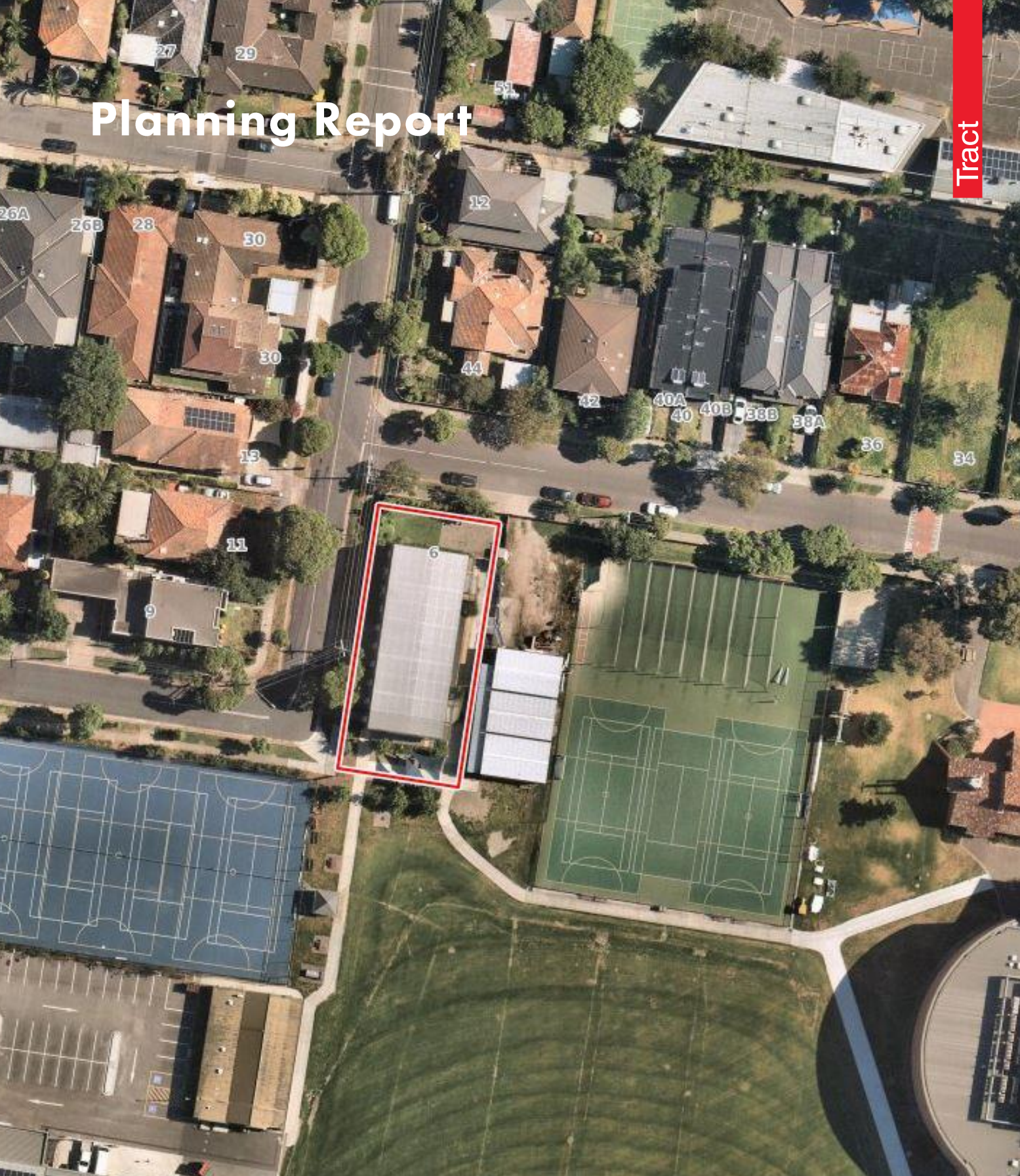


Planning Report

Tract



Planning Permit Application

2-10 Furneaux Grove, St Kilda East

Prepared for Caulfield Grammar School

Overview

Background

Applicant / Owner	Caulfield Grammar School
Address	2-10 Furneaux Grove, St Kilda East 3183
Lot Description	Lots 1, 2 and 3, TP829867 Lot 1 on Plan of Subdivision 803455

Relevant Planning Provisions

Planning Policy Framework	Clause 15 (Built Environment and Heritage) Clause 15.01-2S (Building design) Clause 15.01-5S (Neighbourhood character) Clause 17 (Economic Development) Clause 19 (Infrastructure) Clause 19.02-2S (Education Facilities)
Local Planning Policy Framework	Clause 21.01 – Municipal Profile Clause 21.08 – Institutional and Non-Residential Uses in Residential Areas Clause 22.02 – Non Residential Uses in Residential Zones Policy Clause 22.02-2 (Preferred location) Clause 22.02-3 (Siting and Design) Clause 22.02-4 (Landscaping) Clause 22.02-5 (General Amenity)
Zone	Clause 32.09 – Neighbourhood Residential Zone and Schedule 1 (NRZ1)
Overlays	None
Particular Provisions	Clause 52.06 – Car parking Clause 52.34 – Bicycle facilities

Permit Application Details

Description of Proposal	Temporary use of land for an Education Facility (Secondary School) and associated buildings and works.
Permit Requirement	Clause 32.09 - use of land in Neighbourhood Residential Zone (NRZ)

Quality Assurance

Planning Report

Planning Permit Application
2-10 Furneaux Grove, St Kilda East

Project Number
318-0224-01-P-02-RP01

Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
--	01/03/2023	Planning Permit Application	SD	RC	MZ

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1 Introduction

1.1 Purpose

This report has been prepared by Tract Consultants Pty Ltd upon the instructions of **Caulfield Grammar School** to accompany the planning permit application for the temporary use of land for a Secondary School (Education Centre) and associated buildings and works.

1.2 Background

The Site is located at 2-10 Furneaux Grove, St Kilda East ('the Site').

The Site adjoins the main St Kilda East campus, but is located on a separate lot and on a separate title. The Site was previously used for residential purposes (dwellings) and was purchased by the School, with the intention of developing a boarding house (for school students). A planning permit was obtained for this use and development.

However, shortly after purchasing the Site, the School began embarking on other works (being an upgrade to some of the Senior School buildings). This created an urgent need for temporary classrooms (whilst other classrooms were to be demolished).

The School applied to Glen Eira City Council for the temporary use and development for portable classrooms and was granted Planning Permit GE/PP-32330/2018 for '*use of the land for education (secondary school) and buildings and works including for a two storey portable classroom*' on 14 December 2018.

The expiry was set out in Condition 4 of the planning permit:

This permit will expire four (4) years from the date of issue. If, at such time, the buildings and works remain on the land, the applicant must re-apply for a permit to maintain the buildings and works and use of the land as an education centre.

The works to the Senior School buildings were subsequently delayed due to the COVID-19 pandemic and only commenced in 2021. This has created a need to extend the life of the temporary buildings, to ensure they provide classrooms until the completion of the Senior School buildings.

As the previous planning permit has now expired (as of 14 December 2022), this application seeks fresh planning permission to extend the life of this temporary building for another 3 years. This appropriately allows for the completion of the Senior School and the transition of classrooms from the portables to the new Senior School.

1.3 Change in Responsible Authority

Since the previous planning permit was issued, it is noted that planning scheme amendment VC225 was gazetted.

As part of this amendment, **Clause 72.01 (Responsible Authority for this Planning Scheme)** now states that the Minister for Planning is the Responsible Authority for the following matters:

Primary school 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, if any of the following apply:

- o *There is no existing primary school or secondary school on the land.*
- o *The estimated cost of development is \$3 million or greater.*

As the proposal seeks permission for an Education Centre (Secondary School) carried out in conjunction with a school on the adjoining land and in the same ownership, the Minister for Planning is the Responsible Authority.

Likewise, as there is no existing planning permission to use the Site as an existing primary school or secondary school, and there are no existing use rights, it is considered that there is no existing school on the land.

1.4 Limitations

This report has considered the following documents:

- Glen Eira Planning Scheme as of 1 March 2023.
- Development Plans prepared by Atco.
- Landscape Plan prepared by Daniel Tyrrell Landscapes.
- Planning Permit GE/PP-32330/2018 and associated Delegate Report.

2 Site & Surrounds

2.1 Site Description

The Site is located at 2-10 Furneaux Grove, St Kilda East. It is formally described as Lots 1, 2 and 3 on TP829867 and Lot 1 on PS803455.

The Site is rectangular in shape, and located at the south eastern corner of Furneaux Grove and Loch Avenue. It has a frontage to Furneaux Grove (west) of 46m and Loch Avenue (north) of 22m, with a total area of 1006sqm. The other side / rear boundaries adjoin the main campus of the school.

The Site is relatively flat, with modest vegetation (planted as part of the original approval for the temporary buildings) and has a crossover to Loch Avenue (but with no vehicle access).

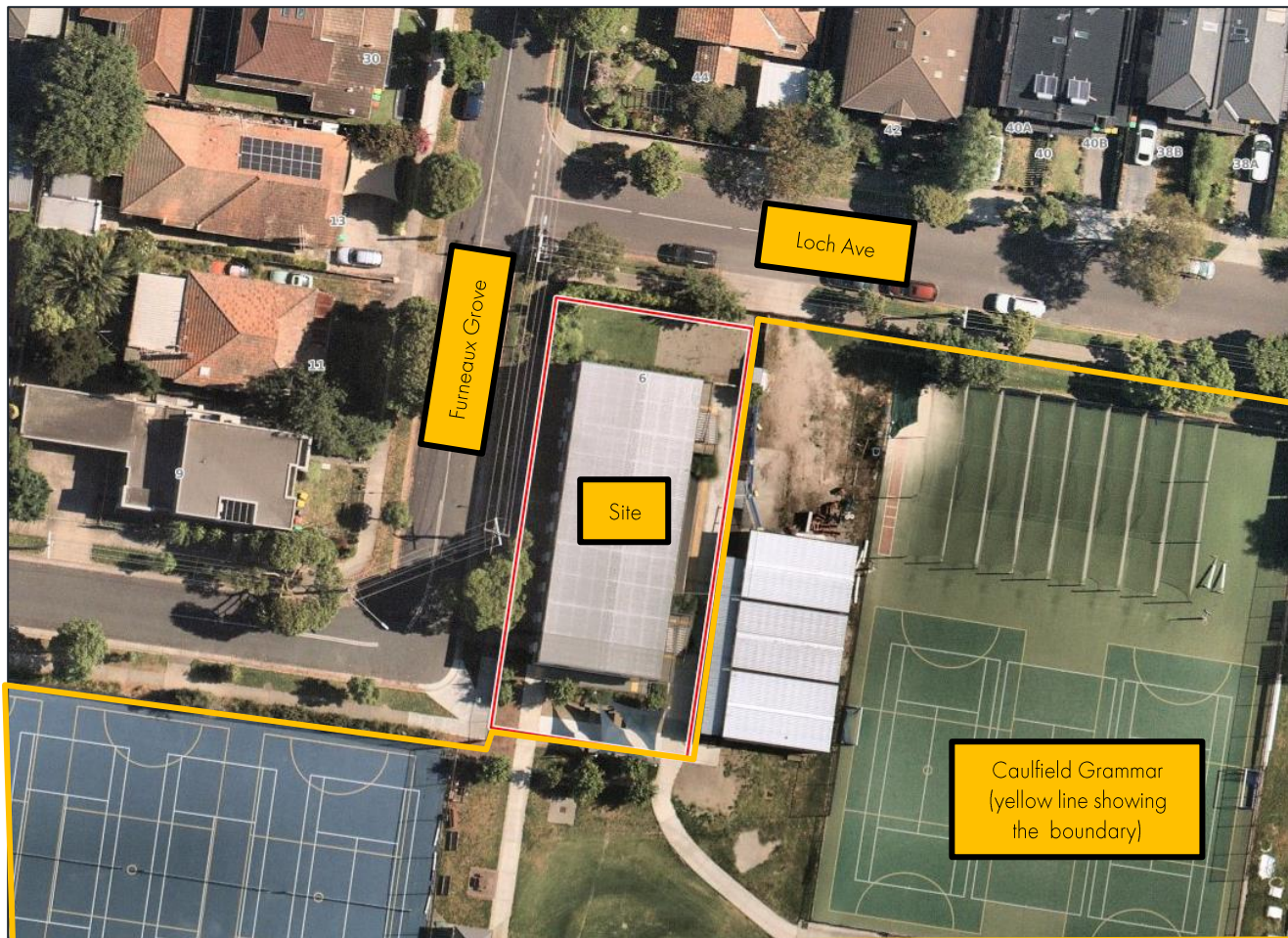
See below imagery and aerial photographs.



Top – image of the Site from the west (along Furneaux Grove, near the bend in the street).

Bottom – image of the Site from the north (corner of Furneaux Grove and Loch Avenue). Note that this image was taken during construction of the buildings (thus no landscaping is shown).

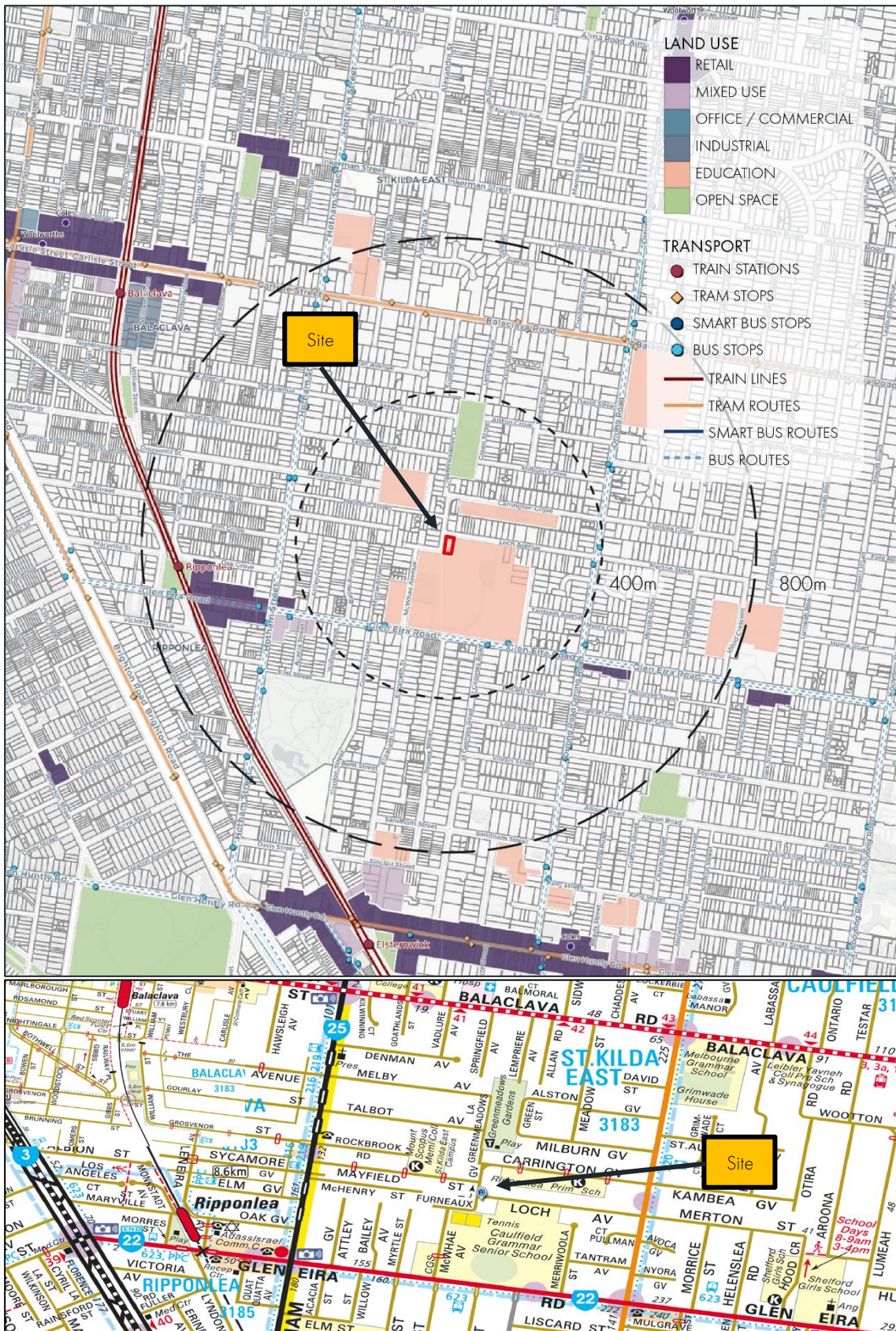
Source: www.google.com.au



Aerial image of the Site and surrounds. Source: www.onemap.com.au

2.2 Site Context

The surrounding area to the north and west of the Site is primarily residential. Dwellings are single or double storey in form, with older dwellings being detached, and newer infill development being semi detached or attached. Dwelling styles and eras vary from older, federation style housing, through to mid century dwellings and more contemporary developments. Materials range from weatherboard, brick and render, as do roof forms from flat to pitched and tiled roofs.



Top – Site Context Map.

Bottom – Street Directory Map. Source: www.streetdirectory.com.au

3 Proposal

3.1 Overview

The proposal seeks to extend the life of the existing double storey portable building on Site for another three (3) years, whilst the balance of the Senior School works are completed.

The existing building comprises of the following:

- A two-storey portable building, consisting of:
 - Seven classrooms all 5.8 metres wide by 10 metres long.
 - A staff room 5.8 metres wide by 10 metres in length.
 - Two separate bathroom/change rooms of the same dimensions as the staff and classrooms.
- The change rooms/bathrooms are located at ground floor.
- Classrooms are split, with two at ground floor and the additional five at the first floor.
- A deck is provided on the southeast side of the classrooms at both ground and first floor.
- A ramp provides access to ground level classrooms, with two sets of stairs providing for the upper-level classrooms.
- Appropriate railing is included around decking at both the ground and first floor.
- Classrooms have a low (20 degree) gable roof constructed of colorbond.
- External walls are clad in Maxirib.

The classrooms are surrounded by landscaping that integrates the portable classrooms with the existing campus grounds.

3.2 Planning Permit Triggers

A planning permit is required under Clause 32.09 (Neighbourhood Residential Zone – Schedule 1) for the temporary use of a Secondary School (Education Centre) and associated buildings and works.

3.3 Proposal

It is proposed that the Site be used temporarily as a Secondary School (Education Centre).

The temporary portable rooms will operate in conjunction with the existing school campus. These were constructed temporarily on the Site to deal with demand for classrooms whilst works were occurring to the Senior School.

The classrooms operate in accordance with the existing time and operation of the school. The rooms are not used for any additional after-school activities or events.

No additional staff or students are proposed as a result of this application.

4 Planning Provisions

4.1 Planning Policy Framework

The following provisions of the Planning Policy Framework (PPF) are relevant to this matter:

- **Clause 15** (Built Environment and Heritage) – seeks to ensure that all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.
- **Clause 15.01-2S** (Building design) – seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- **Clause 15.01-5S** (Neighbourhood character) – seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- **Clause 19** (Infrastructure) identifies that planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.
- **Clause 19.02-2S** (Education Facilities) seeks to assist the integration of education and early childhood facilities with local and regional communities.

4.2 Municipal Strategic Statement

The following provisions of the Municipal Strategic Statement (MSS) are relevant to this matter:

Clause 21.01 – Municipal Profile

Within the Municipal Strategic Statement (MSS), the Municipal Profile recognises the benefits to Glen Eira residents of access to a wide variety of transport, shopping, health, education, religious and cultural and leisure services. By noting that many of Melbourne's best private schools are located in Glen Eira, the Municipal Profile specifically recognises the role of the School as part of the municipality.

Clause 21.08 – Institutional and Non-Residential Uses in Residential Areas

Clause 21.08-1 identifies the important role of non-residential uses within residential areas, however it also seeks to balance this with ensuring that the residential nature of land within the area is not eroded. It directs that non-residential uses are developed to ensure that they integrate into residential areas with minimise residential amenity impacts.

4.3 Local Planning Policy

The following provisions of the Local Planning Policy are also relevant:

Clause 22.02 – Non Residential Uses in Residential Zones Policy

The policy basis for this provision is to:

The Municipal Strategic Statement identifies, at Clause 21.08, the need for a Non Residential Uses in Residential Zones Policy. The intent of the Policy is to provide direction for applicants in terms of minimising residential amenity impacts, preferred locations and design of non residential uses and facilities, such as a medical centre, place of worship, and place of assembly in a residential area. It also provides local residents with a degree of certainty as to what Council may allow within a residential area.

The policy includes objectives, policy statements and performance measures. If the performance measure is met, it is deemed to satisfy the associated objectives and policy statements. However, proposals that do not meet these measures may still meet the objectives of this policy.

The policy provides guidance on the preferred location of non residential uses in residential areas, siting and design, landscaping, general amenity and advertising signage.

Residential areas

The objective is to:

- *To encourage the development or extension of non-residential uses, in suitable locations which comply with orderly and proper planning principles.*

Policy supporting this (as relevant) includes:

- *Encourage the location of non-residential uses in "preferred locations" including main or secondary roads and on corner sites with vehicular access from a service or side road (see map on page 2 of policy for locations of main and secondary roads in Glen Eira).*
- *Consider other locations where it can be demonstrated that residential amenity will not be unreasonably compromised.*
- *Direct uses to locations where there will be minimal impact on the local amenity, including through the introduction of traffic and parking of cars.*
- *Promote these uses within easy walking distance of public transport.*
- *Discourage the location of non-residential uses on local streets.*

Siting and Design

The objective is to:

- *To successfully integrate non-residential uses into residential areas with minimal impact to the residential streetscape and the character of the area.*

Policy supporting this (as relevant) includes:

- *Ensure that the streetscape character of the neighbourhood is respected and maintained, particularly in terms of building height, length, location, setbacks (front, side and rear), front fences and appearance.*
- *Retain existing dwelling stock, where practical, and any associated extensions/alterations to maintain or enhance its residential character.*

The performance measures (as relevant) include:

- *Front walls of buildings to be set back from street frontage in accordance with Clause 54.03-1.*
- *Side walls of buildings to be set back from boundaries in accordance with Clause 54.04-1.*
- *Any buildings are not greater than the mandatory maximum height specified in the relevant residential zone applying to the subject land.*

Landscaping

The objective is to:

- *To respect the garden character of the neighbourhood.*

Policy supporting this (as relevant) includes:

- *Require front setback and side setbacks (corner lots) to be landscaped to reduce any visual dominance of any car parking.*
- *Require car parking facilities to generally be provided to the side or rear of the site or in a basement unless the use is proposed in a "preferred location", abutting a main or secondary road.*

- Retain any high priority significant trees or landscape features within the design where possible.
- Ensure that where car parking is proposed in the front setback (in limited circumstances where the use is in a preferred location), a generous landscape buffer between the car park and the street frontage be provided.
- Provide for adequate landscape strips along the driveway to soften the appearance of the development, particularly from the street frontage and sides.
- Require a landscape plan detailing advanced tree and shrub planting for developments that propose car parking in the front setback.

Performance measures (as relevant) include:

- Where car parking is proposed within the front setback, a landscape buffer area of a minimum 3 metres in depth from the street frontage.

General Amenity

The objective is to:

- To minimise the effect of non residential uses on the residential amenity.

The policy is to (as relevant):

- Ensure the intensity of the use, in terms of staff levels, numbers of people providing health services, patron numbers and hours of operation are appropriate to the site layout, locality and does not unreasonably impact the amenity of the neighbouring properties.
- Minimise any visual and acoustic privacy impacts to neighbouring properties.

4.4 Zoning

Clause 32.09 – Neighbourhood Residential Zone - Schedule 1 (NRZ1)

The whole of the subject site is zoned Neighbourhood Residential Zone, and is subject to Schedule 1 to that zone. Refer to **Figure 3 – Zone Plan**.

The purposes of the Neighbourhood Residential Zone are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

An Education Centre (including a Secondary School) is a Section 2 (permit required) use of land within NRZ.

Under NRZ, a planning permit is required to construct a building or construct or carry out works for a Section 2 (Permit required) use of land.

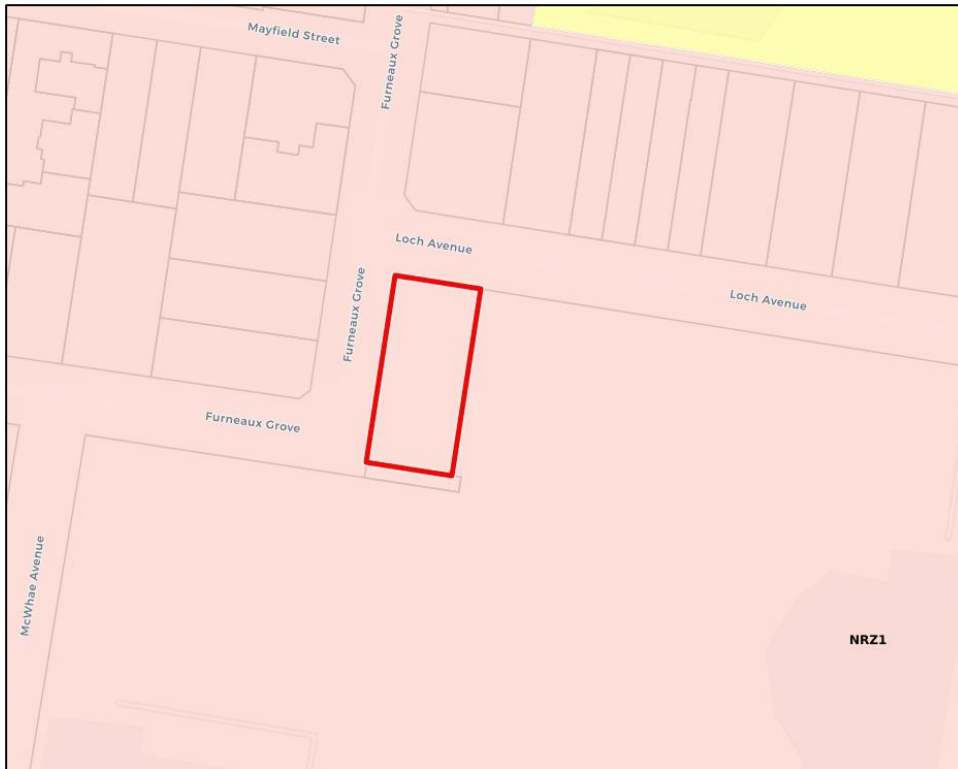


Figure 1 Zone Plan

The Schedule 1 to the NRZ also outlines the following variations to ResCode (acknowledging nonetheless that ResCode does not apply to a non – residential use):

- 50% maximum site cover.
- 25% maximum permeability.
- Rear setback of 4m.
- 60sqm of private open space, with 40sqm of this to be SPOS at the side or rear with a minimum dimension of 4m.

4.5 Overlays

There are no overlays applicable to the Site.

4.6 Particular Provisions

Clause 52.06 – Car Parking

The purpose of this clause is to:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *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.*

- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use*

The provision outlines car parking rates for Education Centres. It also provides design guidance for car parking facilities. As the proposal does not seek to increase the number of students or staff associated with the School, nor create any new car parks, the provision has little relevance to this application.

Clause 52.34 – Bicycle Facilities

The purpose of this clause is to:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

The provision outlines bicycle rates for Education Centres. It also provides design guidance for bicycle facilities. As the proposal does not seek to increase the number of students or staff associated with the School, nor create any new bicycle parking facilities, the provision has little relevance to this application.

4.7 Other Planning Considerations

Clause 72.01 – Responsible Authority for this Planning Scheme

Pursuant to Clause 72.01, the Minister for Planning is the responsible authority for the matter addressed in this application.

Clause 72.01-1 identifies the following:

Primary school 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, if any of the following apply:

- o *There is no existing primary school or secondary school on the land.*
- o *The estimated cost of development is \$3 million or greater.*

5 Planning Assessment

5.1 Overview

When assessing the proposal against the Glen Eira Planning Scheme, it was determined that the following issues were relevant.

- Is the proposal consistent with the broader planning principles embedded within the State and Local Planning Policy Frameworks?
- Is the proposed temporary use / buildings and works as an Education Centre appropriate and consistent with Clause 22.02 and the NRZ1?

Each of these issues is discussed further below.

5.2 Is the proposal consistent with the broader planning principles embedded within the State and Local Planning Policy Frameworks?

The proposal has been assessed against the broader planning principles embedded within the State and Local Planning Policy Frameworks. It is considered the proposal is consistent with these principles, with the following noted in support of this statement:

- The building provides temporary classrooms for Caulfield Grammar School, whilst they undertake the other works on campus associated with the upgrade to the Senior School. This ensures that during construction, there continues to be sufficient facilities available for students, which provides a broader community benefit to residents who have students attending the school. This is consistent with **Clause 19.02-2S**.
- The building is appropriately treated and sited for their temporary purpose. It has good setbacks to the street for landscaping opportunities, which assists in buffering the presence of the building to the street and integrating it into the surrounding residential area. Likewise, the scale of the building at two storeys, its finishes and separation from any surrounding residential properties ensures it does not have unreasonable amenity impacts. This is consistent with **Clause 19.02-2S and 22.02**.
- The Site has already been used for the use of temporary classrooms and has not created any unreasonable adverse impacts to the surrounding area. This is consistent with **Clause 19.02-2S and Clause 22.02**.

5.3 Is the proposed temporary use / buildings and works as an Education Centre appropriate and consistent with Clause 22.02 and the NRZ1?

An assessment of the temporary use and buildings and works has been undertaken against the provisions of Clause 22.02 and the NRZ1. It is considered this provides an appropriate outcome, noting the following:

- Whilst located in a residential area (rather than on a main or secondary road), the Site is an 'island' and does not have any direct interfaces to other residential properties. To the east and south it adjoins the School, whilst to the north and west it adjoins roads (with residential dwellings opposite). Given its location adjoining the existing school and without sensitive interfaces, the location is therefore considered appropriate.
 - Naturally, this also minimises any unreasonable amenity impacts from the use such as in relation to noise and overlooking.
 - Furthermore, schools are also an appropriate use for a residential area in terms of their hours of operation. They are open generally during the day, a less sensitive time for surrounding residents (and when they may be at work). Hours of operation in the more sensitive times are limited (early mornings, late evenings and weekends),

with the exception of more occasional after school events or sports programs (or the like). This minimises any noise or light overspill or other negative amenity impacts to surrounding residents.

- The buildings are accessible from the School grounds, and students do not access the Site directly from the surrounding streets. This minimises any 'spilling out' of the use to the surrounding streets (and ensures that the main access to the School continues to be from other locations).
- Whilst vehicle access is provided into the Site (where there are two car parking spaces), these car parking spaces are for staff only. The provision of three spaces has not created any unreasonable traffic impacts, noting that movements to these two car parking spaces are limited.
- There is no signage on the Site, which minimises any detrimental visual impacts to the surrounding area.
- The Site includes ample space for landscaping, which was planted as part of the original approval. This assists in buffering the presentation of the buildings to surrounding residents.
- The building is two storeys / maximum 8m in height, consistent with the two storey / 9m mandatory height limit in the NRZ1.
- The building has an 8m setback from Loch Avenue, which is well in excess of the 4m that would be required under ResCode if this was a residential building (given it has no adjoining dwellings). This provides ample space for landscaping (including a canopy tree planted as part of the original approval), to ensure the buildings sit within the garden characteristics of the surrounding area.
- A 2.8m side setback is provided to Furneaux Grove, again consistent with the side setback requirements that would be applicable under ResCode if this was a residential building. This has provided space for screen planting (planted as part of the approval) which assists in buffering the presentation of the building to the surrounding area.
- There are no walls on boundaries, again providing good spaces for landscaping and a sense of openness around the building.
- The front fence is 1.8m high and semi transparent, ensuring passive surveillance and interaction with the street. This is also a similar height to many other fences in the surrounding area.
- The car parking within the frontage is minimal (providing two car parking spaces) and well buffered by landscaping. This integrates the Site into the surrounding garden character area.
- The building has a low pitched roof and a colorbond façade. This respects the traditional nature of built form in the surrounding area.
- There are no additional staff or students, or additional operating hours, associated with this application.

Given all of the above, it is considered that the temporary use and works are appropriate.

6 Conclusion

The proposal for the temporary use and development (for a further 3 years) is considered to be an appropriate outcome for the Site.

The proposal allows for classroom demand to be appropriately catered for whilst the use and works associated with the senior school are being completed.

The building itself is existing and provides an appropriate temporary outcome, consistent with State and Local Planning Policy, as well as the NRZ1 applicable to the Site.

Given the above, it is respectfully requested that the Minister for Planning issues a planning permit for the proposed temporary use and development (for a duration of 3 years).