

# 2 Caddy Road, TARNEIT

Planning Permit Application  
Planning Permit No. PA2403004



Officer Assessment Report  
Development Approvals & Design

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Department  
of Transport  
and Planning

# Executive Summary

Key information	Details	
Application No.:	PA2403004	
Received:	12 July 2024	
Statutory Days:	10	
Applicant:	Melbourne Archdiocese of Melbourne Schools LTD c/- Echelon Planning <ul style="list-style-type: none"> <li>• <b>St Teresa of Kolkata Primary School</b></li> </ul>	
Planning Scheme:	Wyndham	
Land Address:	2 Caddy Road Tarneit	
Proposal:	Buildings and works to construct an Early Learning Centre (ELC) ancillary to an existing primary school.	
Development value:	\$6.85m	
Why is the Minister responsible?	<p>In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the Responsible Authority for this application because:</p> <p><i>Primary school or secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, if any of the following apply:</i></p> <ul style="list-style-type: none"> <li>• <i>The estimated cost of development is \$3 million or greater</i></li> </ul>	
Why is a permit required?	<b>Clause</b>	<b>Trigger</b>
Zone:	<p><b>Clause 37.07</b>  <b>Urban Growth Zone – Schedule 13</b>            (Under Clause 2.2 of UGZ13, the <u>applied</u> zone for the land is Clause 32.07 – Residential Growth Zone Schedule 1 (RGZ1))</p>	<p><i>Construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2 (RGZ1)</i></p> <p><i>Section 2.8 of UGZ13 – a permit is required to construct a building or construct or carry out works associated with a Primary School or Secondary School on land shown as a non-government school unless exempt under Clauses 62.02-1 and 62.02-2.</i></p>
Overlays:	<p><b>Clause 45.06</b>  <b>Development Contributions Overlay – Schedule 13</b></p>	<i>N/A – Exempt</i>
Particular Provisions:	<p>Clause 52.06            Clause 53.18            Clause 53.19</p>	<p>Car Parking            Stormwater Management in Urban Development            Non-government Schools</p>
Cultural Heritage	<p>A CHMP was prepared for the land at the time of subdivision and subsequently approved on 23 October 2014.</p> <p>The CHMP area does not apply to the proposed area of works and the affected area since developed under existing education centre on site (St Teresa of Kolkata).</p>	
Total site area:	3.005ha	
Gross Floor Area:	998m <sup>2</sup>	
Height:	9.4m	
Referral authorities	Wyndham City Council (section 52 – Notice) & DTP (Transport) (s55 Determining)	
Public Notice	<p>Notice of the application under section 52 of the Act was not required pursuant to the exemption granted under Clause 37.07 (UGZ13). It is also noted that the proposed buildings and works in association with the existing school is not anticipated to affect the amenity of surrounding properties as it was considered under the scope of planning permit PA2201762-1 (Master plan permit allowing for construction of School).</p>	
Recommendation	The application is recommended for approval subject to the conditions as discussed in this report.	

# Background

1. The proposal involves the development of a section of the subject site for a new Early Learning Centre (ELC) on land currently used for the St Teresa of Kolkata Catholic Primary School. The land forms part of the Creekstone Estate which is currently being developed pursuant to the Tarneit North Precinct Structure Plan (PSP) that applies to the site and broader area.
2. A Ministerial Permit (PA2201762-1) was granted to construct the School on 19 October 2022, inclusive of a Masterplan. Stage 1 of the existing School has been constructed and Stage 2 is anticipated to commence shortly. The proposed ELC is located in the south-eastern portion of the site.
3. On 30 August 2024, the following documents were amended to allow changes to the staging, location of buildings and sporting facilities on site under PA2201762-1:
  - Updated Masterplan and Staging Plan prepared by Roam Architects (July 2024)
  - Updated Landscape Masterplan prepared by Fitzgerald Frisby Landscape Architecture (August 2024)

The following plans/reports were endorsed to facilitate Stage 2 works:

- Stage 2 Architectural Plans prepared by Roam Architects and dated (August 2024) – Condition 4
- Stage 2 Landscape Plan prepared by Fitzgerald Frisby Landscape Architecture (August 2024) – Condition 9
- Stage 2 ESD Report prepared by Building Physics RP (August 2024) – Condition 13
- Stage 2 Traffic Engineering Assessment prepared by Traffix Group (June 2024) – Condition 17

It is also noted that a Waste Management Plan (Condition 11 Waste Management) prepared for the eventual completed development was endorsed on 20 April 2023 to the satisfaction of DTP

4. As the applicant specifically pursued a separate planning permit for the proposed ELC, DTP requested that the endorsed plans under PA2201762-1 either remove reference to the ELC or provide annotations. The subsequent plans endorsed on 30 August 2024 now state that the ELC is subject to a separate planning application (refer figure 1).

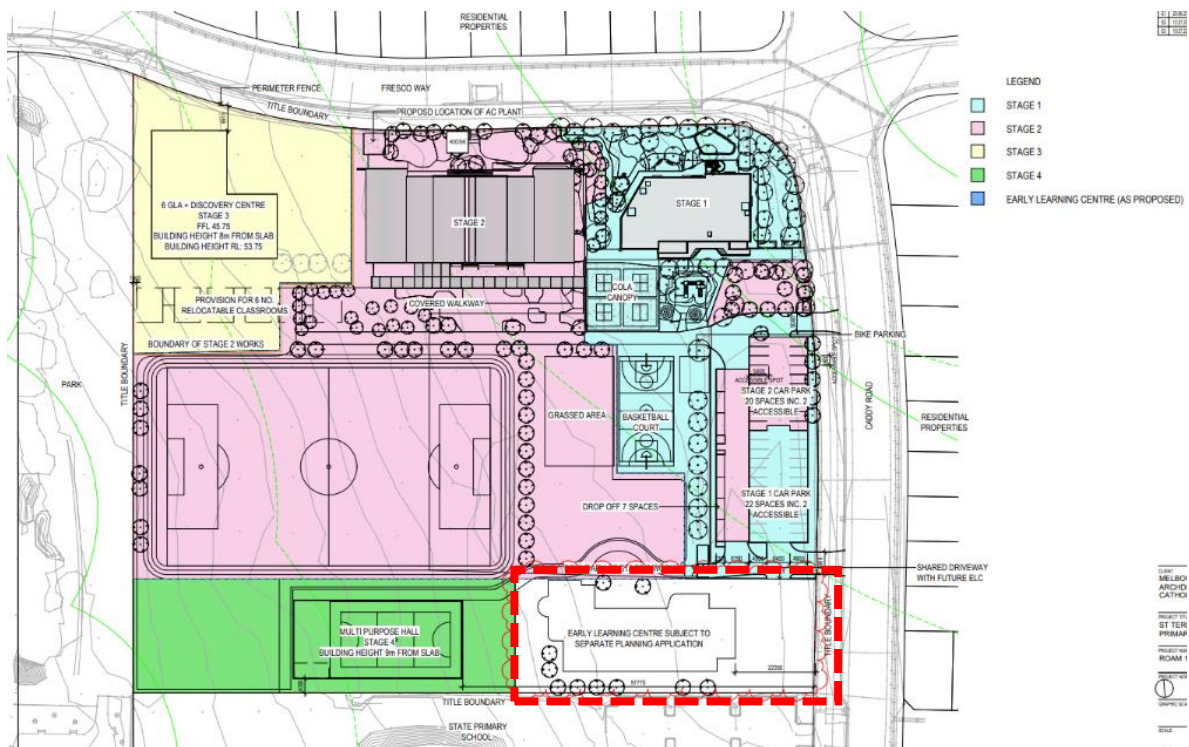


Figure 1. Endorsed Masterplan and Staging Plan under PA2201762-1



5. A Cultural Heritage Management Plan was issued on 23 October 2014; however, the area of proposed works is not affected by the CHMP.

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

Milestone	Date
Pre-application meeting (DTP and Wyndham City Council)	N/A
Application lodgement	12 July 2024
Further information requested	10 July 2024
Further information received	25 September 2024
Further plans submitted (formally under section 50 of the Act)	The formally substituted plans illustrated (in summary): <ul style="list-style-type: none"><li>Updated architectural Plans prepared by Roam Architects (August 2024)</li><li>Updated Landscape Plans prepared by Fitzgerald Frisby Landscape Architecture (August 2024)</li><li>Updated ESD Report prepared by Building Physics RP (August 2024)</li><li>Updated Planning Report prepared by Echelon Planning (August 2024)</li></ul>
Further informally substituted sketch plans submitted (date)	N/A
Decision Plans	<ul style="list-style-type: none"><li>Architectural Plans prepared by Roam Architects (August 2024)</li><li>Landscape Plans prepared by Fitzgerald Frisby Landscape Architecture (August 2024)</li><li>Waste Management Plans prepared by Traffix Group (June 2024)</li><li>ESD Report prepared by Building Physics RP (August 2024)</li><li>Traffic Engineering Assessment prepared by Traffix Group (June 2024)</li><li>Planning Report prepared by Echelon Planning (August 2024)</li><li>Legal Advice Cover Letter prepared by Echelon Planning (18 September 2024)</li><li>Legal Advice prepared by Best Hooper (17 September 2024)</li><li>Flora and Fauna Assessment prepared by Ecolink Consulting (19 December 2021) *info only</li><li>Approved CHMP prepared by Andrew Long + Associates (6 October 2014) *info only</li><li>Bushfire Risk Assessment prepared by BPAD (June 2022) *info only</li><li>Detailed Site Environment Investigation prepared by Prensa (August 2015)</li></ul>

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



8. The proposal can be summarised as follows:

Key Information	Details
<b>Proposal:</b>	<p>The proposal involves the development of a section of the subject site for a new Early Learning Centre (ELC) on land currently used for the St Teresa of Kolkata Catholic Primary School.</p> <p>The ELC is classified as an 'education centre' use, however, is considered an ancillary component to the existing primary school, whereby the land and assets will remain in the ownership of the Catholic Archdiocese. For the purposes of considerations under Clause 53.19, the use will form part of the overall primary school.</p>
<b>Operating hours:</b>	<p>The ELC will accommodate a kindergarten program and Outside of School Hours Care (OHSC) that will operate on weekdays during the following hours:</p> <ul style="list-style-type: none"> <li>• ELC – 9am to 3pm</li> <li>• OHSC – 6:30am to 9am and 3pm to 6pm</li> </ul>
<b>Staff and student numbers:</b>	Up to 99 children on site at any one time and eleven (11) staff
<b>Total site area:</b>	3.005ha
<b>Gross Floor Area:</b>	998m <sup>2</sup>
<b>Height:</b>	9.4m
<b>Setbacks:</b>	6.1m from southern boundary (abutting public school campus)
<b>Car Parking</b> <b>Bicycle Parking</b> <b>Motorcycle parking</b>	<p>21 car parking spaces are proposed, including one (1) disabled space to be provided via on-site at-grade car parking. Of those 21 spaces, 11 will be allocated to staff.</p> <p>Clause 52.34 (Bicycle Facilities) does not apply to childcare centres, and thus does not form part of this proposal. No bicycle parking spaces are proposed as a result.</p>
<b>Loading and Waste</b>	Waste is anticipated to be collected via private contractor within the on-site car park, outside of peak operation hours. The bin storage area is located within a bin enclosure in the south-eastern corner of the ELC.

9. Specific details of the application include:

- The land and assets (including the ELC building) will remain in ownership of the Catholic Archdioceses. The ELC will consolidate the offering of the existing education centre now operating on the land by providing classes for 3- and 4-year-olds and therefore ancillary to the School's operations. The School and ELC will also share physical access points on campus.
- The ELC will be under the responsibility of MACSEYE, a subsidiary of MACS.

The development of the ELC comprises of the following buildings and works:

### Ground Floor

- Two (2) x 4-year-old kindergarten rooms
- 3-year-old kindergarten room
- Three (3) storerooms
- Atelier
- Toilets
- Laundry
- Meeting room
- Reception

- Kitchen
- Airlock and circulation
- DDA Lift
- Construction of fencing surrounding ELC.
- Outdoor landscaping inclusive of play areas, alfresco and garden beds
- Car parking area with access via existing car park (School) off Caddy Road. Existing concrete curb to be demolished to suit new accessway, as well as an existing gate on site to be removed and replaced to allow larger opening.

### First Floor

- Outside of School Hours Care (OSHC) area via shared entry on northern interface (internal to School campus).
- Library
- Office and staff spaces
- Toilets
- DDA Lift
- Outdoor play area
- Outdoor storage

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



Figure 2: Concept image of proposal

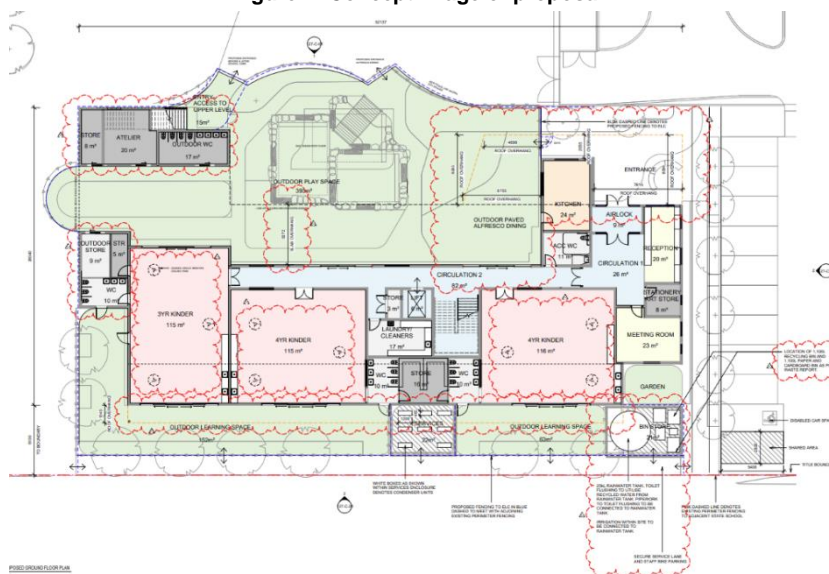


Figure 3. Proposed ground floor plan



## Site Description

11. The site is located at 2 Caddy Road Tarneit and has an area of approximately 3 Hectares within the Tarneit North PSP (refer section 27). The site is currently used as a Catholic Primary School (St Teresa of Kolkata Catholic Primary School), which has been established since early 2024.
12. The existing site comprises of a northern curved frontage of approximately 183m to Para Road, a western frontage of approximately 173m to the neighbouring community precinct with active open space, a southern interface with a future public (government) school of approximately 189m and an eastern interface to Caddy Road of approximately 141.78m. The broader area is dominated by new residential housing areas comprised of one and two storey dwellings.
13. The site is formally described as comprising the following land parcel:
  - Lot B on PS804368U
14. There are no easements, restrictions or reserves affecting the subject site.



Figure 4: Aerial of subject site

## Site Surrounds

15. The surrounding development consists mainly of new residential area situated within the Creekstone Estate and otherwise comprised of one and two storey dwellings. The subject site is surrounded by a semi completed road network with shared user footpaths to the north and east of the site, and community infrastructure (open space) under development.
16. Development surrounding the site can be described as follows:
  - To the **north** of the site: The site is bounded by Para Road (a local access road) which runs along the northern perimeter of the Non-Government School site and is adjacent to medium-density residential lots and public



wetlands. Para Road will provide access to Dohertys Road (via Fresco Way and Sapling Boulevard), and Derrimut Road, located to the north and east of the site, respectively. An off-road shared user path is also proposed adjacent to the subject site along Para Road connecting to Dry Creek to the north-east of the site.

- To the **south** of the site: The site is adjacent to Neamung Primary School, located on a site set aside for a Government Primary School under the Tarneit North PSP, and the Bembit Bag-rook Community Centre. Further south of the site is vacant land and medium-density residential dwellings.
- To the **east** of the site: The site is bounded by Caddy Road (a local access road) which runs north to south and is adjacent to medium-density residential lots as well as an existing 0.55ha local park. Further east is Derrimut Road, an arterial road with a north-south alignment.
- To the **west** of the site: The site directly borders cleared vacant land (proposed for a 12.6ha future local sports reserve and a Level 1 community centre as per the Tarneit North PSP). West of this vacant land are medium-density residential lots as well as Liston Avenue and Madden Boulevard – the latter connects directly to Tarneit Road. Madden Boulevard contains a dedicated bike path which connects from its intersection with Tarneit Road to a path through the future active open space adjacent to the subject site.





## Planning Policy Framework

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

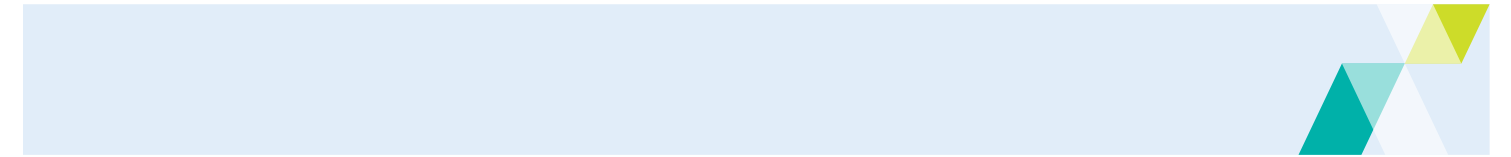
Clause no.	Description
<b>11</b>	<b>Settlement</b>
11.01-1S	Settlement
11.01-1R	Metropolitan Melbourne
11.02-1S	Supply of urban land
11.02-2S	Structure planning
11.03-1S	Growth areas
11.03-6S	Regional and local places
<b>13</b>	<b>Environmental Risks and Amenity</b>
13.05-1S	Noise management
13.06-1S	Air quality management
<b>15</b>	<b>Built Environment and Heritage</b>
15.01-1S	Urban Design
15.01-1L-01	Landscaping
15.01-2S	Building Design
15.01-2L-01	Environmentally sustainable development
15.01-2L-03	Heat island effects
<b>17</b>	<b>Economic Development</b>
17.01-1S	Diversified economy
17.01-1R	Diversified economy – metropolitan Melbourne
<b>18</b>	<b>Transport</b>
18.01-1S	Land use and transport integration
18.01-3S	Sustainable and safe transport
<b>19</b>	<b>Infrastructure</b>
19.02-2S	Education facilities
19.02-2R	Education facilities – metropolitan Melbourne
19.02-2L	Education facilities

18. The Assessment section of this report provides a detailed assessment of the relevant planning policies (as relevant to the proposal and key considerations)

## Statutory Planning Controls

### UGZ13

19. A planning permit is required to construct a building or construct or carry out works in accordance with Clause 37.07-9. The purpose of the UGZ13 is:
- To implement the Municipal Planning Strategy and the Planning Policy Framework.*
  - To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
  - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

- 
20. Pursuant to Clause 2.2 of the UGZ13, the applied zone for the land is Clause 32.07 – Residential Growth Zone (RGZ). A use permit is not required for the ELC as it is considered ancillary to the existing education centre.
  21. The UGZ13 includes application requirements and decision guidelines for amenity and dimensioned plans. The following sections include discussion of how the proposal responds to these requirements. Pursuant to Clause 3.4, *an application to use or develop land for a sensitive use (such as a pre-school centre or primary school) must be accompanied by an environmental site assessment meeting the UGZ13 requirements.* A Detailed Site Environment Investigation prepared by Prensa and dated August 2015 was originally submitted for the existing school site and seeks to be utilised again for this assessment. DTP considers the document sufficient for consideration.

### DCPO13

22. Pursuant to Clause 6.0 of Schedule 13 to Clause 45.06, land required for the use and development of a non-government school is exempt from the provisions of the DCPO. Considering the proposal includes the use of land as an ELC which will operate as an ancillary use to the existing non-government school use, this proposal is exempt from the requirements of the DCPO under Clause 6.0.

### Particular provisions

23. **Clause 52.05 (Car Parking)** applies to the proposal as it is an application to increase the floor area of an existing use. An ELC generally operates in a similar manner to childcare centres, and thus will apply the same statutory car parking requirements. For a childcare centre, 0.22 car parking spaces are required for each child. When applied to the proposed 99 children to be on site at any one time, the required number of spaces is 21.  
  
As the proposal seeks to construct 21 car parking spaces, the proposal meets the statutory requirements under Clause 52.06. Accordingly, there is no planning permit trigger under this Clause.
24. **Clause 52.34 (Bicycle Facilities)** applies to the proposal as there is a proposed increase in floor area. However, as there is no corresponding land use included in Table 1 of Clause 53.34-5, there is no statutory requirement to deliver bicycle parking spaces.
25. **Clause 53.18 (Stormwater Management in Urban Development)** applies to the proposal as it is an application to construct or carry out works in the UGZ (& applied RGZ). Pursuant to Clause 53.18-3, an application to carry out works must achieve the following:
  - 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.
26. Clause 53.19 (Non-Government Schools) applies to this application as it is an *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 non-government primary school.*

### Other Strategic considerations

#### Tarneit North Precinct Structure Plan (PSP)

27. The Tarneit North Precinct Structure Plan (PSP) was prepared by the Metropolitan Planning Authority (now known as VPA) in September 2014 and was gazetted by the Minister for Planning in November 2014 as part of Amendment C188 to the Wyndham Planning Scheme. It was then amended under Amendment C177 on 13 November 2014, Amendment C141 on 23 July 2015 and Amendment VC213 on 14 July 2022.

The subject site is included within the PSP area and is identified as land allocated for a non-government school under Plan 2 'Future Urban Structure' (FUS) (refer Figure 2 overleaf). The vision for the PSP is relevant as follows:

*The Precinct Structure plan will retain and enhance these attractive elements to inform the structure and character for this new community. Natural and heritage features will be incorporated into open space, parks and streets to create vibrant neighbourhoods that are well connected to town centres, housing, schools and community services.*

The two local town centres, Tarneit West and Kenning Road, will provide for a range of community, commercial, retail and residential uses. The centres will be well connected to the public transport network given their proximity to the proposed Tarneit station to the east and the potential future train station in the south of this precinct. A strong heart for the centres will be created through a central town square integrated with schools and community centres.

The Tarneit North community will be able to access a range of employment and services in the immediate surrounds and wider western corridor. The office and light industrial areas along Boundary Road will provide for significant local and regional employment opportunities. Access to wider employment will be improved through additional major infrastructure in this area, including the Regional Rail Link and road improvements.



Figure 5. Tarneit North PSP and subject site within Plan 2 (Future Urban Structure)

## Referrals

28. The application was referred to the following groups:

Provision/ Clause	Organisation	Response Received (date)
Section 52 Notice	Wyndham City Council	Final response received 2 October 2024 following discussions between Wyndham ESD and applicant. A final no objection response subject to conditions was provided.
Section 55 – Determining	DTP (Transport)	No Objection response received on 7 August 2024

## Municipal Council comments

29. The application was referred to Wyndham City Council (the Council) on 26 June 2024. Council provided a no objection subject to conditions response on 12 July 2024, the conditions related to ESD and Drainage. The applicant responded to Councils advice as part of their RFI. A subsequent response was provided by the Council on 23 September 2024 requesting further ESD changes to address raingardens, daylight access and ventilation.

30. The applicant requested to speak directly to the Council's relevant ESD officer to further refine the recommended conditions. On 2 October 2024, the Council provided their final version of recommended conditions pertaining to ESD implementation as follows:

### **Submission of Amended Development Plans**

*Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans dated XXX but modified to show:*

- a) *Details of initiatives contained within the Endorsed Sustainable Design Assessment (SDA), including and amendments specified in condition 2 and the following:*
  - i. *External shading that is effective in reducing unwanted summer solar gains, provided to north-facing glazing to the Library, Consulting room, Manager Office and Staff Room. Alternatively provide a combination of strategies such as reduction in glazing area, ceiling fans and reduced glazing SHGC to address objectives for thermal comfort and reduction of peak energy demand, to the satisfaction of the Responsible Authority*
  - ii. *An open area of 50% specified to the perforated mesh screen PF-1*
  - iii. *Ceiling fans provided to all regular use areas, per SDA and BESS commitments;*
  - iv. *The following SDA and BESS initiatives included in the ESD Notes Table on the Site Plan:*
    - a. *Commitment to all-electric development with no gas connection to the ELC site;*
  - v. *The Landscape Plan amended so that:*
    - a. *The raingarden size (area) is noted;*
    - b. *The raingarden section detail is amended to show a ponding depth of at least 200mm; and*
  - vi. *Any other changes as per the amended SDA.*

### **Submission of Amended Sustainable Design Assessment (SDA)**

*Before the development commences, an amended Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of the permit. The SDA must be generally in accordance with the SDA dated 13 August 2024 but modified to show:*

- i. *Initiatives to encourage active transport modes, including bike parking for staff;*
- ii. *The daylight assessment amended so that:*



- a. Any glazing that is shaded by overhangs (not including perforated mesh PF-1) not meeting the Overshadowing criteria of the Green Star daylight hand calculation guide is discounted. Alternatively daylight modelling may be used to demonstrate compliance; and
  - b. At least 33% of the floor area of Regular Use Areas are deemed to achieve a daylight factor of 2% or above; and
- iii. The natural ventilation assessment is amended so that corridor doors are not required to be propped open to facilitate ventilation.

#### **Note**

#### **Environmental Sustainability**

The development must be constructed in accordance with the endorsed Sustainable Design Assessment (SDA) approved under this permit (as amended from time to time).

31. As the final conditions were made in discussion with the applicant. The applicant has provided written support to implement the conditions onto the planning permit. DTP considers the recommended conditions above reasonable and should be placed onto the permit.

### **Other Statutory Referrals**

#### **DTP (Transport)**

32. The application was referred to DTP (Transport) on 28 June 2024 as the original application included 'use of an education centre' as a permit trigger. The s50 amendment approved by DTP on 1 October 2024 removed 'use' as a permit trigger as it was the ELC was determined to be an ancillary use to the existing primary school (education centre) on site.
33. Though DTP (Transport) provided a 'no objection' response on 7 August 2024, the determining referral does not form part of this proposal.

### **Notice**

34. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), 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* pursuant to the following provisions:
- Residential Growth Zone – Schedule 1 (applied zone under UGZ13)
35. The application is exempt from the notice requirements of section 52(1)(a), (b) and (d), 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* pursuant to the following provisions:
- UGZ13-13 - *An application under any provision of this scheme which is generally in accordance with the precinct structure plan*
36. The application was not advertised other than to the municipal authority under section 52(1)b as it was considered not to cause material detriment to any person because:
- The proposed buildings and works in association with the existing school was considered under the scope of Ministerial planning permit PA2201762-1 (Master plan permit allowing for the construction of St Teresa of Kolkata Catholic Primary School)



## What are the key considerations?

### Strategic Direction and Land Use

37. The Planning Policy Framework encourages 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.
38. The proposal contributes to a range of appropriately located and designed education facilities within a key growth areas municipality and will greatly assist in meeting the future education needs of the wider community, in line with Clauses 11.02-1S and 19.02-2S.
39. The proposal addresses the key issues of infrastructure needs, economic development and population growth facing Wyndham, as identified within Clauses 02.02 and 02.03 and will ensure that the surrounding and growing community is provided with timely access to essential educational infrastructure. The early learning centre will expand the offer of the broader neighbourhood and expand upon the educational offering of the existing primary school.
40. As the use of the land for education centres is established, the development remains compatible with the surrounding residential uses and Tarneit North PSP.
41. The relevant MPS and PPF policies have been considered in assessing the application.

### Built form

42. The zoning and overlay provisions have been considered in the application.
43. The proposed works are sited and designed to integrate with the existing development in the area, with a contemporary façade and muted material palette. The proposed ELC is anticipated to be a double storey structure with an approximate height of 9.419m, and a gross floor area of approximately 998m<sup>2</sup>.
44. The proposal includes extensive glazing on all facades, which will provide natural light and ventilation to the interior. As well as reduce reliance on artificial lighting, heating and cooling.
45. The materials illustrated on the architectural plans include a mixture of brick, timber and profiled cement cladding, metal roofing and clear glazing. The built form garners visual interest with the varied roof levels, as well as the upper outdoor play space that sits partially open to the sky.

### Amenity

46. Impacts to surrounding developments or dwellings are considered negligible for the following reasons:
  - Area of proposed works fronts onto Caddy Road to the east and is considered to be the only sensitive interface with existing residential properties. The site abuts another school campus directly to the south, a large public open space to the west, and the existing school to the north (ancillary education centre)
  - The proposed buildings and works in association with the existing school was considered under the scope of Ministerial planning permit PA2201762-1 (Master plan permit allowing for the construction of St Teresa of Kolkata Catholic Primary School)
  - No vegetation is proposed to be removed
  - Car parking is anticipated to meet statutory requirements based off number of projected children to visit site

### Landscaping

47. The layout of buildings and facilities with generous separations of open space will continue to facilitate a comprehensive coverage of trees, shrubs and grasses for the broader site. This will promote a vegetated, garden character for the neighbourhood.

48. The proposed planting schedule will provide internal amenity for students and staff. Trees will provide shelter and shade for outdoor learning and play areas and grassed areas will provide opportunity for outdoor recreation, as well as positively contribute to the Caddy Road streetscape.

## Car Parking, Loading, Bicycle Storage and Other Services

### Car Parking & Bicycle Parking

49. The following car parking rates are relevant to the application:

Use	Rate	Amount required	Amount provided:
<b>ELC (Childcare Centre)</b>	0.22 spaces to each child (99 children proposed to be on site at any one time)	<b>21</b>	<b>21 (Achieved)</b>

50. Clause 52.34 (Bicycle Facilities) applies to the proposal as there is a proposed increase in floor area. However, as there is no corresponding land use included in Table 1 of Clause 53.34-5, there is no statutory requirement to deliver bicycle parking spaces.

### Waste

51. Waste collection arrangements have been detailed within the Traffic Engineering Assessment prepared by Traffix Group and dated June 2024. It is proposed that waste be collected by a private contractor within the on-site car park, outside of peak operation hours. The bin storage area is located within a bin enclosure in the south-eastern corner of the early learning centre area. Subsequent swept paths have been provided in the assessment in Appendix 3.
52. Though the ELC is considered ancillary to the existing primary school on site, DTP will request for a separate waste management plan to be provided by way of permit condition as the ELC will be operated day-to-day by a separate entity.

## Environmental

### Environmentally Sustainable Design (ESD) & Water Sensitive Urban Design (WSUD)

53. The proposal meets the current best practice objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines. In particular, the proposal achieves a STORM rating of 100% which satisfies the mandatory standard of the clause.
54. An Environmentally Sustainable Design (ESD) Report has been prepared by Building Physics RP and dated 16 August 2024. The report satisfactorily identifies how the development achieves the Wyndham City Council ESD policy aims and objectives. In particular, the report addresses the requirements outlined under Clause 15.01-1L-01 and 15.01-2L-01, as well as Clause 53.18-5 and 53.18-6 (Stormwater Management in Urban Development). Some ESD features include:
- A 52% BESS rating has been achieved (equating to Best Practice), as well as a 100% STORM score
  - 8,000 litre rainwater tank o Drought tolerant plant species
  - Irrigation system connected to the rainwater tank
  - High efficiency air conditioning
  - No gas connection as part of the proposal
  - Electric heat pump for hot water
  - Appropriate daylight access and shading to north, east and west facing glazing

- All timber used in the building and construction works to be either certified by a forest certification scheme or be from a reused source
- At least 90% of waste generated during construction and demolition to be diverted from landfill

55. The proposal responds to the aims of Clause 19.02-2L to “*support an expansion of the range of educational facilities and services in response to growth and the needs of the community*” by creating additional employment opportunities for the existing and emerging community as well as the wider municipality.
56. The ESD recommended conditions from Wyndham City Council detailed in Section 30(Referrals) of this report will be appropriately translated onto the permit.

### **Stormwater Management in Urban Development (Clause 53.18)**

57. The submitted ESD report satisfactorily details a number of waste and stormwater management initiatives to address Clause 53.18-5 and 53.18-6 of the Wyndham Planning Scheme.
58. The applicant states that the buildings will be serviced by an engineered drainage system installed at the site. It is also observed that ‘*given the infill nature of the development and the established urban context of the site, it is not expected that erosion will result during construction*’.
59. DTP considers the stormwater treatment appropriate and further actions addressed via ESD conditions to be placed on the permit.

### **Urban Growth Zone (Schedule 13)**

The proposal is consistent with the requirements of the UGZ13 as follows:

#### Environmental Site Assessment

- A limited Detailed Site Investigation (DSI) prepared by Prensa Pty Ltd (August 2015) has been supplied with this application for information purposes. This is applicable to the Morton Property including the subject site. However, it was prepared for the residential subdivision of the land generally in accordance with the Tarneit North Precinct Structure Plan as opposed to this planning application.
- Based on the findings of the limited DSI it was considered “further remedial actions are unlikely to be required as the proposed beneficial uses are not precluded” (page 3).
- DTP consider the existing site context and education centre use active on the site sufficient to utilise the DSI dated August 2015 for the assessment. In addition, as the scope of the ELC was considered under Ministerial planning permit PA2201762-1, an additional DSI is not required.

### **Cultural Heritage**

60. A Cultural Heritage Management Plan was issued on 23 October 2014; however, the area of proposed works is not affected by the CHMP as it is located in the northernmost part of the subject site.

### **Tarneit North PSP**

The proposal demonstrates that it is consistent with the requirements of the Tarneit North PSP. An assessment is surmised below:

#### Residential Growth Zone (Applied Zone)

61. The proposal achieves the purpose of the zone by providing an education facility in a matter that respects but also caters toward the emerging residential character of the area. The overall design is low in scale and intensity and includes extensive landscaping across the site and along boundaries to create high amenity and streetscape outcomes. The proposal also facilitates the development of an educational use that will address local community needs in a location designated for a non-government school (education centre) within the PSP.
62. The proposal achieves the decision guidelines under Clause 32.07-14 as follows:
- Proposal will not overshadow existing rooftop solar energy systems on any dwellings occupying adjacent lots.





- Expands upon existing educational offering to community
- Whilst the proposed design is consistent with the provisions of Clause 19.02-2S in adopting a scale and bulk appropriate for a non-residential use, the proposed ELC building will nonetheless ensure that the neighbourhood maintains an overall low scale form and will sit harmoniously amidst the existing and emerging built form and landscaping of the surrounding area
- Appropriate setbacks from site boundaries and maintenance of existing viewlines
- Extensive landscaping contributory to the character of the area.

# Conclusion

## Recommendation

63. It is recommended that a Delegate of the Minister for Planning issue Planning Permit No. PA2403004 for the development of an Early Learning Centre (Education Centre) at 2 Caddy Road, Tarniet, subject to conditions.

## Conclusion

64. The proposal is generally consistent with the relevant planning policies of the Wyndham Planning Scheme and will contribute to the provision of education centres within the Tarniet North area.
65. The proposal is generally supported by the various formal and informal referral agencies.
66. It is recommended that the applicant 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: [REDACTED]

Title: Planner, Development Approvals and Design

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 11/10/2024

### Reviewed / Approved by:

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

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

Name: [REDACTED]

Title: Manager, Development Approvals and Design

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 11/10/2024