

23 August 2022

Sent by email to: maureen@maureenjacksonplanning.com.au

Maureen Jackson Planning Pty Ltd
PO Box 204
SOUTH YARRA VIC 3141

Dear Maureen Jackson Planning Pty Ltd,

Banyule Planning Scheme Application No: P798/2022

Property: 325 Grimshaw Street WATSONIA




Proposal: Pre Application - Future DELWP Application - Non-Government School STEM Building

Permit Triggers:

- **Tree Removal in the Heritage Overlay (HO29)**
- **Partial demolition of a non-contributory building in the Heritage Overlay (HO29)**
- **Construction of a new school building in the GR22 and Heritage Overlay (HO29)**
- **Car parking reduction (if required)**

Thank you for the above planning pre-application lodgment submitted on 06 July 2022, which has been given to me to manage. The results of my preliminary assessment, as well as the extra information required, are detailed on the next page.

To better assist you with your application, please note:

	If you want to discuss this letter or your application, please contact me. I will return your phone call within one business day and respond to any written correspondence within five business days.
	Banyule's Development Planning Team will liaise with Maureen Jackson Planning Pty Ltd, the nominated applicant, in relation to this application.
	Banyule's Development Planning team assesses all applications electronically. Your further information must be lodged online .


PROPERTY INFORMATION AND CONTROLS

Site Area:	102,588m ²
Zoning:	General Residential Zone – Schedule 2
Overlay(s):	Heritage Overlay (HO29) Environmental Significance Overlay – Schedule 4 Vegetation Protection Overlay – Schedule 2 Special Building Overlay – Schedule 2 - N/A to works area
Particular Provisions	Clause 52.06 – The site is located within the PPTN. Clause 52.17 – Native Vegetation applies.
Residential Neighbourhood Character Precinct:	Garden Court Precinct 1 (GC1)

PRELIMINARY ASSESSMENT OF YOUR PRE-APPLICATION P798/2022

A preliminary assessment of your application against Banyule’s planning policies, is outlined below. Further information or changes to your proposed development are required to any red or yellow lights if your proposal is to be supported by Council. Limited opportunity will be provided through the application process to resolve issues with an orange or red light.

Planning History	<ul style="list-style-type: none"> • A number of planning permits have been issued for buildings, works and vegetation removal on the site. This includes Planning Permit 65.13/1450 issued in 1978 and amended in 1987 which includes a restriction of student numbers on the eastern side of the campus. The restriction is for a maximum of 944 students on the eastern half of the campus. It may refer to ‘enrolment’. • It is anticipated that with this new building (integral to the function of the high school), it is likely that an increase in the number of students generally accommodated on the eastern side of the campus would result in this restriction being breached. It is therefore recommended that the applicant seek further clarification from the Department of Environment, Land, Water and Planning (DELWP) on direction for ensuring this restriction isn’t breach such as – amending the permit condition under Section 72 of the Act or whether through the issuing of a permit, this restriction could be considered redundant. • It would be beneficial to obtain specific legal advice in relation to the validity of the permit condition and if an amended permit is required to be sought to address this existing restriction.
DELWP Application	<ul style="list-style-type: none"> • It is understood that an application will be made directly to the DELWP who will assess the application under the application under the fast-

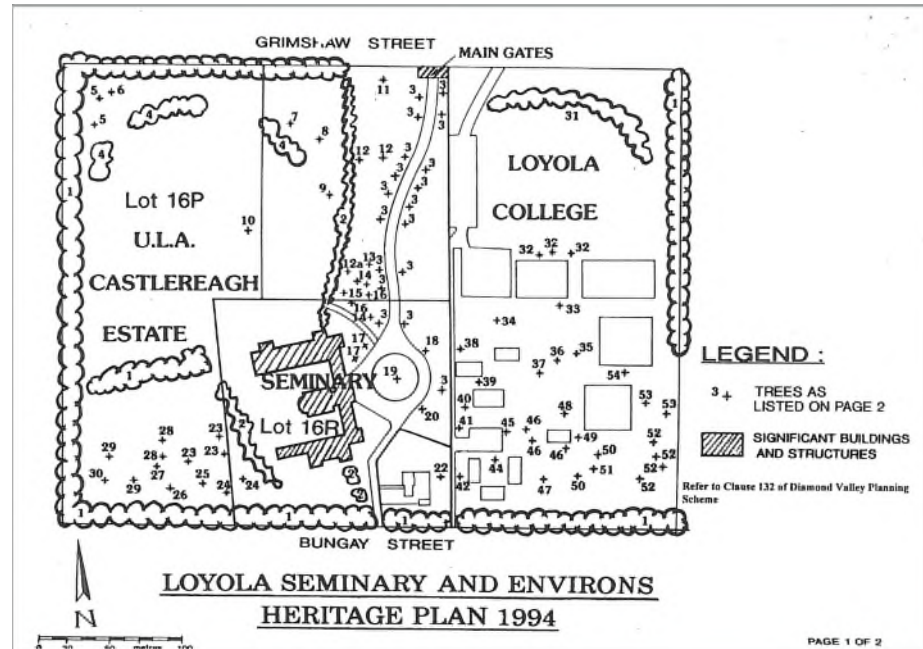
	<p>track non-government school approval program for new schools and upgrades with estimated costs of over \$3 million.</p> <ul style="list-style-type: none"> • As part of this process, it is understood that the Department will conduct a 28 day period of public notification. • Please confirm with the Department as to whether they are comfortable issuing a planning permit will all above permit triggers and clarify how they will treat existing student cap restrictions on site from an assessment point of view. Council would appreciate if you could relay this information back to us. • If a separate Section 72 application is required to amend or remove the student cap condition on the existing planning permit 65.13/1450 – council would appreciate if the amendment foreshadowed/run alongside the DELWP made application. If council is required to assess this application, this will run on public notice and involve some additional level of consultation.
Mandatory Zone Requirements	<ul style="list-style-type: none"> • A landscape concept plan is an application requirement under point 6.0 of Schedule 2 to the General Residential Zone.
Landscaping	<ul style="list-style-type: none"> • A landscaping plan should be submitted alongside the application to accommodate replacement planting on site. A focus should be given to providing planting that will assist in breaking up the appearance of built form from sensitive interfaces as is generally sought within urban design and landscape design principles.
Heritage Comments	<ul style="list-style-type: none"> • Demolition of buildings; buildings and works associated with the new building/extension; & tree removal requires permission under the Heritage Overlay (HO29). • The principal heritage building at Loyola College is the seminary/convent building that was built circa 1934. The place is of State significance primarily for the convent building and the surrounding gardens. • The site of the proposed works does not contain any remnants of the original layout of the grounds excepting that there may be some trees from a row of hedging to the east of the works area. 

	<ul style="list-style-type: none"> • There are no surviving view lines to the main historic seminary/convent building from the works area. The original views to and from the convent building have long been obscured by the subsequent construction of school buildings on the land located between the works area and the heritage building. • It is considered that the proposed works will have no impact on the current setting of the main heritage building. • The buildings that are impacted by the proposed works are not considered to be contributory heritage buildings. (Mackillop and I-Centre Buildings) • The proposed alterations & additions are of no heritage concern to the significance of the heritage place as a whole. It is unlikely that the new STEM Building would be visible from principal street views of the heritage site.
<p>Environmentally Sustainable Development</p>	<p>Council's Development Planning ESD Adviser has provided the following comments & advice in relation to the proposal:</p> <p>There is no major concern or omission from the submission (including the submitted SMP) however the following items are requested:</p> <ul style="list-style-type: none"> • A dedicated ESD Plan which is an important document that will assist in ensuring all features are functional and encourage their delivery in as-built outcomes. • Complete daylight modelling (updated Appendix C) with calculations provided in full, including contour plots. • Complete façade calculator showing max. glazing U values and updated to Appendix A – JV3 Report to demonstrate consistency between max. external glazing U values in the specification. <p>The following could be improved and is worth considering:</p> <ul style="list-style-type: none"> • A larger rooftop solar PV system could be accommodated. At this stage 15kW is proposed which is quite small for the scale of building proposed. This could easily accommodate a system 3-4 times larger which would likely assist in meeting the estimated energy demands of the building. • Double glazing should be specified throughout the building to reduce operational carbon emissions and improve thermal comfort. • Additional ESD initiatives should be proposed in order to raise BESS above the minimum best practice score of 50% for a building and investment of this nature.

Tree Impacts

Council's Development Planning Arborist has reviewed the proposal and has provided the following comments:

- There are no permits required under the Vegetation Protection Overlay – Schedule 2 as tree removal is unlikely to affect any tree or shrub identified as notable in the Loyola Seminary and Environs Heritage Plan 1994.



- There are no significant trees proposed for removal that would be considered protected under the Environmental Significance Overlay – Schedule 4.
- There is no permit triggered under Clause 52.17 – Native Vegetation which applies to this site given its size.
- A permit would be required under the Heritage Overlay for vegetation removal.
- All vegetation (13 trees) proposed for removal (#350-352, #354-357, #359, #372, #675-678) onsite is considered appropriate and can be supported.
- No High Retention value trees are proposed for removal
- 9 trees (#360, #368-371, #373, #388-389 and #674) are to be retained in vicinity of works and will require tree protection measures through permit conditions.

Car Parking (Clause 52.06)

- If there is an anticipated increase to the number of secondary school teachers on site, there may need to be consideration of this in the planning permit application and permission may be required under Clause 52.06 if the rate of 1.2 spaces per teacher cannot be met and does not have existing credits/permissions.

Referral Process

- In council's experience, we will be referred the notice of the future DELWP application for comments to then be passed on to the

	Department. As part of this referral process, council will provide draft conditions which are derived from the referral advice it received (internal).
Waste Collection	<ul style="list-style-type: none"> Waste storage and private waste collection should be considered as part of the assessment of the new building. There should be appropriate spaces for the storage of waste receptacles internally and externally located and for adequate private waste collection vehicle access.

It is noted that care has been taken to ensure that the information provided during the pre-application process are constructive and accurate. Despite the above comments, this letter should not be taken as an indication that Council will necessarily approve the proposal as discussed (including any further amendment to the proposal which includes the above comments/suggestions). A more detailed assessment of the revised proposal may reveal other matters of concern.

Yours faithfully,

Mr Carmelo Sposato

Development Planner

Carmelo.Sposato@banyule.vic.gov.au

D22/190107