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# ST. LEONARD'S COLLEGE BRIGHTON EAST

Town Planning Report (Change of Use)

Prepared for  
**ST. LEONARD'S COLLEGE**  
30 September 2024

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Project Code	P0048140
Report Number	V1

## SUBMISSION DOCUMENTS

This report is to be read in conjunction with:

- Concept Plan prepared by Urbis
- Title Documents

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# EXECUTIVE SUMMARY

Urbis has been engaged by St Leonard's College in support of a change of use application associated with three (3) residential properties owned by the school, adjoining their existing campus at 163 South Road, Brighton.

The proposal seeks to change the use of these properties to Education Centre and provide for additional administration and office facilities within existing buildings on these properties, deemed a critical component in the ongoing development of the College and the quality of education offered to students. The properties affected by the proposed application (forming the 'subject site') are proposed to be used as follows (all in association with an Education Centre):

- 6 Heathfield Road, Brighton East – Staff administration/offices and storage (no works proposed)
- 6 Killeen Avenue – Staff offices/administration (no works proposed)
- 4 Killeen Avenue – Staff administration (no works proposed)

Importantly, there will be no increase in staff or student numbers as a result of this proposal, nor any proposed buildings and works.

## BAYSIDE PLANNING SCHEME

A permit is required for the following:

CONTROLS/PROVISIONS	PERMISSIONS
Clause 32.09-2 (Neighbourhood Residential Zone – Schedule 3	Use of land for an Education Centre (Primary and Secondary School)

Table 1 – Applicable Controls and Permissions

## ASSESSMENT SUMMARY

In preparing this report, we have conducted a detailed analysis of the sites and their surrounds and considered the relevant planning policies and controls of the Bayside Planning Scheme. This report outlines the full details of the

proposal and assesses the merits of the proposal based on the applicable planning controls and site context.

Overall, this report demonstrates that the proposal is an acceptable and appropriate outcome for the site for the following reasons:

- ✔ The change of use proposal is consistent with the statutory and strategic frameworks of the Bayside Planning Scheme, particularly the purpose of the Neighbourhood Residential Zone Schedule 3 and Council's local policy for discretionary uses in residential areas.
- ✔ The proposed non-residential uses are for administration and office uses associated with the education centre which will operate within existing school hours. As a result, no adverse amenity impacts to surrounding residents, beyond that typically associated with a dwelling, are expected.
- ✔ The proposal will not increase staff nor student numbers, therefore there will be no impact to existing car parking demand or traffic generation within the area.
- ✔ No buildings and works are proposed as part of this proposal, therefore there will be no impact with regard to each site's contribution to the neighbourhood character of the area.
- ✔ The ongoing development of the College is essential to the quality of education offered to students. This application represents a key step in improving the functionality of the campus and ensuring the existing and future educational needs of the local community and wider users of the school.

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# 1. SITE CONTEXT

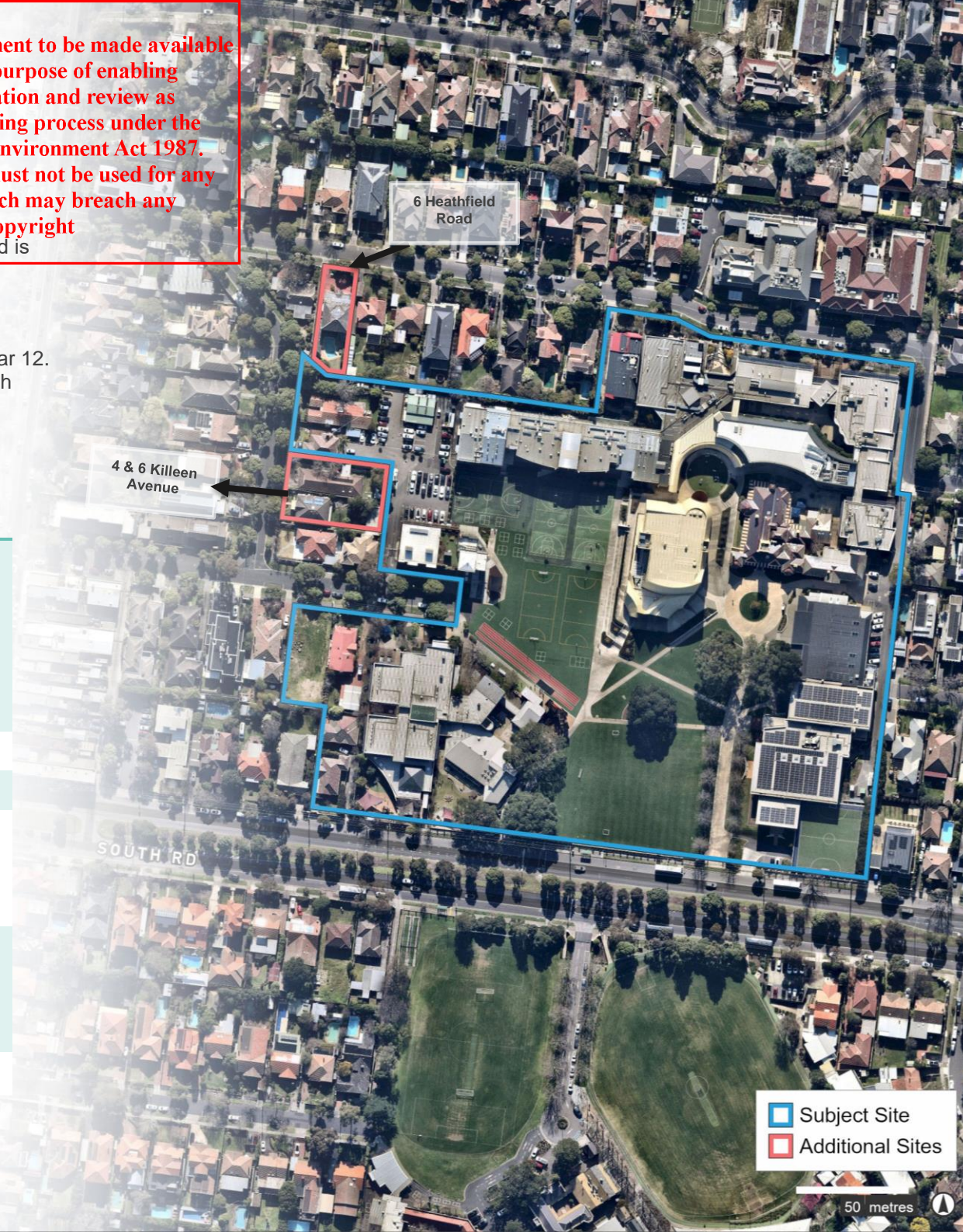
## 1.1. ST LEONARD'S CAMPUS

St Leonard's College is located at No.163 South Road, Brighton East and is formally known as Plan of Consolidation 374562. The parcel of land is irregular in shape with a total site area of 49,820 square metres.

St Leonard's College is one of City of Bayside's leading independent, coeducational schools and caters for students from Early Learning to Year 12. The College has grown since its inception in 1914 and relocation to South Road in 1955, with the most recent project being the state-of-the-art Leonardian Centre (construction complete 2021).

Key attributes of the College include:

CATEGORY	DESCRIPTION
Existing Conditions	<p>Built form predominantly along the north-eastern periphery of the site with areas of open space and sporting grounds centrally located.</p> <p>Low-rise buildings coupled with extensive landscaping which provide an attractive campus that blends in with, and contributes to, the surrounding residential environment</p>
Location	No. 163 South Road, Brighton East
Area	49,820 square metres
Frontages	<p>Heathfield Road (north), Chapman Street (east), Griffin Street (east), South Road (South), Ratho Avenue (west)</p> <p>Several residential interfaces</p>
Vehicle Access	Vehicular access is provided onto the campus via South Road at the site's southern boundary, and Ratho Avenue to the site's west, which provides access to car parking facilities on site.
Vegetation	Large trees are located centrally and to the south of the site.



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  Subject Site  
  Additional Sites



## 1.2. APPLICATION SITES

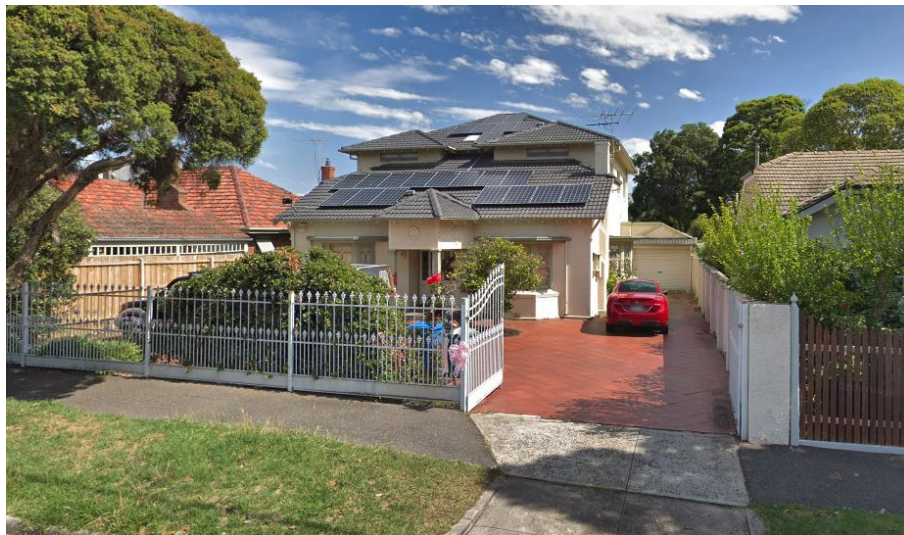
The application affects three (3) separate properties to the west of the existing St. Leonard's Campus. The sites are:

- 6 Heathfield Road, Brighton East (Volume 05361 Folio 148)
- 6 Killeen Avenue, Brighton East (Volume 04665 Folio 862)
- 4 Killeen Avenue, Brighton East (Volume 04642 Folio 374)

### 1.2.1. 6 Heathfield Road, Brighton East

6 Heathfield Road comprises a double storey brick dwelling, with vehicular access provided via Heathfield Road from the north. The site has an area of approximately 762 square metres. The site contains one outbuilding, used as a garage, to the southwest of the site. The site abuts 4 Heathfield Road to the west, 8 Heathfield Road to the east, and land within the existing St. Leonard's Campus to the south.

Figure 1 6 Heathfield Road Street View



Source: Google Maps, 2018

### 1.2.2. 6 Killeen Avenue, Brighton East

6 Killeen Avenue is occupied by a single storey weatherboard dwelling with an associated carport fronting Killeen Avenue. The site has an area of approximately 698 square metres. Vehicular access is provided via Killeen Avenue to the west. The site abuts 4 Killeen Avenue to the South, 8 Killeen Avenue to the north (included within the St. Leonard's Campus), and car parking facilities associated with the St. Leonard's Campus to the east.

Figure 2 6 Killeen Avenue Street View



Source: Google Maps, 2018

### 1.2.3. 4 Killeen Avenue, Brighton East

4 Killeen Avenue is occupied by a double storey brick dwelling, with vehicular access provided via Killeen Avenue to the west. The site has an approximate area of 697 square metres. Fencing and a landscaped setback directly interfaces Killeen Avenue. The site abuts 6 Killeen Avenue to the north, 2 and 3 Ratho Avenue to the south and land associated with the existing St. Leonards campus to the east.

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## 1.3. ADJOINING RESIDENTIAL INTERFACES

### 1.3.1. 2 Killeen Avenue

2 Killeen Avenue is occupied by a single storey dwelling and shares its northern boundary with 4 Killeen Avenue. Secluded private open space is located at the eastern portion of the site.

Figure 3 2 Killeen Avenue Street View



Source: Google Maps, 2018

### 1.3.2. 3 Ratho Avenue

3 Ratho Avenue is occupied by a double storey brick dwellings and shares its northern boundary with 4 Killeen Avenue. There are canopy trees within the front setback of the property. Secluded private open space in this site is located at the northwest and northeast of the property.

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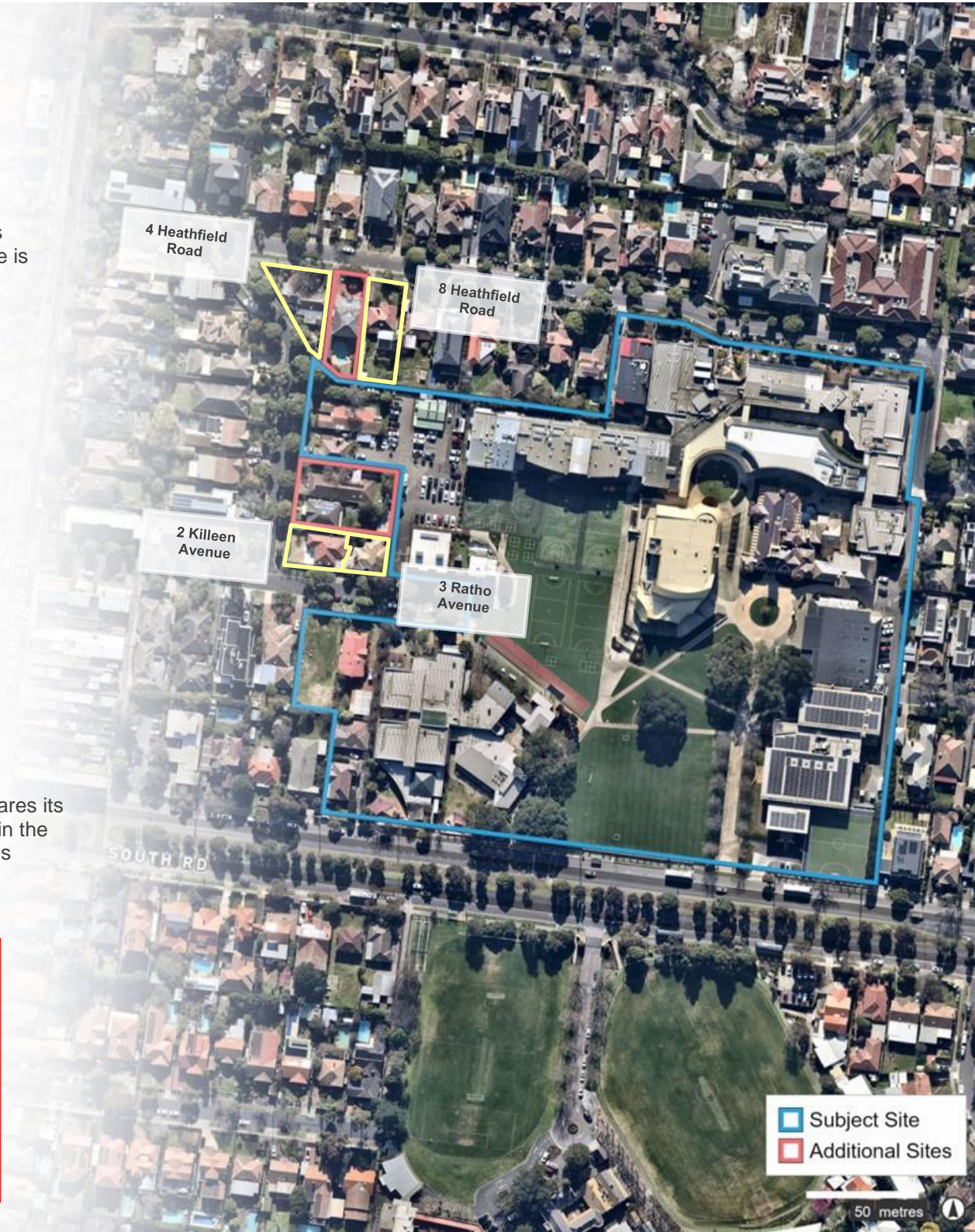




Figure 4 3 Ratho Avenue Street View



Source: Google Maps, 2018

### 1.3.3. 4 Heathfield Road

4 Heathfield Road is occupied by a single storey brick dwelling, with some canopy trees within its front setback. Secluded private open space is located at the western and southern portion of the site. The property shares its eastern boundary with 6 Heathfield Road.

Figure 5 4 Heathfield Road Street View



Source: Google Maps, 2018

### 1.3.4. 8 Heathfield Road

8 Heathfield Road is occupied by a single storey brick dwelling and shares its western boundary with 6 Heathfield Road. Secluded private open space associated with this property is located within the southern portion of the site.

Figure 6 8 Heathfield Road Street View



Source: Google Maps, 2018

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## 1.4. SURROUNDING CONTEXT

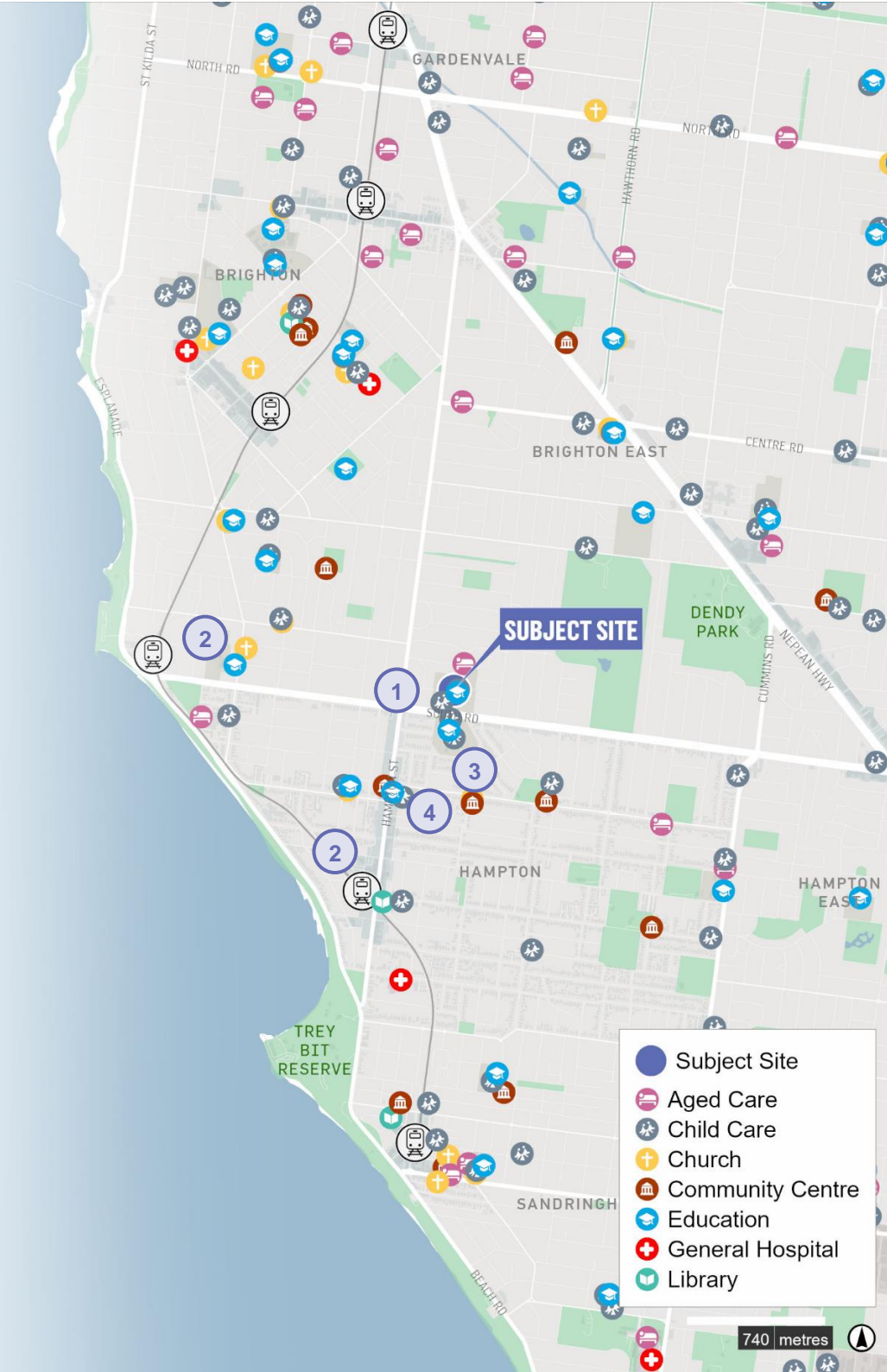
The wider context is predominantly included in the Neighbourhood Residential Zone and comprises a mix of dwelling sizes and types. Commercially zoned land is located at the Hampton Road and South Road intersection, extending south along Hampton Road to the Hampton Major Activity Centre.

Specifically, the site's surrounds comprise:

- 1 Commercial area at the Hampton Street and South Road intersection, approximately 100 metres west of the subject site.
- 2 Brighton Beach Railway Station and Hampton Railway Station located approximately 1.4 km west and 1.1 km south of the subject site, respectively.
- 3 Several education uses including St. Peter's Kindergarten located approximately 830 metres west of the subject site, St. Mary's Primary School Hampton approximately 690 metres southwest of the subject site, and Haileybury Brighton approximately 30 metres south of the subject site.
- 4 Other non-residential uses including several community centres, Hampton Library, and several aged care and childcare centres.

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## 2. PROPOSAL

### 2.1. OVERVIEW OF PROPOSAL

The proposal seeks to change the use of the existing dwellings on site for the purposes of an education centre associated with St. Leonard's College.

Key details of the proposal for each site are as follows.

SITE	PROPOSED USE
6 Heathfield Road	Staff offices and storage (no works proposed)
6 Killeen Avenue	Staff offices and administration (no works proposed)
4 Killeen Avenue	Staff administration (no works proposed)

Table 2 – Details of Proposal

Importantly, no works are proposed as part of this application, and there is no increase in student/staff numbers associated with this proposal. It is further noted that any potential future proposed works at the sites would require planning approval and due consideration by the Responsible Authority.

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# 3. BAYSIDE PLANNING SCHEME

A summary of the key controls and policies is provided below.

## 3.1. ZONE

The subject sites are located within the Neighbourhood Residential Zone – Schedule 3 (NRZ3), pursuant to Clause 32.09 of the Bayside Planning Scheme. The purpose of the NRZ is (amongst others) to:

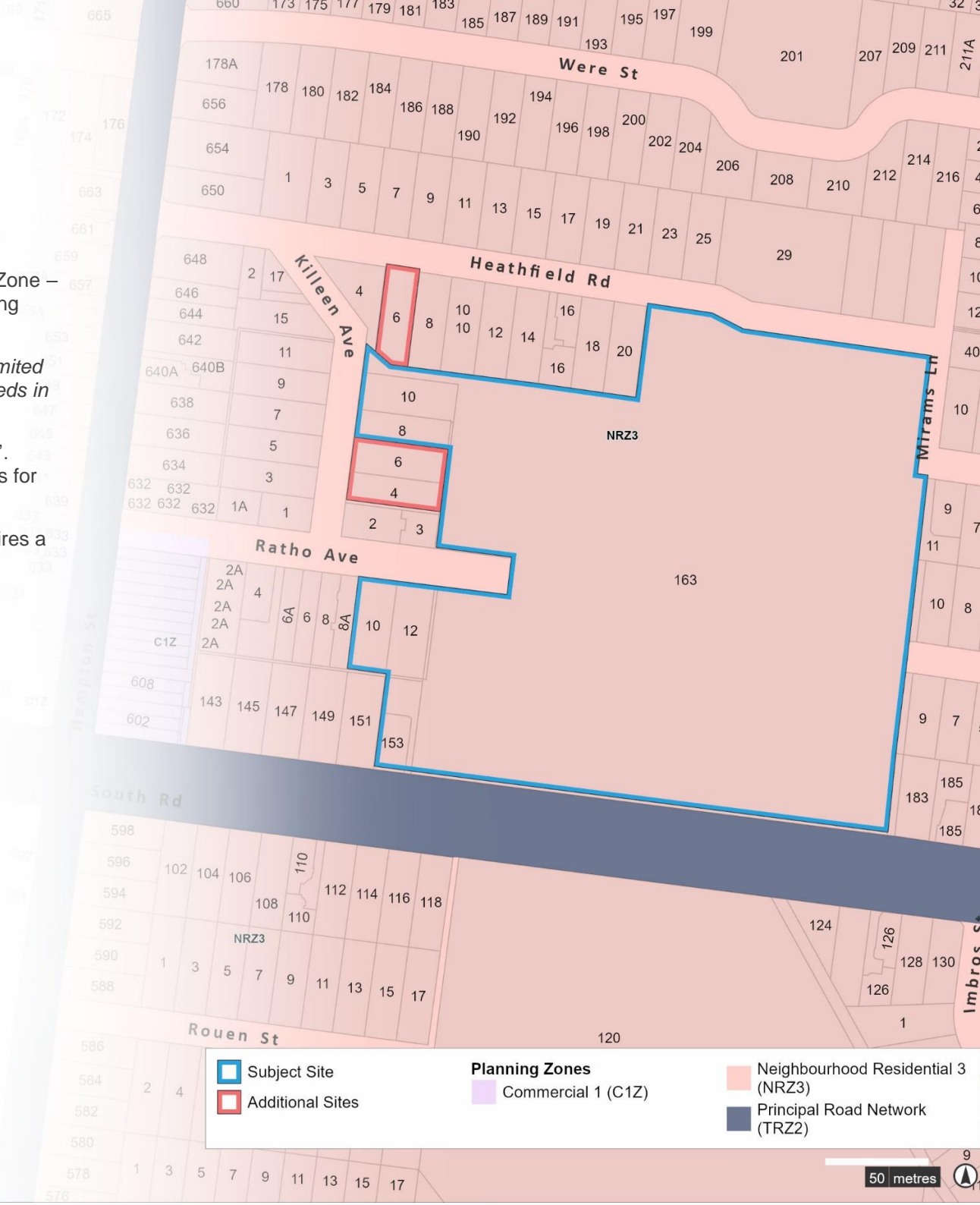
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Schedule 3 to the NRZ relates to 'Minimal Residential Growth Areas'. However, this schedule does not contain any additional requirements for education centres.

Pursuant to this Clause the use of land for an education centre requires a planning permit (as it is a Section 2 use).

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## 3.2. OVERLAYS

### 3.2.1. Design and Development Overlay – Schedule 3 (DDO3)

The Design and Development Overlay Schedule 3 (DDO3) applies to all three subject sites.

DDO3 relates to 'Building Height Control for Non-Residential Buildings in the Inland Minimal Residential Growth Area'. DDO3 has the following design objectives:

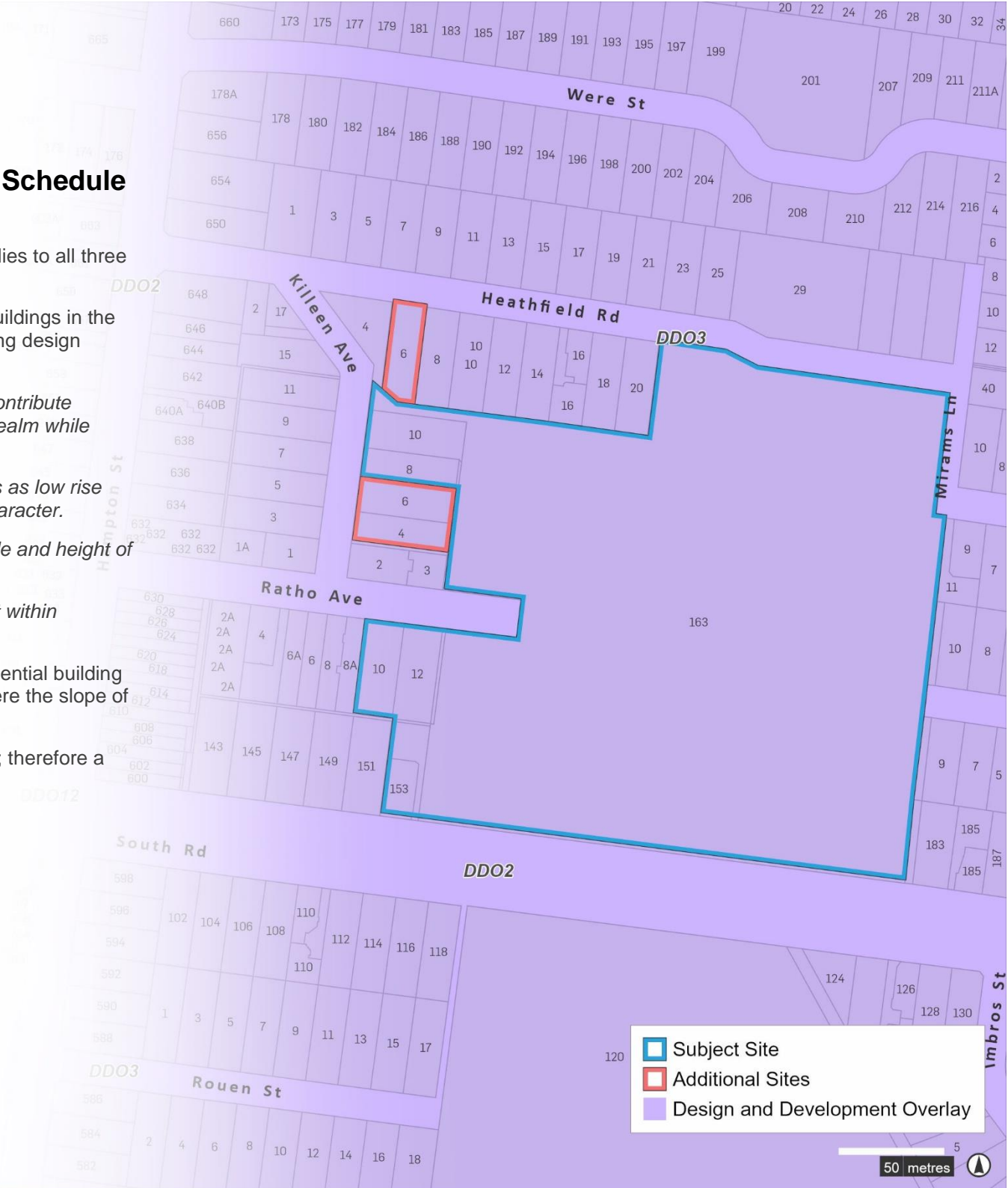
- To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- To preserve the existing character and amenity of the areas as low rise (up to two storeys) suburban areas with a strong garden character.
- To maintain the prevailing streetscape rhythm, building scale and height of neighbourhoods.
- To maintain a strong landscape character with buildings set within vegetated surrounds.

Pursuant to Clause 43.02-3, a permit is required for a non-residential building in excess of two storeys and more than 8 metres (9 metres where the slope of the ground wider than 8 metres is 2.5 degrees or more).

No buildings and works are proposed as part of this application; therefore a permit is not required under this overlay.

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## 3.2.2. Development Contributions Plan Overlay Schedule 1 (DCPO1)

The subject sites are affected by the DCPO1 (Clause 45.06) which relates to the Bayside Development Contributions Plan.

The DCPO requires a development contribution to be paid in accordance with the requirements of Schedule 1 by way of permit condition should a planning permit be issued for a proposed development.

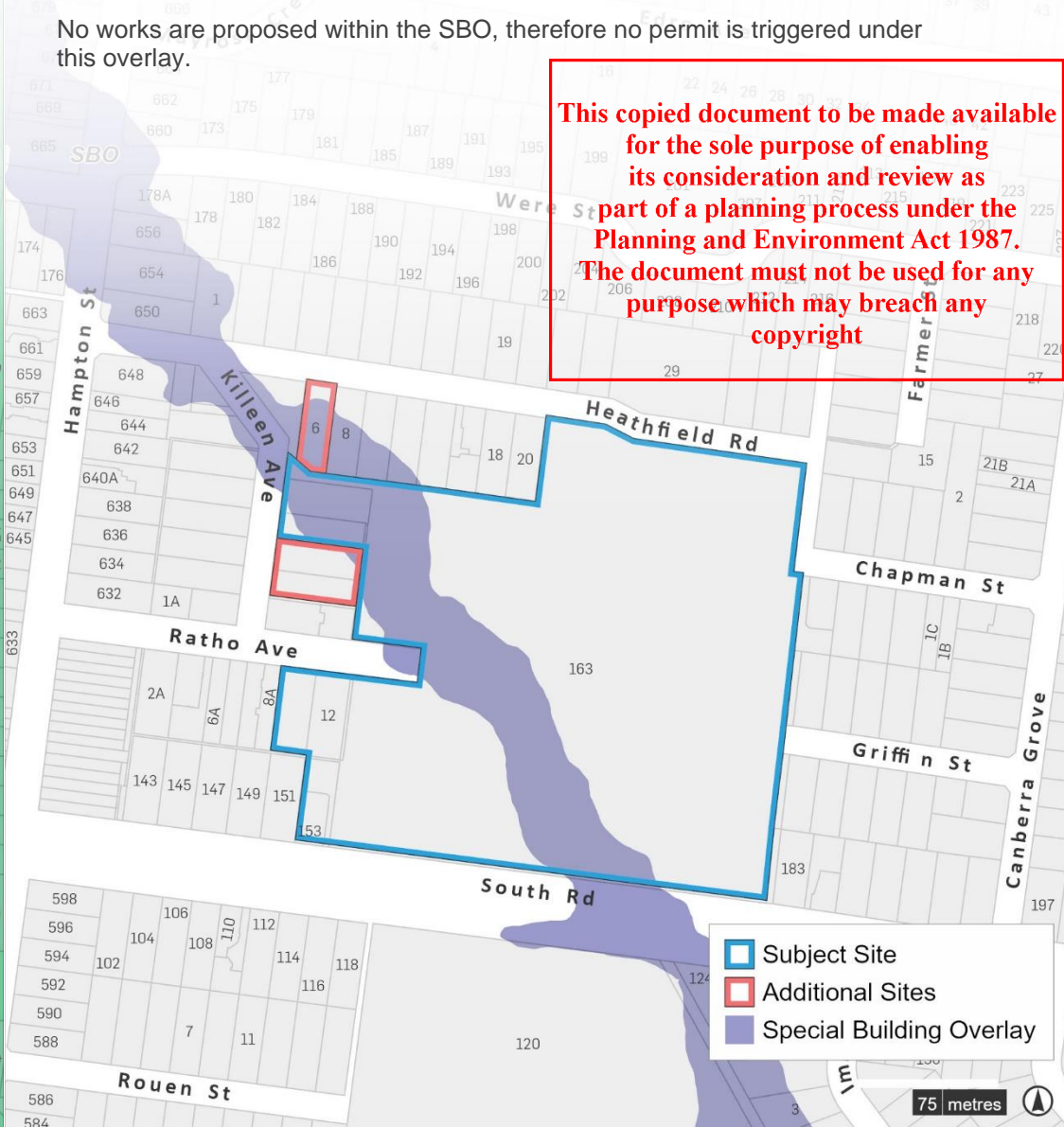
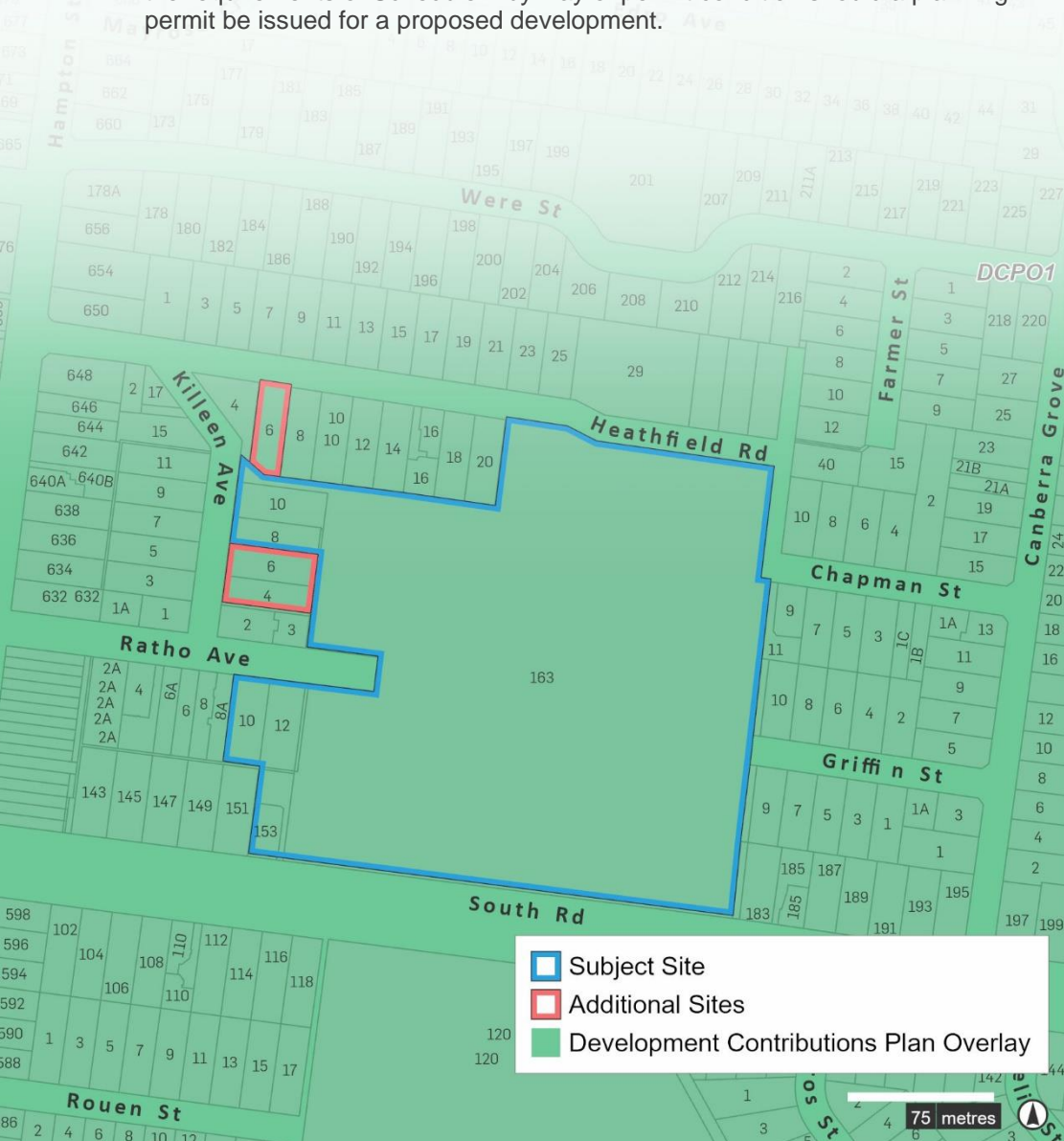
## 3.2.3. Special Building Overlay (SBO)

No. 6 Heathfield Avenue and No. 6 Killeen Avenue are partially subject to the Special Building Overlay.

The purpose of the Special Building Overlay is to identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

No works are proposed within the SBO, therefore no permit is triggered under this overlay.

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### 3.3. GENERAL AND PARTICULAR PROVISIONS

The following general and particular provisions are related to the proposal:

- **Clause 52.06 (Car Parking)** sets out the car parking requirements for new uses and development. The specified rate of car parking spaces for secondary schools is 1.2 per member of staff on-site at any one time. The proposal does not seek to allow any additional students or members of staff and therefore will not trigger reduction in carparking pursuant to this Clause.
- **Clause 53.19 (Non-Government Schools)** seeks to facilitate upgrades and extension to existing non- government schools. An application to which this Clause applies is exempt from the 'notice requirements of Section 52 (1)(a, b, c and d), decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act'.
- **Clause 65 (Approval of an Application or Plan)** sets out a range of matters the responsible authority must consider, as appropriate, when decision on an application or approval of a plan.
- **Clause 72.01 (Responsible Authority for this Planning Scheme)** identifies the Minister for Planning as the responsible authority for an application for a '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 there is no existing primary school or secondary school on the land.

### 3.4. MUNICIPAL PLANNING STRATEGY

The following Clauses of the Bayside Municipal Planning Strategy are relevant to the proposal:

- **Clause 02.03-4 (Built environment and heritage)** seeks to preserve established built form and retain significant vegetation and landscape characteristics within Bayside.
- **Clause 02.03-8 (Infrastructure)** seeks to ensure that the design of education facilities are consistent with Bayside's character.

### 3.5. PLANNING POLICY FRAMEWORK (PPF)

The following Clauses of the PPF are relevant to the proposal:

- **Clause 13.07-1S (Land Use Compatibility)** seeks to protect community amenity by ensuring use or development is compatible within adjoining and surrounding land uses.
- **Clause 13.07-1 (Amenity)** encourages the preparation of school master plans to provide greater certainty for institutions and surrounding residents regarding hours of operation and parking provision.
- **Clause 13.07-1L-02 (Discretionary uses in residential areas)** supports discretionary uses in residential areas that serve a local need and do not pose adverse impacts onto residential amenity.
- **Clause 15.-1-5L (Bayside preferred neighbourhood character)** outlines general objectives for neighbourhood character throughout Bayside, encouraging the retention of elements contributing to the neighbourhood character of the area. The policy further outlines specific guidelines for defined 'precincts'. The subject sites are located within Precinct E1 which generally seeks to retain existing dwellings and established vegetation.
- **Clause 19.02-2S (Education facilities)** seeks to, amongst other things, facilitate the expansion of school facilities to meet the existing and future education needs of communities.

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# 4. ASSESSMENT

The following sections of this report provide an assessment of the proposal against the relevant statutory and strategic provisions of the Planning Scheme having regard to the site’s physical context.

This assessment focuses on the appropriateness of the following key matters:

- Appropriateness of Land Use
- Alignment with Planning Policy Framework (PPF)
- Potential For Offsite Amenity Impacts
- Traffic and Car Parking

Each of these matters is dealt with in turn below:



## APPROPRIATENESS OF LAND USE

### CONSISTENCY WITH THE NEIGHBOURHOOD RESIDENTIAL ZONE

As identified above, the site is located within the Neighbourhood Residential Zone where use of the site for the purpose of an ‘education centre’ is an innominate, permit required, use.

One of the identified purposes of the zone is to allow educational (amongst other) non-residential uses to ‘serve local community need.’

The proposed use of the site is acceptable having regard to the relevant decision guidelines:

- Schools are identified as being a legitimate part of residential areas which are generally compatible with residential lands use.
- St Leonards College is a school which primarily serves a local catchment, with the majority of students residing within the Bayside local area.
- There are no buildings and works or alterations proposed to any existing dwellings as part of this application, with the effect that there will be no

change to the appearance of the existing residential sites from a character perspective. It is unlikely the altered use will be perceptible.

### CLAUSE 13.07-1L-02 DISCRETIONARY USES IN A RESIDENTIAL AREA

The proposal performs well against the local policy guidelines at Clause 13.07-1L-02 (Discretionary Uses in a Residential Area). A complete assessment against the relevant strategies and guidelines is provided below. An assessment against the complete planning policy framework within the Bayside Planning Scheme is provided further within the report.

#### GUIDELINE

#### RESPONSE

##### Traffic and Car Parking Policy Guidelines

*Providing at least one disabled car space, with a minimum width of at least 3.2 metres.*

The applicable sites all provide car parking that meets the guideline’s requirements, within a front setback, garage, or carport. However, it is noted that staff operating within the three subject sites will continue to use the carpark within the existing St. Leonard’s Campus.

*Restricting the number of vehicle access points to one unless two access points are required for the safe, convenient and efficient movement of vehicles.*

The proposal will retain the existing crossover on all sites.

##### General Amenity Policy Guidelines

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*Acoustic treatments such as acoustic fencing where necessary to mitigate unreasonable noise impacts.*

The proposal has adequately considered off-site amenity impacts.

The proposed education centre use will be of very low intensity, with the administrative/office use to operate within existing school hours. Any noise associated with the education centre use during the day, will be similar to that expected with a residential use (dwelling).

*Whether the locational characteristics of the site, proximity to sensitive residential areas or the potential for off-site impacts should allow for greater or reduced operating hours.*

The proposed land uses are to operate within the existing hours of the school. As a result, impacts to nearby residential properties will be limited.

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## PLANNING POLICY FRAMEWORK

The Planning Policy Framework (PPF) broadly seeks to facilitate the establishment and expansion of education facilities, to ensure existing and future community needs are met.

Moreover, it is critical that the assessment of this application is undertaken with regard to the surrounding education land uses and viewed as a critical element in providing St. Leonard's College with additional space to facilitate the functionality of the school. Through the extra provision of administration and office space for staff, the wider campus is freed up for its appropriate function for classrooms and learning spaces.

Bayside's Local Policy and Municipal Strategic Statement supports the provision of non-residential uses in a residential context, provided it satisfies the relevant objectives and strategies of the Scheme.

The proposed development is consistent with the state and local planning policies for the following reasons:

- The retention of the existing dwellings will ensure the preservation of established built form and vegetation, as well as maintaining the residential character of the area, consistent with relevant strategies for Precinct E1 **Clause 02.03-4 (Built environment and heritage), Clause 15.01-5L (Bayside preferred neighbourhood character), Clause 02.03-8 (Infrastructure).**
- The proposal is not deemed to have any adverse offsite amenity impacts, with the proposed land uses to operate within existing school hours. Further, the proposed use will be well-integrated and indiscernible within the residential zone, and no resultant loss in residential amenity is posed **Clause 13.07-1 (Amenity), Clause 13.07-1L-02 (Discretionary uses in a residential area)**
- The proposal represents a modest and measured expansion of the St. Leonard's College campus, facilitating the critical function of the school in servicing the current and future educational needs of the community, consistent with **Clause 19.02-2S (Education facilities).**

## THE POTENTIAL FOR OFFSITE AMENITY IMPACTS

The proposed change of use and development have carefully considered off-site amenity impacts. The key interfaces are residential properties identified in section 1.3, sharing a boundary with the properties proposed for Education Use.

### **NOISE GENERATION**

The dwellings are all sought to be utilised for administrative/office purposes by existing staff during school hours, which will have very limited associated noise. Noise generation similar to that of a dwelling is expected.

## TRAFFIC AND CAR PARKING

### **CAR PARKING**

The statutory car parking rate for 'Education Centre' in Table 1 at Clause 52.06-5 is based on student numbers. As this application will not increase the number of students or staff, no additional car parking requirements are triggered. Furthermore, existing car parking facilities on the St. Leonard's Campus will be utilised by users of the subject sites. The existing car parking facilities are appropriate for this proposal given no staff or student increases are proposed.

### **TRAFFIC GENERATION**

As the proposal will not result in increased staff or student numbers, no additional traffic generation will result from the proposed uses. Staff will access the respective sites via the school campus.

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## CONCLUSION

In summary, we consider the proposed application for the change of use for multiple sites to be appropriate and worthy of approval, noting:

- ✔ The proposal is consistent with the statutory and strategic frameworks of the Bayside Planning Scheme, particularly the purpose of the Neighbourhood Residential Zone Schedule 3 and Council's local policy for discretionary uses in residential areas.
- ✔ The proposed non-residential uses are for administration and office uses associated with the education centre which will operate within existing school hours. As a result, no adverse amenity impacts to surrounding residents, beyond that typically associated with a dwelling, are expected.
- ✔ The proposal will not increase staff nor student numbers, therefore there will be no impact to existing car parking demand or traffic generation within the area.
- ✔ No buildings and works are proposed as part of this proposal, therefore there will be no impact with regard to each site's contribution to the neighbourhood character of the area. It is noted that if future buildings and works are proposed, this will require further applications and due process in considering the proposal against the relevant planning controls and policy.
- ✔ The ongoing development of the College is essential to the quality of education offered to students. This application represents a key step in improving the functionality of the campus and ensuring the existing and future educational needs of the local community and wider users of the school.

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# APPENDIX A

# TITLE DOCUMENTS

## ADVERTISED PLAN

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# **APPENDIX B CHANGE OF USE SITE PLAN**

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# APPENDIX C PERMIT HISTORY

Address	App No.	Determination date	Status	Description
153 South Road, Brighton East	208/2020	16/06/2020	Application Withdrawn	Education Centre – Alterations and Additions to Building & Use. Application withdrawn due to complications arising from COVID-19.
10 Ratho Avenue, Brighton	646/2018	31/05/2019	Notice of Decision Granted	2 new Dwellings; Construction of two dwellings and a front fence exceeding 1.2 metres
153A South Road, Brighton East 8 Killeen Avenue, Brighton East 10 Killeen Avenue, Brighton East 10 Ratho Avenue, Brighton East 153 South Road, Brighton East 12 Ratho Avenue, Brighton East	PA2302446	22/03/2024	Permit Granted	Use of land for a primary school/secondary school Use of land for a car park Construct a building or construct or carry out works including a fence

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