

**LEGEND**

	EXISTING WALL TO BE RETAINED
	RECONSTRUCTED WALL
	NEW WALL
	EXISTING FABRIC
	NEW WORK IN EXISTING FABRIC
	RECONSTRUCTED WORK

**FINISHES EXISTING**

- F-01 BLUESTONE
- F-02 PAINT FINISHED ASHLAR RENDER
- F-03 FACE BRICK (EXISTING)
- F-04 SLATE ROOFING
- F-05 PAINT FINISH

**FINISHES PROPOSED**

- F-10 STONE
- F-11 FACE BRICK
- F-12 PAINTED RENDER
- F-14 FINISHED CONCRETE
- F-14 BRONZE ALUMINIUM
- F-15 POWDERCOAT ALUMINIUM
- F-16 WASHED TIMBER SCREEN
- F-17 TIMBER SCREEN
- F-18 STONE PAVING
- F-19 PEBBLE

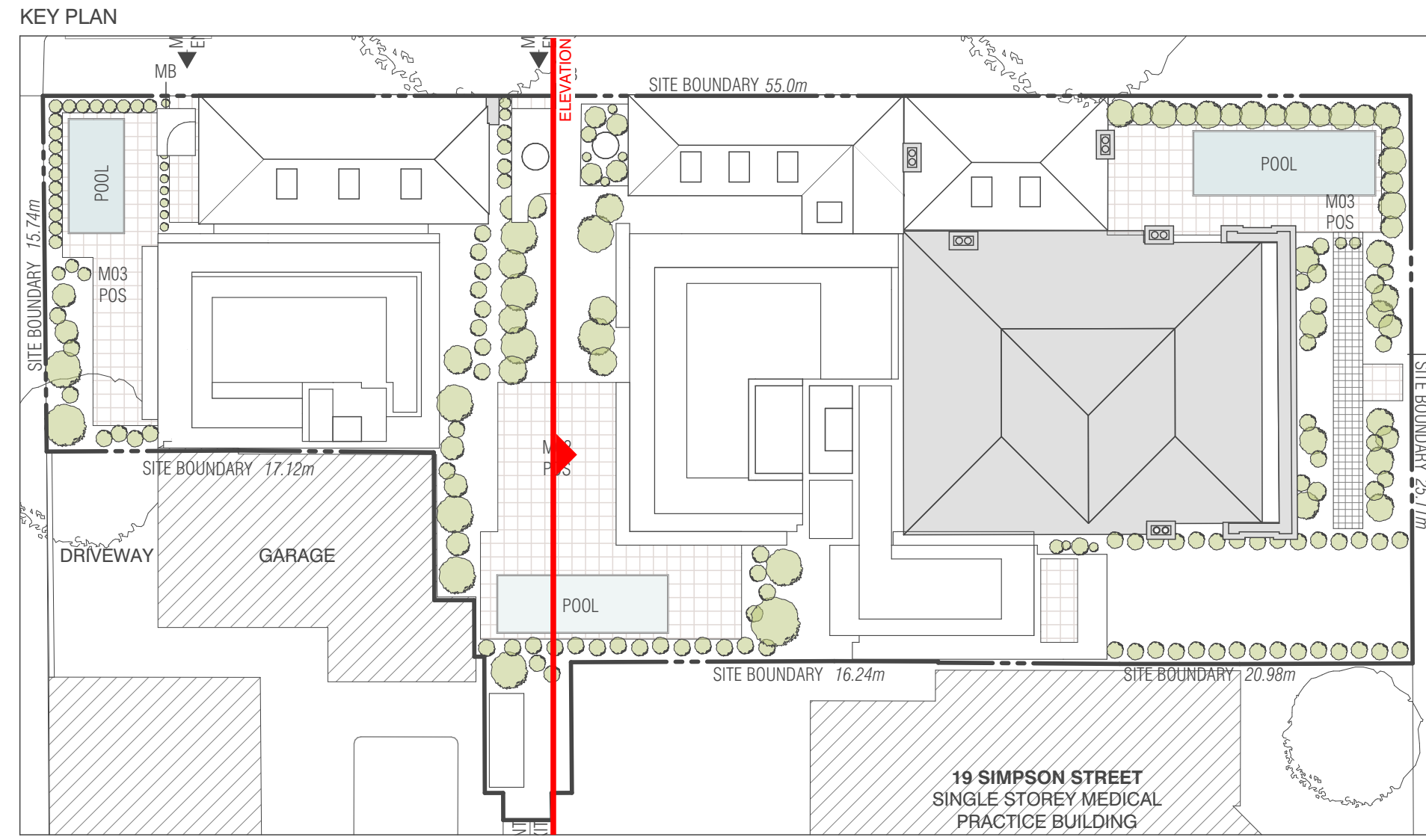
**ESD NOTES:**

- DOUBLE GLAZING TO BE USED FOR ALL GLAZED DOORS AND WINDOWS TO HABITUAL ROOMS.
- SHOWER HEAD & WC - 4 STAR WELS RATING
- DISHWASHER, KITCHEN & BATHROOM TAP - 5 STAR WELS RATING
- 4W/m2 TYPICAL LIGHTING DENSITY
- LIGHTING SENSORS FOR EXTERNAL LIGHTING
- NATIVE AND DROUGHT RESISTANT PLANTS TO BE USED - REFER TO LANDSCAPE PLANS

**CONSERVATION NOTES:**

- WASH DOWN ALL FACADES AND PARAPETS.
- PROVIDE PROTECTION TO RETAINED FABRIC.
- REMOVE REDUNDANT PIPES, SERVICES AND THE LIKE. REPAIR AND MAKE GOOD SUBSTRATE TO MATCH ADJACENT.
- IN NEW OPENINGS, CAREFULLY DISMANTLE MASONRY WALL AND JOINERY AND STORE IF TO BE REUSED.
- PREPARE AND PAINT ALL PREVIOUSLY PAINTED SURFACES INCLUDING TIMBER WORKS, METAL WORK AND RENDER WORK.
- INSTALL NEW WELSH SLATE TO ALL RETAINED/RECONSTRUCTED ROOFS WITH ASSOCIATED GALVANISED STEEL RIDGE CAPPING, VALLEY GUTTERS AND HIP CAPPING. INSTALL LEAD FLASHINGS WHERE REQUIRED.
- REMOVE EXISTING TERRACOTTA TILES AND INSTALL NEW WELSH SLATE.
- REPLACE DAMAGED RAINWATER GOODS INCLUDING BOX GUTTERS, COVER FLASHINGS, EAVES GUTTERS, DOWNPIPES AND RAINWATER HEADS ALL TO FUTURE HYDRAULIC ENGINEERS SPECIFICATION.
- REMOVE DIRT AND VEGETATION FROM RETAINED RAINWATER GOODS, REVISE FALLS AND ENSURE DRAINAGE TO STORMWATER SYSTEM.

- REPLACE DAMAGED CHIMNEY FLASHINGS AND METAL CAPPINGS.
- RE-PARGE COPING OF CHIMNEY INCLUDING FLAT/MOULDED RENDER WORK DISMANTLE AND REBUILD DISLODGED BLUESTONE/CAST IRON PIER TO SOUTH-EAST CORNER BOUNDARY FENCE.
- REPOINT FULL EXTENT OF BLUESTONE PLINTH.
- NEW PEDESTRIAN GATE TO EAST BOUNDARY TO MATCH EXISTING.
- REPAIR DAMAGED BLUESTONE BLOCKS TO BOUNDARY PLINTH.
- CLEAN TESSELLATED TILES AND REPAIR/REPLACE DAMAGED TILES AND GROUT.
- CLEAN TESSELLATED TILE PAVING TO MATCH EXISTING TO PROPOSED PEDESTRIAN ENTRY.
- REPAIR AND RESTORATION OF TIMBER WINDOW FRAMES AND THE INSTALLATION OF NEW TIMBER WINDOW SASHES WITH NEW DOUBLE GLAZING.
- REPLACE DAMAGED GLAZING PUTTY AND TIMBER BEADS WHERE REQUIRED.
- TIMBER SPLICE REPAIRS TO EXISTING DOORS AND WINDOWS AS REQUIRED.
- REPLACE EXISTING GLASS PANES WITH DOUBLE GLAZED PANES.



REVISION		REVISION	
B	ISSUED FOR TOWN PLANNING	NZ	07.03.2023
> C	ISSUED FOR TOWN PLANNING	NZ	31.05.2023

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**PROJECT**

SIMPSON HOUSE  
29 SIMPSON STREET  
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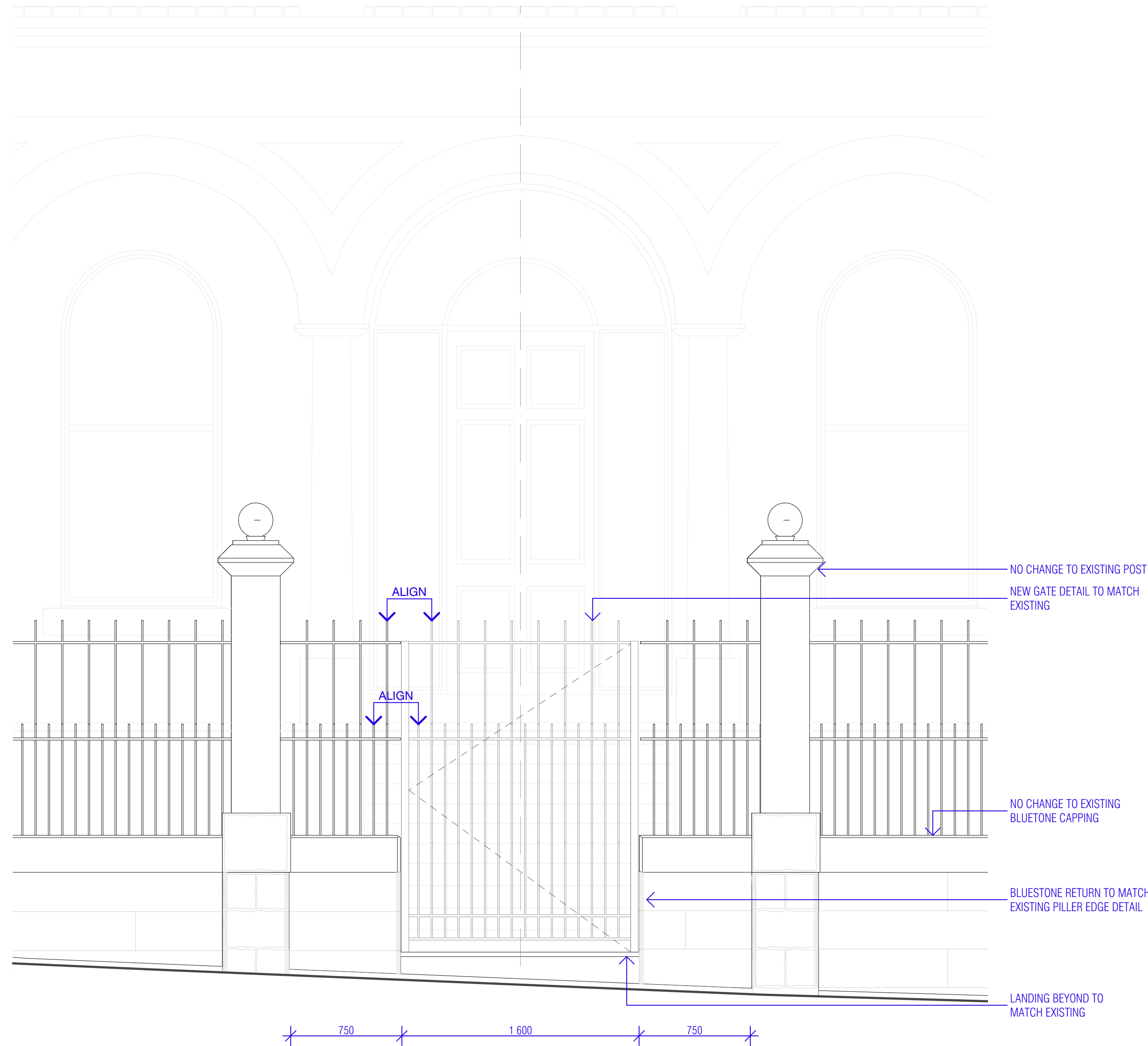
REVISION	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE	DRAWING TITLE	ISSUE PURPOSE	REV.	DRAWING NO.
BW	31.05.2023	RM	02.06.2023	21255	1:100@A1	INTERNAL WEST ELEVATION	TOWN PLANNING	C	TP205

ISSUE PURPOSE: TOWN PLANNING

REV: C

DRAWING NO: TP205





01 EAST ELEVATION DETAIL  
SCALE 1:20@A1



02 PERSPECTIVE VIEW  
SCALE 1:1@A1

REVISION	REVISION
A	ISSUED FOR TOWN PLANNING
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NZ	16.03.2023	RM	02.06.2023	21255	AS SHOWN@A1

**PROJECT**  
SIMPSON HOUSE  
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DRAWING TITLE
EAST ELEVATION - DETAIL

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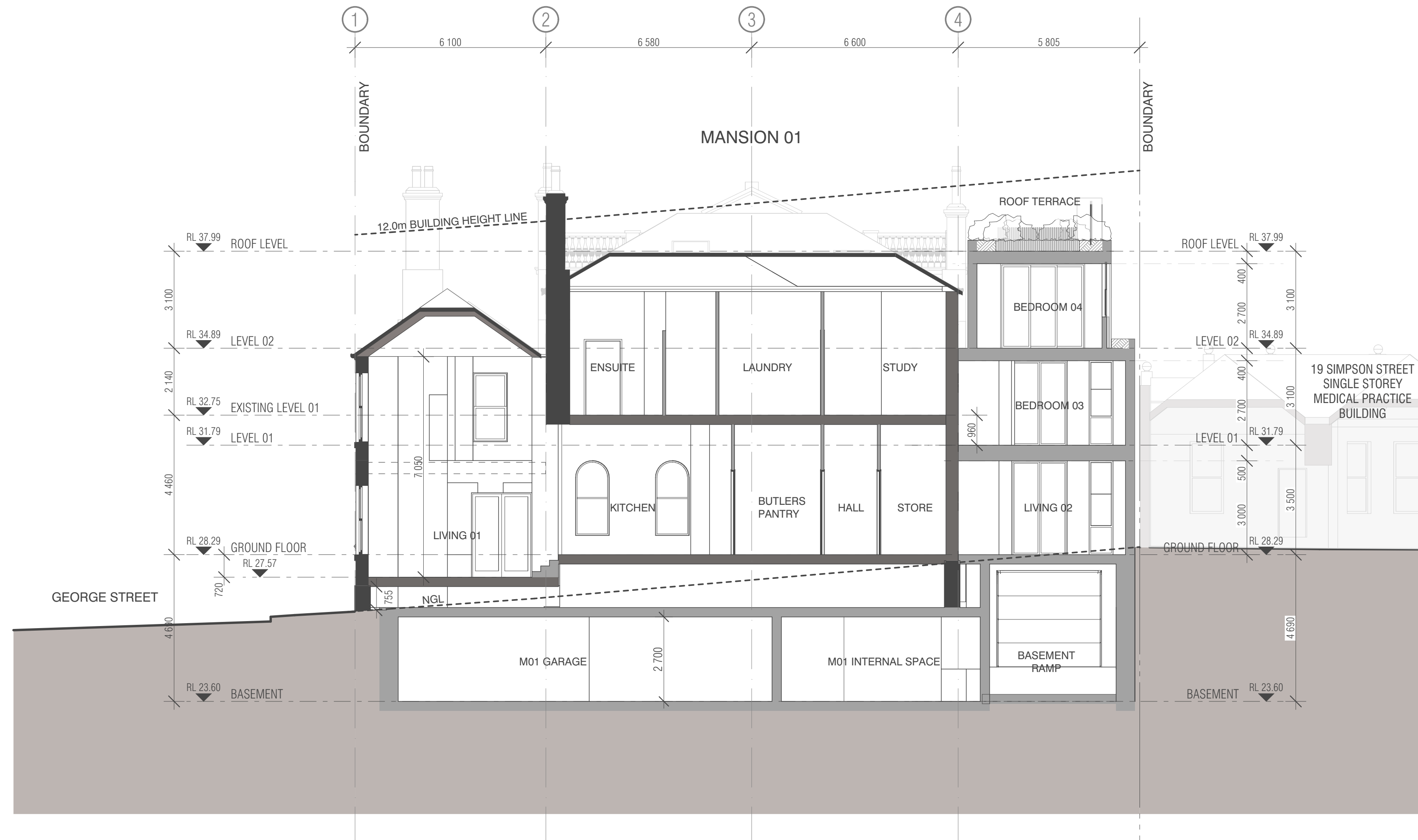
ISSUE PURPOSE
TOWN PLANNING



REV.	DRAWING NO.
A	TP206



- LEGEND
- EXISTING WALL TO BE RETAINED
  - RECONSTRUCTED WALL
  - NEW WALL
  - EXISTING FABRIC
  - NEW WORK IN EXISTING FABRIC
  - RECONSTRUCTED WORK



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BW	06.10.2022	RM	02.06.2023	21255	1:100@A1

**PROJECT**

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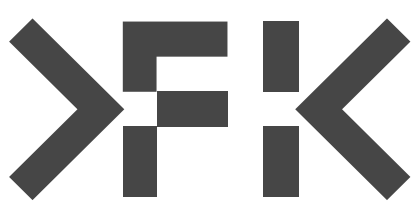
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SECTION A/A

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**ISSUE PURPOSE**

TOWN PLANNING



**REV.** A  
**DRAWING NO.** TP250

- LEGEND**
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  - RECONSTRUCTED WALL
  - NEW WALL
  - EXISTING FABRIC
  - NEW WORK IN EXISTING FABRIC
  - RECONSTRUCTED WORK



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**PROJECT**

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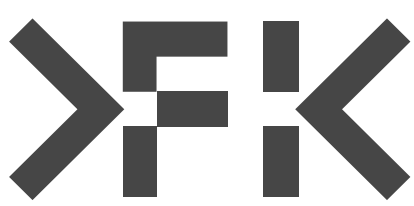
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SECTION B/B

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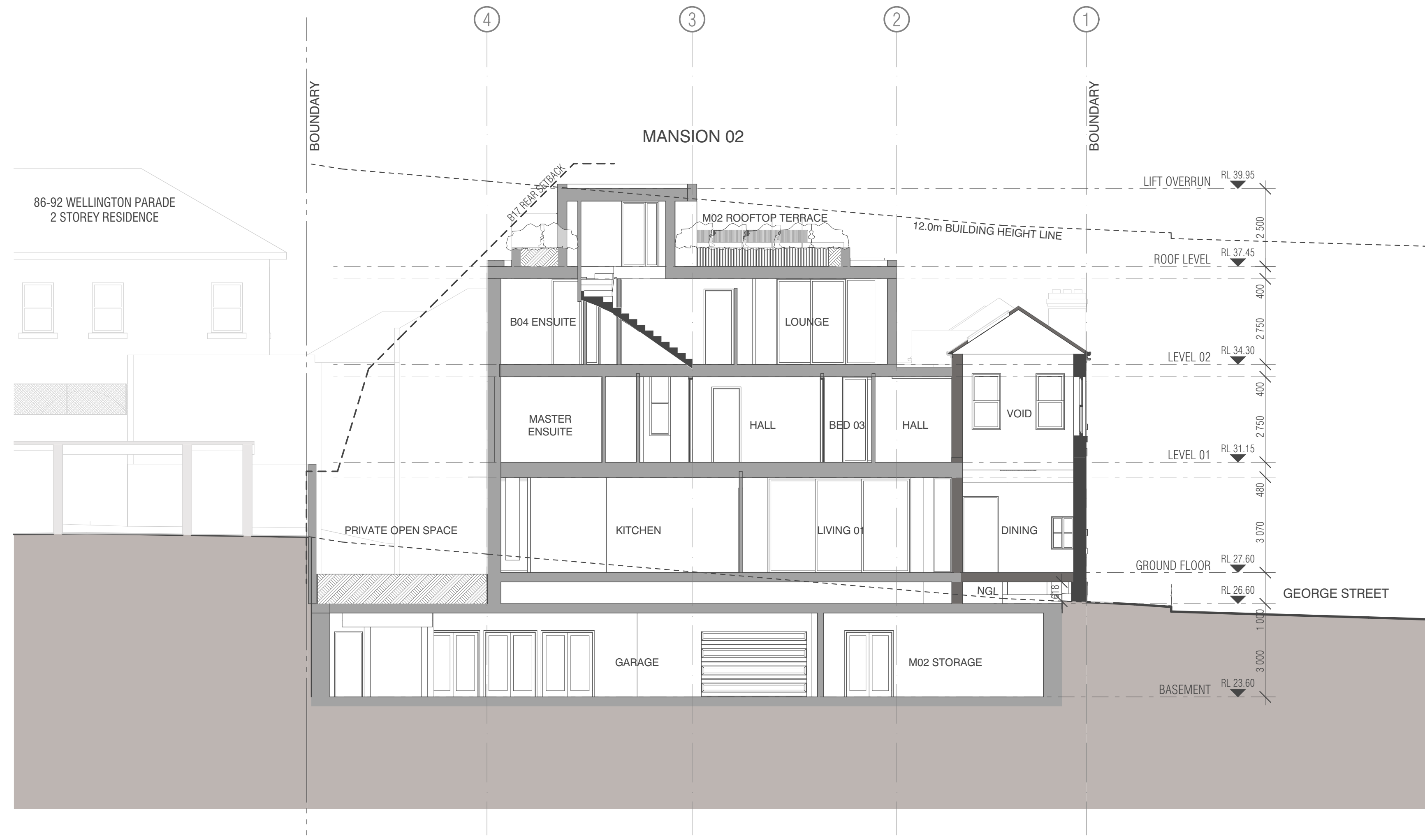
TOWN PLANNING



**REV.** C  
**DRAWING NO.** TP251



- LEGEND**
- EXISTING WALL TO BE RETAINED
  - RECONSTRUCTED WALL
  - NEW WALL
  - EXISTING FABRIC
  - NEW WORK IN EXISTING FABRIC
  - RECONSTRUCTED WORK



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**PROJECT**

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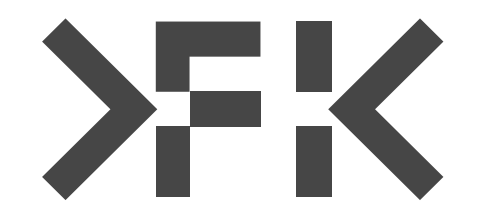
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SECTION C/C

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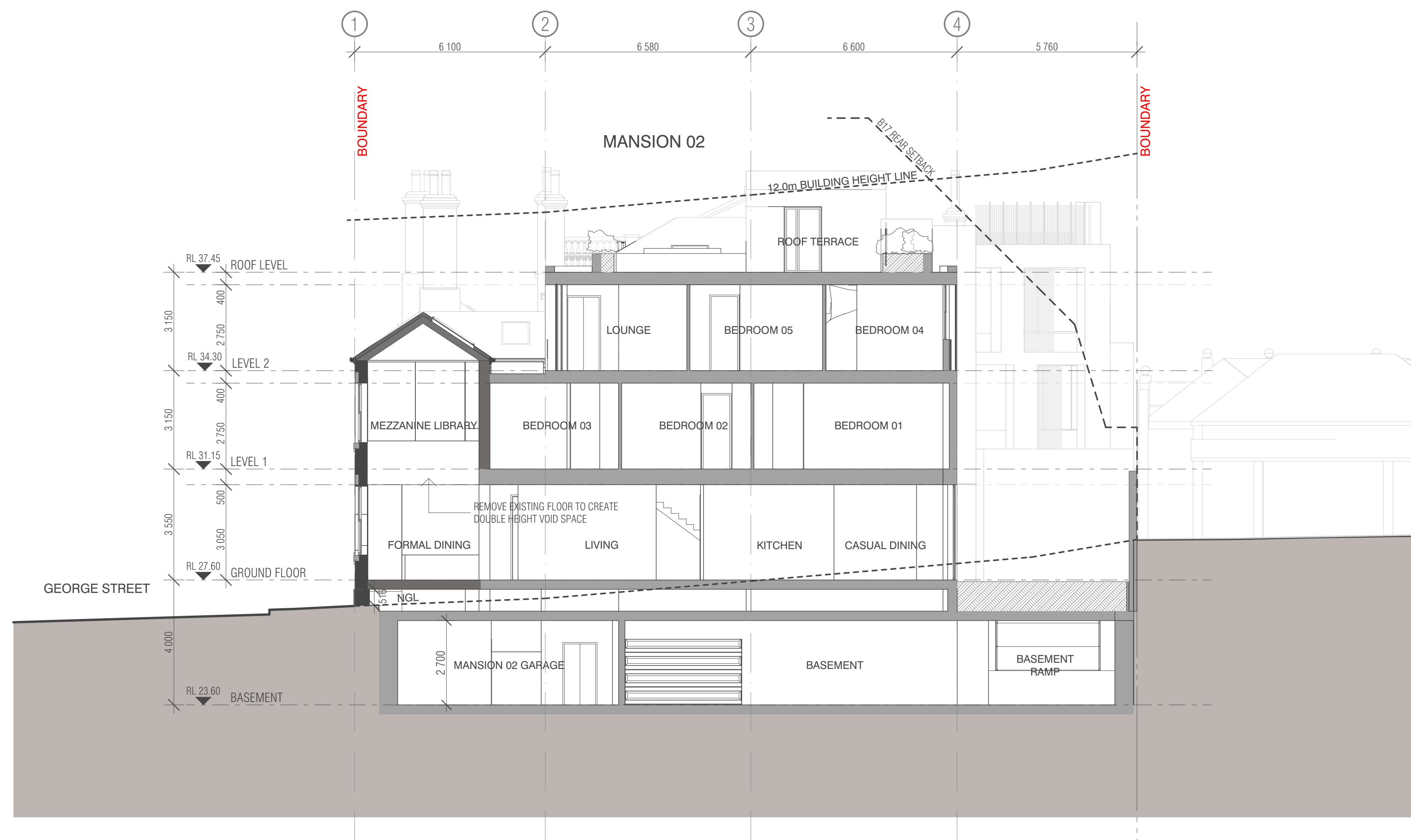
TOWN PLANNING



**REV.** B  
**DRAWING NO.** TP252



- LEGEND
- EXISTING WALL TO BE RETAINED
  - RECONSTRUCTED WALL
  - NEW WALL
  - EXISTING FABRIC
  - NEW WORK IN EXISTING FABRIC
  - RECONSTRUCTED WORK



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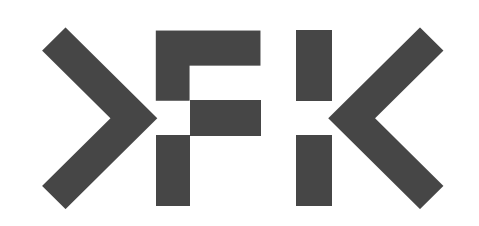
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SECTION D/D

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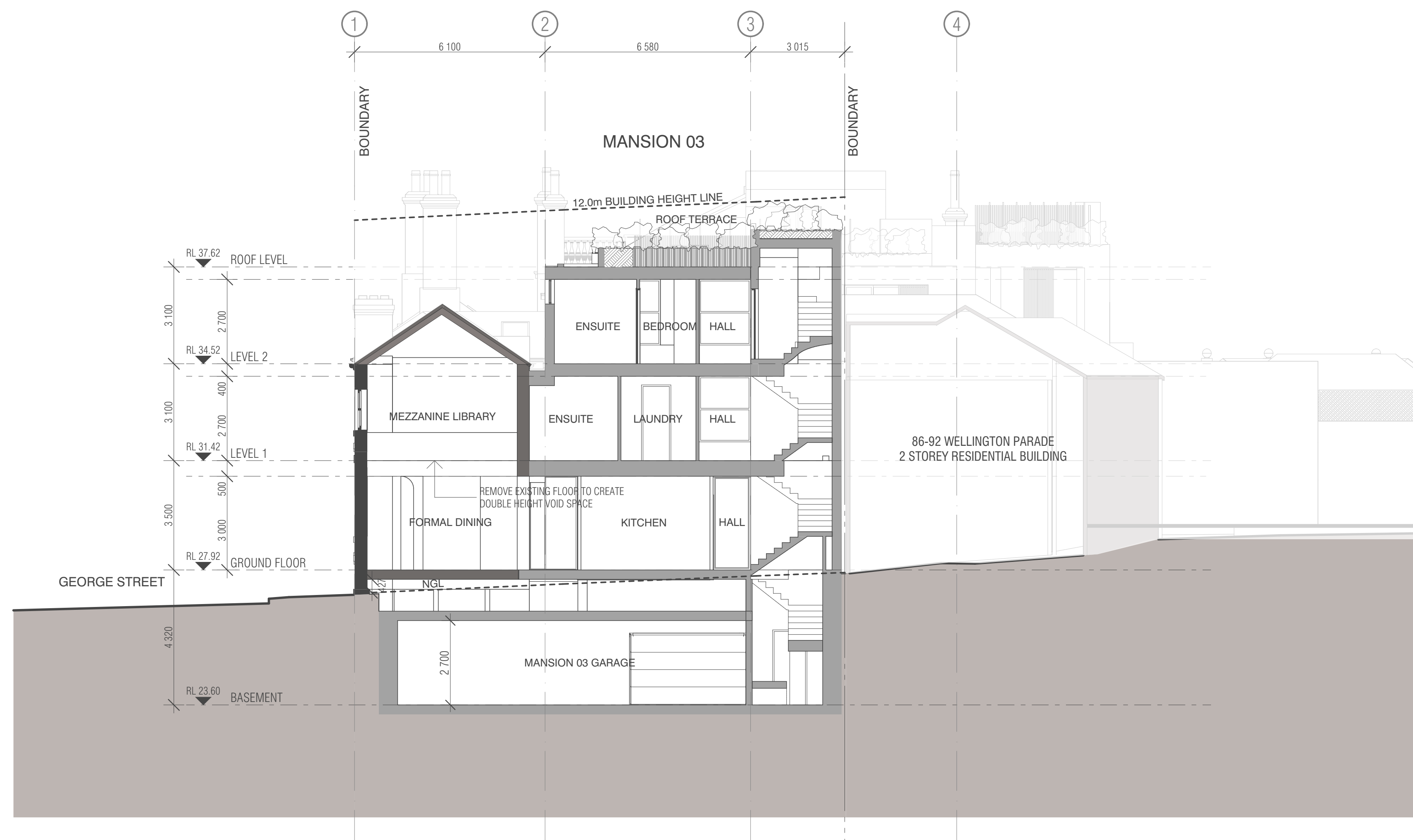
TOWN PLANNING



**REV.** C    **DRAWING NO.** TP253



- LEGEND**
- EXISTING WALL TO BE RETAINED
  - RECONSTRUCTED WALL
  - NEW WALL
  - EXISTING FABRIC
  - NEW WORK IN EXISTING FABRIC
  - RECONSTRUCTED WORK



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A	07.12.2022	MY
B	07.03.2023	NZ

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**PROJECT**

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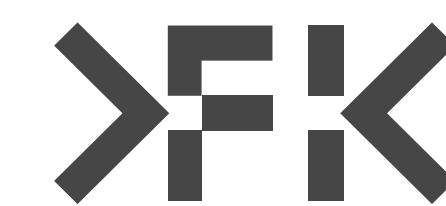
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SECTION E/E

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**ISSUE PURPOSE**

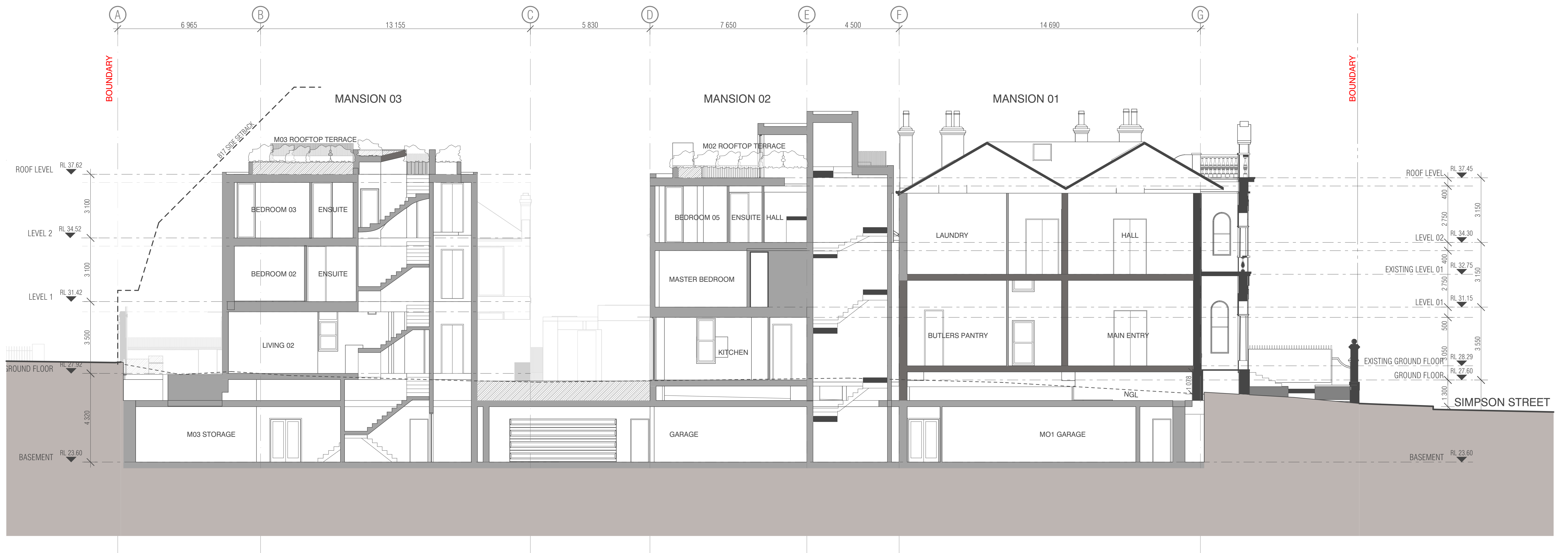
TOWN PLANNING



**REV.** B  
**DRAWING NO.** TP254



- LEGEND**
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**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**DRAWING TITLE**  
 SECTION F/F

**FENDER KATSALIDIS**  
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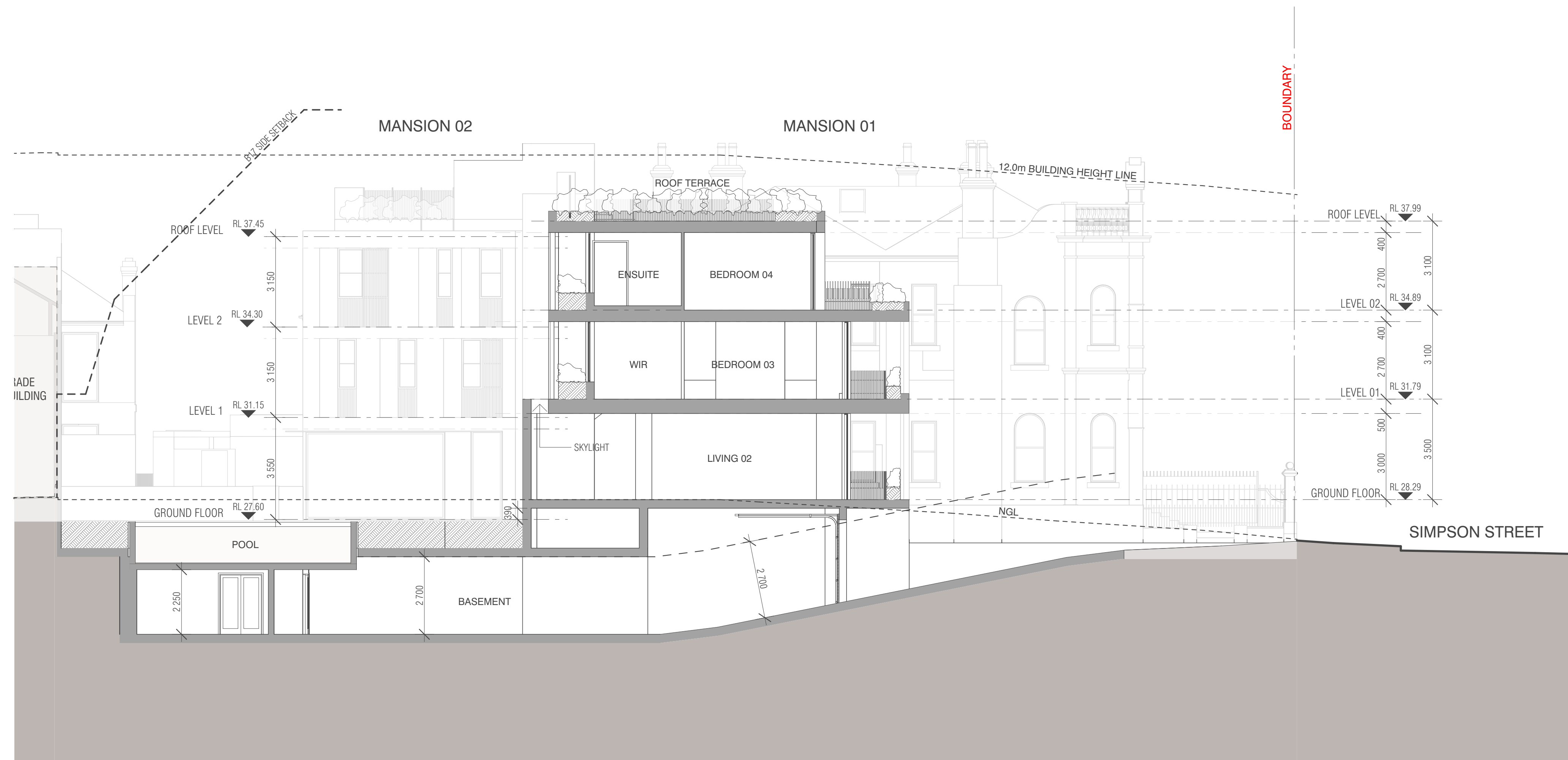
**ISSUE PURPOSE**  
 TOWN PLANNING



**REV.** C  
**DRAWING NO.** TP255



- LEGEND**
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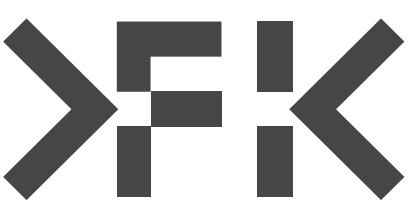
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BW	31.05.2023	RM	02.06.2023	21255	1:100@A1

**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**DRAWING TITLE**  
 SECTION G/G

**FENDER KATSALIDIS**  
 WWW.FKAUSTRALIA.COM  
 2 RIVERSIDE QUAY, SOUTH BANK  
 VICTORIA 3006 AUSTRALIA  
 TELEPHONE: +61 3 8696 3888  
 FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
 TOWN PLANNING



**REV.** C  
**DRAWING NO.** TP256

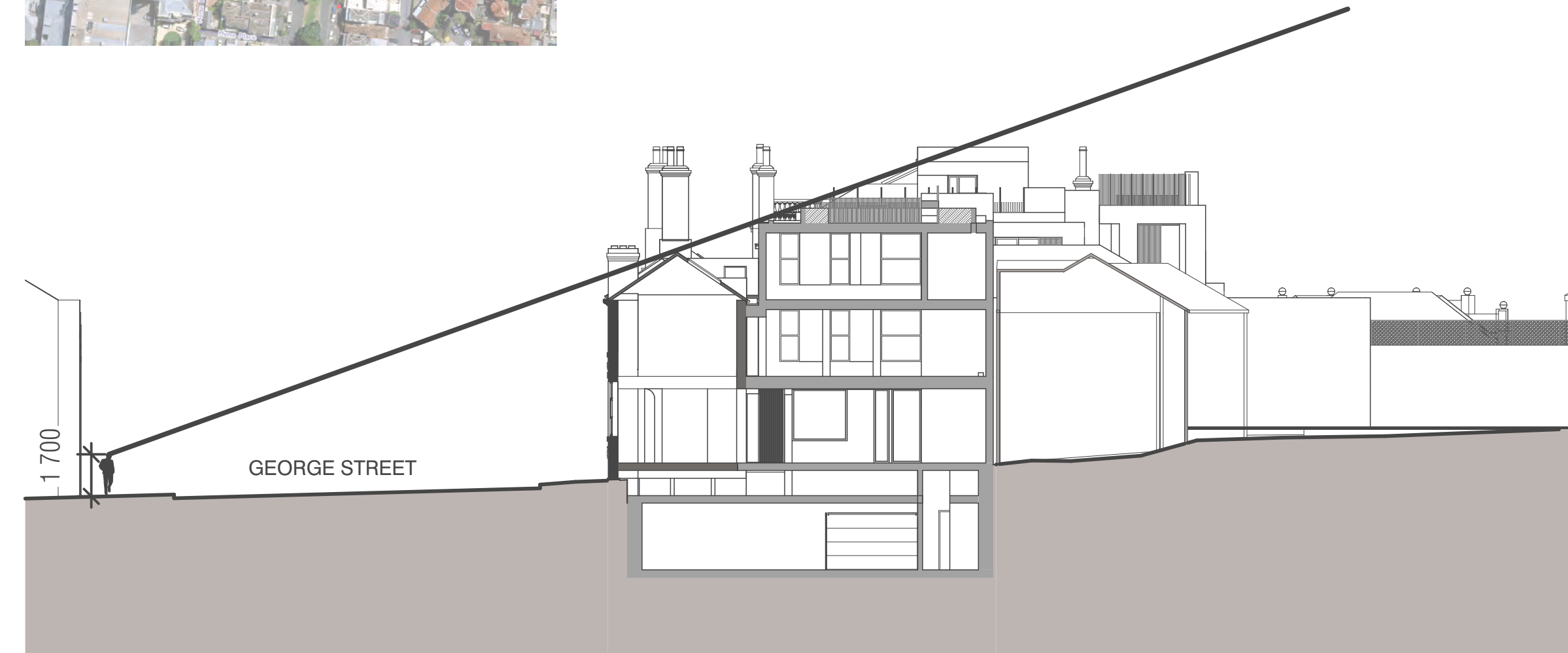


KEY MAP



SVL01 SITE VIEW LINE 01  
SCALE 1:200@A1

KEY MAP



SVL02 SITE VIEW LINE 02  
SCALE 1:200@A1



SL01



SL02

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REVISION		REVISION	
A	ISSUE FOR TOWN PLANNING	BW	06.10.2022
> B	ISSUED FOR TOWN PLANNING	NZ	07.03.2023

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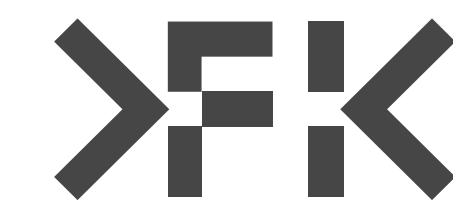
DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	07.03.2023	RM	02.06.2023	21255	1:200@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
VIEW LINE 1 & 2

**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
2 RIVERSIDE QUAY, SOUTH BANK  
VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

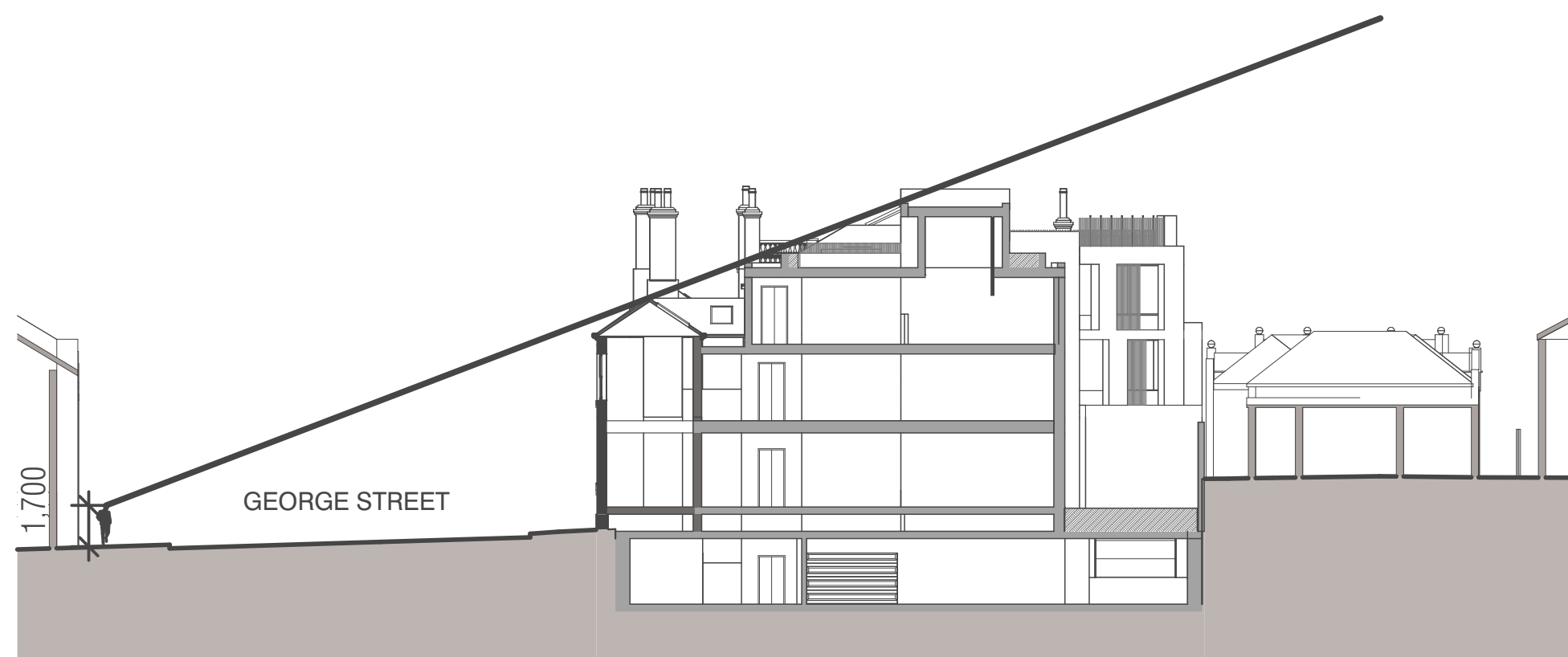
**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** B  
**DRAWING NO.** TP301

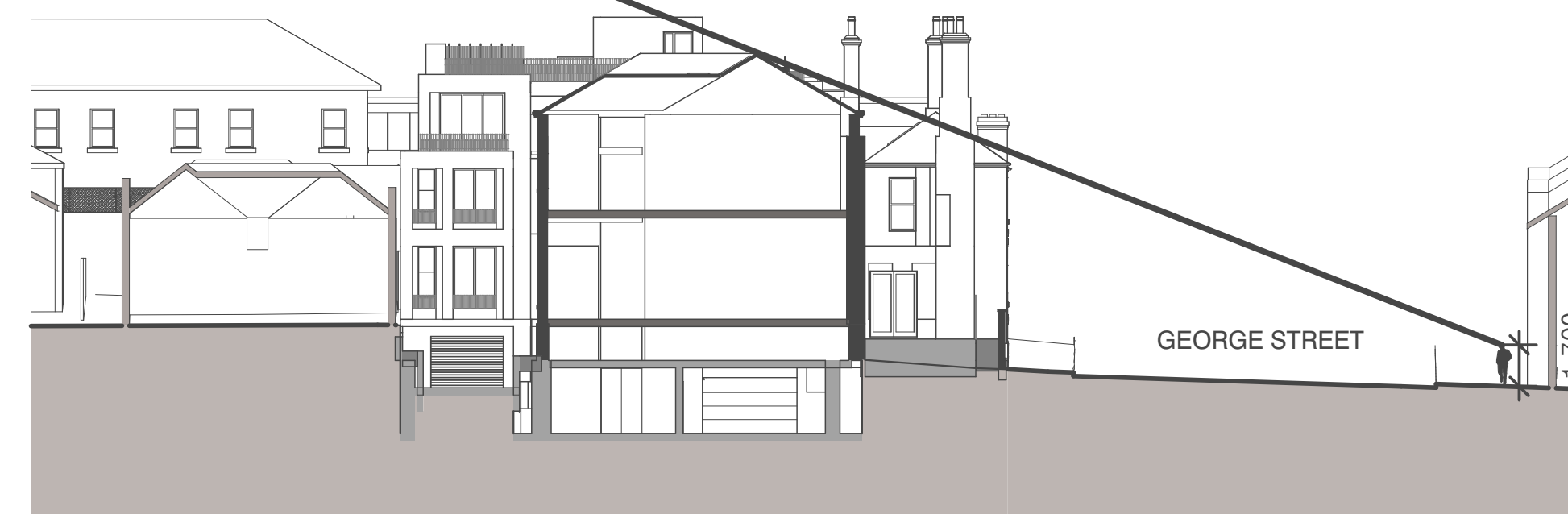


KEY MAP



SVL03 SITE VIEW LINE 03  
SCALE 1:250@A1

KEY MAP



SVL04 SITE VIEW LINE 04  
SCALE 1:250@A1



SVL03



SVL04

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REVISION	REVISION
A ISSUE FOR TOWN PLANNING	BW 06.10.2022
B ISSUE FOR TOWN PLANNING	NZ 07.03.2023

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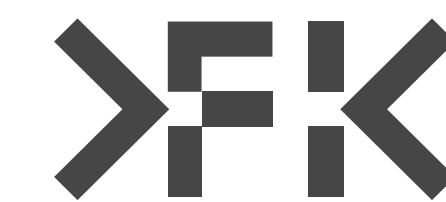
DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	07.03.2023	RM	02.06.2023	21255	1:200@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
VIEW LINE 3 & 4

**FENDER KATSLALIDIS**  
WWW.FKAUSTRALIA.COM  
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VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSLALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
TOWN PLANNING



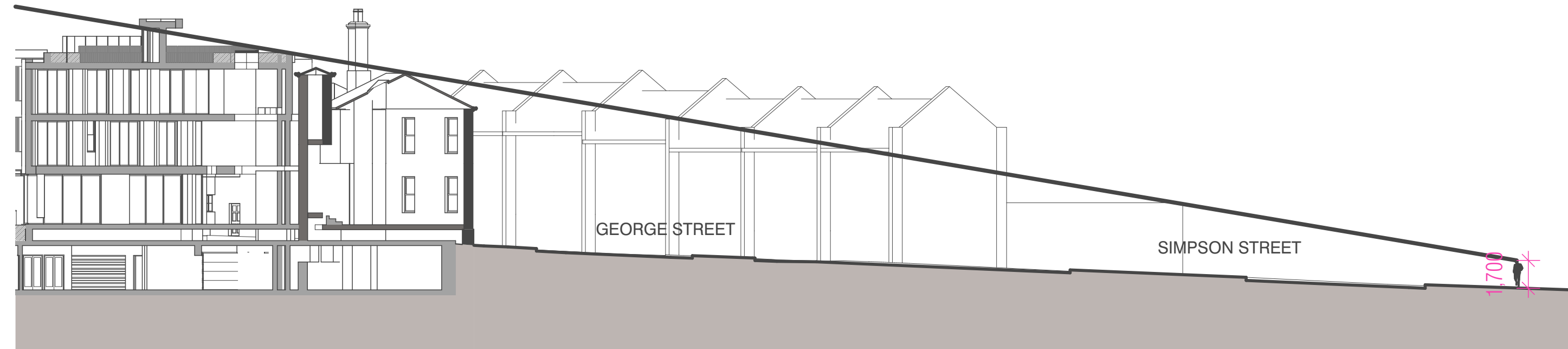
**REV.** B  
**DRAWING NO.** TP302



KEY MAP



KEY MAP



SVL05 SITE VIEW LINE 05  
SCALE 1:250@A1



SVL06 SITE VIEW LINE 06  
SCALE 1:250@A1



SVL05



SVL06

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REVISION	REVISION
A	ISSUE FOR TOWN PLANNING
BW	06.10.2022

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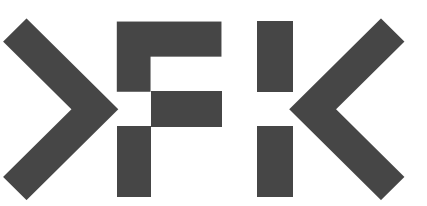
DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	06.10.2022	RM	02.06.2023	21255	1:200@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
VIEW LINE 5 & 6

**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
2 RIVERSIDE QUAY, SOUTHBANK  
VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

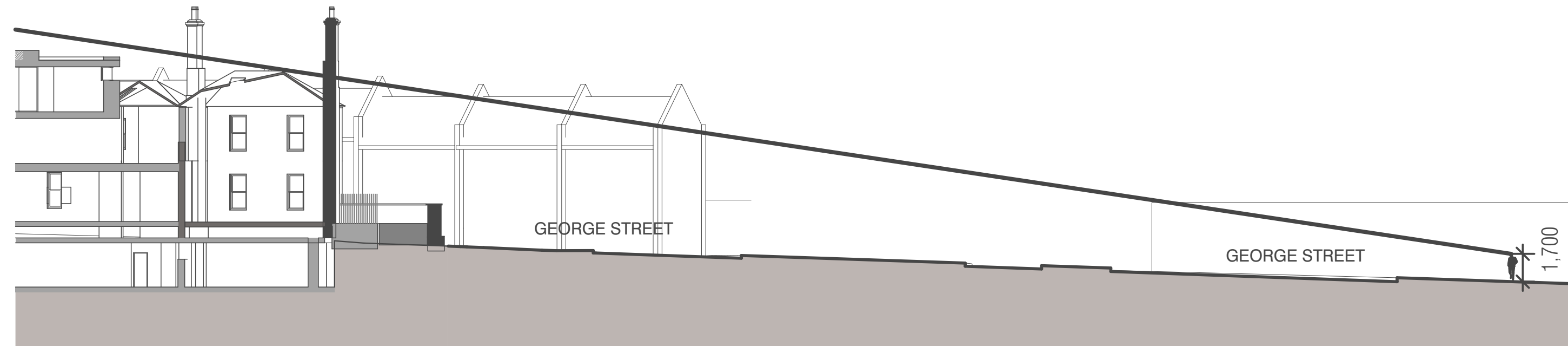
**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** A  
**DRAWING NO.** TP303



KEY MAP



SVL07 SITE VIEW LINE 07  
SCALE 1:250@A1

KEY MAP



SVL08 SITE VIEW LINE 08  
SCALE 1:250@A1



SVL07



SVL08

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REVISION		REVISION	
B	ISSUED FOR TOWN PLANNING	NZ	07.03.2023
> C	ISSUED FOR TOWN PLANNING	NZ	31.05.2023

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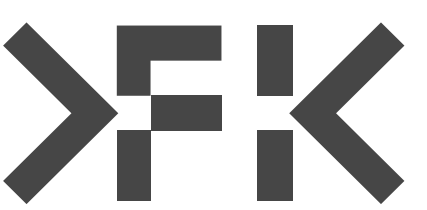
DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	31.05.2023	RM	02.06.2023	21255	1:200@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
VIEW LINE 7 & 8

**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
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VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** C  
**DRAWING NO.** TP304

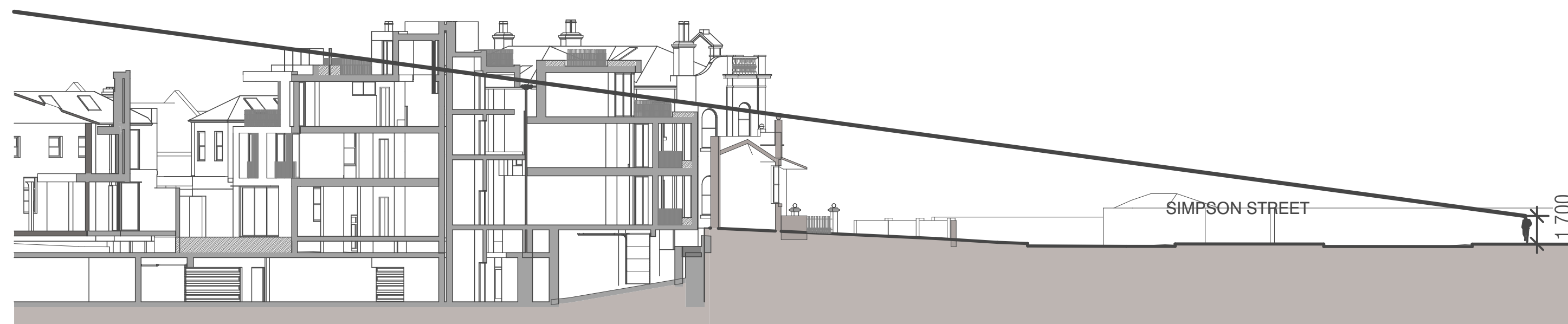


KEY MAP



SVL09 SITE VIEW LINE 09  
SCALE 1:250@A1

KEY MAP



SVL10 SITE VIEW LINE 10  
SCALE 1:250@A1



SVL09



SVL10

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REVISION		REVISION
B	ISSUED FOR TOWN PLANNING	NZ 07.03.2023
C	ISSUED FOR TOWN PLANNING	NZ 31.05.2023

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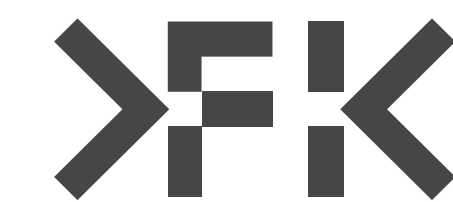
DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	31.05.2023	RM	02.06.2023	21255	1:200@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
VIEW LINE 9 & 10

**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
2 RIVERSIDE QUAY, SOUTHBANK  
VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

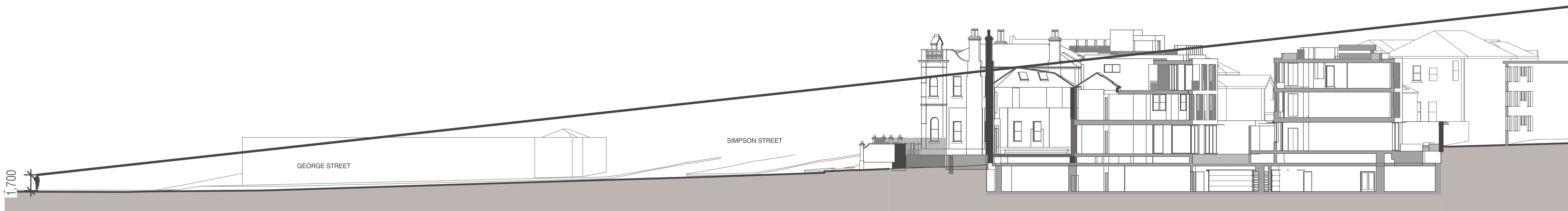
**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** C  
**DRAWING NO.** TP305



KEY MAP



VL11 SITE VIEW LINE 11  
SCALE 1:250@A1



SVL11

BIMcloud: fkasprbim01 - BIMcloud\21255 29 Simpson Street East Melbourne\00 BIM MODELS\SD\_TP-DA\CENTRAL MODELS\21255 General\_RFI

REVISION	REVISION
A	ISSUE FOR TOWN PLANNING
BW	06.10.2022
> B	ISSUED FOR TOWN PLANNING
NZ	07.03.2023

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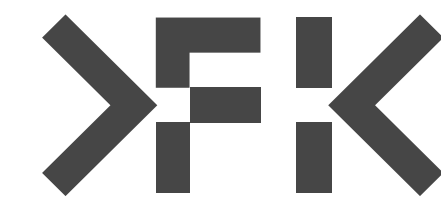
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BW	07.03.2023	RM	02.06.2023	21255	1:200@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
VIEW LINE 11

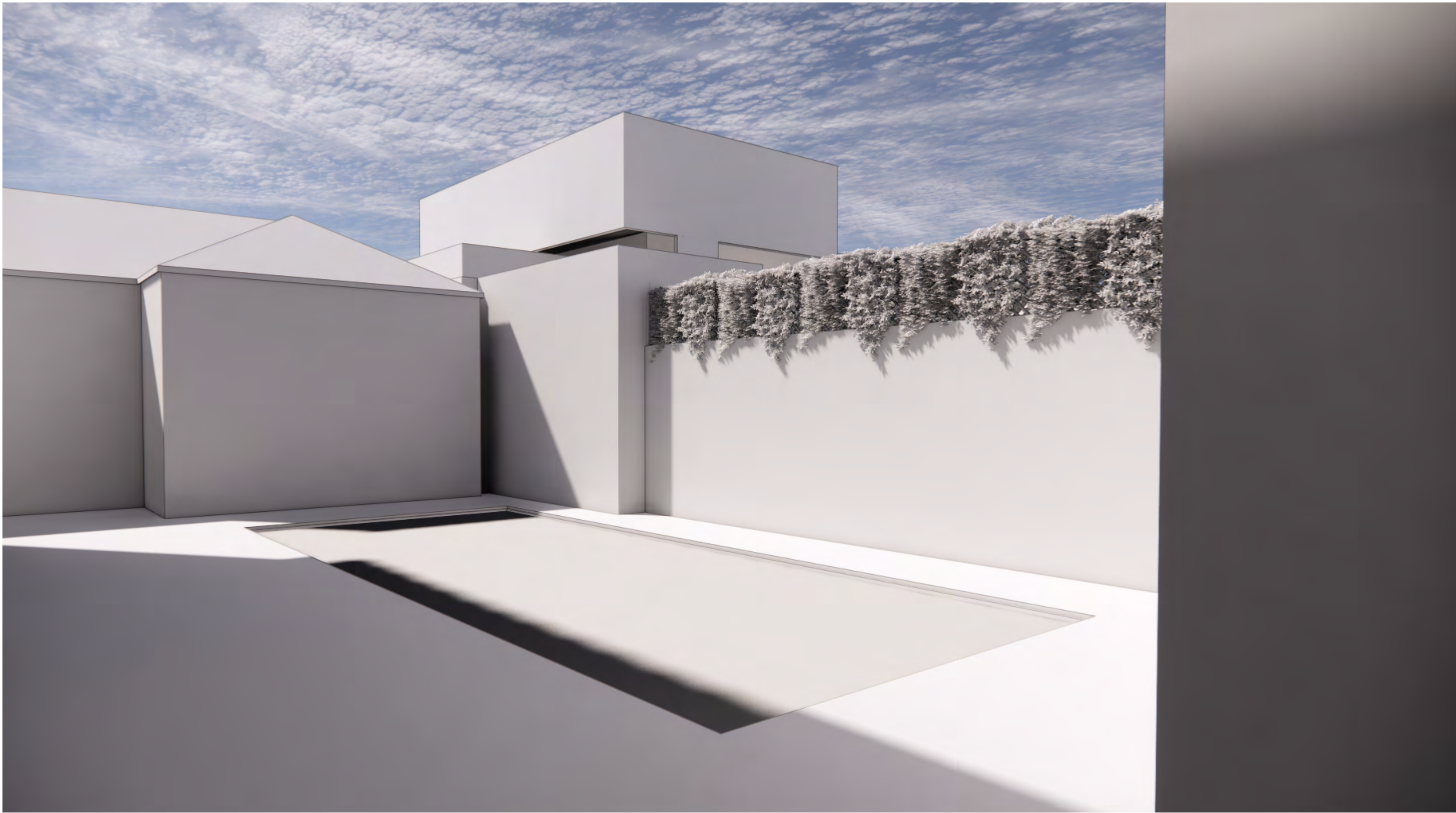
**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
2 RIVERSIDE QUAY, SOUTHBANK  
VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** B  
**DRAWING NO.** TP306

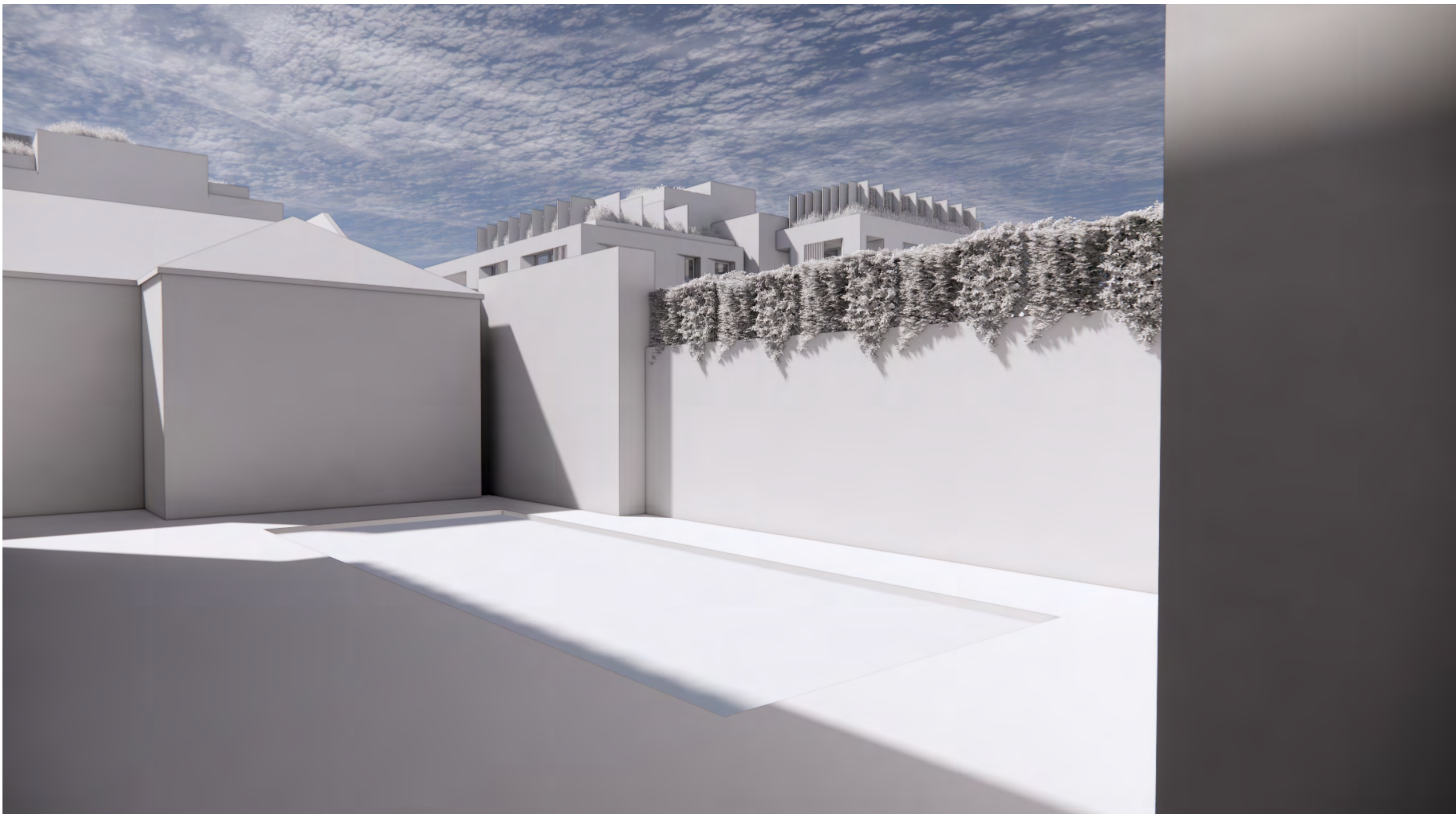




1E No 82-96 Wellington Parade SPOS Existing



2E Mena Place Existing



1P No 82-96 Wellington Parade SPOS Proposed



2P Mena Place Proposed

KEY MAP



KEY MAP



BIMcloud: fkasprbim01 - BIMcloud/21255 29 Simpson Street East Melbourne/00 BIM MODELS/SD\_TP-DA/CENTRAL MODELS/21255 General\_RFI

REVISION	ISSUED FOR TOWN PLANNING	NZ	07.03.2023
> C	ISSUED FOR TOWN PLANNING	NZ	31.05.2023

REVISION

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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	31.05.2023	RM	02.06.2023	21255	N.T.S.@A1

PROJECT

SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

DRAWING TITLE  
REAR VIEWS

FENDER KATSALIDIS

WWW.FKAUSTRALIA.COM  
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VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

ISSUE PURPOSE  
TOWN PLANNING



REV. C DRAWING NO. TP307



KEY MAP



D SITE VIEW LINE 12  
SCALE 1:250@A1



SVL12

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REVISION		REVISION	
A	ISSUED FOR TOWN PLANNING	NZ	07.03.2023
> B	ISSUED FOR TOWN PLANNING	NZ	31.05.2023

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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE	DRAWING TITLE
NZ	31.05.2023	RM	02.06.2023	21255	AS SHOWN@A1	VIEW LINE 12

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**FENDER KATSALIDIS**  
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VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032



**ISSUE PURPOSE**  
TOWN PLANNING

**REV.** B  
**DRAWING NO.** TP308



# MATERIAL SCHEDULE

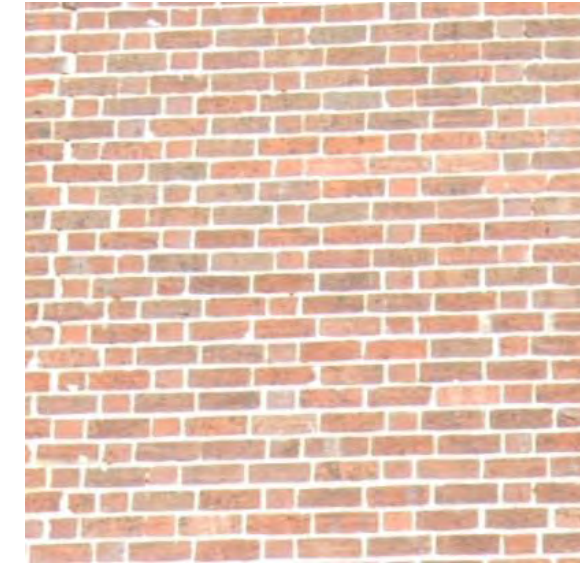
## EXISTING BUILDINGS



F-01  
BLUESTONE  
M01, M02, M03  
FOUNDATION WALLS



F-02  
PAINT FINISH ASHLAR RULED RENDER  
DULUX WARM NEUTRAL S13D3  
M01,  
EXTERNAL WALLS & CHIMNEYS



F-03  
FACE BRICK  
M02  
EXTERNAL WALLS



F-04  
SLATE ROOF TILES  
M01, M02, M03  
PITCHED ROOFS



F-05  
PAINT FINISH TIMBER AND METAL WORK  
DULUX DARK RAINFOREST S21B9  
M01, M02, M03  
DOORS, WINDOWS, FASCIA, GUTTER

## PROPOSED BUILDINGS



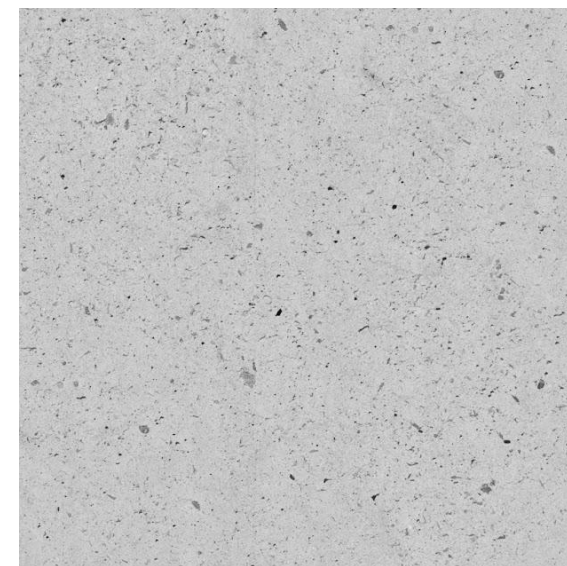
F-10  
STONE  
M01, M02, M03  
RETAINING AND LANDSCAPE WALLS



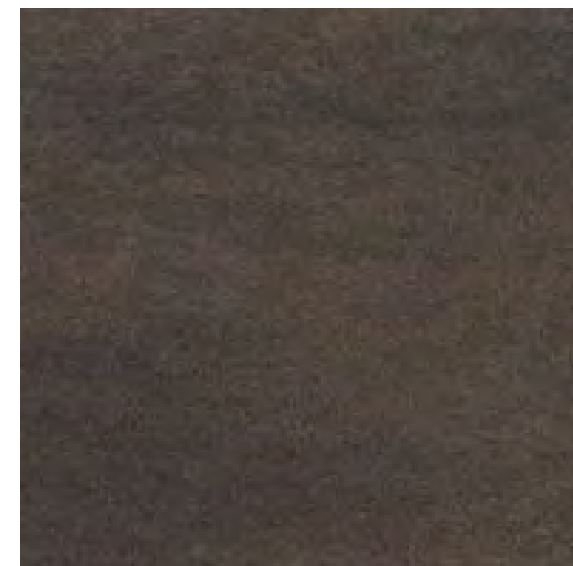
F-11  
PETERSON 'KOLUMBA' K50 BRICK OR SIMILAR  
M01, M02, M03  
EXTERNAL WALLS



F-12  
RENDER  
M01, M02, M03  
EXTERNAL WALLS



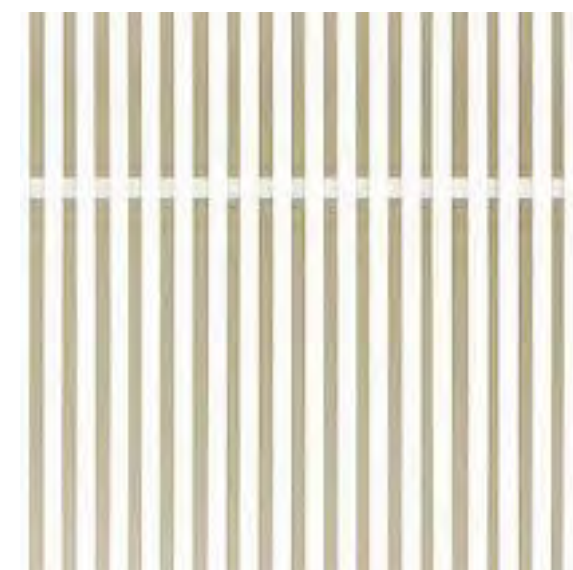
F-13  
CONCRETE FINISH  
M01, M02, M03  
EXTERNAL WALLS



F-14  
BRONZE FINISH  
M01, M02, M03  
DOORS, WINDOWS, BALUSTRADE, PLANTER BOX



F-15  
WHITE FINISH  
M01, M02, M03  
WINDOW AWNING, PLANTER BOX



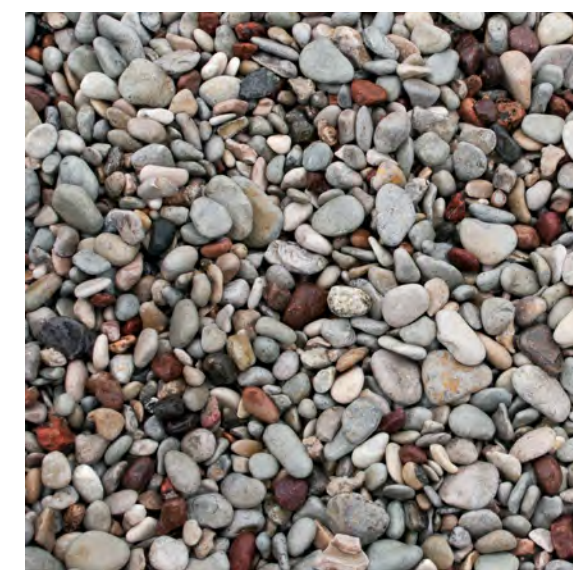
F-16  
TIMBER SCREEN  
M01, M03  
BALUSTRADE, FENCE, SCREEN



F-17  
TIMBER SCREEN  
M01, M02  
BALUSTRADE, FENCE, SCREEN



F-18  
STONE PAVING  
M01, M02, M03  
POOL AREAS, ROOFTOP GARDENS



F-19  
PEBBLE  
M01, M02, M03  
NON-TRAFFICABLE ROOFTOP

# AREA SCHEDULES

## DEVELOPMENT SCHEDULE

	MANSION 01	MANSION 02	MANSION 03	COMMON	TOTAL	% EXISTING	%
LAND AREA	534	431	308	102	1375		
GROSS FLOOR AREA*	769	602	488	-	1859		
GARDEN AREA	152	210	109	31	502	37%	130 9%
SITE COVERAGE	387	222	196	9	814	59%	1061 77%
PERMEABLE AREA	56	83	38	29	206	15%	60 4%
PRIVATE OPEN SPACE	154	197	90	N/A			
SECLUDED PRIVATE OPEN SPACE	58	188	90	N/A			

\*GFA as measured from the outside of external walls or the centre of party walls, including the area for stairs except the last level

## UNIT SCHEDULE

	FLOOR LEVEL	GFA (m <sup>2</sup> )	BEDROOMS	CAR SPACES
<b>MANSION 01</b>				
	BASEMENT	106		
	GROUND FLOOR	337		
	LEVEL 01	266		
	LEVEL 02	57		
	ROOF	3		
	<b>769</b>		<b>4</b>	<b>4</b>
<b>MANSION 02</b>				
	BASEMENT	91		
	GROUND FLOOR	218		
	LEVEL 01	177		
	LEVEL 02	113		
	ROOF	3		
	<b>602</b>		<b>5</b>	<b>4</b>
<b>MANSION 03</b>				
	BASEMENT	49		
	GROUND FLOOR	192		
	LEVEL 01	154		
	LEVEL 02	93		
	ROOF	0		
	<b>488</b>		<b>4</b>	<b>4</b>
<b>TOTAL</b>		<b>1859</b>		<b>12</b>

REVISION	REVISION
A ISSUE FOR TOWN PLANNING	BW 06.10.2022
> B ISSUED FOR TOWN PLANNING	NZ 07.03.2023

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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	07.03.2023	RM	02.06.2023	21255	N.T.S.@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
SCHEDULES

**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
2 RIVERSIDE QUAY, SOUTHBANK  
VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

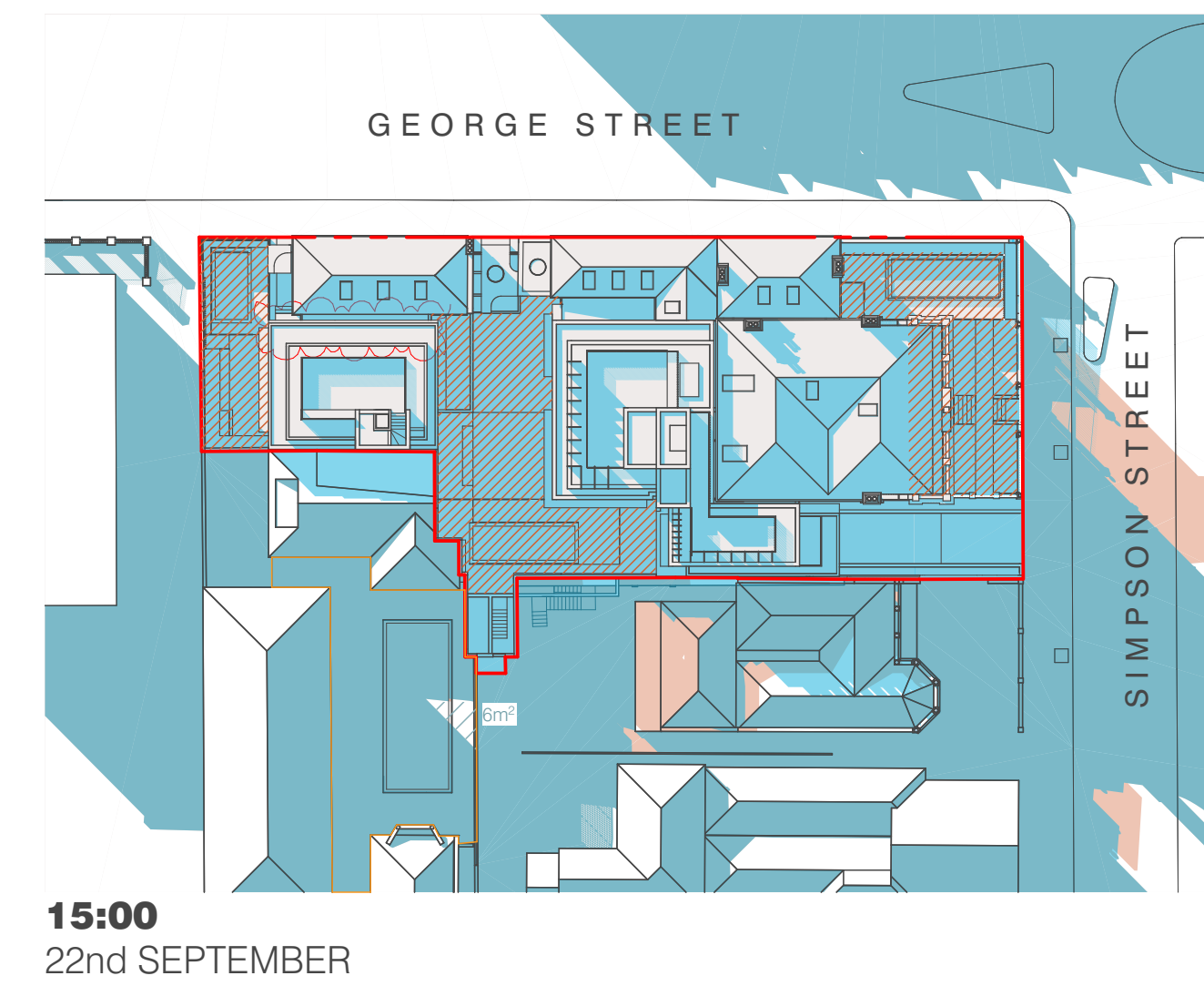
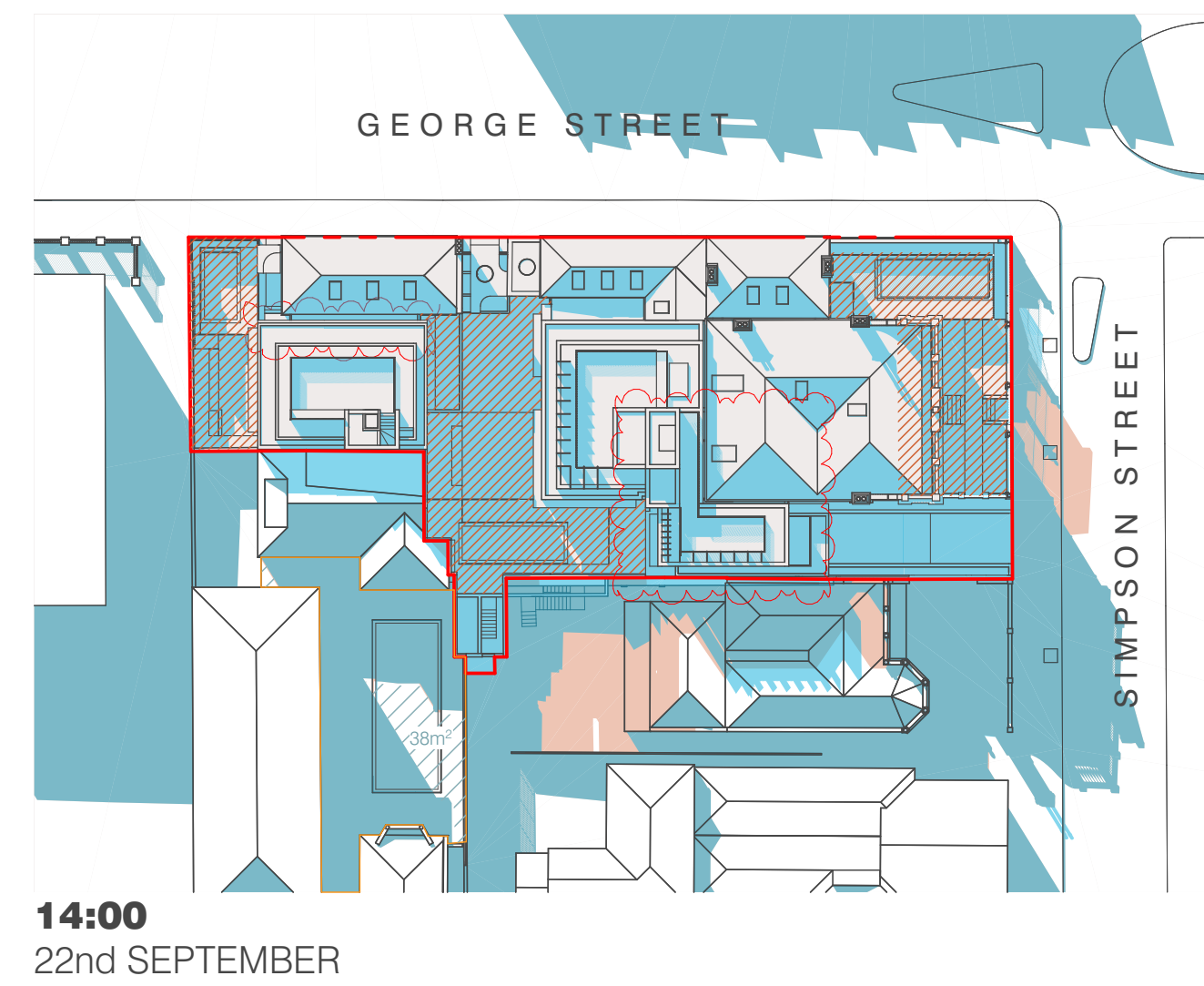
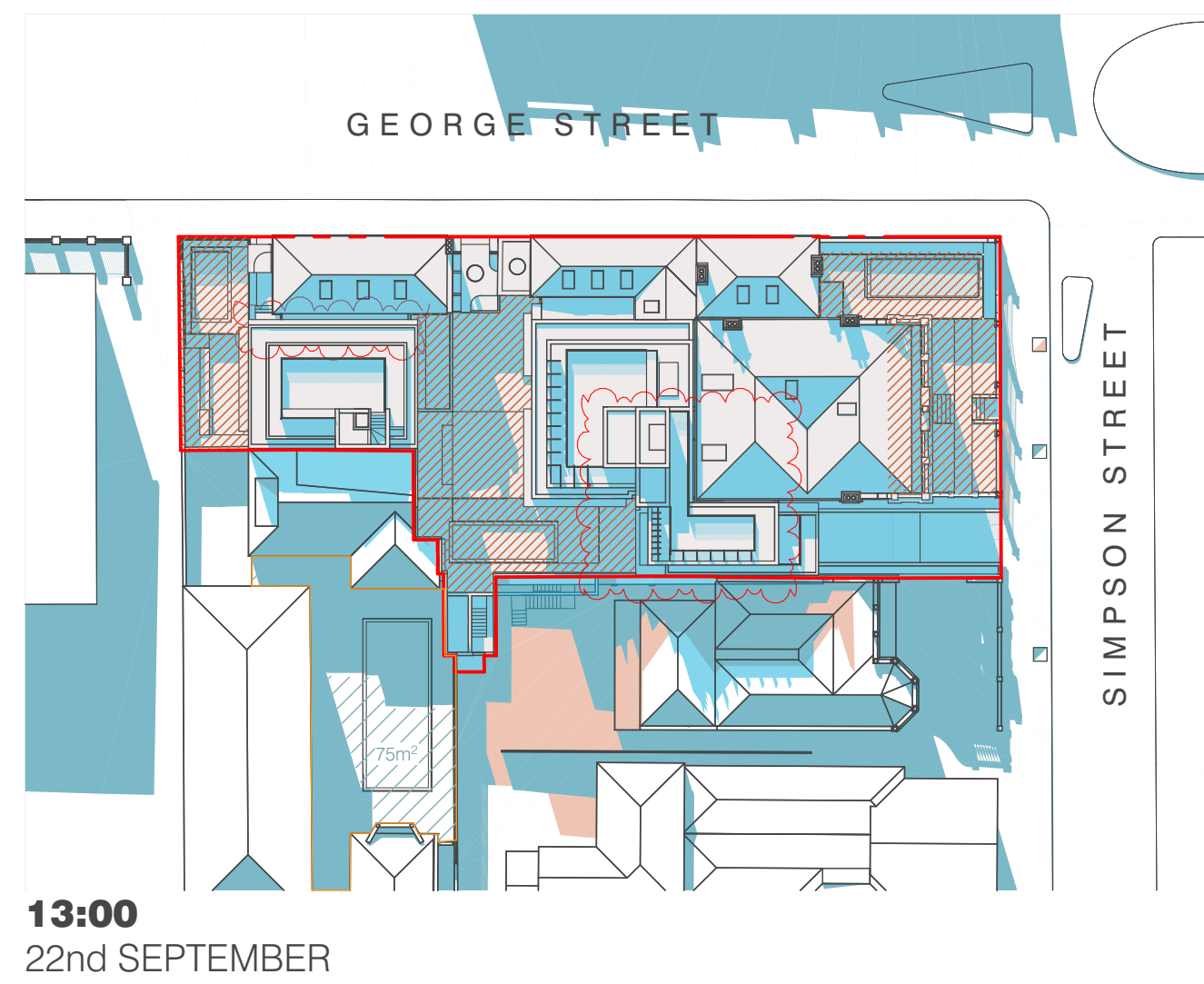
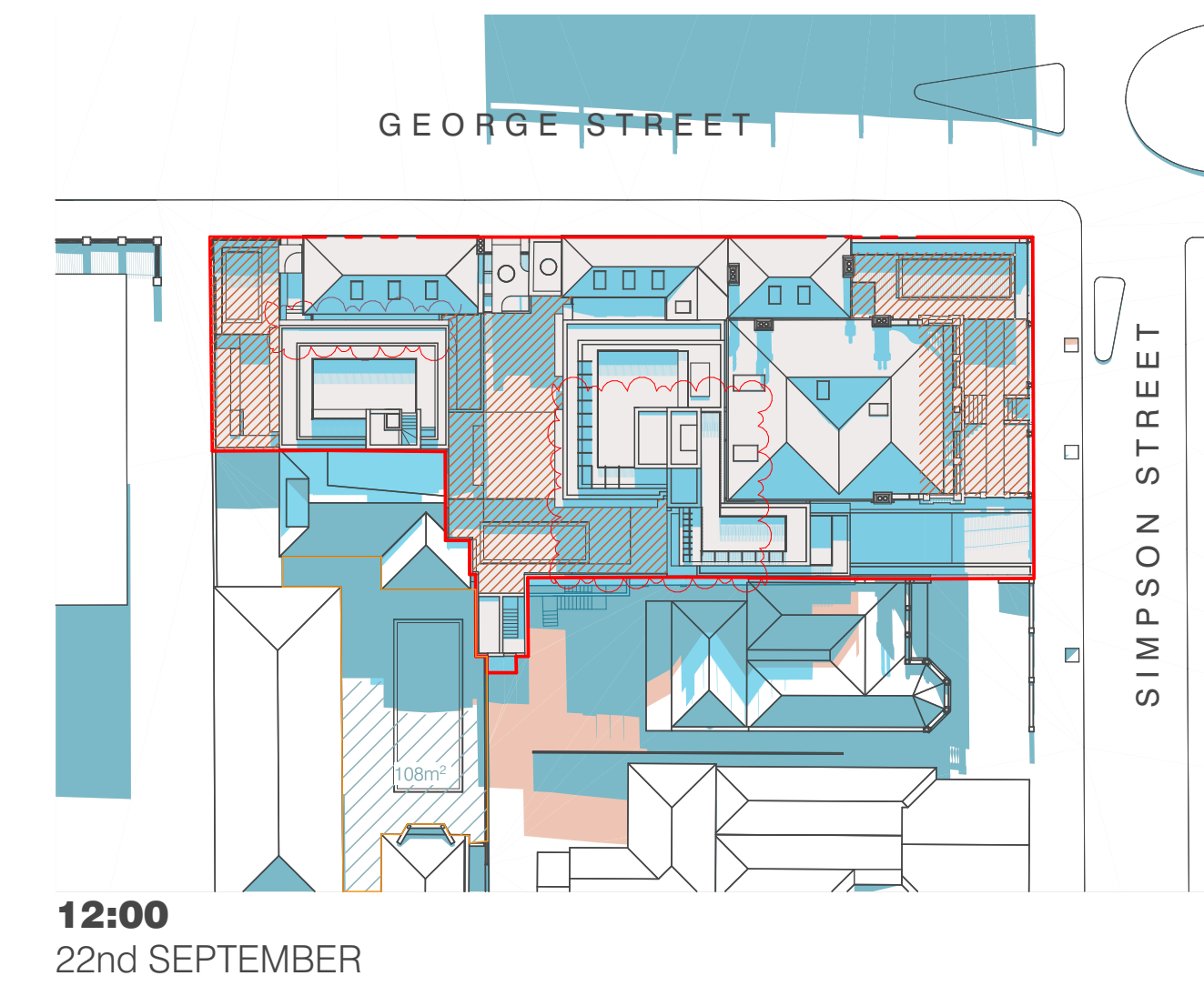
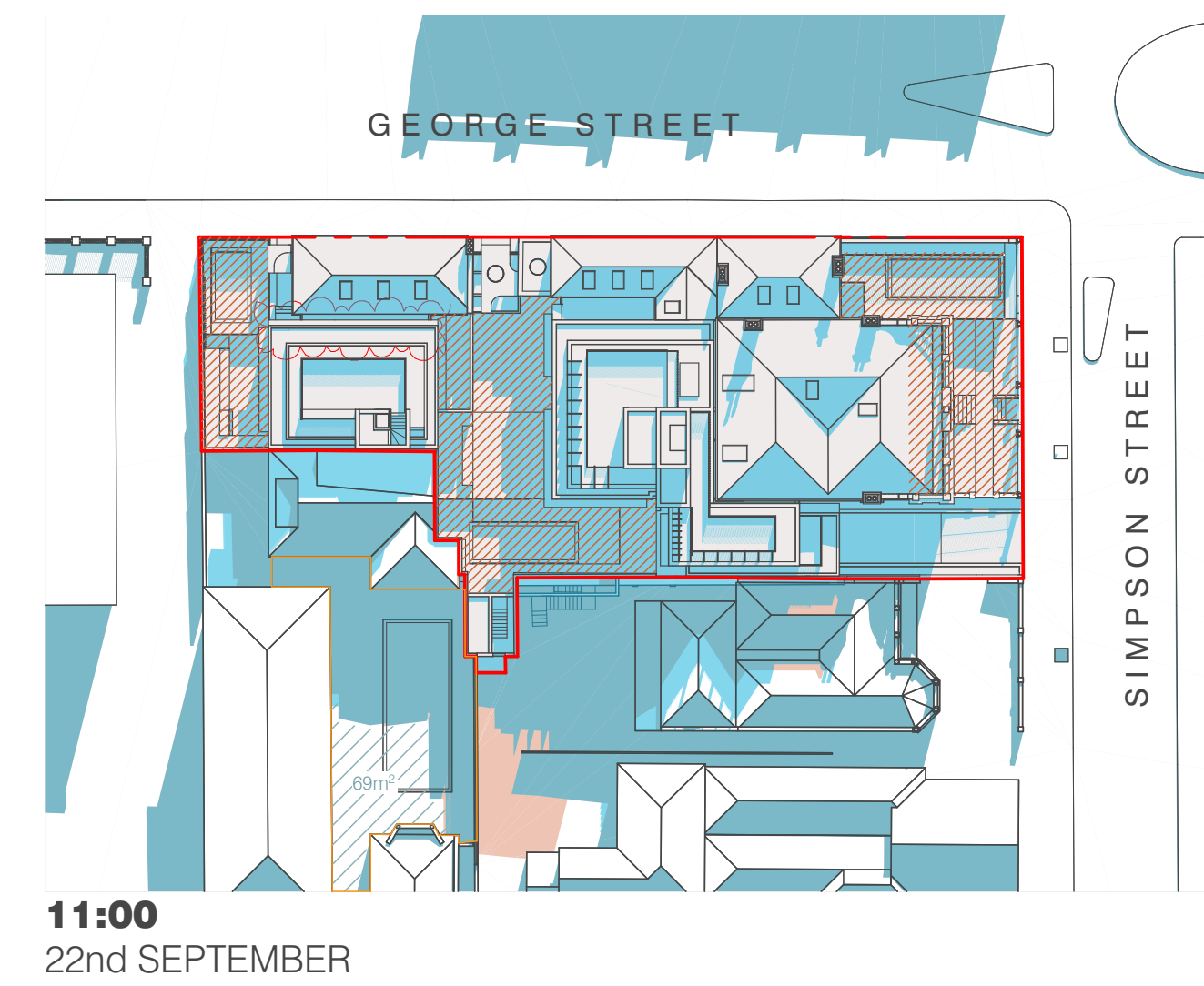
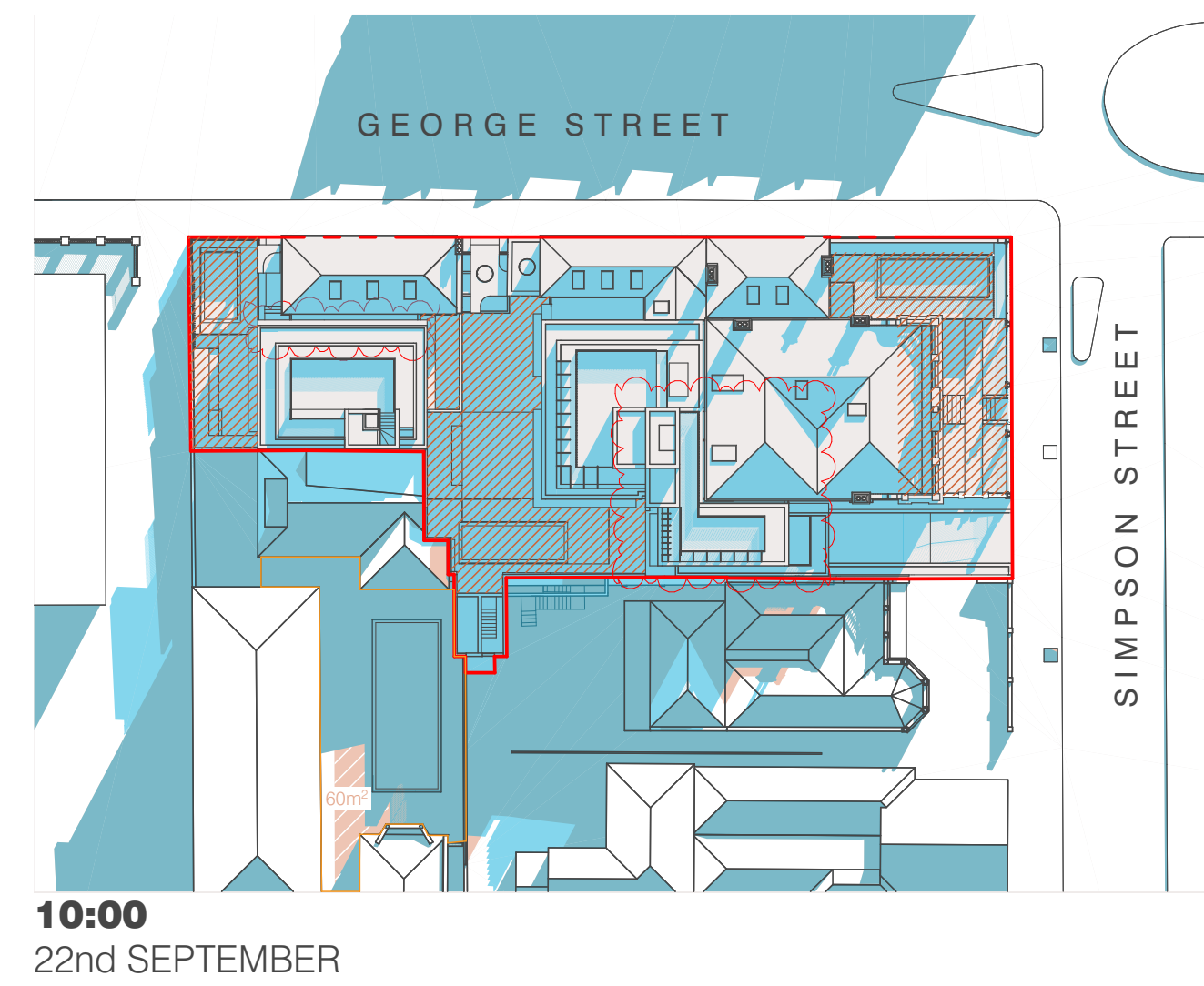
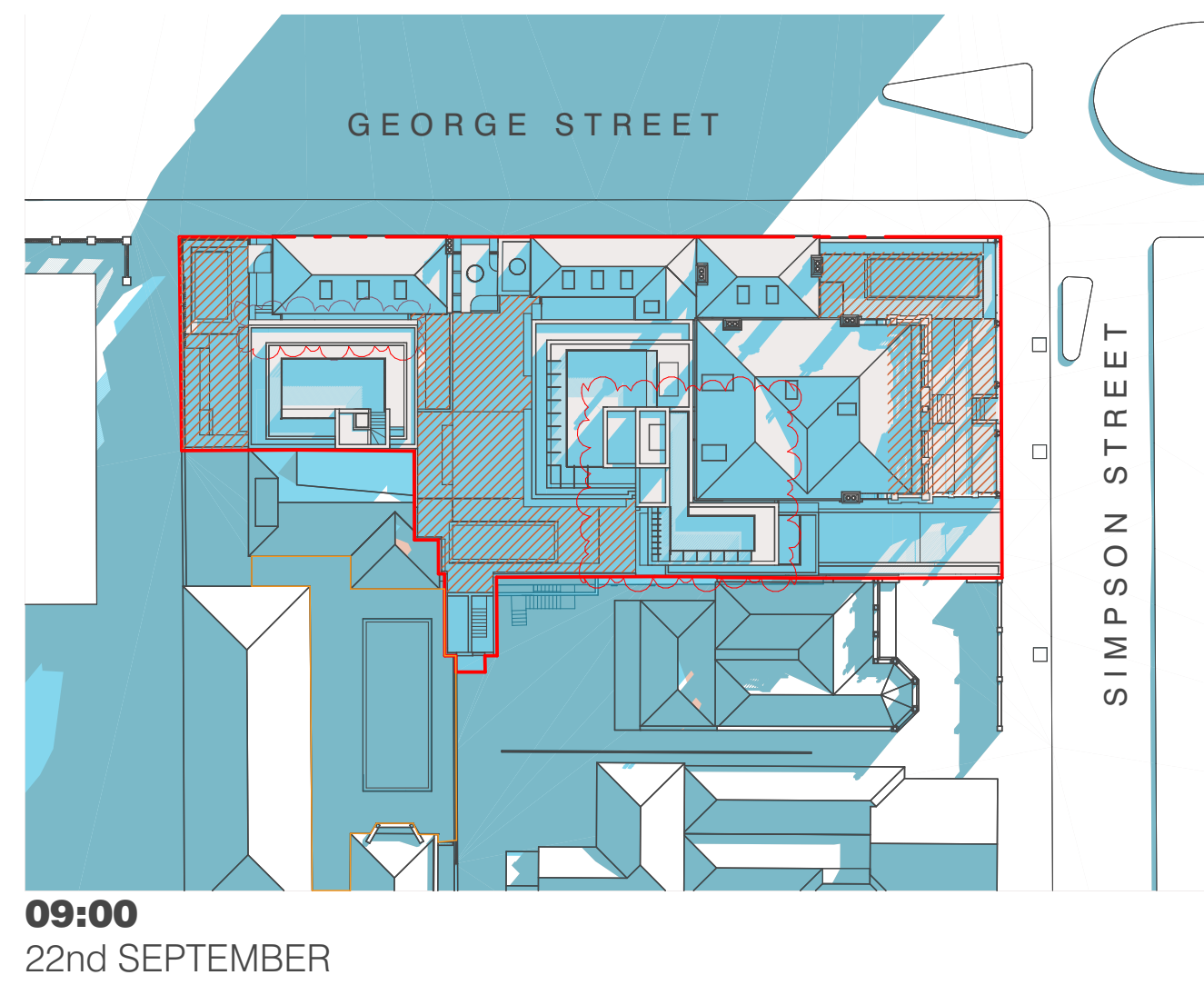
**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** B  
**DRAWING NO.** TP400



# SHADOW DIAGRAMS



- EXISTING SHADOWS
- REDUCED EXISTING SHADOWS
- PROPOSED SHADOWS
- 86-92 WELLINGTON PDE PRIVATE OPEN SPACE = 216m<sup>2</sup>
- REDUCED SHADOW TO NEIGHBOURING PRIVATE OPEN SPACE = 60m<sup>2</sup> at 10am or 20%
- UNSHADOWED SECLUDED PRIVATE OPEN SPACE - 86-92 WELLINGTON PDE

TIME	AREA
1100	69
1200	108
1300	75
1400	38
1500	6
<b>296 m<sup>2</sup></b>	

TOWN HOUSE	FLOOR LEVEL	AREA
Mansion 01	GROUND FLOOR	154
Mansion 02	GROUND FLOOR	188
Mansion 03	GROUND FLOOR	90

NOTE: ALL SHADOW WITHIN SITE BOUNDARY SHOWN AS 'NEW' SHADOW

BIMcloud: fkaasprbim01 - BIMcloud/21255 29 Simpson Street East Melbourne/00 BIM MODELS/SD\_TP-DA/CENTRAL MODELS/21255 General\_RFI

REVISION	REVISION
A	ISSUE FOR TOWN PLANNING
C	ISSUED FOR TOWN PLANNING

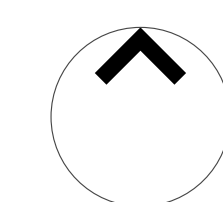
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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
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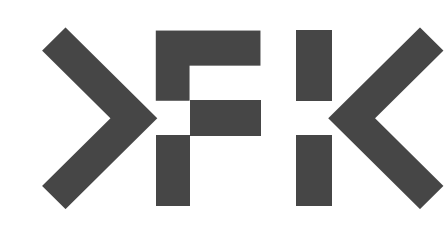


**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**DRAWING TITLE**  
 SHADOW DIAGRAMS

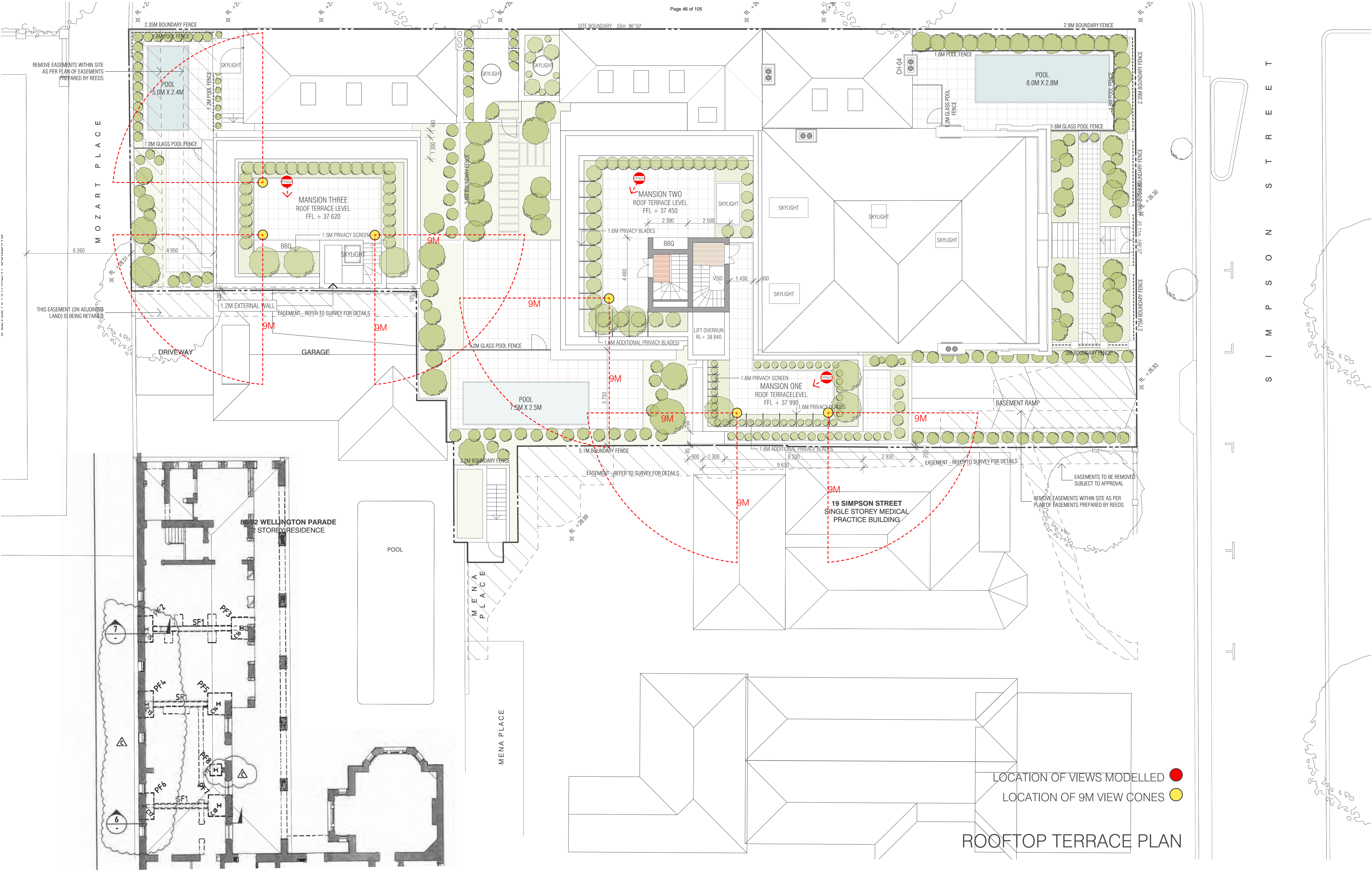
**FENDER KATSAIDIS**  
 WWW.FKAUSTRALIA.COM  
 2 RIVERSIDE QUAY, SOUTHBANK  
 VICTORIA 3006 AUSTRALIA  
 TELEPHONE: +61 3 8696 3888  
 FENDER KATSAIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
 TOWN PLANNING



**REV.** C  
**DRAWING NO.** TP410





S I M P S O N S T R E E T

LOCATION OF VIEWS MODELLED ●

LOCATION OF 9M VIEW CONES ●

### ROOFTOP TERRACE PLAN

BIMcloud: fkaasprbim01 - BIMcloud\21255 29 Simpson Street East Melbourne\00 BIM MODELS\SD\_TP-DA\CENTRAL MODELS\21255 General\_RFI

REVISION	DATE	BY	REVISION
A	06.12.2022	MY	ISSUE FOR TOWN PLANNING
B	07.03.2023	NZ	ISSUED FOR TOWN PLANNING

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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	07.03.2023	RM	02.06.2023	21255	1:100@A1

**PROJECT**

SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**

OVERLOOKING ANALYSIS - SUMMARY

**FENDER KATSALIDIS**  
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VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**

TOWN PLANNING

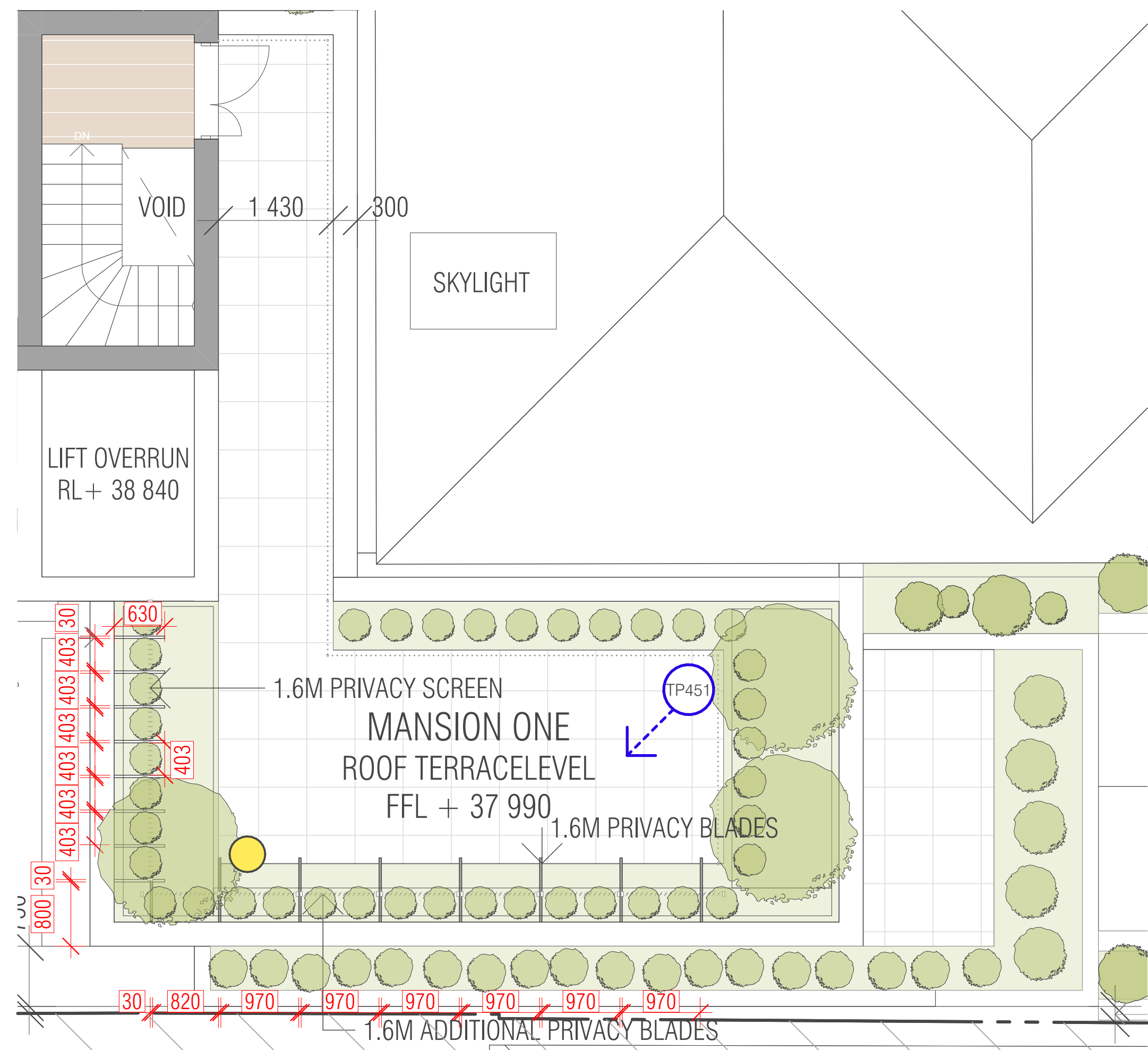


**REV.** B  
**DRAWING NO.** TP450

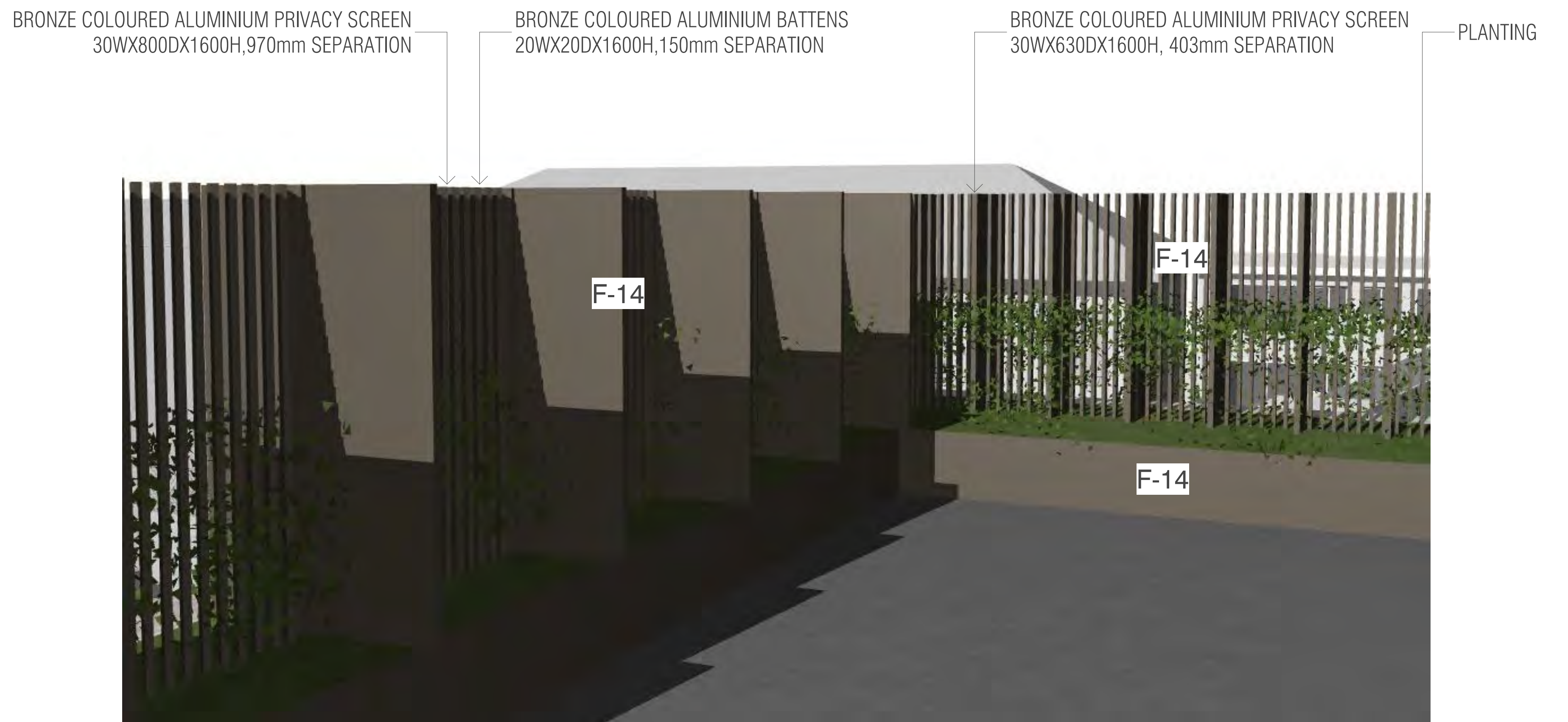


# MANSION ONE

## ROOF TERRACE SCREENING DEVICES



→ 3D VIEW



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REVISION			REVISION
B	ISSUED FOR TOWN PLANNING	NZ	07.03.2023
C	ISSUED FOR TOWN PLANNING	NZ	01.06.2023

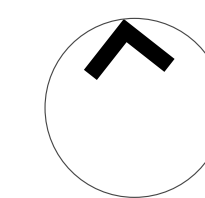
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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
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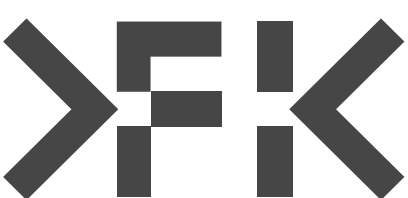


**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**DRAWING TITLE**  
 OVERLOOKING ANALYSIS - MANSION 01

**FENDER KATSALIDIS**  
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 VICTORIA 3006 AUSTRALIA  
 TELEPHONE: +61 3 8696 3888  
 FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
 TOWN PLANNING

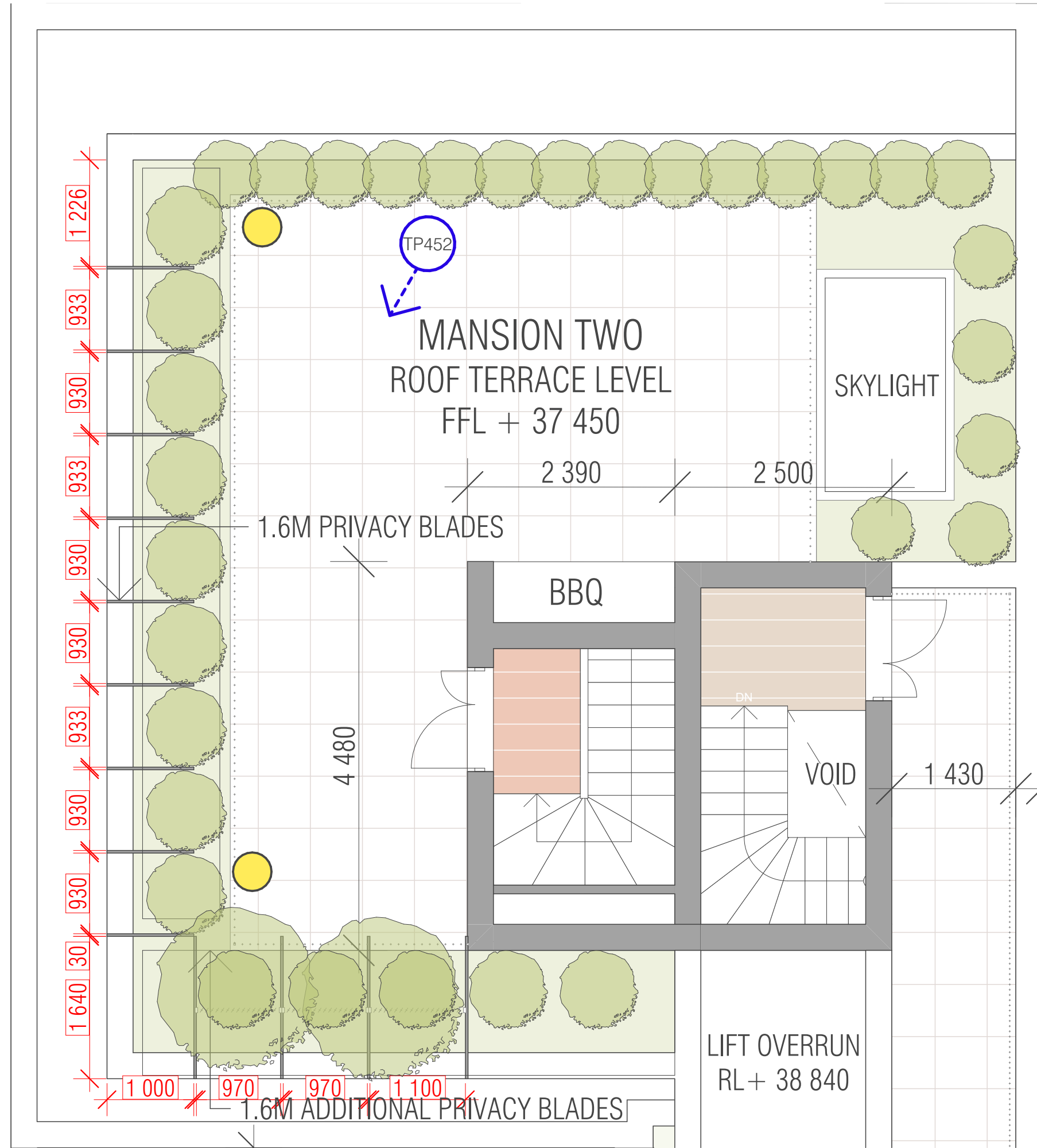


**REV.** **DRAWING NO.**  
 C **TP451**



# MANSION TWO

## ROOF TERRACE SCREENING DEVICES



→ 3D VIEW

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REVISION		REVISION	
B	ISSUED FOR TOWN PLANNING	NZ	07.03.2023
> C	ISSUED FOR TOWN PLANNING	NZ	01.06.2023

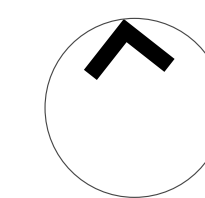
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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	01.06.2023	RM	02.06.2023	21255	1:50@A1



**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**DRAWING TITLE**  
 OVERLOOKING ANALYSIS - MANSION 02

**FENDER KATSALIDIS**  
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 2 RIVERSIDE QUAY, SOUTHBANK  
 VICTORIA 3006 AUSTRALIA  
 TELEPHONE: +61 3 8696 3888  
 FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

**ISSUE PURPOSE**  
 TOWN PLANNING

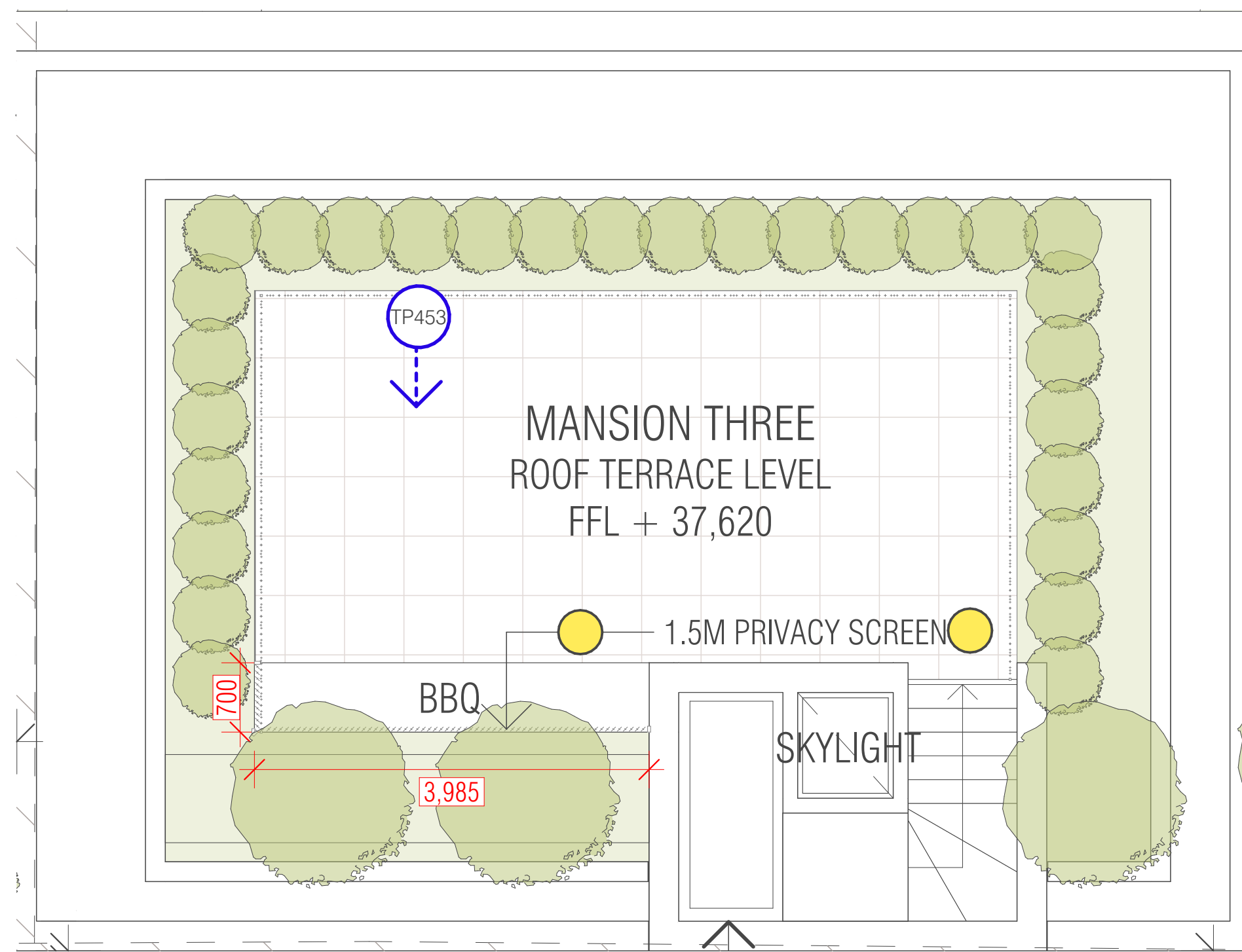


**REV.** C  
**DRAWING NO.** TP452

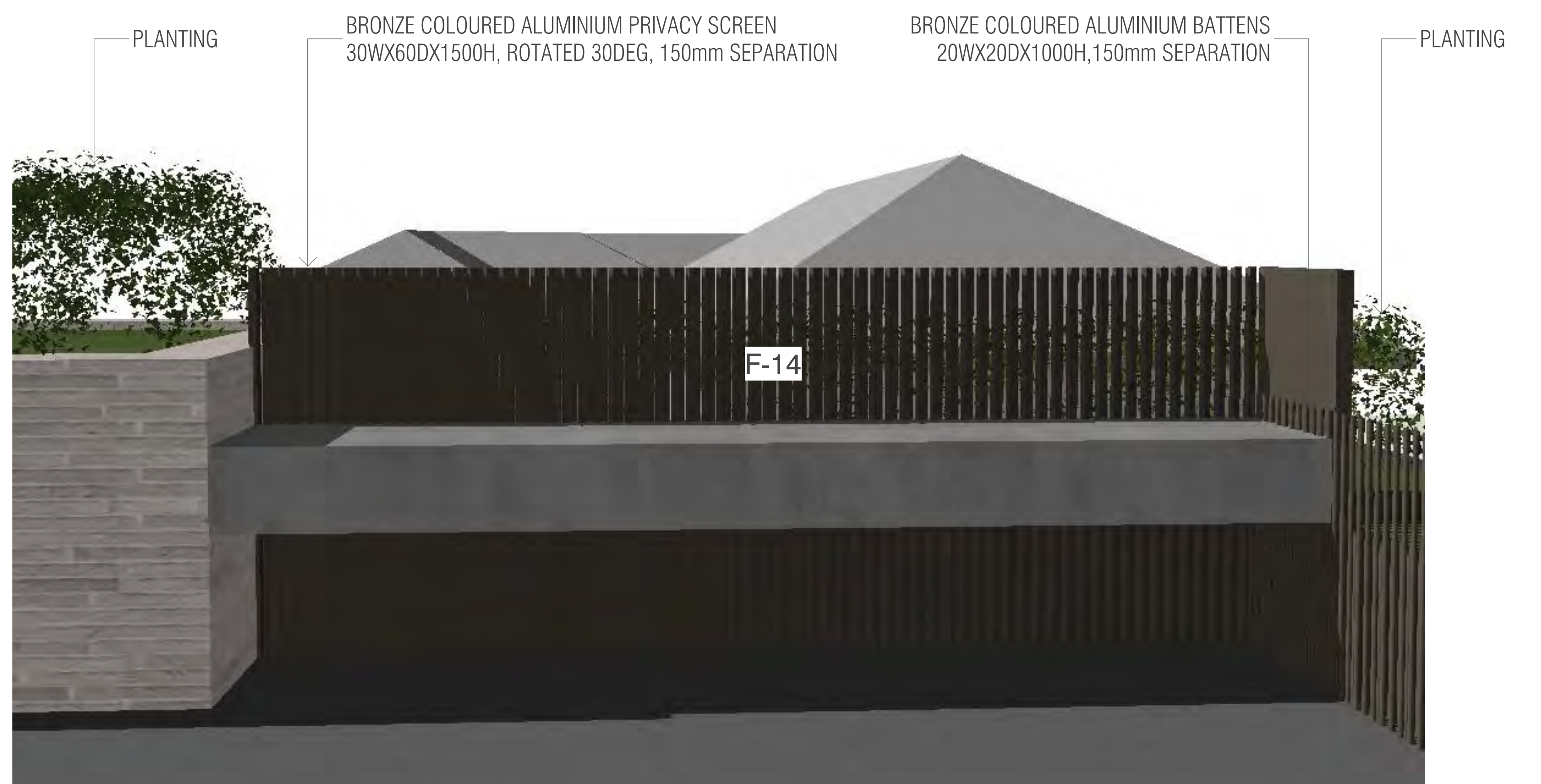


# MANSION THREE

## ROOF TERRACE SCREENING DEVICES



-----> 3D VIEW



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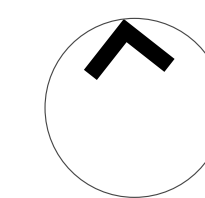
REVISION	REVISION
A	ISSUE FOR TOWN PLANNING
B	ISSUED FOR TOWN PLANNING

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**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**FENDER KATSALIDIS**  
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 VICTORIA 3006 AUSTRALIA  
 TELEPHONE: +61 3 8696 3888  
 FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032



DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	07.03.2023	RM	02.06.2023	21255	1:50@A1

**DRAWING TITLE**  
 OVERLOOKING ANALYSIS - MANSION 03

**ISSUE PURPOSE**  
 TOWN PLANNING

**REV.** B  
**DRAWING NO.** TP453



Clause 32.08-10: '[a] building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.'

**GEORGE**

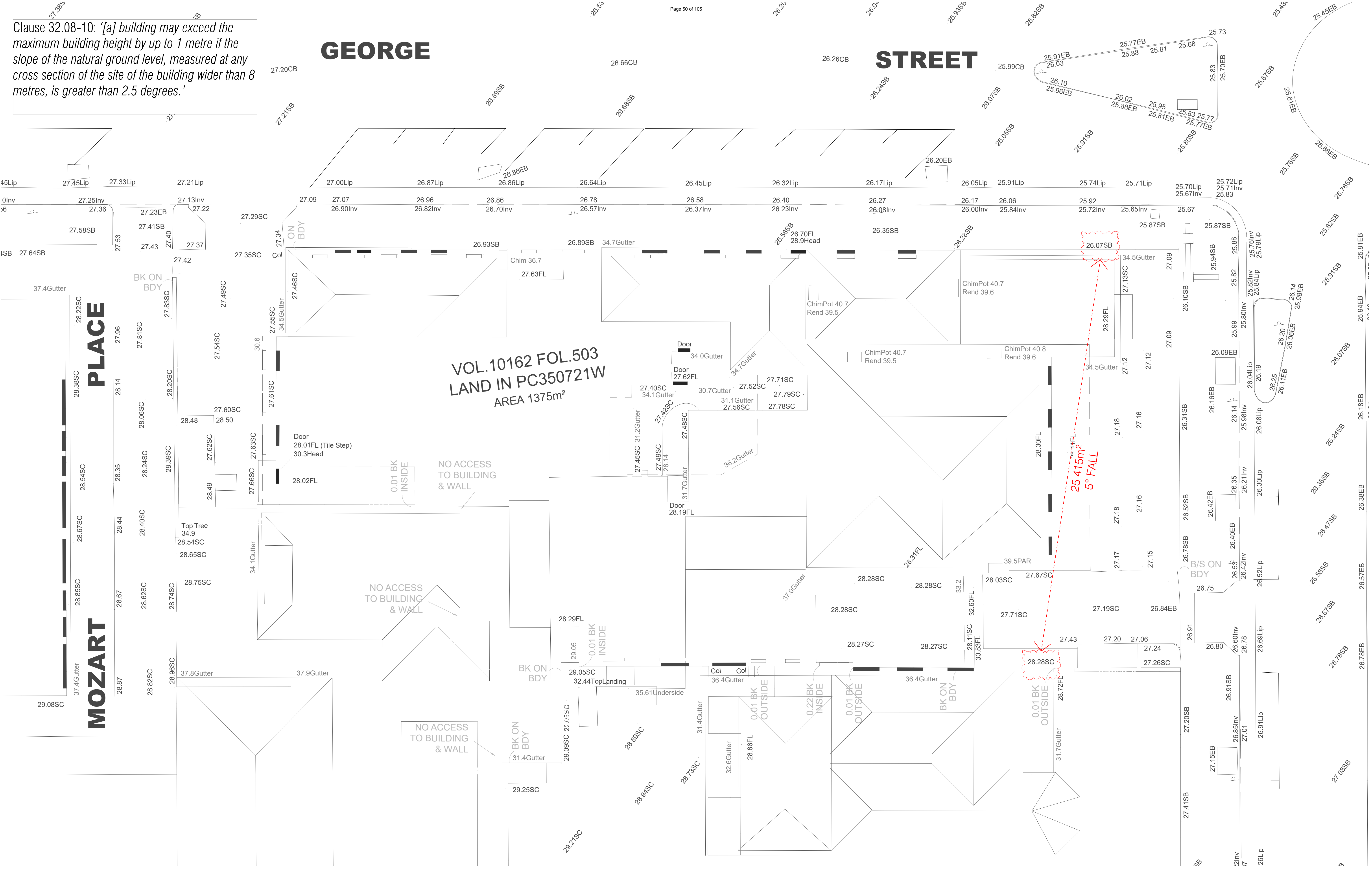
**STREET**

**PLACE**

**MOZART**

**VOL.10162 FOL.503  
LAND IN PC350721W  
AREA 1375m<sup>2</sup>**

**25.415m<sup>2</sup>  
5° FALL**



BIMcloud: fkaprbrim01 - BIMcloud:21255 29 Simpson Street East Melbourne/00 BIM MODELS/SD\_TP-DA/CENTRAL\_MODELS/21255 General\_RFI

REVISION	DATE	BY	DESCRIPTION
A	07.12.2022	MY	ISSUE FOR TOWN PLANNING

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DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	07.12.2022	RM	02.06.2023	21255	1:100@A1

**PROJECT**  
SIMPSON HOUSE  
29 SIMPSON STREET  
East Melbourne Victoria 3002

**DRAWING TITLE**  
BUILDING HEIGHT ANALYSIS

**FENDER KATSALIDIS**  
WWW.FKAUSTRALIA.COM  
2 RIVERSIDE QUAY, SOUTHBANK  
VICTORIA 3006 AUSTRALIA  
TELEPHONE: +61 3 8696 3888  
FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

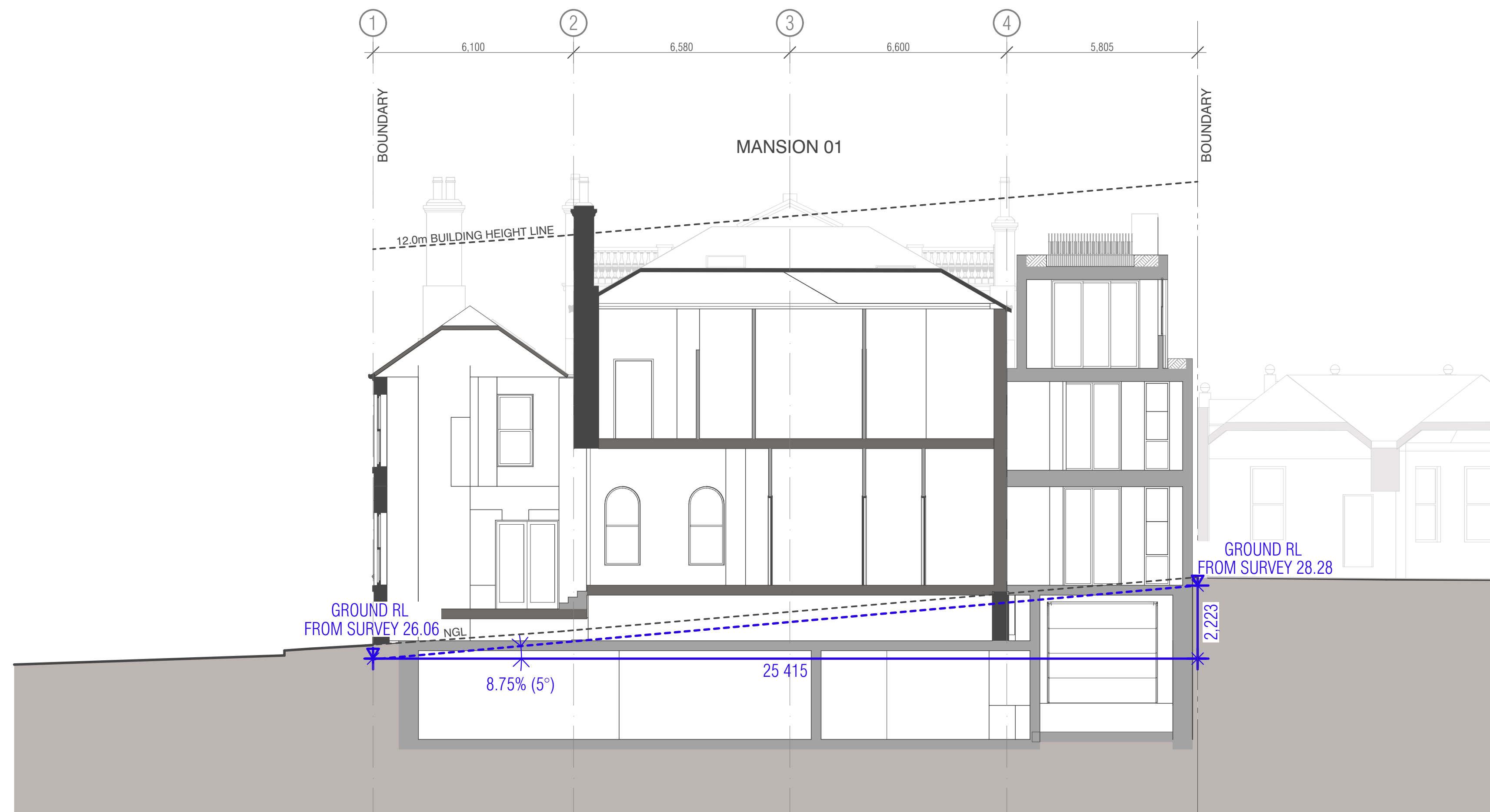
**ISSUE PURPOSE**  
TOWN PLANNING



**REV.** A  
**DRAWING NO.** TP460



Clause 32.08-10: '[a] building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.'



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REVISION	REVISION
A	ISSUE FOR TOWN PLANNING
MY	09.12.2022

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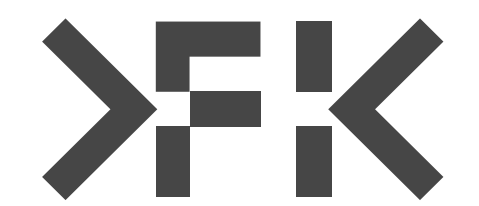
DRAWN	DATE	CHECKED	PLOT DATE	JOB NO.	SCALE
BW	09.12.2022	RM	02.06.2023	21255	1:100@A1

**PROJECT**  
 SIMPSON HOUSE  
 29 SIMPSON STREET  
 East Melbourne Victoria 3002

**DRAWING TITLE**  
 BUILDING HEIGHT ANALYSIS - SECTIONS

**FENDER KATSALIDIS**  
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 FENDER KATSALIDIS (AUST) PTY LTD ACN 092 943 032

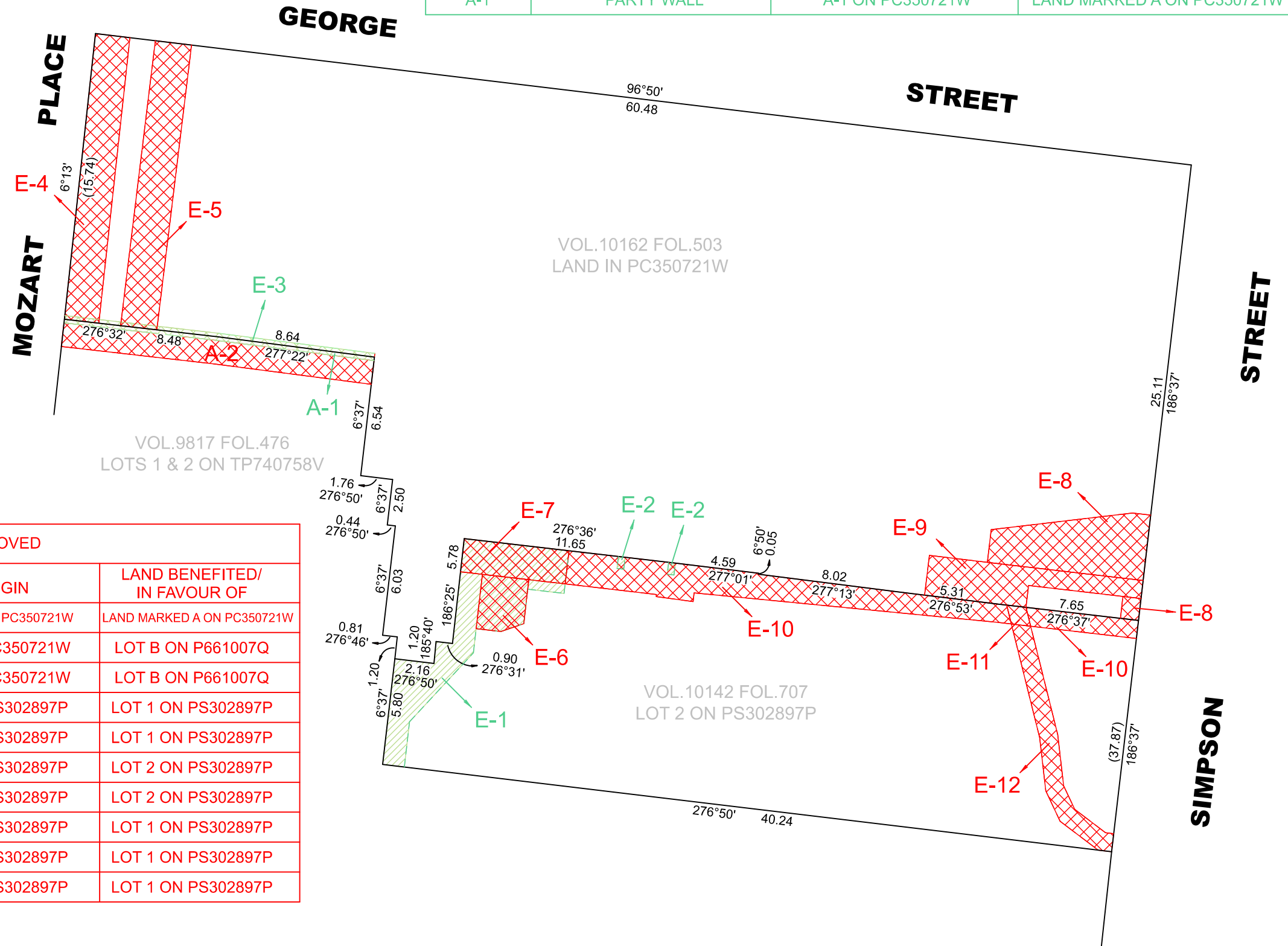
**ISSUE PURPOSE**  
 TOWN PLANNING



**REV.** A  
**DRAWING NO.** TP461



EASEMENTS TO BE RETAINED			
IDENTIFIER	PURPOSE	ORIGIN	LAND BENEFITED/ IN FAVOUR OF
E-1	WAY	E-2 ON PS302897P	LOT 1 ON PS302897P
E-2	SUPPORT	E-7 ON PS302897P	LOT 1 ON PS302897P
E-3	PARTY WALL	E-2, E-4 & E-7 ON PC350721W	LAND IN VOL. 9817 FOL. 476
A-1	PARTY WALL	A-1 ON PC350721W	LAND MARKED A ON PC350721W



EASEMENTS TO BE REMOVED			
IDENTIFIER	PURPOSE	ORIGIN	LAND BENEFITED/ IN FAVOUR OF
A-1 & A-2	DRAINAGE	A-1 & A-2 ON PC350721W	LAND MARKED A ON PC350721W
E-4	DRAINAGE	E-1 ON PC350721W	LOT B ON P661007Q
E-5	SEWERAGE	E-3 ON PC350721W	LOT B ON P661007Q
E-6	WATER SUPPLY	E-4 ON PS302897P	LOT 1 ON PS302897P
E-7	DRAINAGE & WATER SUPPLY	E-5 ON PS302897P	LOT 1 ON PS302897P
E-8	DRAINAGE	E-6 ON PS302897P	LOT 2 ON PS302897P
E-9	DRAINAGE	E-3 ON PS302897P	LOT 2 ON PS302897P
E-10	DRAINAGE	E-1 ON PS302897P	LOT 1 ON PS302897P
E-11	WAY & DRAINAGE	E-8 ON PS302897P	LOT 1 ON PS302897P
E-12	WAY	E-9 ON PS302897P	LOT 1 ON PS302897P

PLAN OF EASEMENTS

19-27 & 29 SIMPSON STREET, EAST MELBOURNE VIC 3002

REF VERSION C 23991 DATE 28/03/2023 G:\23991\Office Work\Plans\In Progress\23991-0-RFI-C.dgn



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## DELEGATE REPORT

### PLANNING PERMIT APPLICATION

<b>Application number:</b>	TP-2022-636
<b>Applicant:</b>	Simpson House Pty Ltd c/- Tract Consultants Pty Ltd
<b>Owner:</b>	Simpson House Pty Ltd
<b>Architect:</b>	Fender Katsalidis
<b>Addresses:</b>	29 Simpson Street, 19-27 Simpson Street, and 86-92 Wellington Parade, East Melbourne VIC 3002
<b>Proposal:</b>	Partial demolition, buildings and works, external alterations, construction of front fences, and painting associated with the construction of two or more dwellings on a lot and the associated removal of easements
<b>Cost of works:</b>	\$14 million
<b>Date of application:</b>	27 October 2022
<b>Date of amended applications:</b>	16 March 2023 and 1 June 2023
<b>Responsible officer:</b>	Matthew Mukhtar, Acting Principal Urban Planner

## 1 SITE AND SURROUNDS

### 1.1 Site

Planning permit application TP-2022-636 (**Application**) applies to the following parcels of land:

- 29 Simpson Street, East Melbourne (formally identified as Land in Plan of Consolidation 350721W) (**Site**);
- 19-27 Simpson Street, East Melbourne (formally identified as Lot 2 on Plan of Subdivision 302897P); and
- 86-92 Wellington Parade, East Melbourne (formally identified as Lots 1 and 2 on Title Plan 740758V).

See **Figure 1** below.

As detailed later in this report, the parcels of land at 19-27 Simpson Street and 86-92 Wellington Parade are included within the Application as it seeks to:

- remove easements from these properties; and
- demolish external fire stairs (servicing the existing hospital building at the Site) which are located within the property boundary of 19-27 Simpson Street (see demolition plans TP013 – TP015).

The remaining proposed development only occurs on the Site.

A formal visit to the Site and surrounds was undertaken by Council Officers on 17 May 2022.



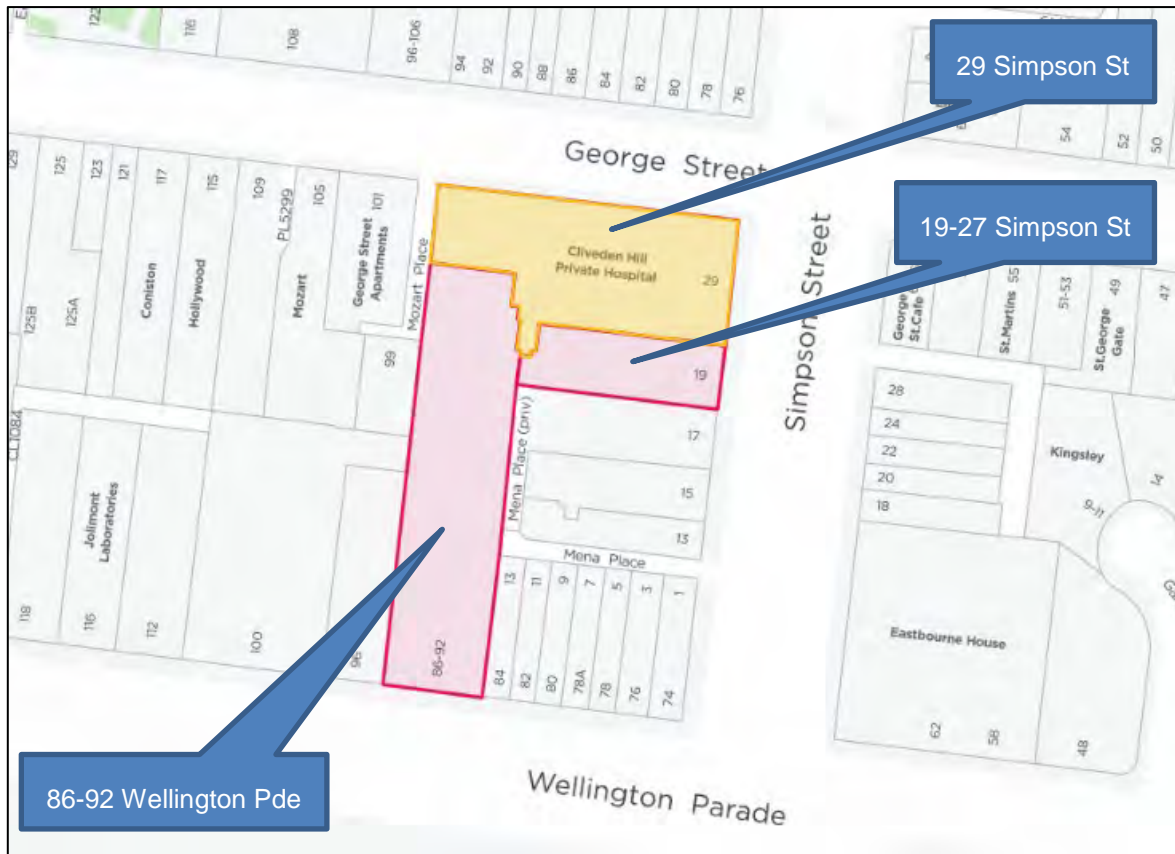


Figure 1 – locality plan (Source: CoMPass) with notes added by Council

The key features of the Site are as follows:

Table 1: Key Features of the Site and Surrounds	
Size / shape	Generally rectangular in shape (with some protruding shapes to the south) with a total area of approximately 1,375 m <sup>2</sup> , a 25.11 m frontage to Simpson Street, and a 60.48 m side interface to George Street.
Existing conditions	<p>The buildings on the Site are in two principal parts which have developed around an ornate two storey Victorian mansion addressing Simpson Street which was converted into a private hospital in 1900.</p> <p>The two principal parts are identified as the Kilburn Mansion and the George Street Wing and Former Stables – see <b>Figure 2</b> below.</p> <p><i>Kilburn Mansion</i></p> <p>This is a two storey rendered brick Victorian dwelling built in 1878. The building has a colonnaded verandah which is setback behind a garden (with original heritage tiles) and a cast iron fence with decorated piers mounted above a bluestone plinth. Its roof is visible from surrounding streets and is constructed of corrugated iron.</p> <p>It contains additional wings, including a wing on the north-east corner that projects beyond the line of the front porch and a wing to the south setback from Simpson Street. To the south a cross-over leads to an undercroft beneath an addition to the southwest with an external stair from Simpson Street.</p>



	<p><i>George Street Wing and Former Stables</i></p> <p>A face brick wing resting on a bluestone plinth extends westward along the northern boundary. It addresses George Street and is not set back to the street. This wing connects to the former stable block via a linking element that is brick on first level and glazed on the ground level (see <b>Figure 10</b> below).</p> <p>The roofs of the wings are partially visible from surrounding streets and are constructed of terracotta tiles.</p> <p>A series of additions have been constructed including to the west of the mansion and the south of the wings which have created an internal courtyard at the centre of the complex. The interior of the buildings has been highly modified to create corridors, consulting rooms, recovery rooms, operating theatres and support facilities for the previous hospital on the site.</p>
Heritage grading	The Site is located within the precinct wide Heritage Overlay, Schedule 2 (East Melbourne and Jolimont Precinct). It is assessed as a ‘Significant’ <sup>1</sup> graded heritage building (within an ungraded streetscape) by the <i>Heritage Places Inventory March 2022 (Amended May 2023) (Heritage Inventory)</i> , which is an Incorporated Document in the <i>Melbourne Planning Scheme (Planning Scheme)</i> .
Topography	The slope of the land falls by approximately 2.2 m from south to the north.
Vehicle access and parking arrangements	<p>The Site provides the following vehicle access and parking arrangements:</p> <ul style="list-style-type: none"> <li>• George Street: a single width crossover to the north west corner of the Site which provides access to an open air car parking area where circa five cars can park informally; and</li> <li>• Simpson Street: a single width crossover to the south east corner of the Site which provides access to a patient drop-off area / park two cars informally.</li> </ul>
On-street traffic conditions	<p>On-street car parking to Simpson and George Street in front of the Site as follows:</p> <ul style="list-style-type: none"> <li>• George Street: <ul style="list-style-type: none"> <li>○ six car parking spaces with the following restrictions: permit zone for medical practitioners (for the hospital previously operating at the Site) between 7.30am and 5.30pm, followed by one hour restricted parking between 5.30pm and 10pm; and</li> <li>○ five car parking spaces with the following restrictions: one hour parking between 7.30am and 10pm.</li> </ul> </li> <li>• Simpson Street: two car parking spaces with the following restrictions: 10 minute parking between 7.30am and 6.30pm followed by restricted one hour car parking between 6.30pm and 10pm.</li> </ul>
Interfaces	The Site’s key interfaces are as follows:

<sup>1</sup> The Heritage Inventory defines a ‘Significant’ heritage building as ‘...individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A significant heritage place may be highly valued by the community; is typically externally intact; and/or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a significant heritage place can make an important contribution to the precinct.’



- North: George Street. A road consisting of angled and parallel street parking with dwellings to the north interface of the street.
- East: Simpson Street. A road consisting of parallel street parking and a vegetated central medium strip dividing its two lanes.
- South:
  - 19 Simpson Street, a single storey heritage building (graded as 'Significant') with rear (west) car parking area. It is currently utilised as a medical centre.
  - 86-92 Wellington Parade, a two storey heritage building (graded as 'Significant', and is on the Victorian Heritage Register) with rear (south) outbuilding, pool, private open space, and car parking area.
- West: Mozart Place, a 5 m wide private laneway. Further west is a three storey residential building at 101 George Street, which is currently used as serviced apartments.

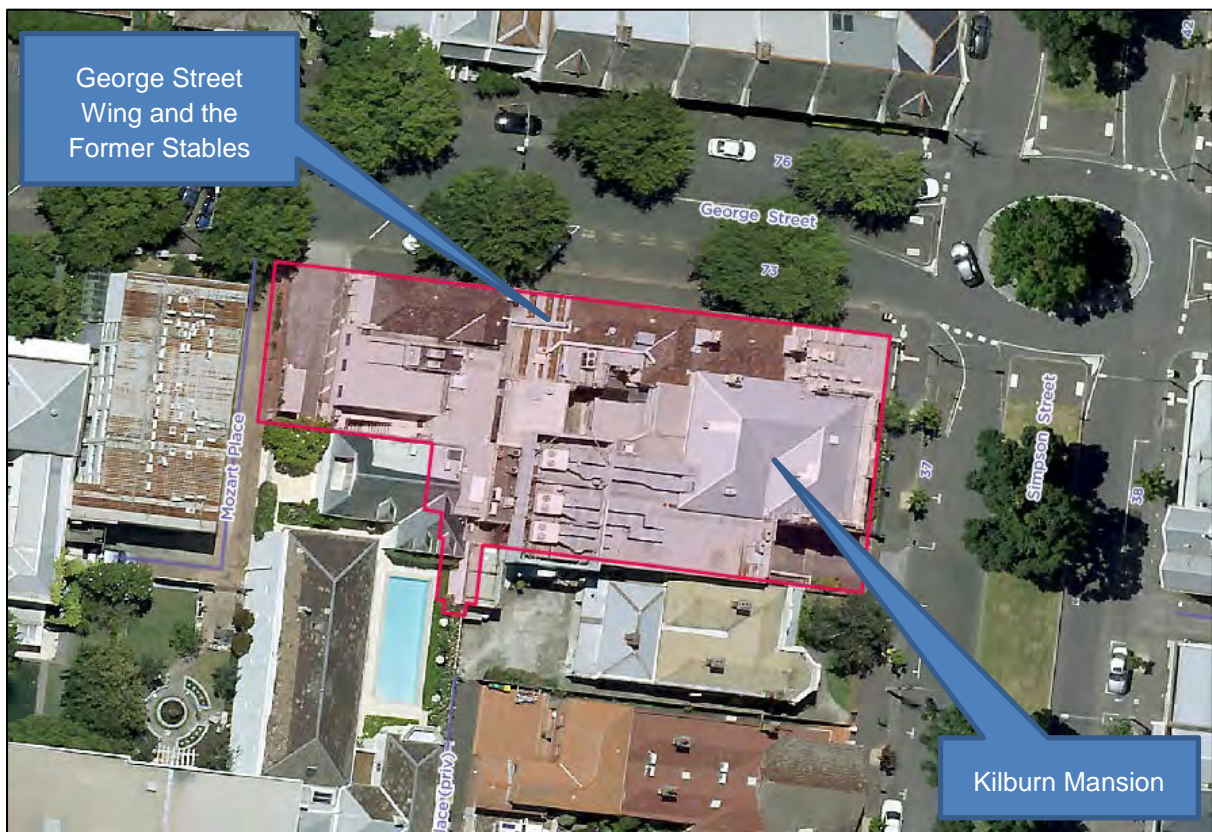


Figure 2 – the Site and surrounds (Source: CoMPass, dated December 2022) with notes added by Council



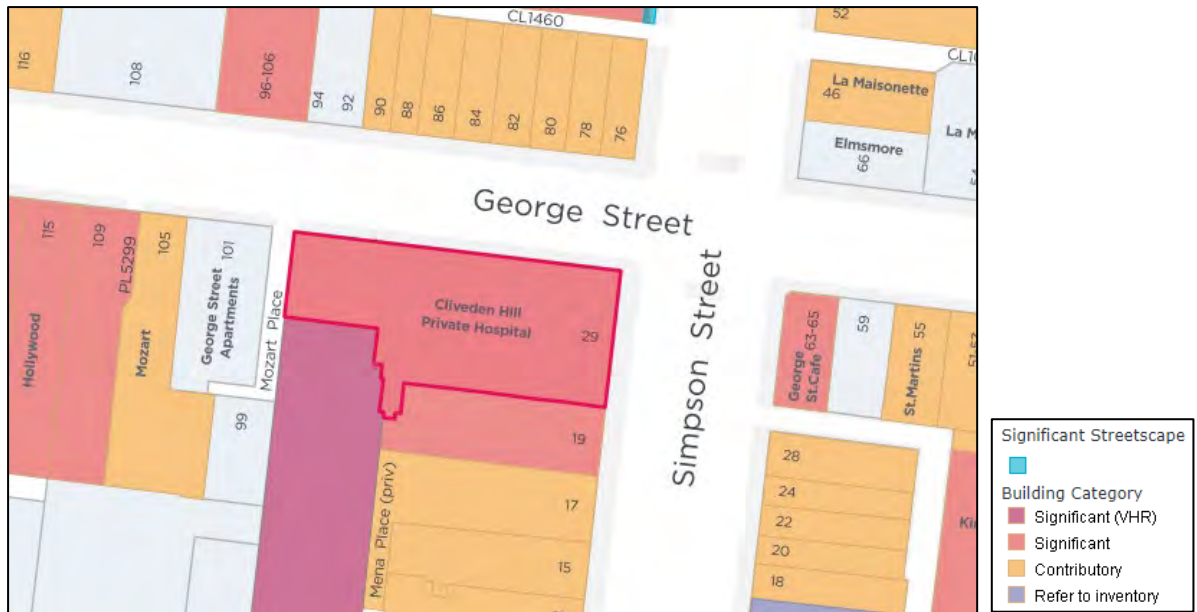


Figure 3 – heritage gradings of the Site and surrounds (Source: CoMPass)

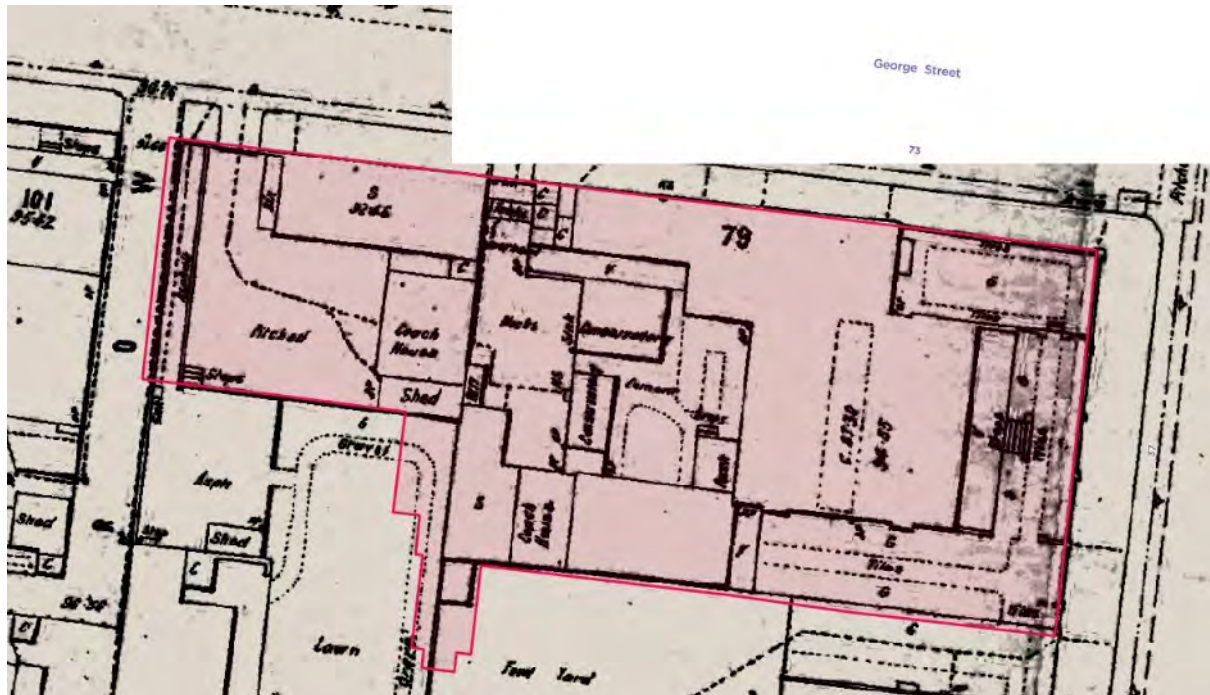


Figure 4 – extract of the Melbourne and 1895 Metropolitan Board of Works (MMBW) plan with the Site outlined in red





Figure 5 – extract of the Melbourne and 1895 MMBW plan with aerial image in the background and Site outlined in red



Figures 6 – view to the Site from George Street looking west (Source: Council, dated 17 May 2022)

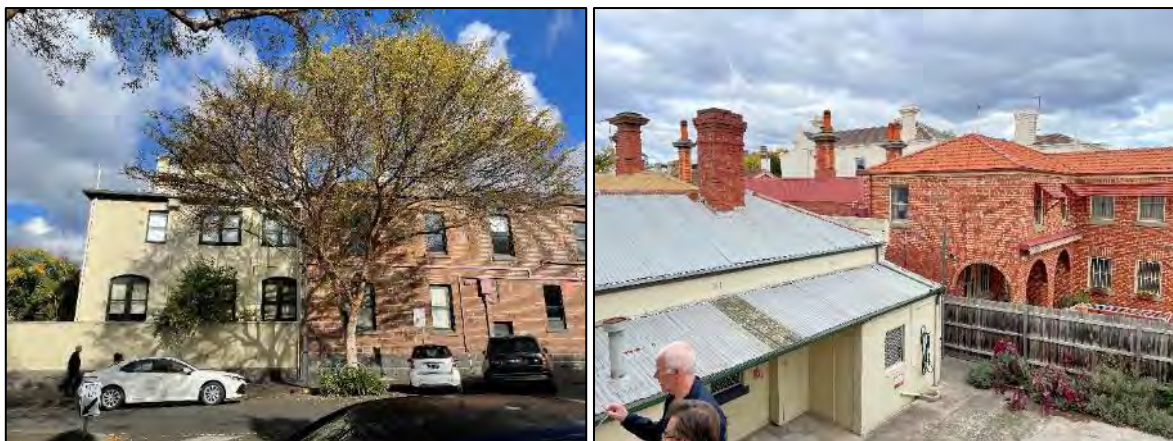




Figures 7 and 8 – view to the Site from the corner of Simpson Street and George Street facing south west (left) and the view of the Site from Simpson Street looking north west (right) (Source: Council, dated 17 May 2022)



Figures 9 and 10 – view to the Site from George Street facing south east (left) and the view of the Site from George Street looking south east (right) (Source: Council, dated 17 May 2022)



Figures 11 and 12 – view to the Site from George Street facing south (left) and the view from the Site to 17 and 19 Simpson Street looking south east (right) (Source: Council, dated 17 May 2022)





*Figures 13 and 14 – view from the Site to Mena Place facing south (left) and the view from Mena Place to the Site looking north (right) (Source: Council, dated 17 May 2022)*

## **1.2 Certificates of Title**

The registered search statements identify that 29 Simpson Street, 19-27 Simpson Street, and 86-92 Wellington Parade are not burdened by Section 173 Agreements or restrictive covenants.

The subject properties both benefit and are burdened by a range of easements, some of which are proposed to be removed as part of the Application.

## **1.3 Aboriginal Cultural Heritage**

The Site is not included in an area of legislated cultural heritage sensitivity.

## **1.4 Victorian Heritage Inventory / Register**

The Site is not included in the Victorian Heritage Inventory / Register

## **1.5 Surrounds**

The surrounding neighbourhood is characterised by a mix of building styles and heights, including heritage buildings with some modern infill buildings and extensions, within a residential context.

The George Street and Simpson Street streetscape largely consists of low scale residential development ranging from the Victorian to the interwar period, with some residential buildings being used for commercial purposes, including medical practitioners and cafes.

The Site is in close proximity to Yarra Park, Fitzroy Gardens, and Treasury Gardens and is well serviced by train, tram, and bus routes, including:

- Jolimont Train Station and West Richmond Train Station located 275 m to the south west and 400 m to the east respectively.
- Tram routes 48 and 75 located 100 m to the south.
- Bus route 246 stop location 200 m to the east.

Clause 2.03-1 (Settlement) of the Planning Scheme identifies that East Melbourne and Jolimont is one of the City of Melbourne's '[s]table residential areas', which are '...valued for their existing character. Limited change, such as in-fill development and alterations and additions, that respects existing character, can occur'. This policy further identifies that the precinct '...accommodates Government facilities, institutions and businesses in the Treasury and Parliament precinct. It has an important role in providing hospital and medical services and supporting Central City edge business uses while maintaining residential amenity through limited development of residential areas.'



Clause 11.03-6L-04 (East Melbourne and Jolimont) of the Planning Scheme identifies that the Site is located on the periphery of the 'East Melbourne Residential Area' (see **Figure 15** below) which includes the following strategies for the area:

- 'Housing strategies
  - Ensure development in residential areas is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
  - Support a mix of residential and office use and development in the commercial zones in Jolimont.
- ...
- Built environment and heritage strategies
  - Ensure development respects the scale of the surrounding residential area, heritage buildings and Fitzroy Gardens.
  - Protect views to the World Heritage Listed Royal Exhibition Building drum, dome, lantern and flagpole from Spring and Nicholson Streets.
  - Encourage sympathetic infill development in low rise areas that complements the architecture, scale and character of the area.
  - Maintain and enhance the landscape values of Victoria Parade boulevard.
  - Ensure buildings along Victoria Parade are designed to enhance its appearance as a major boulevard and enhance Wellington Parade and Albert Street as key entrances to the Hoddle Grid, through high quality architecture and urban design.
  - Ensure that development does not adversely affect Fitzroy Gardens, Treasury Gardens or Yarra Park by minimising the visual impact of buildings and overshadowing of the parks.'

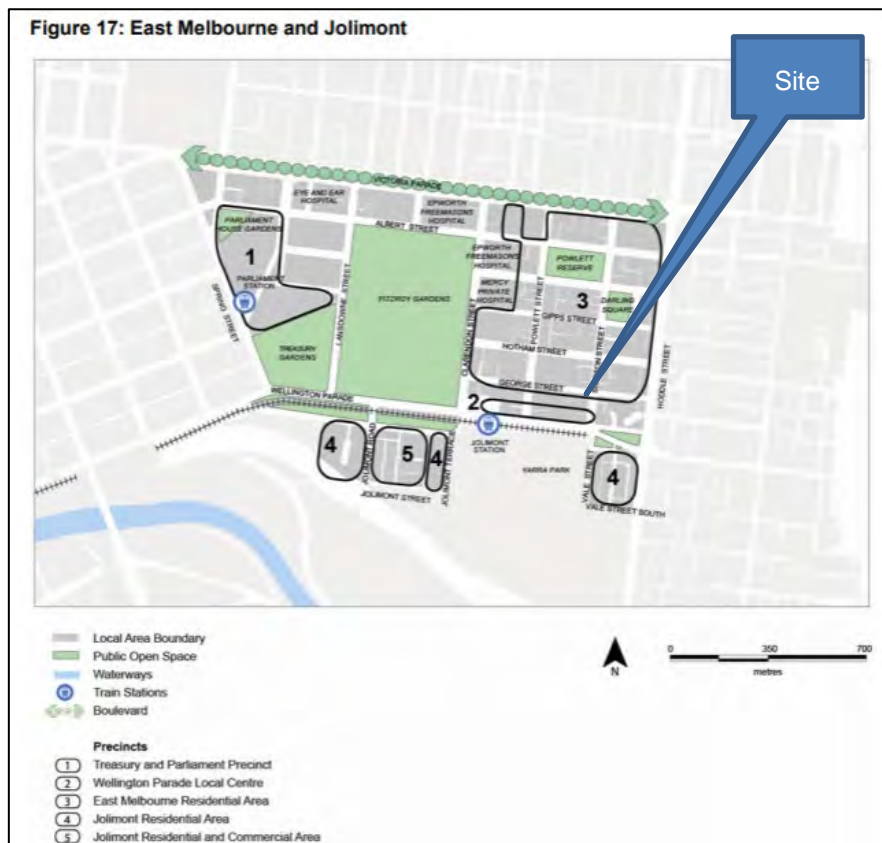




Figure 15 – extract of Figure 17 of Clause 11.03-6L-04 with the Site label added by Council

## 2 BACKGROUND AND HISTORY

### 2.1 Planning Permit Application History

#### 2.1.1 Pre-application Meeting

A pre-application meeting was held between the applicant and Council Officers prior to the lodgement of the Application. The following matters for further investigation and resolution were raised:

- Additions behind the principal parts of the heritage buildings to Simpson Street and George Street are of little to no heritage value.
- Demolition of the addition to the north east of the Site will increase the prominence of the mansion to George Street and Simpson Street and will enhance the heritage place.
- Separating (through demolition) the stables buildings is a positive heritage outcome that will enhance the heritage place.
- Investigate the retention of the roof and roof structures for the stables.
- Investigate the technique to facilitate double glazing to the heritage windows and doors to ensure an appropriate heritage outcome.
- If vehicle access is retained in Simpson Street, provide visually permeable gates at the property boundary.
- The prominence of the existing buildings should be retained, with careful consideration of view lines over the heritage buildings to George Street. However, it is acknowledged that additions are currently visible behind the heritage buildings.
- Further justification required to alter the location of the pedestrian entrance to Simpson Street.

#### 2.1.2 s50 Amendment

Following a preliminary review of the application, Council issued a Request for Further Information (RFI) on 21 November 2022 seeking additional information including details on plans, easement removal, garden area requirements, building height, and structural submissions.

On 13 December 2022, the applicant amended the Application pursuant to Section 50 of the *Planning and Environment Act 1987 (Act)* to respond to the RFI letter and include the properties at 19 Simpson Street and 86-92 Wellington Parade, East Melbourne within the 'Address' section of the Planning Permit Application Form due to the removal of easements which affected these properties.

#### 2.1.3 s57A Amendment (16 March 2023)

In response to objections and feedback from Council's planning and internal departments, the Application was amended pursuant to s57A of the Act on 16 March 2023 to make modifications to the proposal, including:

- Reduce the size of the roof terraces to Mansion 3.
- Removal of the lift to the roof terrace of Mansion 1 and to further setback a planter.
- Additional details of the proposed pedestrian gate to Mansion 1.
- Retain the roof of the eastern most wing (part of proposed Mansion 1) to George Street.
- Amend the easement removal plan.



### 2.1.4 s57A Amendment (1 June 2023)

In response to outstanding objector concerns, the Application was amended pursuant to s57A of the Act on 1 June 2023 to make modifications to the proposal, including:

- Additional screening to some southern facing windows and the rooftop terrace of Mansion 1.
- Confirming that Mena Place will not be used during demolition or construction of the development by way of the following permit condition (should a permit issue):
  - 'Prior to the commencement of the development (including demolition and bulk excavation), a detailed Demolition and Construction Management Plan (**DCMP**) must be approved by the Responsible Authority – Construction Management Group. The DCMP must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to control the following (may not be an exhaustive list):
    - a) **that Mena Place is not to be used during the process of demolition and construction of the approved development.**
    - b) public safety, amenity and site security.
    - c) operating hours, noise and vibration controls.
    - d) air and dust management.
    - e) stormwater and sediment control.
    - f) waste and materials reuse.
    - g) traffic management.'

[**Emphasis** added by Council]

The applicant has consented to the above sub-condition a (noting that sub-conditions b – g are standard sub-conditions). The matter has been discussed with the Council's Site Services department who are comfortable with the proposition given the Site is accessible (from a construction sense) from two street interfaces (George Street and Simpson Street).

As discussed in greater detail below, all objections were withdrawn based on these amendments.

## 2.2 Relevant Permit History

There are no relevant planning permits issued for the Site.

## 2.3 Planning Scheme Amendments

In the intervening period between when the Application was first received by the Council and the date of this report there have been amendments to the Planning Scheme that have bearing on the assessment of the Application.

### 2.3.1 Amendment C278: Sunlight to Public Open Spaces (now Amendment C415)

Amendment C278 (now C415) is a 'seriously entertained' amendment to the Planning Scheme.

It seeks to apply the Design and Development Overlay, Schedule 8 (**DDO8**) to 86-92 Wellington Parade which protects identified parks within the municipality from winter sun.

While 86-92 Wellington Parade forms part of the 'planning unit' of the Application, there is no development proposed on 86-92 Wellington Parade.

As such, the DDO8 is not of relevance to the assessment of the Application.



### 3 PROPOSAL

#### 3.1 Documents Considered in Assessment

Table 2 provides a summary of the key documents of the Application.

Table 2: Documents Considered in Assessment		
Document	Author	Date
The following Certificates of Title: <ul style="list-style-type: none"> <li>Land in Plan of Consolidation 350721W</li> <li>Lot 2 on Plan of Subdivision 302897P</li> <li>Lots 1 and 2 on Title Plan 740758V</li> </ul>	Land data	15 September 2022 6 December 2022 29 November 2022
s57A Architectural Plans (DM <a href="#">16568595</a> )	Fender Katsalidis	Plot date of 2 June 2023 (multiple revision numbers)
Features And Levels Survey	Reeds Consulting	5 December 2022 (Rev. B)
Plan of Easement Removal (DM <a href="#">16477155</a> )	Reeds Consulting	28 March 2023 (Version C)
Planning Report (incl. Clause 55 Assessment)	Tract Consultants	13 December 2022 (Issue 01)
Transport Impact Assessment (TIA)	Ratio	7 September 2022
Sustainable Design Assessment (SDA)	Frater Consulting Services Pty Ltd	1 March 2023 (Version 1)
Heritage Impact Statement (HIS)	Lovell Chen	24 October 2022 (Issue No. 1)
Waste Management Plan (WMP)	Frater Consulting Services Pty Ltd	24 January 2023 (Version 1)
Structural Engineering advice (incl. drawings)  Drawings of chimney retention (DM <a href="#">16337719</a> )	BCE Structural and Civil Engineering	12 December 2022  April 2023
Landscape Plans	Paul Bangay	27 September 2022 (Rev. TP-1)

#### 3.2 Summary of the Proposed Development

The proposed development is detailed by the architectural plans prepared by Fender Katsalidis.

In summary, the Application seeks planning permission for the following:

- Partial demolition of existing buildings, including:
  - the removal of the western most two roofs (including the roof structure) of the George Street wing and stables to allow for basement piling and the subsequent replacement of the roof with welsh slate (with the exception for some skylights).



- the removal (not including the roof structure) of the eastern most roof of the George Street wing and stables and the roof of the Kilburn Mansion and the subsequent replacement of the roof with welsh slate (with the exception for some skylights).
  - the removal of the addition to the north east corner of the Site.
  - the removal of the connection between the stables buildings to create a 'look through' as viewed from George Street.
  - removal of the additions to the west and south of the retained Kilburn Mansion and the George Street wing and stables.
  - removal of the external staircase encroaching into 19 Simpson Street.
  - partial demolition of the Kilburn Mansion's front fence to Simpson Street to allow for a new pedestrian entrance to be located centrally.
- Buildings and works associated with the construction of three dwellings behind the retained heritage buildings, including the construction of a basement.
  - Conservation works to the heritage place including repair of facades and installation of welsh slate to all roofs.
  - Removal of easements.

The three dwellings (shown as 'Mansions' on the plans) are summarised as follows:

<b>Table 3: the Proposal</b>			
	<b>Mansion 1</b>	<b>Mansion 2</b>	<b>Mansion 3</b>
<b>Basement</b>	Each dwelling is proposed with four car parking spaces, four bicycle parking spaces, and storage within a proposed basement (accessed via lift or stairs) accessed via the existing crossover to Simpson Street.		
<b>Ground Floor</b>	Pedestrian access from Simpson Street with a pool and garden within the front / side setback. Kitchen, living, and dining facilities.	Pedestrian access from George Street. A pool and garden are provided within the rear (south) setback. Kitchen, living, and dining facilities.	Pedestrian access from George Street. A pool and garden are provided within the front / side setback. Kitchen, living, and dining facilities.
<b>Level 1</b>	Three bedrooms (each with an ensuite), study, and laundry.	Three bedrooms (each with an ensuite), library, and laundry.	Two bedrooms (each with an ensuite), library / media, and laundry.
<b>Level 2</b>	One bedroom with an ensuite.	Two bedrooms (each with an ensuite), and living area.	Two bedrooms (each with an ensuite), and living area
<b>Rooftop</b>	Rooftop terraces accessed via an enclosed staircase (with the exception of Mansion 1 which also includes lift access).		

Figures 16 – 21 below provide an understanding of the proposal.

**NB, Figures 17 – 19** do not depict the changes introduced to the proposal by the s57A applications as described at Chapters 2.1.3 and 2.1.4 above.

**NB**, as discussed at Chapter 8.1.1 Officers are of the view that the roof demolition plan TP015 (**Figure 16** below) lacks clarity and therefore is required to be amended via a permit condition (should one issue).



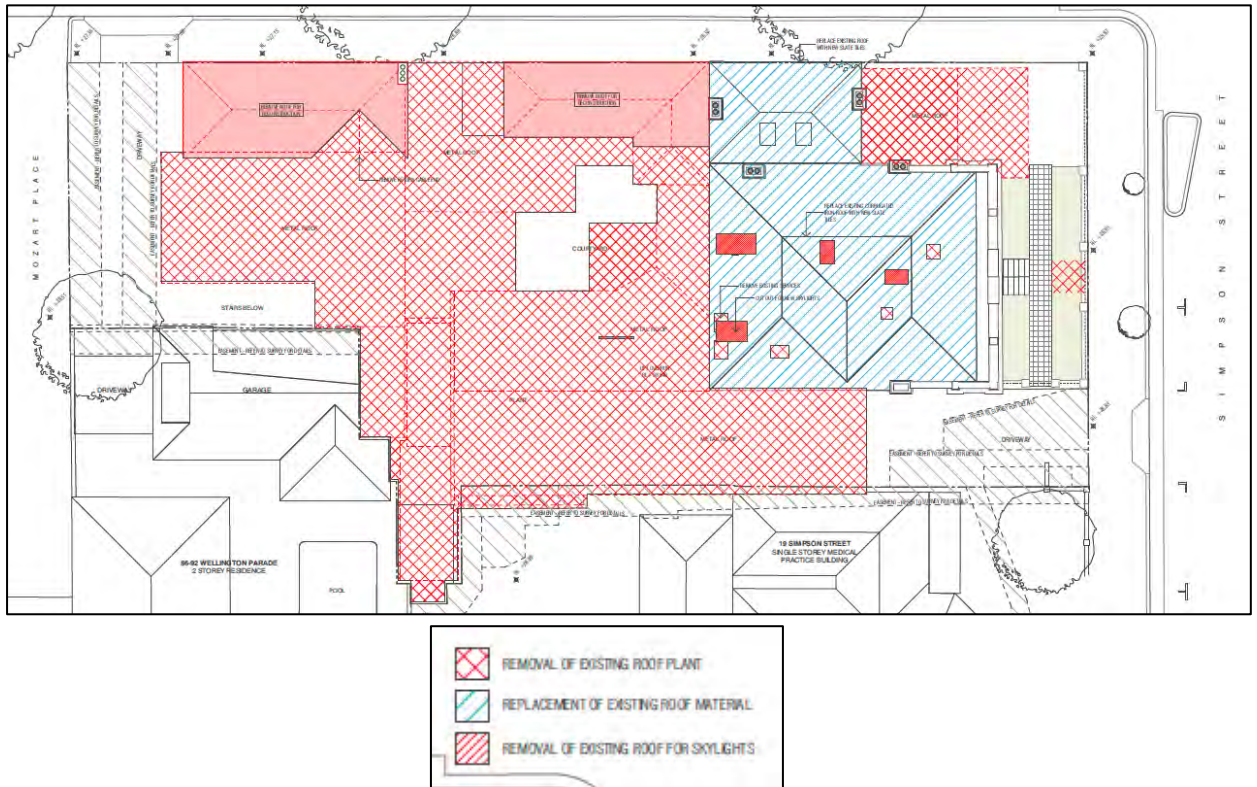


Figure 16 – TP015



Figure 17 – extract of TP313





Figure 18 – extract of TP310



Figure 19 – extract of TP311

#### 4 PLANNING CONTROLS

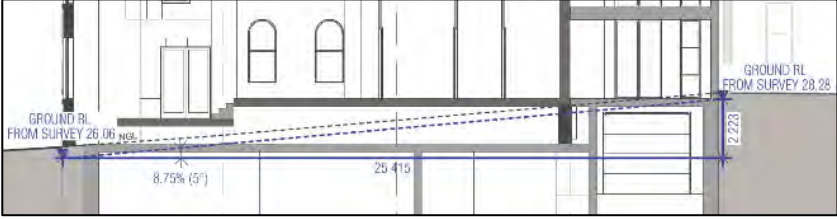
Table 4 summarises the key planning controls and requirements of the Planning Scheme:

Table 4: Planning Controls	
Zones and Overlays	
Clause	Permit Trigger



<p>Clause 32.08</p> <p>General Residential Zone Schedule 1 (General Residential Areas)</p> <p><b>(GRZ1)</b></p>	<p><b><i>Planning permit required – construct two or more dwellings on a lot and the construction of a front fence</i></b></p> <p><u>Use</u></p> <p>Pursuant to Clause 32.08-2 the use of land as a '[d]welling (other than Bed and breakfast)' does not require a planning permit.</p> <p><u>Garden Area</u></p> <p>Pursuant to Clause 32.08-4, an application to construct or extend a dwelling or residential building on a lot greater than 650 m<sup>2</sup> must provide a minimum garden area of 35%. However, this does not apply to '[a]n application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.'</p> <p>Given the Site is greater than 650 m<sup>2</sup>, a minimum of 35% garden area must be provided. However, as TP440 (Existing Garden Area Plan) depicts there is currently 130 m<sup>2</sup> (or 9% of the Site's area) provided as garden area. As such, the proposal benefits from the above exemption to the garden area requirements. Notwithstanding this, as TP441 (Proposed Garden Area Plan) depicts, the proposal provides for over 35% Site's area as garden area.</p> <p><u>Construct two or more dwellings on a lot.</u></p> <p>Pursuant to Clause 32.08-6 a planning permit is required to '[c]onstruct two or more dwellings on a lot'.</p> <p>Pursuant to Clause 32.08-6 a planning permit is required to construct or extend a front fence within 3 metres of a street if:</p> <ul style="list-style-type: none"> <li>• 'The fence is associated with 2 or more dwellings on a lot or a residential building, and</li> <li>• The fence exceeds the maximum height specified in Clause 55.06-2.'</li> </ul> <p>As the fence height exceeds the maximum height specified in Clause 55.06-2 a permit is required.</p> <p>The proposed development must meet the requirements of Clause 55.</p> <p><u>Maximum Building Height</u></p> <p>Pursuant to Clause 32.08-10, if no maximum building height or maximum number of storeys is specified in a schedule to this zone:</p> <ul style="list-style-type: none"> <li>• 'the building height must not exceed 11 metres; and</li> <li>• 'the building must contain no more than 3 storeys at any point.'</li> </ul> <p>No maximum is specified in the GRZ1 as such the above applies.</p> <p>Clause 32.08-10 goes onto say that '[a] building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.'</p> <p>Plan TP461 (Building Height Analysis – Sections) confirms that the Site benefits from the above exemption – see <b>Figure 20</b> below.</p> <p>As such, the maximum building height of the GRZ1 is 12 metres and three storeys.</p>
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	 <p style="text-align: center;">Figure 20 – extract of TP461</p>
<p>Clause 43.01 Heritage Overlay, Schedule 2 (East Melbourne and Jolimont Precinct) <b>(HO2)</b></p>	<p><b>Planning permit required – partial demolition, buildings and works, construct a fence, external alterations, and painting</b></p> <p><u>Permit Triggers</u></p> <p>Pursuant to Clause 43.01-1 a permit is required for:</p> <ul style="list-style-type: none"> <li>• Demolish (including partial demolition) or remove a building.</li> <li>• Construct a building or construct or carry out works.</li> <li>• Construct a fence.</li> <li>• External alterations.</li> <li>• External painting and externally paint an unpainted surface.</li> </ul>
<p>Clause 45.12 Specific Controls Overlay, Schedule 4 <b>(SCO4)</b></p>	<p><b>No planning permit required</b></p> <p>The purpose of the SCO is '[t]o apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.'</p> <p>The Incorporated Document applying to the Site is entitled the <i>Cliveden Hill Private Hospital, 29 Simpson Street, East Melbourne, July 1999</i>.</p> <p>The Incorporated Document allows for the development and use of the land for the purposes of erecting, installing, and use of roof-mounted air-conditioning units and associated works and equipment.</p> <p>The conditions of the Incorporated Document are:</p> <ul style="list-style-type: none"> <li>• 'After 31 March 2000, the roof at 29 Simpson Street shall not be used for the purpose of air conditioning without a permit granted by the responsible authority.</li> <li>• The responsible authority must consider the following matters before deciding on an application to grant a permit to use the roof at 29 Simpson Street, East Melbourne ("the roof") for the purpose of air conditioning: <ul style="list-style-type: none"> <li>○ the Local Planning Policy Framework and Heritage Overlay provisions</li> <li>○ the appearance of the air conditioning units on the roof</li> <li>○ any impact on the amenity of the neighbourhood of any air conditioning units on the roof.'</li> </ul> </li> </ul> <p>The proposal removes large portions of the existing roof (which includes rooftop services such as air conditioning units) and does not include air-conditioning units to the roof of the proposed development. The proposal does not include air condition units on the roof. As such this document is not relevant to the consideration of this proposal. Standard planning permit conditions restricting building services on the roof without the prior written consent of the Responsible Authority will be applied to the permit, should it issue.</p>
<b>Particular Provisions</b>	



<p>Clause 52.02</p> <p>Easements, Restrictions, and Reserves</p>	<p><b><i>Planning permit required – removal of easements</i></b></p> <p>Pursuant to Clause 52.02 a planning permit is required for the following:</p> <ul style="list-style-type: none"> <li>• Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.</li> <li>• Under Section 24A of the Subdivision Act 1988.</li> <li>• Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.'</li> </ul> <p>The proposal seeks to remove easements and as such a planning permit is required.</p>
<p>Clause 52.06</p> <p>Car Parking</p>	<p><b><i>No planning permit required</i></b></p> <p><u>Car Parking Spaces</u></p> <p>There is no planning permit required to exceed the car parking rates at Clause 52.06-5. The proposal provides for four car parking spaces per dwelling which exceeds the rate of two car parking spaces per dwellings. As such, no planning permit is required.</p> <p><u>Design Standards</u></p> <p>The design standards of the car parking spaces are discussed in Chapter 8.5 of this report.</p>
<p>Clause 53.18</p> <p>Stormwater Management in Urban Development</p>	<p>An application to construct a building or construct or carry out works:</p> <ul style="list-style-type: none"> <li>• Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.</li> <li>• Should meet all of the standards of Clauses 53.18-5 and 53.18-6.</li> </ul> <p>The Application is accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.</p>
<p>Clause 55</p> <p>Two Or More Dwellings On A Lot and Residential Buildings</p>	<p>A development:</p> <ul style="list-style-type: none"> <li>• Must meet all of the objectives of this clause that apply to the application.</li> <li>• Should meet all of the standards of this clause that apply to the application.</li> </ul>
<b>General Provisions</b>	
<p>Clause 65</p> <p>Decision Guidelines</p>	<p>Matters within Clause 65.01 of the Planning Scheme, which includes the matters set out in Section 60 of the Act.</p>

## 5 STRATEGIC FRAMEWORK

### 5.1 Planning Policy Framework (PPF)

The most relevant policies in the PPF of the Planning Scheme are listed below. Regard has been given to key policies relevant to the proposed development in Chapter 8 of this report.

The most relevant policies of the PPF are summarised as follows:



- Clause 01 – Purposes of this Planning Scheme
- Clause 02 – Municipal Planning Strategy
  - Clause 02.01 – Context
  - Clause 02.02 – Vision
  - Clause 02.03 – Strategic Directions
    - a) Clause 02.03-1 – Settlement
    - b) Clause 02.03-4 – Built Environment and Heritage
    - c) Clause 02.03-5 – Housing
    - d) Clause 02.03-7 – Transport
  - Clause 02.04 – Strategic Framework Plans
- Clause 11 – Settlement
  - Clause 11.03 – Planning For Places
    - a) Clause 11.03-6L-04 – East Melbourne and Jolimont
- Clause 15 – Built Environment and Heritage
  - Clause 15.01 – Built Environment
    - a) Clause 15.01-1S – Urban Design
    - b) Clause 15.01-1R – Urban Design – Metropolitan Melbourne
    - c) Clause 15.01-1L-05 – Urban Design outside the Capital City Zone
    - d) Clause 15.01-2S – Building Design
    - e) Clause 15.01-2L-01 – Energy and Resource Efficiency
    - f) Clause 15.01-5S – Neighbourhood Character
  - Clause 15.03 – Heritage
    - a) Clause 15.03-1S – Heritage Conservation
    - b) Clause 15.03-1L-02 – Heritage
- Clause 16 – Housing
  - Clause 16.01-1S – Housing Supply
  - Clause 16.01 – Residential Development
- Clause 18 – Transport
- Clause 19 – Infrastructure
  - Clause 19.03-3L – Stormwater Management (Water Sensitive Urban Design)

## **6 PUBLIC NOTICE AND CONSULTATION**

### **6.1 s52 Notice**

It was determined that the proposal may result in material detriment.

Public notice of the Application was given by sending letters to the owners and occupiers of adjoining and surrounding properties on 16 January 2023 and by instructing the permit applicant to erect three public notices on the Site for a 14 day period in accordance with Section 52 of the Act. A signed



statutory declaration confirming that the permit applicant had erected and maintained the signs in accordance with Council's requirements was returned on 2 February 2023.

During this period two objections were received.

## 6.2 s57B Notice

As described above, following the s52 notice period, two s57A applications were lodged.

The amendments included a written response to the objections and resulted in a reduction of built form and the provision of additional privacy screening and the agreement that the DCMP condition above would form a condition of any permit to issue. It was not considered that the changes would result in material detriment to any person, as compared to the plans originally advertised. Given that all previous objections would still apply to the amended proposal formal re-advertisement was not considered necessary.

Notwithstanding this, the amended documents were circulated to the objectors via email who were afforded an opportunity to provide further comment.

In response to the s57A materials and the proposed DCMP condition forming a condition of planning permit (should one issue), both objectors formally withdrew their objections. As such, there are no outstanding objector concerns that need to be addressed in this report.

Notwithstanding this, given the objections are conditional (i.e. they rely on the DCMP condition being applied to a planning permit and that condition not being appealed to the Victorian Civil and Administrative Tribunal), should Council recommend a planning permit issue, a Notice of Decision to Grant a Permit will issue.

## 7 REFERRALS

### 7.1 Internal

#### 7.1.1 Heritage

Table 5 provides a summary of the Council's heritage advisor's comments (on the s52 advertised plans) and the responses from the permit applicant.

Noting the changes made under s57A of the Act it is considered that the proposed extent of demolition, overall height and setbacks, and materials above and around the retained heritage fabric are acceptable, subject to conditions. Heritage is assessed in detail in Chapter 8.1 of this report. With respect to the detailed heritage responses (such as notes on the plans in reference to repairs, improvement, and the respectful replacement of window sashes) a Conservation Management Plan (CMP) will form a condition on a planning permit (should one issue).

Table 5: Heritage Advisor's Comments	
Comment	Response
<p>Recommended the retention of the roofs of the Kilburn Mansion and the George Street wing and stables and associated external walls and the applicant to confirm / clarify the following with regard to roof removal and basement piling:</p> <ul style="list-style-type: none"> <li>Whether the basement piling would occur through and / or in-and-around the retained roof structures of the heritage buildings.</li> </ul>	<p>In regard to basement piling and the structural matters, see 7.1.2 below.</p> <p>Through its s57A amendment the applicant provided the following information / made the following amendments:</p> <ul style="list-style-type: none"> <li>Confirmed that the existing terracotta roof tiles to the subject roofs are not the original roof material.</li> </ul>



<ul style="list-style-type: none"> <li>If so, confirm the protections to existing structures that would be put in place and confirm that the retained six chimneys will be stable and supported in situ during the works.</li> </ul>	<ul style="list-style-type: none"> <li>Confirmation that the roof structure (with the tiles replaced with welsh slate) of the eastern most roof forming part of the George Street Wing will be retained – see <b>Figure 16</b> above.</li> </ul> <p>While the removal and reconstruction of roof structures is generally not supported, on balance, noting the heritage improvements to the Site discussed throughout this report, the replacement of the roofs with a welsh slate and the retention of the six chimneys in situ, it is acceptable in this instance.</p>
<p>The south addition to Mansion 1 should be better concealed.</p>	<p>Through its s57A amendment the applicant removed the lift access to the roof terrace Mansion 1.</p> <p>The third storey is visually recessive, being setback 13.5 m from Simpson Street which is circa 500 mm – 1620 mm further than the existing addition (see <b>Figure 21</b> below).</p> <p>While the upper proportions of the proposed addition to Mansion 1 is slightly taller than the exiting addition, it is only partly visible from the south of the Site along Simpson Street. On balance, noting the existing visibility of the hospital addition to this interface it is acceptable.</p>
<p>Mansion 3 must be concealed over the ridge of the heritage roof from Site View Line 02 (plan TP301) from the north interface of George Street.</p>	<p>Through its s57A amendment the applicant reduced the size of the rooftop terrace of Mansion 3 so that it is concealed in line with the heritage advisor’s comments.</p>
<p>Applicant to clarify whether the existing timber and double hung sashes of the external windows are proposed to be modified to install double glazing and if so, how that modification is proposed to be achieved. Retention of existing sashes to timber and sashes is the ideal heritage outcome. Installation of double glazing to the existing sashes will be possible if sashes are of sufficient thickness.</p>	<p>The window sashes are required to be removed in order to install double glazing. The plans confirm the repair and restoration of the timber window frames. On balance, noting the sustainability goals of the proposal and the Planning Scheme and the proposed repair of the timber frames, it is considered acceptable to replace the sashes, but this must be carefully detailed in a CMP.</p>
<p>Retain the existing pedestrian entry (to the south east corner of the Site) for Mansion 1.</p>	<p>See Chapter 8.1.5 below.</p>



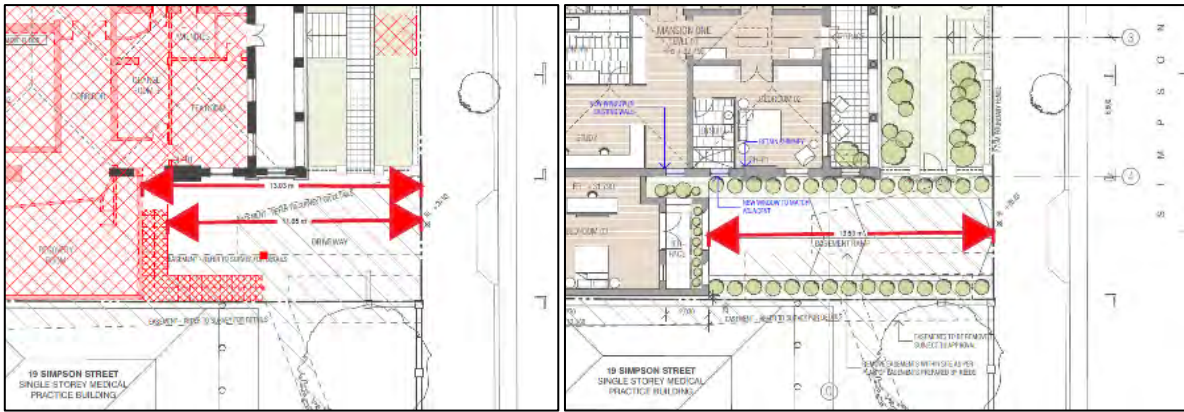


Figure 21 – extract of TP041 (left) and TP101 (right) with dimensions added by Council

### 7.1.2 Structural Engineering

Council sought an independent peer review of the structural engineering documentation lodged with the Application.

The review concludes that the proposed methods of basement excavation and heritage retention is achievable, however diligent continuous management of the demolition and excavation process are required. The review provides permit conditions (should a permit issue) which have been included in the recommendations of this report. These are:

- A condition assessment of the existing heritage building with specific focus relating to the proposed works and affected areas of the existing structure.
- A detailed construction sequence shall be provided including outlining order of works affecting the existing building.
- Schematic design of temporary lateral load resisting systems shall be undertaken by the base build consulting engineer.
- Monitoring of adjacent structures shall be specified by engineer for vibration and movement and undertaken throughout basement construction.
- Chimney support systems to be detailed for retention.

In addition, it is further considered that the following conditions will ensure the ongoing protection of the heritage place and form part of the recommendation:

- The permit holder must nominate a suitably qualified Conservation Architect to oversee the demolition, excavation, and reconstruction works.
- The permit holder must provide proof that the demolition and excavation works are being undertaken by contractors qualified and experienced in such activities.
- A bond will be required to ensure that the heritage place is not demolished except to complete the development.

### 7.1.3 City Design (Urban Design)

Council's urban design department provided the following comments:

'In assessment of the submitted drawings, we principally support the proposed development from an urban design perspective. Given the nature of the heritage forms on the site and the extent of demolition, conservation and modification of heritage, we defer heavily to, and welcome discussion on, any matters raised by Council's heritage advisors.'



We find the proposed additions to be broadly acceptable in urban design terms and consider them, for the most part, to form an appropriately recessive infill forming a subdued backdrop to the retained front of the former mansion on Simpson Street.

With regard to the new frontages created to the side, on George Street, we find the new additions for mansions 2 and 3, to be constructed behind the George Street wing and the stables building respectively, will sit awkwardly behind the retained hipped roofs in a range of views.

Council's Heritage Policy, at clause 15.03-1L-02, calls for additions to be set behind, to be recessive and not dominate the significant heritage buildings.

The third level roof forms appear to rise above and sit awkwardly behind the conserved George Street forms, particularly the section of roof associated with the terraces of mansions 2 and 3. Direct views, prepared by the applicant, show the top parts of the level of the third level to be visible from George Street, it is more visible and dominant when viewed on the oblique.

While we accept that there may be a role for some elements of the new building to have a greater prominence in the view from George Street, to assist with marking the new development in the streetscape and providing a sense of address. This has been well demonstrated in the western most portion of mansion three achieves below the stables roofline, particularly on approach from the west and indeed with the entrances themselves, but the third storey elements become too dominant.

We recommend that the third floor element of mansions 2 and 3 is modified to reduce its presence and impact in all views from within the George Street streetscape. This could be achieved by increasing the setback of the third storey element or by changing the material of the upper level wall to a more lightweight construction, possibly a standing seam cladding. We also, strongly recommend that the roof to the third storey is removed to further reduce the impact of the third storey elements - retractable awnings might be an appropriate replacement, to manage the western sun.

We find the new dwellings themselves are generous, well considered and highly functional. Modifications to the street frontage at the ground level to improve the sense of address on George Street, as noted above, are supported. Moves to create a dedicated pedestrian entrance on Simpson Street, through the removal of part of the heritage wall, are also supported in urban design terms as it will separate pedestrians from the vehicle entrance and help to provide a good sense of address for mansion 1.'

*Planner's Comments:*

- The urban designers support the proposal in principal. The above comments pertain specifically to the visibility of the proposed additions from certain vantage points to George Street. As discussed above, the heritage advisor's comments have been satisfied in this regard.

#### **7.1.4 Environmental Sustainable Design**

Council's ESD Officer reviewed the ESD statement and advised that it contains appropriate initiatives to meet the requirements of Clauses 15.01-2L-01 and 19.03-3L of the Planning Scheme and has recommended a number of conditions to be included on any planning permit to issue.

*Planner's Comments:*

- Subject to the above changes forming conditions of a planning permit (should one issue), it is considered that the proposal suitably responds to the above policies of the Planning Scheme.



### 7.1.5 Land Survey

Council's Licenced Surveyor advised that based on the submissions by the applicant, there are no service authority assets with the easements proposed to be removed and as such the Application does not need to be referred to any authorities.

- This is discussed at Chapter 8.4 below.

### 7.1.6 Civil Infrastructure

Council's City Infrastructure department recommended that a number of standard planning permit conditions be included on any planning permit being granted to protect Council's road-based assets and integrate the development with Council's stormwater drainage system.

*Planner's Comments:*

- The comments will form conditions of a planning permit (should one issue).

### 7.1.7 Traffic

Council's Traffic Engineering Department provided the below comments (summarised):

- No objection to the amount, design, or access to the proposed basement car parking spaces.
- The dwellings will not be eligible for residential on-street car parking permits.

*Planner's Comments:*

- This is discussed at Chapter 8.5 below.

### 7.1.8 Waste

Council's Waste Engineer confirmed that the WMP is acceptable.

*Planner's Comments:*

- The WMP will form an endorsed document of a planning permit (should one issue).

### 7.1.9 Urban Forestry and Ecology

Council's arboricultural officer provided the following comments:

- A condition for the submission of landscape plans should be included on a planning permit, should one issue.
- A condition requiring a Tree Protection Plan (for public tree assets) should be included on a planning permit, should one issue.

*Planner's Comments:*

- The conditions will form part of a planning permit (should one issue).

### 7.1.10 Site Services

As discussed at 2.1.4 above, the sub-condition a) of the DCMP was discussed with the Council's Site Services department who are comfortable with the proposition that access to Mena Place be excluded from demolition and construction as the Simpson Street and George Street interfaces are adequate for construction activities.

## 7.2 External

No external referrals are required.



## 8 ASSESSMENT

The key issues for consideration in the assessment of the Application include the following:

- Heritage
- Built form
- ResCode
- Removal of easements
- Engineering
- Sustainability and landscaping.

### 8.1 Heritage

The Site is a 'Significant' graded heritage building.

As **Figure 3** above depicts, the Site abuts two 'Significant' graded buildings, being Simpson Street and 86-92 Wellington Parade (this building backs onto the Site, with its frontage to Wellington Parade) and is located near a number of heritage buildings and non-heritage buildings separated by Mozart Place, George Street, and Simpson Street.

The key heritage considerations for the assessment of the proposal is the appropriateness of partial demolition and the alterations and additions to the Site, the surrounding buildings, and the East Melbourne and Jolimont Precinct.

The decision guidelines of the HO are at Clause 43.01-8. The considerations of these guidelines are expanded within the relevant local policy at Clause 15.03-1L-02 (Heritage), which seeks:

- 'To encourage high quality contextual design for new development that avoids replication of historic forms and details.
- To encourage retention of the three dimensional fabric and form of a building and discourage facadism.
- To enhance the presentation and appearance of heritage places through restoration and reconstruction of original or contributory fabric.
- To protect significant views and vistas to heritage places.'

The Incorporated Document *Heritage Precincts Statements of Significance February 2020 (SoS)* provides the following description of the 'aesthetic / architectural significance' of the East Melbourne and Jolimont Precinct:

'...

The aesthetic / architectural significance of the East Melbourne and Jolimont Precinct largely rests in its Victorian-era development. The precinct is renowned for its high quality historic dwellings, including some of Melbourne's finest and earliest large houses of the 1850s and 1860s, complemented by later development including grand terraces in pairs and rows and substantial free-standing villas from the 1870s and after. There are also Edwardian dwellings and interwar duplexes and flat blocks. Within the precinct there are an unusually high number of individual properties included in the Victorian Heritage Register; and little replacement of first or original dwellings has occurred. East Melbourne's streets are mostly wide, straight and tree-lined, interspersed with parks and squares, following the highly regular gridded pattern of the 1840s subdivision. The major roads and boulevards historically attracted grander development. Clarendon Street was an early prestigious residential street, with several of Melbourne's most significant early residences constructed there, beginning with Bishopscourt in 1853. Jolimont also has significant historic residences. Lanes throughout the precinct are



demonstrably of nineteenth century origin and function. Historic parks and gardens further enhance the aesthetic significance, including Fitzroy Gardens, the smaller squares of Powlett and Simpson Reserves, and the extensive Yarra Park...'

The SoS identified the following 'key attributes' of the East Melbourne and Jolimont Precinct:

- 'Typical nineteenth century building characteristics including:
  - Use of face brick and rendered masonry building materials, with timber and bluestone indicating earlier buildings.
  - Hipped roof forms with chimneys and parapets; verandahs with decorative cast iron work and tiled floors; iron palisade fences on stone plinths; and limited or no front and side setbacks.
- Later development as evidenced in Edwardian and interwar buildings.
- Typically low scale character, of one and two-storeys, with some larger three-storey buildings.
- Streets of consistent scale, or with greater scale diversity incorporating modest and larger buildings.
- Streets of consistent historic character, contrasting with those of more diverse character.
- Streets which are predominantly residential and others which are predominantly commercial; with historic shops and hotels including corner hotels distributed across the precinct.
- ...
- Views from lanes to historic outbuildings and rears of properties, providing evidence of historic property layouts.
- Buildings which diverge from the norm in their form and siting, constructed to irregular street intersections with sharp corners, and on asymmetrical allotments.
- Early twentieth century small scale manufacturing and industry in some residential streets.
- 'Layers' of change associated with phases of new residents and arrivals, including Eastern Europeans, Italian immigrants, and students of the 1960s and 1970s.
- ...
- Principal streets characterised by their width and open character, with vistas available along their length; these are sometimes distinguished by later central medians and street tree plantings.
- ...
- Vehicle accommodation which is generally not visible from principal streets, but more common to rears of properties, with rear lane access.'

### 8.1.1 Partial Demolition

Clause 15.03-1L-02 includes the following strategies related to demolition:

- '...
- Full demolition of significant or contributory buildings will not generally be permitted.
- Partial demolition in the case of significant buildings and of significant elements or the front or principal part of contributory buildings will not generally be permitted.
- Encourage the retention of the three dimensional form regardless of whether it is visible while discouraging facadism.
- Encourage adaptive reuse of a heritage place as an alternative to demolition.



- ...
- A demolition permit will not be granted until the proposed replacement building or works have been approved.
- Preserve fences and outbuildings that contribute to the significance of the heritage place.'

In applying these strategies the following should be considered as relevant:

- 'The assessed significance of the heritage place or building.
- The character and appearance of the proposed building or works and their effect on the historic, social and architectural values of the heritage place and the street.
- The significance of the fabric or part of the building, and the degree to which it contributes to its three-dimensional form, regardless of whether it is visible.
- Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of the building.
- Whether the demolition will adversely affect the conservation of the heritage place.
- Whether there are any exceptional circumstances.'

The proposed demolition is summarised as follows (may not be an exhaustive list):

- The removal and replacement of roofs (including the internal roof structures for two out of the four retained roofs).
- The removal of the addition to the north-east corner of the Site.
- The removal of the link between the George Street Wing and the Former Stables (thereby creating two separate and distinct heritage buildings).
- The removal of the additions (related to the previous use as a hospital) to the south of the George Street Wing and Former Stables and to the south and west of the Kilburn Mansion.
- The removal of the part of the fence to Simpson Street.

**Figure 16** above depicts the proposed demolition.

While the proposed extent of demolition / removal and replacement of roofs is well documented in the Application material, the legend to TP015 (Roof Demolition Plan) requires clarification. For example, amongst other things, it does not discriminate between the removal or retention of internal roof structures. As such, by way of permit condition (should one issue), TP015 is required to be amended to make the extent of proposed demolition clearer through breaking the proposed demolition down into the following categories:

- Removal of existing buildings.
- Removal and replacement of roofs (including internal roof structure).
- Removal and replacement of roofs (not including internal roof structures).
- Removal of existing roof plant.
- Removal for proposed skylights.

The condition will also stipulate that no further demolition is to be included from that already applied for.

The applicant has provided an amended TP015 (see **Figure 22** below) which reflects the above. A condition giving effect to the amended TP015 will be included on the planning permit (should a permit issue).



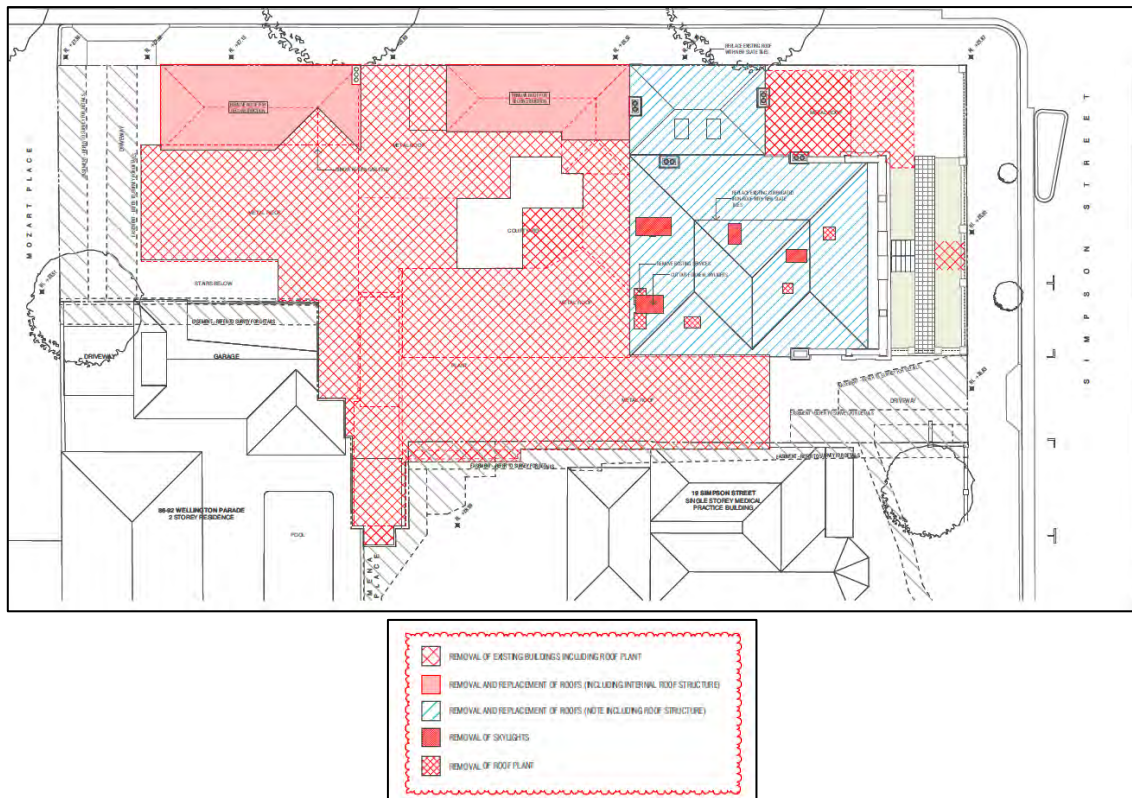


Figure 22 – amended TP015 (Source: applicant)

In support of the proposal, the Application includes comprehensive heritage and structural assessments undertaken by the applicant.

In summary, the proposed partial demolition is acceptable and complies with policy as it does not result in the loss of elements that contribute to the importance of the heritage place and the demolition will contribute to the long-term conservation of the significant fabric of the heritage place through facilitating the improvement, retention, adaptation and refurbishment of the heritage place.

The two principal parts of the heritage place are discussed in turn below.

#### *Kilburn Mansion*

The principal external volume of the mansion (including the chimneys) as it addresses Simpson Street is retained.

As above, the SoS identifies the following key attribute of the East Melbourne and Jolimont Precinct:

'Hipped roof forms with often visible and prominent chimneys, and slate cladding; eaves lines and parapets with detailing and ornamentation, including urns and finials.'

As depicted on TP015 and in the elevation drawings, the principal structure (including the roof form) of the Kilburn Mansion is retained. In addition, the existing corrugated iron roof is to be replaced (the internal roof structure is retained) with welsh slate (the likely original material of the roof), the addition to the north west corner (restricting current views to the north elevation) will be removed, and there are extensive repairs and improvements noted on the plans (to be further expanded on via a CMP).

The proposed retention combined with the substantial package of improvement works will enhance clearly visible parts of the heritage place that are identified within the SoS.

As discussed throughout this report, the demolition of the contemporary additions to the north east, south and west of the Kilburn Mansion will remove elements that are not of heritage significance and therefore have no adverse impacts to the heritage place.



The existing wing to the north east corner (connected to the George Street Wing) is an early addition (constructed in circa 1923). While it is therefore within the identified period of the SoS it is nevertheless not an original element of the Kilburn Mansion. The Building Identification Sheet for the Site recommends to '[r]emove north extension to behind building line.' As such, its removal will enhance the heritage place by improving views of the north elevation of the Kilburn Mansion and reinstate an earlier footprint and is therefore supported as it enhances the heritage place. The details of new doors and windows to this elevation will be detailed through a comprehensive CMP.

The heritage advisor does not object to the extent of demolition to the Kilburn Mansion.

See **Figure 23** below.

The removal of the part of the fence to Simpson Street is discussed at Chapter 8.1.5 below.

Drawing TP015 depicts the proposed demolition associated with the removal and replacement of the roofs. However, this drawing is not consistent with the elevation drawings TP018 and TP019 (which show the Kilburn Mansion and the eastern most Former Stables roofs retained). The inconsistency of these drawings will be required to be corrected via condition should a planning permit issue.

See **Figure 24** below.



Figure 23 – render taken from the corner of Simpson Street and George Street



Figure 24 – extract of TP018 with note added by Council

#### George Street Wing and Former Stables

The principal external volume (including the chimneys) of the George Street Wing and Former Stables Block is retained, with the exception of the removal and replacement of two of the roofs. The link



between the George Street Wing and the Former Stables is proposed to be removed which reinstates them as two separate buildings (see **Figure 24** above) as they were originally. Like the Kilburn Mansion the roofs of the George Street Wing and Former Stables will be removed (currently terracotta) and replaced with Welsh slate (the likely original material of the roof) which will enhance the heritage place given the visibility of the roof (as above, the elevations drawings will need to be corrected to confirm this outcome). As discussed throughout this report, the demolition of the contemporary additions to the south will remove elements that are not of heritage significance and therefore have no adverse impacts to the heritage place.

The removal of the central and western roofs, including the internal structure is required in order to facilitate construction of a basement that must be piled from above. The reconstruction of the roofs will involve the introduction of new roof gable framing that will make it structurally code compliant and the new frame will be provided with associated insulation and clad in Welsh slate.

This outcome was originally proposed for the eastern most roof as well (see **Figure 24** above), however, in response to concerns raised by the heritage advisor the retention of the eastern most hip roof on George Street has been confirmed via the s57A amendment – see **Figures 22** and **24** above.

As above, the structural engineering submissions made by the applicant have been reviewed by an expert third party structural engineer which confirms that the methodology ensures the heritage buildings are properly braced and will not be impacted during the construction process, subject to some further investigations. In addition, Officers have recommended further conditions requiring a financial bond and the appointment of a Heritage Conservation Architect are also required to ensure the works are undertaken in accordance with the conditions. A bond condition (should a permit issue) has been discussed and agreed to by the applicant.

While Council's heritage advisor recommends the retention of all of the roofs, on balance with the reinstatement of the roof materials, the removal of the inappropriate addition to the north east, and repairs of the heritage place (which will be confirmed via a CMP by way of permit condition), the proposed demolition and reconstruction works are supported. Through work with the Council's heritage advisor, two of the four roofs are to be removed and reinstated (including their structures) and all roofs are replaced with slate tiles.

As such, Officers are satisfied that on balance the proposal is acceptable.

### 8.1.2 Alterations, restoration, and reconstruction

Clause 15.03-1L-02 provides the following alternation strategies:

- 'Preserve external fabric that contributes to the significance of the heritage place on any part of a significant building, and on any visible part of a contributory building.
- ...
- Avoid sandblasting of render, masonry or timber surfaces and painting of previously unpainted surfaces.
- Encourage removal of paint from original unpainted masonry or other surfaces, provided it can be undertaken without damage to the heritage place.
- ...'

In applying these strategies the following should be considered as relevant:

- 'The assessed significance of the building and heritage place.
- The degree to which the alterations would detract from the significance, character and appearance of the building and heritage place.
- The structural condition of the building.



- The character and appearance of the proposed replacement materials.
- Whether the alterations can be reversed without loss of fabric which contributes to the significance of the heritage place.'

Clause 15.03-1L-02 provides the following restoration and reconstruction strategies:

- 'Encourage the restoration and / or reconstruction of heritage places.
- Ensure where there is to be reconstruction or restoration to any part of a significant building, or any visible part of a contributory building, that it be an authentic restoration or reconstruction process, or should not preclude such a process at a future date.
- Ensure where there is to be restoration or reconstruction of a building, it is based on evidence of what a building originally looked like by reference to elements of nearby identical buildings, other parts of the building or early photographs and plans.'

A detailed CMP will form a condition on permit (should one issue) which will recommend further detail for the works proposed to the heritage place to the satisfaction of the Responsible Authority.

Proposed external alterations include reinstatement of windows and doors (for example, the reinstatement of heritage doors and windows to the exposed north elevation of the Kilburn Mansion following the demolition of the corner addition), replacement window sashes with double glazing as per the CMP, repairing damaged balustrades, repointing bluestone plinths, replacing unsympathetic repairs, and removing existing unsympathetic doors.

The Council's heritage advisor supports the proposed alterations, with the exception of the proposal to replace the existing window sashes (the windows themselves) with double glazing. On balance, noting the sustainability goals of the proposal and the Planning Scheme, it is considered acceptable to replace the sashes, but this must be carefully detailed in the proposed CMP.

The proposal also includes a number of elements including pools and gardens, fences, and rooftop planters. The ground floor pools, gardens, and fences are a sympathetic interpretive response to the established and newly created areas of ground floor private open space. The existing tiled garden to Simpson Street is retained. As discussed further below, the rooftop elements are sufficiently setback so as not to become visually intrusive to the heritage place and the surrounding character. A detailed landscape plan has been provided which includes all the relevant details of the planting and ensure good amenity.

As such, the proposed alterations are considered to enhance the heritage place.

### 8.1.3 Additions

Clause 15.03-1L-02 provides the following addition strategies:

'Ensure additions to buildings in a heritage precinct are respectful of and in keeping with:

- 'Key attributes' of the heritage precinct, as identified in the precinct Statement of Significance.
- Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.
- Character and appearance of nearby significant and contributory buildings.
- Where abutting a lane, the scale and form of heritage fabric as it presents to the lane.'

Ensure additions to significant or contributory buildings:

- 'Are respectful of the building's character and appearance, scale, materials, style and architectural expression.
- Do not visually dominate or visually disrupt the appreciation of the building as it presents to the street.



- Maintain the prominence of the building by setting back the addition behind the front or principal part of the building, and from other visible parts.
- Do not build over or extend into the air space directly above the front or principal part of the building.
- Retain significant roof form within the setback from the building façade together with roof elements of original fabric.
- Do not obscure views of façades or elevations associated with the front or principal part of the building.
- Are distinguishable from the original fabric of the building.'

Ensure additions:

- 'Adopt high quality and respectful contextual design.
- Avoid direct reproduction of the form of historic fabric.
- Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.'

Concealment of additions outside the Capital City Zone:

- '...
- Concealed in other streetscapes for significant buildings, for a second-storey addition to a single storey building, concealment is often achieved by setting back the addition at least 8 metres behind the front facade.
- ...
- All additions to corner properties may be visible, but should be respectful of the significant or contributory building in terms of scale and placement, and not dominate or diminish the prominence of the building or adjoining contributory or significant building.'

The Heritage Inventory includes the following definitions:

- Concealed / partly concealed: 'Concealed means cannot be seen from a street (other than a lane, unless the land has heritage value) or public park. Partly concealed means that some of the addition or higher rear part may be visible provided it does not visually dominate or reduce the prominence of the existing building's façade(s) in the street.'
- Contextual design: 'A contextual design for new buildings and additions to existing buildings is one which adopts a design approach, derived through analysis of the subject property and its heritage context. Such an approach requires new development to comfortably and harmoniously integrate with the site and the street character.'

As per the policies of Clause 15.03-1L-02, additions to significant buildings should be concealed, however it is recognised that corner properties may have additions that are visible as long the additions are of a form, scale and placement that not complete with or diminish the heritage place.

In summary, the proposed additions are acceptable given they are partially or fully concealed and form a recessive and contextual response to the heritage place, which the heritage advisor concurs with.

#### *Kilburn Mansion*

As the sightline diagrams confirm, with the exception of the addition to the south side of the mansion, the addition to the Kilburn Mansion is concealed. Council's heritage advisor is supportive of the proposal with the exception of the third storey (Bedroom 04) of the addition (see **Figure 25** below).



The existing southern addition to the south of the Kilburn Mansion is visible from Simpson Street. It is between 8.6 m (roofline) and 9.27 m (parapet) in height and setback 11.55 m – 13.0 m to Simpson Street. The addition is proposed to be replaced (with the exception of the existing stairs which are to be removed) with an addition rising between 7.17 m (parapet of the balcony) to 12 m (stair access), setback between 13.5 m and 24.4 m from Simpson Street. Through the removal of the existing external stair case (non-heritage), the east façade of the addition is recessed behind the chimney and reveals an additional window (three windows in total). It is also setback behind the parapet and ridge of the roof to the adjacent heritage place to the south.

As outlined above, the heritage policy does not stipulate that additions must match the height of adjacent significant buildings, only that they be respectful of the character and appearance.

While the heritage advisor is of the view that Bedroom 04 should be deleted, it is considered that the proposal is an acceptable outcome for the following reasons:

- The addition is setback further than the existing addition.
- The increased setback reveals an additional window to the south elevation of the mansion, enhancing its prominence.
- The setback of the upper levels is sympathetic to the adjoining heritage place.
- The addition is concealed from the north and north east. The views that are available to the addition from Simpson Street are oblique and are considered in the context of the existing visible addition from the same view lines.
- The design of the new addition is rectilinear and the material will be a pale brick which is considered to be an interpretative and recessive design. The form, materiality and setback of the addition will not detract from the prominence of the façade of the mansion, which is the key feature of the heritage place.



*Figure 25 – extract of TP304 and TP305*

#### *George Street Wing and Former Stables*

Two additions are proposed behind (to the south) the George Street Wing and Formal Stables.

As **Figure 26** below depicts, in response to comments received from Council's heritage advisor the roof terrace of proposed Mansion 3 has been reduced (via the s57A amendment) to achieve concealment from over the ridge of the roof of the retained heritage building. The addition will be visible from the north west. While the addition results in an additional level compared to the existing visible addition, it is not considered to visually dominate the retained stables building. The views from George Street to the north west are supported by Council's heritage advisor.

As **Figure 27** below depicts, Mansion 2 achieves concealment over the ridge of the roof of the retained heritage stables which is supported by Council's heritage advisor.

The views to the additions created by the look-through (created by the removal of the link element between the George Street Wing and the Former Stables) are acceptable on balance noting the

heritage place will be enhanced through creating two distinct heritage buildings as they would have originally been. Further, the additions will be concealed when viewed from the north-east (see **Figure 28** below).

As with the new addition to the Kilburn Mansion, the proposed additions are rectilinear in form and materially pale and recessive in appearance. When viewed adjacent to the red brick of the George Street Wing and Former Stables, the additions will read as respectful and sympathetic and allow the heritage buildings to remain visually prominent.



*Figure 26 – extract of TP301*



*Figure 27 – extract of TP302*



*Figure 28 – extract of TP303*

#### 8.1.4 Vehicle accommodation and access

Clause 15.03-1L-02 provides the following vehicle accommodation and access strategies:

'Discourage new on-site car parking, garages, carports, and vehicle crossovers unless:

- Car parking is located to the rear of the property, where this is an established characteristic.
- Any garage or carport is placed behind the principal or front part of the building (excluding verandahs, porches, bay windows or similar projecting features), and:
  - It will be visually recessive.



- It will not conceal an original contributory element of the building (other than a plain side wall).
  - The form, details and materials will be respectful of, but not replicate details of the building.
- Ramps to basement or sub-basement car parking are located to the rear of the property, or to a side street or side lane boundary, where they would not visually disrupt the setting of the significant or contributory building, or impact on the streetscape character.'

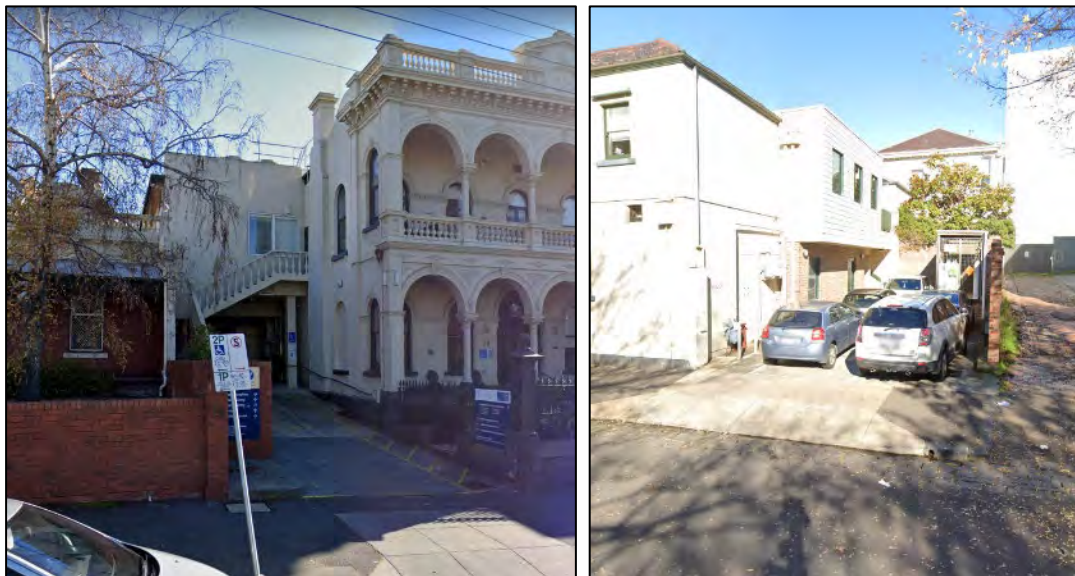
As **Figure 29** and **30** below depicts, the Site includes the following crossovers:

- Simpson Street: a single width crossover to an under croft car parking space to the north side of the Kilburn Mansion.
- George Street: a single width crossover to an open air car park to the eastern side of the Former Stables.

A basement car park is proposed to be accessed from the retained crossover from Simpson Street. The crossover from George Street will be reinstated to curb and channel and the open air car park is proposed to be replaced with garden and a pool of Mansion 3.

Given this, the proposition does not provide for new crossovers.

While the proposed entrance to the basement departs from policy insofar as it is not located to the rear of the heritage place, the proposal is consistent with policy as it utilises an existing vehicle crossover location and is recessive (being setback circa 13.5 m from Simpson Street).



*Figures 29 and 30 – the existing vehicle crossover to Simpson Street (left) and the existing vehicle crossover and open air car park to the Former Stables (right) (Source: Google, image dated June 2019)*

#### 8.1.5 Fences and gates

Clause 15.03-1L-02 provides the following fences and gates strategies:

'Ensure the reconstruction of fences or gates to the front or principal part of a building are based on evidence of the original form, detailing and materials.

Ensure for new fences or gates there is an appropriate contextual design response; the style, details and materials are interpretive and consistent with the architectural period of the heritage place and established street characteristics and:

- It does not conceal views of the building or heritage place.
- Is a maximum height of 1.5 metres.
- Is more than 50 per cent transparent.'

### *Kilburn Mansion*

The Kilburn Mansion is surrounded by an existing iron fence with a bluestone plinth. Pedestrian access is provided via a gate to this fence which is accessed via the vehicle crossover to the south.

The proposal seeks to remove the existing gate (and reinstate it as a fence) and create a new gate to the centre of the Simpson Street title boundary. The proposed gate will be formed by removing parts of the existing bluestone plinth and construct a palisade fence and gate, stair and landing to match the existing fence – see **Figure 31** below.

The existing gate is a modification of the original placement and extent of the front fence. As shown at **Figures 32** and **33** below, the front fence originally extended further south (to the property boundary) with the original gate located at the south-east corner of the Site.

While the Council's heritage advisor prefers the retention of the existing gate, the proposed centrally located gate is considered acceptable for the following reasons:

- There is evidence that the existing gate location is not original.
- Locating the entrance centrally will enhance the appearance of the heritage place from Simpson Street by aligning the pedestrian entrance with the entrance to the Kilburn Mansion. On balance with the minor loss of bluestone footing the proposal is acceptable as the overall understanding of a fenced garden separating the mansion from the street will be retained.
- The proposed gate is based on evidence of the form and detailing of the fence, does not conceal views of the heritage fabric and is within the height and transparency requirements of policy.



*Figure 31 – extract of TP206*



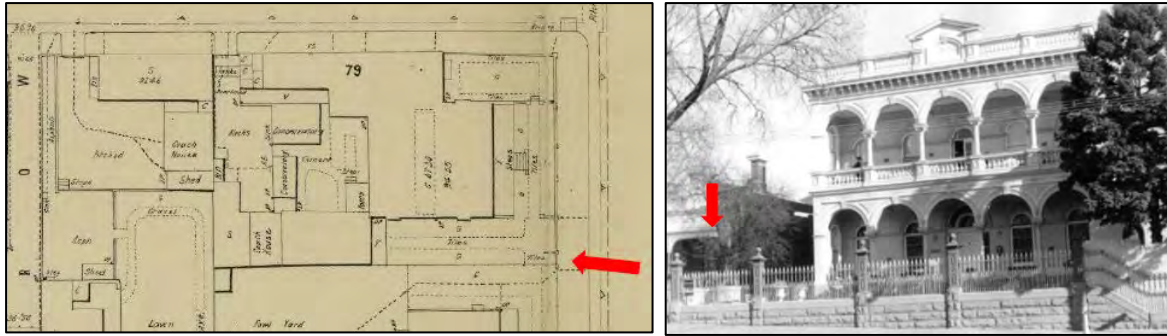


Figure 32 and 33 – MMBW Plan 1033 & 1034 (left) and an image of the Site from 1973 (Source: pages 3 and 4 of the Lovell Chen's letter dated 15 March 2023)

### George Street Wing and Former Stables

Fences constructed with a concrete base and timber battens are proposed along the northern boundary of the Site in the look through between the George Street Wing and the Former Stables and to the northern boundary of Mansion 3. The Council's heritage advisor has not objected to the proposed fences. The fences are considered acceptable given the retained heritage buildings on the Site present as a street wall to the title boundary for a majority of the northern interface and are of a transparency consistent with the heritage policy. Notwithstanding this, as **Figure 26** above depicts the fences include entrance awnings that extend a further 1479 mm above the fence height. These are not considered to be consistent with policy and restrict views to the sides of the retained heritage buildings. As such, they are required to be reduced in height to match the fence by way of permit condition (should a permit issue).

#### 8.1.6 Services and ancillary fixtures

Clause 15.03-1L-02 provides the following services and ancillary fixtures strategies:

'Ensure services and ancillary fixtures, in particular those that will reduce greenhouse gas emissions or water consumption such as solar panels, solar hot water services or water storage tanks, may be permitted on any visible part of significant or contributory buildings, where:

- It can be demonstrated there is no feasible alternative.
- It will not detract from the character and appearance of the building or heritage place.

Ensure items affixed to roofs, such as solar panels, align with the profile of the roof.

Ensure services and ancillary fixtures are installed in a manner where they can be removed without damaging significant fabric.

Ensure, for new buildings, services and ancillary fixtures are concealed, integrated or incorporated into the design of the building.'

With the exception of skylights, there are no rooftop structures proposed on the heritage buildings. The proposed skylights are acceptable as they are concealed from surrounding streets by virtue of the height and parapets of the buildings and the location of the skylights proposed to the rear downslopes of the roofs.

The services and ancillary fixture to the additions – which includes stair enclosures and lift cores – are acceptable given they are sufficiently concealed from view. Should a planning permit issue, a condition will ensure that no architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level.

## 8.2 Built Form

### 8.2.1 General Residential Zone, Schedule 1

The purposes of the GRZ are:

- '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.'

For the reasons outlined in this report, the proposal is consistent with the purposes of the GRZ.

The below provides an assessment of the mandatory building height of the GRZ1 which is twelve metres and three storeys as discussed above.

Clause 73.01 (General Terms) of the Planning Scheme defines the following relevant terms:

- Basement – 'A storey below ground level, or that projects no more than 1.2 metres above ground level.'
- Building height – 'The vertical distance from natural ground level to the roof or parapet at any point.'
- Storey – 'That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.'

The proposal exhibits a maximum building height of 11.25 m (RL 39.12) and three storeys to the privacy screening for Mansion 3 which meets the mandatory maximum height requirement of the GRZ1.

The proposed basement is not a storey given it does not project more than 1.2 m above the natural ground level and does not form a prominent part of the built form. Further, it projects to Simpson Street below the retained two storey heritage buildings, as such it complies with the three storey height limit regardless.

Mansions 1 and 2 include stair access and a lift overrun (to Mansion 1 only) to their rooftop terraces. Consistent with decisions of the Victorian and Civil and Administrative Tribunal the consideration of whether roof enclosures contribute to maximum building height and storeys is a contextual assessment. That is, stair enclosures and lift cores are not included in the calculation of building height unless they are of a size, nature or type of construction that they can be considered a roof element in their own right.

The stair accessways are not included in the calculation of height for the following reasons:

- The exceedance of height is between circa 480 mm and 1000 mm.
- They have a modest footprint compared to the roof / terrace area and are as small as practically possible (e.g. the landing areas for the stair enclosures are as small as practically required).
- They are setback 12.8 m to the north and 24.2 m from the east title boundaries and are both behind the primary roof forms of the retained heritage buildings. Based on the sightline diagrams they are not visible from George Street.

Notwithstanding the above, a portion of the stair enclosure to Mansion 2 overhangs and encloses a 'BBQ' area. This is considered to form a roofed element over a habitable space and is required to be removed via planning permit condition (should one issue).

As such, the proposal complies with the mandatory maximum height provisions of the GRZ1.

### 8.2.2 Urban Design



Clause 15.01-1L-05 (Urban Design outside the Capital City Zone) provides guidance on the design of new buildings. The Objectives are:

- 'To ensure that the scale, siting, massing and bulk of development complements the adjoining and nearby built form, and relates to the prevailing patterns of height and scale of existing development in the surrounding area.
- To ensure that buildings on prominent sites are designed to achieve a high standard of design that reflects the importance of their location and extent of their visibility.
- To ensure that building design at the ground floor frontages creates and improves pedestrian interest and engagement.
- To prioritise pedestrian movement and amenity and strengthen networks of pedestrian pathways.
- To minimise the adverse impacts of wind in surrounding public spaces and provide weather protection.'

The proposed development is considered to respond positively to its context, through considered façade designs, upper level setbacks, scale, form and integration with the streetscape. The retention and restoration of the heritage place combined with the introduction of recessive respectful additions respects the heritage place and the neighbourhood character.

As identified in Chapter 7.1.3 of this report, Council's Urban Design department is supportive of the proposal. The reductions in the built form introduced by the s57A amendments resolve the Urban Design and heritage advisors comments with regard to visibility of the additions from George Street.

The proposal is therefore considered to comply with the PPF including Clause 15.01-1L-05.

### 8.3 ResCode

An assessment of the proposal against Clause 55 has been undertaken.

Discussion of the proposal's compliance with the Objectives and Standards of Clause 55 is provided in the body of this report in the following instances:

- where the requirement is nested under Clause 55.04-1 to 55.04-6 (Amenity impacts); and
- where the requirement is nested under Clause 55.06-2 (Front fences objective) as the Application triggers a planning permit for the construction of a front fence.

#### 8.3.1 Side and Rear Setbacks

Clause 55.04-1 provides the following Objective, which the proposed development must meet:

'To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.'

The associated Standard B17 states that (inter alia):

'A new building not on or within 200 mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

...'

The Site has a front boundary to Simpson Street, side boundaries to George Street, 19 Simpson Street and 86-92 Wellington Parade, and a rear boundary to Mozart Place.

The proposal includes walls on boundaries to George Street which are assessed at Chapter 8.3.2.

The proposal does not achieve Standard B17 in the following instances:

- Bedroom 03 of Mansion 3; and
- Bedroom 04 and the roof terrace of Mansion 1.

The variations sought to Standard B17 with respect to the proposed side and rear setbacks is acceptable, having regard to the decision guidelines of Clause 55.04-1, noting the following:

- As depicted in **Figure 34** below, the proposal encroaches circa 400 mm into the B17 setback. This encroachment is considered acceptable as there are no unreasonable amenity impacts resulting from the setback given the circa 11 m separation distance (across Mozart Place) to 101-103 George Street, East Melbourne.
- As depicted in **Figure 35** below, bedroom 04 and the roof terrace of the proposal exhibits an encroachment of circa 5 m from the southern boundary. This encroachment is considered acceptable as this addition replaces an existing addition built to the southern title boundary and the proposed addition has no unreasonable amenity impacts on 19 Simpson Street given it is used for commercial purposes and includes a rear car parking area.
- The proposed setbacks are considered to be appropriate in the context of East Melbourne which is an inner urban area where two and three storey walls located on or close to boundaries are characteristic.

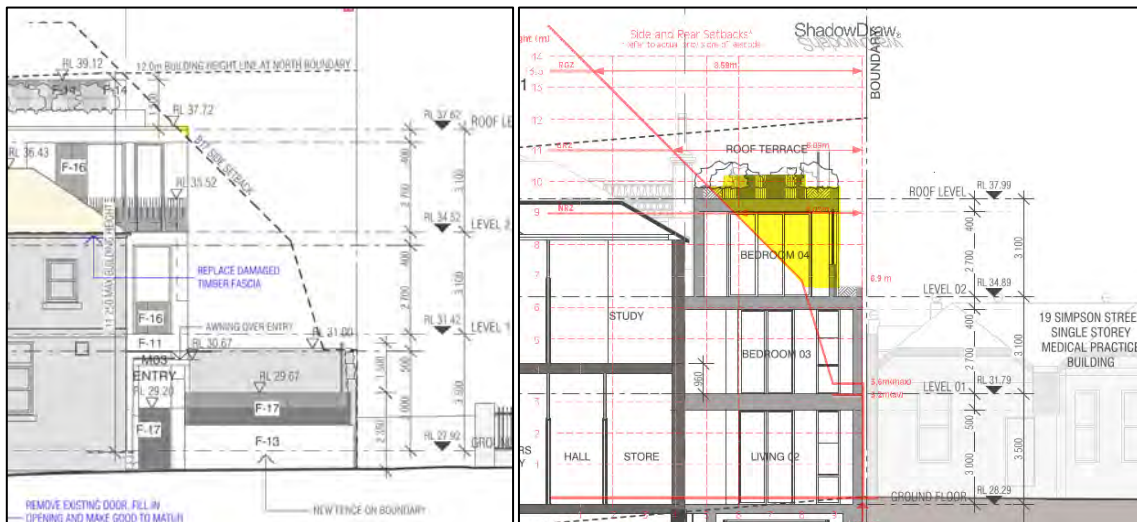


Figure 34 and 35 – extract of TP2000 (left) and extract of TP250 with Standard B17 setback added by Council (yellow represents the non-compliance with Standard B17) (right)

### 8.3.2 Walls on Boundaries

Clause 55.04-2 provides the following Objective, which the proposed development must meet:

‘To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.’

No additional walls on boundary (in terms of height and length) are proposed to the north, east, or west boundaries.

The associated Standard B18 is summarised below with respect to the south boundary.

#### Lengths of Walls

The Site has two southern boundary interfaces.

Where there is more than one adjoining lot along a boundary, walls on the boundary may be constructed up to 10 m plus 25 per cent of the remainder of the adjoining boundary abutting the lot, for each adjoining boundary.



As such, the assessment of maximum lengths of wall across the two boundaries is as follows:

- 86-92 Wellington Parade:  $10 \text{ m} + [(17.12 \text{ m} - 10 \text{ m}) \times 0.25] = 11.78 \text{ m}$ 
  - The proposal provides a 12.5 m wall on boundary which does not meet the Standard.
- 19 Simpson Street:  $10 \text{ m} + [(37.22 \text{ m} - 10 \text{ m}) \times 0.25] = 16.81 \text{ m}$ 
  - The proposal provides a 13.46 m wall on boundary which meets the Standard.

#### *Heights of Walls*

The height of a new wall constructed on or within 200 mm of a side or rear boundary must not exceed 3.6 m unless abutting a higher existing or simultaneously constructed wall.

The proposed heights of boundary walls is as follows:

- Wall to 86-92 Wellington Parade: 11.0 m in height.
  - The proposal does not meet the Standard.
- Wall to 19 Simpson Street: 6.63 m in height.
  - The proposal does not meet the Standard.

The variations sought to Standard B18 with respect to the proposed side and rear setbacks is acceptable, having regard to the decision guidelines of Clause 55.04-2, noting the following:

- The existing additions at the Site are constructed to the southern boundary and currently do not meet the Standard in terms of height and length on the boundary.
- Mansion 3 is constructed abutting a similarly constructed wall on boundary to 86-92 Wellington Parade and Mansion 1 is constructed to a non-sensitive commercial building at 19 Simpson Street. The proposal results in a net reduction in the length of walls on boundary and a net reduction in shadows when compared to existing conditions.
- The proposed walls on boundaries are considered to be appropriate in the context of East Melbourne which is an inner urban area where two and three storey walls located on or close to boundaries are characteristic.

#### **8.3.3 Daylight to Existing Windows**

Clause 55.04-3 provides the following Objective, which the proposed development must meet:

‘To allow adequate daylight into existing habitable room windows.’

The associated Standard B19 states that:

‘Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.’

The only existing habitable room windows located in close proximity to the Site are located to the east elevation of 101-103 George Street. The proposed wall facing 101-103 George Street is the west elevation of Mansion 1 which is 10.4 m in height. As such, a setback of 5.02 m is required to meet the Standard. The setback between the proposed wall and the habitable room windows of 101-103 George Street is 11.5 m, which exceeds the Standard.

### 8.3.4 North-facing Windows

Clause 55.04-4 provides the following Objective, which the proposed development must meet:

‘To allow adequate solar access to existing north-facing habitable room windows.’

This Objective is not applicable to the Application as there are no north-facing habitable room windows facing to the Site from abutting properties to the south.

### 8.3.5 Overshadowing

Clause 55.04-5 provides the following Objective, which the proposed development must meet:

‘To ensure buildings do not significantly overshadow existing secluded private open space.’

The associated Standard B21 states that:

‘Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.’

Clause 73.01 (General Terms) defines ‘secluded private open space’ (**SPOS**) as:

‘That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.’

The existing and proposed shadows have been modelled by the permit applicant from 9am to 3pm (inclusive) during the September Equinox as required.

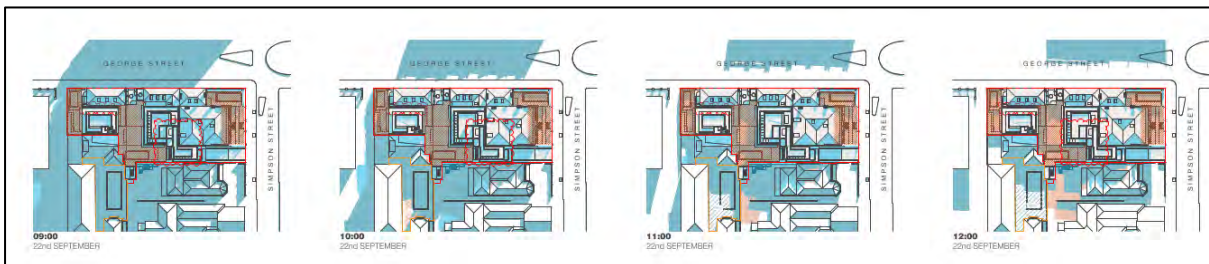
See **Figure 36** below.

The rear (west) outdoor areas of 19-27 Simpson Street is not SPOS as it is an open lot car parking area for a commercial premises. The rear (west) outdoor area of 17 Simpson Street is not SPOS as it is an open lot car parking area that does not include rear fences and as such does not enjoy a reasonable amount of privacy. As such, Standard B21 does not apply to these areas. Notwithstanding this, the proposal results in a net reduction in shadows to the rear of these properties.

86-92 Wellington Parade provides for rear (north) SPOS. As the shadow diagrams depict, the sunlight received by the SPOS under existing conditions does not meet the Standard. The shadow diagrams confirm that the proposal provides for a reduction in shadow impact (that is, increase in sunlight) when compared to existing conditions – see **Figure 36** below.

The proposal casts limited shadows at 9am and 10am in Mozart Place which is not SPOS.

As such, the proposal meets Standard B21.





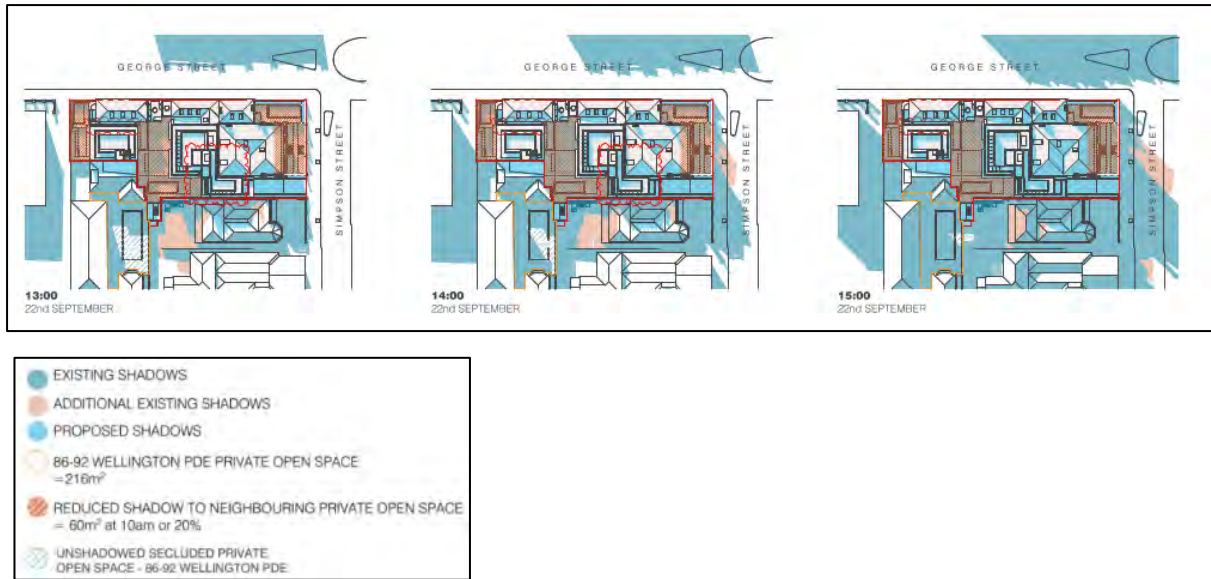


Figure 36 – extracts of the TP410

### 8.3.6 Overlooking

Clause 55.04-6 provides the following Objective, which the proposed development must meet:

‘To limit views into existing secluded private open space and habitable room windows.’

The associated Standard B22 states that (inter alia):

‘A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the **secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio**...Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

...’

[Council **emphasis** added]

With the exception of a portion of the rear of 86-92 Wellington Parade (see **Figure 37** below), there are no habitable room windows or areas of SPOS within 9 m of any proposed windows or terraces.

With an abundance of caution, Officers consider **Figure 37** to be an area of SPOS. No objection has been received from an owner or occupier of this dwelling and it is considered that the screening applied to the roof terraces of Mansion 3 and the height of the views to this area sufficiently limit views to this space in accordance with the Objective.

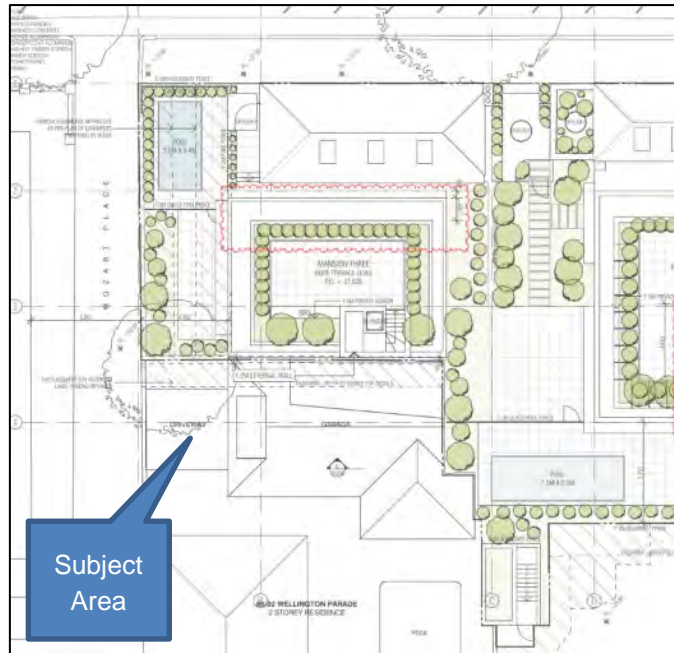


Figure 37 – extract of drawing TP103 (with annotation added by Council)

### 8.3.7 Front Fences

Clause 55.06-2 provides the following Objective, which the proposed development must meet:

‘To encourage front fence design that respects the existing or preferred neighbourhood character.’

The associated Standard B32 states that ‘[t]he design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties’ and that the maximum height for a fence to a street not in a Transport Zone 2 is 1.5 m.

The proposal does not meet the Standard as the fences proposed to George Street are over 1.5 m in height. The variation sought to Standard B32 is acceptable, having regard to the decision guidelines of Clause 55.04-6, noting that the fences are located adjacent to existing multi storey heritage buildings built to the north title boundary and they are of a design that is considered to be consistent with the neighbourhood character. However, as discussed above, the heights of the proposed awnings to the fences are to be reduced in line with the fences.

See **Figure 38** below.

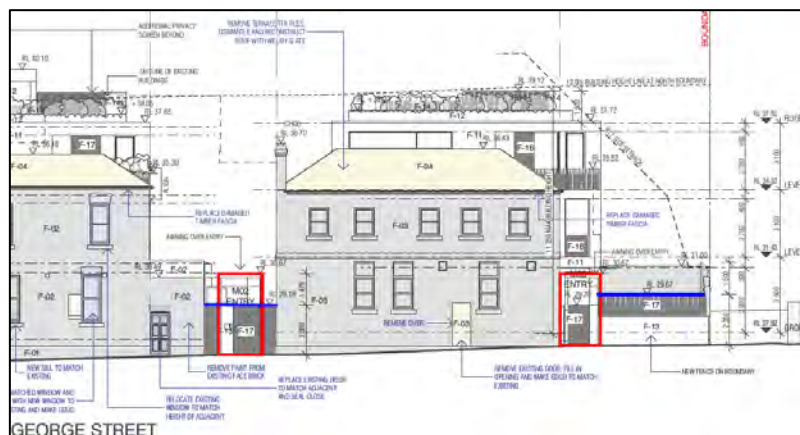


Figure 38 – extract of drawing TP200 (the awnings shown in red and the height of the proposed fence to George Street shown in blue)



## **8.4 Removal of Easements**

Clause 52.02 (Easements, Restrictions and Reserves) seeks to enable the removal of easements to enable a use or development after the interests of affected persons are considered.

The decision guidelines of Clause 52.02 states that '[b]efore deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.'

The applicant submits that the easements are redundant and it is appropriate to remove them to allow the development outcome sought by the Application.

The removal of the easements is acceptable for the following reasons:

- the Land Tenure department has confirmed that there are no services within the easements and that a referral of the Application to external authorities is therefore not required.
- no objection has been received from the Civil Infrastructure department.
- the applicant has provided letters of consent from the land owners of the properties affected by the easements.
- the Application was publicly advertised and there were no objections received in regard to easement removal.

## **8.5 Engineering**

### **8.5.1 Car Parking and Traffic**

#### *Number of Car Parking Spaces*

As discussed above, no planning permit is required to exceed the statutory car parking rate and as such it is not in the remit of Council to object to the number of car parking spaces.

While not relevant to the assessment of the Application, six on-street medical practitioner car parking spaces (dedicated to the previous hospital) along the George Street frontage may be converted to public car parking spaces subject to further Council approval.

A note on any planning permit to issue will confirm that the owners / occupiers of the dwellings (if approved) will not be permitted to obtain on-street residential car parking permits.

#### *Car Parking Design*

The proposed vehicular access arrangements and car parking layout has been designed generally in accordance with the objectives and design requirements of Clause 52.06-9 of the Planning Scheme and in accordance with the relevant sections of AS/NZS 2890.1:2004. As discussed above, the Council's traffic department has not objected to the design of the car parking spaces.

#### *Traffic*

The applicant has provided an estimated residential traffic generation assessment which calculates that the proposed dwellings results in a daily traffic volume of 30 vehicle movements per day, including approximately three vehicle movements per hour during periods of peak activity (one movement every 20 minutes on average during peak hour periods). As discussed above, the Council's traffic department has not objected to the traffic impacts of the proposal.

### **8.5.2 Waste**

As discussed above, the Council's Waste department has found the WMP acceptable.

## 8.6 Sustainability and Landscaping

### 8.6.1 Sustainability

Clause 15.01-2L-01 of the Planning Scheme (Energy and resource efficiency) seeks to ensure buildings achieve high environmental performance standards at the design, construction and operation phases. It has the following strategies:

- 'Maximise the use of passive systems to achieve comfortable indoor conditions.
- Support new developments that minimise their embodied energy by their use of materials, construction and retention of reusable building fabric.
- Support on-site renewable and low emission energy generation, such as solar hot water, photovoltaic cells, wind powered turbines or combined heat and power generation systems in new developments.
- Encourage use and development to minimise waste.'

Clause 19.03-3L (Stormwater management (Water sensitive urban design)) of the Planning Scheme encourages buildings that:

- 'To achieve the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).
- To promote the use of water sensitive urban design.
- To mitigate the detrimental effect of development on downstream waterways.
- To minimise peak stormwater flows and stormwater pollutants for the improved health of water bodies, including creeks, rivers and bays.
- To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and wellbeing.'

As discussed above, Council's ESD officer has confirmed that the proposal achieves an appropriate ESD response subject to the conditions recommended being included on any planning permit being granted. It is therefore considered that the proposed development will meet the above policies.

Notwithstanding the above, the applicant has also confirmed that it will provide for electric vehicle charging within the basement and has requested that this form a condition on a planning permit (should one issue).

### 8.6.2 Landscaping

A Landscape Plan outlines the planting schedule. A generous degree of landscaping is proposed throughout the development. Council's ESD officer reviewed the proposal and recommended that further details of planter depths and details of maintenance be provided. These will form conditions should a permit issue.

## 9 OFFICER RECOMMENDATION

It is considered that the proposal is consistent with the relevant sections of the Planning Scheme, in addition to the matters required under Section 60 of the Act.

It is recommended that the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:



## 9.1 What Will the Permit Allow?

Partial demolition, to construct a building or construct or carry out works associated with the construction of two or more dwellings on a lot, and the associated removal of the following easements:

- Drainage identified as A-1 and A-2 on PC350721W
- Drainage identified as E-1 on PC350721W
- Sewerage identified as E-3 on PC350721W
- Water Supply identified as E-4 on PS302897P
- Drainage and Water Supply identified as E-5 on PS302897P
- Drainage identified as E-6 on PS302897P
- Drainage identified as E-3 on PS302897P
- Drainage identified as E-1 on PS302897P
- Drainage And Way identified as E-8 On PS302897P
- Way identified as E-9 on PS302897P

in accordance with the endorsed plans.

## 9.2 Conditions

1. Prior to the commencement of the development (including demolition and bulk excavation) and the removal of easements, an electronic copy of plans, drawn to scale and fully dimensioned, must be approved and endorsed by the Responsible Authority. The plans must be generally in accordance with the s57A plans prepared by Fender Katsalidis with the plot date of 2 June 2023 but amended as follows:
  - a. The demolition (and associated legend) depicted in drawing TP015 (Demolition Roof Plan) to clearly illustrate the removal of existing buildings, the removal and replacement of roofs (including internal roof structure), the removal and replacement of roofs (not including roof structures), demolition required for skylights, and the removal of existing roof plant. No further demolition is to be incorporated from that already shown, to the satisfaction of the Responsible Authority.
  - b. The demolition depicted in drawings TP018 (Demolition North & South Elevation) and TP019 (Demolition East & West Elevation) corrected to be consistent with TP015 (Demolition Roof Plan).
  - c. Delete the overhang of the stair enclosure to the roof terrace of 'Mansion 02' over the 'BBQ' area.
  - d. The 'AWNING OVER ENTRY' for Mansions 02 and 03 reduced to match the height of the proposed fences to George Street.
  - e. Any changes required by the endorsed Sustainability Design Assessment (Condition 7 of this permit) requires by the conditions of this permit, including the following details on the plans:
    - i. Number of bicycle parking spaces.
    - ii. Location of clothes drying facilities.
    - iii. The provision of electric vehicle charging infrastructure in the basement.

- f. Any changes required by the endorsed Landscape Plan (Condition 10), Conservation Management Works Plan (Condition 13), Structural Integrity Report (Condition 16) required by the conditions of this permit.

These amended plans and reports must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

#### **Layout Not Altered and Satisfactory Completion**

2. The approved development and the removal of easements as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.
3. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.
4. Any privacy screening as shown on the endorsed plans must be installed prior to the occupation of the building and must be maintained to the satisfaction of the Responsible Authority.
5. Prior to occupation, all new or extended walls on or facing the boundary of adjoining properties and / or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority.

#### **Waste Management Plan (WMP)**

6. The waste storage and collection arrangements must be in accordance with the approved and endorsed WMP prepared by Frater Consulting Services dated 24 January 2023 (Version 1). The approved and endorsed WMP must not be altered or amended without prior consent of the Responsible Authority – Waste and Recycling.

#### **Sustainability Design Assessment (SDA)**

7. Concurrent with the endorsement of plans under Condition 1, an amended SDA prepared by a suitable qualified person must be approved and endorsed by the Responsible Authority. The amended SDA must be generally in accordance with the SDA prepared by Frater Consulting Services Pty Ltd dated 1 March 2023 (Version 1), but modified to include:
  - a. Any changes required in condition 1 of this permit.
  - b. A completed BESS report demonstrating at least a score of 55%.
  - c. Preliminary NatHERS energy reports that exceed 6 stars.
  - d. Adjustment to landscape species selection or removal of Wat 3.1 – Water Efficient Landscaping credit.
  - e. Diversify the planting pallet to incorporate some climate ready and biodiverse landscaping.
  - f. A signed five year maintenance contract for a proprietary device or incorporation of a raingarden.
  - g. The provision of electric vehicle charging within the proposed basement.
8. The provisions, recommendations and requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed SDA must not be altered or amended without the written consent of the Responsible Authority. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed SDA must be documented by the author of the endorsed



SDA in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority.

9. Prior to occupation, a report from the author of the endorsed SDA, or similarly qualified person or company, outlining how the performance outcomes specified in the SDA have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm and provide evidence that all measures specified in the approved and endorsed SDA have been implemented.

### **Landscape Plan**

10. Concurrent with the endorsement of plans under Condition 1, an amended Landscape Plan prepared by a suitably qualified person must be approved and endorsed by the Responsible Authority. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Paul Bangay dated 27 September 2022 (Rev. TP-1), but modified to include:
  - a. Detailed planter sections including soil volumes and schedules of species with specific consideration given to soil volume requirements and growing proposed.
  - b. Maintenance tasks for the establishment period, including ongoing maintenance schedule for after the initial 52-week period following practical completion detailing weed and pest management, succession planting, re-mulching, plant nutrition, and re-planting.
11. The Landscape Plan must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit. The Landscape Plan must not be altered or amended without the written consent of the Responsible Authority.
12. Prior to occupation, the site must be landscaped to the satisfaction of the Responsible Authority in accordance with the endorsed Landscape Plan and the landscaping must be maintained to the satisfaction of the Responsible Authority.

### **Conservation Management Works Plan (CMWP) and Bond**

13. Concurrent with the endorsement of plans under Condition 1, a CMWP for the heritage place prepared by a suitably qualified heritage expert must be approved and endorsed by the Responsible Authority. The CMWP is to contain a schedule of conservation works and associated detailed drawings (1:50 or 1:20, or as otherwise agreed to by the Responsible Authority). The conservation works are to include (but are not restricted to):
  - a. Details of how the retained portion of the building is going to be supported during demolition, excavation and construction works.
  - b. Detailed methodology for the temporary demolition and reconstruction of the roof.
  - c. Detailed construction drawings.
  - d. Details of the conservation works detailed on the endorsed architectural plans, including, but not limited to:
    - i. Installation of roof slates.
    - ii. External walls repair and restoration, including paint removal and repainting.
    - iii. Construction of new entrance gate to Simpson Street.
    - iv. Connections between the retained heritage fabric and new construction.
    - v. External joinery, including doors and windows, and ceiling soffits.
    - vi. NCC compliant glazing to heritage windows including double glazing.
    - vii. Infilling of openings.

- viii. Repointing to brickwork and stonework.
- ix. Chimney repair and restoration.

Once endorsed, the CMWP will form part of the permit. Works to the heritage place must be undertaken in accordance with the endorsed CMWP, to the satisfaction of the Responsible Authority. The CMWP must not be altered or modified unless with the prior written consent of the Responsible Authority.

14. Prior to the commencement of the development (including demolition and bulk excavation), the permit holder must nominate and have approved in writing from the Responsible Authority a suitably qualified Conservation Architect to inspect all demolition, excavation, and reinstatement works at the heritage place in accordance with the CMWP. The approved Conservation Architect is to inspect the demolition, excavation, and reconstruction works, after which the Conservation Architect is to advise the Responsible Authority in writing that the project has been completed in accordance with the conditions of this permit.
15. Prior to the commencement of the development (including demolition and bulk excavation), a refundable bank guarantee or bond to the value of \$200,000 must be deposited with the Responsible Authority to ensure that the proposed retained parts of the buildings are not demolished except to complete the development in accordance with the endorsed plans and the Structural Integrity Report referred to in this permit. The bank guarantee or bond will be returned when the works are completed to the satisfaction of the Responsible Authority.

#### **Structural Integrity Report (SIR)**

16. Concurrent with the endorsement of plans under Condition 1, a SIR prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to and approved by the Responsible Authority. The SIR must demonstrate the means by which the retained portions of building as shown on the endorsed plans will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to the Responsible Authority, and be to the satisfaction of the Responsible Authority. The SIR must include (but is not limited to) the following:
  - a. A condition assessment of the existing heritage building shall be provided with specific focus relating to the proposed works and affected areas of the existing structure (including suitability for fixing of new members).
  - b. A detailed construction sequence shall be provided including outlining order of works affecting the existing building.
  - c. Schematic design of temporary lateral load resisting systems shall be undertaken by the base build consulting engineer (with loads and intended load paths specified).
  - d. Monitoring of adjacent structures shall be specified by engineer for vibration and movement and undertaken throughout basement construction (until such time as works affecting neighbouring boundaries is completed).
  - e. Existing chimney support systems to be detailed for retention.

Once approved, the SIR will form part of the permit. The development must be undertaken in accordance with the endorsed SIR. The SIR must not be altered or modified unless with the prior written consent of the Responsible Authority.

17. Prior to the commencement of the development (including demolition and bulk excavation), the permit holder must provide proof and have approved in writing from the Responsible Authority that the demolition and excavation works are being undertaken by contractors qualified and experienced in such activities.



### Demolition and Construction Management Plan (DCMP)

18. Prior to the commencement of the development (including demolition and bulk excavation), a detailed DCMP must be approved by the Responsible Authority – Site Services. The DCMP must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to control the following (may not be an exhaustive list):
- a. that Mena Place is not to be used during the process of demolition and construction of the approved development.
  - b. public safety, amenity and site security.
  - c. operating hours, noise and vibration controls.
  - d. air and dust management.
  - e. stormwater and sediment control.
  - f. waste and materials reuse.
  - g. traffic management.

### Tree Protection Plan (TPP)

19. Prior to the commencement of the development (including demolition and bulk excavation), a TPP must be approved by the Responsible Authority – Parks and City Greening. When approved, the TPP will be endorsed and will then form part of the permit. The TPP must identify all impacts to public trees, be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
- a. Reference to the City of Melbourne’s asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
  - b. Reference to the finalised demolition and construction management plan, including any public protection gantries, loading zones and machinery locations.
  - c. Site specific details of the temporary tree protection fencing to be used to isolate public trees from the demolition and or construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
  - d. Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
  - e. Full specifications of any pruning required to public trees with reference to marked images.
  - f. Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
  - g. Details of the frequency of the project arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release). Interim reports of monitoring must be provided to Melbourne City Council via email to [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au).
20. Following the approval of a TPP and prior to the commencement of the development (including demolition and bulk excavation), a bond equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond must be lodged by the Principal contractor. The bond value will be calculated by the City of Melbourne. Should any tree be adversely impacted by the works, the City of Melbourne will be compensated for any loss of amenity, ecological services or amelioration works incurred.

21. All works (including demolition), within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed TPP and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority. If the demolition and construction management plan changes any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed TPP, a revised TPP must be submitted to and approved by the Responsible Authority.
22. No public trees adjacent to the site can be removed or pruned in any way without the written approval of the City of Melbourne.

### **Civil Engineering**

23. Prior to the commencement of the development (including demolition and bulk excavation), a stormwater drainage system incorporating integrated water management design principles must be submitted to and approved by the Responsible Authority – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne's stormwater drainage system.
24. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.
25. Prior to occupation, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
26. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
27. The footpaths adjoining the subject site along Simpson Street and George Street must be reconstructed together with associated works including the renewal / reconstruction of kerb and channel and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.
28. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – City Infrastructure.
29. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.
30. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – City Infrastructure.

### **Permit Expiry**

31. This permit will expire if one of the following circumstances applies:
  - a. The development is not commenced within three (3) years of the date of this permit.



- b. The development is not completed within five (5) years of the date of this permit.
- c. The removal of easements plan is not certified under the *Subdivision Act 1988* within three (3) years of the date of this permit.
- d. The certified removal of easements plan is not registered within five (5) years of the certificate of the subdivision date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition. The time for registration of the removal of easements plan cannot be extended.