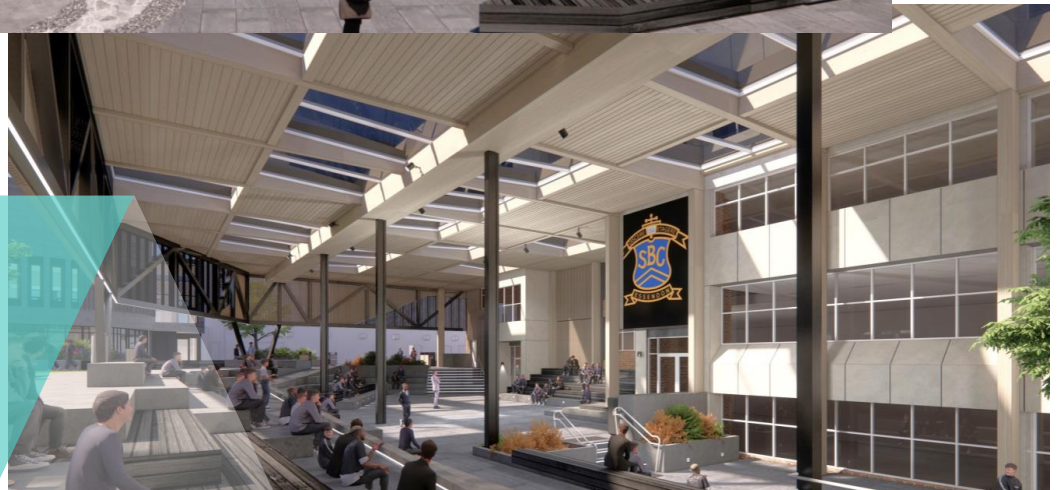


Assessment Officer Report

41 ROSEHILL ROAD
ESSENDON WEST VIC 3040



Officer Assessment Report
Development Approvals & Design

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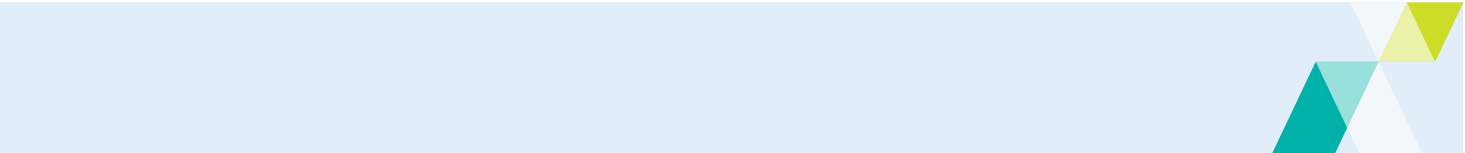


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Executive Summary



Key Information		Details	
Application No:		PA2403401	
Received:		6 December 2024	
Statutory Days:		22	
Applicant:		St Bernard's College Essendon c/- Ricardo Energy Environment & Planning	
Planning Scheme:		Moonee Valley	
Land Address:		41 Rosehill Road Essendon West VIC 3040	
Proposal:		Display of business identification signage, buildings and landscape works associated with the delivery of the College's 'The Quays Project' which will involve proposed demolition works, building and landscape works to create a new student piazza, new kitchen, canteen, amenities, storage areas and relocation of IT infrastructure.	
Development Value:		\$ 5.9m	
Why is the Minister responsible?		In accordance with the schedule to Clause 72.01 of the Planning Scheme, the Minister for Planning is the responsible authority for primary 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 where estimated cost of development exceeds \$3 million.	
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.08	General Residential Zone Schedule 1	Construct a building or construct or carry out works associated with a Section 2 use (secondary school)
Overlays:	Clause 42.01	Environmental Significance Overlay Schedule 2	N/A The Environmental Significance Overlay is located in the centre of the site and there are no works proposed in proximity to this overlay. Accordingly, there is no trigger for a planning permit under this overlay.
	Clause 44.04	Land Subject to Inundation Overlay	N/A The proposed works will not occur within this area and as such will not trigger the need for a planning permit.

Figure 12 ES02 Map



Figure 11 LSIO Map



Development Contributions Plan
Overlay

N/A

Particular Provisions:	Clause 52.05	Signs	<i>Display business identification signs</i> <i>Display an internally illuminated business identification sign</i>
Cultural Heritage:	The subject site is partially located within areas of Aboriginal Cultural Heritage Sensitivity. A Cultural Heritage Management Plan (CHMP) is not required as Regulation 46 (3) of the Aboriginal Heritage Regulations 2018 exempts buildings and works as the activity for or associated with a purpose for which the land was being lawfully used prior to 28 May 2007.		
Total Site Area:	13.24	ha	
Gross Floor Area:	N/A	m ²	
Height:	Three (3)	Storeys excluding plant (matching existing)	
	6.71m	Metres excluding plant (matching existing)	
	38.395m	Metres (total to Australian Height Datum – highest point for PANS OPS)	
Land Uses:	Existing use rights for use of the land as an education centre		
Referral Authorities:	None		
Advice sought:	Moonee Valley City Council Melbourne Water		
Public Notice:	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner: • Signs on site: Display of three (3) copies of the enclosed public notice (Form 2) on the land on appropriate signboards fronting Rosehill Road, Beryl Street and Hampton Road, for at least 14 days. • Mail/ Email: to immediately adjoining owners and occupiers. No objections have been received as of 9 May 2025.		
Delegates List:	N/A		



Application Process

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

Milestone	Date
Pre-application meeting	6 August 2024
Application lodgement	6 December 2024
Further information requested	16 December 2024
Further information received	25 February 2025
Further plans submitted on 25 February 2025 formally under s50 of the Act	In summary, the formally substituted plans illustrated: <i>The extent of new business signage.</i> This was contained on TP16 Revision B, which superseded TP16 Revision A.
Decision Plans	Plans prepared by Chandler Architecture \ Interior Design, titled 'Town Planning Endorsement' dated 9 October 2023, comprising of: • TP01-TP08, TP11-TP15, and TP17-TP19 revision A • TP09 & TP10 rev P1, • TP16 revision B. • A1.03
Other Assessment Documents	Planning report prepared by Ricardo Energy dated 6 December 2024 RFI Cover Letter prepared by Ricardo Energy, dated 25 February 2025 Landscape Plan prepared by Fitzgerald Frisby Landscape Architecture, titled St Bernard's College-The Quays, dated 18 November 2024 Arborist Report prepared by Open Space Management dated 25 November 2024 Sustainable Management Plan prepared by Ascot Consulting Engineers, dated 1 November 2024

2. The subject of this report are the decision plans (as described above).

Proposal Summary

3. The proposal can be summarised as follows:

Key Information	Details
Proposal:	Display of business identification signage, buildings and landscape works associated with the delivery of the College's 'The Quays Project' which will involve proposed demolition works, building and landscape works to create a new student piazza, new kitchen, canteen, amenities,

storage areas and relocation of IT infrastructure.

Total Site Area:	13.24 ha
Gross Floor Area:	Not applicable, proposal does not increase the floor area of the existing buildings.
Height:	Canopy: 6.71m from GL, 38.395m RL; this height matches the existing building.
Setbacks:	Works do not vary the existing site setbacks.
New Signage:	Three new signs: two business identification signs, one internally illuminated business identification sign
Land Uses:	Continuing the existing educational use.
Car Parking:	N/A
Bicycle Parking:	N/A
Motorcycle Parking:	N/A
Loading and Waste arrangements:	N/A

4. The area of proposed works is the central section of the school and currently consists of an open courtyard and canteen building. The area is flanked by 5 existing buildings; the Tobin Building will be subject to significant internal renovation, and an extension to its external entry; the Margaret Carey Building will have changes to its external entry related to the significant landscaping and canopy works.
5. Overall, the proposal will involve demolition of the canteen and building and landscape works to create a new student piazza, new kitchen, canteen, amenities, storage areas and relocate IT infrastructure.

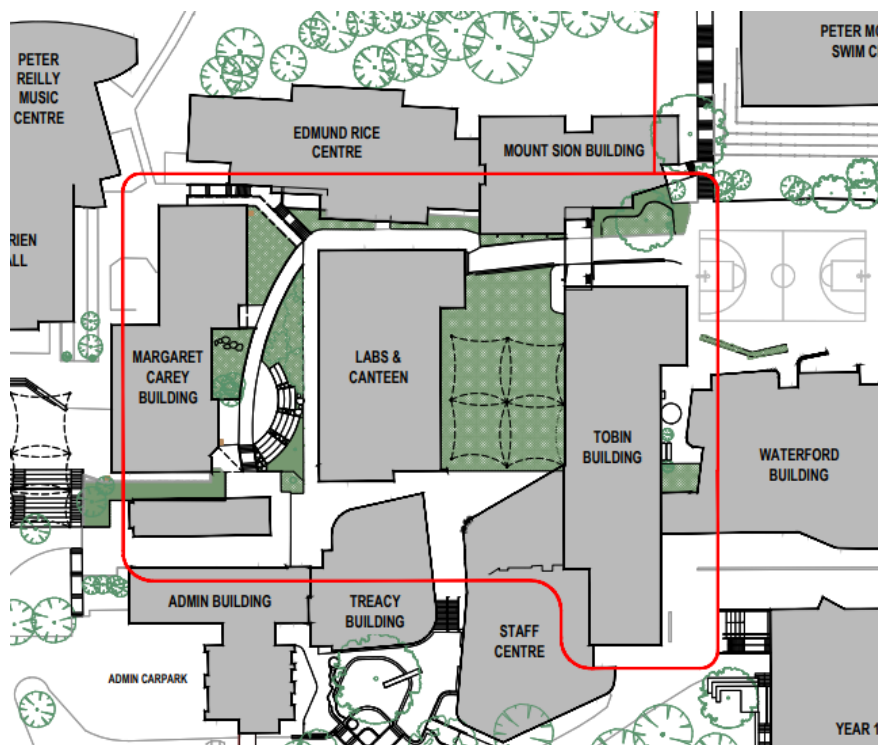


Figure 1 Area of proposed works outlined in red (current conditions)

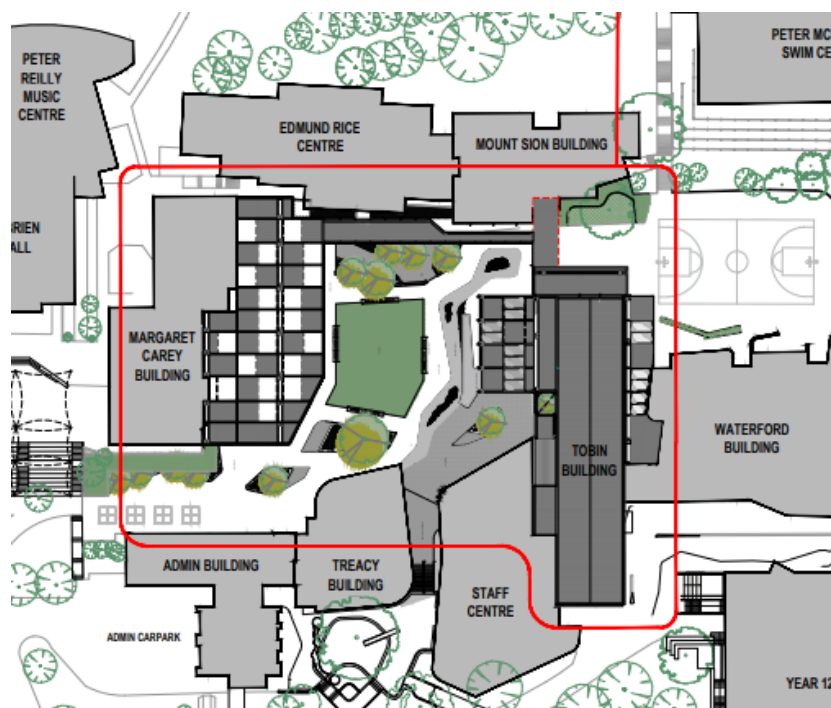


Figure 2 Area of proposed works outlined in red (proposed conditions)

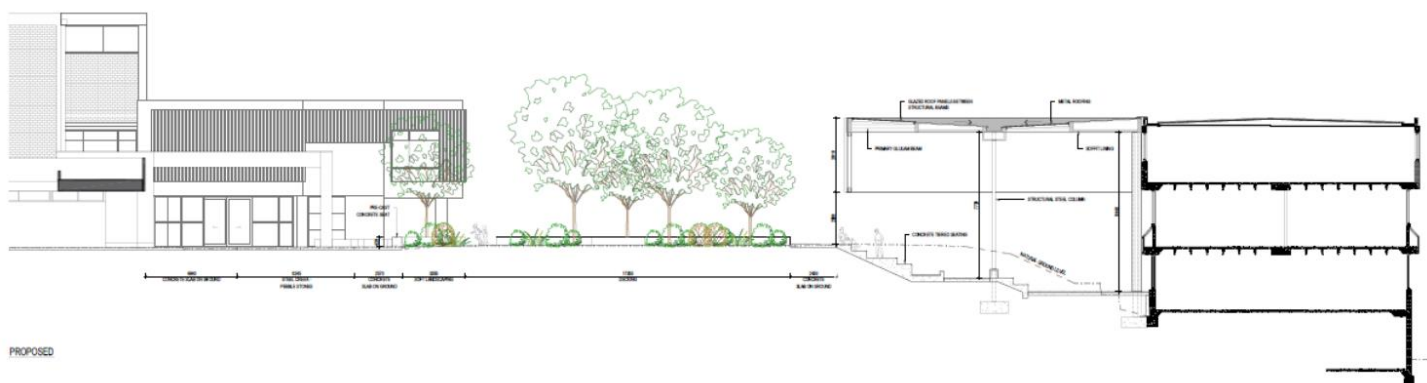


Figure 3 North south section of proposal (Margaret Carey Building to the right)

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



Figure 4 View of the piazza, Margaret Carey Building to the left



Figure 5 View of the piazza looking towards the Margaret Carey Building, including one of two business identification signs.



Figure 6 View of the canopy of the Margaret Carey Building, including the internally illuminated business identification sign.

Subject Site and Surrounds



Site Description

7. The subject site is located at 41 Rosehill Road, Essendon West, and is bounded by Rosehill Road to the north, Beryl Street and Hampton Road to the east, and the Steele Creek to the west. The site slopes steeply from west (Beryl St) to east (Steele Creek) as shown in Figure 8.



Figure 7 Overview of St Bernard's School site with the location of proposed works marked in red



Figure 8 View WSW towards subject site from Beryl St

8. The existing site comprises is currently occupied by St Bernard's College and is used as a Catholic boys' secondary school from Year 7 to Year 12. The existing buildings are predominantly grouped in the northwest quadrant of the site.
9. The site is an irregular pentagon with main dimensions of 282.7m (east-west) and approximately 462.9m (north-south) and has frontages to Rosehill Street, Beryl Street and Hamton Road, with a total size of approximately 13.24ha (shown in Figure 9).

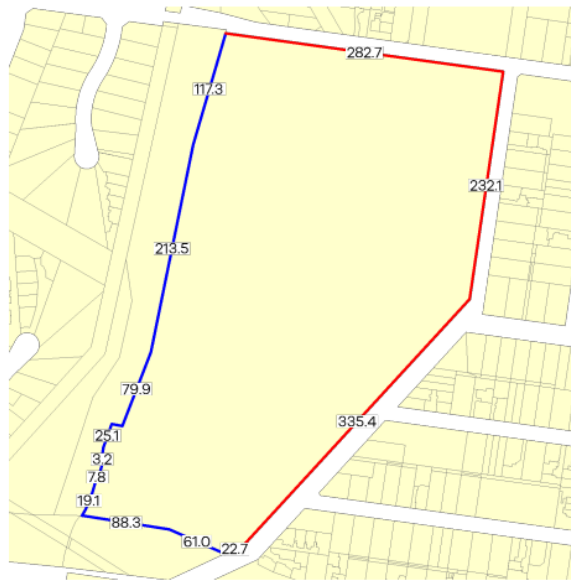


Figure 9 Site Dimensions

10. The land is formally identified as Lot 1 of Title Plan 802489E.
11. There are several easements, restrictions or reserves on the site, as follows:
 - E-1: 3.96m wide along the northern boundary.
 - E-2: 34.37m bisecting the site east northeast – west southwest; in favour of the SEC.
 - E-3: Along Steele Creek; in favour of the MMBW.
 - E-4: to the south of the site; in favour of the MMBW.
12. No works are proposed within these easements.

Site Surrounds

13. The surrounding development is low scale and consists mainly of single and double storey dwellings as can be seen in Figure 7.
14. Development surrounding the site can be described as follows:
 - To the **north** of the site: single and double storey residential, and Rosehill Secondary College
 - To the **south** of the site: Avondale Heights Parklands.
 - To the **east** of the site: predominantly single and double storey residential, though includes Essendon Private Clinic fronting Rosehill Road. These dwellings are uphill of the subject site,
 - To the **west** of the site: interface with Steele Creek and the Steele Creek Linear Reserve. Residential cul-de-sacs beyond.



Municipal Planning Strategy

15. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.01	<i>Context</i>
02.02	<i>Vision</i>
02.03-2	<i>Environmental and Landscape Values:</i> Despite being highly urbanised, Moonee Valley is home to unique remnant vegetation, including nationally significant Temperate Grassland sites, particularly along its creek corridors. Less than 100 hectares of remnant vegetation is left in the municipality on both public and private land. Council supports: Preserving, connecting and enhancing these spaces and their ecological value including the habitat of the nationally significant species it hosts. Enhancing the municipality's urban forest by increasing tree canopy cover.
02.03-3	<i>Amenity, Safety, Noise</i>

Planning Policy Framework

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

Clause 11	Settlement
11.01-1R	<i>Settlement – Metropolitan Melbourne</i>
Clause 13	Environmental Risks and Amenity
13.07-1S	<i>Land use compatibility:</i> To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
13.07-1L	<i>Discretionary uses in residential areas:</i> To locate uses where they will have minimal impact on the amenity of the local area.
Clause 15	Built Environment and Heritage
15.01	<i>Built Environment</i>
15.01-1S	<i>Urban design:</i> To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
15.01-1R	<i>Urban design - Metropolitan Melbourne:</i> To create a distinctive and liveable city with quality design and amenity.
15.01-1L	<i>Urban design - Strategies</i>
15.01-1L	<i>Signs</i>
15.01-2S	<i>Building design:</i> To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
15.01-2L	<i>Building design:</i> Support development exhibiting innovative application of materials, construction techniques and building configurations.
15.01-2L-02	<i>Energy and resource efficiency</i>
15.01-2L-03	<i>Environmentally sustainable development:</i> To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.
15.01-5S	<i>Neighbourhood character:</i> To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
15.01-5L	<i>Neighbourhood character</i>



Clause 19	Infrastructure
19.02	Community Infrastructure
	<i>Education facilities:</i> To assist the integration of education and early childhood facilities with local and regional communities.
19.02-2S	Relevant strategies: Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.
19.02-2R	<i>Education precincts – Metropolitan Melbourne:</i> Ensure education precincts are well serviced by community services.

17. The assessment section of this report provides a detailed assessment of the relevant planning policies

Zoning and Overlays

General Residential Zone

18. A planning permit is required to construct a building or construct or carry out works for a Section 2 Use (Education Centre) in accordance with Clause 32.08-10.
19. The purpose of the General Residential Zone is:
- 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.
20. The Assessment section include a discussion of how the proposal responds to these requirements

Overlays

21. The **Land Subject to Inundation Overlay** and **Environmental Significance Overlay** apply to sections of the site, but not the location of the proposed works subject to this application. These overlays therefore do not form part of this assessment.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.05 - Signs

22. The land is located within a General Residential Zone, which is classified as a Category 3 – High Amenity Area at Clause 32.08-15.
23. Pursuant to Clause 52.05-13, a planning permit is required to construct and display a business identification signs.
24. The purpose of Category 3 – High Amenity Areas is *to ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.*
25. The relevant overarching purposes of Clause 52.05 are:
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
 - To ensure signs do not contribute to excessive visual clutter or visual disorder.

- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

26. The Assessment section include a discussion of how the proposal responds to these requirements

Clause 52.06 - Parking

27. Clause 52.06 sets out the requirements of car parking provision. This clause is triggered by any increase in the floor or site area of a use.
28. However, the carparking requirement in Table 1 of Clause 52.06 for an education centre relates to the increase in staff and student numbers. This application does not seek to increase student or staff numbers. Therefore, a permit is not triggered for this application under Clause 52.06 Car Parking.

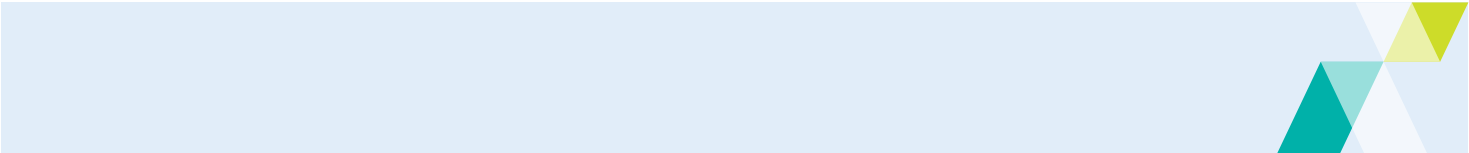
General Requirements and Performance Standards

Clause 53.18 – Stormwater Management in Urban Development

29. Clause 53.18 applies to the buildings and works of this application. The clause includes standards and objectives relating to stormwater.
30. The purpose of Clause 53.18 is: '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.' Conditions of the permit require the appropriate management of storm water.

Clause 53.19 Non-Government Schools

31. Clause 53.19 applies to applications to use or develop land for a primary school, 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.
32. The purpose of Clause 53.19 is:
- To facilitate upgrades and extensions to existing non-government schools.
 - This clause applies to the proposal, and is therefore exempt from 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.





Referrals

Municipal Council Comments

33. The **Moonee Valley City Council** (the council) was notified under Section 52 of the *Planning and Environment Act 1987* on 9 December 2024. The council considered the application and advised on 13 December 2024 that it has no comments or objection.

Notice

34. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d).
35. The application is exempt from 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 clause 53.19-2.
36. The applicant was directed to give notice by way of erecting a sign/s on the site and notifying adjoining owners and occupiers.
37. No objections have been received.



Key Considerations

39. The following are deemed the key considerations in assessing the acceptability of the proposal:

Planning Policies

40. 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.
41. The application seeks to upgrade facilities associated with the existing school, with the school continuing to cater to the local community. The state planning policies encourage appropriate land use and development that considers demographic trends, existing and future demand requirements and the integration of facilities into local and regional communities in planning for the location of education and early childhood facilities (Clause 19.02-2S).
42. The proposal is in accordance with the strategic policy direction for the site and maintains land use compatibility with the surrounding area.
43. The contemporary style of architecture and modest scale two storey built form and location central to the site is consistent with existing buildings on the site and responds to the local context (Clauses 15.01- 2S and 15.01-5S).

Zoning

44. The purpose of the zone has been considered, and it is noted that the general residential zone (R1Z) is appropriate for this type of development as it encourages the development of education facilities. Of relevance in the zone purpose is:

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

To encourage development that is responsive to the neighbourhood character of the area.

45. The proposal is an appropriate response to the relevant decision guidelines for non-residential use and development in the GRZ. The development is generally in accordance the orderly planning of the area and will not unreasonably impact surrounding residential and other land uses.

Buildings and Works

46. The proposed building provides additional learning space and staff areas to support ongoing student enrolments that match the population growth in western Melbourne
47. The proposed works are located within a courtyard bounded by existing buildings. As such, the works will not affect the setbacks from the side and rear boundaries. The proposal will not be significantly visible from the adjacent streets due to the existing buildings and the significant fall of the land away from Beryl St as seen in Figure 8. The proposed works are consistent in height with the existing buildings on the site.
48. The form and style of the additions is sensitive to the existing buildings and the neighbourhood context. The use of concrete, cladding, and steel in natural, wood, and painted finishes in a mid-grey palette provides appropriate integration.
49. The proposed siting, design, height, bulk, colours and materials are suitable for the location and nature of the use and are consistent with other school buildings existing on the broader school site, which responds to the decision guidelines of the GRZ and Clause 15.01-2S.

Signage

50. Signs are Category 3 under the zone at Clause 32.08-15. Under 52.05-13 the proposed signs are Section 2 permit required.
51. A total of three (3) signs are proposed. Their locations are shown in Figure 10.

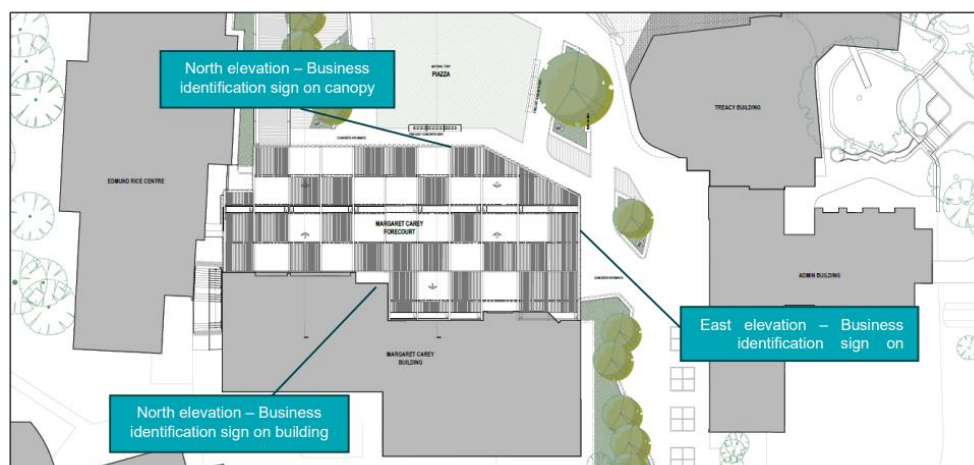


Figure 10 Locations of proposed signage.

Business Identification Signage

52. Two (2) business identification signs are proposed with an area of 3.6sqm each (shown in Figure 11). These will be located on the north and east elevations of the canopy of the Margaret Court Building (shown in Figure 10).

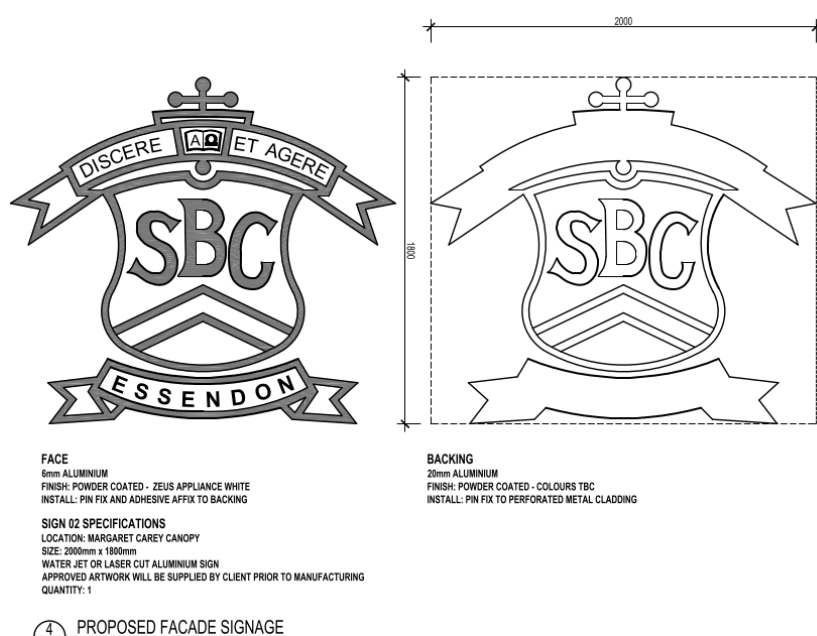


Figure 11 detail of the building identification signage

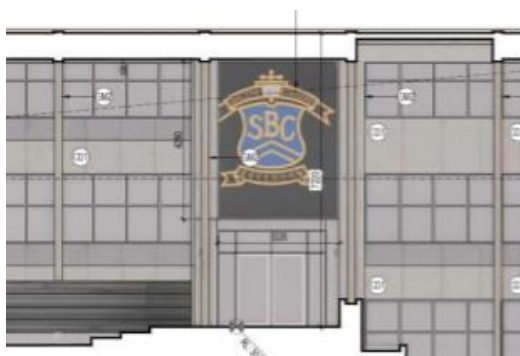
53. With reference to the decision guidelines at Clause 52.05-8, the business identification signage to the exterior of the canopy is:
- Appropriate to the character of the of the area and the streetscape given the location is internal to the site,

- The scale is appropriate to the site and buildings,
- Has no dedicated supporting structures, illumination, or other potential amenity impact.

54. Having considered these guidelines, the signage is considered appropriate.

Internally Illuminated Business Identification Signage

55. An internally illuminated Business Identification sign of 14.21sqm is proposed for the northern elevation of the Margaret Carey Building as shown in Figure 12.
56. This is internal to the site, and under the substantial canopy shown in Figure 3. This sign takes the form of a digital LED display screen, and is to be used to display information for the staff and students.



Northern Elevation – Margaret Carey Building

Type: Internally illuminated business Identification sign

Size: 4280mm x 3320mm, Area: 14.21sqm

Materials: Digital led display screen, fixed to building

Refer to TP16 for further details

Figure 12 Details of the internally illuminated business identification signage

57. With reference to the decision guidelines at Clause 52.05-8, the internally illuminated business identification sign:
- Does not impact the character of the of the area and the streetscape due to its enclosed location,
 - The scale is appropriate to the site and buildings, providing school information to the seating area immediately in front of the sign.
 - Due to its location, the illumination from the digital led display will not have offsite impacts, and will not impact the safety of pedestrians or vehicles.
 - Has no dedicated supporting structures or other potential amenity impact.

58. Having considered these guidelines, the signage is considered appropriate.

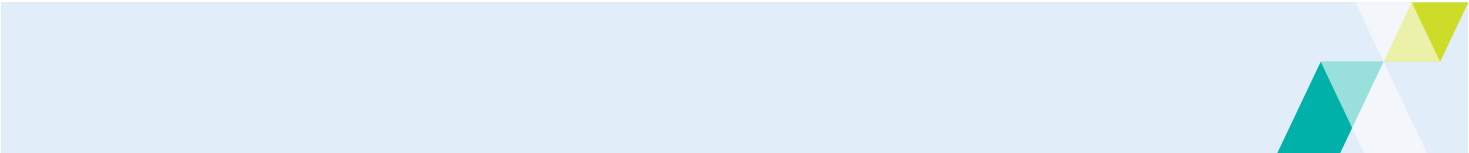
Landscaping

59. A Landscape Plan has been prepared by Fitzgerald Frisby Landscape Architecture, titled St Bernard's College-The Quays, dated 18 November 2024. The landscaping will provide for a multi-purpose outdoor spaces to allow for outdoor teaching, assemblies and general play. As the proposal does not vary any landscaping visible offsite, the landscape plan is considered acceptable.

Sustainability

Environmentally Sustainable Design (ESD)

60. The full application was referred to Moonee Valley City Council. No concerns were raised with the Sustainable Management Plan.



61. As a result of this, the ESD information provided by the applicant is considered sufficient to meet the purpose and requirements of Clause 15.01-2L-03 and will be endorsed to for part of the approval.

Stormwater Management

62. The full application was referred to Moonee Valley City Council and to Melbourne Water. No concerns were raised with the WSUD or stormwater management information contained in the Sustainable Management Plan.
63. The stormwater management information provided by the applicant is sufficient to meet the purpose and requirements of Clause 53.18.

Other Matters

Cultural Heritage

64. Under the Aboriginal Heritage Regulations 2018 there are two triggers both of which must be met for there to be a requirement for a Cultural Heritage Management Plan (CHMP). The two triggers are:
- That the proposed works are a high impact activity and,
 - That the works are in an area defined under the regulations as being an area of cultural heritage sensitivity and there has not been significant ground disturbance
65. In this case, the subject land is in a mapped area of cultural heritage sensitivity however Regulation 46 (3) states the following: Despite sub regulation (1), the construction of a building or the construction or carrying out of works on land is not a high impact activity if it is for, or associated with, a purpose listed under sub regulation (1)(b) for which the land was being lawfully used immediately before 28 May 2007.
66. Based on the above no CHMP is required for the development.

Car Parking

67. Under clause 52.06-1 a permit is required for any increase in floor area or site area of an existing use. This proposal is to reconfigure floor and site area already in use for educational purposes, with a net decrease in floor area. Additionally, the car parking rate for an educational use is based on staff numbers at Clause 52.06-5, and this proposal does not vary the number of staff or students on the site.
68. As a result of these factors, a new car parking assessment and permit are not triggered by this application.



69. The proposal is generally consistent with the relevant planning policies of the **Moonee Valley** Planning Scheme and will contribute to the provision of school facilities within the Essendon area.
70. The proposal is generally supported by the Moonee Valley Council.
71. It is **recommended** that Planning Permit No. **PA2403401** for:
- Construction of buildings and the carrying out of works
 - Display of internally illuminated business identification signage
- At **41 Rosehill Road Essendon West VIC 3040** be issued subject to conditions.
72. It is **recommended** that the applicant and the council 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:

Title:

Phone:

Signed:

Dated: 12 May 2025

Reviewed and 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:

Title:

Phone:

Signed:

Dated: 13 May 2025