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Date Plans Provided: 4/03/2021

PLANNING REPORT

2 West Cornhill Way, Point Cook

Use of Site for Education Centre

December 2020



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CONTENTS

SITE ANALYSIS	P 3
THE SITE	
THE SURROUNDING AREA	
THE PROPOSAL	P 4
ZONING & PLANNING CONTROLS	P 5
ZONING	
OVERLAYS	
STATE PLANNING POLICY	
LOCAL PLANNING POLICY	
OTHER	
RESPONSE TO ZONING AND PLANNING POLICIES	P 7
STATE & LOCAL PLANNING POLICY	
DECISION GUIDELINES – GRZ1	
OIL PIPELINE	

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1. SITE ANALYSIS

1.1 THE SITE

The subject site is located on the northwest corner of Waterhaven Boulevard and West Cornhill Way, in Point Cook. The site is irregular in shape. The site has a width of 41.13m along the north boundary, a depth of 32m along the west boundary, and a curvilinear frontage to the intersection. The site is around 900sqm in area. The site is relatively flat.

The site is developed with a single storey building in the northwest corner of the site. This was used as a sales office as the subdivision was being developed. The site has an access point from Waterhaven Boulevard and provides for eight (8) parking bays around the site.

The site frontage is unfenced, while there are several trees around the site. There is a 3m easement running along the north boundary of the site.

FIGURE 1: Subject site – as viewed from south



1.2 THE SURROUNDING AREA

The following contextual matters are considered to influence this application:

- The area is a relatively recent subdivision where most lots have been developed with single dwellings.
- The site abuts four (4) lots to the north. These are developed with single dwellings, and with open rear yards interfacing the subject site.
- The site abuts a single storey dwelling to the west. This has several windows and a SPOS area interfacing the subject site.
- Front setbacks nearby are generally unfenced, and can often be quite shallow. However, these are supplemented by wide nature strips.
- There are large nature strips along the frontage of the subject site.
- A high pressure oil pipeline runs through the area intersecting the frontage of the subject site.

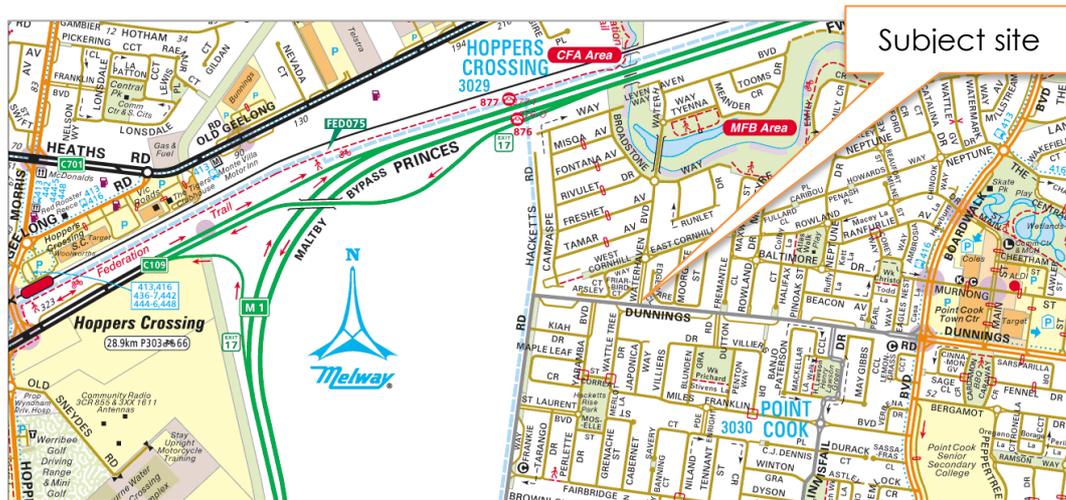
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- The site has proximity to the following infrastructure:
 - Point Cook Town Centre – 1.1km to the east;
 - Bus service along Boardwalk Boulevard – 1km to the east;
 - Hacketts Rise Park – 400m to the south;
 - Skeleton Creek Linear Open Space – 280m to the north.

FIGURE 2: Neighbourhood Context - Melways Map



2. THE PROPOSAL

It is proposed to use the existing building at the subject site for the purposes of an Education Centre. The following are the main details of the proposal:

- The existing building would be unchanged, remaining single storey and around 4.5m in height.
- The facility would have a reception area, 2 classrooms, storage and amenities.
- There would be eight (8) parking spaces around the site, including a disabled parking bay.
- A bicycle parking rack would be included at the site and in a secure area.
- All accessways and landscaping would be retained as existing.
- The Centre would provide for classes with up to a maximum of 2 staff/teachers and a maximum of fifteen (15) students at any given time.
- The centre hours would be as follows:

Monday – Friday	4pm - 9pm
Saturday – Sunday	9am - 9pm

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3. ZONING & PLANNING CONTROLS

3.1 ZONING

FIGURE 3: Zone Map



The site is within a general Residential Zone – Schedule 1 (GRZ1) within the Wyndham Planning Scheme (see Figure 3). Clause 32.08 governs use and development in this zone. The purposes of this zone are:

- 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.

The intended use at the site is an Education Centre. This is a Section 2 use in the GRZ1 and requiring a planning permit. Schedule 1 it titled Wyndham Residential Areas. It prescribes no changes that would influence the assessment of this proposal.

3.2 OVERLAYS

The subject site is within no planning scheme overlays.

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3.3 STATE PLANNING POLICY

The following clauses and policies have been considered to be the most relevant to this application.

Clause 11 - Settlement

This Clause emphasises the opportunities for the “consolidation, redevelopment and intensification of existing urban areas” while respecting neighbourhood character and landscape values. Settlement also seeks “To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses” (Clause 11.02-1S).

3.4 LOCAL PLANNING POLICY

The following clauses are considered the most relevant within local planning policy to the consideration of this application.

Clause 22.01 – Non Residential Uses in Residential Zones Policy

The policy basis for this Clause includes the following statement:

Residential areas require complementary non-residential uses for the convenience of local residents. These uses include display homes, childcare centres, medical centres, veterinary clinics, places of assembly and worship, convenience shops and cafes. However, care must be taken in selecting and siting non-residential uses to avoid loss of privacy, amenity, while still providing convenience to residents living nearby.

3.5 OTHER

Clause 52.06 - Parking

This Clause has the following stated purposes:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.

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4. RESPONSE TO ZONING & PLANNING CONTROLS

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4.1 STATE & LOCAL PLANNING POLICIES

Date Plans Provided: 4/03/2021

The proposal is broadly consistent with the zoning of the land and State planning policies. The GRZ allows for institutional uses in residential areas, while Settlement encourages appropriate distribution of institutions, including schools.

The local planning policies at Clause 22.01 are more specific about the establishment of non-residential uses in residential areas. This Clause includes the following objectives:

- To ensure non-residential uses are appropriately located having regard to the amenity of the local area and nearby residential facilities.
- To ensure the siting and design of proposed buildings and works is compatible with the surrounding area; including car parking areas and advertising signs, fencing, landscaping, lighting, open space, storage amenities and loading facilities.
- To ensure appropriate location of access points and that traffic generation does not have a detrimental impact on the existing road network or pedestrian and vehicular safety.
- To ensure that non-residential uses are designed and managed in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings in respect of intensity of use, hours of operation, unreasonable overshadowing, overlooking, noise, traffic impacts, avoidance of light spill, waste management and the provision of facilities.

There are specific requirements for various non-residential uses, but not for Education Centres. There are decision guidelines that apply to all non-residential uses, as follows:

- The extent to which the application for a non-residential use meets the objectives and policy statements of this policy.
- The layout of the site, the scale and form of any proposed building, the building design including: setbacks, facade treatment, building materials, colour scheme and proposed landscaping, and whether the proposal is consistent with the surrounding residential environment in these respects.
- The effect of traffic movements on existing networks and whether car parking is sited, marked and sign posted appropriately.
- Whether advertising signs are appropriately sited, dimensioned and non-illuminated.
- Whether a Waste Management Plan is required.

In response, it is noted that the building will not be altered. Nor will the parking bays and access aisles.

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The established landscaping will remain. Therefore, there will be no change to neighbourhood character.

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The Education Centre will be a low-key use. It will operate mainly outside normal working hours, but not beyond 9pm any night. It will only have up to 15 students at any given time. No signage is intended reinforcing that this intended use would not 'stand out'.

Date Plans Provided: 4/03/2021

It is also notable that the site is on a prominent intersection – it is not tucked away in a side street where the impact on neighbours would be more obvious. The access point is off the intersection and at a roundabout. This will be a safer option for vehicular access.

4.2 DECISION GUIDELINES – GRZ1

Under the GRZ Clause 32.08-13 lists the following decision guidelines for '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.*

There is significant overlap between these decision guidelines, and those at Clause 22.01. In concentrating on new issues, it is noted that the Education Centre is to be geared towards the local community. It does not anticipate students coming from significant distances. Some of the arrivals will be on foot and by bicycle.

Clause 52.06 specifies the need for 0.3 parking spaces per student for an Education Centre. Fifteen students x 0.3 spaces = 4.5 parking spaces. Eight (8) spaces are provided on-site – more than enough to meet the modest needs of this Centre. A bicycle rack (2 spaces) will also be provided.

The scale of this education facility does not warrant a Waste Management Plan. Nor does it require a loading bay, or specific refuse collection facilities. Refuse generated by this facility would easily be accommodated by the normal bins and recycle bins.

Comment is made above about traffic generation and management. The crossover off Waterhaven Boulevard is marked with entry and exit arrows. This has been adequate to identify the entry in the past.

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Directional signage has been considered, but again, the facility is not seeking to announce itself as different. The arrows are considered adequate.

FIGURE 4: Position of high pressure pipeline nearby



4.3 OIL PIPELINE

The subject site is adjacent to an oil pipeline running through this part of Point Cook. The pipeline is managed by VIVA – they are a recommended referral authority for an application where a land use or development changes in close proximity to their asset. On their Pipeline Facts Sheet, VIVA states as follows:

Pipelines are an important part of Viva Energy's energy supply chain in Victoria. The primary purpose of these pipelines is to transport gas, crude oil or fuel safely, reliably and efficiently. Viva Energy operates and maintains a number of high pressure licensed pipelines (pipelines) in Victoria. These pipelines transport either crude oil or refined petroleum products like diesel, LPG, petrol, or aviation fuels. Viva Energy supplies around 55% of Victoria's fuel requirements. Pipelines are regulated under the Pipelines Act (2005) and are constructed, operated and maintained in accordance with Australian Standard AS2885. Licensed pipelines in Victoria are regulated by Energy Safe Victoria (ESV).

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Plan: 9 of 15

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The Facts Sheet talks about 'Consequence Areas' as follows:

The carrying of hazardous liquids through pipelines at high pressure is an activity that requires potential risks to the environment and public safety to be strictly managed.

It is important for planners and developers to understand the implications of urban encroachment on pipeline easements.

Pipelines have "consequence areas" that extend beyond the area of the pipeline easement. The known land use and consequence area would have been considered at the time the pipeline was designed and constructed.

As population densities are increasing near pipelines, this may affect the risk profile for which that section of pipeline was originally designed.

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This proposal to change the use at the site to an Education Centre was tested with VIVA, who was opposed to this use. They were not clear about their opposition; however, the likely reasons are as follows:

- (i) They have a potentially dangerous underground asset nearby, and
- (ii) They do not want any sensitive land uses close by in case something goes wrong.

Firstly, it is noted that the facility is already in place. There is no intention to change the building, the paved or landscape areas. The change in use does not imply any excavation near the pipeline. Secondly, the pipeline runs through a residential area – a fully developed area. Clearly, a past decision has been made that the pipeline is compatible with dwellings in close proximity.

It is also noted that the pipeline runs beside Seabrook Primary School just one suburb to the east. The primary school would have significantly more young students on-site during school days. Is a school with such limited capacity (15 students) and limited hours a higher risk than a dwelling? Dwellings can have people in them 24/7.

We contend that it would be unreasonable to prevent a use at the subject site and leave it vacant. For the reasons stated above it is submitted that the use of a small Education Centre is appropriate to this site and should be supported.



Mark Waldon

Director – St-wise Pty Ltd

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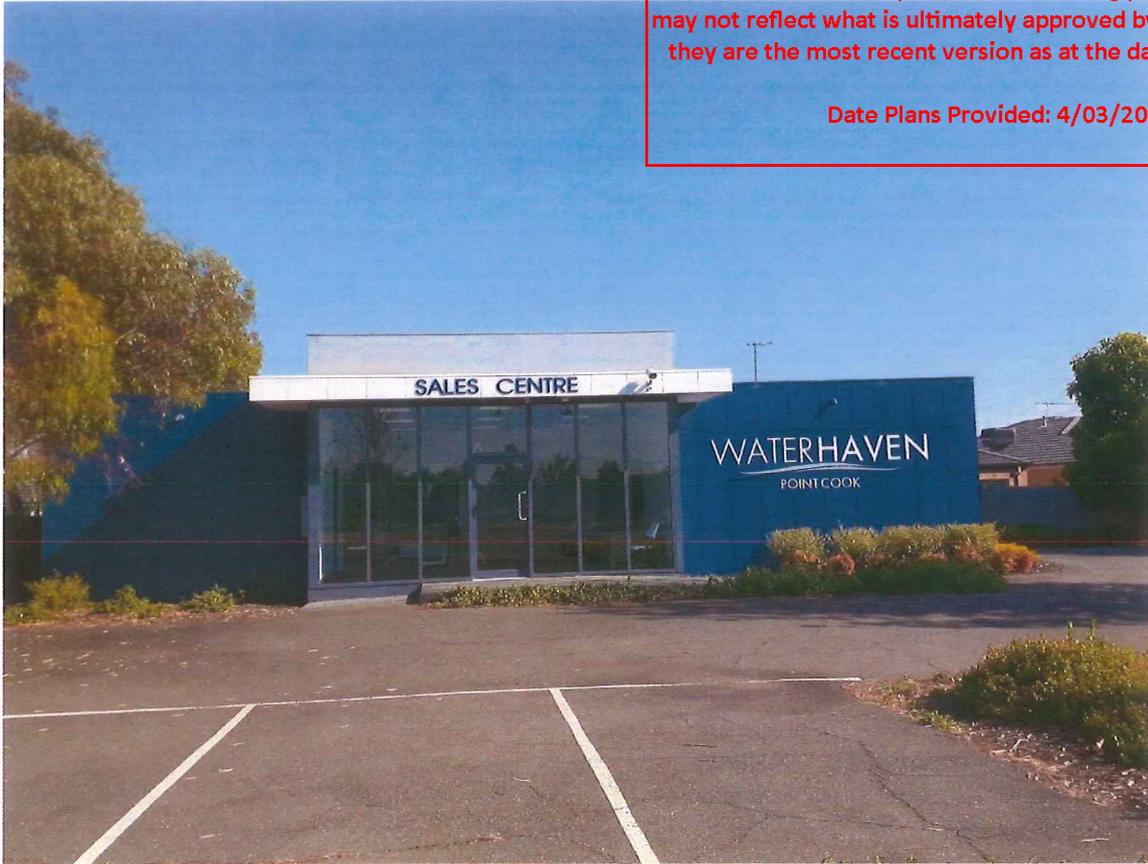
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Front view

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Carpark (4 spaces)



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Carpark (additional 3 spaces)

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Disabled carpark



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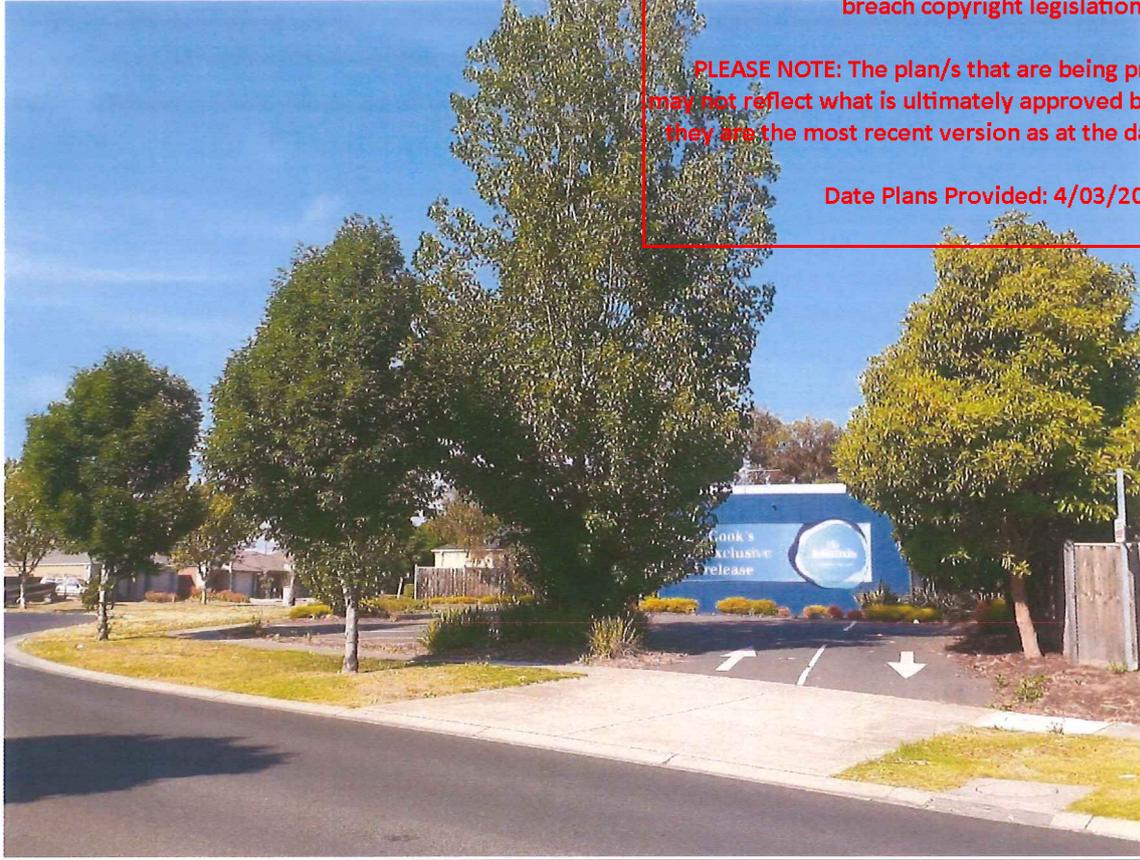
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Carpark entrance



Street view



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Internal Rooms (Reception area and Room 1)



Room 1



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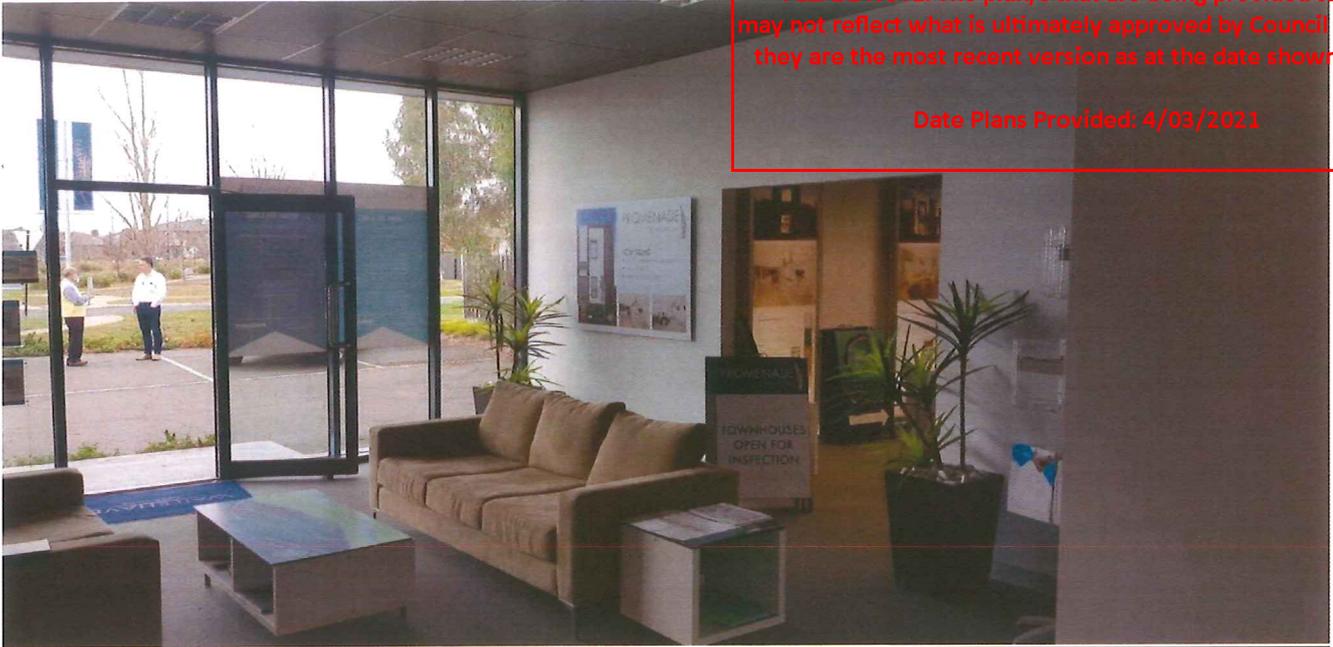
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Internal Rooms (Reception area and Room 2)



Kitchenette



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Plan: 15 of 15