

PLANNING ASSESSMENT REPORT

Former Thornton Primary School

Prepared for the Department of Treasury and Finance
March 2017





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Author	Sarah Auld p 0429 081 369 e sarah@auldplanning.com.au w auldplanning.com.au



1. INTRODUCTION

The Department of Education and Training (DET) is the owner of land located at 3 and 9 Black Eildon Road, Thornton. This land contains the former Thornton Primary School, which was closed in 2013.

The Department of Education and Training (DET) has declared the land surplus to requirements. The Department of Treasury and Finance (DTF) plans to dispose of the land on behalf of DET.

This report has been prepared on behalf of DTF to accompany a request to the Fast Track Government Land Service (FTGLS) to amend the Murrindindi Planning Scheme

2. BACKGROUND

2.1. Surplus Government Land and Government Policy

The Victorian Government Landholding Policy 2015 requires Government departments and agencies to regularly review their land assets and any land that is no longer required for current or future service.

The DET has determined that the former Thornton Primary School is surplus to the requirements of the Victorian Government.

The *Victorian Government Land Transactions Policy and Guidelines (DELWP, 2016)* identifies that land should be rezoned prior to sale with the most appropriate planning provisions in place to ensure that the greatest possible clarity is given with respect to the potential uses of the land. An agency must not offer land for sale to a private purchaser that is zoned for a public purpose under a planning scheme unless an exemption is obtained from the Minister for Planning under section 2(d) of the Policy.

This report has been prepared to recommend the most appropriate zone and/or overlays that should be applied to the land prior to its sale.



3. SITE AND SURROUNDING AREA

3.1. Summary Details

Site Details	
Address	3 and 9 Black Eildon Road, Thornton
Property Details	Lot 1 on TP431776 and Por. 1 Sec A (Pt) Parish of Thornton A second title for 9 Black Eildon Road remains in the General Law Title. The Surveyor General has been requested to consolidate the two titles
Municipality	Murrindindi Shire Council
Size	Approx. 7,800sqm (combined)
Covenants / Easements	N/A
Current Zone	Public Use Zone – Schedule 2
Proposed Zone	Township Zone
Current Overlays	Floodway Overlay Heritage Overlay – Schedule 90
Proposed Overlays	Retain the current Overlays

3.2. The Site

The former Thornton Primary School, at 3 and 9 Black Eildon Road, Thornton (the subject site), is located on the western side of Black Eildon Road and north of the Goulburn Valley Highway. The combined lots are of rectangular shape, with a frontage to Black Eildon Road of approx. 115m and an area of approx. 7,800sqm.



Figure 1: Subject Site



The site comprises a number of weatherboard buildings towards the southern portion of the site, surrounding a basketball court. The original schoolhouse was constructed in 1902, and shifted to its current location in 1923, with a new extension added. A shelter-shed is located to the north of the schoolyard.



Figure 2: School Building, Shelter-Shed and Play Area from Black Eildon Road
Source: Google Streetview



Figure 3: Former School Building
Source: Heritage Citation



Figure 4: Shelter-Shed Building
Source: Heritage Citation

There is substantial mature vegetation both within and surrounding the site. Of particular significance is a mature oak, which was planted on Armour Day in 1923. The northern and southwestern portions of the site are lawn.

An updated hazardous materials report has been completed. The site is considered to present a low risk of contamination so a contamination assessment was not deemed to be necessary.



3.3. Surrounding Area

The township of Thornton is located approximately 10km southeast of Alexandra and is oriented around the intersection of Thornton-Taggerty Road and the Goulburn Valley Highway. Thornton is described as a smaller township in the Murrindindi Planning Scheme. Council statistics indicate Thornton (both the township and surrounding area) has a population of 364.

The commercial centre of the township comprises the Thornton Post Office, The Rubicon Hotel-Motel and the Thornton General Store.

Immediately north and south of the subject site are residential dwellings. Similarly, the eastern side of Black Eildon Road comprises residential dwellings. To the west of the subject site is a wedge of agricultural land associated with 1388 Goulburn Valley Highway, Thornton.



Figure 5: Aerial Image flown 25 April 2016
Source: Google Earth



4. PROVISIONS OF THE MURRINDINDI PLANNING SCHEME

4.1. Zoning

The subject site is zoned Public Use Zone – Schedule 2 (**PUZ2**). The PUZ2 identifies public land used for educational purposes. This zone is consistent with the current public ownership of the site and its former use as a Government Primary School.

The zoning pattern of the surrounding area is shown in Figure 6 and Figure 7. The surrounding land to the north, south and east is zoned Township Zone (**TZ**). Land to the west, associated with 1388 Goulburn Valley Highway, Thornton is zoned Farming Zone (**FZ**).

The pattern of surrounding zoning clearly indicates that the underlying zone of the land is the **Township Zone**, consistent with all other land with interface to Black Eildon Road, south of the Goulburn River.

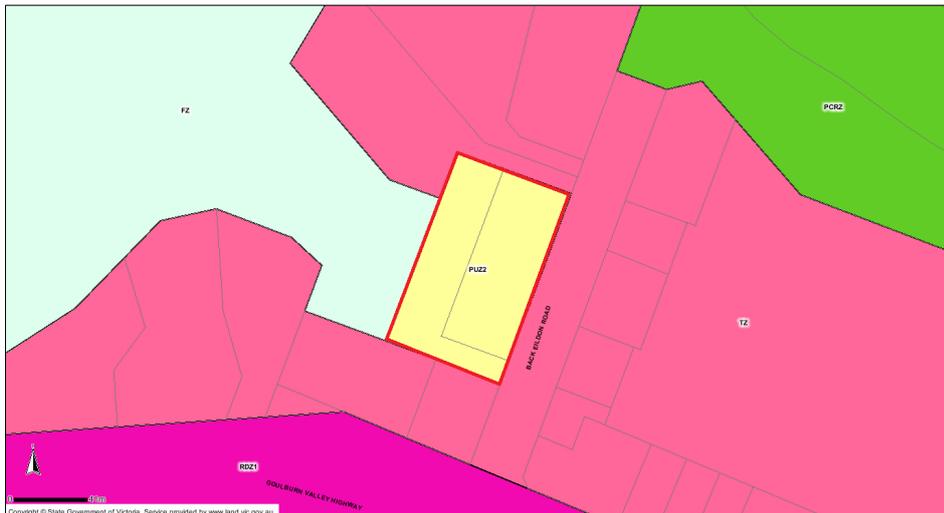


Figure 6: Existing Zoning



Figure 7: Township Zoning Pattern



4.2. Overlays

The subject site is affected by the following Overlays:

- Floodway Overlay; and
- Heritage Overlay (Schedule 90).

The Floodway Overlay (**FO**) applies across the entire Thornton township, and requires the Responsible Authority to consider the *Murrindindi Local Floodplain Development Plan Precinct of Goulburn River, May 2008*.



Figure 8: Floodway Overlay

The Heritage Overlay (Schedule 90) has been applied specifically to the former Thornton Primary School. A Heritage Citation Report prepared by Context Pty Ltd (2011) identifies the school site of local historic, social and aesthetic significance to the Murrindindi Shire. HO90:

- Includes Tree Controls for the Mature Oak tree;
- Identifies that the Shelter-Shed is not exempt under Clause 43.01-3.;
- Is not listed on the Victorian Heritage Register;
- Allows prohibited uses; and
- Is subject to the *Murrindindi Shire HO Permit Exemptions 2011* incorporated documented ('**the HO incorporated document**').

Section 3.4 of the HO incorporated document specifies a number of, generally, minor activities that can be undertaken for individual HO places within the Township Zone without a Planning Permit.



There is no strategic justification for the removal or variation of either the FO or the HO90. It is considered appropriate for these overlays to remain in place.

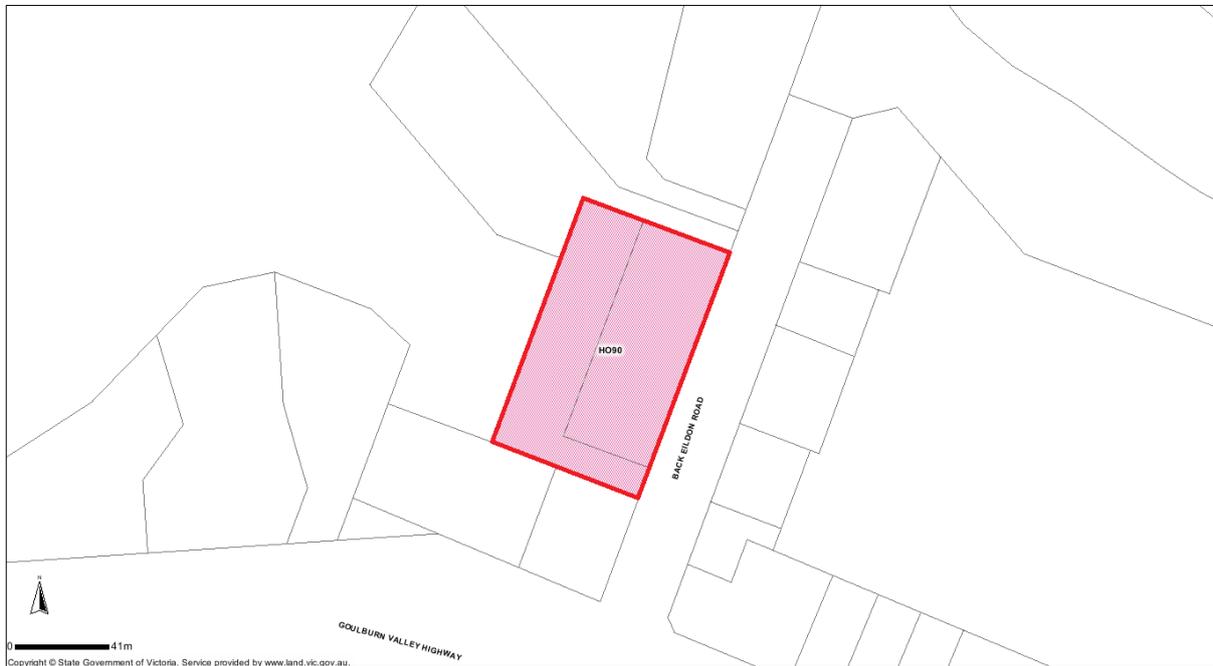


Figure 9: Heritage Overlay

4.3. State Planning Policy Framework

The following objectives and strategies contained within the State Planning Policy Framework are considered to support the proposed amendment:

- Contributing to residential land supply within an existing urban area in accordance with the strategies set out in **Clause 11.02**.
- Facilitating sustainable growth and development in accordance with the Regional Victoria Settlement Framework in **Clauses 11.05**
- **Clause 11.10** (Hume Regional Growth) identifies the significance of retaining and enhancing the distinct and valued characteristics of settlements in the Hume region, including townships associated with the early settlement and the gold rush.
- **Clause 15.03** (Heritage) seeks the protection of both post-colonial and aboriginal cultural heritage, and encourages the retention of elements that contribute to the importance of a heritage place.
- It is noted that, in addition to the HO90, the site is within 200 metres of the Goulburn River (located north of the site). As such, the land is identified as an area of Cultural Heritage Sensitivity under the *Aboriginal Heritage Regulations 2006*. Any future development on the land will need to consider whether a Cultural Heritage Management Plan is required.



- **Clause 12.02** (Floodplains) seeks to protect life, property and community infrastructure from flooding as well as adverse impacts on the environmental values of floodplains and waterways.
- Increasing the supply of future housing stock in existing urban areas by facilitating development in appropriate locations, including under-utilised urban land and contributing to an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development in accordance with **Clauses 16.01-1** and **16.01-2**.

4.4. Local Policy Framework

The following local planning policies are considered relevant to the amendment:

Clause 21.04 (Housing) encourages the facilitation of further residential development in established townships and settlements, maximising the sustainability and use of existing physical and community infrastructure and ensuring a high level of community safety. In particular, Clause 21.04-3 supports the function and residential growth of smaller townships and settlements, including Thornton.

Clause 21.05-2 (Environmental Risks) seeks to ensure flooding risk is recognised in planning for the use and development of the land, and to minimise property damage associated with flooding. Thornton is identified in the Murrindindi Shire Framework Plan within Clause 21.02 (The Planning Vision) as within a Floodplain (see Figure 10).

Clause 21.05-4 (Heritage) promotes the conservation of heritage building, sites and trees of local heritage significance. This includes ensuring that the cultural significance of heritage places is not diminished through the loss of contributory fabric or inappropriate new development as well as encouraging a best practice appropriate to the conservation of heritage places.

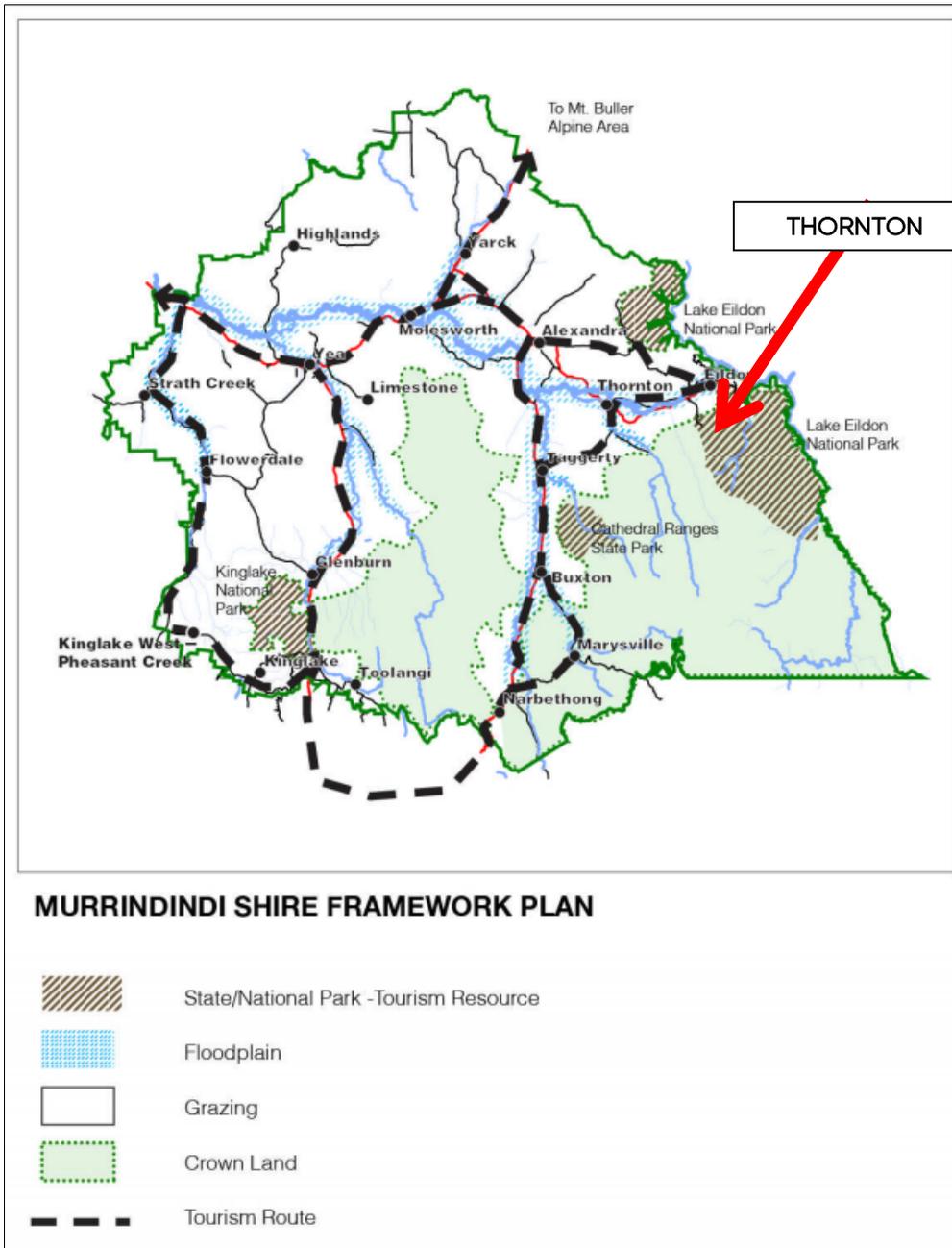


Figure 10: Murrindindi Shire Framework Plan
 Source: Murrindindi Planning Scheme, Clause 21.02



5. ANALYSIS

The subject site is surplus to Government requirements and it is therefore intended to dispose of the land. As the land will no longer be used for educational or public purposes, the current zoning is inappropriate.

The land sits clearly within the township area of Thornton and the rezoning of the land to Township Zone would be consistent with all land on either side of Black Eildon Road, south of the Goulburn River. The development of land within the township zone would be supported by Clause 21.04. The application of the Township Zone is an appropriate planning response and will enable the land to be used and/or developed for residential uses or other, limited non-residential uses.

The retention of the FO is consistent with the planning provisions of the wider surrounding area, and ensures flooding risk is appropriately considered as encouraged by Clause 21.05-2.

The retention of the HO90 will protect existing sensitive heritage structures and the mature oak. This overlay will also guide any potential future development to sensitively consider the heritage values of the land. This is consistent with the directions of Clause 21.05-4.

Murrindindi Shire Council has advised in writing that, at an officer level, they support the rezoning of the site to the Township Zone with no change to the existing Overlays. They have no objection to the rezoning being progressed through the Fast Track Government Land Service 'Stream A' process, using Section 20(4) of the *Planning and Environment Act 1987*.



6. RECOMMENDATIONS

In consideration of the physical and policy context of the subject site, it is recommended that the Murrindindi Planning Scheme be amended as follows:

- Rezone 3 and 9 Black Eildon Road, Thornton from Public Use Zone (Schedule 2) to Township Zone.
- Amend Planning Scheme Map 12ZN.