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28 July 2022

Development Approvals and Design
Statutory Planning Services
Department of Environment, Land, Water and Planning

Submitted via Permits Online

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Dear Sir / Madam,

APPLICATION FOR CHANGE OF USE 36 WALSH STREET, DEEPDENE CAMBERWELL GRAMMAR SCHOOL

1. INTRODUCTION

Urbis Pty Ltd acts on behalf of Camberwell Grammar School ('the School') and submits a planning permit application for 36 Walsh Street, Deepdene ('the subject site'). Camberwell Grammar School recently purchased the property and seeks to facilitate an education use (school administration office) in conjunction with Camberwell Grammar School at the subject site.

This application seeks a planning permit for the following:

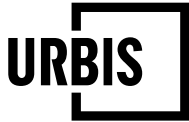
- To use the land for an Education Centre, pursuant to Clause 32.09-2 of the Neighbourhood Residential Zone
- To reduce the number of car parking spaces required to zero pursuant to Clause 52.06-3
- To waive the bicycle parking spaces required pursuant to Clause 52.34-2

2. BACKGROUND

2.1. CAMBERWELL GRAMMAR SCHOOL

Camberwell Grammar School was established in 1886 and is an independent Anglican school for boys. The comprehensive curriculum is offered from years Pre-Preparatory to Year 12.

The Canterbury campus includes several school buildings, sporting facilities and car parking areas set amongst landscaped grounds. The campus includes the Junior, Middle and Senior school areas. The campus is predominantly located at 55 Mont Albert Road, Canterbury and is surrounded by residential properties.



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2.2. EXISTING CAMPUS DEVELOPMENT PLAN AND DPO

The most recent Development Plan for Camberwell Grammar School was approved by Boroondara Council and endorsed in August 2008. In April 2020 the Development Plan was amended with updates to the staged developments proposed, however the updates are not relevant this application. The Development Plan encompasses the aspects of the Master Plan which was prepared in February 2008 and detailed the future aspirations and future growth of the campus.

The Development Plan implements the objectives and provisions of Schedule 2 to the Development Plan Overlay and applies to a number of parcels in ownership by the School, however does not include 36 Walsh Street, Deepdene which was recently purchased by the School. The Development Plan does not propose significant changes to the area of the school subject to this application.

3. SUBJECT SITE AND SURROUNDS

3.1. SUBJECT SITE

The subject site is located at 36 Walsh Street, Deepdene and is approximately 27 metres in width and 42 metres in depth. The total site area is approximately 1,151 square metres and currently comprises a single storey brick dwelling. A double vehicular carport is located along the site's driveway, approximately 9 metres from the site boundary.

The land is formally registered on title as Lot 1 on Title Plan 255484M (volume 05848, folio 517). The title is burdened by restrictive covenant 1091853. Two easements are located to the rear of the property located parallel and adjacent to the western site boundary. The proposal is not affected by the title encumbrances. Please refer to the enclosed title for further detail.

The site features a landscaped setback to the street and landscaped secluded private open space located in the rear and northern setbacks of the property. The existing dwelling is setback approximately 11.4 metres from the northern boundary to 34 Walsh Street which is developed with a dwelling.

The site immediately abuts the northern boundary of the school campus and is situated at the southern end of Walsh Street. The street is orientated on a north-south axis and accommodates a single lane of traffic each way with restricted parallel parking to both sides. Walsh Street is generally occupied by single and double storey dwellings with off-street car parking.

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Picture 1 Subject site viewing west from Walsh Street

Figure 1 Site Location Map



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3.1.1. Title and Covenant

The subject site is formally registered on title as Lot 1 on Title Plan 255484M. There is a covenant 1091853 registered on the lot.

The covenant relates to the development on the land; therefore, the change of use does not breach the requirements of the covenant which sets out the restriction:

“...hereby covenants with the said Ernest Walker his heirs executors administrators and transferees that he the said Thorold William Gunnensen will not erect on the said land hereby transferred any dwelling houses containing more than one storey”.

The proposal will not breach the covenant as the covenant relates to restricting any dwelling being erected on the land that contains more than one storey, and this proposal relates to change of use only.

3.2. SURROUNDING AREA

The subject sites interfaces are as follows:

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▪ To the north is No. 34 Walsh Street, a single storey brick dwelling. The dwelling is setback in the order of 8.6 metres from the street and features landscaped private open space within the dwelling setbacks. Further north are residential properties located in the neighbourhood residential zone with frontages to Walsh Street which intersects with Whitehorse Road.
- The site immediately abuts Walsh Street to the east, a local road orientated on a north-south axis which accommodates a single lane of traffic each way with restricted parallel parking to both sides. Further east of the site is the Camberwell Grammar School campus including No. 43 Walsh Street. No. 43 Walsh Street is developed with a single storey rendered building and is used for an education centre (art gallery, art and music classes, storage) as allowed by Planning Permit PP16/00856. No. 43 Walsh Street is not located in the Development Plan Overlay but as per the subject site, shares two common boundaries (east and south) with the School. Further east of the subject site is the northern end of the Camberwell Grammar School campus.
- To the south, the site immediately abuts the boundary of the Camberwell Grammar School which proximate to the subject site, accommodates temporary portable classrooms and watertanks set within landscaped open grounds. Further south within the School is the Arts and Science building of the Senior School.
- To the west, the subject site immediately abuts the Junior Campus of the School. Proximate to the site is the ‘Norge Junior School’ building setback in the order of 11.3 metres from the common boundary and an outbuilding located on the common boundary. Further west of the School is the Anniversary Trail, which is a walking and cycle trail that runs under Mont Albert Road and further south.

3.3. WIDER AREA

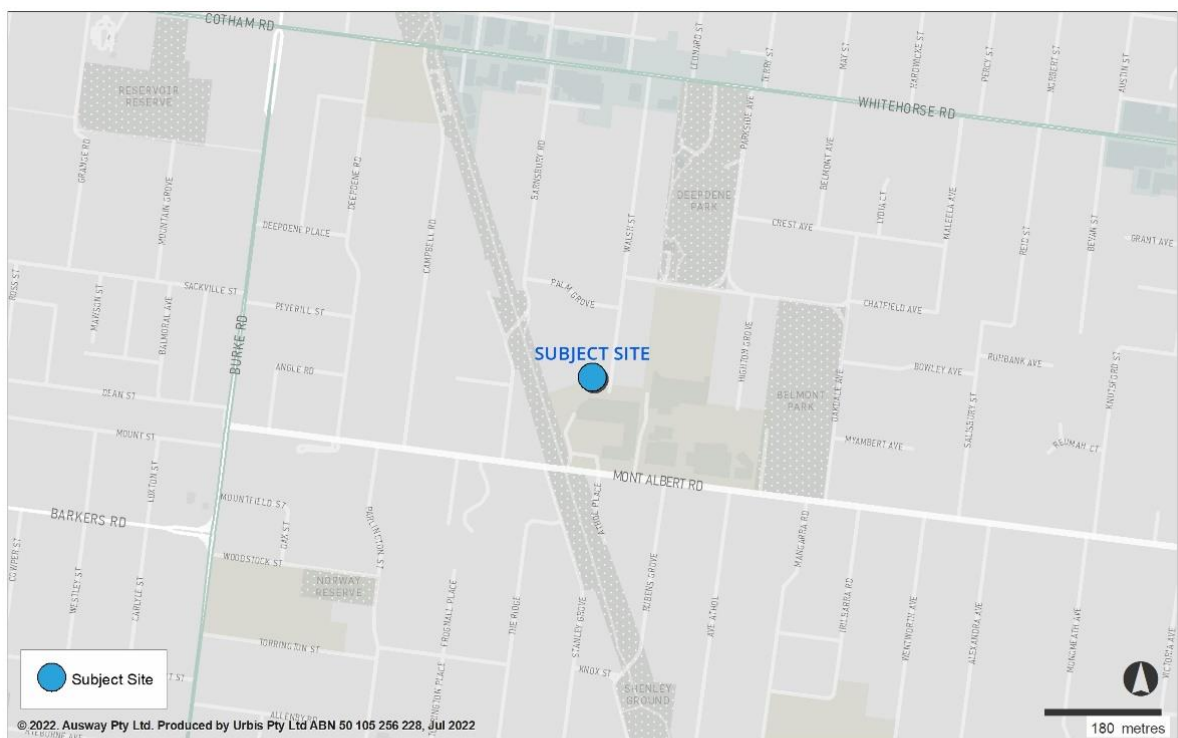
The subject site is located in a primarily residential area that comprises a mix of dwelling types and sizes. The School is integrated with the surrounding residential area and is located within proximity to a variety of amenities and services including recreational, community and transport provisions. This includes:

- Deepdene Park (230 metres)

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- Belmont Park (850 metres)
- Canterbury Girls' Secondary College (1.4km)
- Camberwell Girls' Grammar School (1.3km)
- Tram Route 109 (Box Hill – Port Melbourne) along Whitehorse Road (480 metres)

Figure 2 Site Location Map



36 WALSH STREET, DEEPDENE
SITE LOCATION

4. PROPOSAL

This application seeks approval for the use of the subject site as an 'Education Centre' in association to Camberwell Grammar School.

The existing dwelling on the subject site will be used by Camberwell Grammar School staff for administration offices. Notably, there will be no changes to the existing building, car parking arrangements and no increase in student or staff numbers on campus.

The staff members proposed to use the office already form part of the school staff and work and park within the School grounds currently, however more office space is needed throughout the campus to assist with School administration requirements.

The use of the site for an Education Centre is proposed to function in accordance with the existing operations of the School. There will be a maximum of ten (10) staff members using the site Monday to Friday. The hours of operation will typically be from 8am to 6pm with occasional access to the site on weekends however this would be an exception.

5. PLANNING POLICY FRAMEWORK

The Planning Policy Framework seeks to develop the objectives for planning in Victoria (as set out in the *Planning and Environment Act 1987*) to foster appropriate land-use and development planning and practices that encompass relevant environmental, social, and economic factors.

The site is subject to the provisions of the Boroondara Planning Scheme. The following section outlines key planning policies and controls relevant to the proposal.

▪ Clause 13 Environmental Risks and Amenity

- Clause 13.07-1S Land use compatibility – To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
- Clause 13.07-1L Discretionary uses and development in residential areas – builds on the provisions of Clause 13.07-1S and applies to all Section 2 uses in any residential zone. The policy recognises the need for other land uses to be located within residential areas, including schools. This policy seeks to ensure that discretionary uses in residential areas do not adversely affect residential amenity.

▪ Clause 19 Infrastructure

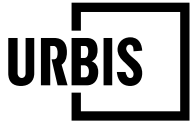
- Clause 19.02-2S Education facilities – Recognises and understands the importance of providing community resources such as education and seeks to ensure that education facilities are in well-connected areas with access to public transport and bicycle networks. They should be located near activity centres.
- Clause 19.02-2L Education facilities – Boroondara – Seeks to accommodate future development needs of education facilities while limiting impacts on the neighbourhood character and amenity of surrounding residential areas. The policy also applies the Development Plan Overlay to land for use and development as an education facility.

5.1. ZONING

The subject site is located within the Neighbourhood Residential Zone – Schedule 3 (NRZ3) pursuant to Clause 32.09 of the Planning Scheme. The relevant purpose of the NRZ3 is 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 32.09-2 Education Centre is a Section 2 Use (permit required).

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Figure 3 Neighbourhood Residential Zone Map



36 WALSH STREET, DEEPEENE PLANNING ZONES

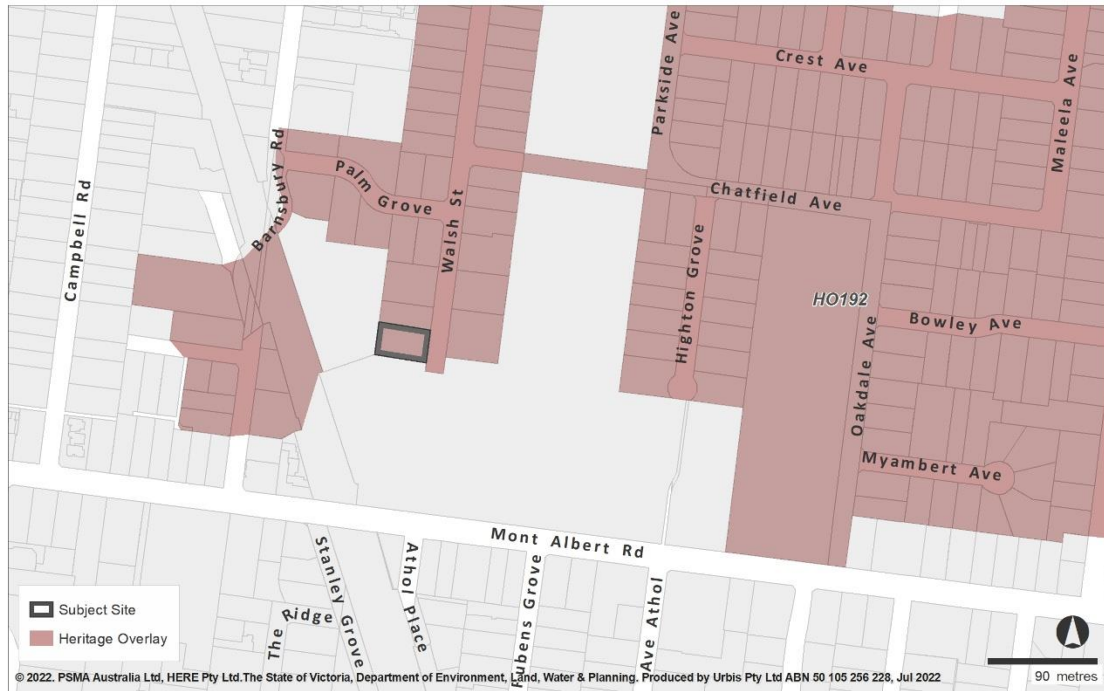
5.2. OVERLAYS

The subject site is located within the Heritage Overlay – Schedule HO192 pursuant to Clause 43.01 of the Planning Scheme. The relevant purpose of the Heritage Overlay is to ensure that development does not adversely affect the significance of heritage places.

The application does not involve buildings or works therefore a planning permit is not required under the Heritage Overlay.

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Figure 4 Heritage Overlay Map



36 WALSH STREET, DEEPDENE
HERITAGE OVERLAY (HO192)

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5.3. PARTICULAR PROVISIONS

5.3.1. Clause 52.06 Car Parking

Pursuant to Clause 52.06-2, before a new use commences, the number of car parking spaces required must be provided to the satisfaction of the Responsible Authority.

For a secondary school (education centre), the car parking rate is 1.2 spaces per employee, while for a primary school (education centre), the car parking rate is 1 space per employee. This application proposes 10 staff on the subject site at any one time, therefore applying the conservative statutory rate of 1.2 spaces per employee, the use generates a car parking requirement of 12 car parking spaces.

The application does not propose to construct a building or construct or carry out works on the subject site, noting informal parking currently exists on the land. No formal car parking is proposed to be accommodated on the site therefore a permit is required pursuant to Clause 52.06-3 to reduce the number of parking spaces required under Clause 52.06-5 to zero.

The staff that will use the subject site currently work and park at the School and therefore the application does not result in an increase in car parking demand.

5.3.2. Clause 52.34 Bicycle Facilities

Clause 52.34 aims to promote cycling as a mode of transport and aims to facilitate the provision of secure, accessible, and convenient bicycle parking spaces and associated shower and change facilities. This provision of bicycle facilities applies under the following conditions:

- A new use must not commence, or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
- Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Clause 52.34-5 sets out a rate of 1 bicycle parking space to each 20 employees for education centre (primary school and secondary school) use, and the proposed ten (10) staff members results in a requirement for one parking space. The existing property can accommodate informal bicycle parking however no formal parking space is proposed, therefore pursuant to Clause 52.34-2 a planning permit is required to waive the requirement of Clause 52.34-5.

5.3.3. Clause 53.19 Non-Government Schools

Clause 53.19 seeks to facilitate the development, construction, and provide upgrades and extensions to existing non-government schools. This clause specifically applies to an application to use or develop land for a secondary school or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as a primary or secondary school.

Pursuant to Clause 72.01-1 the Minister for Planning is the Responsible Authority for this application.

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5.4. GENERAL PROVISIONS

5.4.1. Clause 65 Decision Guidelines

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of Clause 65.

6. PLANNING ASSESSMENT – CHANGE IN LAND USE

The proposed change of use of the existing dwelling at 36 Walsh Street, Deepdene to an education centre is considered appropriate for the reasons outlined in this section.

6.1. POLICY SUPPORT FOR DISCRETIONARY USE IN A RESIDENTIAL ZONE

There is policy support for the Education Centre use at the subject site within the Neighbourhood Residential Zone. The State Planning Policy Framework seeks for Victoria to anticipate and respond to the needs of existing and future communities through the support of various uses that integrate appropriately within the immediate context. Moreover, the policy objectives within the SPPF support the enhancement of community liveability in-part through supporting the renewal, maintenance, and improvement of educational facilities.

The purpose of the NRZ is to ‘allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations’. The application of the NRZ to the site, and its immediate area, indicates that the education use is in an appropriate location, therefore the discretionary use within these areas may be supported.

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The Discretionary Uses and Development in Residential Areas Policy at Clause 13.07-1L of the Boroondara Planning Scheme is applicable to the proposal and seeks to “*minimise adverse amenity impacts from non-residential uses on surrounding residential properties*”. The proposal is consistent with the objectives and strategies of this policy for the following reasons:

- The context of the site is supportive of education centre due to its direct interface with Camberwell Grammar School and the school being the land owner, whilst it is contained within the Neighbourhood Residential Zone (NRZ).
- Due to the site’s location adjacent to an existing school facility used for Camberwell Grammar School, the use will spatially integrate with the existing facilities. Since there will be no change or alteration to the existing building it will not impose on the amenity of surrounding properties.
- The proposed Education Centre’s hours of operation will remain compatible with the existing opening hours of the School. Nearby residential properties will therefore not be subjected to unreasonable levels of noise, odours, or disturbed by any activity, during the night.
- The site will be used by current staff of Camberwell Grammar School who will access the site internally via a gate located on the western boundary between 36 Walsh Street and the Junior School. Staff members will have access to existing staff and student facilities available at the School. As there is no change to the existing staff and student facilities at the school there will be no change to traffic conditions in surrounding streets.
- There are no external physical changes proposed to the existing dwelling or front fence. Existing vegetation will provide a buffer to adjoining sensitive residential interfaces which will be retained. Therefore, nearby residential properties will not be subjected to unreasonable amenity impacts caused by insensitive development, nor will the residential character of the area be significantly changed.

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The use of the land for an Education Centre falls into the ‘Education Centre’ land use category specified within the Discretionary Uses and Development in Residential Areas policy (Clause 13.07-1L). An assessment of the proposal against the criteria for the Education Centre use is provided:

Table 1 Education Use Assessment

Location, siting, and operation criteria	Compliance
Limit expansion of existing facilities to contiguous land	<p style="text-align: center;">✓ Complies</p> <p>The proposed use will occur in a dwelling immediately adjacent to the existing school facilities on Walsh Street. Therefore, it will be limited to contiguous land and will not impose any adverse impacts to surrounding residential properties. The use will integrate into the adjoining campus.</p>
Drop off and pick up areas provided on site	<p style="text-align: center;">✓ Complies</p> <p>The site has appropriate vehicle access from the front entrance of the property. Since the use</p>

Location, siting, and operation criteria	Compliance
	will not result in an addition of students or staff members for the school, additional drop off and pick up areas do not need to be made available on site.

Outside of Development Plan Overlay

The site is acknowledged to be located adjacent to the Development Plan Overlay (DPO) that applies to the School. Including the site in a DPO before the permit for use is issued unreasonably burdens the land with a requirement to be included in a master plan for the School when there is no guarantee it can be used by the school. The school is open to discuss the inclusion of the subject site in the DPO, so it can be considered in the School's next master plan. This can be done concurrently or after a permit is issued at the subject site. This approach is consistent with a recent approval for education centre use of a property located outside the Development Plan Overlay at Trinity Grammar School.

6.2. CONSIDERATION OF AMENITY IMPACTS

With respect to the potential for external amenity impacts we reiterate that the proposal does not include any buildings and works to the existing buildings or landscaped areas on the subject site. As such, the proposal does not alter the appearance of the site, therefore there will be no visual amenity impacts.

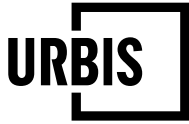
With respects to the proposed use, the use of the site as part of the existing education centre will not result in any unreasonable amenity impacts as:

- The existing building on the site is proposed to accommodate a school administration/office. Therefore, no school classes will be held within this building.
- The hours of operation of the site will be compatible with the standard hours of the main school campus and will not result in adverse amenity impacts on the surrounding residential land uses.
- The subject site abuts the eastern and northern boundaries of the existing School campus which results in limited residential interfaces to the site (only one to the north).
- The proposal will not result in any changes to the existing car parking or access arrangements associated with the School. The staff using the site will be existing employees of the School who already work and park on campus, therefore no change to parking demand will occur.
- The proposal will not impact on the residential northern interface as the building will remain the same and the administrative use will occur during weekdays.

Given the reasons outlined above, the proposal is considered an appropriate outcome for the site.

7. CONCLUSION

Overall, the proposed change of use of the site for an education centre (school administrative offices) in association with Camberwell Grammar School is considered an appropriate outcome for the site that will enhance facilities for existing staff. The proposal is appropriately located directly abutting the existing school and will not result in any unreasonable amenity impacts on surrounding properties.



Should you have any queries or require any further information, please do not hesitate to contact me on the below details or Rebekah Matkowsky on 03 8663 4869 or rmatkowsky@urbis.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "RWettenhall".

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