

Assessment Officer Report

PA2403197 – 977 Burwood
Highway, Ferntree Gully.



Officer Assessment Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL



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Executive Summary



Key Information	Details		
Application No:	PA2403197		
Received:	12/09/2024		
Statutory Days:	51		
Applicant:	Christadelphian Heritage College Melbourne c/- Planning & Property Partners Pty Ltd		
Planning Scheme:	Knox		
Land Address:	977 Burwood Highway, Ferntree Gully		
Proposal:	Buildings and works for the construction of new classrooms, car park upgrades, new pedestrian access, tree removal and increase in student numbers.		
Development Value:	\$ 5 m		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Knox 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 32.09	Neighbourhood Residential Zone Schedule 1 (NRZ1)	<i>Construct a building or construct or carry out works</i>
	Clause 52.29	Land Adjacent to the Principal Road Network	<i>N/A – no alteration of access.</i>
Overlays:	Clause 42.03	Significant Landscape Overlay Schedule 2 (SLO2)	<i>Construct a building or construct or carry out works Remove, destroy or lop any vegetation</i>
	Clause 43.02	Design and Development Overlay Schedule 1 (DDO1)	<i>N/A</i>
Particular Provisions:	Clause 52.06	Car Parking	<i>Increase in staffing numbers</i>
	Clause 52.05	Signs	<i>Display of business identification signage</i>
	Clause 53.18	Stormwater Management in Urban Development	<i>Construct a building or construct or carry out works</i>
	Clause 53.19	Non-government schools	<i>Use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land as a primary or secondary school.</i>
Cultural Heritage:	A CHMP is not required, the proposed buildings and works are located outside of the area on the site affected by the Cultural Heritage Overlay.		
Total Site Area:	17,856	m ²	
Referral Authorities:	Knox City Council (s52 – notice) Head Transport for Victoria (S55 – determining)		



Public Notice: Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner:
4 objections have been received as of **8 November 2024**.

Delegates List: Not required



Application Process

1. The school site has had an extensive planning permit history over many years. The most recent planning permits previously approved by Knox City Council include:

- P/2019/7450

To use land for an education centre (primary and secondary school), associated buildings and works, removal of vegetation protected by the Significant Landscape Overlay Schedule 2 and alteration of access to a Road Zone Category 1.

- P/2023/6330

Removal of T7, T33, T34, T37, T39 and T40

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

Milestone	Date
Pre-application meeting (DTP)	29 August 2024
Application lodgement	12 September 2024
Further information requested	N/A
Further information received	N/A
Decision Plans	Plans prepared by Spacecraft Design , titled ' Proposed Middle School ' and dated 04/09/2024 .
Other Assessment Documents	<ul style="list-style-type: none">- Landscape plan, prepared by Spacecraft Design, dated 04/09/2024- Traffic Engineering Assessment, prepared by Traffix Group, dated October 2024- Acoustic Report, prepared by Enfield, dated 20 August 2024- Arboricultural Assessment and Report, prepared by Treemap Arboriculture, dated May 2024- Stormwater Management Plan, prepared by NDY, dated 12 August 2024- Sustainability Management Plan, prepared by Melbourne Sustainability Consultants, dated 14 August 2024

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

Proposal Summary

4. Planning permit application PA2403197 proposes to expand the existing school, increase student numbers from 200 to 300, two (2) new school buildings, car park upgrades, new pedestrian access from the rear of the property and associated tree removal on the site at 977 Burwood Highway, Ferntree Gully.

5. Specific details of the application include:

- Stage development

Stage 1



- Remove the existing large storage shed from the eastern boundary for the construction of new school building.
- Small storage shed to be constructed 6m from the Burwood Highway frontage.
- New maintenance shed to be constructed at the rear of No. 8 Winwood Drive, construction of new fencing to create new SPOS areas for the retained residence.
- Construction of interim car park.
- New pedestrian gate located on Burwood Highway.
- New pedestrian gate located to Winwood Drive
- Alterations to existing western School car park to maintain 26 car parking spaces, increase to kiss-and-go bays from 2 to 6.
- Extension to the pedestrian path in the Western car park.
- Addition of 33 bicycle spaces located behind car parking spaces 1-8.
- Removal of Trees 26, 30, 38-48, 57-60 & 71.
- Landscaping associated with Stage 1.

Stage 2

- Construction of a multipurpose building (MPC) located south of the new middle school building.
- Provision of landscaping associate with this stage, including the provision of 6 replacement trees located to the rear of the Senior School building.

Stage 3

- Formalisation and sealing of the staff car park – 30 car space and 3 minibus parking spaces.
- Construction of Covered Outdoor Learning Area (COLA)
- Provision of landscaping associated with this stage.

6. The applicant has provided the following concept image/s of the proposal:

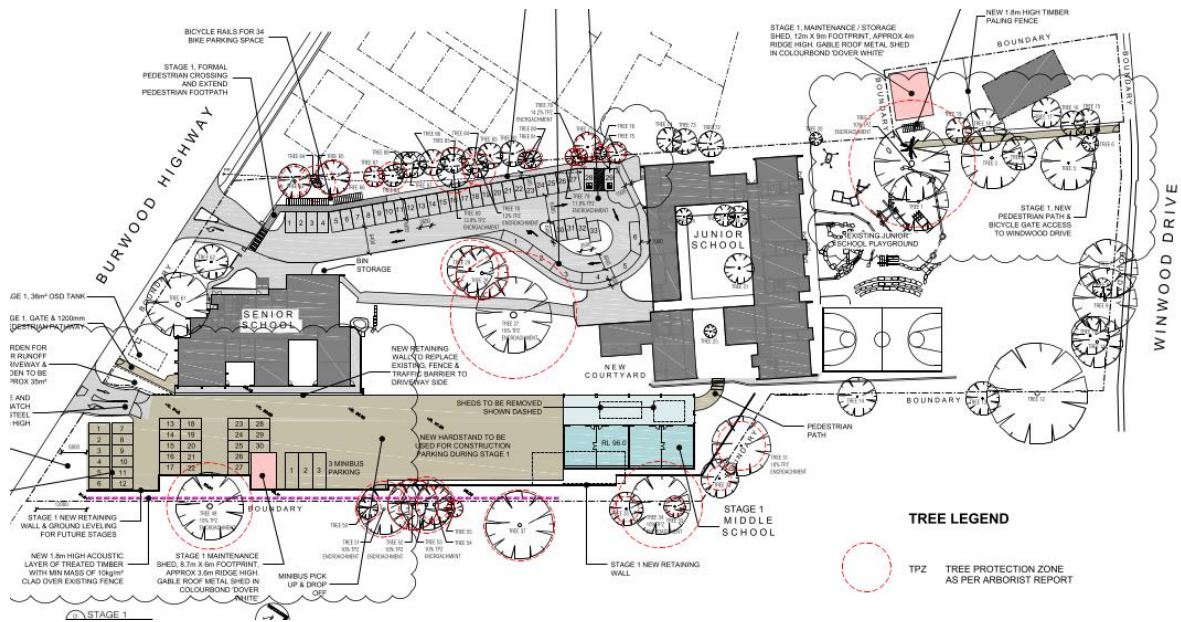


Figure 1: Proposed Site Plan



Figure 2: Middle School and MPC (west elevation)

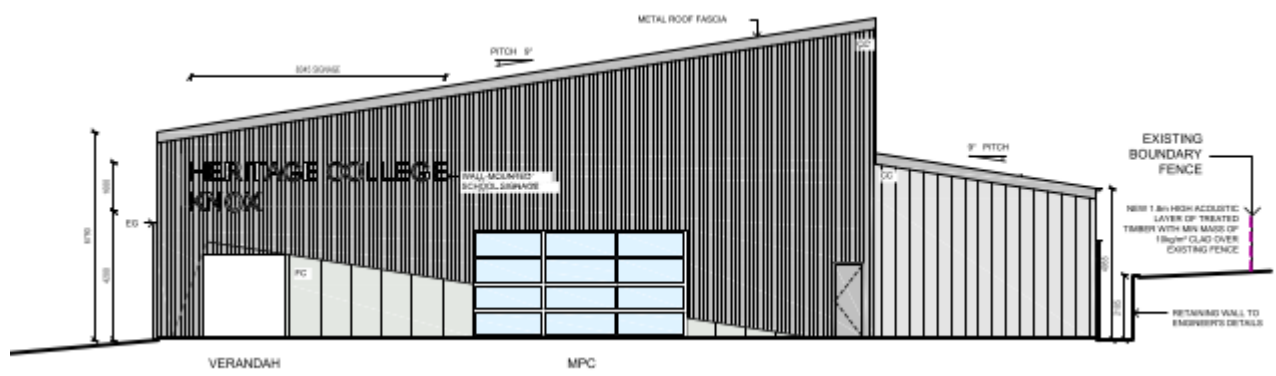


Figure 3: South elevation



Site Description

- The site is referred to as 977-987 Burwood Highway, Ferntree Gully. The overall site is irregular in shape and located on the northern side of Burwood Highway. The application comprises a small portion of the overall site, which contains a variety of school buildings, including multiple classrooms and administration and onsite car parking to provide educational facilities for students from Prep to Year 12.



Figure 4: Subject site

- The area associated with the works is in several locations across the site, with primary works being undertaken along the eastern boundary. The extent of works is shown in Figure 5, highlighted in red, blue and brown.

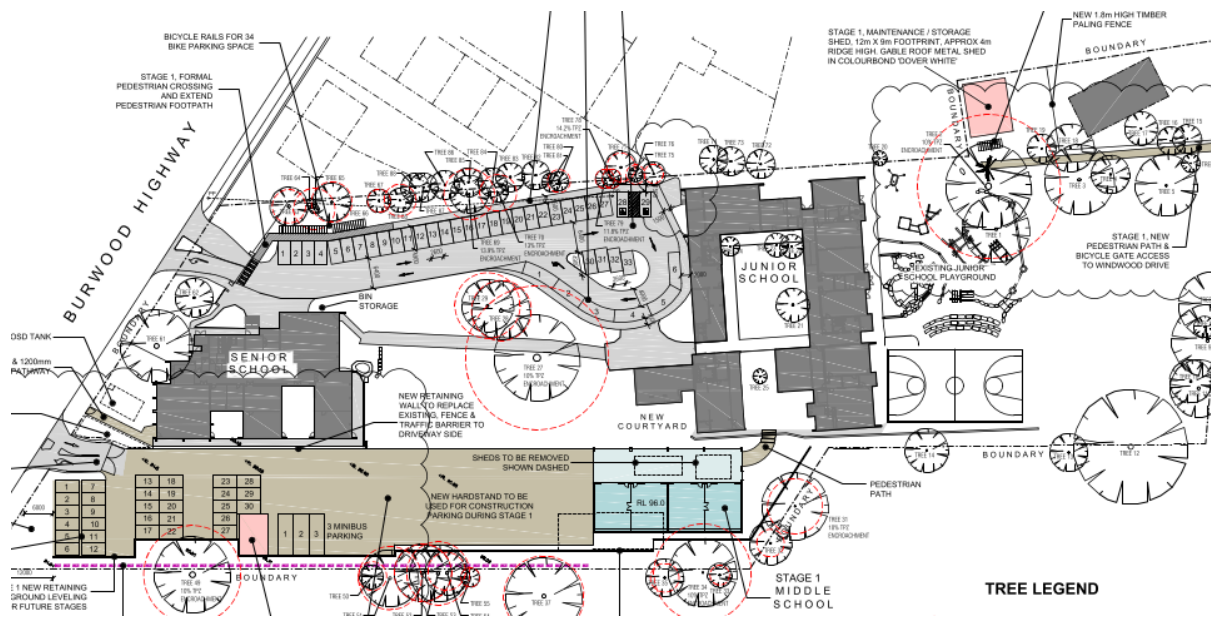


Figure 5: Extent of works

Site Surrounds

9. The surrounding development consists mainly of residential dwellings on the north side of Burwood Highway, the land is zoned Neighbourhood Residential and has a neighbourhood character of 'Bush Suburban'.
10. Development surrounding the site can be described as follows:
 - To the **north** of the site:
Predominately a typical residential pattern of development, single dwellings located on large allotments, dwellings consist of a mix of single and double storey dwellings.
 - To the **south** of the site:
Burwood Highway is located to the south boundary and has 6 lanes, 3 lanes in each direction and a centre medium strip. Further afield on the southern side of Burwood Highway, commercial and industrial businesses are located, consisting predominately of car dealerships.
 - To the **east** of the site:
Residential properties predominately back onto the site with rear yards abutting the school boundary.
 - To the **west** of the site:
The west of the site has a residential interface with a mix of dwelling types. The majority of the abutting properties contain large lots subdivided into multiple units.
11. A site inspection of the subject site and surrounds was undertaken on 3rd October 2024. Images of the site and surrounds are reflected in Figures 6 to 11.



Figure 6: Views from eastern side of school looking toward Burwood Highway.



Figure 7: Views from western side of school looking toward Winwood Drive.



Figure 8: Views from western side of school looking east.



Figure 9: Views to 8 Winwood Drive rear yard



Figure 10: Views to circular driveway



Figure 11: Views to properties along western boundary



Municipal Planning Strategy

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

Clause	Description
21.02	Vision
21.03	Environmental and Landscape Values
21.03-1	A treed city
21.03-4	Significant landscapes
21.05	Built environment and heritage
21.05-2	Urban design
21.05-3	Bush boulevards and gateways
21.05-4	Design and safety
21.05-5	Environmentally sustainable development
21.05-6	Heritage
21.08	Community development
21.08-1	Liveability
21.08-4	Health and Education Facilities
21.09	Transport and infrastructure
21.09-1	Integrated and sustainable transport
21.09-3	Integrated water management
21.10	Local areas
21.10-1	Dandenong Foothills

Planning Policy Framework

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

Clause 12	Environmental and Landscape Values
12.01-1S	Protection of biodiversity <i>Avoid impacts of land use and development on important areas of biodiversity</i>
12.05-1S	Environmentally sensitive areas <i>To protect and conserve environmentally sensitive areas.</i>
12.05-2S	Landscapes <i>To protect and enhance significant landscapes and open space.</i>
Clause 13	Environmental Risks and Amenity
13.07-1S	Land use compatibility <i>Ensure that the use or development of land is compatible with adjoining and nearby land uses.</i>
Clause 15	Built Environment and Heritage
15.01-1S	Urban design <i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
1501-1R	Urban design – Metropolitan Melbourne <i>To create a distinctive and liveable city with quality design and amenity.</i>

15.01-2S	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>
15.01-4S	Healthy neighbourhoods <i>To achieve neighbourhoods that foster healthy and active living and community wellbeing.</i>
15.01-4R	Healthy neighbourhoods – Metropolitan Melbourne <i>Create 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.</i>
Clause 18	Transport
18.01-1S	Land use and transport integration <i>To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.</i>
18.01-3S	Sustainable and safe transport <i>To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.</i>
18.01-3R	Sustainable and safe transport – Metropolitan Melbourne <i>To improve local travel options for walking and cycling to support 20 minute neighbourhoods.</i>
Clause 19	Infrastructure
19.02-2S	<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

Neighbourhood Residential Zone – Schedule 1

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 32.09-1**. The site benefits from existing use rights and therefore no planning permit is required to use land for the school.
16. The purpose of the **Neighbourhood 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 recognise areas of predominantly single and double storey residential development.*
 - *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
 - *To allow educational, recreational, religious, community and a limited range of 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.

Land Adjacent to the Principal Road Network

18. The purpose of Clause 52.29 is:



- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

19. Clause 52.29-1 applies to applications located on land adjacent to a road in the Transport Zone 2. The application proposes an intensification of an existing use and was referred to Head Transport for Victoria (HTV) for consideration. HTV provided a response of no objection to the proposal subject to conditions.

Applicable Overlay/s

Significant Landscape Overlay – Schedule 2

20. The objectives and decision guidelines relevant to this proposal are:
- *To conserve and enhance the character of significant landscapes.*
 - *The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.*
 - *The impact of the proposed buildings and works are designed to enhance or promote the landscape character objective of the area.*
21. A planning permit is required to construct a building or carry out works and to remove, lop or destroy any vegetation unless specified in the schedule to the overlay.

Other Overlays

Design and Development Overlay – Schedule 1

22. Pursuant to Clause 43.02-2 a permit is required to construct or carry out works. This does not apply if a schedule to this overlay specifically state that a permit is not required.
23. Clause 2.0 of Schedule 1 to the DDO states that a permit is not required to construct a building or construct or carry out works if the following requirements are met:
- The site area covered by buildings must not exceed 40 per cent.
 - The site area covered by buildings and impervious surfaces must not exceed 60 per cent.
24. The application details that the proposed site coverage is 26.84% and the permeable area 47.08%, confirming that a planning permit is not required.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 (Car Parking)

25. Clause 52.06-1 is applied to an increase in floor area of a site area of an existing use. The proposal is not a new use of land, but includes the addition of new classrooms, resulting in an increase in floor area, the application proposes to increase the school student numbers to 300 and teaching staff numbers will be increased to 30.
26. Clause 52.06-5 requires the following car parking requirements for the proposal.

Planning Scheme Categorisation	Parking Rate	Requirement	Supply
Primary School	1 space to each employee	15 staff are anticipated to	15 spaces are provided



	that is part of the maximum number of employees on the site at any time	be onsite for the primary school	meeting the requirement.
Secondary School	1.2 space to each employee that is part of the maximum number of employees on the site at any time	15 staff are anticipated to be on site for the secondary school	18 spaces are required to be provided for the secondary school. When fully developed the school will provide a total of 72 car parking spaces.

27. As the proposal will provide 72 car parking spaces which is in excess of the planning scheme requirements (30 staff would require 33 spaces), it is considered the proposal provides an acceptable provision of car parking and a planning permit is not required to reduce the number of spaces statutorily required.

28. DTP notes that the minimum statutory car parking requirements will be met for each stage of the development.

Clause 52.05 (Signs)

29. Pursuant to Clause 52.05 a permit is required to display a business identification sign within a Category 3 area.

30. Clause 52.05-13 identifies the proposed sign located on the front of the MPC is 1.6m x 8.34m with an area of 13.4sqm is section 2 – permit required.

Clause 52.34 (Bicycle Facilities)

31. Clause 52.34-1 specifies that an increase in floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Planning Scheme Categorisation	Parking Rate	Requirement	Supply
Primary School	1 to each 20 employees and 1 to each 5 pupils over year 4	The school is proposed to have 30 teaching staff.	This is a requirement of 1 bicycle space for staff.
Secondary School	1 to each 20 employees and 1 to each 5 pupils		12 spaces are required for Primary School and 30 spaces required for Secondary School. 43 spaces are required.

32. As the proposal will provides 44 bicycle spaces which is in excess of the planning scheme requirements, it is considered that the proposal provides an acceptable provision of bike spaces, and a planning permit is not required to reduce the number of spaces statutorily required.

Clause 53.19 (non-government schools)

33. 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.

34. 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)

35. 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.



Referrals

36. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 52 Notice	Knox City Council	8 October 2024
Section 55 Referral – Recommending	Head Transport for Victoria – no objection	18 November 2024

Municipal Council Comments

37. The Knox City Council (the council) considered the application and provided comments on the 8 October 2024.
38. The council has provided a response of no objection to the application and has provided the following conditions to be included in any permit issued.

General

1. *All development must be in accordance with the endorsed plans.*
2. *Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.*
3. *Prior to the occupation of a building, it must be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.*

External materials


4. *The external materials of the development hereby permitted (including the roof) must be non-reflective and finished in subdued tones and/or colours to the satisfaction of the Responsible Authority.*

Noise Management

5. *The outdoor basketball court must not be used outside the hours of 7am to 6pm from Monday to Friday and all day on weekends.*
6. *The MPC must not be used outside the hours of 7am to 6pm Monday to Friday, and 9am to 6pm on weekends.*
7. *Noise from the mechanical plant and equipment must comply with EPA Publication 1862 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues at all times.*
8. *Deliveries at the school are to occur between:*
 - o *7am to 10pm Monday to Saturday*
 - o *9am to 10pm Sundays and Public Holidays*
9. *Waste collections occurring once a week are to be restricted to the hours of 6am to 6pm.*
10. *Waste collections occurring more than once a week are to be restricted to the hours of 7am to 6pm Monday to Saturday.*

Traffic and Parking

11. *Prior to the commencement of the development, a Traffic and Parking Management Plan must be prepared to the satisfaction of the Responsible Authority and must include measures aimed to reduce congestion on Burwood Highway such as staggered finishing times any other arrangements necessary to reduce congestion issues on Burwood Highway. The plan must include information to indicate the use of the western car park for parents/carers' use (including operation of the 'kiss and go' spaces), and the use of the eastern car park for mini-buses and staff parking needs.*
12. *All non-assessable car parking spaces must be designed and constructed in accordance with requirements under Clause 52.06 of the Knox Planning Scheme. All spaces in a 90-degree arrangements to the parking aisle must be arranged at 90 degrees to allow access to/from the parking spaces.*

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13. *The two accessible parking spaces must be designed and marked in accordance with AS2890.6 (at least 2.4 m wide with an adjacent shared area 2.4m wide).*
 14. *All vehicles must enter and exit the site in a forward direction.*
 15. *The carpark and parking bays must be line marked, signed and maintained to the satisfaction of the Responsible Authority.*
 16. *Driveways and parking areas must be kept available and maintained to the satisfaction of the Responsible Authority.*
 17. *The car parking area must not be used as a storage area.*
 18. *A maximum 7.625 metre long design service vehicle is permitted to access the site (with the exception of waste collection vehicles if collection occurs outside school times).*
 19. *Loading and unloading activities must be conducted outside the school's pickup/drop off hours.*
 20. *Waste collection activities must be arranged outside of the school opening hours.*
 21. *At least two bicycle spaces for employees must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.*
 22. *At least 42 bicycle spaces for students must be provided at a bicycle rail.*
 23. *Driveways and car parking areas must be:*
 - a) *Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and*
 - b) *Formed to such levels and drained so that they can be used in accordance with the approved plan; and*
 - c) *Treated with an all-weather seal or some other durable surface;*

To the satisfaction of the Responsible Authority.
 24. *Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.*

Sustainable Design Assessment

25. *Prior to the commencement of the development, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment, but modified to include, show or address:*
 - a) *Provide a Preliminary BCA Section J Energy Efficiency Report including information regarding artificial lighting, window tinting, Window SHGC and U values, double glazing, etc.*
 - b) *Commitments on the use of low embodied energy (or low embodied greenhouse gas) concrete in line with recently published industry net zero transition plans and net zero industry guidelines.*
 - c) *Provide a strategy for the hybrid natural ventilation system proposed, including guidance on openable window interaction with mechanical ventilation (for example HVAC shutdown interlocks when the building is in natural ventilation mode). In addition, comment on the potential for 100% fresh air with Heat Recovery Ventilation (HRV), or increased HVAC fresh air rates for improved IEQ.*
 - d) *As this is a school, with potentially significant levels of allergies and asthma in the regular occupants, provide a commitment to HEPA grade filters or equivalent for pollen / bushfire smoke (PM2.5) in air handling units (if there is air recirculation) and/or in fresh air intakes for improved indoor air quality.*
 - e) *In addition to the current EV commitments in the SDA, a further commitment to a minimum of 1 Active EV charging unit (minimum 22 kW, 32 Amp three phase). Shared or communal EV charging spaces must be located in highly visible, priority locations.*
26. *Prior to the occupation of the development, the development must be constructed in accordance with the endorsed Sustainable Design Assessment, except for stormwater and Water Sensitive Urban Design (WSUD) requirements which are adopted, pursuant to the collective Responsible Authority's expectations and requirements, reflected on Drainage Plans.*

Tree Protection

27. *Prior to the commencement of the development, a Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the*



Tree Management Plan will be endorsed and will form part of this permit. The plan must include all Tree Protection Measures to be implemented and the key stages of implementation, to be in accordance with AS4970 "Protection of trees on development sites".

28. *All tree protection measures as defined by the approved Tree Management Plan must be annotated on all appropriate plans for endorsement inclusive of Developmental, Landscape and Drainage.*
29. *All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is not unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.*
30. *Prior to any works commencing on the site (including demolition and tree removal), all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the Responsible Authority.*
31. *The tree protection fence is to chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.8m metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and no-go development area.*
32. *The tree protection fence and signage is to be maintained throughout the construction period and removed at the completion of all works.*
33. *No temporary removal of the tree protection fence, or encroachment into the protection zone is permitted without the written consent of the Responsible Authority.*
34. *Prior to erecting the tree protection fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.*
35. *Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.*
36. *The following activities are prohibited from the tree protection area, without the written consent of the Responsible Authority:*
 - a) *Construction activities.*
 - b) *Dumping and/or storage of materials, goods and/or soil.*
 - c) *Trenching or excavation.*
 - d) *Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.*

Landscape

37. *Prior to the commencement of the development, amended landscape plans prepared by a suitably qualified person must be submitted to the Responsible Authority for approval. The amended landscape plans must be generally in accordance with the landscape plans by Spacecraft dated 4 September 2024 with the following changes:*
 - a) *Tree Protection measures provided for all existing trees to be retained (neighbouring and subject site).*
 - b) *The extent of 'Strata Cell' installation shown.*
 - c) *Notation requiring drip irrigation to be provided to all new plantings.*
 - d) *Separate planting schedule for raingarden, revised to replace Anigozanthos sp. And Carpobrotus modestus with more suitable species and to be in accordance with the below.*
 - e) *At least 50% of the vegetation species located in the raingarden should comprise of some or all of the following: Carex sp, Juncus sp, Melaleuca and Goodenia. This ensures adequate removal of Nitrogen and Phosphorus. Low and tufting plans proposed for the raingarden must be plated at a minimum density of 6 plants/sqm.*
 - f) *Tree locations and sizes revised to be in accordance with the following setbacks:*

- **Trees, shrubs and infrastructure** – trees should not be placed too close to infrastructure that might cause future problems. Note that these distances are for a small tree, for large shrubs subtract a metre from each figure and for medium or large trees add 1 and 2 metres for each figure respectively for the items marked ^.

Infrastructure item	Minimum distance from a tree (m)
Building ^	3
Driveway	1
Light pole	3
Retaining walls ^	1
Service pit	1
Stormwater outlet points	2
Tank	1
Overhead service wires	2
Fences	1

38. *Within three months of the completion of the last stage of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.*
39. *The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced.*

Fencing

40. *All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.*
41. *Prior to the completion of the last stage of the development, all fencing must be in a good condition to the satisfaction of the Responsible Authority.*

Amenity during construction

42. *Upon commencement and until conclusion of the development, the developer must ensure that the development does not adversely affect the amenity of the area in any way, including:*
 - a) The appearance of building, works or materials on the land.*
 - b) Parking of motor vehicles.*
 - c) Transporting of materials or goods to or from the site.*
 - d) Hours of operation.*
 - e) Stockpiling of top soil or fill materials*
 - f) Air borne dust emanating from the site.*
 - g) Noise.*
 - h) Rubbish and litter*
 - i) Sediment runoff*
 - j) Vibration.*

Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

Stormwater

43. *Stormwater runoff from all buildings and hardstand surfaces must be properly collected and discharged in a complete and effective system of drains within the property and must not cause or create a nuisance to adjoining properties.*

Drainage

44. *Prior to the commencement of the development, drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage must be in accordance with these plans. The plans must show the following:*
 - a) All stormwater drainage discharge from the site connected to a legal point of discharge.*
 - b) The internal drains of the dwellings to be independent of each other.*

- c) *An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.*
- d) *The on-site detention system to be installed in a suitable location for easy access and maintenance.*
- e) *A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.*
- f) *Any Environmental Sustainable Design initiatives shown on the Development Plans approved under this permit.*
- g) *All levels to be AHD (Australian Height Datum).*

To the satisfaction of the Responsible Authority.

Notes:

Drainage notes (to be read in conjunction with the above stormwater and drainage conditions):

- *Stormwater discharge from property 977, 985 and 987 Burwood Highway, Ferntree Gully is to be directed to the Council Stormwater pit near the **southeast** corner of the property to Council standards and satisfaction.*
- *Stormwater discharge from property 1/8 Winwood Drive, Ferntree Gully is to be directed to the Council Stormwater pit near the **southwest** corner of the property to Council standards and satisfaction.*
- *Stormwater discharge from the proposed development can be directed to the **internal stormwater system for the properties provided it has adequate capacity and is connected to the previously advised point of discharge.***
- *An onsite detention system to be designed by a suitably qualified engineering consultant to ensure no net increase in stormwater discharge from the proposed development to Council standards and satisfaction.*
- *Integrated Stormwater Management Plan, including MUSIC model, shall be submitted as part of the council approval process. The designer is to ensure the proposed plan achieves the current best practices.*

Other notes

- *To arrange an inspection of the Tree Protection fencing please contact Council Landscape Team on 9298 8125.*
- *All litter and rubbish associated with the construction must be contained on site at all times.*

Head Transport for Victoria

39. *The application was referred to Head Transport for Victoria as a determining referral authority who have provided a response of no objection subject to conditions to be included on any permit issued.*
40. *The following conditions have been provided to be included in the permit.*
 1. *Prior to the occupation of the buildings and works hereby approved, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must annotated to include:*
 - a) *A notation on the plans to indicate right hand turning movement are prohibited to the site between the hours of 2.30pm – 5pm Monday to Friday.*
 2. *Unless otherwise agreed to in writing by the Head, Transport for Victoria, prior to school enrolment numbers exceeding 200 students, the following works must be completed to the satisfaction and at no cost to the Head, Transport for Victoria:*
 - a) *Installation of a sign within the medium strip to indicate right hand turning movements are prohibited between the hours of 2.30pm-5pm Monday to Friday.*
 - b) *All upgrade works to the east and west carpark to be completed.*
 3. *No more than 300 students are to be permitted on site.*



4. *Entry, exit, and parking within the site must be managed at all times so that no queuing of vehicles extends onto Burwood Highway, to the satisfaction of the Head of Transport for Victoria.*

Notice

41. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), it is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987*.
42. Four **(4)** objections were received, raising the following issues:
 - Removal of trees
 - Colour of the proposed shed
 - Noise levels
 - Traffic – including a large school bus which uses Newton Street for student commutes.
 - Privacy
 - Inclusion of the pedestrian gate to the fence to the rear street,
 - Increase in student numbers.
 - After hours use of the school grounds



Strategic Direction and Land Use

43. 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.
44. The relevant MPS and PPF policies have been considered in assessing the application.
45. The proposed land use is consistent with the strategic direction of the following policies.
46. Clause 21.08-4 (health and Education Facilities) seeks to:
 - *To provide health and education facilities that are accessible, adaptable and meet community needs.*
 - *Support retention and expansion of education and training facilities, including lifelong learning opportunities, in accessible locations across the municipality, to service the needs of residents and workers.*

47. These strategies are supported by the following strategic statement:

Knox has a wide range of education facilities, both public and private, and a tertiary institution campus (Swinburn University of Technology in Wantirna). There are also a wide range of other learning opportunities provided through libraries, registered training organisations, community houses and other corporate education and training providers. There is a continuing need for further education facilities to serve a growing and diverse population, including skills based training opportunities.

48. 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).*
49. The proposed new school buildings and the changes to the main driveway have taken the local planning policies into account. The siting of the buildings along the eastern boundary, in an area already occupied by shedding and other maintenance buildings are respectful of the adjoining residential buildings surrounding the school with good side setbacks and set into the landscape.
 50. The additional school classrooms, facilities and increase in student numbers will help meet the educational needs of the surrounding community.

Neighbourhood Residential Zone

51. The purpose of the zone is to:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of predominately single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage environmental or landscape characteristics.*

- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

52. The guidelines of the zone direction for non-residential uses which are allowable under Section 2 of Clause 32.09-1. For the consideration of non-residential uses, the decision guidelines direct decisions to consider the Municipal Planning strategy and the Planning Policy Framework.
53. In accordance with the purpose of zone which recognises residential land for the use for community facilities, the proposed construction of new buildings provides an acceptable built form when assessed against the decision guidelines for non-residential use and development.
54. The use of the land as a school is ongoing and does not trigger a planning permit.

Buildings and Works

55. Detailed plans have been submitted for the proposed new buildings.
56. The works include the following:

- Middle school classrooms (4 classrooms)
- Multipurpose sports facility.
- Roofed COLA area.
- New maintenance shed located to the rear of No. 8 Winwood Drive.
- New car park.
- New circular driveway and kiss and drop bays.
- Removal of trees.

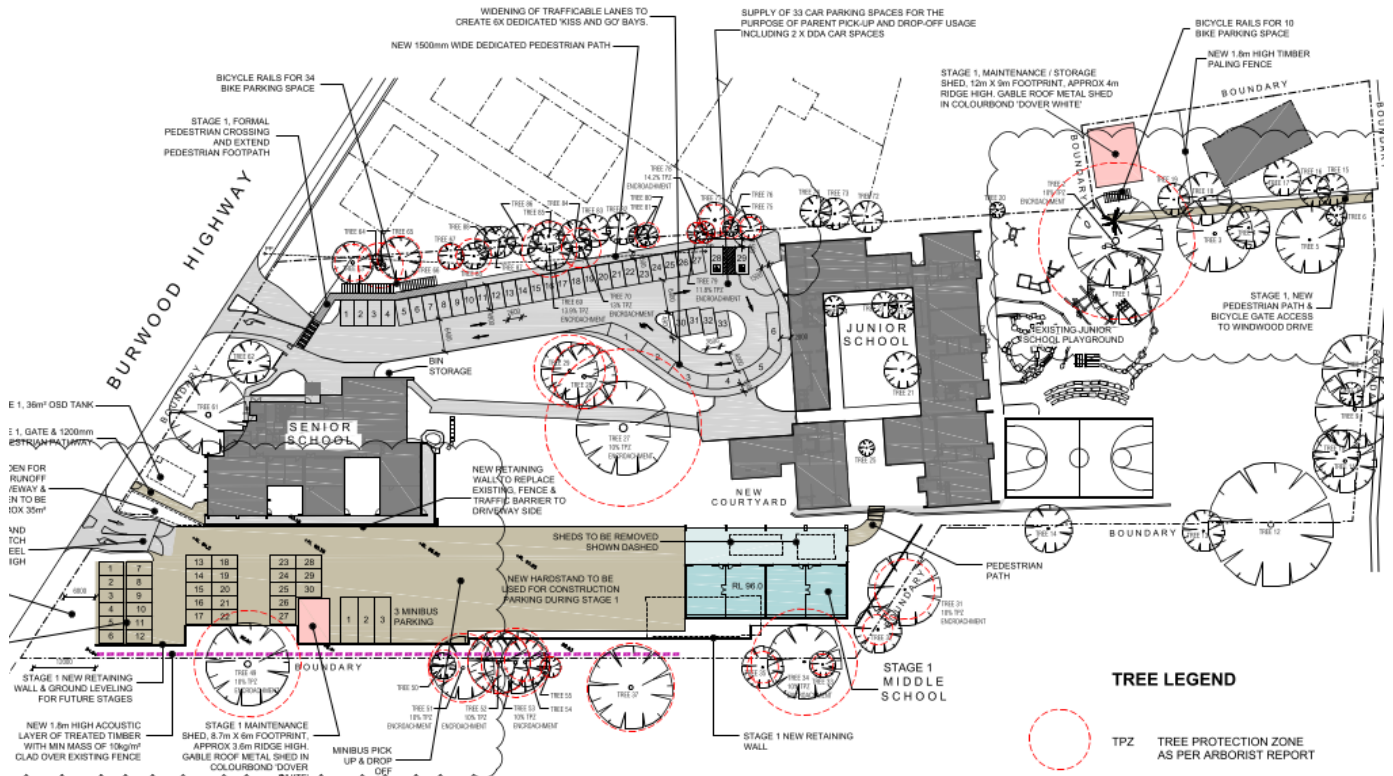


Figure 12: Proposed works (highlighted in red, blue and brown)

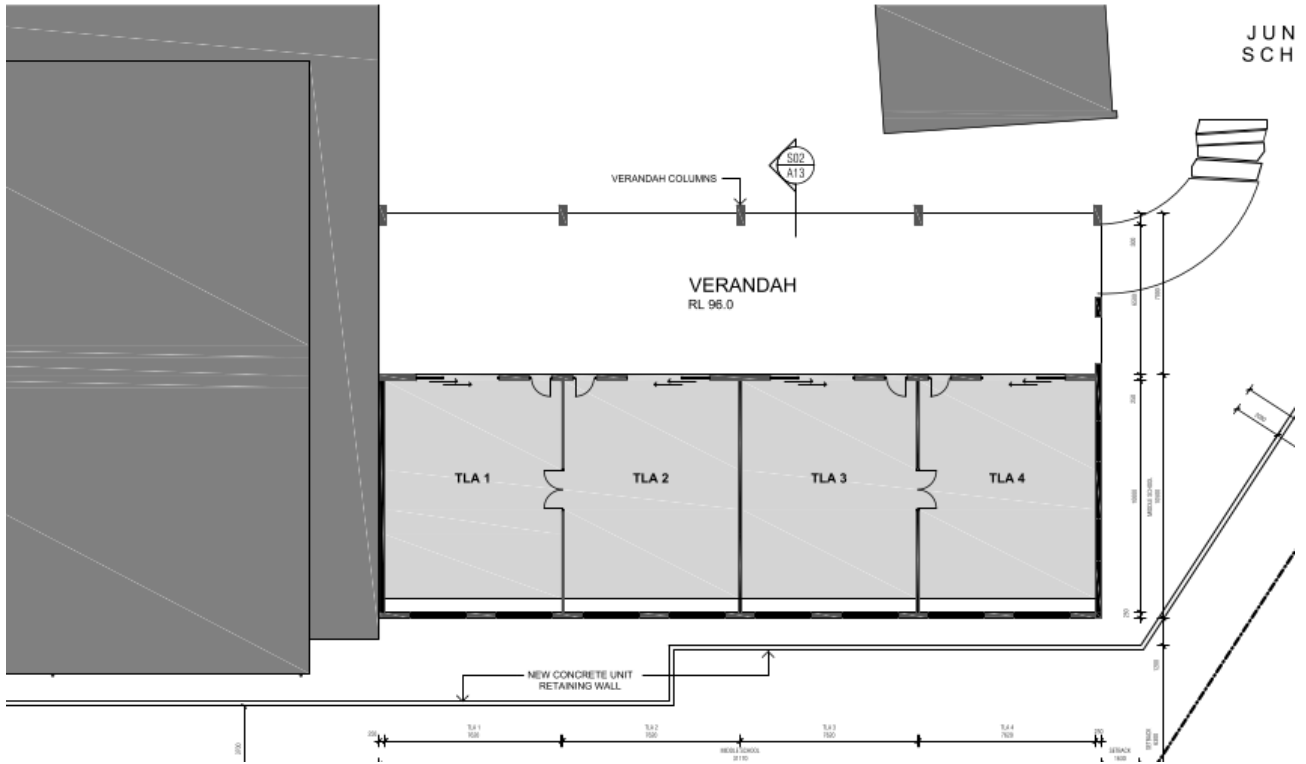


Figure 13: Proposed middle school classrooms

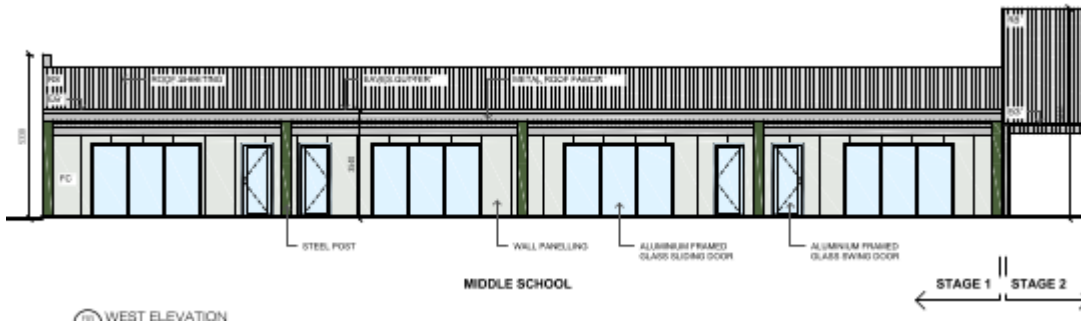


Figure 14: Proposed elevations middle school classrooms

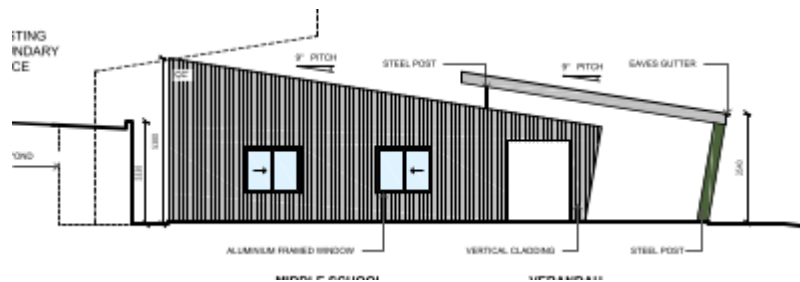


Figure 15: Proposed end elevation middle school classrooms

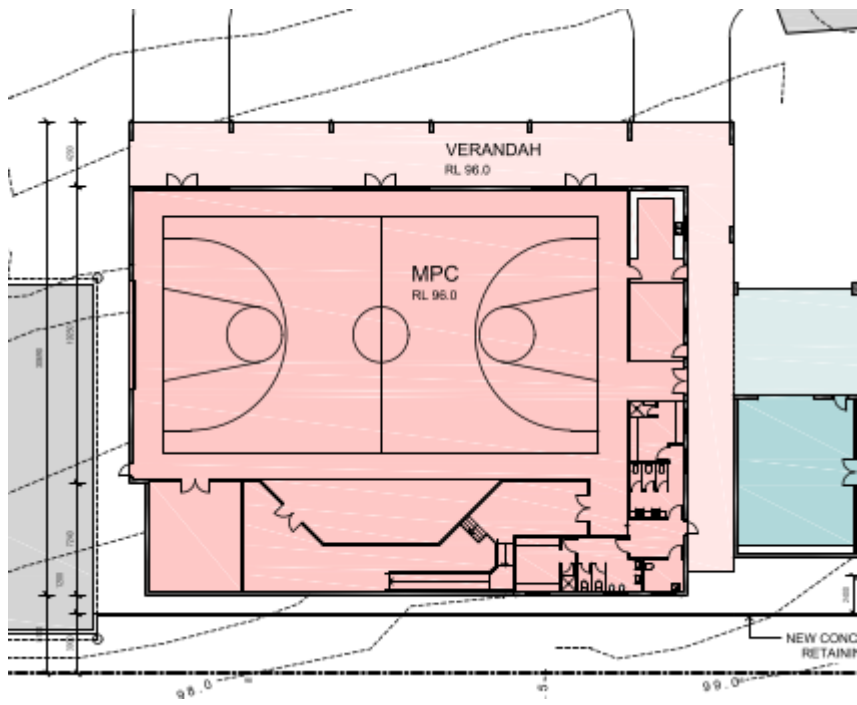


Figure 16: Proposed Multi-Purpose Centre

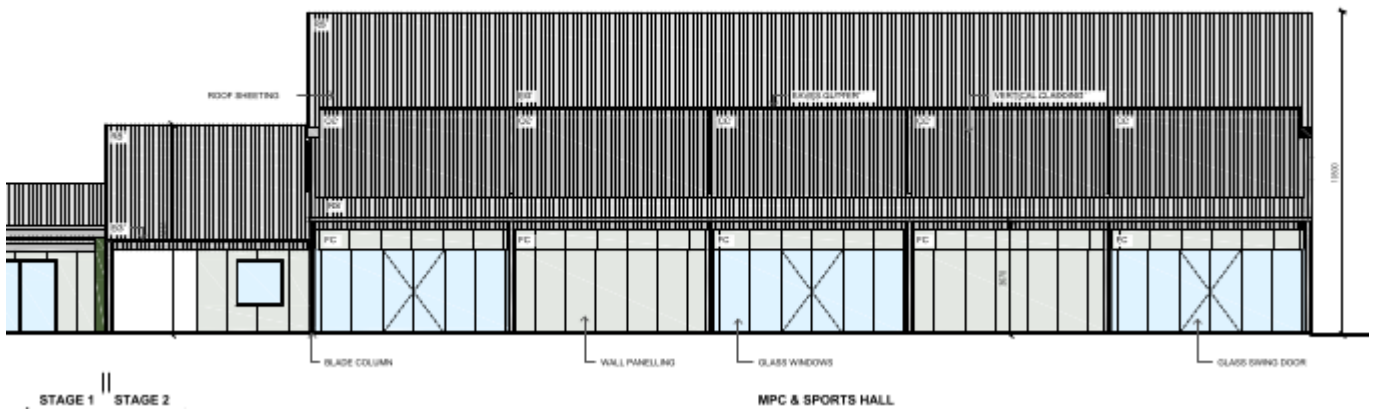


Figure 17: Proposed Multi-Purpose Centre elevation

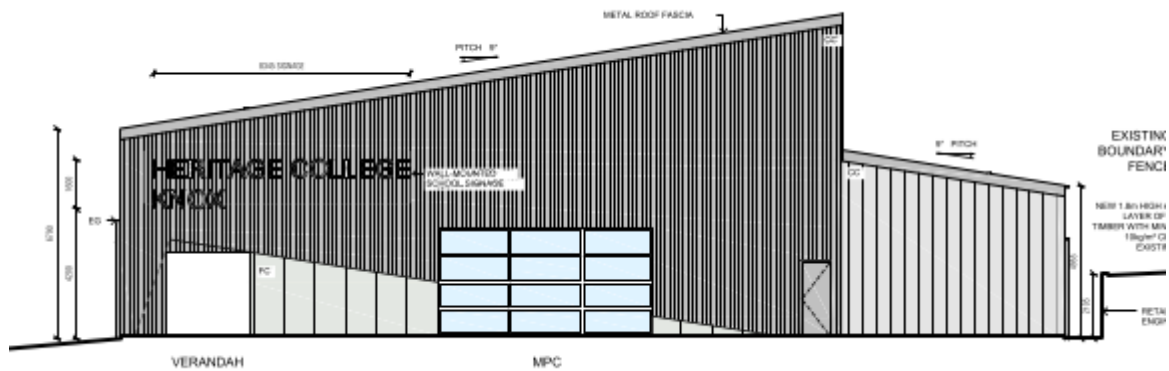


Figure 18: Proposed Multi-Purpose Centre end elevation

- 57. The plans show the new middle school classrooms located along the eastern boundary in the area currently housing a variety of maintenance sheds, car parking and service areas.
- 58. The new Multi-Purpose Centre is sited along the eastern boundary in an area currently occupied by car parking.
- 59. A new maintenance shed is to be located in the rear yard of No. 8 Winwood Drive (school owned property), the shed dimensions are 12m x 9m and a maximum height of 4m to the ridge line. The shed will be conditioned to be constructed of muted colours to blend into the scenery.

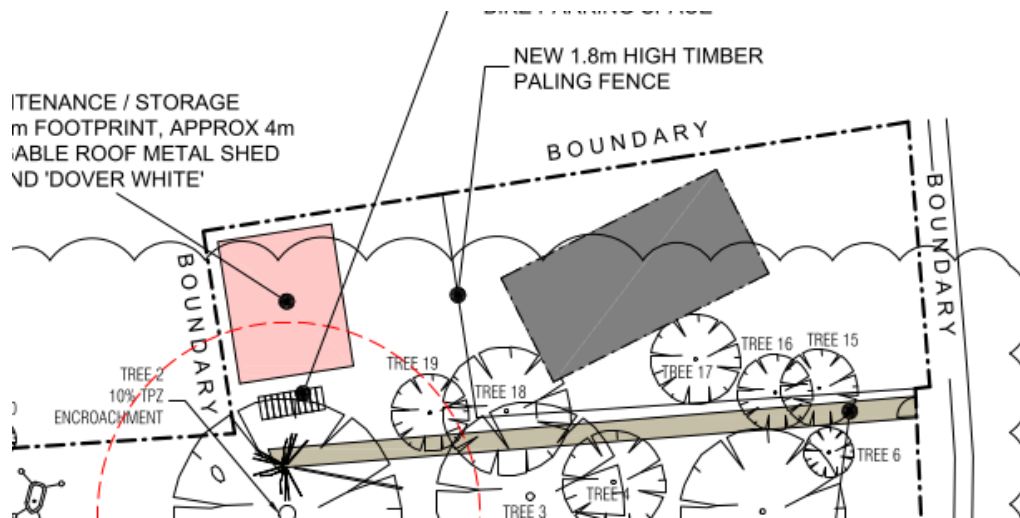


Figure 19: Proposed location of new maintenance shed

- 60. The shed will be located in the rear of a property owned by the school, the dwelling is currently tenanted, and the residence will have a new rear fence installed as part of the works. The rear yard retained by the residence will still provide an acceptable amenity outcome for the resident, with sufficient SPOS and retention of trees.
- 61. Any future use of the dwelling for school purposes will require a planning permit for change of use, this is not proposed as part of this application.

Height and Setbacks

- 62. The site has significant fall from east to west. The location of the new Middle school classrooms and the MPC are along the eastern boundary and set into the hill through the use of a site cut. This results in the built form being

located below the adjacent fence line, resulting in minimal impact to views from adjoining properties located to the east.

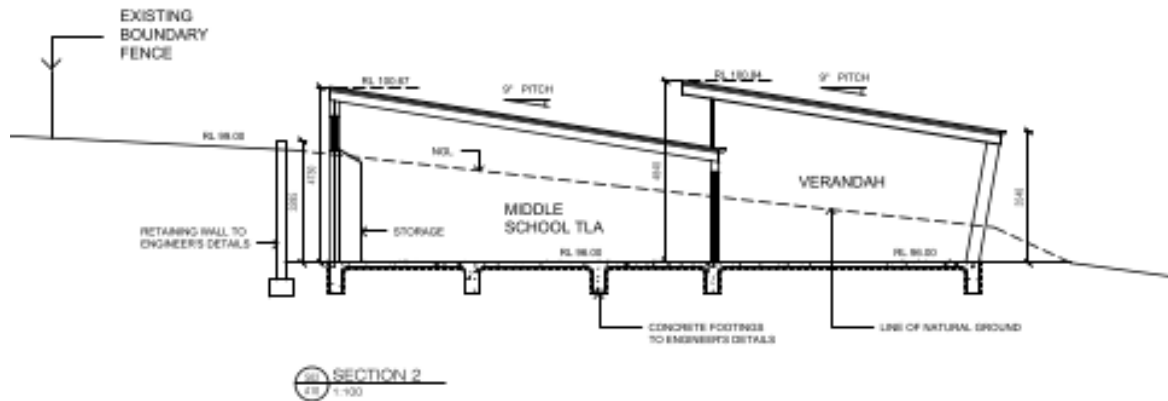


Figure 20: Section through the middle school.

63. The MPC is also located along the eastern boundary, cut into the site. In addition to the setback from the boundary the highest part of the building is setback an additional 12.3m from the boundary fence.

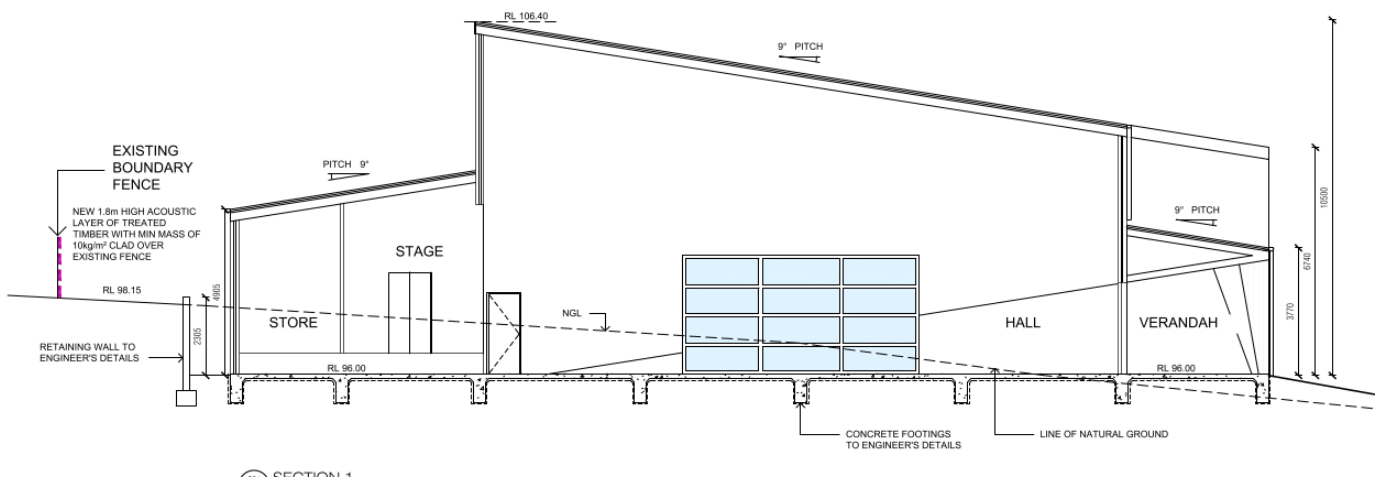


Figure 21: Section through MPC

- 64. The maximum building height is 10.5m to the highest point along the ridgeline. The height is above the 9m building height direction allowable under the zone for a residential building, however the zone recognises that non-residential uses have different requirements. However, the proposed height of 10.5m is an acceptable variation to the surrounding heights and the setbacks from boundaries will not adversely affect the amenity of adjoining properties.
- 65. The decision guidelines for non-residential use and development require consideration of the proposal in the neighbourhood context, including compatibility with residential use, if it serves the community needs, scale and intensity of the use and development, design, height, setback and appearance.
- 66. The zone recognises that non-residential uses are different from residential, however the proposed built form is considered to be consistent with the maximum building heights specified in the zone and are therefore acceptable. The proposed building also sits comfortably within the sloping topography of the site.

Design Detail

67. The applicant has submitted a comprehensive materials schedule as part of the application documents. This includes face brickwork, painted cement sheet and colorbond roofing.
68. The design of the proposed buildings is consistent with the broader school, the simplified design is consistent with the proposed use of the spaces.
69. The architectural response is considered appropriate for the location, the simple built form works with the bush suburban neighbourhood character of the Dandenong foothills. The proposed materials and finishes are consistent with the broader neighbourhood, the new buildings are sited within the school grounds, well set back from the front, rear and side boundaries reducing the visual impact of the proposed works within the residential context.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

70. The application triggers an increase in car parking to be provided on the site. The application includes the sufficient car parking to exceed the statutory car parking requirement.

Access, Traffic Movement and Circulation

71. The proposal provides a new circulation space for the provision of student drop off within the school grounds. The proposed changes to the main driveway provides 33 designated car parking spaces and 6 new 'kiss and drop spaces' to allow parents to drop off children and continue out of the school.

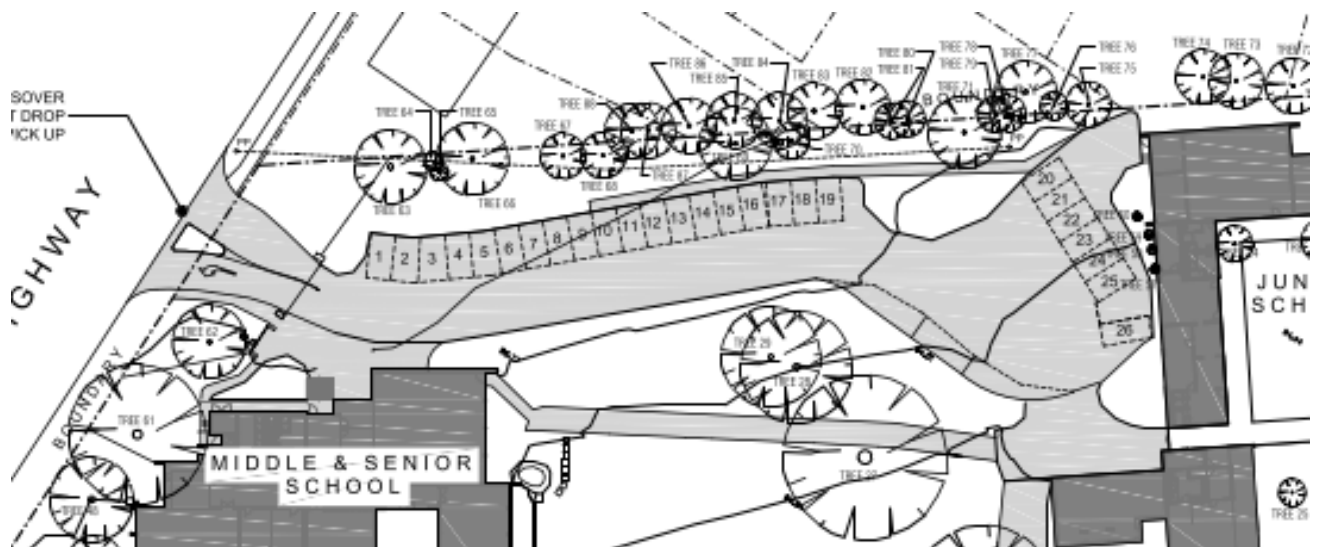


Figure 22: Existing driveway configuration

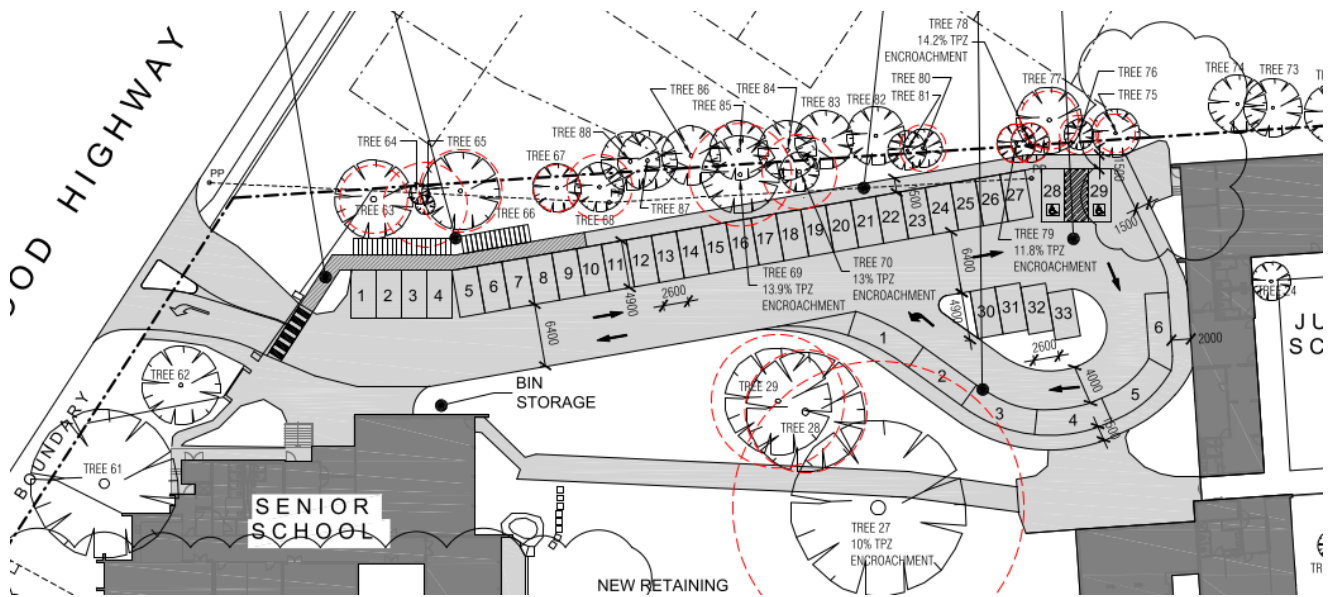


Figure 23: Proposed driveway configuration

72. The new access arrangements will assist in a reduction of parents queuing on Burwood Highway by creating greater circulation space within the school property and easier drop off arrangements. This is in addition to the school implementing staggered drop of and pick up times for different year levels.
73. The proposed change is an acceptable and will improve the daily operation of the school site.

Bicycle Facilities

74. Clause 52.34-1 of the Scheme requires bicycle parking facilities to be provided, 44 bicycle parking spaces are proposed exceeding the required 43 under the planning scheme.

Waste

75. 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.

Amenity

Amenity Impacts (internal and offsite)

76. The amenity impacts to the adjoining properties will be minimal with the majority of noise generated during the day. The application was submitted with an acoustic report to demonstrate the noise generated by the additional buildings will not create any further unreasonable noise impacts to the adjoining residential properties. Mechanical plant equipment has not been shown on the plans, this will be required to be shown via a permit condition.
77. The acoustic report provides guidance on installing a new 1.8m high acoustic fence along the boundaries with adjoining properties to provide a barrier between the MPC, COLA and new car park.
78. The acoustic report provides some guidance on times for the use of outdoor areas and the MPC, the proposed times are as follows:

Outdoor Basketball Court

- 7am to 6pm (Monday to Friday)

MPC – Indoor Use for sports

- 7am to 6pm (Monday to Friday)
- All windows must be kept closed during court use.

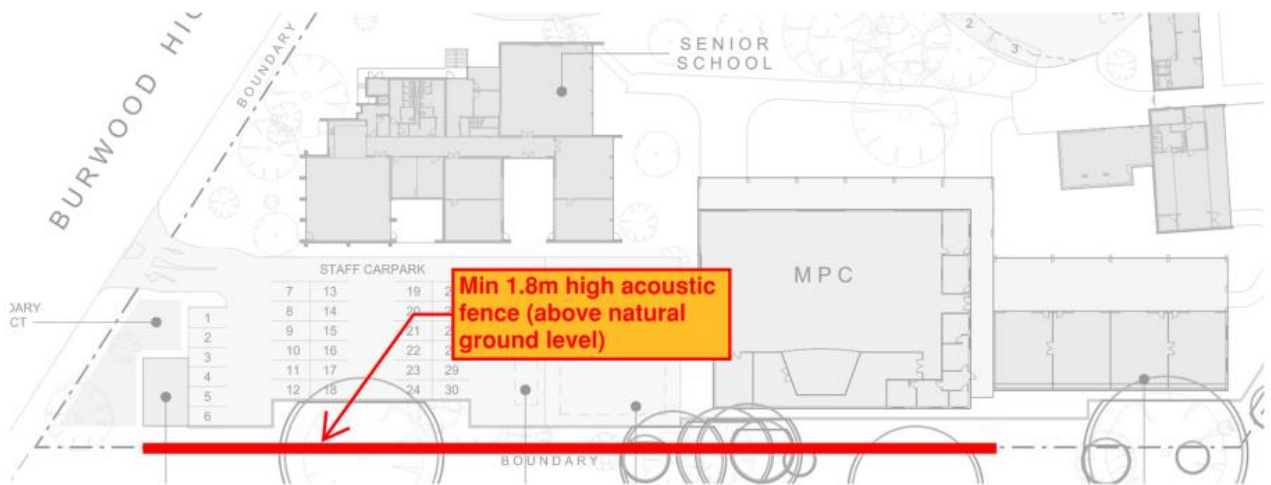


Figure 24: Location of acoustic fencing

79. Conditions will be included in any permit issued to control noise emitted from the new uses.

Overshadowing

80. The application has not submitted overshadowing diagrams as part of the application documents, however the setbacks of the new buildings to the adjoining properties to the east are set back sufficiently to avoid overshadowing opportunities between the hours of 9am and 3pm.

Landscaping

81. The application has been submitted with a detailed landscape plan detailing the new landscaping direction around the development.
82. The removal of trees from the site will require a planning permit for the removal of trees within the Significant Landscape Overlay – Schedule 2. The trees proposed to be removed are detailed below.

Tree No	Species	Origin	Age	H x W	Health/Structure	Retention Value
26	<i>Crataegus laevigata</i> (English Hawthorn)	Exotic	S/mature	5m x 3m	Fair / Poor	Remove
30	<i>Corymbia maculata</i> (Spotted Gum)	Vic Native	S/mature	14m x 15m	Poor / Fair to poor	Remove
36	Eucalyptus sp. (Gum Tree)	Australian Native	S/mature	9m x 7m	Fair / Fair	Remove
38	<i>Cordyline australis</i> (Cabbage Tree)	Exotic	Mature	5m x 3m	Fair / Poor	Remove
39	<i>Melaleuca linariifolia</i> (Snow in Summer)	Australian Native	S/mature	4m x 6m	Fair / Poor	Remove
40	<i>Acacia howittii</i> (Sticky Wattle)	Victorian Native	S/mature	5m x 5m	Fair / Poor	Remove



41	<i>Acer negundo</i> (Box Elder)	Exotic	S-mature	12m x 13m	Fair / Poor	Remove – No permit required
42	<i>Acer negundo</i> (Box Elder)	Exotic	S-mature	13m x 14m	Fair /Poor	Remove – No permit required
43	<i>Photinia serratifolia</i> (Chinese Hawthorn)	Exotic	S-mature	6m x 8m	Fair /Poor	Remove
44	<i>Liquidamber styraciflua</i> (Liquid Amber)	Exotic	S-mature	12m x 12m	Fair /Poor	Remove
45	<i>Cupressa macrocarpa</i> (Monterey Cypress)	Exotic	Mature	14m x16m	Fair /Poor	Remove
46	<i>Grevillia robusta</i> (Silky Oak)	Australian Native	Mature	18m x 14m	Fair / Fair to Poor	Remove
47	<i>Acacia melanoxylon</i> (Blackwood)	Victorian Native	S-mature	8m x 6m	Fair /Poor	Remove
48	<i>Eucalyptus cladocalyx</i> 'Nana' (Bushy Sugar Gum)	Australian Native	Mature	9m x 9m	Fair /Poor	Remove
57	<i>Camellia sp.</i> (Camellia)	Exotic	S-mature	2m x 1m	Fair / Very Poor	Remove – No permit required
58	<i>Camellia sp.</i> (Camellia)	Exotic	S-mature	2m x 1m	Fair / Very Poor	Remove – No permit required
59	<i>Camellia sp.</i> (Camellia)	Exotic	S-mature	2m x 1m	Fair / Very Poor	Remove – No permit required
60	<i>Camellia sp.</i> (Camellia)	Exotic	S-mature	2m x 1m	Fair / Very Poor	Remove – No permit required
71	<i>Lophostemon confertus</i> 'Variegatus' (Variegated Brush Box)	Australian Native	S-mature	6m x8m	Fair /Poor	Remove

83. The application has been submitted with a comprehensive landscape plan which details the replacement of removed trees and shrubs with 42 new canopy trees located within the site. Noting that only 13 trees needed planning permission under the SLO2 to be removed.
84. The application has been submitted with a high-level landscape plan detailing the new landscaping direction around the development.
85. The landscaping plan proposes the following:
- 42 new canopy trees to be planted with mature heights ranging from 6m to 16m.
 - 20 new shrubs to be planted with heights ranging from 0.6m to 5m.
 - A mix of grasses and ground covers of approx. 106 plants.
86. The existing canopy trees located on the site will be supported by the inclusion of these additional trees, this planting schedule does not include the trees required by previous planning permissions granted by council.

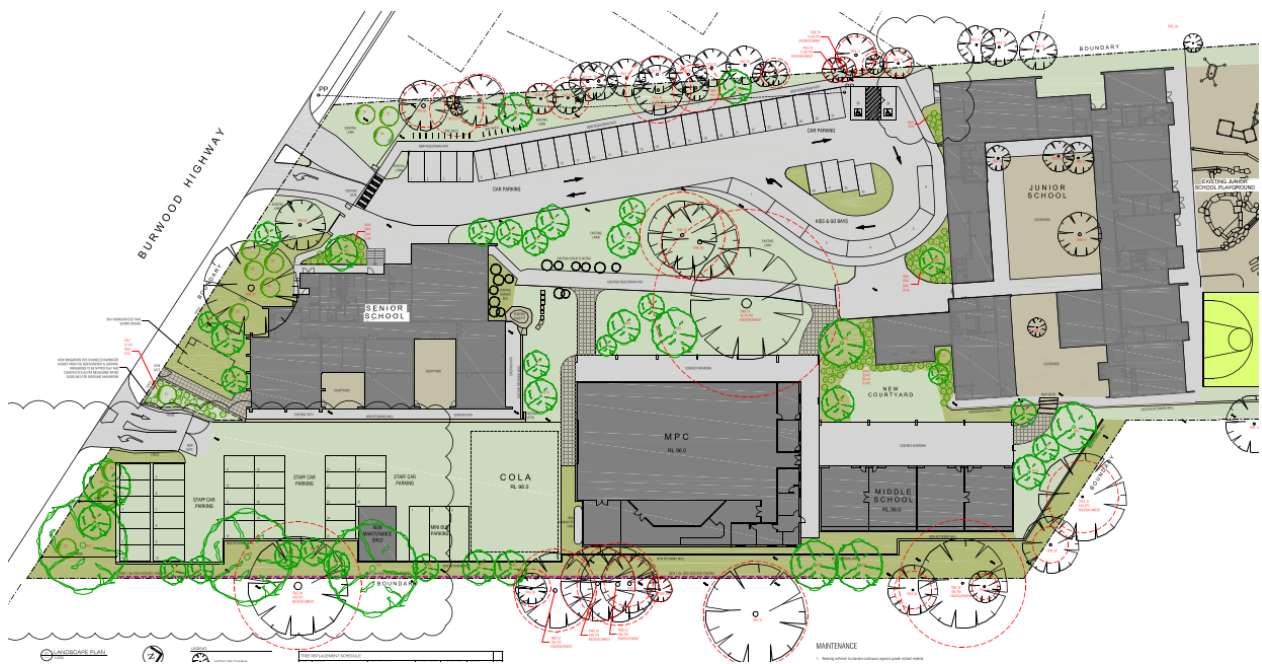


Figure 25: Proposed landscaping plan

87. The overall planting of canopy trees proposed is consistent with the existing landscaping within the school grounds. In addition to the proposed landscaping it will be conditioned that new screening planting will be planted along the new fence line separating No. 8 Winwood Drive and the maintenance shed creating additional screening measures and along the eastern boundary adjacent to the Middle School building and the MPC.
88. The landscape plans will be required to be updated to include this additional screening and to show the correct location of the new pedestrian gate and associated path from Winwood Drive.

Sustainability

Sustainability Management Plan (SMP)

89. The application has been submitted with a Sustainable Management Plan (SMP) report for the proposal which broadly outline the strategies and sustainability initiatives that will be deployed within the proposed scope of works.
90. The SMP includes a BESS report which achieves a rating of 50% demonstrating that the proposed renovation of existing buildings and the new building will achieve best practice.

Water Sensitive Urban Design (WSUD)

91. The application has been submitted with a WSUD report to address Clause 22.04 and 53.18, the report assesses the application to ensure that the proposed works meet best practice.
92. The water from all roof surfaces will be diverted to a 20,000L rainwater tank to be used for toilet flushing, new driveway surface water will be directed to raingardens and landscaped areas will be designed as permeable areas.
93. Stormwater from the new maintenance shed will be discharged to the legal point of discharge.
94. The report demonstrates the proposal meets best practice and can be approved.

Signs

95. A permit is required for the use of land for signage for promotional business identification. The proposed signage is located on the MPC building and will be incorporated into the built form. Permit conditions will be included on any permit issued to ensure that ongoing amenity impacts to adjoining properties.
96. For this application, approval is sought for the provision of business identification signage which is located on the front of the MPC. The signage has an appropriate scale for the building on which it is located, there is no proposed lighting associated with the sign.

Other Matters

Cultural Heritage

97. The front corner of the site is affected by a CHMP, there are no proposed works within the CHMP and therefore no permit is required.

Staging

98. Plans show the development for the construction of the proposal in three stages, however the applicants have submitted all plans for all of the development and the staging relates to the school managing the commencement of construction around the school year and students being present on site.
99. The staging provides guidance for works to be undertaken within term break to allow for the construction of new classrooms without impeding school operation. The development of the new school building should be completed within the timeframes of the planning permit.

Planning Permit Conditions

PLANNING PERMIT

Permit No.:	PA2403197
Planning scheme:	Knox Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	977 Burwood Highway, Ferntree Gully

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.09-10	Construct a building or construct or carry out works
42.03-2	Construct a building or construct or carry out works Remove, destroy or lop vegetation

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.

Commencement

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

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 Spacecraft, dated 4 September 2024, but modified to show:
 - a) The maintenance shed to be finished in 'Colorbond Wallaby'.
 - b) Location of all plant equipment for the new middle school and MPC and any associated acoustic screens to be shown on the plans.
 - c) Landscape plans updated to reflect any changes required as part of permit conditions.

External materials

4. The external materials of the development hereby permitted (including the roof) must be non-reflective and finished in subdued tones and/or colours to the satisfaction of the Responsible Authority.

Noise Management

5. The outdoor basketball court must not be used outside the hours of 7am to 6pm from Monday to Friday and all day on weekends.
6. The MPC must not be used outside the hours of 7am to 6pm Monday to Friday, and 9am to 6pm on weekends.
7. All windows must be kept closed during court use.
8. Noise from the mechanical plant and equipment must comply with EPA Publication 1862 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues at all times.
9. Deliveries at the school are to occur between:
 - o 7am to 10pm Monday to Saturday
 - o 9am to 10pm Sundays and Public Holidays
10. Waste collections occurring once a week are to be restricted to the hours of 6am to 6pm.
11. Waste collections occurring more than once a week are to be restricted to the hours of 7am to 6pm Monday to Saturday.

Traffic and Parking

12. Prior to the commencement of the development, a Traffic and Parking Management Plan must be prepared to the satisfaction of the Responsible Authority and must include measures aimed to reduce congestion on Burwood Highway such as staggered finishing times any other arrangements necessary to reduce congestion issues on Burwood Highway. The plan must include the following:




- a) Information to indicate the use of the western car park for parents/carers' use (including operation of the 'kiss and go' spaces), and the use of the eastern car park for mini-buses and staff parking needs.
 - b) Operation details of the rear pedestrian gate to include:
 - Rear gate to be locked at all times, except:
 - o Between 8.30am to 9.00am on school days; and
 - o Between 3.15pm to 3.45pm on school days.
 - Whilst the gate is open, the gate should be monitored by a staff member.
 - c) All non-assessable car parking spaces must be designed and constructed in accordance with requirements under Clause 52.06 of the Knox Planning Scheme. All spaces in a 90-degree arrangements to the parking aisle must be arranged at 90 degrees to allow access to/from the parking spaces.
 - d) The two accessible parking spaces must be designed and marked in accordance with AS2890.6 (at least 2.4 m wide with an adjacent shared area 2.4m wide).
 - e) All vehicles must enter and exit the site in a forward direction.
 - f) The carpark and parking bays must be line marked, signed and maintained to the satisfaction of the Responsible Authority.
 - g) Driveways and parking areas must be kept available and maintained to the satisfaction of the Responsible Authority.
13. The car parking area must not be used as a storage area.
14. A maximum 7.625 metre long design service vehicle is permitted to access the site (with the exception of waste collection vehicles if collection occurs outside school times).
15. Loading and unloading activities must be conducted outside the school's pickup/drop off hours.
16. Waste collection activities must be arranged outside of the school opening hours.
17. Driveways and car parking areas must be:
- a) Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and
 - b) Formed to such levels and drained so that they can be used in accordance with the approved plan; and
 - c) Treated with an all-weather seal or some other durable surface;
- To the satisfaction of the Responsible Authority.
18. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.

Sustainable Management Plan

19. Concurrent with the endorsement of plans, the Sustainability Management Plan (SMP) Statement prepared by Melbourne Sustainability Consultants, Rev. 01, dated 29/08/2024 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.
20. 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.

Tree Protection

- 
21. Prior to the commencement of the development, a Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Tree Management Plan will be endorsed and will form part of this permit. The plan must include all Tree Protection Measures to be implemented and the key stages of implementation, to be in accordance with AS4970 "Protection of trees on development sites".
 22. All tree protection measures as defined by the approved Tree Management Plan must be annotated on all appropriate plans for endorsement inclusive of Developmental, Landscape and Drainage.
 23. All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is not unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.
 24. Prior to any works commencing on the site (including demolition and tree removal), all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the Responsible Authority.
 25. The tree protection fence is to chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.8m metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and no-go development area.
 26. The tree protection fence and signage are to be maintained throughout the construction period and removed at the completion of all works.
 27. No temporary removal of the tree protection fence, or encroachment into the protection zone is permitted without the written consent of the Responsible Authority.
 28. Prior to erecting the tree protection fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.
 29. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.
 30. The following activities are prohibited from the tree protection area, without the written consent of the Responsible Authority:
 - a) Construction activities.
 - b) Dumping and/or storage of materials, goods and/or soil.
 - c) Trenching or excavation.
 - d) Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.

Landscape

31. Prior to the commencement of the development, amended landscape plans prepared by a suitably qualified person must be submitted to the Responsible Authority for approval. The amended landscape plans must be generally in accordance with the landscape plans by Spacecraft dated 4 September 2024 with the following changes:
 - a) Screening planting to be located along the new fence separating the maintenance shed and the dwelling located at 8 Winwood Drive.
 - b) Screening planting to be located along the eastern boundary between the boundary fence and the retaining wall adjacent to the MPC and Middle School buildings.



- c) Plans updated to include the modified location of the pedestrian gate to Winwood Drive.
 - d) Tree Protection measures provided for all existing trees to be retained (neighbouring and subject site).
 - e) The extent of 'Strata Cell' installation shown.
 - f) Notation requiring drip irrigation to be provided to all new plantings.
 - g) Separate planting schedule for raingarden, revised to replace Anigozanthos sp. And Carpobrotus modestus with more suitable species and to be in accordance with the below.
 - h) At least 50% of the vegetation species located in the raingarden should comprise of some or all of the following: Carex sp, Juncus sp, Melaleuca and Goodenia. This ensures adequate removal of Nitrogen and Phosphorus. Low and tufting plans proposed for the raingarden must be plated at a minimum density of 6 plants/sqm.
32. Within three months of the completion of the last stage of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
33. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced.

Fencing

34. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.
35. Prior to the completion of the last stage of the development, all fencing must be in a good condition to the satisfaction of the Responsible Authority.

Amenity during construction

36. Upon commencement and until conclusion of the development, the developer must ensure that the development does not adversely affect the amenity of the area in any way, including:
- a) The appearance of building, works or materials on the land.
 - b) Parking of motor vehicles.
 - c) Transporting of materials or goods to or from the site.
 - d) Hours of operation.
 - e) Stockpiling of top soil or fill materials
 - f) Air borne dust emanating from the site.
 - g) Noise.
 - h) Rubbish and litter
 - i) Sediment runoff
 - j) Vibration.


Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

Stormwater

37. Stormwater runoff from all buildings and hardstand surfaces must be properly collected and discharged in a complete and effective system of drains within the property and must not cause or create a nuisance to abutting properties.

Drainage

38. Prior to the commencement of the development, drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage must be in accordance with these plans. The plans must show the following:
- a) All stormwater drainage discharge from the site connected to a legal point of discharge.
 - b) The internal drains of the dwellings to be independent of each other.

- 
- c) An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.
 - d) The on-site detention system to be installed in a suitable location for easy access and maintenance.
 - e) A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.
 - f) Any Environmental Sustainable Design initiatives shown on the Development Plans approved under this permit.
 - g) All levels to be AHD (Australian Height Datum).

To the satisfaction of the Responsible Authority.

Head Transport for Victoria

- 39. Prior to the occupation of the buildings and works hereby approved, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must annotated to include:
 - a) A notation on the plans to indicate right hand turning movement are prohibited to the site between the hours of 2.30pm – 5pm Monday to Friday.
- 40. Unless otherwise agreed to in writing by the Head, Transport for Victoria, prior to school enrolment numbers exceeding 200 students, the following works must be completed to the satisfaction and at no cost to the Head, Transport for Victoria:
 - a) Installation of a sign within the medium strip to indicate right hand turning movements are prohibited between the hours of 2.30pm-5pm Monday to Friday.
 - b) All upgrade works to the east and west carpark to be completed.
- 41. No more than 300 students are to be permitted on site.
- 42. Entry, exit, and parking within the site must be managed at all times so that no queuing of vehicles extends onto Burwood Highway, to the satisfaction of the Head of Transport for Victoria.

Signs

- 43. The location, size, material of construction, colours, wording of the sign shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 44. This permit will expire 15 years from the date of its issue, at which time the sign and all supporting structures must be removed, and the site reinstated to the satisfaction of the Responsible Authority.

Expiry

- 45. 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.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

<i>Date extension approved</i>	<i>Period of extension</i>	<i>Commencement date</i>	<i>Completion date</i>	<i>Date to certify plan of subdivision</i>

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:

Drainage notes (to be read in conjunction with the above stormwater and drainage conditions):

- Stormwater discharge from property 977, 985 and 987 Burwood Highway, Ferntree Gully is to be directed to the Council Stormwater pit near the **southeast** corner of the property to Council standards and satisfaction.
- Stormwater discharge from property 1/8 Winwood Drive, Ferntree Gully is to be directed to the Council Stormwater pit near the **southwest** corner of the property to Council standards and satisfaction.
- Stormwater discharge from the proposed development can be directed to the **internal stormwater system for the properties provided it has adequate capacity and is connected to the previously advised point of discharge.**
- An onsite detention system to be designed by a suitably qualified engineering consultant to ensure no net increase in stormwater discharge from the proposed development to Council standards and satisfaction.
- Integrated Stormwater Management Plan, including MUSIC model, shall be submitted as part of the council approval process. The designer is to ensure the proposed plan achieves the current best practices.

Other notes

- To arrange an inspection of the Tree Protection fencing please contact Council Landscape Team on 9298 8125.
- All litter and rubbish associated with the construction must be contained on site at all times.

Recommendation



100. The proposal is generally consistent with the relevant planning policies of the Knox Planning Scheme and will contribute to the provision of education facilities within the Ferntree Gully area.
101. The proposal is generally supported by the various referral agencies.
102. It is **recommended** that Planning Permit No.PA2403197 for the additions and alterations at 977 Burwood Highway, Ferntree Gully be issued subject to conditions.
103. It is **recommended** that the applicant and the council be notified of the above in writing.



Prepared by:

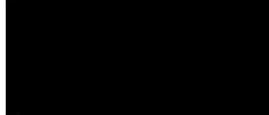
I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- 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: 03 5172 2327

Dated: 20 November 2024

Approved by:

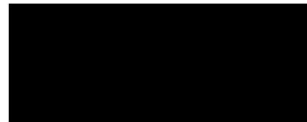
I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
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 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: Catherine Sherwin

Title: Principal Planner, Development Approvals and Design

Signed:



Phone: 0414862552

Dated: 21 November 2024