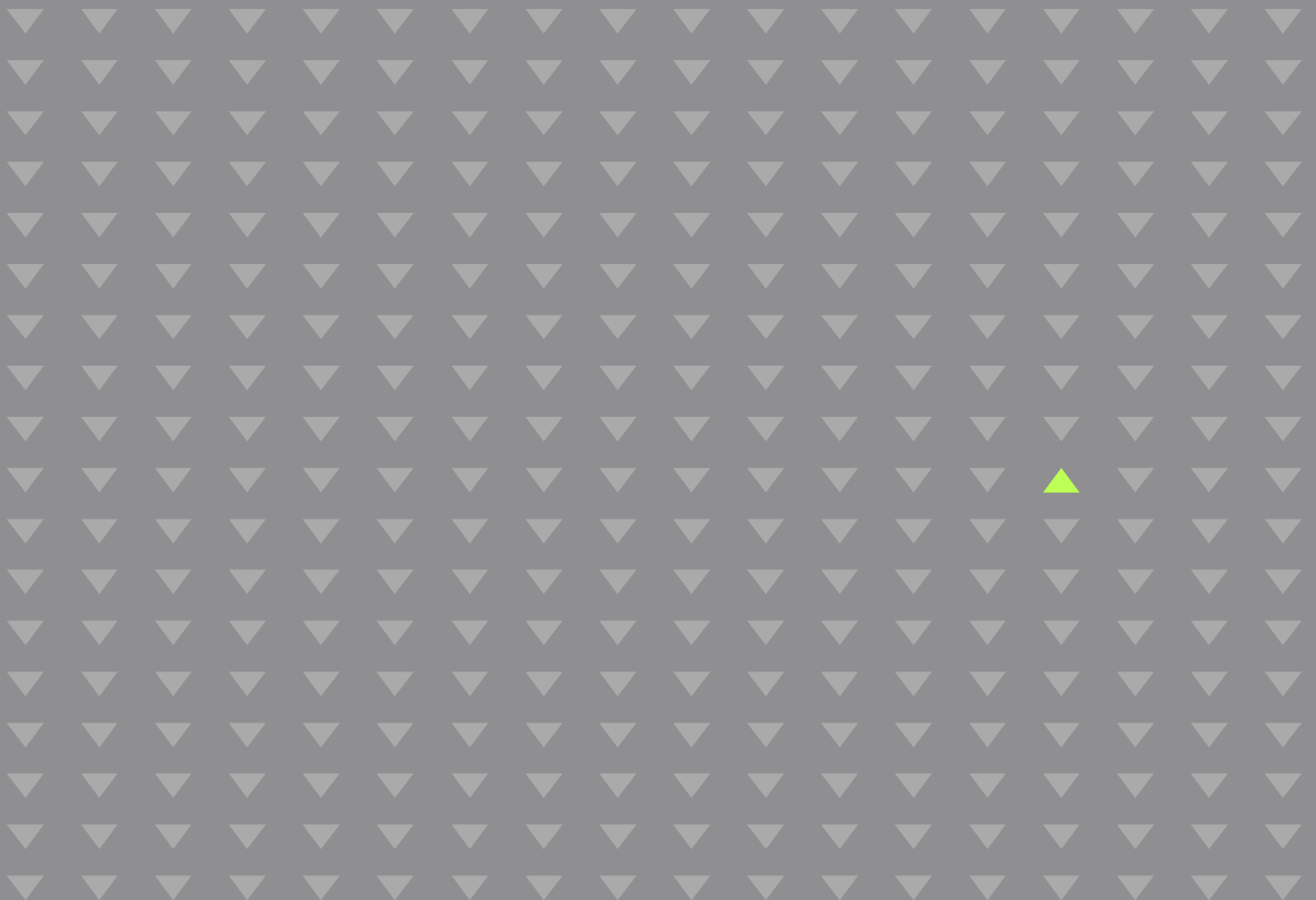




Urban Planning Collective

Planning Submission

St Columba's College
September 2022



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2



1.0 INTRODUCTION

This planning submission has been prepared on behalf of St Columba’s College (**‘the College’**), a Mary Aikenhead Ministries Catholic secondary school located at 2 Leslie Road and 145-153 Buckley Street, Essendon.

The site of the proposed development (the site) is bound by Lorraine and Buckley Streets, and by the College’s campus existing buildings– Slater Building and the Multipurpose Centre immediately to the east and south respectively and the Lorraine Street play courts to the south. It is annotated on the aerial image in Figure 1 below with a white solid line.

The College is currently in the process of title consolidation and purchase of a former Right of Way. The Right of Way, asphalt courts and staff car park (on 2 Lorraine Street, at the southern end of the College) are marked in orange in Figure 1. The courts and staff car park are part of college-owned land, and the former Right of Way is in the process of being purchased from Council. This part of the overall campus site **do not** form part of this application.

This planning submission supports the granting of a Planning Permit for the use and development of an Education Centre that will include a new STEAM building and full-sized competition court, alterations including improvements to the student outdoor courtyard spaces and general upgrading of the internal functionality and connectivity of the school to improve the amenity and experience of students and teachers but to also improve the College’s ‘address’ both to the public realm and adjacent residential neighbours.

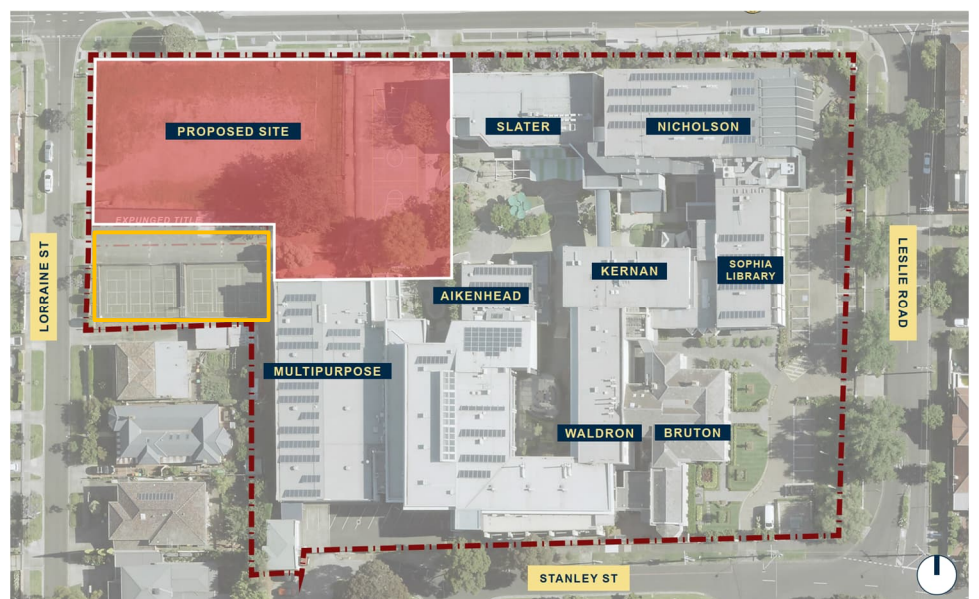


Figure 1: Extent of site (source: CHT Architects)



Planning Permit MV/627/2019 (the Permit) was issued at the direction of the Victorian Civil and Administrative Tribunal on 10 May 2021 for the *'change of use to 149-153 Buckley Street to allow for the use of an education facility, construction of buildings and works, partial demolition and construct and carry out works in a Heritage Overlay, signage, waiver of bicycle parking and alter access to a road in a Road Zone Category 1'*.¹

Condition 3 of the Permit requires the following:

'The maximum limit of students in attendance at the school must be no more than 1,050 at any time to the satisfaction of the Responsible Authority'.

This application effectively seeks to 'supersede' that approval in terms of built form outcomes but intends to follow the commitment made in relation to student numbers. This application **does not** seek to increase the number of students or staff over and above this restriction.

The following submission describes the site and the broader urban context in which it is located, the development proposal, the relevant planning controls and policies set out in the Moonee Valley Planning Scheme (the Scheme) and provides an assessment of the planning merits of the proposal against these various policies and controls.

The following submission should be read in conjunction with the following documents:

- Architectural Town Planning Submission (including architectural plans and design response material) prepared by CHT Architects;
- Attachment A – Comments from Moonee Valley City Council;
- Attachment B – Response to comments from Moonee Valley City Council;
- Landscape Plans prepared by Tract;
- Transport Impact Assessment prepared by Stantec;
- An Arboricultural Preliminary Assessment prepared by Rob Galbraith;
- SMP (including WSUD assessment) prepared by Stantec;
- Waste Management Plan prepared by Leigh Design Pty Ltd;

¹ Planning Permit MV/627/2019

- Feature Survey and draft plan of consolidation prepared by VicLand Surveying;
- Certificate of Land Title.

The proposal detailed in the following planning submissions have been informed by detailed pre-application consultation with Officers at the City of Moonee Valley and the Department of Environment, Land, Water and Planning (DELWP).

The land is in the General Residential Zone and is partly affected by Heritage Overlay Schedule (HO43). Buckley Street is declared a road in a TRZ2 - Principal Road Network Transport Zone.

A planning permit is required for an 'Education centre' use pursuant to Clause 32.08-9, to construct a building or construct or carry out works for a use in Section 2 pursuant to Clause 32.08-2 and to construct a building or construct or carry out works pursuant to Clause 43.01-1.

A planning permit is also required to alter access to a road on the Principal Road Network.



2.0 SUBJECT SITE AND SURROUNDS

The following observations are made about the site and surrounding area.

2.1 SITE CONTEXT

The College is located on the southwestern fringe of the Essendon Junction Activity Centre (EJAC). The EJAC is a neighbourhood activity centre approximately 12 kilometres northwest of central Melbourne, covering an area of around 3 square kilometres.

The EJAC is well-serviced by public transport options and caters for a range of commercial, community, institutional and residential land uses.

Lowther Hall Anglican Grammar School and Penleigh and Essendon Grammar School (PEGS) Junior Girls School are proximate to the College to the south and the Rose Street Economic and Activity Area is immediately to its north and east. Other nearby educational uses of note within the EJAC are Essendon Primary School, PEGS Junior Boys School and St Therese’s School. *These institutions both define the character of the area as well as contribute to the high level of pedestrian and vehicle movements during peak periods.*²



Figure 2: Extract from Essendon Junction Structure Plan 2015-2035
Map 2: Aerial Map and Activity Centre Boundary, Essendon Junction Structure Plan 2015-2035

² Essendon Junction Structure Plan 2015-2035

MV2040 Strategy describes Essendon as a neighbourhood dominated by young adults, families with children and group households, which by 2040 is forecast to accommodate an increased number of young families.

Buckley Street is one of the municipalities key arterial roads, connecting Keilor and Avondale Heights in the west with Mt Alexander Road in the east and is the major east-west connection through the EJAC. It has recently been subject to significant road works associated with the level crossing removal project. It is a divided two-way road. It now contains a service road on its southern side constructed as part of the level crossing removal in 2018, which extends between Sherbourne Street and Lorraine Street.

Concrete footpaths and indented on-street parking are either side of the carriageway. The nature strips are narrow with minimal planting. A central median extends for approximately 150 metres within the Buckley Street road reserve. It is planted with immature natives. It is additionally affected by an Environmental Significance Overlay.



Figure 3: View of central median in Buckley Street affected by an Environmental Significance Overlay



Figure 4: View of Buckley Street - photograph taken adjacent to the frontage of the site looking east



Figure 5: Photograph taken east of the site on the north side of Buckley Street looking west



Figure 6: Extract from Essendon Junction Structure Plan 2015-2035
 Map 5: Centre Wide Provisions –
 Movement: Pedestrians, Cycling &
 Rail



The Essendon Junction Structure Plan describes the land use of the College as 'Public Use (Education/Institution)' as shown below in Figure 7.



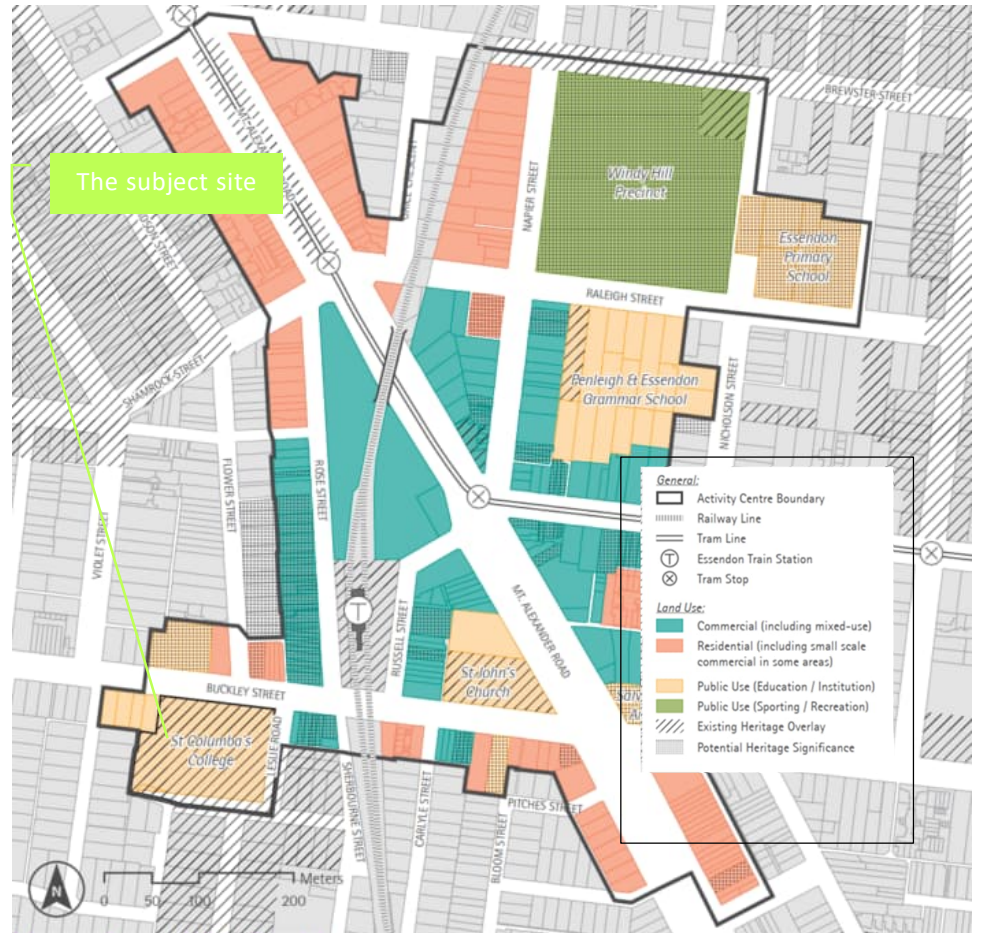


Figure 7: Map 3: Centre Wide Provisions – Land Use & Built Form

The built form character of Buckley Street is pronounced by landmark buildings and diverseness of functionality and use including circa two to ten storey commercial and residential buildings built to the street boundary, an at-grade carpark and large buildings used for civic, educational and employment purposes, some on considerably large landholdings.

Land immediately south and west of the College is residential.

Lorraine Street is a local street with a single carriageway. It allows for restricted 2-hour parking on the west side of the carriageway and footpaths either side. It is noted that the traffic associated with the proposed car parking will be limited to the northern section of the street.

2.2 THE SUBJECT SITE

The following description of the site can be read in conjunction with Urban Context and Design Response report prepared by CHT Architects.

The proposed site which is subject to the development (the site) is annotated approximately in orange on the Title plan below prepared by VicLand in 2018. It comprises adjacent titles on the south side of Buckley Street (noting that 145 Buckley Street is now owned by St Columba's College).

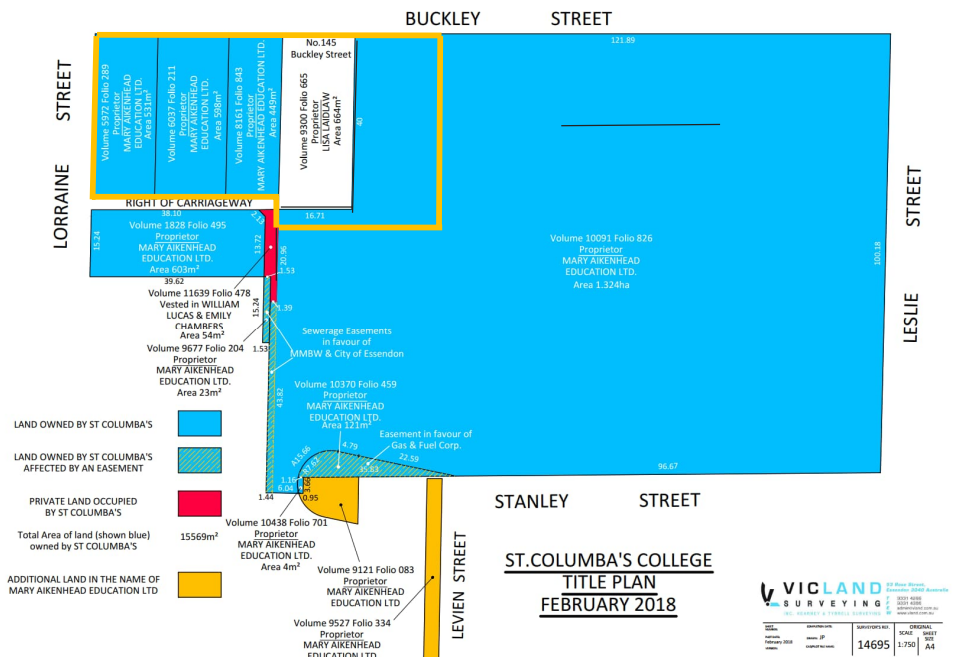


Figure 8: St Columba's College Title Plan February 2018, Vicland Surveying

The titles are listed below and detailed on the draft plan of consolidation (PC 379469S³) prepared by VicLand Surveying. It should be noted that there are no covenants affecting the land.

- **Title Plan, being 145 Buckley Street, Essendon**
Vol 9300 Folio 665
- **Title Plan 457177V, being part of 2 Leslie Road, Essendon**
Vol 10091 Folio 826
- **Title Plan, being 147 Buckley Street, Essendon**
Vol 8161 Folio 843
- **Title Plan, being 151 Buckley Street, Essendon**
Vol 6037 Folio 211

³ Draft PC379469S, VicLand Surveying

- **Title Plan, being 153 Buckley Street, Essendon**
Vol 6972 Folio 289
- **Title Plan, being 2 Lorraine Street, Essendon**
Vol 1828 Folio 495

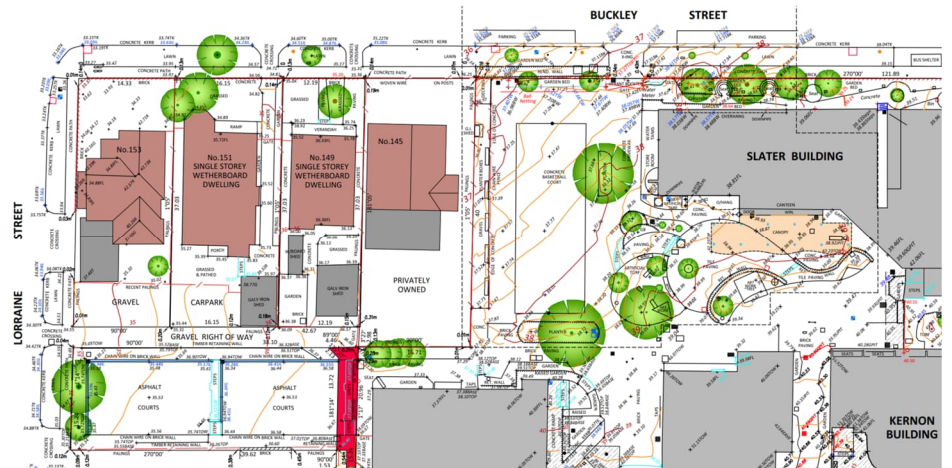


Figure 9: Feature survey VicLand Surveying version 6 August 2019

The site is an irregular shaped parcel of approximately 3,500 square metres that is currently utilised by the College as an informal carpark for approximately 25 car spaces for staff of the College and a playground that includes a concrete basketball court. It has a frontage of 59.16 metres to Buckley Street and a boundary to Lorraine Street of 37.15 metres.

An 8.8 metres wide vehicle crossing in Lorraine Street is positioned approximately 20 metres south of the site's northern boundary with Buckley Street.

The site was previously occupied by four single storey detached dwellings that faced Buckley Street. Two redundant vehicle crossings have been incorporated into the indented parking and infrastructure improvements that were part of the Buckley Street level crossing removal works.

Powerlines extend along the sites Buckley Street frontage.

Figure 10: View from the eastern end of the site looking west along the sites frontage to Buckley Street



Figure 11: View of the northern-most vehicle crossing in Lorraine Street





Figure 12: View of the southern-most crossing in Lorraine Street that forms part of the Right of Way

There is a considerable east-west fall across the site of approximately 4.5 metres, which is best appreciated on the section plan prepared as part of the material lodged with Planning Permit MV/627/2019⁴.

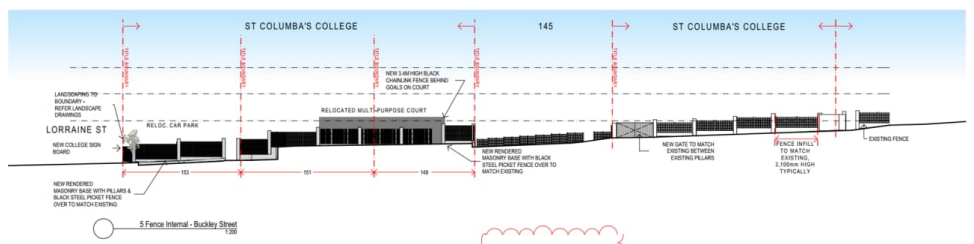


Figure 13: Extract taken from material lodged with MV/627/2019 of the internal fence facing Buckley Street

2.2.1 What occupies the site

The vehicle crossing in Lorraine Street provides access to an informal / temporary carpark that accommodates approximately 25 car parking spaces. An English Oak tree is positioned approximately 27 metres from the Buckley Street frontage within what was the rear yard of the former dwelling that occupied 145 Buckley Street.

⁴ Decision plans Planning Permit MV/627/2019





Figure 14: Photograph taken from the northeast corner of the site looking in a southerly direction

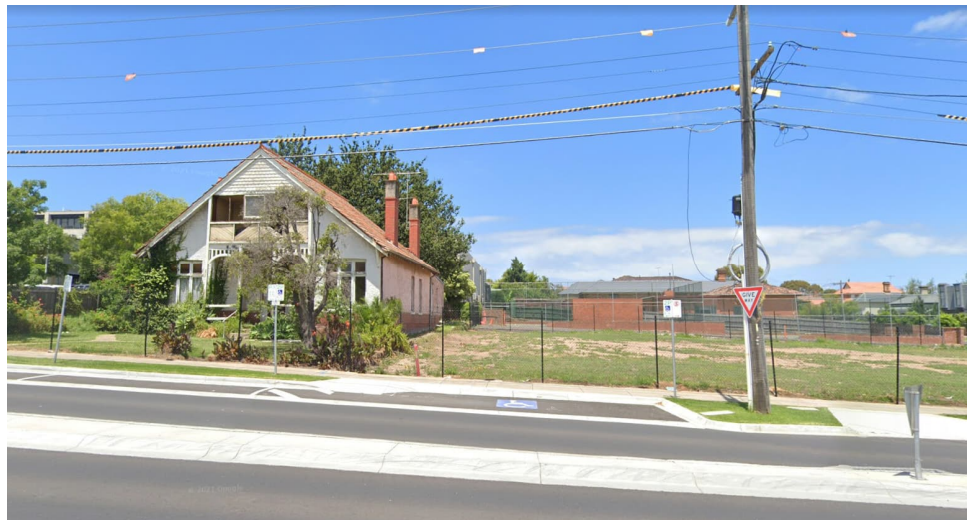


Figure 15: View of the now demolished dwelling at 145 Buckley Street (source: Google maps street view January 2021)

East of the temporary carpark and adjacent to the Buckley Street frontage is a timber platform used for bin storage (see Figure 16) and thereafter a fenced gravel path extends south, separating the carpark from a concrete basketball court that forms the western end of the existing school campus. The court is not competition size. It has dimensions of 10.45 metres by 28.4 metres. Its perimeter is also concrete, beyond which there are segments of synthetic turf and garden beds.

A rendered brick plinth and steel picket fence extends between the basketball court and the Buckley Street frontage. West of the bin enclosure, a post and wire fence encloses the remainder of the Buckley Street frontage and continues along

the site's boundary with Lorraine Street with the exception of the vehicle crossing that provides unsecured access to the Colleges' informal carpark.

Figure 16: Playing court at eastern end of the site adjacent to Buckley Street





Figure 17: Bin enclosure facing Buckley Street



Figure 18a, 18b & 18c: Views of the fencing along the sites Buckley Street frontage



The College currently has a poor sense of address and connection with the public realm at its north-western interface with Buckley Street and Lorraine Street. Pedestrian access to the College is via Buckley Street, west of the playing court.



Figure 19: View of the College and temporary car park from Lorraine Street

The internal amenities also require upgrading to not only provide improved outcomes for the student population but also improvements to administrative functions, staff facilities and services including consolidation of the back of house facilities.

The St Columba's Master Plan May 2021⁵ ('the Master Plan') notes '*the gardens are attractive and well maintained, but there is a significant lack of outdoor recreation spaces, both passive and active*'. It also notes the court is under-sized with an aged concrete surface, that at break-times is used for passive recreation due to lack of space.

There are several existing trees located around the perimeter of the basketball court. They have been plotted on the feature survey that forms part of the application plans. Some of these (ie, those predominantly located well within the site) will be removed to facilitate the development whilst those on the perimeter of the site (ie, Buckley Street) will be retained as part of the proposal.

⁵ St Columba's College Master Plan May 2021 which is a 'non-statutory' document.

2.3 ADJACENT PROPERTIES

2.3.1 To the south – 2 Lorraine Street

Immediately south of the site is a gravel Right of Way that provides access to two asphalt courts / staff parking area. This land is owned by the College and is enclosed by a high chain wire fence supplemented by a high brick fence containing landscaped insets along the Lorraine Street frontage that screen the courts / car park from view. This land remains unaffected by the proposed development.



Figure 20: View of site looking north along Lorraine Street



Figure 21: View from mid-way along the Right of Way looking south at the front asphalt court / staff car park adjacent to the site's southern boundary



Figure 22: View of the rear asphalt court / staff car park typifying the challenges with levels across the site

2.3.2 To the south - 4 Lorraine Street

The property to the south of the College is occupied by a single storey brick veneer dwelling set back approximately 6 metres from Lorraine Street behind a low brick front fence. The garage and vehicle access are located adjacent to the boundary shared with the College. The private open space is located on the south side of the garage and well separated from the asphalt courts. The College's multipurpose centre is set back approximately 5.4 metres from the property's rear boundary.



Figure 23: 4 Lorraine Street

2.3.3 To the west

155 BUCKLEY STREET

The property opposite the College to the west, on the southwest corner of Buckley Street and Lorraine Street is occupied by a single storey 'Federation' style brick dwelling. The dwelling faces Buckley Street and is set back approximately 1 metre from Lorraine Street. A high paling fence and double garage extend along the greater part of the boundary with Lorraine Street, protecting views of the rear private open space.



Figure 24: 155 Buckley Street



A Right of Way extends along the southern boundary and separates 155 Buckley Street from the adjacent property to its south, 1 Lorraine Street.



Figure 25: 1 Lorraine Street

1 LORRAINE STREET

The property is occupied by a single storey 'Victorian' dwelling with a stucco finish that is setback approximately 7 metres from Lorraine Street. A low picket style timber fence extends across the frontage apart from a vehicle crossing that accesses a single width open carport located adjacent to the northern boundary.

2.3.4 To the north

124-138 BUCKLEY STREET

The Essendon Baptist Church complex stands mid-block between Violet and Flower Streets, on the north side of Buckley Street and immediately opposite the site. The church is positioned at the front of the property approximately 5 metres from the frontage, between a contemporary two storey extension (c2000) to its west that sits forward of the church building and occupies the greater part of the Buckley Street frontage and an at-grade asphalt carpark for approximately 50 cars to the east.

Part of the church complex also includes an 'Edwardian' style former dwelling west of the contemporary addition at 138 Buckley Street, which is used as an office.

The church building is an Early English Gothic Revival design with a prominent parapeted gable to the main church form. There is a brick Sunday School building

constructed in 1938 to the rear of the church. Both buildings are protected by Heritage Overlay (HO408)⁶.



Figure 26: Extract from Moonee Valley Heritage Study 2015



Figure 27: Photograph taken from the College looking north at the Essendon Baptist Church opposite

⁶ Moonee Valley Heritage Study 2015



Figure 28: Church office at 138 Buckley Street



140 AND 142 BUCKLEY STREET

Two single storey brick dwellings complete the built form east of the Violet Street/Buckley Street intersection and are shown in Figure 26 below.



Figure 29: Dwellings at 140 and 142 Buckley Street



2.4 OPPORTUNITIES AND CONSTRAINTS

2.4.1 Opportunities

Having regard to the analysis undertaken in the preceding sub-sections, the following opportunities and constraints have been identified as underpinning a use and development outcome on the subject site.

- Existing use of the adjacent land for Education centre.
- Large, unattractive, and under-utilised frontage to Buckley Street.
- Co-location of upgraded facilities and consolidation of College site as envisaged by the Master Plan.
- Support of planning policy for upgrading of private education uses.
- No native vegetation located on the site.
- Considerable height of adjacent built form (existing school buildings and adjacent commercial and civic buildings).
- Adjacent dwelling to the west setback less than 2 metres from Lorraine Street provides context for setback to the western boundary.
- Use of existing vehicle crossing in Lorraine Street.
- Redundant vehicle crossings in Buckley Street could be returned to landscaping.
- Relocation of unsightly external bin areas and removal of large areas of concrete across Buckley Street frontage.
- Service road to Buckley Street provides good separation from main carriageway.
- Improve and update existing facilities for students, visitors, staff and the local community.
- Provide a clearly defined entrance to Lorraine Street for pedestrians and staff access to the site.
- Improve provision of on-site parking (via creation of formal, purpose-designed and integrated car parking facilities).
- Lower ground level will foresee a single centralised back of house rather than a conglomerate of smaller services across the College.
- Recent planning approval for development of the site - Planning Permit MV/MV/627/2019



2.4.2 Constraints

- The need to satisfactorily manage potential vehicle movements.
- Central position of Oak tree and other existing trees within the site.
- Layout of existing buildings.
- Significant east-west crossfall.
- Amenity of adjacent residential properties in Lorraine Street.



3.1 GENERAL OVERVIEW

This application comprises the use and development of an 'Education centre' and will foresee:

- Replacement of an existing informal staff carpark with a new STEAM building of approximately 1,550 square metres that incorporates an at-grade, internalised pedestrian arrival experience for students, formalised staff parking integrated into the building (broadly in the same location as existing informal staff parking) and a contemporary built form outcome that integrates with the existing College buildings;
- Student numbers that remain at 1,050;
- A front setback from Buckley Street of 3.371 metres
- A setback to Lorraine Street of between 3 and 4 metres.
- A competition sized outdoor court for netball and basketball;
- At-grade, universal access entry and building – oriented back within the site (ie, not to Buckley or Lorraine Streets);
- Provision of additional landscaped courtyard space with defined passive and active recreational spaces and additional canopy trees / landscaping;
- A staff carpark at lower ground level for 39 vehicles one of which is accessible, 4 bike spaces and provision of 2 electric charging stations;
- Additional 10 bike spaces integrated within the landscaped space on the southern boundary of the site and adjacent to the multipurpose building;
- 24 PV panels on the roof with a capacity of 30 kWp;
- Five rainwater tanks that combined have a 30,000-litre capacity located on the southern side of the building;
- A raingarden incorporated within the setback to Buckley Street;
- A Buckley Street interface that presents a contemporary and resolved built form response with a cohesive palette of quality external materials and finishes (refer to Materials and Finishes Schedule in the CHT Architects package of plans); and
- A new bin storage room sleeved beside the Slater building with an area of 29 square metres for waste collection from Buckley Street.



3.2 LOWER GROUND LEVEL

Beneath the STEAM building, a staff carpark will accommodate 39 car parking spaces, and a services core comprising a centrally located lift, laundry, services and maintenance stores and communications room.

A setback of approximately 3.4 metres from the northern boundary ensures retention of / no unreasonable impact to the street trees in Buckley Street.

The staff car park ingress/egress utilises the existing 8.8 metres wide crossover in Lorraine Street. The entrance includes one lane and will be secured by a roller door. Afterhours access for staff will be by a pass-card. A secondary pedestrian exit is proposed off Lorraine Street, adjacent to the accessway.

3.3 GROUND LEVEL

The building has universal access (a critical component in terms of disability considerations) via an at grade foyer positioned on the east side of the building. It announces the sheltered central atrium that provides access to variously sized classrooms for food tech and textiles around its perimeter.

Figure 30: Render of the eastern interface



3.4 FIRST FLOOR

The lift and stairwells provide access to the first floor with a similar layout to the ground floor comprising a central space and classrooms around the perimeter for science and art.

3.5 COMPETITION COURT

The competition court has dimensions of 15.25 metres by 30.5 metres. A new walkway with a grade of 1:20 on the south side of the court provides universal access across the site and a DDA compliant (universal access) connection with the existing school buildings to the east.

Installation of four light poles is proposed at each corner of the competition court. The enclosed report from Altitude includes the illuminance calculations for the lighting specifications from EWO (also enclosed).

The light poles are proposed to be 8.5 metres in height and constructed in a white aluminium steel. Each light will provide a minimum average Lux of 0.81. The lights have dimensions of 687mm by 189mm with a powder coated aluminium cladding and tempered glass cover. They will have various beam angle properties to control light spill and glare. A compliance report is enclosed.

Tiered seating has been incorporated along the east side of the competition court to ensure a level court surface that will require removal of existing trees.

Condition 19 of Planning Permit MV MV/627/2019 restricted activities relating to the court to 7.00am to 9.00pm. The court is proposed to allow evening play to occur – as this is often a critical aspect of school training and community access. Given the court is effectively ‘enclosed’ or shielded on three sides by school buildings and with busy Buckley Street is to its immediate north, restrictions on use are not contemplated or considered necessary as unreasonable amenity impacts will be suitably mitigated.

Poles and netting are proposed adjacent to the frontage with Buckley Street in accordance with Condition 1b of Planning Permit MV MV/627/2019.

3.6 WASTE PROVISION

The new waste room is located beside the Slater building to the east. It has an internal area of 29 square metres, which comfortably allows for the 10.5 square metres of waste generated by the new STEAM building.

A private contractor is proposed to provide waste collection services via the service road in Buckley Street with an 8.8 metres long mini waste vehicle utilising the same access arrangement as that approved under Planning Permit MV/627/2019.

The bins will be manually wheeled out to Buckley Street. Collection times will be off school peak hours and consistent with the waste management arrangements approved as part of the VCAT decision⁷.

⁷ Mary Aikenhead Education v Moonee Valley CC [2021] VCAT 239

3.7 BUILT FORM AND LANDSCAPE DESIGN

The new building will mostly consist of rendered curved surfaces to complement the heritage buildings that face Leslie Street while ensuring a contemporary context that integrates with the existing school buildings further to the east. It includes a good amount of glazing to maximise natural light (incorporating doors and openable windows) that are screened to break up building mass but also to improve internal amenity of activity areas which are expected to be well-populated during the day.

The external areas are regarded as high importance for the student's welfare and will realise a significant makeover and good separation between active and passive space. The setback to Buckley Street allows for a generous linear courtyard / landscape zone with a northern aspect that allows for the retention of a number of existing trees and the planting of 6 new canopy trees and lower-level landscaping. A new at-grade outdoor room spans the eastern side of the building and is delineated by exposed aggregate. It is partly covered ensuring year-round use and incorporates loose furniture and curved bench seating.

3.8 ENVIRONMENTALLY SUSTAINABLE DESIGN (WSUD AND ESD)

ESD principles are integral to the design of the building and will ensure that an appropriate level of environmental performance is achieved. A BESS Score of 54 per cent is achieved and a combination of rainwater tanks and raingardens will ensure a superior stormwater treatment is reached.

4.0 RELEVANT PLANNING CONTROLS

The following planning controls and permit triggers are relevant to this application.

4.1 ZONING

The site is located within the General Residential Zone (R1Z) in common with surrounding land.



Figure 31: Zoning map (source DELWP)

The purpose of the R1Z is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The existing 'Education centre' is a Section 2 (Permit required) use pursuant to Clause 32.08-2.

Pursuant to Clause 32.08-9, a planning permit is required to construct a building or construct or carry out works for any use in Section 2 of Clause 32.08-2.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider relevant matters as outlined in Clause 32.08-13.

4.2 OVERLAY CONTROLS

The land at 2 Leslie Road is affected by Heritage Overlay – Schedule (HO43) pursuant to the Scheme. Approximately 20 metres of the sites Buckley Street frontage is affected by HO43 as annotated in orange on the Overlay map below.

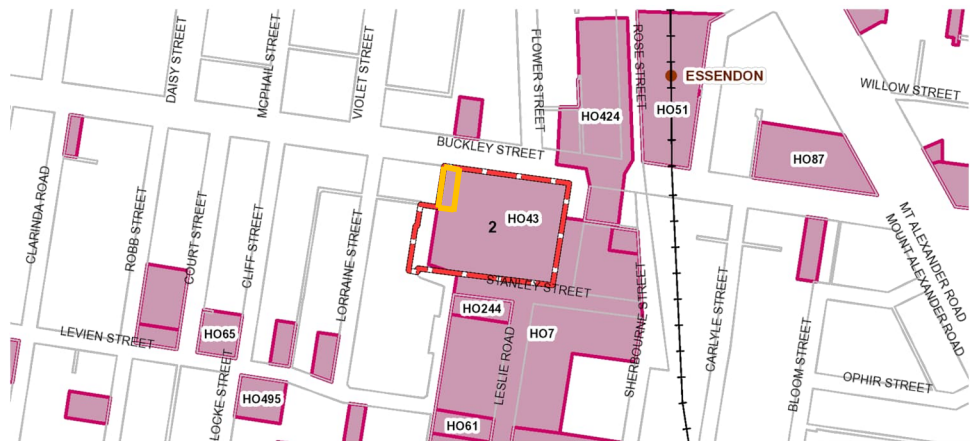


Figure 32: Heritage Overlay map (source Vicplan)

A permit is required to demolish a building and to construct a new building or carry out works pursuant to Clause 43.01-1.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the Decision guidelines at Clause 43.01-8.

4.2.1 Heritage Overlay Schedule (HO460)

Heritage Overlay Schedule HO43 applies to 2 Leslie Road – and specifically that part of site occupied by the Sisters of Charity Convent building and Chapel and the area immediately east and south of those buildings fronting Leslie Road and Stanley Street respectively.

These buildings are well separated from the subject site and annotated with a broken orange line in Figure 33 below.



Figure 33: Feature survey VicLand Surveying version 6, August 2019

External paint controls apply in HO43.

4.3 PARTICULAR PROVISIONS

The following Particular provisions are relevant to the proposal.

4.3.1 Clause 52.06 – Car parking

Pursuant to Clause 52.06-1, a new use or an expansion of an existing use must not commence until the required car spaces have been provided on the land.

Clause 52.06-5 outlines the number of car parking spaces required for a Secondary school as 1.2 spaces to each employee that is part of the maximum number of employees on the site at any time.

There is no increase in staff numbers, so the STEAM building does not generate a carparking requirement. There are however 39 car spaces provided at the lower ground level of the STEAM building.

Clause 52.06-9 outlines the design standards for carparking accessways. This matter has been considered further by Stantec in its Traffic Impact Assessment, which forms part of the application documentation.

4.3.2 Clause 52.29 – Land

Pursuant to Clause 52.29, a permit is required for the proposed alterations to access to Buckley Street, a road in a TRZ2 - Principal Road Network.

4.3.3 Clause 52.34 – Bicycle facilities

There is no requirement under Clause 52.34 to provide bicycle parking for a Secondary school use as there is no increase in staff or students. It is however proposed to provide 4 bike spaces in the lower ground level carpark for staff.

It is noted the College intends to meet condition 1q of the existing Permit and provide 30 additional bike spaces for students across the College campus. It is also noted that the existing multipurpose centre has end of trip facilities, including showers for staff and students.

4.3.4 Clause 53.18 – Stormwater Management in Urban Development

These provisions aim to ensure that stormwater in development is managed to mitigate the impacts of stormwater on the site and its surrounds.

The runoff from the expanded roof will be captured by rainwater tanks with a storage capacity of 30kL and a 5 square metres raingarden to ensure a 100% STORM score.

4.3.5 Clause 53.19 – Non- Government Schools

The purpose of this provision is to facilitate upgrades and extensions to existing non-government schools.

An application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

4.4 OPERATIONAL PROVISIONS

Clause 72.01 designates the Minister for Planning as the Responsible Authority for a 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, where the estimated cost of development is \$3 million or greater.

The subject proposal meets this criteria and, as a result, the Minister for Planning is the Responsible Authority for the project.

4.5 SUMMARY OF PERMISSIONS REQUIRED

Planning approval is required for:

- Pursuant to Clause 32.08-2, a permit is required to use the site for an 'Education centre' (Secondary school);
- Pursuant to Clause 32.08-9, a permit is required to construct a building or construct or carry out works;



- Pursuant to Clause 43.01-1, a permit is required to demolish a building and to construct a new building or carry out works; and
- Pursuant to Clause 52.29, a permit is required to alter access to a road in a TRZ2 - Principal Road Network (in this case, removal of a crossover).



5.0 RELEVANT STATE AND LOCAL PLANNING POLICIES

5.1 MUNICIPAL PLANNING STRATEGY

The Municipal Planning Strategy provides a profile of the municipality, and identifies the key social, economic, and environmental issues faced by the community and the long-term strategic directions for land use and development decisions.

When contemplating additions to an existing Education centre, the following elements of the Municipal Planning Strategy are relevant:

5.1.1 Clause 02.01 - Context

Moonee Valley holds strong economic potential as a premier location for business and investment. This is due to its strategic location in the Melbourne CBD-Tullamarine Airport corridor, and the major employment precincts of Airport West Major Activity Centre and Essendon Fields Airport.

The city is experiencing notable change in the community profile resulting in more pressure on community services and facilities which comes with a forecasted increase of between 33 per cent and 42 per cent on Moonee Valley's 2018 population.

5.1.2 Clause 02.02 Vision

Moonee Valley is recognised as *a healthy city strengthened by a network of 20-minute neighbourhoods where all people, at all stages of life, can live locally, accessing most of their needs close to their homes. The neighbourhoods are beautiful, sustainable and have strong community connections enabling citizens and the environment to be healthy and resilient.*

5.1.3 Clause 02.03 Strategic Directions

Essendon is focussed around the Essendon Junction Neighbourhood Activity Centre, which is its cultural, entertainment and transport hub.

Council is committed to improving the sustainability of the built environment. Development is encouraged to be designed to incorporate environmentally sustainable design. Council supports:

- Planning neighbourhoods to reduce car travel and designing more environmentally sustainable buildings that reduce energy and water use, along with reducing waste and pollution.
- Incorporating environmentally sustainable design elements at the time of planning approval to assist in achieving environmentally sustainable development. This approach seeks to:



- Improve outcomes that may otherwise be compromised if these matters are only considered as part of building approval.
- Reduce difficulties or extra costs associated with retro-fitting the development.

Major educational uses at Clause 02.03-8 relates to and acknowledges *educational institutions can contribute to the wellbeing of the community. Many educational institutions have long-term associations with the local area and their expansion is generally in response to community needs. Council supports:*

- Promoting the orderly planning of institutional uses to help minimise off-site impacts and ensure the safe movement of pedestrians, cyclists and vehicles, providing certainty for the institution and residential area.

Community facilities at Clause 02.03-8 acknowledges *in a climate of rapid population growth and technological changes, community facilities need to be adaptable to meet the changing needs of the community to achieve a healthy city of 20-minute neighbourhoods. Council supports:*

- *Providing an accessible network of community hubs to encourage the co-location of a diverse range of infrastructure and services.*
- *Transforming existing community facilities into multi-purpose facilities.*

Integrated water management at Clause 02.03-8 supports *incorporating stormwater treatment measures into the design of development, including wetlands, raingarden systems and porous pavements to filter pollutants, to help protect and improve the condition of the natural waterways and passively irrigate urban vegetation.*



5.1.4
 Clause 02.04 - Strategic
 Framework Plans

The Essendon neighbourhood implementation plans is shown below in Figure 32.



Figure 34: Essendon neighbourhood implementation plan, Clause 02.04

5.2 PLANNING POLICY FRAMEWORK

The PPF underpins the key objectives of the Planning and Environment Act 1987 and its objectives that require consideration in the administration of land use and development planning across Victoria. It informs the preparation and implementation of local planning policy objectives and the introduction of zone and overlay controls.

The PPF is outlined at Clauses 10 – 19 of the Scheme and relates to State and Regional policy. The following clauses are relevant to this application.

- **Settlement at Clause 11** states planning should anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation, open space, commercial, community facilities and infrastructure.
 - Settlement – Metropolitan Melbourne at Clause 11.01-1R seeks to create mixed-use neighbourhoods at varying densities that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.
 - Supply of urban land at Clause 11.02-1S demands planning for urban growth consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.
 - Activity centres – Metropolitan Melbourne at Clause 11.03-1R seeks to locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.

- **Environmental Risks and Amenity at Clause 13** states planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.
 - Land use compatibility - Clause 13.07-1S seeks to ensure that use and development is compatible with adjoining and nearby land uses.
 - Discretionary uses in residential zones – Clause 13.07-1L encourages discretionary uses in residential areas:
 - to locate on corner sites that adjoin, or have access to a road in a Road Zone, so access to the sites do not interrupt local residential streets;
 - where areas set aside for waste collection facilities are set back and suitably screened from the street and adjacent/nearby residential properties;
 - that are designed and managed to result in minimal loss of amenity, privacy and convenience to people living in nearby dwellings; and
 - that discourage car parking areas located at the street frontage.

- **Built Environment and Heritage at Clause 15** states planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.
 - Clause 15.01-1S – Urban design seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Relevant strategies include:
 - ensuring new development contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
 - Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
 - Clause 15.01-1L – Urban design seeks to:
 - encourage the design of buildings, subdivisions, car parks and public open spaces that maximise passive surveillance and personal safety.
 - reduce the visual prominence of car parking and vehicular access.
 - Clause 15.01-2S – Building design seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm. Relevant strategies include:
 - require a comprehensive site analysis as the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.
 - ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
 - ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
 - ensure development provides safe access and egress for pedestrians, cyclists and vehicles.
 - ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
 - encourage development to retain existing vegetation.
 - Clause 15.01-4S – Healthy neighbourhoods seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing. Relevant strategies include to design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity.



- Clause 15.01-5S –Neighbourhood character seeks recognise, support and protect neighbourhood character, cultural identity, and sense of place. Relevant strategies include ensuring development responds to cultural identity and contributes to existing or preferred neighbourhood character. Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the neighbourhood character values and built form that reflect community identity.
- Clause 15.01-5L – Neighbourhood character seeks to support development that is consistent with the preferred character of the relevant residential precinct as outlined in the Neighbourhood Character Precinct Profiles (Planisphere, 2012) at Clause 72.04.
- Clause 15.02-1S Energy and resource efficiency seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions by improving the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.
- Clause 15.02-1L Environmentally sustainable development seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation with preparation of a Sustainability Management Plan (including an assessment using BESS, STORM, Green star, MUSIC or other methods) and a Green Travel Plan for a non-residential building with a gross floor area of more than 10,000 square metres. Relevant strategies include:
 - Encourage environmentally sustainable development that is consistent with the type and scale of the development; responds to site opportunities and constraints; and uses a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.
 - Reduces both energy use and energy peak demand through design measures such as building orientation; shading to glazed surfaces; optimising glazing to exposed surfaces; and is inclusive of or has allocated space for renewable technologies.
 - Reduces the total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping; encourage the appropriate use of alternative water sources (including greywater, rainwater and stormwater); and incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.
 - Achieve a healthy indoor environment quality, including thermal performance and access to fresh air and daylight, prioritising passive



design over mechanical heating, ventilation, cooling and lighting; reduces indoor air pollutants by encouraging use of non-toxic materials; and minimises noise levels and noise transfer within and between buildings and associated external areas.

- Design development to promote the use of walking, cycling and public transport, in that order; minimise car dependency; and promotes the use of low emissions vehicle technologies and supporting infrastructure.
 - Promotes waste avoidance, reuse and recycling during the design, construction and operation stages of development; encourage use of durable and reusable building materials; and ensures sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.
 - Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation; and reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy and significant trees.
- **Economic Development at Clause 17** states planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.
 - Clause 17.01-1S – Diversified economy seeks to facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
 - Clause 17.01-2S – Innovation and research seeks to create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education by promoting an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities..
 - **Transport at Clause 18** states planning should ensure a safe, integrated and sustainable transport system that provides access to social and economic opportunities to support individual and community wellbeing; facilitates economic prosperity; and actively contributes to environmental sustainability.
 - Clause 18.01-1S – Land Use and Transport Planning which seeks to create a safe and sustainable transport system by integrating land use and transport.

- Clause 18.01-2L - Transport modes seeks to discourage developments that would significantly increase vehicle congestion.
- Clause 18.02-1S - Walking seeks to facilitate an efficient and safe walking network and increase the proportion of trips made by walking. Relevant strategies include design of direct, comfortable and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.
- Clause 18.02-2S – Cycling seeks to facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling. Relevant strategies include:
 - Enabling cycling as a part of everyday life.
 - Enabling people to meet more of their needs locally by cycling and to rely less on their cars.
 - accommodating emerging forms of low emission, low and moderate speed personal transport.
- Clause 18.02-3S – Public transport seeks to facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport by locating higher density and increased development on or close to the Principal Public Transport Network in a way that does not compromise the efficiency of the Principal Public Transport Network.
- Clause 18.02-4S – Roads seeks to plan an adequate supply of car parking that is designed and located to:
 - Protect the role and function of nearby roads.
 - Enable the efficient movement and delivery of goods.
 - Facilitate the use of public transport.
 - Maintain journey times and the reliability of the on-road public transport network.
 - Protect residential areas from the effects of road congestion created by on-street parking.
 - Enable easy and efficient use.
 - Achieve a high standard of urban design.
 - Protect the amenity of the locality, including the amenity of pedestrians and other road users.
 - Create a safe environment, particularly at night.

and allocates land for car parking considering:

- The existing and potential modes of access including public transport.
- The demand for off-street car parking.
- Road capacity.
- The potential for demand-management of car parking.



- Clause 18.02-4L - Car parking seeks to manage car parking through demand management techniques. Relevant strategies include:
 - Encourage use or development proposing limited or no on-site car parking to locate in areas proximate to public transport.
 - Locate and design off-street car parking facilities to provide for active frontages and provide required services for electric vehicles such as charging points.
 - Locate and design crossovers to minimise their impact on the supply of on-street car parking spaces.
- **Infrastructure at Clause 19** – Infrastructure is to recognise social needs by providing land for a range of accessible community resources such as education facilities.
 - Clause 19.02-2S – Education facilities aims to assist the integration of education and early childhood facilities with local and regional communities. It is Strategy to:
 - consider 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.
 - ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.
 - 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)
 - locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.
 - Clause 19.02-2L - Major educational uses seeks to encourage master planning for educational institutions and minimise impacts on the amenity of local residential areas by:
 - Mitigating any detrimental effects on the amenity of local residential areas.
 - Mitigating any detrimental effects on the safe movement of pedestrians, cyclists and vehicles.
 - Maintaining student numbers compatible with the amenity of residential areas.
 - Clause 19.02-4L Community facilities seek to create a network of accessible, adaptable, multi-purpose cultural and community hubs/facilities by encouraging adaptable, multi-purpose facilities that incorporate a range of cultural, commercial and community uses instead of standalone or specialist facilities.



- Clause 19.03-3S Integrated water management seeks to sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.
- Clause 19.03-3L Integrated water management seeks to naturalise the Moonee Ponds Creek stormwater drain by increasing surface permeability, improving water run-off quality and through flood mitigation measures.
- Clause 19.03-3L Water sensitive urban design seeks to mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design.
- Clause 19.03-5S Waste and resource recovery seeks to reduce waste and maximise resource recovery to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.
- Clause 19.03-5L Waste and resource recovery includes the following strategies:
 - Encourage new development to incorporate innovative waste management approaches and technologies to reduce waste.
 - Integrate waste management and recycling facilities into new developments to reduce waste generation, encourage design for organic collections and divert more waste from landfill.
 - Require easily accessible recycling facilities on site to encourage use by occupants and facilitate ease of collection.



6.0 KEY PLANNING CONSIDERATIONS

Development proposals such as this raise a range of important matters which require more detailed consideration.

For this proposal, it is considered that the following key considerations must be satisfied:

- 1) Is the proposal consistent with the Planning Policy Framework and the Municipal Planning Strategy?
- 2) How does the proposal respond to applicable planning controls?
- 3) How does the proposal compare with the VCAT approved layout - Mary Aikenhead Education v Moonee Valley CC [2021] VCAT 239?
- 4) Will the proposal avoid unreasonable off-site amenity impacts?
- 5) Is the proposed vehicle access, provision of car and bicycle parking and waste delivery appropriate?
- 6) Does the siting and layout deliver appropriate landscape outcomes?
- 7) Does the proposal provide an appropriate environmentally sustainable design response?

As the following assessment demonstrates, the proposal satisfactorily balances all policy objectives and delivers the net community benefit and sustainable development outcomes contemplated by the Scheme.

6.1 RESPONSE TO PLANNING POLICY

Education is understood to be critical to Victoria's economic and social recovery, given the challenges presented to Victoria by the global COVID-19 pandemic⁸.

In December 2020, Amendment VC180 updated all planning schemes in Victoria by inserting additional strategies to support the expansion and upgrade of non-government schools by fast-tracking approvals for upgrades and assist their integration within local and regional communities.

Upgrades and extensions to existing non-government schools are now specifically recognised at **Clause 19.02-2S**, which recognises the need to strengthen their integration with surrounding transport networks and activity centres. Further, it acknowledges that their built form is different to dwellings as is their purpose and function and thus they can have a different built form (including height, scale and mass).

It is accepted that an Education centre will ultimately take a different form and scale to adjacent residential development. Also, and significantly, the use and development proposed is explicitly encouraged at **Clauses 02.03-8, 13.07-1L, 19.02-2L** and **Clause 19.02-4L**, noting that it:

⁸ Department of Education and Training Strategic Plan 2021-25



- is consistent with the (non-statutory) Master Plan that was prepared in August 2019 and updated in May 2021;
- meets the existing and future education needs of the community forecasted to increase between 33 per cent and 42 per cent on Moonee Valley's 2018 population and an Essendon neighbourhood that is dominated by young adults, families with children and group households, which by 2040 is forecast to accommodate an increased number of young families;
- is located within an activity centre;
- is located on a corner site that adjoins a Road Zone and has access arrangements that do not interrupt the local residential streets;
- allows for critical, at-grade, universal access / egress from the building for staff and students;
- has a well-conceived waste management plan, with collections from Buckley Street only and a new bin store that is suitably screened and away from nearby residential properties;
- is designed and managed to result in minimal loss of amenity, privacy and convenience to people living in nearby dwellings;
- allows for alternate forms of transport in providing appropriately for staff and students to ride to school;
- appropriately manages stormwater with suitable water sensitive urban design;
- proposes a building designed with excellent ESD credentials;
- ensures carparking is appropriately designed at lower ground away from the street frontage and thus minimise off-site impacts and ensure the safe movement of pedestrians, cyclists and vehicles; and
- is within walking distance of good public transport.

The proposed site planning and design takes advantage of an already serviced, underutilised and larger than typical site that adjoins and is owned by the College and is adjacent to a recognised 'Economic and activity area'. It has been thoughtfully conceived, integrates successfully with the existing campus and will provide a substantial community benefit and thus meets the Essendon neighbourhood implementation plan at **Clause 02.04**.



It respects the existing built form of the area with well-informed decisions made in relation to ESD, vehicle access, waste, water sensitive urban design and landscaping.

It has had regard for policies that promote a high standard of urban design and architecture. Building design and appearance have taken on details that contribute to a lightness of structure, incorporating curved metal and rendered panels to the upper volume that appear to float above the more robust lower ground.



Figure 35: Render of the north-western interface

Importantly, the proposed expansion of the existing school is necessary to support its longer-term viability. Schools are experiencing a host of challenges arising from growing costs to provide high quality education and the need to provide accessible, adaptable, flexible, multipurpose collaborative learning and teaching spaces. Further, the challenges of confronting COVID-19 outbreaks have necessitated the upgrades proposed with an emerging need for learning spaces that accommodate remote online learners and (mobile) technology for lessons to be recorded. Accordingly, when considering the proposal's implications for planning policy, it is both necessary and important to also consider the policy implications of the proposed expansion not proceeding as this may compromise the ability of the College to continue to provide the curriculum the community expects into the future.

While not a policy document recognised in the Scheme, the Essendon Junction Structure Plan provides a strategic vision for future growth and development within the EJAC and acknowledges education facilities are a key feature. It includes built form provisions for infill along main streets such as Buckley Street and supports 3 storey street walls and street frontage setbacks of 3 metres to

allow for pedestrian-oriented streetscapes. The built form proposed comfortably meets these guidelines.

On balance, it is submitted that the proposal aligns consistently with the planning policy framework and will deliver a net community benefit to the community.

6.2 HOW DOES THE PROPOSAL RESPOND TO APPLICABLE PLANNING CONTROLS?

The General Residential Zone accepts the importance of co-locating education, recreation, religious and community uses within the residential neighbourhoods they serve.

There is no maximum building height requirement that applies in this instance and the proposed development meets the design, height, setback criteria set out in the Decision guidelines at Clause 32.08-13.

Notably, there are no built form controls that apply to the site.

The STEAM building is setback 3.37 metres from Buckley Street, and therefore appropriately responds to the existing three storey school buildings that are approximately 4 metres from the Buckley Street frontage. The landscape concept plan prepared by Tract confirms a well-considered approach that complements the built form with soft landscape treatment across the building's frontage, plenty of passive outdoor space, a dedicated and suitably sized competition court and at-grade treatments to the east, providing a welcoming the entry.

Bike and car parking has been integrated mindfully at lower ground level and waste has been planned for in a new bin store sleeved into the side of the existing Slater building.

While 2 Leslie Street is affected by HO43, it is the Convent and adjacent Chapel building that face Leslie Road that are recognised as having heritage significance⁹.

The City of Moonee Valley Heritage Guidelines provide guidance for the development of new buildings within or near Heritage Overlays.

The proposed building is not located within HO43. The competition court and adjacent works are within HO43. Notwithstanding, the site that includes the proposed building and competition court is a significant distance and not within view of the heritage fabric. Nevertheless, the arched elements at the entrance to the STEAM building and its lighter render finish *'re-interprets and contains components of the character of the subject heritage building'* referencing the *'two level arcade'* of an uncommon 19th century villa.

⁹ Victorian Heritage Database report for St Columba's Convent and Ladies College



**6.3
HOW DOES THE PROPOSAL
COMPARE WITH THE VCAT
APPROVED LAYOUT - MARY
AIKENHEAD EDUCATION V
MOONEE VALLEY CC [2021]
VCAT 239?**

Planning Permit MV/627/2019 (the Permit) was issued at the direction of VCAT on 10 May 2021 following a review of conditions issued by Moonee Valley in its Notice of Decision to grant a permit on 25 June 2020.

The VCAT approved layout allows for a 3-storey addition (STEAM building) to the existing Slater building, an at-grade carpark adjacent to the Buckley Street/Lorraine Street corner and a competition sized court as shown in Figure 36 below.

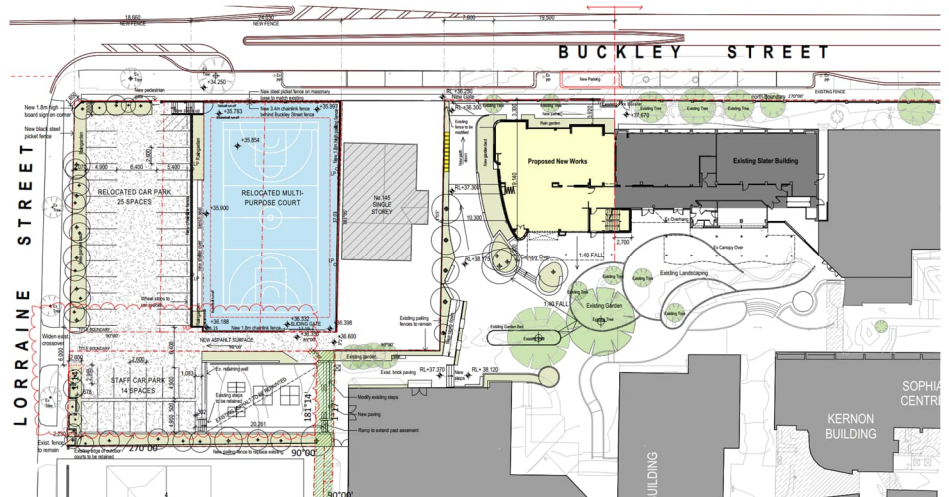


Figure 36: Decision plans - Planning Permit MV/627/2019

After Moonee Valley issued a Notice of Decision to grant a Permit, the College purchased 145 Buckley Street. This realised utilisation of the four contiguous parcels adjoining the College and prompted a critical re-evaluation of the VCAT approved layout against the key objectives and strategies outlined in the Master Plan.

The proposed development continues to comprise a 3 storey STEAM building albeit it is now a standalone building with a lower-level car park for 39 staff cars and a competition sized sports court that is more appropriately positioned in front of the multi-purpose centre.

It replaces the informal / temporary, at-grade carpark with a building of high architectural quality that holds the Lorraine Street corner with a contemporary and resolved built form response. A cohesive palette of quality external materials and finishes is proposed (refer to the Materials and Finishes Schedule, within the development plans). Glazing will wrap around the corner of the building to allow natural light and continued activation of the public realm along Lorraine Street.

The proposed development delivers a building that has visual interest and relief through various architectural techniques including curved metal and render



elements that accentuate shadow lines, help to break up the building mass and deliver a complementary transitional scale that makes a rich and positive contribution to the public realm.

The layout ensures a safe and walkable setting along the Lorraine Street frontage with a well-defined single point of entry to a lower ground carpark for 39 cars (compared to the at-grade carpark that allowed for 25 cars). Car parking has been arranged in accordance with advice from traffic consultants, Stantec and minimises pedestrian disruption from car access. It is also of note that the Master Plan makes the following observations with relation to carparking and Lorraine Street:

‘Formalising the existing car parking would improve safety for vehicles and staff. There is also an opportunity to improve the visual appearance of the College campus from Lorraine Street’.

The proposed building includes a lift enabling universal access throughout and externally, the organised grade and pavement detail provide a smooth transition between the competition court and the foyer entry ensuring equal opportunity in education and an inviting space for students, staff and visitors.

The Master Plan notes there is only one lift that currently provides vertical disability access and it currently links less than half of the school buildings.

At 3 storeys, the building is considered appropriate given there is no immediate residential interface, and it contributes to the creation of an urban streetscape that has a consistent plane of building facades that enclose Buckley Street.

While the proposed development makes significant improvements, there are parallels with the VCAT approved layout and therefore the VCAT decision warrants further analysis, as discussed below:

6.3.1 What is the appropriate fencing to the site frontages?

Council considered fencing along Buckley Street and Lorraine Street of high importance given the prominent corner position of the at-grade carpark and the Tribunal made the following observations:-

10. ‘I find that a consistent fencing treatment to both frontages that adopts a contemporary interpretation of the existing plinth and infill fencing as generally shown on the Buckley Street site elevation on drawing number SK04 prepared by Monto Projects is appropriate for both frontages because it will provide for visual consistency and greater passive surveillance over the red brick fencing...’

The fencing treatment to Buckley Street will comprise rendered pillars and metal picket infills, consistent with the existing fencing along Buckley Street as shown in Figure 37 below. The fencing to Lorraine Street frontage will return for the extent



of the buildings front setback and thereafter an open landscaped setting will extend the public realm and provide an attractive ‘pedestrian-oriented’ streetscape (see Figure 35 on page 51).

Figure 37: Render of Buckley Street facade



6.3.2 Should there be a landscape buffer to the north side of the multipurpose court and if so, how wide?

Council sought a 2-metre landscaped buffer between the competition court and the Buckley Street frontage however the Tribunal was satisfied with a 1 metre setback.

The proposed competition court is intentionally positioned to align with the new STEAM building and adjacent Slater building and allows for a landscaped buffer of approximately 2 metres. This is a considered and appropriately resolved outcome that allows for the transition in levels but also ensures retention of the 8 existing Magnolia trees and planting of an additional 10 canopy trees between the Buckley Street frontage and the competition court. The level transition also provides opportunities for perimeter seating as envisaged by Tract in their landscape concept plan shown below in Figure 38.

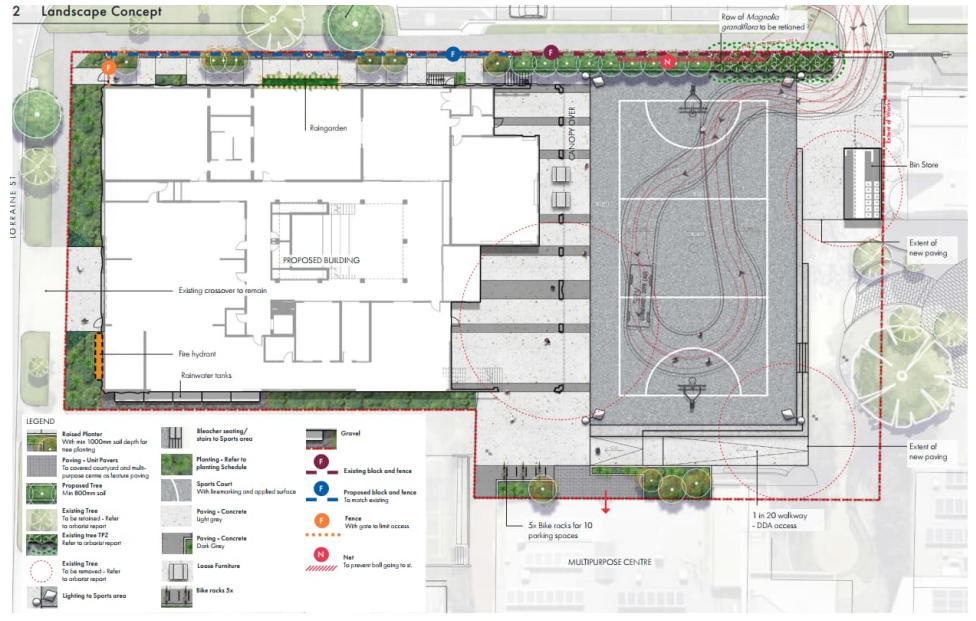


Figure 25: Tract Landscape concept for competition court and its interface with Buckley Street

6.3.3 Should waste collection occur from Buckley Street?

Council sought to relocate all waste collection to the rear of the site in Stanley Street however this was not supported by the respondent objector given the residential interface.

The WMP prepared for the VCAT approved layout (decision plans) allowed for one (1) additional collection to Stanley Street and four (4) collections per week from the Buckley Street service road to be provided by a private contractor.

The Tribunal was satisfied with four (4) collections a week from Buckley Street provided the hours of collection did not coincide with peak drop off and pick up times.

To ensure there is no additional impact on the residential neighbours in Stanley Street to the south, it is proposed to consolidate all waste collection for the STEAM building from the service road in Buckley Street while also reducing collection from Buckley Street to one (1) collection a week.

6.3.4 What times should the multi-purpose court and outdoor areas be used?

The Tribunal found it appropriate that no activities occur on the multi-purpose court between the hours of 9pm to 7am each day except with the written consent of the Responsible Authority. A time limit was not considered necessary for passive recreational use of the remaining outdoor areas.

The competition court is now effectively enclosed / shielded on all sides by school buildings whereas the previous VCAT approved layout had an interface with adjacent residential properties in Lorraine Street, to the south and west.



6.3.5
What is the appropriate limitation on student numbers and is a S173 agreement required?

Restrictions on use of the competition court are therefore not considered warranted in this instance as any unreasonable amenity impacts will be mitigated by the buildings themselves.

The land at 2 Leslie Street has until recently been affected by Section 173 agreement R933717M¹⁰ between the College and Council that limited the maximum number of students to 900. The agreement was removed from the Title in 2021 following the issue of the Permit.

Council supports student numbers being limited to 1050. There is no change proposed to student or staff numbers. Clause 2.2 of the non-statutory Master Plan confirms there is no capacity for the student population to increase beyond 1,050.

2.2 The College Population

The Master Plan is based on a student population in the order of 1,000 students — that is, no provision for significant growth, and remaining as a (largely) 6 stream school.

The current population is 1,001 students and 123 staff (110 FTE). There is no capacity for the student population to increase beyond 1,050. This figure is outlined in the following table with an allowance for 3 extra students.

Year Level	Number of Classes / Streams	Number of Students per Class / Stream	Total Number of Students
Year 7	7	29	203
Year 8	6	29	174
Year 9	7	28	196
Year 10	6	28	168
Year 11	6	26	156
Year 12	6	25	150

1,047 (say 1050)

This table does not include the complexities of electives. That is why the word 'Stream' is placed beside the word 'Class'.

Figure 26: Extract from St Columba's College Master Plan, August 2019

It was Council's position that a new Section 173 Agreement be entered into limiting the student number to 1050 however the Tribunal determined as follows:

38. *I find that just because a Section 173 Agreement was previously entered into does not mean that one should be required here if a permit condition can suffice....*
39. *I find that the limitation on student numbers can be achieved through a permit condition.*

¹⁰ S173 Agreement R933717M



6.3.6
Is Title consolidation required and should that form part of a S173 agreement

The College is committed to consolidating the titles and the process is well underway. PC 379469S has been prepared by VicLand and is ready to be lodged with the Title office pending some minor corrections to easements that Council is supportive of.

6.3.7
Is roadworks required?

Council sought a financial contribution towards the Buckley Street upgrade works. The Tribunal however determined as follows:-

54. I am not persuaded that sufficient material has been provided to me to demonstrate that the need for the additional works clearly relates to this school or this permit. Neither are there functional layout plans nor any detailed costings to demonstrate that the financial contribution now sort is fair and reasonable.

6.3.8
Is a Master Plan required?

A non-statutory Master Plan has been completed and was updated in March 2021. The proposed development is consistent with the Master Plan's strategic vision as shown in Figure 40 below.

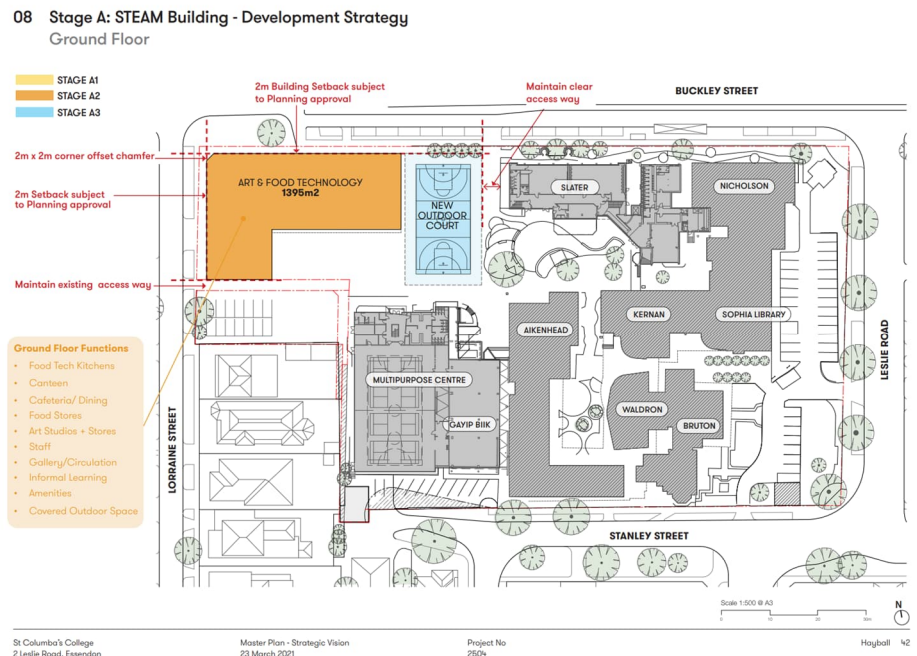


Figure 27: Master Plan Strategic Vision, March 2021

The Master Plan acknowledges the College is a densely built campus however utilisation of the four contiguous parcels adjoining the College in conjunction with the new proposed development achieves its key objectives. We submit there will be no need for any additional master planning following approval of the proposed development given there is no surplus adjacent land available to the College.

We also note observations of the Tribunal in this regard, as follows:

62. *While master planning is good practice, I find that it is not appropriate that this be a pre-condition of the commencement of the use approved by this permit.*

6.4 WILL THE PROPOSAL AVOID UNREASONABLE OFF-SITE AMENITY IMPACTS?

In considering the development's potential amenity impacts, it must be recognised that not only does the proposal have unequivocal planning policy support, but it also proposes a high-quality architectural outcome that makes a rich and positive contribution to the public realm on a site that does not have any immediate residential neighbours.

It is also noted that:

- the competition court will be cocooned by the STEAM building, the Slater building and the Multipurpose Centre – all substantial 3 storey buildings that will provide an appropriate level of protection / buffer from excessive or unreasonable noise but also protection against any potential light spill;
- the STEAM building is more than 20 metres from the closest dwelling at 155 Buckley Street and separated by Lorraine Street, which allows a suitable transition from this sensitive interface;
- the internalised entrance and maintaining pedestrian access to Buckley Street will maintain privacy of Lorraine Street residents;
- the building is more than 20 metres from the closest dwelling to the south at 4 Lorraine Street and is separated by the existing courts on the College owned land, which provide sufficient separation;
- the 3-4 metres setback to the Lorraine Street boundary allows for an open landscaped setting and views from the west and north of an attractive 'pedestrian-oriented' streetscape;
- the lower ground level carpark will be secured so noise is unlikely to be a significant concern;
- egress from the lower ground level staff carpark will be restricted to right turn only to ensure Lorraine Street is not affected by additional traffic;
- the shadow diagrams demonstrate adjacent properties will not be impacted (refer to the drawings TP4.00-TP4.002 of the development plans);
- roof plant is not visible from the public realm;
- waste collection will be conducted from the service road in Buckley Street in a single collection and no additional collections made from Stanley Street; and



- west-facing windows are more than 20 metres from the closest dwelling at 155 Buckley Street and mostly screened.

6.5 IS THE PROPOSED VEHICLE ACCESS, PROVISION OF CAR AND BICYCLE PARKING AND WASTE DELIVERY APPROPRIATE?

It is noteworthy that the quantum of car parking proposed on the site (39 spaces) is ample to satisfy the demands of the development. Furthermore, access to the site is proposed from an existing crossing and egress from the basement carpark will be restricted to right turn only which overcomes any concern, in policy terms, about the potential to impact upon residential areas. Irrespective, the extent of activity expected to be generated by the development can be safely accommodated in Buckley Street without unreasonable impacts on the residential amenity of the area.

Traffic generation by staff assumes they will all travel to the College by private vehicle, being 123 trips, although the reality is this figure will be lower due to staff opting for alternative methods of transport to the site. In any case, most of these trips will occur before the peak drop off period and likewise most outbound staff trips will occur after the school pick up period.

6.5.1 Vehicle access

Vehicle access to Lorraine Street is retained and designed in accordance with Clause 52.06 of the Scheme and relevant sections of AS/NZS 2890.1:2004 and AS/NZS 2890.1:2002 (refer to accompanying assessment by Stantec).

All egress movements will be restricted to right out only. This will be facilitated by signage at the driveway exit.

The carpark access exceeds the requirements for a two-way accessway under AS2890.1 and Clause 52.06. Vehicle access along the internal accessway been tested for B85 design vehicles manoeuvring and/or passing where required.

6.5.2 Bicycle parking and facilities for cyclists

The provision of four (4) bike spaces in the lower ground level carpark and ten (10) bike spaces at ground level adjacent to the multipurpose centre is entirely appropriate and is consistent with the College's desire to reduce car travel and achieve an environmentally sustainable development.

To this end, the College can comfortably provide up to thirty (30) bike spaces across the campus as sought by condition 1q of the Permit, if required.

It is also noted end of trip facilities are already provided for staff and students within the Multipurpose centre.



6.5.3 Waste delivery

The swept path analysis for the refuse truck is contained in Appendix A of the Stantec report. The bin room is located at ground level adjacent to the Slater building. Bins will be wheeled out to the service road in Buckley Street and refuse will be collected four times a week by an 8.8-metre-long mini waste vehicle that will utilise the service road and exit onto Buckley Street in a forward direction.

6.6 DOES THE SITING AND LAYOUT DELIVER AN APPROPRIATE LANDSCAPE OUTCOMES?

The arboricultural reports prepared by Rob Galbraith confirm there is no native vegetation on the site. It is also noted the site is not affected by an Environmental Significance Overlay.

The reports assess the impact of development on an Oak tree, two Chinese Elms, a row of Silver Tarata and a row of eight (8) young Evergreen magnolia on the site as well as adjacent street trees, the adequacy of the proposed setbacks of buildings and works (including any retaining walls and any trenching or excavation works for utility services and basements), identification of appropriate construction techniques to facilitate the retention of such vegetation and recommendations of measures during demolition and construction works to minimise damage and ensure the retention of such vegetation.

The trees that require removal are because of the need to make the site level for the competition court but also allow for a seamless transition to the building entrance to meet universal access requirements. While considerable thought was given to the potential retention of the Oak tree in the preliminary design stage, its removal became apparent and logical once it was determined that the building and ultimately the development wasn't viable.

Equally important in considering the value of its retention and perceived visual benefits are the planning policy imperatives that support the expansion and upgrade of non-government schools and the extent of at-grade, accessible space remaining available to students once the level of protection was applied if it were to be retained. Of note also is the location of the Oak tree and the negligible impact it will have on the public realm being set back some 27 metres from the Buckley Street frontage within what was the rear yard of the former dwelling that occupied 145 Buckley Street.

Of note is the attention that has been given to replacement landscaping that is designed specific to the use of the site and its setting and the row of Magnolias (see Figure 41) that will be retained and will be enhanced with additional like species to extend this attractive landscape frontage.



Figure 28: View of the existing row of Magnolias planted across part of the sites Buckley Street frontage

**6.7
DOES THE PROPOSAL
PROVIDE AN APPROPRIATE
ENVIRONMENTALLY
SUSTAINABLE DESIGN
RESPONSE?**

Consideration of ESD has played a key role in guiding and resolving the design of the proposed development, with an ESD consultant (SD Consultants) providing inputs. As a result, it is submitted that the proposed development is an excellent ESD performer.

From a first principles perspective, the proposal’s greatest contribution to sustainability objectives is maximising the efficient use of existing zoned urban land, adjacent to an activity centre and well serviced by public transport.

In addition to the less tangible concepts, the development will incorporate a range of ESD initiatives, as a means by which to minimise its impacts on the environment. In summary, the development’s ESD outcomes ensure a high level of internal daylight amenity and meets its urban stormwater obligations.

Full details of these initiatives are provided in accompanying Sustainable Management Plan prepared by Stantec however it is noted:

- The proposed development achieves a STORM rating score of 100 per cent and meets best practice and objectives sought by clauses 15.02-1L and 02.03-4;
- The proposed development is expected to achieve a benchmark 54% BESS Score, exceeding the 50% best practice standard;



- The building will achieve compliance with NCC 2019 requirements for building fabric, incorporating external shading on the northern façade, spandrel applied to the western and eastern façades, and windows to be double glazed;
- Fourteen bike spaces and end of trip facilities are provided;
- Two electric charging stations within the lower ground level carpark; and
- A 30 kWp Rooftop Solar PV array will be installed on the roof of the building to offset grid electricity usage and further reduce GHG emissions associated with the building's operation.

Accordingly, the proposal more than satisfies the Moonee Valley Planning Scheme's ESD expectations and will make a valuable contribution to a more sustainable and climate change resilient City.



7.0 CONCLUSION

Clause 71.02-3 of the Scheme establishes that.... *“Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development. Planning and responsible authorities should endeavour to integrate the range of planning 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.”*.

The development proposal duly responds to policy to support the expansion and upgrade of non-government schools, planning controls and relevant provisions of the Scheme and very clearly meets its obligation to establish and provide net community benefit.

In summary, the proposal represents a high-quality development that appropriately responds to the context of the site, as follows:

- The proposal is consistent with planning policy which supports the expansion and upgrade of non-government schools and assists in strengthening their integration with surrounding transport networks and activity centres.
- The proposed site planning and design takes advantage of an already serviced, underutilised and larger than typical site that adjoins and is owned by the College and is adjacent to a recognised ‘Economic and activity area’. It has been thoughtfully conceived and integrates successfully with the existing school buildings and will provide a substantial community benefit and thus meets the Essendon neighbourhood implementation plan at Clause 02.04.
- The STEAM building will significantly improve the amenity and functionality of the existing College but also the public realm, which currently has a northwestern interface dominated by unsightly carparking, bin collection and service areas located within the frontage.
- The universal access to the STEAM building and improved outdoor spaces, improved connectivity, daylight and spatial planning meets the general comforts of students, staff and visitors. It will also realise improvements to administrative functions and back of house facilities.
- The proposed expansion of the existing College supports its longer-term viability with attendant benefits to the local community.



- The arched elements at the entrance to the STEAM building, its materials and finishes are an appropriate response to the Charity Convent building and Chapel.
- Traffic and parking impacts associated with the development are appropriately managed by providing increased car parking on-site and providing adequate access and egress arrangements for vehicles and pedestrians expected to utilise the site.
- The site will be landscaped to enhance the presentation of the building, consistent with policy imperatives and the context of the site. The removal of existing trees will be balanced by the opportunity to deliver new landscaping that complements the site layout and design. Without the removal of these trees, the project (and its policy imperatives to support the expansion and upgrade of non-government schools) will not be possible.
- The proposed use will not adversely affect the amenity of the area by way of the transportation of goods to/from the land, the operation of the use and any associated plant/equipment.
- The proposal satisfies the environmentally sustainable design expectations of Council.

For the reasons outlined in the proceeding sections of this submission, it is submitted that the development is worthy of a planning permit, subject to standard planning permit conditions.

