

ADVERTISED PLAN

LEVEL 10
477 COLLINS STREET
MELBOURNE VIC 3000

URBIS.COM.AU
Urbis Ltd
ABN 50 105 256 228

Planning Department
Department of Planning and Transport
Via online portal

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To whom it may concern,

PLANNING PERMIT APPLICATION FOR NO. 820, 822 AND 824 CENTRE ROAD, BENTLEIGH EAST

1. INTRODUCTION

Urbis Ltd acts on behalf of St Peters Primary School in support of a planning permit application for the proposed use of No. 820, No. 822 and No. 824 Centre Road, Bentleigh East (the 'site') as an education centre (primary school), specifically for an outdoor space associated with the existing Primary School (St Peters Primary School) located at No. 826-844 Centre Road, Bentleigh East.

The subject site is within the Neighbourhood Residential Zone and is not affected by any overlays in accordance with the Glen Eira Planning Scheme.

To assist with your assessment, please find enclosed:

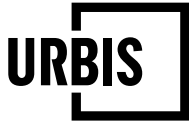
- Certificate of title (including the relevant attachments and encumbrances)
- Architectural Plans prepared by Clarke Hopkins Clarke

2. SUBJECT SITE AND CONTEXT

The site comprises of three lots, being No. 820, No. 822 and No. 824 Centre Road, and are formally known as:

- Volume 08144, Folio 800.
- Volume 08144, Folio 802.
- Volume 08144, Folio 803.

The site has a frontage of approximately 46.5 metres to Centre Road to the north of the site, and a secondary frontage of approximately 39 metres to Kaniva Court to the west of the site. The site is predominately rectangular in shape, with the exception of a corner splay to the intersection of Centre Road and Kaniva Court. The site has an approximately lot area of 2,000 square metres.



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The site is currently developed with three dwellings and associated outbuildings. The site features one double width crossover to Centre Road and a single width crossover to Kaniva Court.

There are a number of non-native trees on the properties. No permit is required to remove these trees.

To the north and west of the site is Centre Road and Kaniva Court respectively.

To the south and east of the site is No. 826-844 Centre Road, Bentleigh East, which is currently occupied by St Peters Primary School.

3. PROPOSAL

This planning permit application seeks approval for the use of the site as an education centre (primary school) in a Neighbourhood Residential Zone and alterations of access to a road in a Transport Zone 2. The site will be used as an outdoor area associated with the existing facilities at No. 826-844 Centre Road, Bentleigh East. No increase in student or staff numbers are proposed as part of this application.

Under the provisions of the Glen Eira Planning Scheme, a permit is required subject to the following:

- Clause 32.09-2 – a permit is required for the use of the site as a Section 2 use (education centre (Primary School))
- Clause 52.29-2 – alter (remove) access to a road in a Transport Zone 2

While it is proposed to demolish the existing buildings on the site and construct fencing along all boundaries of the site, a permit is not required for these works as discussed further below. Similarly no permit is required to remove non-native trees, albeit no decision has been made as to whether some or all of the trees will be removed at this time.

4. PLANNING POLICIES AND CONTROLS

4.1. PLANNING POLICY FRAMEWORK

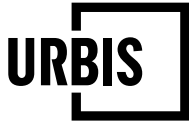
The following planning policies are relevant to the consideration of this proposal:

- Clause 19.02-2S – Education Facilities
- Clause 19.02-2L – Education Facilities seeks to support the local and regional role of Glen Eira's education facilities.

4.2. ZONE

The site is zoned Neighbourhood Residential Zone. The purpose of the Zone is:

- *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.*



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A planning permit is required for the use of the site as a Section 2 use (education centre (Primary School)) pursuant to Clause 32.09-2.

4.3. PARTICULAR AND GENERAL PROVISIONS

Clause 52.06 – Car Parking

Clause 52.06 seeks to ensure an appropriate level of car parking is provided for a new use or an increase in the floor area of an existing use, as well as ensuring the design of access and parking areas is considered to ensure efficient and safe manoeuvrability throughout a site.

This application does not propose to increase the staff or student numbers and therefore does not require a planning permit.

Clause 52.29 – Land Adjacent to the Principal Road Network

Clause 52.29 seeks to manage access and associated impacts on roads in the Principal Road Network. It is noted that Centre Road is a road in a Transport Zone 2.

Pursuant to Clause 52.29-2, a permit is required to create or alter access to a road in a Transport Zone 2. The proposed application seeks to remove the existing crossover from Centre Road, as such a permit is required to alter a road in a Transport Zone 2.

Clause 52.34 – Bicycle Parking

Clause 52.34 aims to encourage cycling as a transport option for development and provide suitable infrastructure to support the intended modal shift away from car dependency.

This application does not propose to increase the staff or student numbers and therefore does not require a planning permit.

Clause 53.19 - Non-Government Schools

The purpose of Clause 53.19 (Non-Government Schools) is to facilitate updates and extensions to existing non-government schools. The Clause applies to: *an application under any provision of this scheme, other than a VicSmart application, 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.*

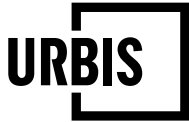
Any application under this Clause is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the *Planning and Environment Act 1987*

Clause 62.02 – Buildings and Works

This clause sets out a number of exemptions from requiring a planning permit relating to the construction of a building or the construction or carrying out of works. Specifically, Clause 62.02-2 does not require a planning permit for buildings and works unless specifically required by the planning scheme for the following (selected):

- A fence
- Roadworks

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Clause 62.05 – Demolition

This clause sets a permit exemption for demolition or removal of a building or works unless it is specifically required by the planning scheme.

Clause 65 – Decision Guidelines

Clause 65 specifies a range of general ‘Decision Guidelines’ that the responsible authority must consider prior to deciding on any application. This includes the need to considering any associated amenity, traffic flow and road safety impacts.

Further Clause 71.02-3 ‘Integrated decision making’ encourages planning and responsible authorities to ‘integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations’.

Clause 72.01 – Responsible Authority for this Planning Scheme

Pursuant to Clause 72.01-1 the Minister for Planning is the responsible authority for use and development of land for:

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:

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

As the proposal is for the use of the site for a primary school carried out in conjunction with the existing primary school on the contiguous land in the same ownership, and there is no existing primary school currently on the land, the Minister for Planning is the relevant responsible authority for this application.

5. ASSESSMENT

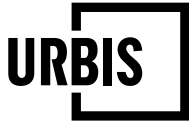
A permit is required subject to the following:

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Use as a Primary School

Both State and Local planning policy support the facilitation of education centres, especially when collocated with existing centres and in locations that are easily accessible. Further the Neighbourhood Residential Zone’s purpose seeks to facilitate education facilities that service the local community in appropriate locations.

The proposed use of the site will be ancillary to existing use of No. 826-844 Centre Road as a primary school. The site will be used as an outdoor lawn area and will not result in the increase of student or staff numbers through the broader site. The site’s non-sensitive interfaces (notable Centre Road and



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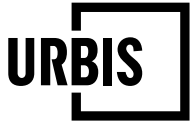
Kaniva Court) will ensure that the proposed use will not result in any unreasonable amenity impacts on the surrounding area.

Specifically the proposal appropriately responds to the following decision guidelines within the Neighbourhood Residential Zone for non-residential use and development at Clause 32.09-14:

Policy	Response
<i>Whether the use or development is compatible with residential use.</i>	The proposed use complies with the identified purpose in the Neighbourhood Residential Zone for education facilities that service the local community.
<i>Whether the use generally serves local community needs</i>	The existing St Peters Primary School currently services the local community. The proposed use of this site will provide additional outdoor area to the existing students within the school.
<i>The scale and intensity of the use and development.</i>	The proposal is of a low scale and intensity, with no built form proposed and no increase in staff or student numbers proposed.
<i>The design, height, setback and appearance of the proposed buildings and works</i>	N/A
<i>The proposed landscaping</i>	The existing canopy planting through the site is proposed to be retained.
<i>The provision of car and bicycle parking and associated accessways</i>	No car or bicycle parking is proposed on the site and the existing accessways are proposed to be removed.
<i>Any proposed loading and refuse collection facilities</i>	N/A – no loading or refuse collection is required for the site or proposed on this site.
<i>The safety, efficiency and amenity effects of traffic to be generated by the proposal</i>	N/A – there is no proposed increase in staff or student numbers that would result in traffic impacts from the proposed application.

Removal of vehicle access from Centre Road

The removal of access from Centre Road is not considered to impact on the operation and safety of Centre Road. All vehicle access will be provided from within the site and the proposal does not seek to increase the existing use of the broader St Peters Primary School (including by way of staff or student numbers) that would impact on the operation of the existing vehicle access points to the broader site. As such, the proposed removal of vehicle access from Centre Road is considered appropriate.



6. CONCLUSION

We trust the above information is sufficient to allow favourable consideration of this request.

Should you have any further queries, please do not hesitate to contact the undersigned.

Yours sincerely,

Tyson Parsons

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