externally.
- Partial demolition of Building 1, extension to existing student amenities.

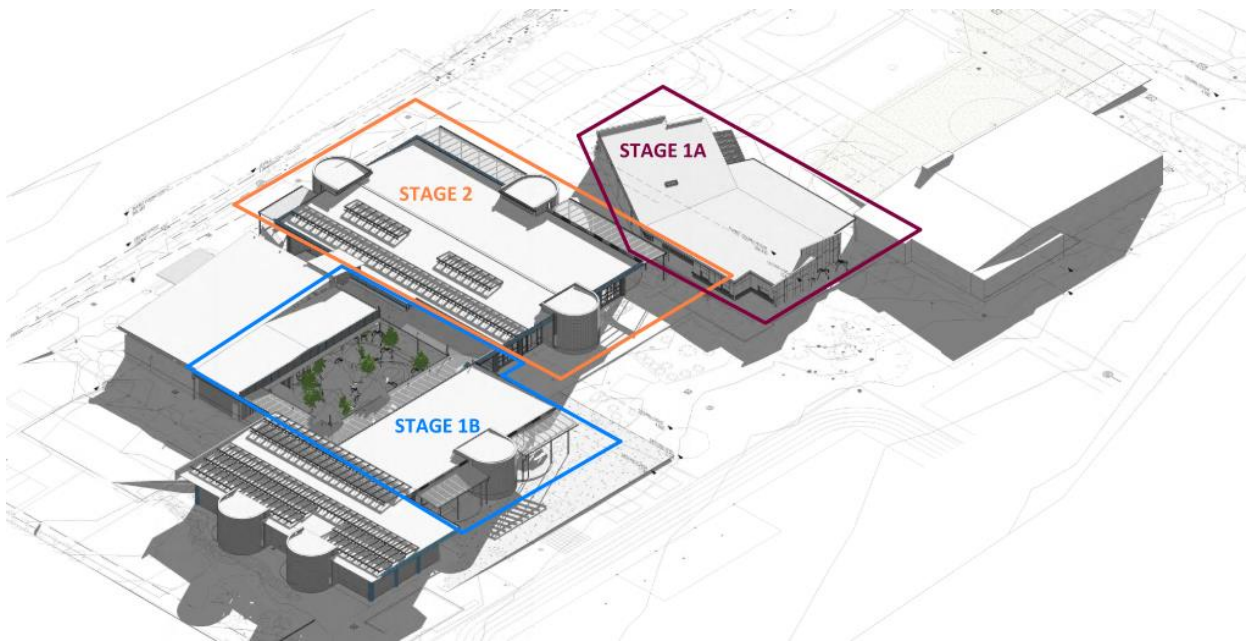


Figure 1: Overall stages of development

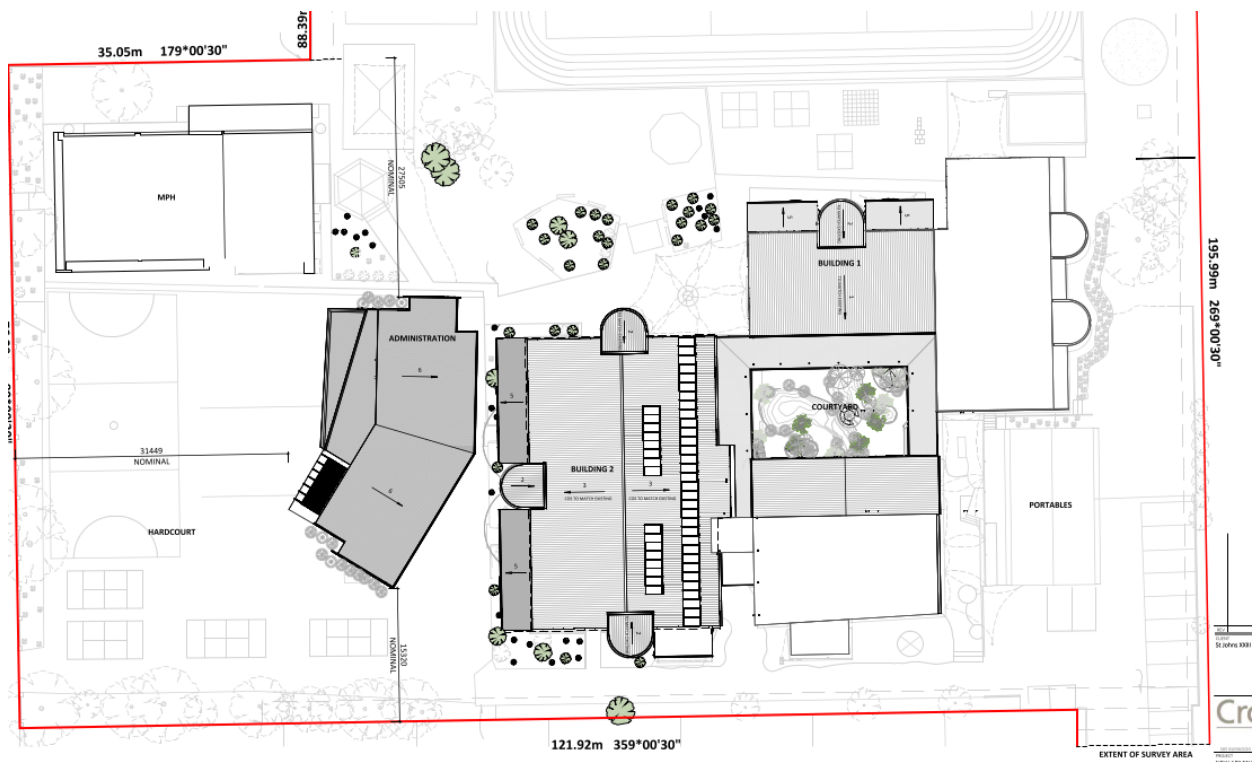


Figure 2: Site Plan



Figure 3: Administration building



Figure 4: Administration building (northwest elevation)



Figure 5: Outdoor learning space



Figure 6: Courtyard



Figure 7: Courtyard



Site Description

6. The site is referred to as 17 Regal Avenue, Thomastown. The overall site is irregular in shape and located on the southern side of Regal Avenue. The areas of works are located in the centre of the site adjacent to the current school buildings.
7. The site has a frontage of 76.2 m along Regal Avenue, with additional access points to the school located from Stella Drive (car access) and Lisa Court (pedestrian access).
8. The site is surrounded by residential dwellings in a well-established neighbourhood.



Figure 8: Subject site (source VicPlan)

Site Surrounds

9. The surrounding development consists mainly of the broader school including sporting fields, teacher's car park and other school buildings.
10. Development surrounding the site can be described as follows:
 - To the **north** of the site:

The northern boundary of the site partially fronts Regal Avenue and a section backs onto residential dwellings numbered 27-37 Regal Avenue.
 - To the **south** of the site:



The southern boundary backs onto residential dwellings numbered 26-44 Bates Avenue and No. 6 Stella Drive. The southern boundary of the school grounds predominately consists of landscaping, water tanks and staff car parking.

- To the **east** of the site:

The eastern boundary of the school back onto properties No. 3 and units 1 & 2 of No 4 Lisa Court.

- To the **west** of the site:

The western boundary of the site backs onto dwellings numbered 8-18 Stella Drive and No. 15 of Regal Avenue. The rear yards of the adjoining properties consist of private open space, garages and associated outbuildings.

11. The surrounding development predominately consists of single storey brick veneer dwellings, built during the 1950's and 1960's, and retains a typical residential pattern of development around a long-standing school.



Municipal Planning Strategy

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

Clause	Description
02.01	Context
02.02	Vision
02.03-1	Settlement
02.03-9	Infrastructure – Community Facilities

Planning Policy Framework

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

Clause 15	Built Environment and Heritage
15.01-1S	Urban Design <i>Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.</i> <i>Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.</i>
	Building Design <i>To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</i> <i>Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.</i>
15.01-2L	Environmentally sustainable development <i>To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.</i>
Clause 19	Infrastructure
19.02-2S	Education Facilities <i>Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.</i> <i>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).</i>

14. The assessment section of this report provides a detailed assessment of the relevant planning policies.

Zoning and Overlays

Applicable Zone/s

General Residential Zone – Schedule 5

15. A planning permit is required to construct a building or construct or carry out works in accordance with a Section 2 use of **Clause 32.08-1**. The site benefits from existing use rights and therefore no planning permit is required for the use of land for the school.

16. The purpose of the General Residential Zone is:

- To implement the *State Planning Policy Framework* and the *Local Planning Policy Framework*, including the *Municipal Strategic Statement* and local planning policies.
- 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 other non-residential uses to serve local community needs in appropriate locations.

17. The following sections include a discussion of how the proposal responds to these requirements.

Other Overlays

Development Contributions Plan Overlay (DCPO)

18. Clause 45.06 – Development Contributions Plan Overlay (DCPO) requires development contributions to be paid in accordance with the requirements of schedule 3. Clause 45.06-4 states that the development of a non-government school is exempt from paying a development contribution.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 (Car Parking)

19. Clause 52.06-1 is applied to an increase in floor area or site area of an existing use. The proposal is not a new use of land but the addition of a new administration building and changes to existing buildings resulting in an increase in floor area. The application documents have confirmed that there is no change to operation of the school and no increase to the number of staff or students at the school.

Clause 52.34 (Bicycle Facilities)

20. The application proposed no increase to student numbers or teaching staff. As there are no changes to the staff or student numbers, no additional bicycle parking is required.

Clause 53.19 (non-government schools)

21. Clause 53.19 applies to the use and development of land for a primary school, 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.

22. An application to which Clause 53.19 applies, exempts it from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

Clause 53.18 Stormwater in Urban development

23. Clause 53.18 (Stormwater in urban developments) applies to this application for buildings and works. The clause includes standards and objectives relating to stormwater management and aim to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits. General Requirements and Performance Standards.



Referrals

25. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 52 Notice	City of Whittlesea	07/08/2024

Municipal Council Comments

26. The Whittlesea City Council (the council) considered the application and have provided no objection to the proposal and do not require any conditions to be included on any permit issued.

Notice

27. The applicant was directed to give notice by way of erecting signs on the site and notifying adjoining owners and occupiers.

28. No objections have been received.



Strategic Direction and Land Use

30. The *Planning Policy Framework* encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
31. The relevant MPS and PPF policies have been considered in assessing the application.
32. The proposed land use is consistent with the strategic direction of the following policies.
33. Clause 02.03-5 Built environment and heritage – Environmentally sustainable design seeks to:
- *Environmentally sustainable design should be incorporated during the planning of a development to achieve outcomes that may otherwise be compromised if these matter are only considered as part of building approval. It also may reduce difficulties or extra costs associated with retro-fitting development.*
 - *Encourage development to incorporate environmentally sustainable design principles.*
34. Clause 02.03-9 Infrastructure – Community facilities seeks to:
- *As a growth and interface municipality there are wide-ranging liability challenges as a result of rapid population growth.*
 - *Community facilities must meet the needs of the growing population. The size and function of community facilities should reflect their role in the hierarchy of community facilities.*
35. Clauses 15, 15.01-2S, 15.01-2L collectively have the following objectives relating to design:

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

And the following strategies which provide the following guidance:

- *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*
 - *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
 - *Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.*
 - *Facilitate development that minimises environmental impacts.*
 - *Encourage environmentally sustainable development that:*
 - *Is consistent with the type and scale of the development.*
 - *Responds to site opportunities and constraints.*
 - *Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.*
36. Clause 19.02-2S provides the following guidance:
- Education Facilities*
- To assist in the integration of education and early childhood facilities with local and regional communities.*
- *Consider the 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.*



- *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).*

37. The proposed upgrades to the existing buildings and the construction of the new administrative building has taken the local planning policies into account. This siting of the buildings within the school grounds has provided substantial setbacks to adjoining residential properties and the street frontage.
38. The renovated buildings (Stage 1B and Stage 2) will help meet the ongoing educational needs of the surrounding and broader community through the provision of flexible classroom layouts and improved internal amenity.

General Residential Zone

39. The purpose of the zone is to:
- *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.*
40. The guidelines in the zone provide direction for non-residential uses which are allowable under Section 2 of Clause 32.08-1. For the consideration of non-residential uses, the decision guidelines direct decisions to consider the Municipal Planning strategy and the Planning Policy Framework.
41. In keeping with the purpose of zone which recognises residential land for the use for community facilities, the proposed refurbishment of existing buildings and the construction of new buildings provides an acceptable built form when assessed against the decision guidelines for non-residential use and development.
42. The use of the land as a school is ongoing and does not trigger a planning permit.

Buildings and Works

43. Detailed plans have been submitted for the proposed re-development of building 1B, internal renovation of Stage 2 and the proposed plans for the construction of Building 1A.

44. The works include the following:

Building Stage 1A – Administration building

- Foyer and school reception.
- Staff rooms and meeting rooms.
- Principle office and deputy principal office.
- Sick bay and associated bathrooms.

Building Stage 1B – Existing Classrooms

- Partial demolition of classrooms, school administration and reception (no permit required)
- New internal courtyard.

- New student toilet facilities.
- Two new general learning classrooms.
- Outdoor learning space.
- Covered walkways.

Building Stage 2 – Existing Classrooms

- Internal demolition of classrooms and learning spaces.
- New classrooms and internal learning spaces, breakout rooms and specialist learning spaces.
- New outdoor learning spaces.

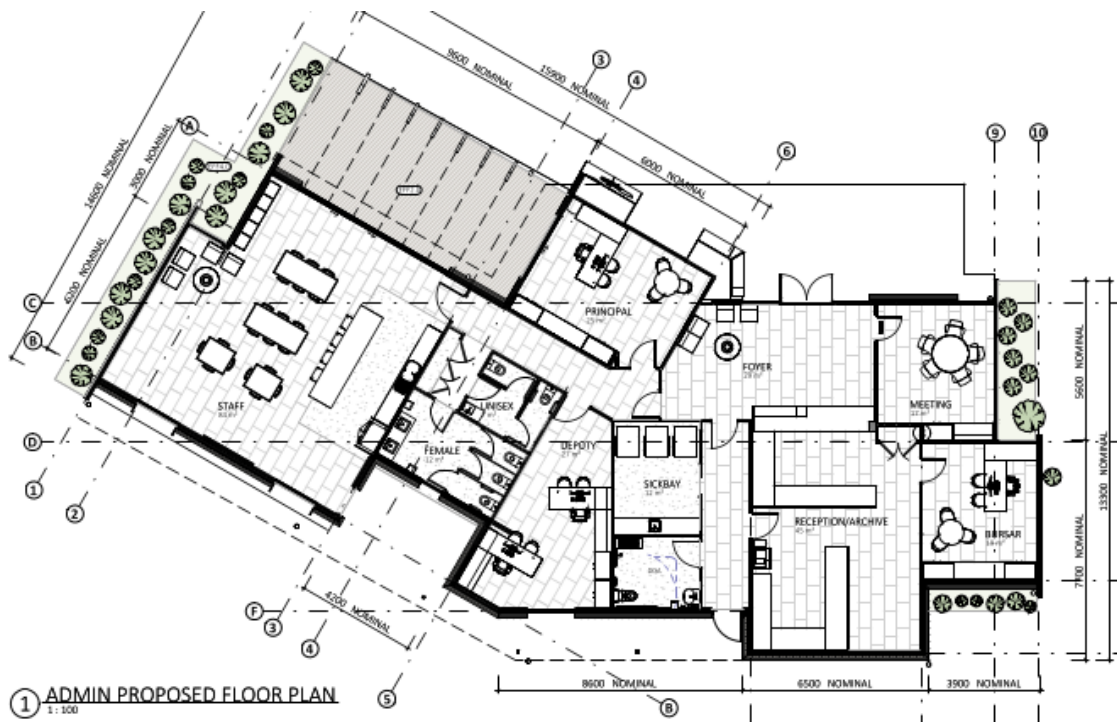


Figure 9: Administration building (Stage 1A)

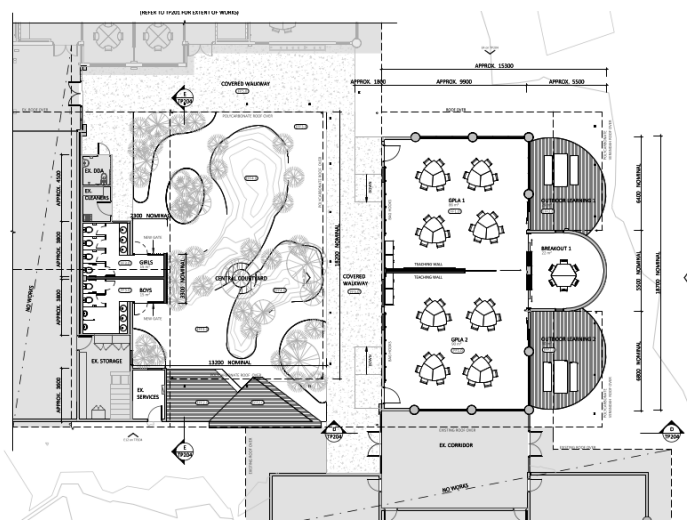
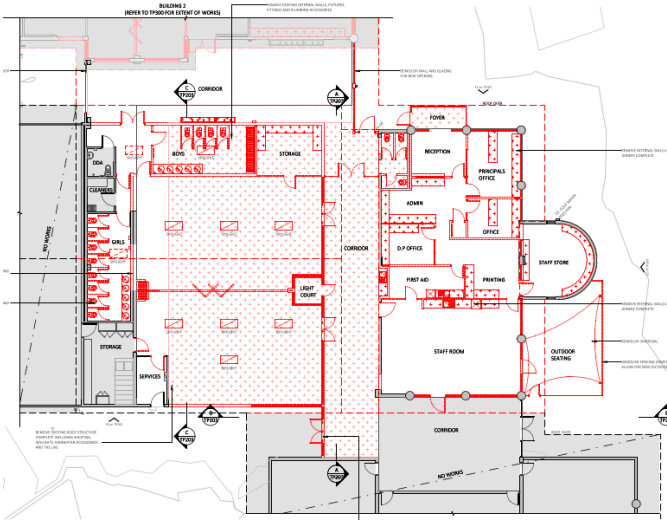


Figure 10: Building 1B – Demolition plan (left) and proposed (right)

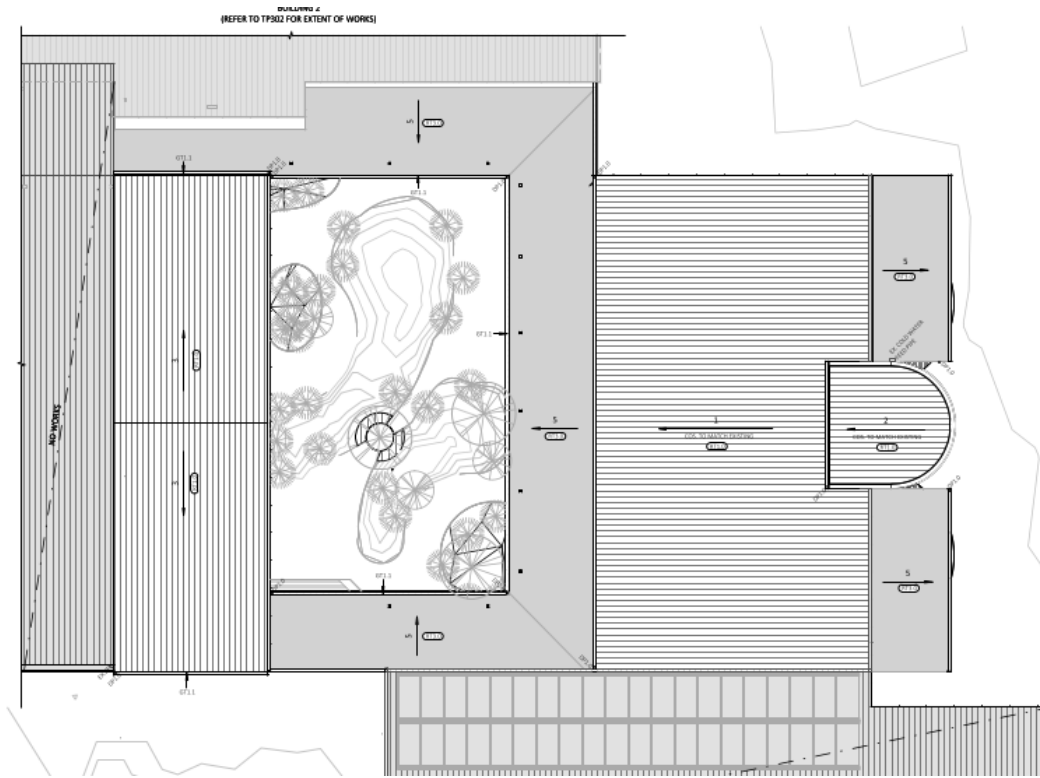


Figure 11: Building 1B – Proposed roof plan.

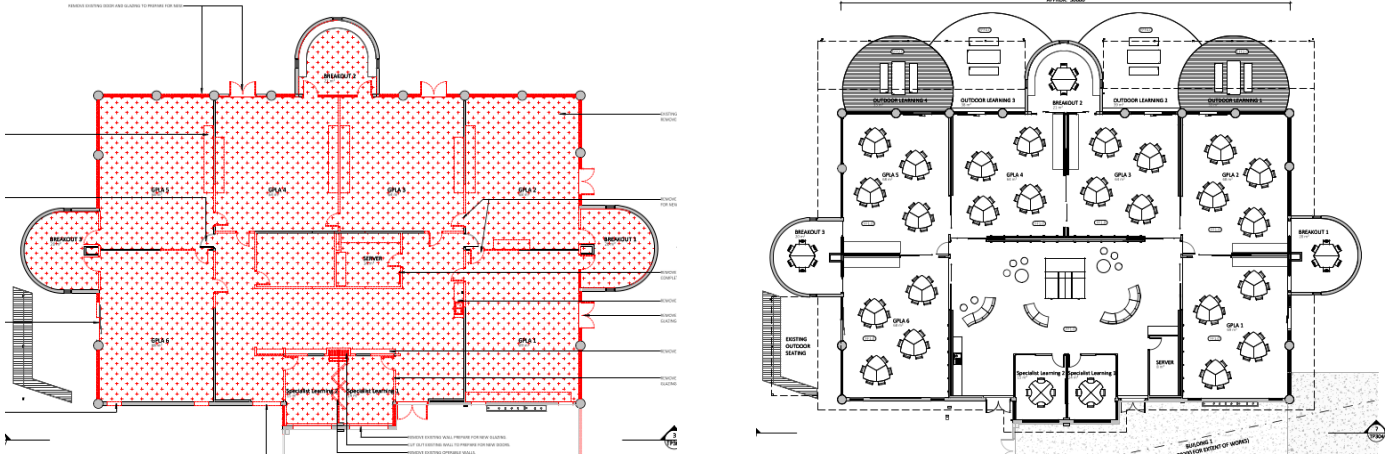


Figure 12: Building 2 – Internal demolition plan (left) and proposed classroom layout (right)

- 45. The plans show the new administration building to be sited in an area which currently contains an outdoor basketball court and is to be located adjacent to existing school buildings.
- 46. The administration building is proposed with skillion roof allowing opportunities for highlight windows, the upgrades to existing buildings will continue to retain flat roofs which is consistent with the existing built form.

Height and Setbacks

- 47. The new administration building has a maximum building height of 4.6m, the single storey built form is consistent with the existing adjacent building heights of 5.1m.

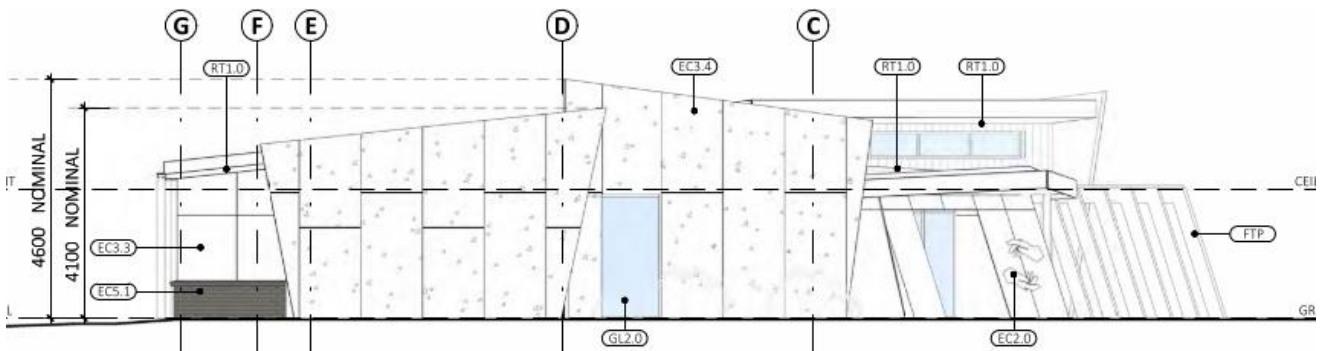


Figure 13: Administration Building

- 48. The new administration building is set back from the northern boundary of Regal Avenue 31.44m and from the western boundary with adjoining residential properties approximately 15.32m. The setbacks from the adjoining sensitive interfaces are significant and will have limited amenity impacts to both the surrounding residents and the streetscape.

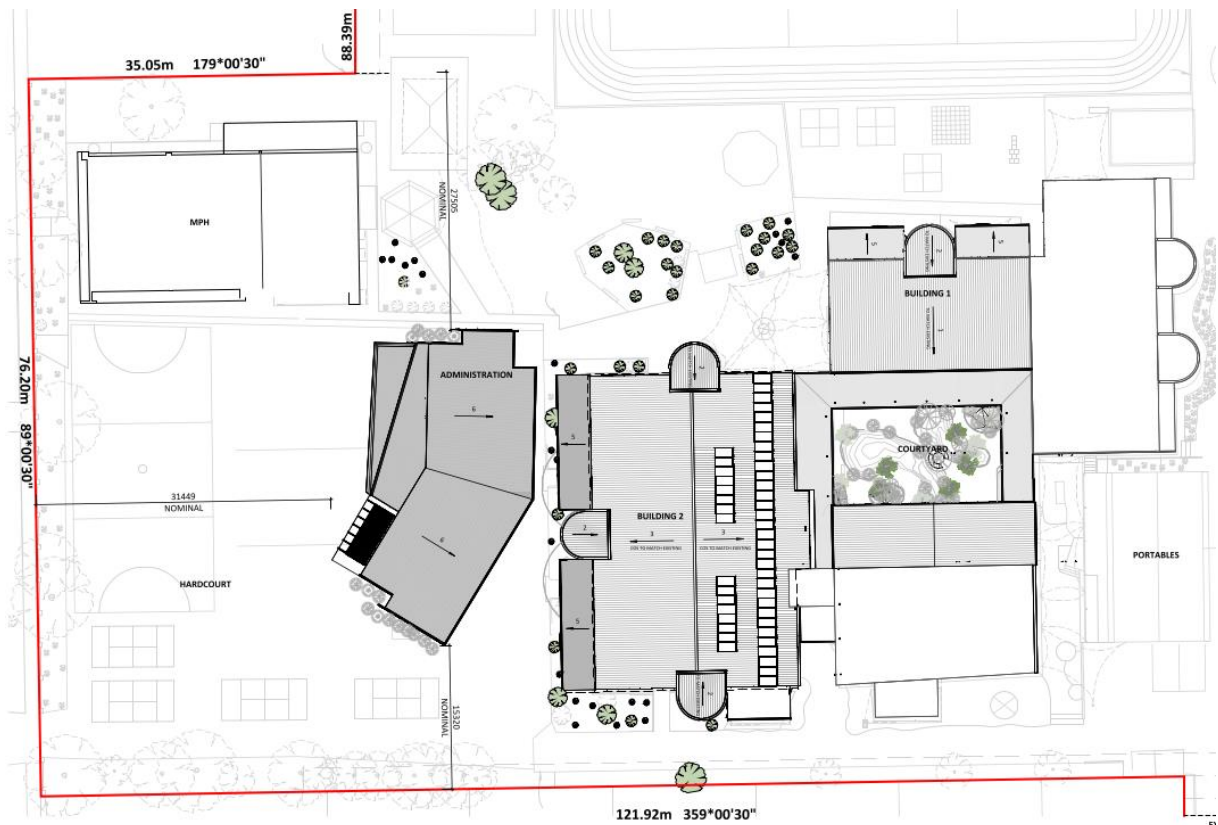


Figure 14: Administration building setbacks to boundaries.

Design Detail

49. The applicant has submitted a comprehensive materials schedule as part of the application document. This includes the design detail for the upgrades to the retained buildings.
50. The architectural response is considered appropriate for the school with a variety of external cladding to be used including metal sheet cladding, blockwork cladding and brickwork.
51. The variety of materials used will provide visual interest internally as well as being practical and hardwearing which is required in a primary school setting.



Figure 15: Materials and finishes for Administration building.



Figure 16: Materials and finishes for updated building.

52. The new and amended architecture is considered a significant improvement from the existing conditions and provides for better internal amenity for the school and the students. The flexible floorplan allows for future growth of the school and provides for an improved outcome for the broader community.

Amenity

Amenity Impacts (internal and offsite)

53. The amenity impacts to the adjoining residential properties will be minor, the intended use of the existing buildings remains the same and the addition of a new administration building is consistent with the broader use.

Overshadowing

54. The application included shadow diagrams demonstrating that the proposed works will not overshadow any of the adjoining properties to the west. The shadows created by the new administration building are wholly contained within the site footprint.

Landscaping

55. The application has been submitted with a landscape plan detailing the proposed works to the new internal courtyard proposed for building 1. The landscape plan provides a general planting schedule and species and location of plants.

56. The planting schedule includes a variety of smaller trees and ground covers which is appropriate in the proposed location.

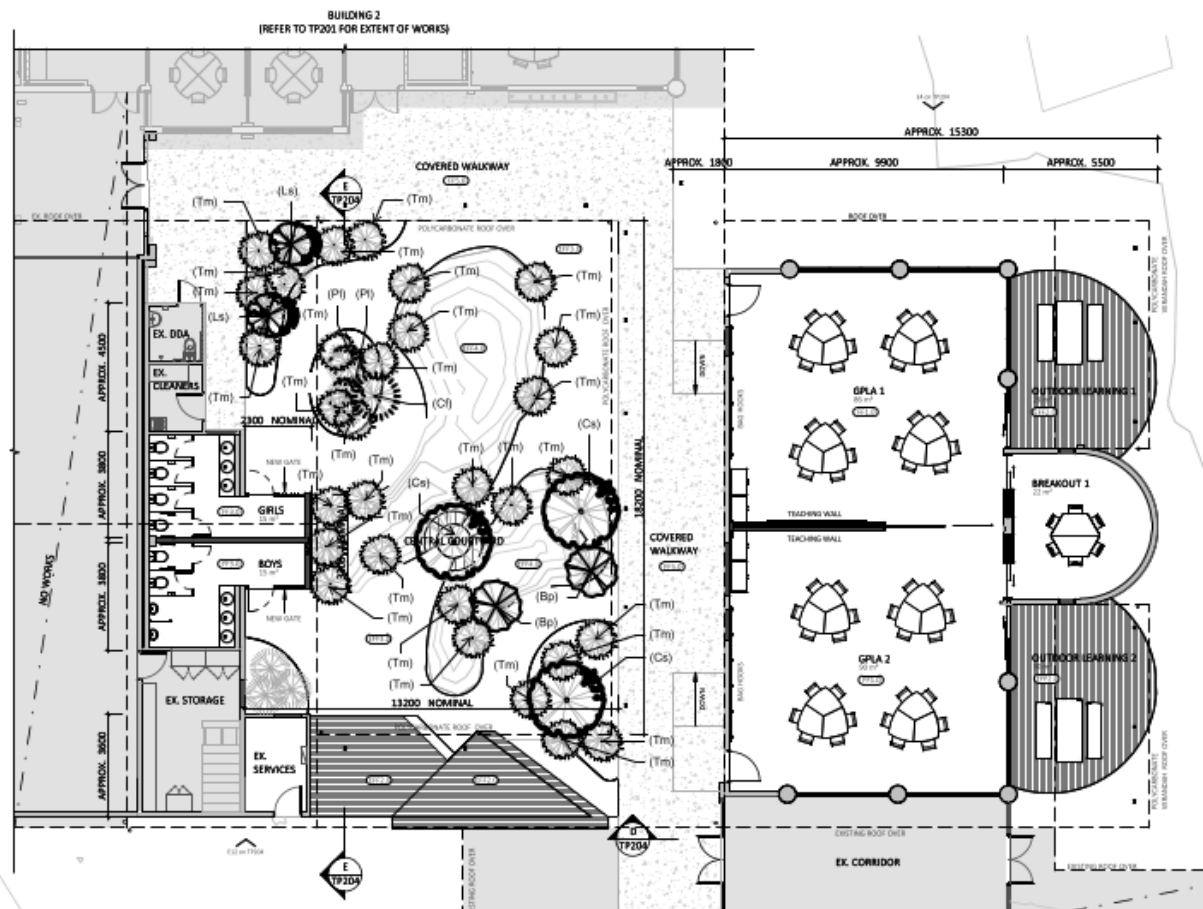


Figure 17: Landscaping plan



Figure 18: Plant details

57. The submitted plan details the landscaping for the new internal courtyard, however no details have been provided for any landscaping proposed around the new administration building. The additional landscaping will be included as a permit condition.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

58. The proposal does not include any additional staff or students and does not trigger the requirement for additional onsite car parking. There are no changes to the existing onsite parking provided for staff located in the southwest corner of the school grounds.

Bicycle Facilities

59. The proposal does not include any additional staff or students; therefore, no additional bicycle parking is required as a result of the amendment.

Waste

60. A waste management plan has not been provided however the waste management on the site is not expected to vary significantly from the current conditions. Waste management will be managed in accordance with the existing operations of the school.

Sustainability

Environmentally Sustainable Design (ESD)

61. The application has been submitted with a Sustainability Management Plan (SMP) report for the proposed works which broadly outlines the strategies and sustainability initiatives that will be deployed within the proposed scope of works.

62. The SMP includes a BESS report which achieves a rating of 52% demonstrating that the proposed renovation of existing buildings and the construction of the new administration building will achieve best practice.

Water Sensitive Urban Design (WSUD)

63. The application has been submitted with a SMP which details how the developments WSUD initiatives will minimise water runoff from the site and provide details of water harvesting and re-use within the proposed buildings.

64. It is proposed to rainwater harvest from the new administration building with water to be collected in a 5000L tank, this water is to be used for toilet flushing and irrigation of the surrounding gardens. This approach is supported by the proposed use of water sensitive fixtures and results in an acceptable outcome.

Stormwater Management

65. The application has been submitted with a stormwater management plan as part of the SMP report which provides stormwater treatments for the extent of the proposed works.

66. The new development will include a 5,000 – litre rainwater tank to reduce the volume of run-off, this water is to be used for toilet flushing and irrigation.

67. The STORM Report submitted achieves a rating of 105% demonstrating best practice for the project.

Planning Permit

Permit No.:	PA2402993
Planning scheme:	Whittlesea Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	17 Regal Avenue, Thomastown



THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
Clause 32.08-10	Construct a building or construct or carry out works associated with an existing Education Centre.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit.

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Layout not altered.

2. The layout of the use and development must not be altered from the layout shown on the approved and endorsed plans without the written consent of the responsible authority.

Amended Plans

3. Before the development starts, including demolition, bulk excavation and site preparation works, detailed development plans for that stage including a development summary must be approved and endorsed by the Responsible Authority. The plans must be generally in accordance with the plans prepared by Crosier Scott Architects dated 15 April 2024, but modified to show:
 - a) Any changes required by the Landscape plan.

Landscaping

4. Concurrent with the endorsement of plans, an amended landscape plan must be submitted to and approved by the Responsible Authority. The Landscape plan must be generally in accordance with the landscape plan prepared by Crosier Scott Architects, dated 2.05.24, but modified to show:
 - a) Details of all surface finishes surrounding the new administration building.
 - b) Details of the proposed landscaping associated with the administration building.
 - c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes at maturity, and quantities of each plant.

Noise Impacts

5. Noise levels emanating from the music building must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1. Any works required to ensure and maintain the noise levels are in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.

General Amenity

6. The amenity of the area must not be detrimentally affected by the use(s), including through:
 - The transport of materials, goods or commodities to and from the land;
 - The unsightly appearance of any buildings, works or materials;

- The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil; or
- The presence of vermin;

To the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

7. Concurrent with the endorsement of plans, the Environmentally Sustainable Design (ESD) Statement prepared by Northern Environmental Design, dated 18 June 2024 must be approved by the Responsible Authority. The performance outcomes for the development must be in accordance with the report, to the satisfaction of the Responsible Authority. The report must not be altered without the prior written consent of the Responsible Authority.
8. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed report in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Commencement

9. This permit will operate from the issued date of this permit.

Expiry

10. This permit will expire if one of the following circumstances apply:

- a) The development is not started within 2 years of the issued date of this permit.
- b) The development is not completed within 4 years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

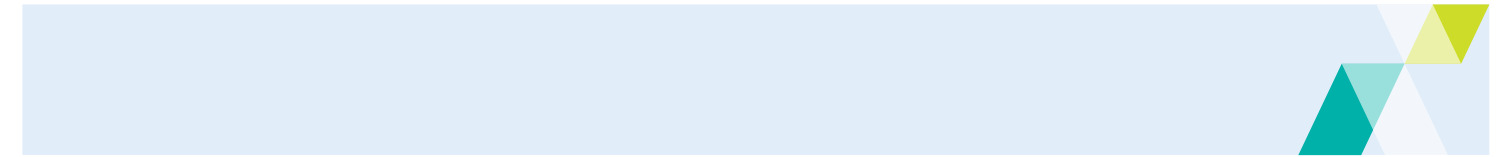
- a) The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- b) The completion date referred to if a request is made in writing within six months after the permit expires and the development started lawfully before the permit expired.

Notes:

(the following information does not form part of this permit)

The permitted use or development may need to comply with, or obtain the following further approvals:

- These notes are provided for information only and do not constitute part of the permit or conditions of this permit.
- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- A building permit under the *Building Act 1993*.

- 
- Paths, access ramps and Tactile Ground Surface Indicators to be installed in accordance with DDA requirements and the relevant Australian Standards.

Recommendation



68. The proposal is generally consistent with the relevant planning policies of the Whittlesea Planning Scheme and will contribute to the provision of education facilities within the Thomastown area.
69. The proposal is generally supported by the Council.
70. It is **recommended** that Planning Permit No. **PA2402993** for the buildings and works for the construction of a new administration building and partial demolition and refurbishment of classrooms at **St John's XXIII Primary School** at 17 Regal Avenue, Thomastown be issued subject to conditions.
71. It is **recommended** that the applicant and the council be notified of the above in writing.



Prepared by:

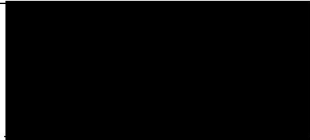
I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

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

Name: Cath te Lintelo

Title: Senior Planner, Development Approvals and Design

Signed:



Phone:

Dated: 12 August 2024

Reviewed / Approved by:

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

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

Name: Grant Logan

Title: Manager, Development Approvals and Design

Signed:



Phone: 0428809519

Dated: 13 August 2024