

Planning Application Report

Prepared for Penola Catholic College 15, 27, 29, and 59
Gibson Street and 445-465 Camp Road, Broadmeadows.
April 2024

Contents

1.	Introduction	4
2.	Site Context	5
2.1	The Site	5
2.2	Surrounds	6
2.3	Title.....	6
3.	The Proposal.....	9
3.1	Year 10 Building:.....	9
3.2	Canteen:	10
3.3	Removal of Vegetation	10
3.4	Environmentally Sustainable Design.....	11
3.5	Northern car park buildings and works:.....	11
3.6	Shed demolition:	12
3.7	Use of 59 Gibson St for an Education Centre and construction of bus/pedestrian access:.....	12
4.	Planning Controls.....	13
4.1	Zoning.....	13
4.2	Overlays	15
4.3	Aboriginal Cultural Heritage and Bushfire Prone Areas	19
4.4	Particular Provisions	19
4.5	Planning Permit Triggers.....	22
5.	Policy Context	23
5.1	Planning Policy Framework.....	23
6.	Assessment.....	25
6.1	Assessment Against Relevant Planning Policy	25
6.2	Assessment Against Planning Controls	27
6.3	Assessment Against Particular Provisions.....	29
7.	Conclusion	31

Appendix 1: Titles

Project Number	2700
Prepared by	EM
Reviewed by	AD
Version	240409



1. Introduction

This Planning Report has been prepared by Echelon Planning for Penola Catholic College (the school) in support of a planning permit application for the redevelopment of part of the land at their existing school site at 15, 27, 29, and 59 Gibson Street and 445-465 Camp Road, Broadmeadows (the subject site).

The proposal is to construct buildings and works to construct a new Year 10 learning centre which includes six new learning studios, and a canteen. The proposal also seeks to redevelop and upgrade the northern car park, provide additional external bus access, remove planted vegetation and demolish a shed.

The proposal seeks permission to use 59 Gibson Street, Broadmeadows as part of the school, which has been owned by the school and vacant for some time. This is to provide for the above-mentioned bus access from time to time. Principal access to the school and the redeveloped northern car park will continue to occur from the main access to the south at 29 Gibson Street. A street tree is proposed to be removed.

This report provides an assessment of the proposal against the relevant Planning Policy Framework and the planning controls contained in the Hume Planning Scheme. The report also provides analysis of how the proposal addresses concerns relating to the surrounding environment, amenity, sensitive interfaces, and building height and form.

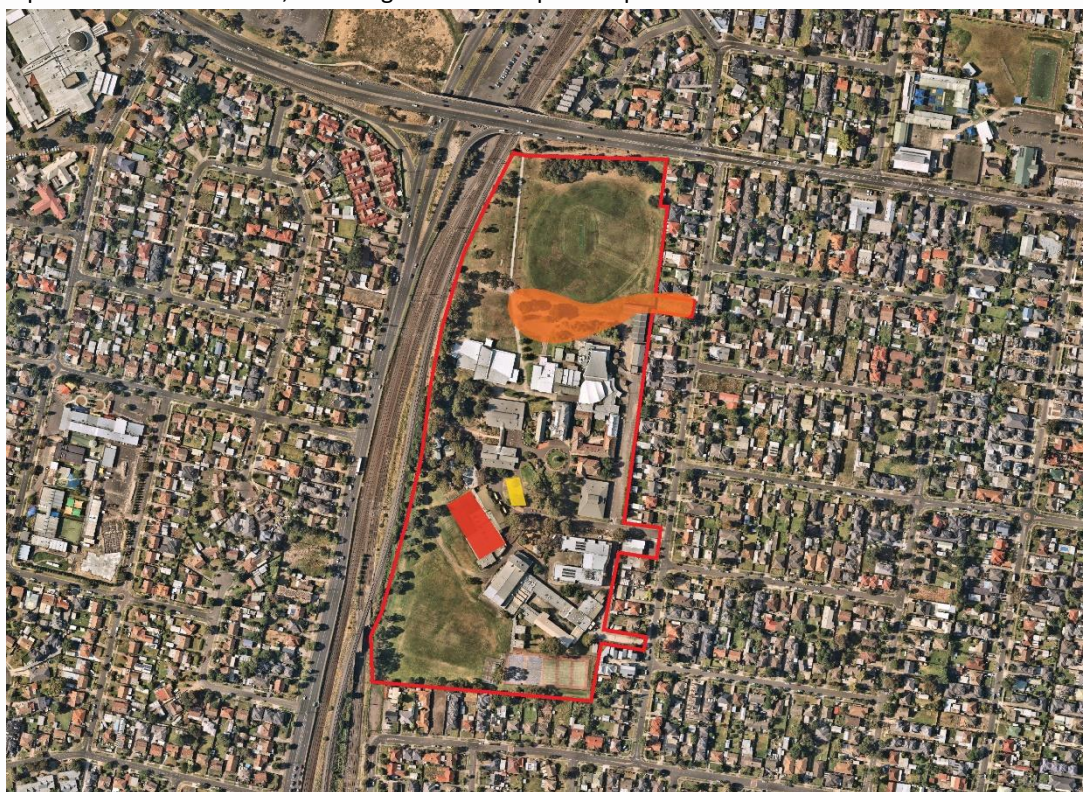
The permit application is supported by the following documents:

- Architectural Plans prepared by McIldowie (April 2024)
- Acoustic Report by Resonate Consultants (October 2023)
- Sustainability Management Plan by Lucid Consulting (March 2024)
- Landscape Architectural Schematic Design Package prepared by Arcadia (November 2023)
- Waste Management Plan prepared by Leigh Design (December 2023)
- Arboricultural Impact Assessment Report prepared by Greenwood Consultants (June 2023)
- Arboriculture Report for Car Park and Street Tree, Tree Checks (Dec 2022 and Nov 23 respectively)
- Heritage Impact Statement by Bryce Raworth (September 2023)
- Civil Site Plan prepared by Adams (July 2022)
- Existing Conditions Plan prepared by Adams (April 2022)
- Civil Site Drainage Plan – 1 of 2 prepared by Adams (March 2023)
- Civil Site Drainage Plan – 2 of 2 prepared by Adams (March 2023).

2. Site Context

2.1 The Site

The subject site is approximately 10.98ha in area, and comprises the campus of Penola Catholic College, a year 9-12 secondary college and the vacant 59 Gibson Street lot. The campus includes several pre-existing buildings (including heritage buildings), sports ovals and playing courts, access roads and planted vegetation (refer **Figure 1**). The location of the proposed buildings and works is also shown. Existing access for vehicles and pedestrians is via 29 Gibson Street, which forms part of the school site and is to the south of the proposed works. This is to remain as the principal access to the school, including the redeveloped car park.



PENOLA CATHOLIC COLLEGE SITE CONTEXT

15, 29, and 59 Gibson Street and 445-465 Camp Road, Broadmeadows

- Penola Catholic College (subject site)
- Location of proposed civil works
- Proposed location for the Canteen
- Proposed location for the new Year 10 Building

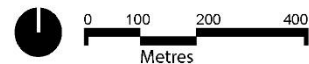


Figure 1: Subject site and surrounds.

2.2 Surrounds

The site is located within a residential area of Broadmeadows bound by the Metropolitan Ring Road to the south, Camp Road to the north, Pascoe Vale Road to the west and the Jack Roper Reserve to the east. To the north-west is the Broadmeadows commercial area and municipal hub situated along Pascoe Vale Road.

The land uses surrounding the site are summarised as follows:

- **North:** The site is bounded by Camp Road, which runs east-west. Broadmeadows train station is located approximately 150m north of the edge of the school site.
- **West:** The site is bordered by the Craigieburn train line and Pascoe Vale Road. Open space including Jacana Reserve, Johnston Street Reserve, and Rotary Park, as well as the Moonee Ponds Creek and associated parklands are approximately 1km further west of the site.
- **South:** The site abuts a number of residential properties fronting Graham Street.
- **East:** The site is directly adjacent to a number of small residential lots fronting Gibson Street (solid rear fencing separates these lots from the School). The majority gain access from Gibson Street (one dwelling that is owned by the School can be accessed internally from the School site).

2.3 Title

The site comprises multiple titles. The majority of the school site located at 445-465 Camp Street is more formally known as Lot 1 on TP709321Q. Small sections in the east of the school site located at 15, 27, 29, and 59 Gibson Street, are more formally known as Lot 583 on LP58928, Lot 818 on LP 59045, Lot 1 on TP210507F, and Lot 831 on LP59045 respectively.

Refer to Appendix 1 for a copy of the titles. Figures 2 and 3 overleaf provide the title plans for Lot 1 of TP709321Q and Lot 831 of LP59045. All works proposed as part of this application are located on Lot 1 on TP709321Q and Lot 831 on LP59045.

No agreements exist and there are no covenants that would prevent the issue of a planning permit.



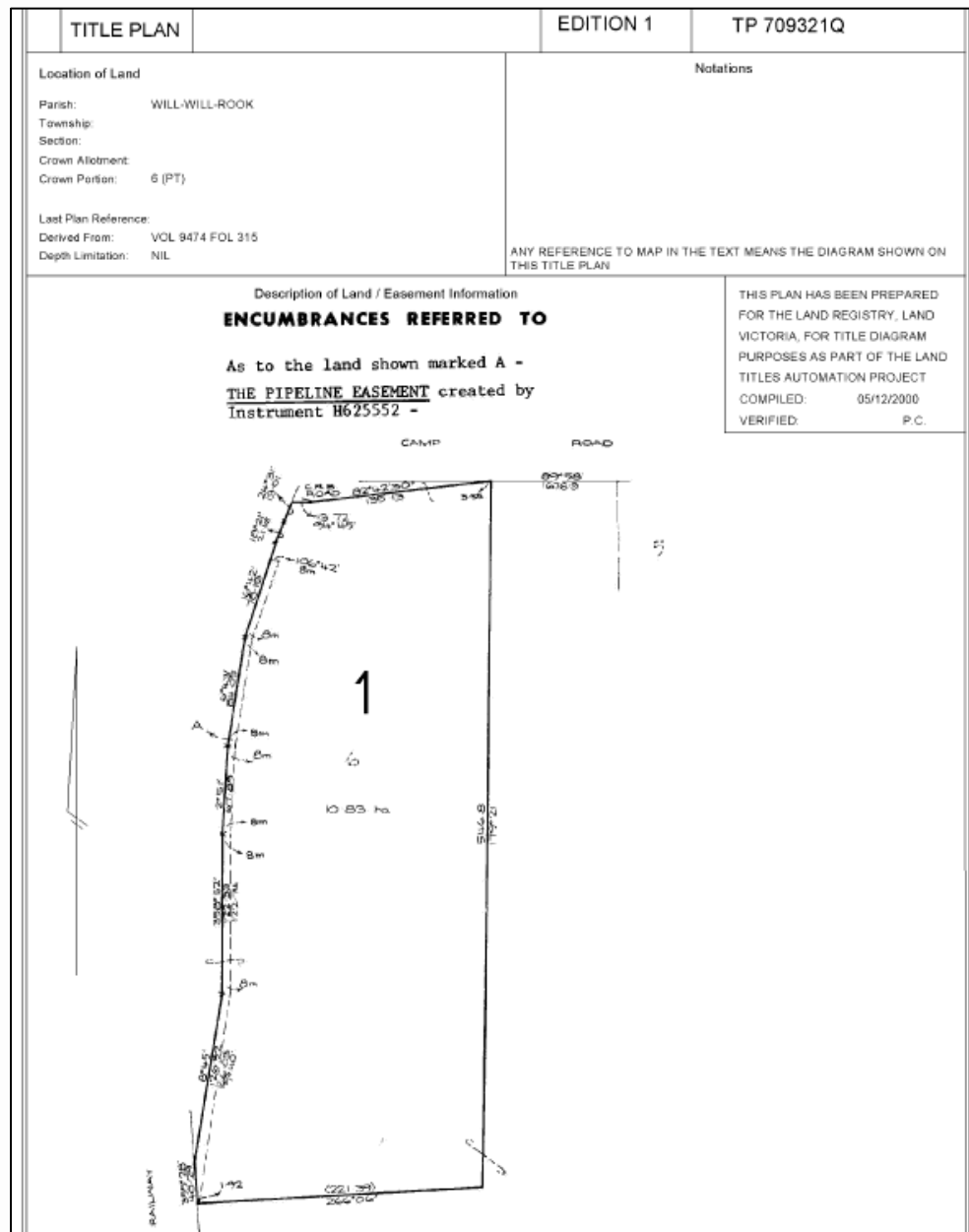


Figure 2: Title plan Lot 1 TP709321Q

LP59045
EDITION 1
PLAN MAYBE LODGED 16/5/66

HOUSING COMMISSION OF VICTORIA
BROADMEADOWS ESTATE.
PLAN OF SUBDIVISION
OF PART OF CROWN PORTION 6
PARISH OF WILL WILL ROOK
COUNTY OF BOURKE
SCALE OF FEET

100 50 0 100 200

✓ 8267 F 649
✓ 8183 F 073

COLOUR CODE
E-1=BLUE
E-2=GREEN

*Note:- The land coloured blue is set aside for Sewerage
and Drainage purposes, and is 5' wide*

THE LAND COLOURED GREEN IS ENCUMBERED
VIDE CERTIFICATE OF TITLE VOL 8183 FOL 093

CAMP ROAD

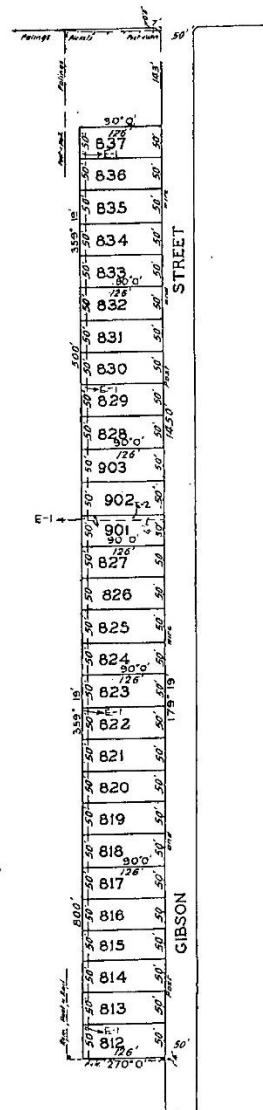


Figure 3: Title plan 831 on LP59045.

3. The Proposal

The planning permit proposal is for demolition, buildings and works and removal of planted vegetation at an existing Education facility at 15, 27, 29 and 59 Gibson Street and 445-465 Camp Road. The location of the works is shown in **Figure 1**. In summary the proposal includes:

- A year 10 Learning Centre with 6 new Learning Studios, breakout areas for student learning, staff workroom, and toilets (445-465 Camp Road).
- A Social Heart (located adjacent to the new year 10 centre) for the Campus with a canteen, and landscaped shelter and enclosure to appeal to students and staff as a focal point for social interaction and informal learning on Campus (445-465 Camp Road). The redevelopment and upgrade of the northern car park.
- Demolition of a shed.
- Redevelop the northern car park and provide an additional 37 car spaces.

The proposal is also for the use and development of 59 Gibson Street for vehicle and pedestrian access associated with the school. The lot has been in the school's ownership and vacant for some years and it is proposed for this to now become part of the existing school use (Education centre – secondary school).

The proposal does not include an increase in student or staff numbers.

3.1 Year 10 Building:

The existing E block and nearby portable, garden beds, water tank and shipping container will be demolished to accommodate the new year 10 building. Trees and nearby landscaping will also be removed.

The Year 10 centre will be located next to the existing year 10 building, block D, at 445-465 Camp Street and replaces the existing E building. The new centre has a total area of 849m² and has a maximum height of 4.8 metres. It will be a one storey building which comprises six learning studios (75-77m² each), three tutorial rooms (8m² each), a staff work room (33m²) and meeting room (9m²), a breakout, circulation and lockers area (253m²), staff and student toilets, and outdoor learning spaces. The main entrance is located to the east of the proposed building and is accessible via a ramp.

The year 10 building will be predominantly externally finished using red brick and clear, high-performance glass. The roof will be custom perforated metal in colour earth.

3.2 Canteen:

An existing gazebo will be demolished, and four trees will be removed to accommodate the new canteen.

The canteen will be located north east of the new year 10 building with a total area of 185m² and a maximum height of 4.5 metres. The building comprises a kitchen and preparation station with an office (48m²), a cleaner's storeroom (4m²), a plant room (5m²), a service area (26m²) and a dining room (102m²). The roof extends 4 metres north, 4 metres east, 4 metres south and 1.4 metres west over the building envelope to provide a covered area for students.

The canteen will be finished using light timber cladding and clear, high-performance glass. The roof will be a mix of clear lightweight polycarbonate and powdercoated steel structure.

3.3 Removal of Vegetation

It is proposed to remove 18 planted trees (trees 26-35, 39, 41-43, 63, 64, 66, 68) from the site to accommodate the development of the year 10 building. The majority of these trees have been assessed to have a low or very low retention value, and trees 41, 63 and 64 have been assessed to have a moderate retention value Greenwood Consulting.

It is proposed to remove 4 trees (trees 19, 36-38) from the site to accommodate the development of the canteen. Trees 36-38 have been assessed to have a low or very low retention value, and tree 19 has been assessed to have a moderate retention value (Greenwood Consulting).

It is proposed to remove 3 trees from the site to accommodate the internal road works (these are all rated High Risk due to poor structure in the Tree Checks report. A street tree will need to be removed to enable the new bus access as discussed below. The tree has good health and structure as rated by Tree Checks. It is proposed to replace the tree with 10 new trees of the same species.

Out of 26 trees total to be removed, nine are identified as native to Victoria. These are detailed in the table below:

Table 1. Proposed removal of native vegetation

Tree ID	Species	Height x Width	Retention value
27	Callistemon citrinus	4m X 3m	Low
28	Callistemon citrinus	4m X 3m	Low
29	Callistemon salignus	15m-3m	Low
39	Melaleuca armillaris	5m X 2m	Low
41	Eucalyptus leucoxylon	13m X 10m	Moderate
63	Eucalyptus botryoides	10m X 8m	Moderate
64	Eucalyptus viminalis	12m X 10m	Moderate
66	Eucalyptus sideroxylon	7m X 3m	Low
68	Melaleuca armillaris	7m X 4m	Low

The Landscape Architectural Schematic Design Package prepared by Arcadia outlines the proposed landscape design for the area around the new year 10 building and canteen. This includes a variety of open spaces including vegetated areas, outdoor learning gardens, paved seating areas, outdoor eating areas and grassy areas with new trees. Planting of new trees is proposed to offset the removal of existing trees.

3.4 Environmentally Sustainable Design

The following ESD features have been incorporated into the proposed building design:

- All nominated areas within the proposed development receive daylight via large extents of glazing to the external, ensuring that all areas receive high level of amenity and energy efficiency through design for natural light.
- The design of the building facilitates cross-flow ventilation.
- The orientation and design of the buildings reduces the need to mechanically warm the spaces during the cooler months because solar gain has optimum access to the internal spaces.
- There is no gas proposed to the site. Domestic hot water systems will be provided electric storage units.
- A solar PV renewable energy system located on the rooftop of the Year 10 Learning Centre (10kWp).
- The development will include a rainwater harvest and re-use systems to provide non-potable water for toilet flushing only. This system will include a 13kL rainwater storage system connected for toilet flushing only for the Year 10 Learning Centre.

3.5 Northern car park buildings and works:

The proposal includes the redevelopment of the norther car park, increasing overall car parking numbers at the site from 129 to 166 (an increase of 37 spaces).

The internal road works, earthworks, and demolition works will involve the removal of existing underlying rock, log barriers, redundant parking and edging, and existing road pavement (where required).

The new car park will involve the construction of KC Type concrete kerb and channel, the 'Semi Mountable Kerb' SM Type concrete kerb, and a new vehicle crossover. The proposed building and works involve the supply and installation of pipes to address drainage. In addition, the works will involve the reconnection of pits, the construction of grated pits, and the supply and installation of inspection openings.

Arborist supervision will be employed for the construction of kerbs within any tree protection zone.



3.6 Shed demolition:

An existing shed built circa in the 1950s/60s is to be removed and replaced with car parking for two parking bays (2.4m wide).

3.7 Use of 59 Gibson St for an Education Centre and construction of bus access:

It is proposed to use 59 Gibson Street as part of the school (meaning that it is proposed to be used as an Education centre – secondary school).

The site was recently purchased for the purpose of providing bus access (left out, left in), which is to be facilitated through the construction of a concrete driveway within the lot with a new cross-over to Gibson Street. The left in, left out has sufficient space for movement within the street as detailed on the bus swept paths provided with the application.

Details of the use follow:

- Access is only to be used for buses (ie. not cars) and the principal vehicle access to the school will continue to be via 29 Gibson Street to the south.
- Access will only occur during school hours.
- The buses using the access will be associated with school excursions and school sports and the like.
- The access will not be used for the school drop off and pick up (either buses or cars).
- The frequency of use will be low and in the order of a maximum of 10 trips per week.

The bus access to the school via 59 Gibson Street will be gated at either end of the lot. The gates will operate in such a way that will allow the buses to exit Gibson Street immediately. They will then be able to gain full access to the site only once they pass through the second gate. This will mitigate traffic impacts. The details and functions of the gates will be provided at the detailed design stage.

4. Planning Controls

4.1 Zoning

The subject site is zoned General Residential Zone – Schedule 1 (GRZ1) (refer Figure 4). The purpose of this zone includes:

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

Pursuant to Clause 32.08-9 (Buildings and works), a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

Pursuant to Clause 32.08-2, the use of the land for an Education centre is considered a Section 2 use and so a planning permit is required for the use and associated buildings and works.

Clause 32.08-13 (Decision Guideline) requires consideration of the following listed guidelines (as relevant) when assessing an application:

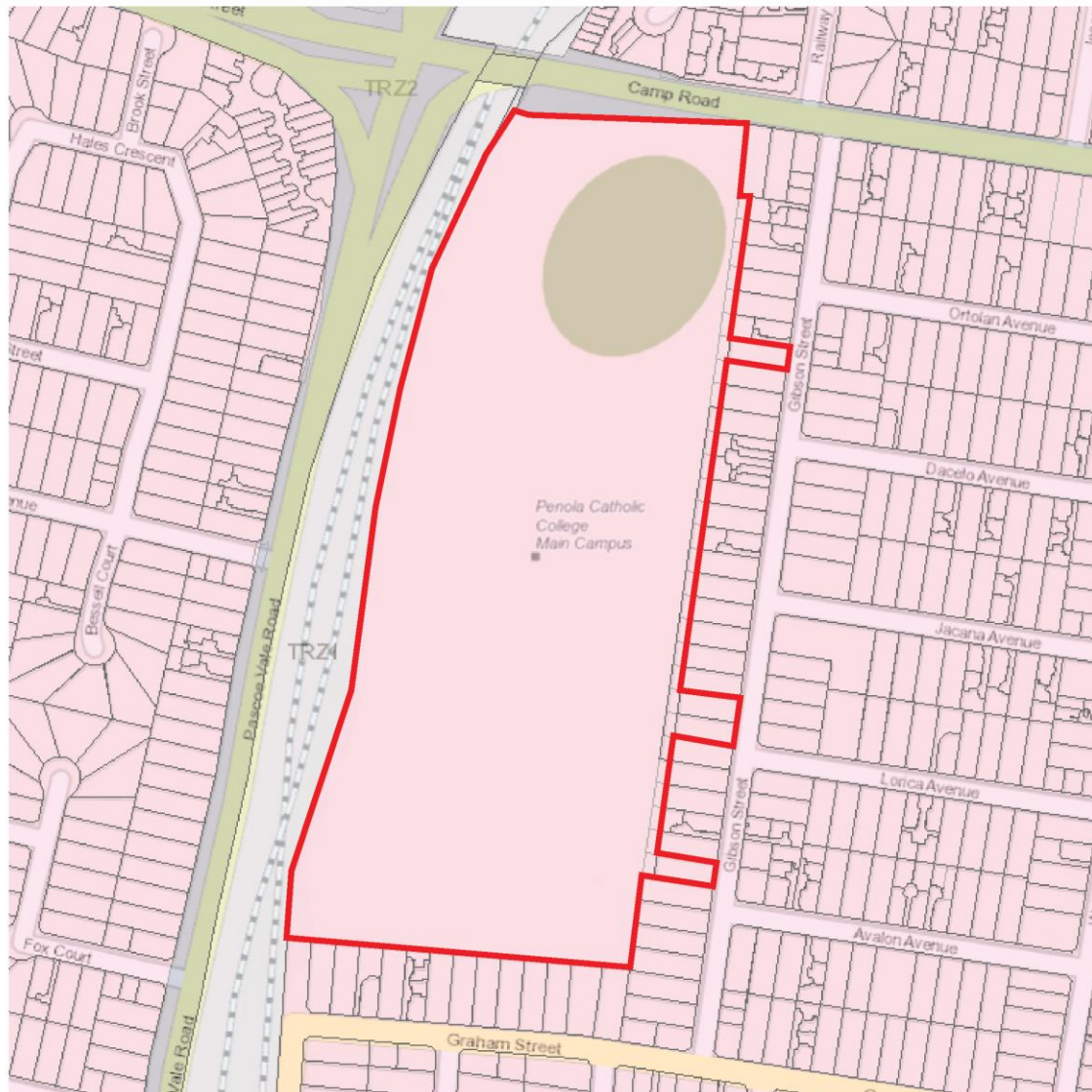
General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone, as follows:*
 - *To encourage development that respects the neighbourhood character of the area.*
 - *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Non-residential use and development

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*

- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency, and amenity effects of traffic to be generated by the proposal.



ZONING PLAN

15, 29, and 59 Gibsons Street & 445 - 465 Camp Road, Broadmeadows

- Site boundary
- General Residential Zone (GRZ)

Figure 4: Zoning Plan.

4.2 Overlays

Heritage Overlay – Schedule 207:

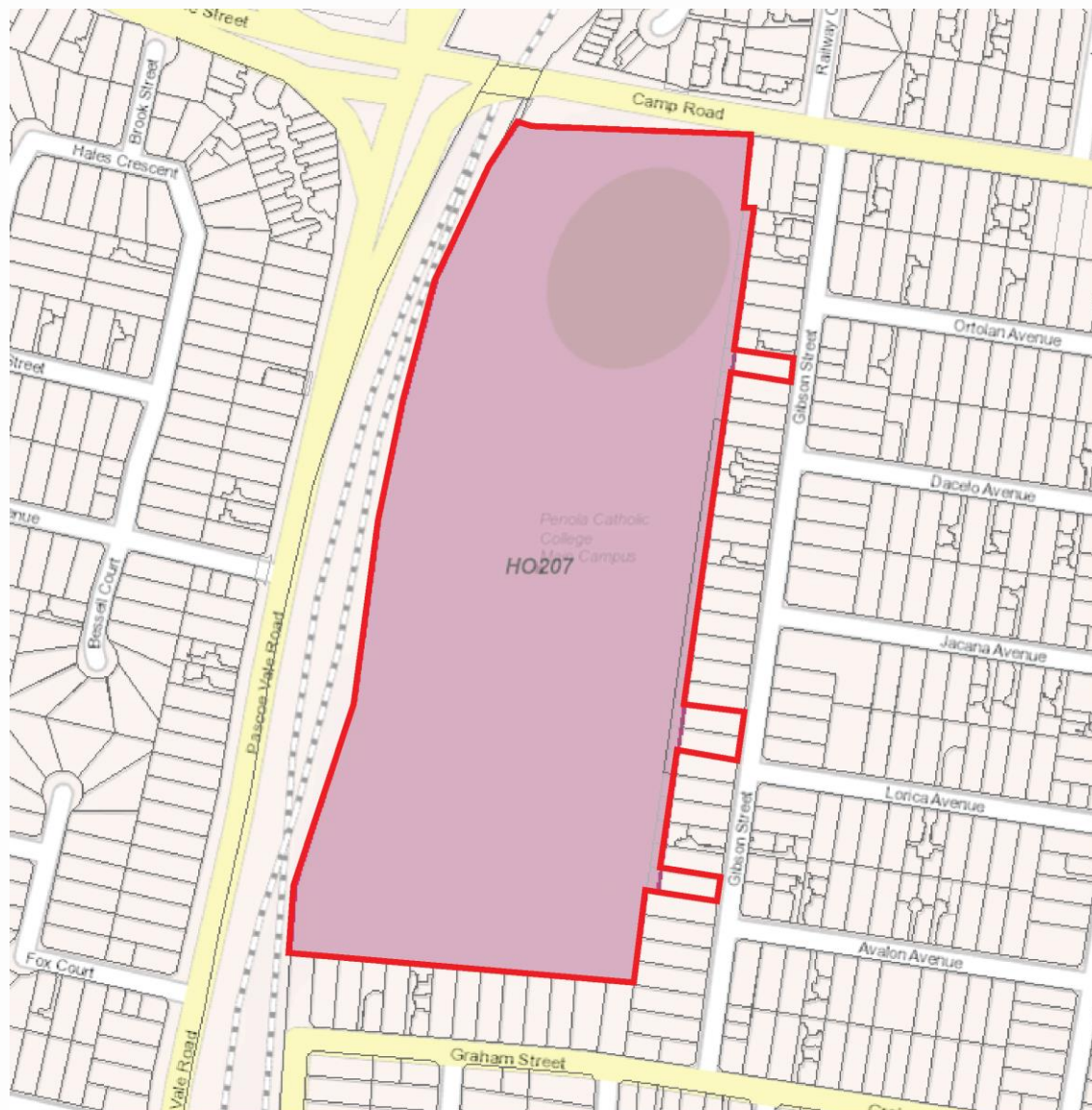
445-465 Camp Road is subject to the Heritage Overlay – Schedule 207 (HO207) (refer to Figure 5). The purpose of this overlay includes:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Pursuant to Clause 43.01-1 (permit requirement), a permit is required to:

- *Demolish or remove a building.*
- *Construct a building or construct or carry out works, including:*
 - *Roadworks, which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.*
- *Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.*

Pursuant to the Schedule to the Heritage Overlay, external paint controls apply to HO207 (Pasture Hill Farm/Kerrsland/St Joseph's Foundling Home). No application requirements are specified by this schedule. Tree controls do not apply.



HERITAGE OVERLAY (HO207) PLAN

15, 29, and 59 Gibsons Street & 445 - 465 Camp Road, Broadmeadows

- Site boundary
- Heritage Overlay (HO207)

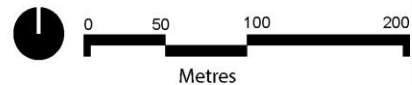


Figure 5: Overlay Plan (HO).

Relevant Decision Guidelines as at Clause 43.01-8 include:

- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character, or appearance of the heritage place.*

Melbourne Airport Environs Overlay – Schedule 2:

The site is subject to the Melbourne Airport Environs Overlay – Schedule 2 (MAEO2) (refer to

Figure 6). The purpose of this overlay includes:

- *To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.*
- *To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.*
- *To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.*
- *To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.*

Pursuant to Schedule 2 of Clause 45.08, a planning permit is required to use the land for an education centre and to construct a building or construct or carry out works for an education centre. A permit is not required to construct an open-sided structure. Our view is that this would include the proposed civil works at the subject site. Therefore, the assessment against Clause 45.08 under section 6.2 predominantly addresses the proposed year 10 centre and canteen.

Any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

Relevant Decision Guidelines as at Clause 45.08-4 include:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Whether the proposal is compatible with the present and future operation of the airport in accordance with the current Melbourne Airport Master Plan approved in accordance with the Airports Act 1996.*
- *Location of the development in relation to the criteria set out in Table 2.1 Building Site Acceptability Based on ANEF Zones in Australian Standard AS 2021-2015.*



Figure 6: Overlay Plan (MAEO).

4.3 Aboriginal Cultural Heritage and Bushfire Prone Areas

The site is not subject to Aboriginal Cultural Heritage Sensitivity pursuant to the Aboriginal Heritage Act 2016.

The site is not within a designated Bushfire Prone Area.

4.4 Particular Provisions

Clause 52.06 – Car Parking

While the proposal seeks to increase the number of car parking spaces at the site from the existing 129 spaces to 166, it is not proposed to increase the number of employees, which currently stands at 180.

The proposal will increase the site area given that it is proposed to use 59 Gibson Street as an access to the school. However, this will clearly not increase the demand for car parking at the site.

The proposal will not increase the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for the Secondary School use occurring at the site. This, again because no additional employees are proposed.

Clause 52.06-5 (Number of car parking spaces required under Table 1) states that:

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

There is no rate or measure provided in Clause 52.06 to calculate a site area increase for a secondary school. The sole factor to consider is if employee numbers are proposed to be increased or not. Given that an increase is not proposed, additional car spaces should not be required for the proposal.

Further, it would be excessively onerous to require the school to provide car parking spaces based on a fresh assessment of car parking, given that only a small increase in the site will result from

Clause 52.17 – Native Vegetation

Nine native trees (27,28, 29, 39, 41, 63, 64, 66, 68) are proposed to be removed near the new year 10 building and canteen to accommodate development. Refer to Table 1 and the Arboricultural Construction Impact Assessment for details about the trees affected by the proposed development.

While the removal of nine native trees is proposed, the trees were planted by the school and are therefore exempt from consideration under Clause 52.17.

Clause 52.34 – Bicycle Facilities

The following bicycle parking rates apply to secondary school developments:

- *Employee spaces: 1 to each 20 employees; and*
- *Student spaces: 1 to each 5 pupils.*

The proposal does not involve any increase in student or staff numbers, and therefore there is no requirement to provide any additional bicycle parking.

Clause 53.18 – Stormwater Management in Urban Development

This provision seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property, and public safety, and to provide cooling, local habitat and amenity benefits.

An application to construct a building or construct and carry out works must:

- *Meet all of the objectives of Clauses 53.18-5 and 53.18-6.*
- *Should meet all of the standards of Clauses 53.18-5 and 53.18-6.*

Clause 53.18-5:

- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*
- *To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.*

Standard W2

The stormwater management system should be designed to:

- *Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).*
- *Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.*
- *Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.*

Clause 53.18-6:

- *To protect drainage infrastructure and receiving water from sedimentation and contamination.*
- *To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.*

Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- *Erosion and sediment.*
- *Stormwater.*
- *Litter, concrete and other construction waste.*
- *Chemical contamination.*

Clause 53.19 – Non-Government Schools

This provision was introduced on 4 December 2020 by VC180 and helps to “streamline” the process for development of new, and the upgrade and expansion of existing, non-government primary and secondary schools.

The amendment introduces permanent provisions into all Planning Schemes which will strengthen policy support for the establishment and expansion of non-government schools and importantly adopt a fast-tracked planning permit process.

The key elements of the proposed planning provisions are:

- *Applying a fast-tracked process to all non-government primary and secondary school applications.*
- *Appointing the Minister for Planning as the Responsible Authority for new school applications and projects on existing schools with an estimated cost of \$3M or more.*
- *Introduces new State Policy Clause 19.02-2S (Education facilities) to support non-government school applications.*

As per Clause 53.19-2, an application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

On the basis that the proposed works are for the expansion of an existing non-government school and the cost of works exceed \$3 million, the proposal falls under the Clause 53.19 provision and is to be lodged with DTP for a decision by the Minister for Planning. There is no opportunity for the planning application to be appealed to VCAT by a third party.

Clause 62.02-2 (Buildings and works not requiring a planning permit unless specifically required by the planning scheme)

The clause states that any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- *Roadworks*
- *Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.*
- *Repairs and routine maintenance to an existing building or works.*

Implications for proposal:

The clause exempts the works from being a permit consideration under the GRZ because the GRZ does not specifically require a permit to be sought for the works.

The clause does not exempt the works under the HO because the HOS specifically requires a planning permit to demolish a building and for the construction of works that include road works that will alter the appearance of a heritage place.

In addition, the clause does not exempt the use under the MEO because the MEO specifically requires a planning permit for the use for an Educational Centre.

4.5 Planning Permit Triggers

Having regard to the above listed clauses, the permit triggers for the proposal comprise:

- **Clause 32.08-2 (GRZ)**, the use of the land for an Education centre (59 Gibson Street lot).
- **Clause 32.08-9 (GRZ)**: To construct a building or construct or carry out works for a Section 2 use (Education centre). To use the land for an Education Centre (59 Gibson Street lot).
- **Clause 43.01-1 (HO) and HO Schedule 207**: Demolish or remove a building, construct a building or construct or carry out works, and externally paint a building.
- **Clause 45.08 Schedule 2 (MAEO2)**: To construct a building or construct or carry out works associated with an education centre. To use the land for an Education Centre

5. Policy Context

5.1 Planning Policy Framework

The Planning Policy Framework seeks to guide development in a manner which benefits local communities and the wider region. State policy seeks to ensure that Melbourne remains a thriving city by encouraging development which contributes to Melbourne's liveability, economic viability and provides benefits to the wider community. The following State Planning Policies are relevant to the proposal:

- **Clause 15 'Built Environment and Heritage'** encourages planning to promote excellence in the built environment and create places that:
 - Are enjoyable, engaging and comfortable to be in.
 - Accommodate people of all abilities, ages and cultures.
 - Contribute positively to local character and sense of place.
 - Reflect the particular characteristics and cultural identity of the community.
 - Enhance the function, amenity and safety of the public realm.
- **Clause 15.01-1S 'Urban design'** seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **Clause 15.01-2S 'Building design'** aims to achieve building design and sitting outcomes that contribute positively to the local context and enhance the public realm, and support environmentally sustainable development.
- **Clause 15.01-2L-01 'Building design – Hume'** seeks to encourage built form to incorporate architectural treatments and use of colours, materials and finishes that are visually interesting and engaging.
- **Clause 15.01-2L-03 'Environmentally Sustainable Development – Hume'** seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.
- **Clause 15.03-1S 'Heritage conservation'** seeks to ensure the conservation of places of heritage significance.
- **Clause 18.01-2S 'Transport system'** seeks to facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.
- **Clause 18.02-7S 'Airports and airfields'** seeks to prevent land use or development that poses risks to the safety or efficiency of an airport or airfield and minimise the detrimental effects of aircraft noise when planning for areas around airports and airfields.

- **Clause 19.02-2S 'Education facilities'** seeks to facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities, as well as to 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).
- **Clause 19.03-3S 'Integrated water management'** seeks to sustainably manage water supply, water resources, wastewater, drainage, and stormwater through an integrated water management approach.
- **Clause 19.03-5S 'Waste and resource recovery'** seeks to reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

6. Assessment

6.1 Assessment Against Relevant Planning Policy

The proposal is consistent with both the Planning Policy Framework and the policies and strategies of the Hume Planning Scheme, particularly those aiming to provide high quality and usable spaces and preservation of local character, heritage, and amenity, through achieving the following level of compliance:

State and Local Policy

- The proposal will create high quality learning and social spaces that will be enjoyable, engaging, and comfortable for both students and staff to be in, consistent with Clauses 15.01-1S and Clause 15.01-2L-01. The proposed year 10 centre and canteen will be accessible for all users, contribute positively to the overall school site as well as the surrounding area, and enhance the function, offer, and safety of the school's public realm.
- The proposed year 10 centre and canteen incorporates the following environmentally sustainable design features in support of Clauses 15.02-S, 19.03-3S and Clause 15.01-2L-03 (refer to the Sustainability Management Plan prepared by Lucid Consulting for a full list of features):
 - All nominated areas within the proposed development receive daylight via large extents of glazing to the external, ensuring that all areas receive a high level of amenity and energy efficiency through design for natural light.
 - The design of the building facilitates crossflow ventilation.
 - The orientation and design of the buildings reduce the need to mechanically warm the spaces during the cooler months because solar gain has optimum access to the internal spaces.
 - There is no gas proposed for the site. Domestic hot water systems will be provided with electric storage units.
 - A solar PV renewable energy system will be provided, located on the rooftop of the Year 10 Learning Centre (10kWp).
 - Paving surfaces fall towards permeable garden beds and lawns, providing seasonal moisture, and reducing the volume of stormwater water entering the drainage system.
 - The development will include a rainwater harvest and re-use systems to provide non-potable water for toilet flushing only. This system will include a 13kL rainwater storage system connected for toilet flushing only for the Year 10 Learning Centre.
- The proposed year 10 centre and canteen is sympathetic to the recognised elements that contribute to the significance of the heritage place in support of clause 15.03-1S and 15.03-1L. The design and materials of the new buildings will complement and enhance the heritage significance of the site. The proposed car park will not affect the visual prominence of the historic buildings within the subject site.

- The new buildings will facilitate the enhancement of an established education facility meeting the existing and future needs of the surrounding community through a functional and engaging design, consistent with Clause 19.02-2S. The proposal supports an existing business and promotes ongoing viability through the improvement of facilities.
- The proposal will capture rainwater on-site for re-use. Additional areas of landscaping will be introduced. The buildings will be serviced by the site's existing stormwater drainage system. In support of Clause 15.01-2L-03, the proposed car park and internal road works have employed detailed water drainage considerations to manage stormwater runoff and reduce the impacts on water systems and water bodies.
- Waste at the site will be closely managed to prevent litter and sediments from entering stormwater drains (noting that the use will not result in toxins being created and needing disposal). The proposal will not cause undue impacts to stormwater quality and will not increase the burden on the reticulated drainage and stormwater system in support of clause 19.03-3S. The car park will be serviced by the proposed improvements to the site's stormwater drainage system. The proposal will not cause undue impacts to stormwater quality and will not increase the burden on the reticulated drainage and stormwater system in support of clause 19.03-3S.
- The proposal will introduce an efficient use of the site through the upgrade to the northern car park and new restricted bus and pedestrian access. The proposed building and works incorporate the strategies of Clause 15.01-1S through enhancing accessibility within the site and upholding an interface between the public and private realm that protects and enhances personal safety.
- The proposal is sympathetic to the preferred neighbourhood character in Hume and ensures the proposed northern car park does not dominate the streetscape along Gibson Street. In support of Clause 15.01-1S, the design and location of the proposed northern car park are of a high standard and create a safe environment for users and enable easy and efficient use.
- The proposed new bus access will not unacceptably impact the existing road network in support of clause 18.01-2S. The access is designed to enable left in, left out access with minimal disruption to the street.
- The new car park and shed removal will facilitate the enhancement of an established education facility meeting the existing and future needs of the surrounding community, consistent with Clause 19.02-2S.
 - The proposal supports an existing business and promotes ongoing viability through the improvement of accessibility and car parking facilities.
 - The proposal ensures that street and accessways adjoining education facilities and well-designed and facilities safe bicycle and pedestrian access.
 - The proposal anticipates the increased use and activity within the education facility and considers the existing and future transport network and transport connectivity within the site.

6.2 Assessment Against Planning Controls

Zoning

The proposal is consistent to the Purpose and Decision Guidelines of the GRZ1, discussed as follows:

Purpose

- The proposed building and works provide for the continued use and development of land for an existing Education centre. The building will be sympathetic to, and will enhance the, existing character of the site and broader area and as such is unlikely to change the neighbourhood character of the area.
- The use of 59 Gibson Street is consistent to the purpose of the zone that allows non-residential uses including educational uses, in appropriate locations. The school is established to the west of 59 Gibson and the lot provides logical access.

Decision Guidelines

General Issues:

- The proposed year 10 centre and canteen will not be seen from Gibson Street and thus will not have an appreciable impact on the neighbourhood. The use of neutral, earthy materials softens the presence of the building in the street and prevents it from being a dominant development. Substantive landscaping will also ensure that the building blends in with the streetscape and the lack of front fence will create an openness between the school and the surrounding area.
- As the proposal does not increase the student or staff numbers, the use of the site for an educational facility remains compatible with the residential area.
- The proposed car park will not be visible from Gibson Street and thus will not have an appreciable impact on the neighbourhood. Further, the proposed car park will be effectively replacing the existing gravel car park and does not significantly increase the intensity of use within the site.
- Motor vehicle access into the education facility is already provided via Gibson Street, and the proposed crossover maintains an appropriate width of 4.4m.
- As the proposal does not increase the student or staff numbers, the use of the site for an educational facility remains compatible with the residential area.

Non-residential use and development:

- The proposal is compatible with adjoining residential uses. The proposal will replace existing buildings used for the same education centre purpose. The proposed built form is of a high-quality architectural design and provides a far superior visual outcome for the community.
- The proposal will replace existing car parking facilities used for the same education centre purpose.

- The proposal will serve local community needs. Education centres are a critical part of the infrastructure provision for a neighbourhood. The proposal will result in the improved function of an existing school that supports the needs of the surrounding community and will improve the experience of students.
- The design, height, setback, layout, and appearance of the proposed buildings and works are highly appropriate. The use of neutral and earthy materials and colours ensure that the buildings blend into the surrounding environment and do not dominate the area. The single storey height of the year 10 centre and canteen ensures that the buildings do not interfere with any view lines. The design of the proposed internal road works retains the significant cluster of vegetation north of the performing arts centre and following a similar path as the existing gravel road, thus limiting the effect on existing grass and vegetation.
- The proposed landscaping is consistent with the existing landscaping onsite and will positively contribute towards the character of the area. Landscaping will improve outlook from adjoining residential development.
- The proposal does not involve any increase in employee numbers on site at any one time and the car parking provision is not being reduced, therefore the development does not trigger a requirement to provide additional car parking spaces.
- Impacts to surrounding residents from the new bus access at 59 Gibson Street will be mitigated through the controlled use of the access, which will be confined to school hours and approx. 10 bus trips per week. No car or student pedestrian access will be allowed. The principal vehicle and pedestrian access will continue to be via 29 Gibson Street. Landscaping can be established with the access to improve the appearance of the current vacant lot. A landscape plan can be requested as a condition of permit.
- The design of the new bus access at 59 Gibson Street will facilitate left in, left out movements only. This will enable sufficient space for the movement within the street with minimal disruption to traffic as detailed by the bus swept paths provided with the application.
- A Waste Management Plan has been prepared which demonstrates that appropriate loading and refuse collection can occur on site (refer to Leigh Design WMP).

Overlays

Heritage Overlay:

- The proposed demolition works will not affect the significance of the place and are acceptable according to the Heritage Impact Statement prepared by Bryce Raworth in support of the application. The buildings that are to be removed are relatively recent and of little architectural merit. They are not identified as being of any significance in the heritage citation and they do not contribute to the identified significance of the place more generally.
- The proposed demolition of the shed will not affect the significance of the place. The building that is to be removed was constructed circa 1950s/60's and has no architectural merit. The shed has not been identified as being of any significance in the heritage citation and does not contribute to the identified significance of the place more generally.
- The proposed development will not adversely impact on the significance of the place in terms of its location, bulk, form and appearance. The development and proposed car park does not interfere with

views to the chapel and mansion. The visual prominence of these historic buildings is maintained, in support of clause 15.03-1L.

- The use of red materials and finishes complements the chapel and mansion and does not compromise their heritage significance. Additionally, the architectural design of the new year 10 building and canteen does not dominate the surrounding area.
- Overall, it is considered that the proposal has been prepared with appropriate consideration for the objectives and design guidelines of the Heritage Overlay of the Hume Planning Scheme, as set out in the Heritage Overlay Clause 43.01, as well as the relevant provisions of Clauses 15.03 and 21.04.

Melbourne Airport Environs Overlay:

- The proposal does not increase the number of students or staff on site and therefore does not increase the number of people affected by aircraft noise.
- The proposed use of an Educational Centre is compatible with the present and future of the airport.
- As per the Acoustic Report prepared by Resonate Consultants, the development must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

6.3 Assessment Against Particular Provisions

Clause 52.17 – Native Vegetation:

- Substantive landscaping and the planting of trees will offset the removal of nine native trees to accommodate the development of the year 10 centre and the canteen.
- This development has taken a conservative approach to the removal of vegetation and only removed trees that have to be removed. In other cases, tree protection zones have been established in order to retain trees and ensure that they remain healthy during and after the construction process.
- The Arboricultural Construction Impact Assessment prepared by Greenwood Consulting and the Landscape Design prepared by Arcadia demonstrates that impacts to trees have been minimised and that the school will provide new trees to compensate for the removal.

Clause 53.18 – Stormwater Management in Urban Development

The proposal is consistent to the purpose of the clause through retaining and re-using stormwater (water will be captured in tanks for re-use in gardens and toilets), mitigating impacts to stormwater on the environment (litter will be managed through implementation of a waste management plan) and cooling the environment (landscaping will help to cool the school environment).

The proposal meets the objectives and standards of Clause 53.18-5 and 53.18-6 as follows:

Clause 53.18-5

- The proposal maximises the retention and re-use of stormwater through the use of water storage tanks.
- A waste management plan has been prepared that will help avoid litter from entering into the drainage system.
- The new landscaping proposed will help to cool the environment and reduce areas of embodied heat.
- The proposal will not result in the production of disposal of chemical pollutants.
- The proposal encourages the retention of stormwater and will construct stormwater pits to collect and store runoff before it is discharged from the site.
- The proposal reduces the impact of stormwater through the proposed upgrades to the existing drainage system on the site.
- The proposal will not result in the production or disposal of chemical pollutants.

Clause 53.18-6

- The building will be serviced by the existing drainage system installed at the site. This system will not be overburdened by the proposal given that stormwater will be captured and reused, and permeable surfaces will not be reduced.
- The car park will be serviced by the upgraded drainage system installed at the site. This system will not be overburdened by the proposal given that stormwater will be captured and reused.
- Works at the site will be managed during construction to prevent waste, chemicals, and sediment from entering the drainage system. It is expected that a Construction Management Plan will be required as a condition of planning permit to document the processes utilised to prevent unacceptable impacts to the environment during construction.
- Given the established urban context of the site, it is not expected that erosion will result during construction.

7. Conclusion

The proposal achieves a high level of compliance with the State and Local Planning Policy of the Hume Planning Scheme, and the planning controls and provisions that apply to the land and project.

The proposed Year 10 Centre and Canteen will improve the functionality and offer of an existing school, providing equitable and safe access and additional high quality, high amenity, and interactive learning spaces that will enhance the educational experience of existing and future students. Consolidating facilities in an existing school represents a sustainable and logical approach to land use planning and should be supported.

The proposed car park upgrade and shed removal will improve the functionality of the existing school. The proposal provides equitable and safe access that will enhance the educational experience of existing and future students. Enhancing the existing car parking facilities in a school represents a sustainable and logical approach to land use planning and should be supported.

The proposed buildings and works will complement and enhance the existing built form through being sensitively designed and positioned amongst existing buildings, gravel roads, and car parking facilities. New landscaping will enhance the outward appearance of the school, provide cooling, and will improve the amenity of students and staff.

The heritage significance and environmental values of the site and area will not be unreasonably impacted. The buildings and car park have been sensitively designed and positioned to avoid amenity impacts to the nearby heritage buildings. No recognised heritage fabric is to be removed. ESD features such as glazing, solar panels, and water tanks ensure that the buildings achieve best practice in environmental sustainability.

The proposed use for an Education Centre merely extends the existing use to include land located at 59 Gibson Street. The proposed use will not increase the number of students and teachers on the site and is necessary to introduce the new driveway and bus access from Gibson Street. The use of 59 Gibson will be restricted to buses during school hours and only staff/tradespeople pedestrians. The frequency of use will be relatively low at approximately 10 bus trips per week. The school's principal access will continue to be via 29 Gibson Street. It is proposed to replace a street tree with 10 trees of the same species on the site.

Given the high level of compliance with the assessment framework, it is respectfully requested that the application be approved, and the plans submitted with the application endorsed.

Appendix 1 – Titles