

### CONTEXT

A comprehensive approach to land use planning for education provision is needed in new suburbs. This includes planning for non government schools, which account for around 30 per cent of student enrolments in Victoria.

The State Government and Growth Areas Authority are committed to planning for non government schools. Non government school sites are identified in precinct structure plans, early use permits can be granted for schools, and streamlined statutory controls facilitate development of non government school sites. The Growth Areas Authority has also established a Schools Advisory Reference Group to aid in engagement with non government schools.

#### Objectives:

- To ensure that Melbourne's new communities have good access to non government schools.
- To help non government schools secure well located sites in new suburbs.
- To avoid extra costs associated with poorly located non government schools, and help realise benefits from co locating non government schools with other community facilities.

### ENGAGING WITH NON GOVERNMENT SCHOOLS

The non government school sector should be involved in each stage in the precinct structure planning process. The Growth Areas Authority consults with the non government school sector through a Schools Advisory Reference Group that includes a broad range of non government school stakeholders. The Growth Areas Authority is also able to enter into discussion with systemic non government school providers to set up memorandums of understanding and protocols for

consultation. Specific consultation is also undertaken with individual non government schools known to be operating or interested in the area being planned.

The table on page six summarises how the non government school sector can be involved in each of the stages in the precinct structure planning process. This includes opportunities for involvement, who is engaged, and how the engagement is generally carried out.



## PROVISION RATES FOR NON GOVERNMENT SCHOOLS

Pre planning and background reports consider what ratio of government to non government schools an area will require.

For example:

Catholic school provision is broadly based on the percentage of Catholic households and expected Catholic school participation rate in each area. Provision rates for Catholic schools in Melbourne's growth areas are determined through detailed strategic planning by the Catholic Education Offices of Melbourne and Sale.

Other non government schools have variable student numbers and often serve a wider regional catchment. Provision rates for these schools are subject to strategic justification by school providers.

## SHOWING NON GOVERNMENT SCHOOLS IN PRECINCT STRUCTURE PLANS

Sites for non government schools are shown in precinct structure plans where a clear case is made for the need for such a school and where there is a demonstrated commitment to establish a non government school on the site.

Precinct structure plans show the type of school that has been strategically justified.

As a general approach, non government school sites shown in precinct structure plans should not exceed the size of equivalent government schools (i.e. 3.5 ha for a primary school, 8.4 ha for a secondary school and 11.9 ha for a P-12 school).

Where there is no binding land ownership or acquisition agreement for a school site, the Growth Areas Authority needs to be satisfied that the site is strategically justified before showing it as a preferred site for a non government school.

The strategic justification for the provision of a non government school must be to the satisfaction of the Growth Areas Authority. The relevant non government school provider may be required to respond to any challenges to the proposed provision rate and land allocation. This process is open to all non government school providers.

Non government schools are strongly encouraged to locate in the preferred sites shown in precinct structure plans, but this will be dependent on commercial arrangements with landowners.

Land shown as a non government school site should not be developed for urban residential purposes unless at the time of subdivision there is no purchaser or provider for the non government school.

## LAND ACQUISITION

Land acquisition remains the responsibility of the school provider.

Showing preferred sites for non government schools in precinct structure plans does not change the need for schools to negotiate with landowners to secure sites.



## LOCATIONAL CRITERIA FOR NON GOVERNMENT SCHOOLS

Where ever possible the following criteria should be adopted for the location of schools:

- Schools should be co located with each other and with other community facilities, and located either close to a neighbourhood activity centre or with good visual and physical links to a local town centre.
- Preference should be given to non government school sites immediately adjacent to areas of public open space.
- Non government schools should be linked to the cycling and walking network, and the local and regional public transport network.
- Non government primary schools should be located on connector streets carrying a local bus service, with a bus stop at the school boundary.
- Non government secondary schools should be located on connector streets with direct access to the Principal Public Transport Network (PPTN) (rail and/or bus based).
- Three road frontages should be provided for each non government school site.
- The road network should provide adequate road cross-section widths to allow for school access, including parking.
- Non government school sites should be separated from potential hazards such as high voltage transmission lines, quarries, sources of noise or smoke pollution, and high volume traffic routes.
- Non government school sites should be able to accommodate suitable and sufficient buildings for the projected long term enrolment, associated outdoor learning areas, and active and passive recreational areas.

## INTEGRATING NON GOVERNMENT SCHOOLS WITH OTHER COMMUNITY FACILITIES

The precinct structure planning process can help identify and facilitate opportunities for co location, sharing and integrated service delivery models between non government schools and other community facilities. The expectation is that the non government school sector will fully engage with the co location principles embedded in the Precinct Structure Planning Guidelines.

Where community facilities are co located with a non government school, the land allocated for each facility should be appropriately located and configured to maximise the functionality and efficiency of each facility and the hub overall.

Where shared or joint use facilities are proposed, Memorandums Of Understanding or other agreements may need to be developed and agreed between the relevant parties as part of the precinct structure planning process.

## PLANNING PERMITS

The Growth Areas Authority can use statutory planning provisions to remove the need for 'use' permits for non government school sites shown in a precinct structure plan. Where non government school sites are shown in a precinct structure plan, a planning permit will generally not be required to use the site for the purpose of a school. A planning permit will generally be required for buildings and works associated with a school, unless exempt under the relevant planning scheme.



## NON GOVERNMENT SCHOOLS AND DEVELOPMENT CONTRIBUTIONS

The Minister for Planning has issued a direction that the development of land for a non government school be exempted from the requirement to pay a development infrastructure levy where the land is to be used primarily for the purpose of a school.

The Growth Areas Authority implements this exemption by excluding non government school sites that are shown in a precinct structure plan from the net developable area within a development contributions plan.

This approach may also be applied where ancillary uses (such as places of worship, child care centres, kindergartens and community facilities) are totally integrated within the school development. If a non government school requires additional land to accommodate ancillary uses, the relevant residential charge rate is applied to any additional land.

Where a non government school has no binding land ownership agreement, the non government school site is included as a 'floating' item in the development contributions plan and land budget. The precinct structure plan shows a specified amount of land for the purpose of a particular type of non government school, which can be 'carried' to an alternate site within the development contributions plan charge area agreed to by the Responsible Authority. The non government school site cannot be 'carried' outside of the development contributions plan charge area, and the site size to which it applies cannot increase.

Development contributions plans are structured to apply the relevant residential charge rate in the event that school sites are developed for an alternative purpose.

## NON GOVERNMENT SCHOOLS AND OPEN SPACE CONTRIBUTIONS

Open space contributions (Victorian Planning Provisions Clause 52.01 – Public Open Space Contribution and Subdivision) are not required from non government school sites shown in precinct structure plans where the primary purpose of the site is for use as a school.



## EXISTING NON GOVERNMENT SCHOOLS

Existing non government schools are generally exempt from paying local development contributions. In some cases, schools have negotiated agreements regarding local development contributions. These schools make development contributions in accordance with any pre existing planning agreements.

## FUTURE NON GOVERNMENT SCHOOL SITES

Showing sites for non government schools in precinct structure plans does not preclude other non government schools from applying for a planning permit to establish elsewhere in the precinct structure plan area.

## RELATED REFERENCES

- PSP Note: Contents of a Precinct Structure Plan
- PSP Note: Engaging the Public and Private Sectors

## DEFINITIONS

A “non government school” means a school other than a government school, that is registered or required to be registered under Part 4.3 of the *Education and Training Reform Act 2006*.

“School” means a place at or from which education is provided to children of compulsory school age during normal school hours, but does not include:

- a place at which registered home schooling takes place;
- a University;
- a TAFE institute;
- an education service exempted by Ministerial Order under the *Education and Training Reform Act 2006*;
- any other body exempted by the regulations under the *Education and Training Reform Act 2006*.



This table supplements information in the Precinct Structure Planning Guidelines and the PSP Note on engaging the public and private sectors.

STAGE	WHO	HOW ENGAGED	INVOLVEMENT
<b>PRE-PLANNING</b>	DEECD ISV CEOM (Wyndham, Melton, Hume, Whittlesea and Mitchell) CEOS (Casey and Cardinia) Known NGS operating / interested in the area	Letter to DEECD, ISV and CEOM/CEOS advising that pre planning of specific PSP commenced and inviting involvement in PSP process  Direct approach to known NGS  Broad notice of forthcoming PSPs to SARG	Parties able to conduct their own service planning  Parties able to provide details of key issues to be addressed in the PSP  Parties able to express interest in contributing to the development of the PSP  Parties able to review early background material, as available
<b>SET THE SCENE</b>	NGS representatives identified during pre-planning  NGS landowners	Individual meetings Working groups Stakeholder forums	Parties able to provide input to background technical reports, including identification of demand for government and non government schools likely to be generated by the new community, pent up demand for schools from surrounding suburbs, identification of non government schools operating in the area and/or interested in operating in the area, and the siting and other requirements of schools that may be interested in establishing in the precinct
<b>CREATE THE STRUCTURE</b>	Identified NGS representatives	Individual meetings Working groups Stakeholder forums	Parties able to review alternative urban structure options and proposed school sites, and identify preferred options
<b>MAKE THE PLACE</b>	Identified NGS representatives	Individual meetings Working groups Stakeholder forums	Parties able to confirm appropriate school site location/s and size/s Parties able to provide details of facilities to be provided on school sites Parties able to provide input on likely timing of delivery of facilities Parties able to identify and commence planning co-located community facilities
<b>CHECK THE PLAN</b>	Identified NGS representatives	Individual meetings - agreement to details sought	Parties able to review and inform PSP provisions Parties able to review and inform PIP and statutory implementation provisions
<b>APPROVAL / INCORPORATION</b>	DEECD NGS landowners NGS shown in PSP	Letter at pre-exhibition stage and feedback sought  Negotiations prior to planning scheme amendment to resolve issues, where practicable	Parties able to review proposed planning scheme amendment  Parties able to participate in amendment process, as appropriate

PSP = Precinct Structure Plan

PIP = Precinct Infrastructure Plan

NGS = non government schools

DEECD = Department of Education and Early Childhood Development

ISV = Independent Schools Victoria

CEOM/CEOS = Catholic Education Office Melbourne and Catholic Education Office Diocese of Sale

SARG = Schools Advisory Reference Group