

Assessment Officer Report

PA2503869 – 1 Conway
Street, Kilmore.
St Patricks Primary School



Officer Assessment Report
Development Approvals & Design

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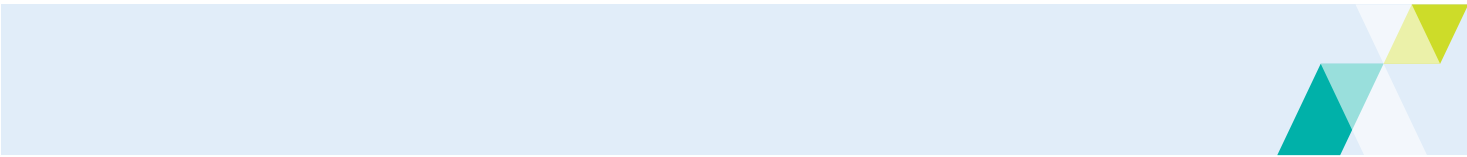
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Prepared by:	23
Approved by: Grant Logan	23

Executive Summary



Key Information	Details		
Application No:	PA2503869		
Received:	7 August 2025		
Statutory Days:	67		
Applicant:	St Patricks' Primary School c/- Terraco		
Planning Scheme:	Mitchell		
Land Address:	1 Conway Street, Kilmore		
Proposal:	Demolition of an existing maintenance shed, buildings and works for maintenance shed and tree removal in Heritage Overlay and buildings and works for the construction of a new school building.		
Development Value:	\$ 4.9 m		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Mitchell Planning Scheme, the Minister for Planning is the responsible Authority for this application because it is for the development of school building 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 as the estimated cost is greater than \$3 million.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 37.01-4	Special Use Zone Schedule 4 (SUZ4)	<i>Construct a building or construct or carry out works</i>
Overlays:	Clause 43.01-1	Heritage Overlay Schedule 103	<i>Demolish a building and construct a building or construct or carry out works Removal of trees</i>
Particular Provisions:	Clause 52.06	Car Parking	<i>N/A – Sufficient car parking provided for the increase of student and staff numbers</i>
Cultural Heritage:	A CHMP is not required.		
Title:	Lot 2 on Title Plan 501303P		
Total Site Area:	3.521	ha	
Referral Authorities:	Mitchell Shire Council		
Public Notice:	<p>Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner:</p> <p>Letters were sent to adjoining properties (owners and occupiers).</p> <p>No objections have been received as of 06 January 2026.</p>		



Application Process

1. The school site has been in operation since 2011. No permits have been issued by the Department since the schools' commencement.
2. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	7 August 2025
Further information requested	N/A
Further information received	N/A
Section 50 Amendment	11 December 2025
Decision Plans	Plans prepared by Y2 Architecture , titled ' New year 5 & 6 Building ' Rev. B and dated 18/11/2025 .
Other Assessment Documents	<ul style="list-style-type: none">• Landscape plan prepared by Landscape Architects, Rev J, dated November 2025• Arboricultural Report, prepared by Uber Arbor, dated 17 November 2025• Stormwater Management Plan, prepared by RMG dated 20 November 2025• Traffic Engineering Assessment, prepared by Traffix Group, dated July 2025• Waste Management Plan, prepared by St Patricks' School, dated 11 March 2025

3. The subject of this report is the decision plans (as described above).

Proposal Summary

4. Planning permit application PA2503869 proposed to demolish an existing maintenance shed located along the northwest boundary to allow for the construction of a new grade 5 & 6 building and the construction of a new maintenance shed.
5. Specific details of the application include:
 - Demolition of maintenance shed.
 - Construction of new single storey grade 5 & 6 building consisting of the following:
 - 8 new classrooms
 - Two open / breakout spaces
 - Central gathering space
 - Four learning support areas
 - Meeting space
 - Staff and student toilet facilities.
 - Building height of 6.6m

- Landscaping works
- Construction of a new maintenance building.
- Removal of 6 trees.

6. The applicant has provided the following concept images of the proposal:

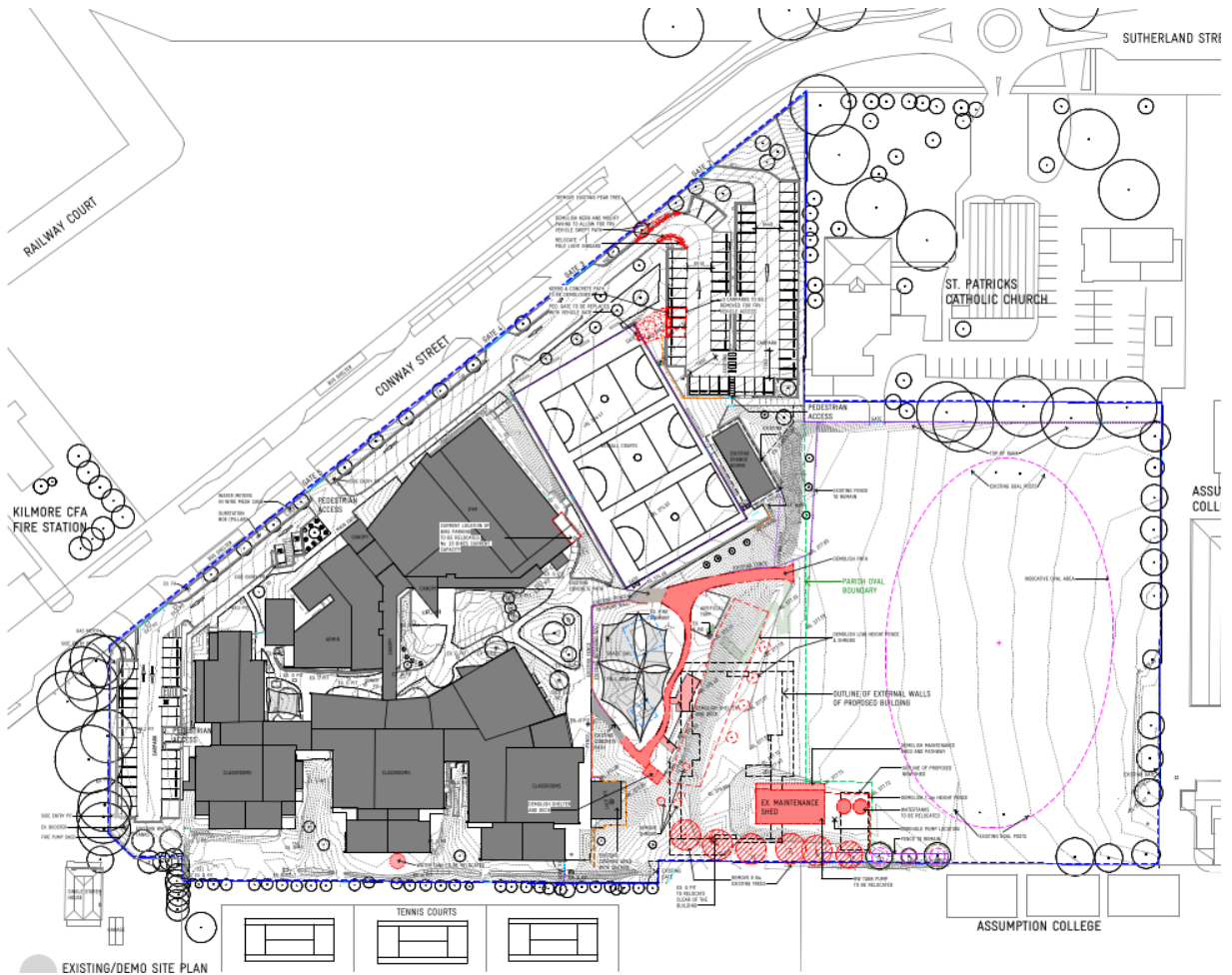


Figure 1: Existing Site Conditions

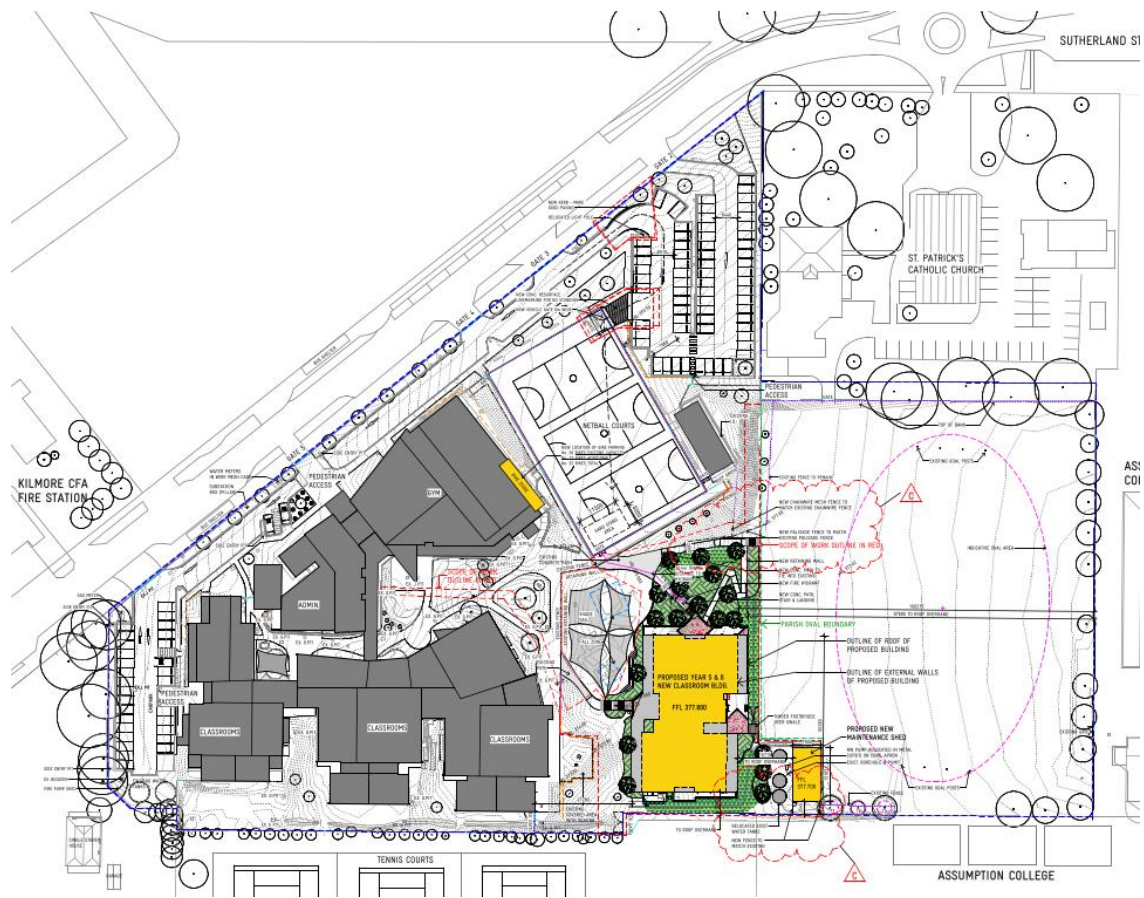


Figure 2: Proposed buildings and works.

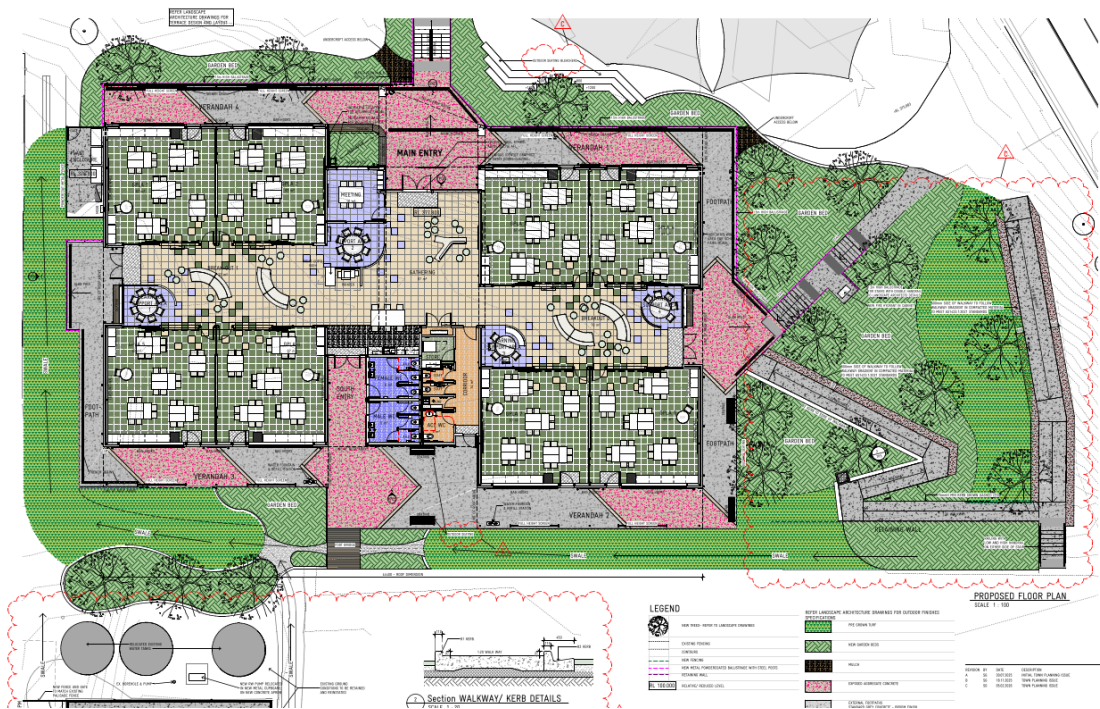


Figure 3: Ground Floor Plan



Figure 4: North Elevation



Figure 5: South Elevation



Figure 6: West Elevation

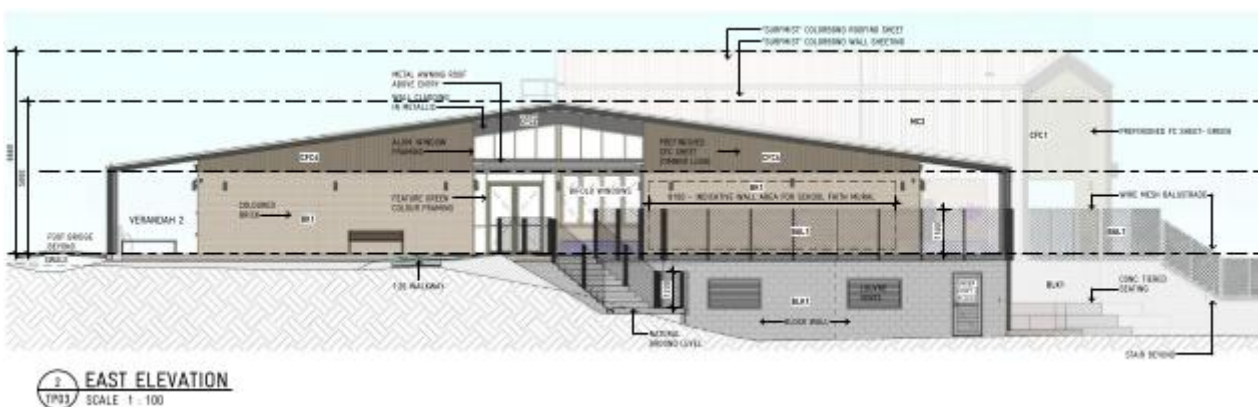


Figure 7: East Elevation

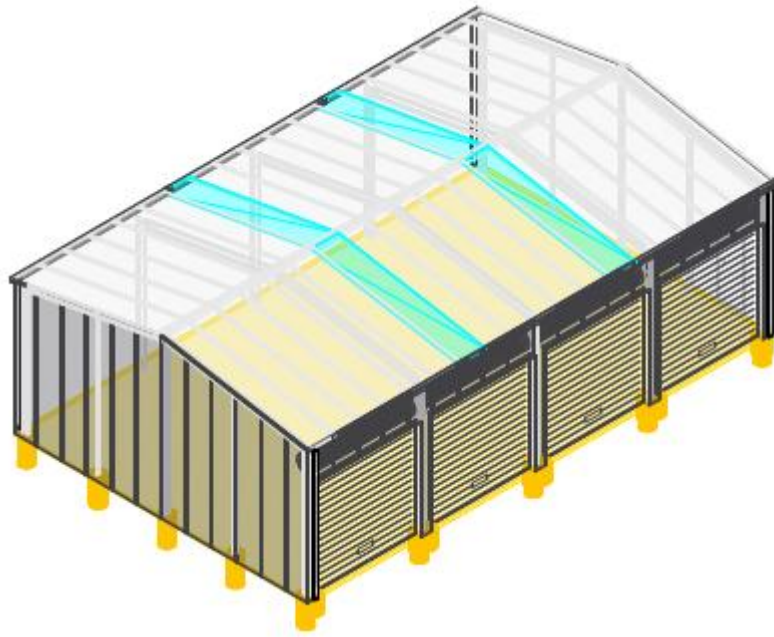


Figure 8: Maintenance Building



Site Description

- The site is referred to as 1 Conway Street, Kilmore. The overall site is irregular in shape and located on the western side of Conway Street. This application comprises of a small portion of the overall site, which contains a variety of school buildings including classrooms, sporting facilities, administration and onsite carparking located adjacent to existing heritage buildings and will provide education facilities for primary school aged children.



Figure 9: Subject Site

- The area associated with the scope of works is the area located north of the existing school oval and south of the current school buildings.

Site Surrounds

- Development surrounding the site can be described as follows:

- To the **north** of the scope of works:

To the north of the scope of works is the existing primary school buildings. North of the site is Conway Street and Kilmore Fire Station.

- To the **south** of the scope of works:

To the south of the proposed development includes the school oval, to the south of the site is Assumption College – a co-educational secondary school which includes multiple heritage buildings associated with the school which was founded in 1893.

- To the **east** of the scope of works:

To the east of the site is St Patricks Catholic Church.

- To the **west** of the scope of works:

To the west of the site is various sporting fields associated with Assumption College, which effectively wraps around the primary school.



Figure 10: Ariel photo of Assumption College



Municipal Planning Strategy

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

Clause	Description
02.02	<p>Vision</p> <p><i>Diverse housing opportunities, combined with nearby employment opportunities and high-quality community, educational and recreational facilities, mean that Mitchell will be seen as a destination offering unique opportunities to existing and future residents.</i></p>
02.03-9	<p>Infrastructure – Community facilities</p> <p><i>Ensuring that education, health and community facilities are provided when and where they are needed is significant challenge for Mitchell Shire as rapid growth occurs within the urban growth boundary and larger townships.</i></p> <p><i>The municipality, especially Kilmore, has got an exceptional reputation for private education. There is opportunity for both the private and public education offer to expand as growth occurs.</i></p>

Planning Policy Framework

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

Clause 15	Built Environment and Heritage
15.01-2S	<p>Building Design</p> <p><i>Encourage water efficiency and the use of rainwater, stormwater and recycled water.</i></p> <p><i>Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.</i></p>
Clause 19	Infrastructure
19.02-2S	<p>Education facilities</p> <p><i>Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.</i></p> <p><i>Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).</i></p>

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

Zoning and Overlays

Applicable Zone/s

Special Use Zone – Schedule 4

13. A planning permit is required to construct a building or construct or carry out works in accordance with a Section 2 use of **Clause 37.01-4**. The site benefits from existing use rights and therefore no planning permit is required to use land for the school.

14. The purpose of the **Special Use Zone** is:

- To implement the *Municipal Planning Strategy and the Planning Policy Framework*.
- To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

15. The purpose of **Schedule 4** to the **Special Use Zone** is:

- To provide for areas to be used by private educational and religious institutions.
- To ensure that development of these facilities takes place in an orderly and proper manner and does not cause loss of amenity to the surrounding area or neighbourhood.

16. The following sections include a discussion of how the proposal responds to these requirements.

Applicable Overlay/s

Heritage Overlay HO103

17. A planning permit is required to demolish or remove a building, construct a building or construct or carry out works in accordance with Clause 43.01-1.

18. The objectives and decision guidelines relevant to this proposal are:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

19. The proposed works are located within land affected by heritage overlay HO103 which specifically relates to Assumption College Precinct.

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 (Car Parking)

20. Clause 52.06 -1 is applied to an increase in floor area or site area of an existing use. The proposal is not a new use of land, but the addition of the new year 5 and 6 classrooms results in an increase in floor area. The application documents have confirmed that there is proposed to be an increase of 16 staff as part of the increase in floor area.

21. Amendment VC277 was gazetted on 18 December 2025 which amended Clause 52.06 (Car Parking) to amend car parking requirements to align car parking rates with demand and reduce the number of car parks required in locations well serviced by public transport.

22. The subject site is located within Category 1 where minimum car parking requirements apply; the following assessment of car parking has been undertaken:

Primary School	Rate	Car Parking Measure	Car Parks	Proposal
96 staff	1 car park	To each employee that is part of the maximum number of employees on the site at any time.	96 car parks required	113 car parks provided on the site.



23. Pursuant to Clause 52.06-12 'Transition Provision A', a reference to 'clause 52.06-5' in the current clause is taken to be a reference to 'clause 52.06-5' in the former clause in respect of a transition proposal (except in relation to a maximum car parking requirement) if both of the following apply:
- The transition proposal is for a use specified in Table 1 to the current clause.
 - The number of car parking spaces that would be required for the transition proposal under the former clause is less than the minimum number of car parking spaces require under the current clause.
24. Given that the former minimum statutory car parking requirement of 96 spaces is not less than the current minimum requirements of 96 spaces, the transitional provision under Clause 52.06-12 do not apply to this application. Accordingly, the application must be assessed against the current Clause 52.06-5.
25. The proposal provides 113 car parking spaces which meets the requirements of Clause 52.06-5.

Clause 52.34 (Bicycle Facilities)

26. The application proposed no increase to student numbers or teaching staff. As there are no changes to the staff or student numbers, no additional bicycle parking is required.

Clause 53.19 (non-government schools)

27. Clause 53.19 applies to the use and development of 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.
28. An application to which Clause 53.19 applies, exempts it from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

Clause 53.18 Stormwater in Urban development

29. Clause 53. 18 (Stormwater in urban developments) applies to this application for buildings and works. The clause includes standards and objectives relating to stormwater management and aim to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits. General Requirements and Performance Standards.



Referrals

30. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 52 Notice – 19 August 2025	Mitchell Shire Council	No Response received
Section 52 Notice – 06 January 2025	Mitchell Shire Council – Notice of amended plans	13 January 2026

Municipal Council Comments

31. The Mitchell Shire Council (the council) have considered the application and do not object to the proposed works.

32. The council internally referred the application to the following departments:

- Landscaping – No objection.
- Waste – No objection.
- Urban Design – No objection.
- Engineering - No objection.
- Heritage - No objection.

Notice

33. The applicant was directed to give notice by way of erecting a sign along the Conway Street frontage and notifying adjoining owners and occupiers.

34. No objections have been received.



Strategic Direction and Land Use

36. The *Planning Policy Framework* encourage 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.

37. The relevant MPS and PPF policies have been considered in assessing the application.

38. The proposed land use is consistent with the strategic direction of the following policies.

39. Clause 02.03-3 Environmental Risks and Amenity which includes:

- *Climate change impacts.*
- *bushfire.*
- *Floodplains.*
- *Soil degradation; and*
- *Land use compatibility.*

40. Clause 13.07-1S which has an objective to:

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

41. Clauses 15, 15.01-1S, 15.01-2S, 15.01-5S and collectively have the following objectives relating to design:

To create the urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

And the following strategies which provided the following guidance:

- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure the form, scale and appearance of development enhances the function and amenity of the public realm.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.*

Clause 19.02-2S provides the following guidance:

Education Facilities

To assist in the integration of education and early childhood facilities with local and regional communities.

- *Consider the demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.*
- *Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.*
- *Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).*

42. The proposal for the construction of the new year 5/6 building have taken the local planning policies into account. The siting of the building to the rear of the existing school buildings and adjacent to the school oval is in a location which has minimal amenity impacts to any adjoining properties.

Buildings and Works

43. Detailed plans have been submitted for the proposed new works for the year 5/6 classrooms.

44. The works include the following:

Year 5/6 classrooms

- 8 classrooms, break out space.
- Bathrooms for teaching staff and for students
- Meeting rooms
- Outdoor covered spaces
- landscaping

45. The plans show the location of the new classrooms in an area between existing school buildings and the school oval, and the new maintenance shed is located between the new classroom and the school oval, ensuring that the shed is located outside of the heritage overlay.

Maintenance Shed

- Removal of existing maintenance shed.
- New 4 bay shed.

46. The maintenance shed is a simple colorbond shed with 4 bays for access to the internals. The simple built form is typical of rural sheds within the broader area.



Figure 11: Maintenance shed.

Height and Setbacks

47. The new 5/6 building has a maximum building height of 6.66m to the top of the roof over the main entry.



Figure 12: North elevation.

48. The proposed building is consistent with established school buildings on the site which are a mix of single and double storey-built form. The proposed single storey structure will sit within the broader school environment.

Design Detail

49. The documentation submitted includes a comprehensive materials schedule which details the building will utilize a variety of materials, including brickwork, pre-finished CFC sheeting, metal battens and powder coated door and window frames.
50. The proposed colours are consistent with the broader school and will allow the building to integrate into the established school setting.

Heritage

51. The new maintenance shed will be located adjacent to land subject to the Heritage Overlay (HO103), the proposed works have been reviewed by councils' heritage advisor who has made the following comments:

'These plans show that the new school building is no longer being located within HO103 and will have no negative visual impact on it. The only matter for 'heritage consideration' now is the proposed removal of 2 desert ash trees. These are part of a row of 6 to be removed although only 2 of these are in HO103 (trees 5 and 6). A further 3 desert ash trees, shown in the plans as trees 7, 8 and 9 are proposed to be retained, although trees 8 and 9 are not in the best health.'

*The documentation is slightly confusing regarding the retention of several of the trees but notwithstanding this they are not of any stated heritage significance and are unlikely to be particularly old (given that this species was most popular in the mid-late 20th century and are often considered invasive). Tree planting is proposed elsewhere as part of the development, and I have **no objection** to the overall works proposed.'*

52. The plans assessed by the heritage advisor showed the location of the shed closer to Assumption College boundary and within the heritage overlay. The applicants have submitted updated plans which have relocated the new maintenance shed to be sited outside of the heritage overlay and will not result in the loss of any trees.

Amenity

Amenity Impacts (internal and offsite)

53. The amenity impacts to the adjoining properties will be minor; there are no sensitive interfaces adjacent to the location of the proposed works.

Landscaping

54. The application has been submitted with a concept landscape plan detailing the new landscaping direction around the development of the new school building.
55. The amended plans do not show removal of trees from the site, and the landscape plans show the addition of 13 new canopy trees and proposed ground covers.

56. Permit conditions will require a schedule detailing the numbers and species of plants proposed.



Figure 19: Overall landscaping concept

57. The overall planting of canopy trees proposed is consistent with the existing landscaping within the school grounds and an updated landscape plan will provide a comprehensive landscaping outcome to surround the new building. The proposed landscaping can be supported subject to conditions.

Car parking

58. The proposal does not include any additional staff or students and does not trigger the requirement for additional onsite car parking. There are no changes to the existing onsite parking provided for staff which exceeds the number of spaces required under Clause 52.06.

Bicycle Facilities

59. The proposal does not include any additional staff or students therefore no additional bicycle parking is required as a result of the amendment.

Waste

60. A waste management plan has been provided and the waste management on the site is not expected to vary significantly from the current conditions. A waste management plan has been submitted and will be required to be amended to include hours of collection from the site. This will be included as a permit condition.

Stormwater Management

61. The application has been submitted with a stormwater management plan as part of the SMP report which provides stormwater treatment for the extent of the proposed works.



62. The report specified that minor flows will be conveyed from the site via existing stormwater infrastructure and swales and discharged to the legal point of discharge and the council's drainage network.
63. The new development will re-use rainwater tanks (3 tanks) to reduce the volume of run-off, this water is to be used to irrigate the new landscaping and the school oval. Surface water runoff is directed towards the school oval to contribute to the existing watering system.
64. These measures contribute to the reduction of water being discharged into the council drainage system and the Stormwater Management Plan, prepared by RMG, dated 20 November 2025 can be endorsed.

Planning Permit

Permit No.:	PA2503869
Planning scheme:	Mitchell Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	1 Conway Street, Kilmore

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
Clause 37.01-4	Construct a building or construct or carry out works associated with an existing Education Centre.
Clause 43.01-1	Demolish a building and construct and carry out works.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:


Compliance with documents approved under this permit.

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Layout not altered.

2. The layout of the use and development must not be altered from the layout shown on the approved and endorsed plans without the written consent of the responsible authority.

Amended Plans

- 
3. Before the development starts, including demolition, bulk excavation and site preparation works, detailed development plans for that stage including a development summary must be approved and endorsed by the Responsible Authority. The plans must be generally in accordance with the plans prepared by Y2 Architecture dated 30 July 2025, but modified to show:
- a) Any changes required by the Landscape plan.

Landscaping

4. Concurrent with the endorsement of plans, an amended landscape plan must be submitted to and approved by the Responsible Authority. The Landscape plan must be generally in accordance with the landscape plan prepared by Landscape Architects, Rev. E, dated May 25, but modified to show:
- a) Plans updated to include the maintenance shed and any additional landscaping associated with the construction of this building.
- b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes at maturity, and quantities of each plant.
- c) Planting details
- d) Nominate all surfaces, finishes and edge treatments.
- e) Nominate the location of any outdoor furniture/seating to be provided as part of the development.
- f) The location of any trees to be retained on site and adjacent to the site, including details of the species, tree protection zones, tree protection measures and tree sizes, where required.
- g) Include a reference to AS4970/2025 – Protection of Trees on Development Sites.
5. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

General Amenity

6. The amenity of the area must not be detrimentally affected by the use(s), including through:
- The transport of materials, goods or commodities to and from the land.
 - The unsightly appearance of any buildings works or materials.
 - The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waster water, waste products, grit or oil; or
 - The presence of vermin.


To the satisfaction of the Responsible Authority.

Stormwater Management Plan (SMP)

7. Concurrent with the endorsement of plans, the Stormwater Management Plan (SMP) prepared by RMG, dated 29/06/2025 must be approved by the Responsible Authority. The performance outcomes for the development must be in accordance with the report, to the satisfaction of the Responsible Authority. The report must not be altered without the prior written consent of the Responsible Authority.

Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed report in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Waste Management Plan (WMP)



8. Before the development starts, the Waste Management Plan (WMP) Statement must be approved by the Responsible Authority. The WMP must be prepared to the satisfaction of the Responsible Authority, be generally in accordance with the WMP prepared by St Patrick's School Kilmore, dated 11/03/2025 and must include the following:

- a) Hours for waste collection.

The responsible authority may consent in writing to vary these requirements.

Commencement

9. This permit will operate from the issued date of this permit.

Expiry

10. This permit will expire if one of the following circumstances apply:

- a) The development is not started within 3 years of the issued date of this permit.
- b) The development is not completed within 5 years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

- a) The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- b) The completion date referred to if a request is made in writing within six months after the permit expires and the development started lawfully before the permit expired.

Notes:

(the following information does not form part of this permit)

The permitted use or development may need to comply with, or obtain the following further approvals:

- These notes are provided for information only and do not constitute part of the permit or conditions of this permit.
- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- A building permit under the *Building Act 1993*.
- Paths, access ramps and Tactile Ground Surface Indicators to be installed in accordance with DDA requirements and the relevant Australian Standards.

Recommendation



65. The proposal is consistent with the relevant planning policies of the Mitchell Planning Scheme and will contribute to the provision of education facilities within the Kilmore area.
66. The proposal is supported by the Council.
67. It is recommended that Planning Permit No. PA2503869 for the construction of a new grade 5/6 classroom building at 1 Conway Street, Kilmore be issued subject to conditions.
68. 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:	[Redacted]	Signed:	[Redacted]
Title:	Senior Planner, Development Approvals and Design	Dated:	[Redacted]
Phone:			

Approved by: Grant Logan

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Name:	[Redacted]	Signed:	[Redacted]
Title:	Manager, Development Approvals and Design	Dated:	[Redacted]
Phone:	0428809519		
