

# ST. CATHERINES SCHOOL USE OF 15A HEYINGTON PLACE, TOORAK

Town Planning Report

## URBIS STAFF RESPONSIBLE FOR THIS REPORT

Director	Anna Barclay
Consultant	Richard Main
Project Code	P0049901
Report Number	Report 01

## SUBMISSION DOCUMENTS

This report is to be read in conjunction with:

- Certificates of Title
- Town Planning Drawings

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# 1. EXECUTIVE SUMMARY

Urbis has been engaged by St. Catherine's School in support of a change of use application associated with one (1) residential property owned by the school, adjoining the existing campus at 15a Heyington Place, Toorak.

It is noted that in addition to the application to use for an education centre, minor works are proposed associated with the new use. The works are contained to internal rearrangements (no permit required) and the removal of two external windows (works requiring a permit).

The proposal seeks to change the use of the property to an Education Centre (Primary and Secondary School), to provide for additional flexible space for the campus. This is an outcome of the plans to deliver a new music school (including building refurbishments) on the main campus which will affect available learning spaces on site.

The existing building will be used for a decanting space including teaching and learning spaces, staff offices and storage. The use is proposed to be conducted within the existing building on the site and will be accessed through the existing campus which directly adjoins the site.

## STONNINGTON PLANNING SCHEME

The site is affected by the following planning controls and permissions:

CONTROLS/PROVISIONS	PERMISSIONS
Clause 32.08 General Residential Zone – Schedule 8	<ul style="list-style-type: none"><li>▪ To use land for an Education Centre (Primary and Secondary School)</li><li>▪ To undertake buildings and works associated with a Section 2 use.</li></ul>
Development Contributions Overlay Plan Overlay	<ul style="list-style-type: none"><li>▪ N/A</li></ul>

## ASSESSMENT SUMMARY

In preparing this report, we have conducted a detailed analysis of the site and its surrounds and considered the relevant planning policies and controls of the Stonnington 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 proposal is consistent with the statutory and strategic frameworks of the Stonnington Planning Scheme, particularly the purpose of the General Residential Zone Schedule 8 and Council's local policy for discretionary uses in residential areas.
- ✔ The building has been owned by the school for some time, utilised as a staff residence. The proposal will therefore not contribute to the loss of housing stock in the area.
- ✔ The nature of the uses is associated with the existing school and the size of the existing building limits these to small classes, administration and storage, as such, there will be no adverse amenity impacts to surrounding residents.
- ✔ The proposal will not increase staff nor student numbers and as such there will be no impact to the car parking demand or traffic generation within the area.
- ✔ Pursuant to Clause 72.01-1, The Minister for Planning is the responsible authority for matters in relation to the use and development of land for a primary school or secondary school 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. Pursuant to the above, this application has been submitted to DTP and emailed to Stonnington Council.



## 2. SITE CONTEXT

### 2.1. SUBJECT SITE

The site comprises one parcel of land adjoining the St. Catherines School Campus, at number 15A Heyington Place, Toorak.

Key details of the site are as follows:

CATEGORY	DESCRIPTION
<b>Existing Conditions</b>	The site currently encompasses a single storey detached dwelling.
<b>Location</b>	<p>The application site is located along the western side of Heyington Place, an established residential street that borders the St. Catherines School Site.</p> <p>The Subject Site intersects with the St Catherines school at the point of the staff car park. Currently, the site is not delineated from the school by fencing or vegetation and is accessible via the car park.</p>
<b>Area</b>	886 sqm
<b>Frontages</b>	<ul style="list-style-type: none"><li>Primary frontage to Heyington Place of approximately 27 metres</li></ul>
<b>Title</b>	<ul style="list-style-type: none"><li>Lot 1 on Plan of Subdivision 112487</li></ul>
<b>Vehicle Access</b>	<ul style="list-style-type: none"><li>Existing vehicle access provided at two points along Heyington Place, with a third vehicle access point from the car park at St. Catherine's School.</li></ul>
<b>Vegetation</b>	There are existing street trees along the Heyington Place frontage.

Table 1 – Details of Subject Site

## 2.2. ST. CATHERINES SCHOOL CAMPUS

The St. Catherine’s School Campus is on the western side of Heyington Place and is bound by residential interfaces to the north, west and south. The campus has multiple heritage buildings clustered across the site, including Sherren House & Wiltondale House.

Across the school campus, the school provides for Early Learning Pre-School, Junior (Prep-6) and Senior School (year 7-12) as well as on-site boarding. The school campus also has shared sporting facilities including a gym, swimming pool and sport courts. The school grounds are accessed at different points along Heyington Place, with staff carparking provided on the southern boundary of the site.

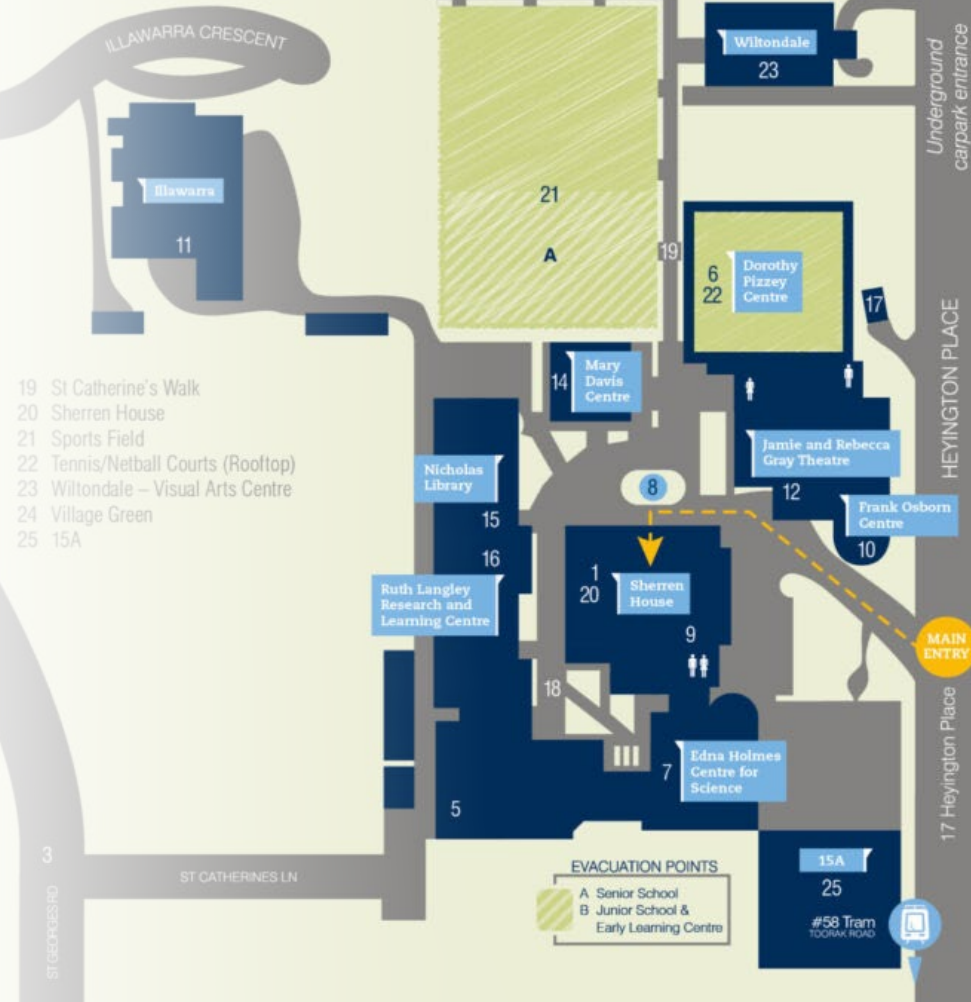
The Secondary School is centrally to the site and occupies a large portion of the site.

The subject site is located to the south of the school grounds, abutting the staff car park. Historically, the school owned building has been used as a residence by staff members.

Campus Map

### KEY

- 1 Senior School Reception
- 2 Junior School Reception
- 3 Bus drop off/pick up point
- 4 Campbell House – Ilhan Family Centre (ELC)
- 5 Clock Tower
- 6 Dorothy Pizzey Centre – St Catherine’s Hall
- 7 Edna Holmes Centre for Science
- 8 Fountain
- 9 Health Centre – Senior School
- 10 Frank Osborn Centre
- 11 Illawarra – Boarding House
- 12 Jamie and Rebecca Gray Theatre
- 13 Marigold Southey Sports and Aquatic Centre
- 14 Mary Davis Centre – Café
- 15 Nicholas Library
- 16 Ruth Langley Research and Learning Centre
- 17 Second Hand Uniform Shop
- 18 Senior School Courtyard



- 19 St Catherine’s Walk
- 20 Sherren House
- 21 Sports Field
- 22 Tennis/Netball Courts (Rooftop)
- 23 Wiltondale – Visual Arts Centre
- 24 Village Green
- 25 15A

EVACUATION POINTS  
A Senior School  
B Junior School & Early Learning Centre

Junior School entrance  
(no vehicle access)

Underground carpark entrance

HEYINGTON PLACE

17 Heyington Place

North



## 2.3. LIVE PLANNING APPLICATION

On the 10<sup>th</sup> of May 2024, a planning permit application (PA2402917) was lodged with the Department of Transport and Planning for buildings and works associated with St. Catherine's School. The planning application seeks approval for works associated with the following buildings:

- The existing Wintergarden building,
- Part of the Dorothy Pizzey Centre (and associated temporary outbuildings)
- Part of the Frank Osborn Centre
- Demolition of a portion of the existing fence along Heyington Place

Planning Application PA2402917 is now at the public notice stage.

The abovementioned development of the school will impact the typical scheduling of classrooms for at least a year during construction (if approved). It is on this basis that this application for use of 15A Heyington Place, Toorak is proposed. The repurpose of this building will assist the school in managing class overflows caused by building closures.



## 2.4. IMMEDIATE SURROUNDS

The immediate subject surrounds can be defined as predominantly residential uses to the south and west, and non-sensitive interfaces to the north and east. Specifically, the site's immediate interfaces can be characterised as:

- A** To the north of the site is a staff car park associated with the St. Catherines School. The car park is only used by staff and is not available to the general public. It is noted that there is no distinct break between the subject site and the car park, given they both form part of the school. Access to the site from the school grounds is possible via the car park.
- B** To the east of the site is Heyington Place, a two way local road that runs north-south connecting the junctions of Heyington Train Station and Toorak Road. Further east of Heyington Place are residential dwellings that face east toward the site.
- C** To the south of the site is 15 Heyington Place, Toorak. The site is characterised by a single storey brick dwelling with a primary access to Crestmont Court. The dwelling is built close to the common boundary with a pool and open space and is screened by existing vegetation along the rear boundary.
- D** To the west of the site is 6 Crestmont Court, defined as a double storey rendered-brick dwelling. The ground floor of the dwelling is built within proximity of the existing school building in the north and there is open space and a pool at the interface with the subject site.



## 2.4.1. North

As described, to the north of the site is an existing car park associated with the school. The existing building which forms part of the school, used primarily as a staff residence, is currently accessed via the car park. An existing pedestrian walkway along the Sherren House provides pedestrian access to the subject site, which is not separated via fencing and can be freely accessed.

To the west of the car park is Sherren House, the main reception building and the Science Centre of St. Catherine's School.



Picture 1: Existing pedestrian walkway along Science Centre (rear of Sherren House)

Source: *Urbis Site Visit, 2023*



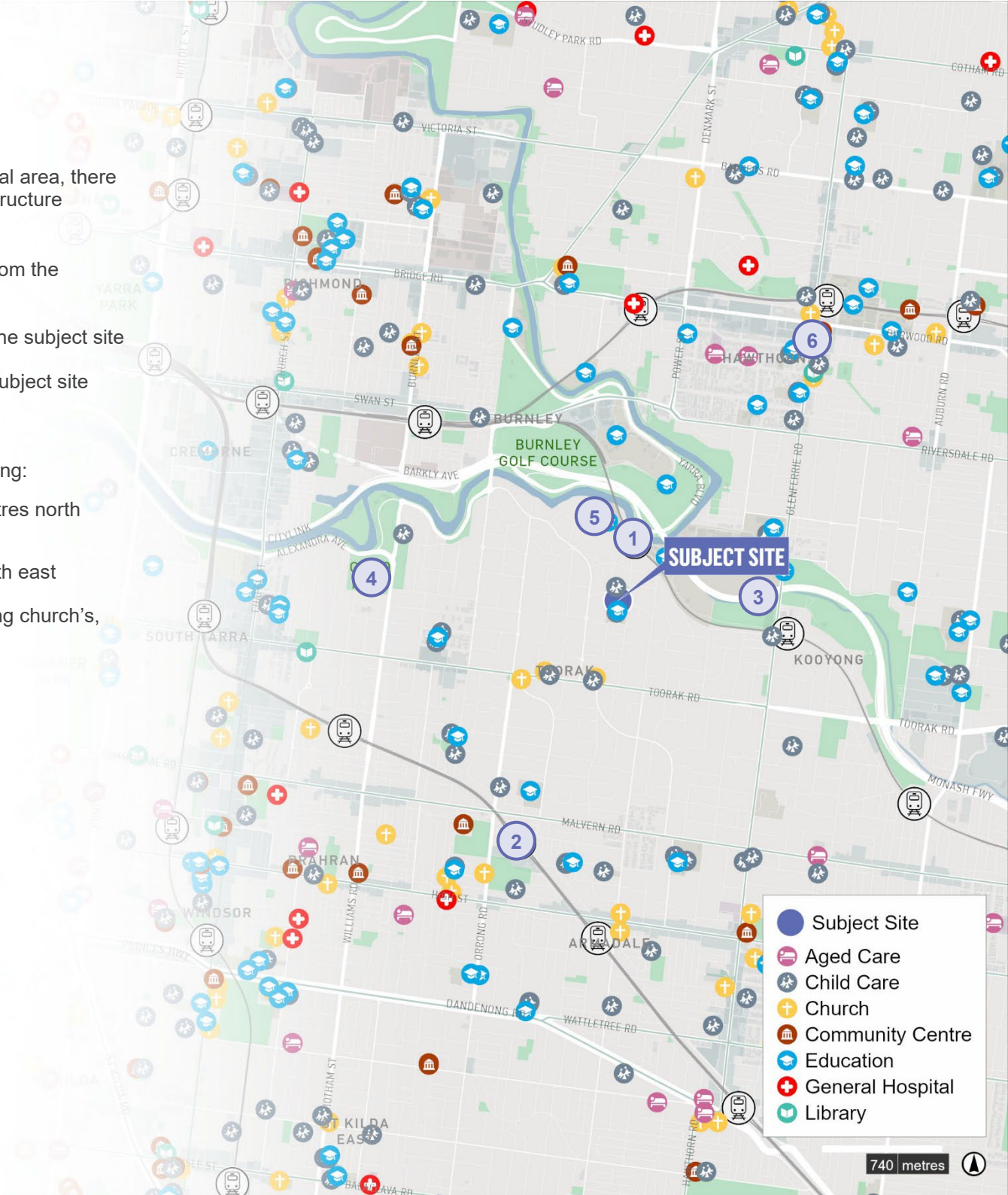
Picture 2: Existing Pedestrian walkway

Source: *Nearmap, 2024*

## 2.5. SURROUNDING CONTEXT

While the subject site is located within a predominantly residential area, there are also a number of non-residential uses and supporting infrastructure proximate to the site including:

- 1 Heyington Train Station approximately 300m north east from the subject site
- 2 Toorak Train Station approximately 1.5km south west of the subject site
- 3 Gardiners Creek trail approximately 350m east from the subject site
- 4 Como Park approximately 1.5km west
- 5 A suite of surrounding schools and school facilities including:
  - a. St Kevin's Junior School approximately 450 metres north west
  - b. St Kevin College approximately 300 metres north east
- 6 A suite of communal facilities surrounding the site including church's, aged care centres and hospitals.



# 3. PROPOSAL

## 3.1. CHANGE OF USE

The proposal seeks to change the use of the existing building at 15A Heyington Place for the purposes of an education centre (Secondary School) associated with St. Catherine’s School.

The site will be used for one or many of the following purposes, being administrative area/ offices, storage areas, one-on-one tutoring or specialist classes. The sites will be accessed via the existing campus through direct pedestrian access. Any vehicular access will be directed to the existing staff car park at Grosvenor Street.

The northern setback of the of the site will be used for access only and will not be used by students as a play area. As such, it is not expected that this area will be heavily frequented by students, as they will only enter and exit via this path.

### 3.1.1. School Needs

The additional parcel has been a longstanding residential building associated for the school and is required for overflow areas to provide additional resources as required for the school.

As mentioned in Section 1.4 of this Report, planning application PA2402917 (if approved by the department) will likely lead to building closures during construction. It is on this basis that the proposed repurpose of 15A Heyington Place is proposed, to manage the overflow of classes and staff spaces impacted by building closures. As such, this application should be considered a necessary one.

ADDRESS	PROPOSAL
Carparking	Buildings are to be serviced by existing car parking spaces (no additional spaces required pursuant to Clause 52.06)
Hours of Operation	The proposal will operate in accordance with the existing school and will not facilitate any

extracurricular classes. The building will not be used outside of typical school hours.

Staff and Student numbers	There is no increase in student/ staff numbers in association with the proposal:
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### 3.1.2. Proposed Works

Further to the change in use, the existing building will undergo the following minor works, to better accommodate the education use.

- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased (no permit required under Clause 62.02-2 - Buildings and works not requiring a permit unless specifically required by the planning scheme)
- As per Figure 2, the only external works which require planning permission are regarding the western elevation. Two existing windows will be removed and infilled as they are associated with bathrooms. The infill of these windows is to provide privacy to students.

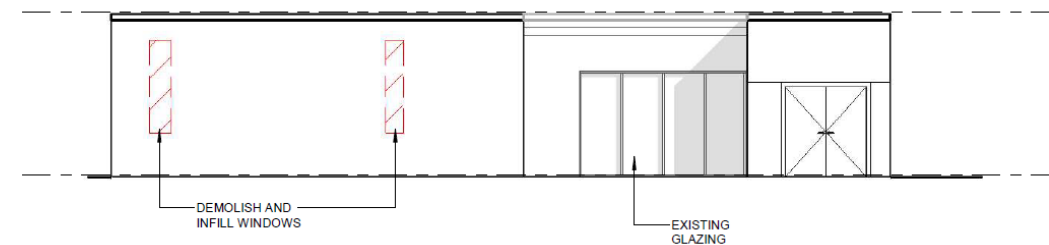


Figure 1: Proposed western elevation works.

Source: McIldownie Partners

## 4. STONNINGTON PLANNING SCHEME

### 4.1. ZONE

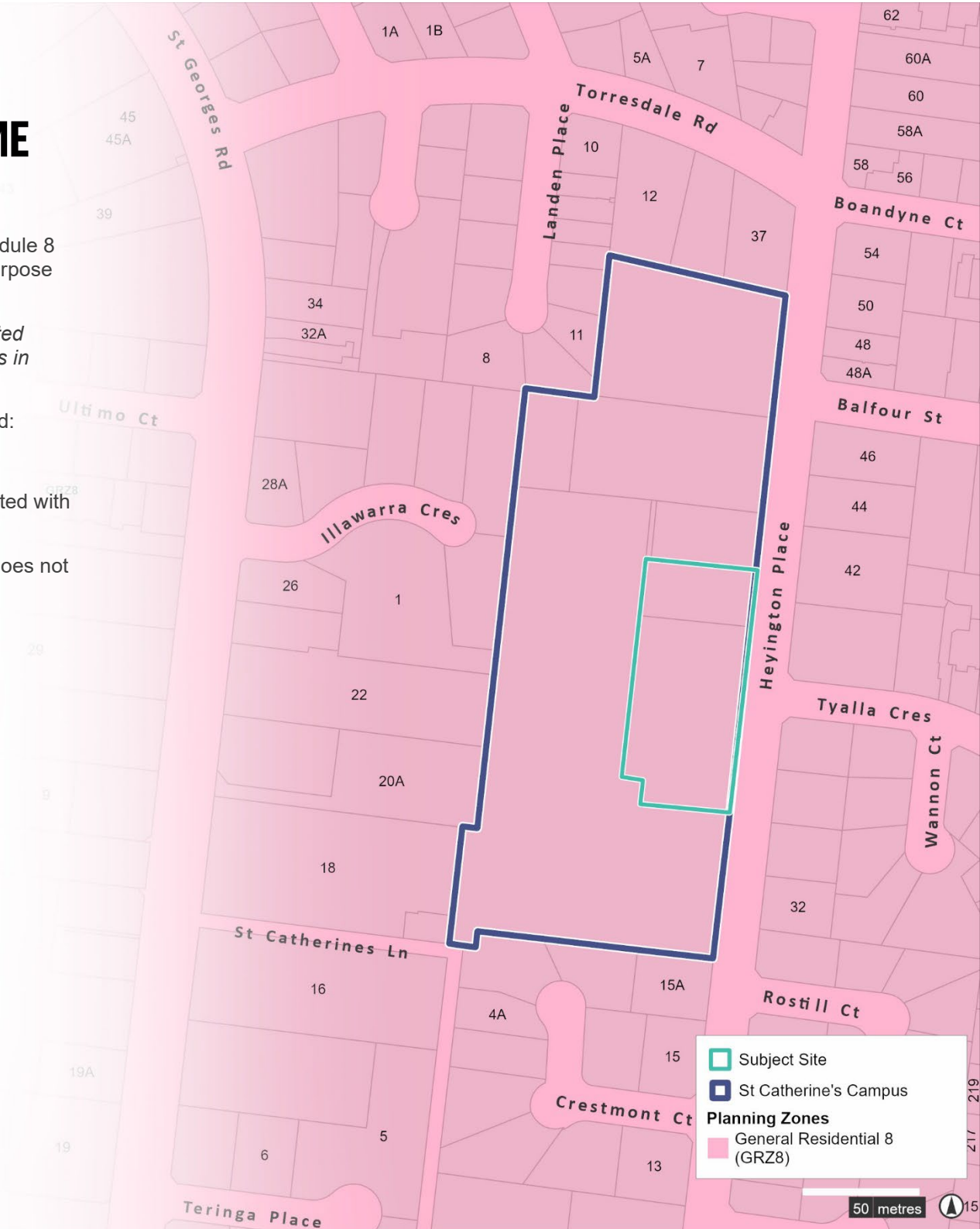
The subject site is located within the General Residential Zone – Schedule 8 pursuant to clause 32.08 of the Stonnington Planning Scheme. The purpose of the GRZ (amongst others) is to:

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

Pursuant to Clause 32.08 General residential zone, a permit is required:

- To use the building for an Education Centre (Section 2 use)
- To construct a building or to construct and carry out works associated with a section 2 use (Education Centre).

Schedule 8 to the GRZ relates to Garden Estate Precincts, however, does not contain any additional requirements for education centres.



## 4.2. OVERLAYS

### 4.2.1. Development Contributions Plan Overlay – Schedule 1 (DCPO1)

The subject site is affected by Clause 45.06 Development Contributions Plan Overlay – Schedule 1 (DCPO1) which relates to the Stonnington Development Contributions Plan.

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



### 4.3. 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 'review from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.
- **Clause 72-01-1 Minister is Responsible Authority** Pursuant to Clause 72.01-1, The Minister for Planning is the responsible authority for matters in relation to the use and development of land for a primary school or secondary school 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..

### 4.4. MUNICIPAL PLANNING STRATEGY

- **Clause 02.02-3 Environmental Risks and Amenity (Institutional Uses)** recognises that institutions employ a significant number of people and generate economic activity that benefits local businesses. This clause also recognises that a number of these institutions have experienced significant growth in recent years which has raised a number of amenity concerns.

### 4.5. PLANNING POLICY FRAMEWORK (PPF)

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

- **Clause 13.07-1L-01 Amenity** seek to provide strategies that design commercial buildings at the interface between business and residential precincts to respect the amenity of existing residential uses, particularly in relation to overlooking, overshadowing, noise generating uses and equipment.

- **Clause 13.07-1L-02 Commercial and Community Uses in Residential Zones** aims to facilitate non-residential uses in residential zones that are compatible with the residential amenity of the area and serve the needs of the local community.
- **Clause 13.07-1L-03 Institutional Uses** applies specifically to St. Catherine's School and aims to ensure institutional uses are developed in an orderly manner and are complementary to the context of their surroundings, especially any surrounding residential areas.
- **Clause 15.01-2S Building Design** aims to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
- **Clause 15.01-2L-02 Building Design** aims to encourage development to respect the scale, height, density, bulk, setbacks, style, form, building materials, colours and character of buildings, fences and gardens of the street or any defined character precinct.
- **Clause 19.02-2S Education Facilities** seeks to assist the integration of education within local and regional communities. This Clause recognises 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). This Clause also seeks to facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.



## 5. ASSESSMENT

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

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

1. Appropriateness of Land Use & Works
2. Consistency with the Planning Policy Framework
3. The potential for Offsite Amenity Impacts
4. Traffic and Carparking

Each of these matters is dealt with in detail below.



## Consistency with the General Residential Zone

The proposed use of land for an Education Centre (Secondary School associated with St. Catherine's School) is consistent with the purpose of the GRZ8 which seeks to *'allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.'*

The proposed use of the sites 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.
- The site immediately adjoins the existing school campus to the north.
- St. Catherine's is a school which primarily serves a local catchment, with the majority of students residing within the Stonnington local area.
- The proposed alterations proposed to the existing dwelling is extremely minor and contained to two bathroom window infills. These will not be visible from any abutting property. As such, there will be no change to the appearance of the existing residential site from a character perspective. It is unlikely the altered use will be perceptible.
- The proposed land use is to operate within the existing hours of the school and is therefore it is considered that the impact to nearby residential properties will be limited.

## Clause 13.07-1L-03 Institutional Uses

The proposal performs well against the local policy guidelines at Clause 13.07-1L-03 (Institutional Uses). A complete assessment against the relevant strategies and guidelines is provided below.

GUIDELINE/ STRATEGY	RESPONSE
<b>Clause 13.07-1L-03 Institutional Uses (St. Catherine's)</b>	
Ensure institutional uses are developed in an orderly manner and are complementary to the context of their surroundings, especially any surrounding residential areas.	As the proposal will retain the existing dwelling on the lot, there is no material changes that will affect the existing neighbourhood character of the area. Moreover, the change of use of the dwellings for the purposes of education will support the existing school use of St. Catherine's.
Encouraging the development of masterplans for institutions in residential areas that address management, future use and development, traffic and car parking impacts on the surrounding community.	The proposed application is considered minor in the school context. As such a permit application exclusive of master planning is considered acceptable.  St. Catherine's is a school which primarily serves a local catchment, with the majority of students residing within the Stonnington local area. As there are no material changes proposed, it is considered that the altered use is unlikely to be perceptible and will not adversely affect the surrounding residential amenity.

## Incorporated Plan Overlay (Schedule 1)

Clause 13.07-1L-03 encourages the development of masterplans for institutions in residential areas that address management, future use and development, traffic and car parking impacts on the surrounding community.

Pursuant to Schedule 1 to the IPO, a permit may be granted to use or subdivide land, construct a building or construct or carry out works before an incorporated plan has been incorporated into this scheme.



## CONSISTENCY WITH THE PLANNING POLICY FRAMEWORK

Recent updates to the Planning Policy Framework (PPF) recognise that the development and redevelopment of education facilities are different to dwellings in their purpose and function and seeks to facilitate the establishment and expansions of primary and secondary education facilities to meet the existing and future needs of communities.

Stonnington'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. It is submitted that the proposed change of use for property is consistent with the state and local planning policies for the following reasons:

- The proposal responds to the site's zoning which allow for non-residential uses in appropriate locations to meet community needs.
- The proposal supports discretionary uses in residential areas that serve a local need and do not adversely affect residential amenity in accordance with Clause 13.07-1L-03 Institutional Uses. Additionally, by retaining the existing dwellings and operating only within the existing school hours, the proposed non-residential use will be well-integrated and indiscernible within the residential zone and not result in any loss of residential amenity.
- The retention of the existing dwellings will ensure that the precinct will maintain the residential character of the area and be consistent with the strategies for Precinct GS4 at Clause 15.01-5L Stonnington preferred neighbourhood character. Specifically, the proposal is consistent with strategies that seek to retain the front of valued existing dwellings.
- The proposal is consistent with policy at Clause 19.02-2S Education facilities seeking to facilitate the establishment and extension of secondary schools to meet future educational needs of communities.



## THE POTENTIAL FOR OFFSITE AMENITY IMPACTS

The proposed change of use at the application sites has carefully considered the off-site amenity impacts, particularly in relation to potential noise generation resulting from the proposed Education Use. The key interfaces are those that share a boundary with the property including:

- 6 Crestmont Court, Toorak
- 15 Heyington Place, Toorak
- 7 Crestmont Court, Toorak

It is considered that the proposed use of the dwelling for small classrooms, staff spaces and storage will have limited associated noise as the areas will be used by existing staff and students. The additional parcel is required for overflow areas to provide additional resources as required for the school. The site will be used for one-on-one tutoring, or specialist classes. It is not anticipated that the new education building will have more than 20-30 people in it at any one time.

Moreover, the hours of operation will be consistent with the standard hours of the main school campus so as to not cause adverse noise impacts on abutting and surrounding residential land uses. Additionally, there will be no outdoor noise generated from the affected sites after-hours and on weekends, which could be considered an improved amenity outcome when compared to the noise generated from a typical dwelling use.

As the existing dwelling is also proposed to be retained in its current form, it is considered that there will be no impact to the abutting heritage graded school.

### Site Access

As demonstrated above, site access will be provided to the new building via the car park. It is noted that existing access is provided via the car park as it has a delineated pedestrian space which provides separation between vehicle users and pedestrians.

It is unlikely that a vehicle would be operated at a time in which the building would be used, as parking is only for staff, so it is not foreseen that vehicles and pedestrians would be using the general space at the same time.



## TRAFFIC AND CARPARKING

The proposed change of land use will be serviced by existing staff and students of St. Catherine's School. Therefore, as the application will not increase the number of staff and students, and as such, does not trigger any additional carparking requirements.

It is anticipated that the staff will utilise the existing carparking and access arrangements provided on site and within the school. These existing car parking arrangements are considered to be appropriate to provide car parking at each respective site as the proposed use is considered to be low-intensity and will not impact the generation of traffic on site.

parking arrangements are considered to be appropriate to provide car parking at each respective site as the proposed use is considered to be low-intensity and will not impact the generation of traffic on site.

## 6. CONCLUSION

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

- ✔ The proposal is consistent with the statutory frameworks of the Stonnington Planning Scheme, particularly the purpose of the General Residential Zone Schedule 8 and Council's local policy for discretionary uses in residential areas.
- ✔ The retention of the existing dwellings will ensure that the precinct will maintain the residential character of the area and be consistent with the strategies for Precinct GS4 at Clause 15.01-5L.
- ✔ The nature of the use will assist in managing class overflows associated with the education centre. As such, considering their operation during normal hours associated with the school, there is considered to be no adverse amenity impacts to surrounding residents.
- ✔ The proposal is consistent with policy at Clause 19.02-2S Education facilities seeking to facilitate the establishment and extension of secondary schools to meet future educational needs of communities.
- ✔ The proposal will not increase staff nor student numbers and as such there will be no impact to the car parking demand or traffic generation within the area.

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