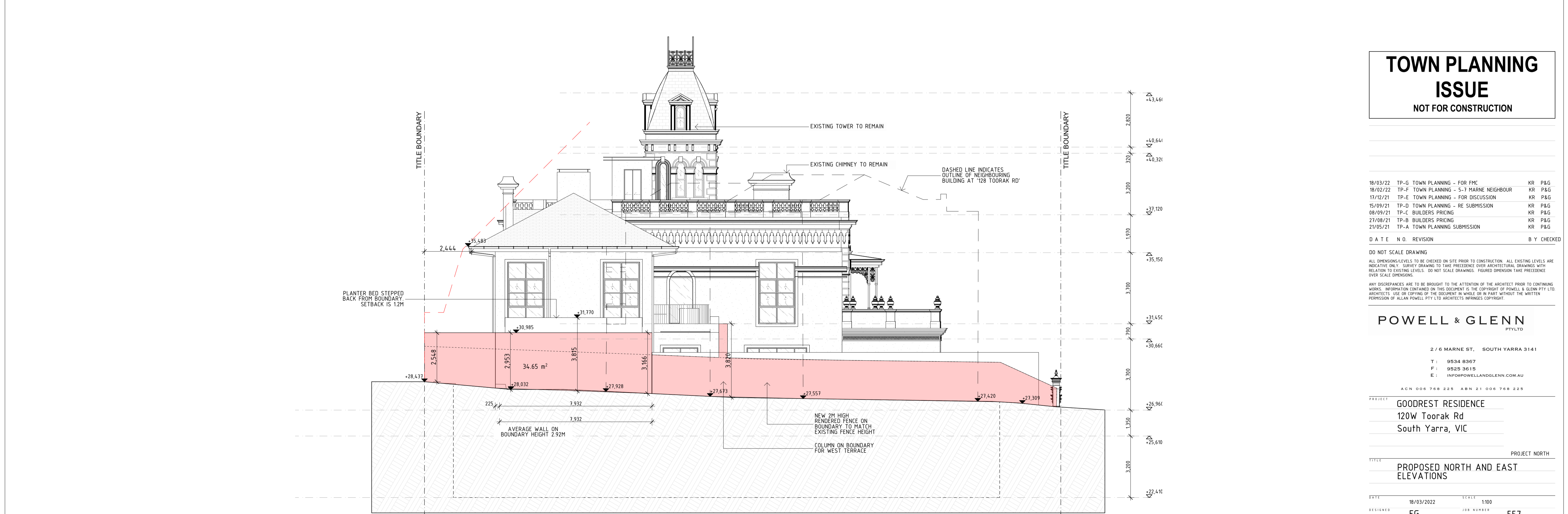


EAST ELEVATION

1:100



NORTH ELEVATION

1:100

**TOWN PLANNING  
ISSUE**  
NOT FOR CONSTRUCTION

18/03/22	TP-G TOWN PLANNING - FOR FMC	KR	P&G
18/02/22	TP-F TOWN PLANNING - 5-7 MARNE NEIGHBOUR	KR	P&G
17/12/21	TP-E TOWN PLANNING - FOR DISCUSSION	KR	P&G
15/09/21	TP-D TOWN PLANNING - RE SUBMISSION	KR	P&G
08/09/21	TP-C BUILDERS PRICING	KR	P&G
27/08/21	TP-B BUILDERS PRICING	KR	P&G
21/05/21	TP-A TOWN PLANNING SUBMISSION	KR	P&G

D A T E N O . REVISION B Y CHECKED

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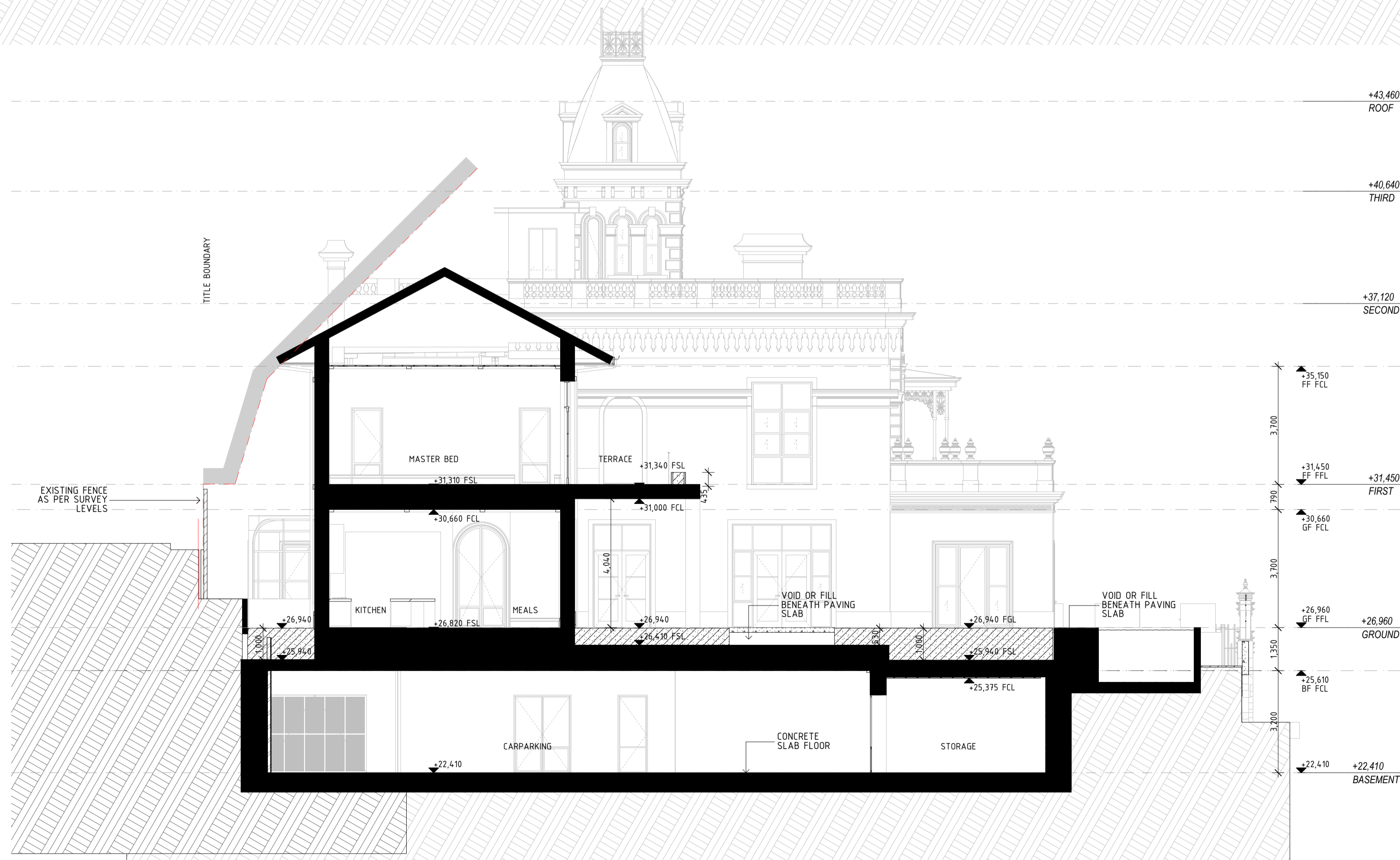
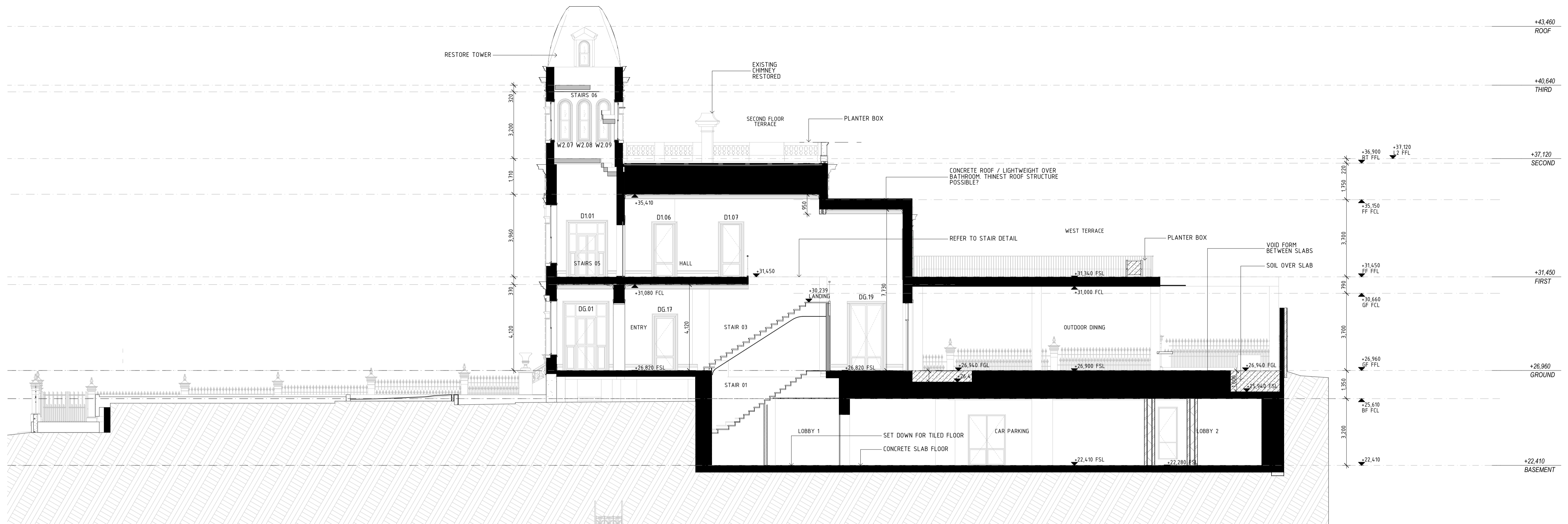
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ACN 006 768 225 ABN 21 006 768 225

PROJECT **GODREST RESIDENCE**  
120W Toorak Rd  
South Yarra, VIC

TITLE **PROPOSED NORTH AND EAST ELEVATIONS**

DATE	18/03/2022	SCALE	1:100
DESIGNED	EG	JOB NUMBER	557
DRAWN	KR LW	DRAWING NO.	TP15
CHECKED	P&G	REV NO.	F1



**TOWN PLANNING  
ISSUE  
NOT FOR CONSTRUCTION**

18/03/22	TP-G TOWN PLANNING - FOR FMC	KR P&G
18/02/22	TP-F TOWN PLANNING - 5-7 MARNE NEIGHBOUR	KR P&G
17/12/21	TP-E TOWN PLANNING - FOR DISCUSSION	KR P&G
15/09/21	TP-D TOWN PLANNING - RE SUBMISSION	KR P&G
08/09/21	TP-C BUILDERS PRICING	KR P&G
27/08/21	TP-B BUILDERS PRICING	KR P&G
21/05/21	TP-A TOWN PLANNING SUBMISSION	KR P&G

D A T E N O. REVISION B Y CHECKED

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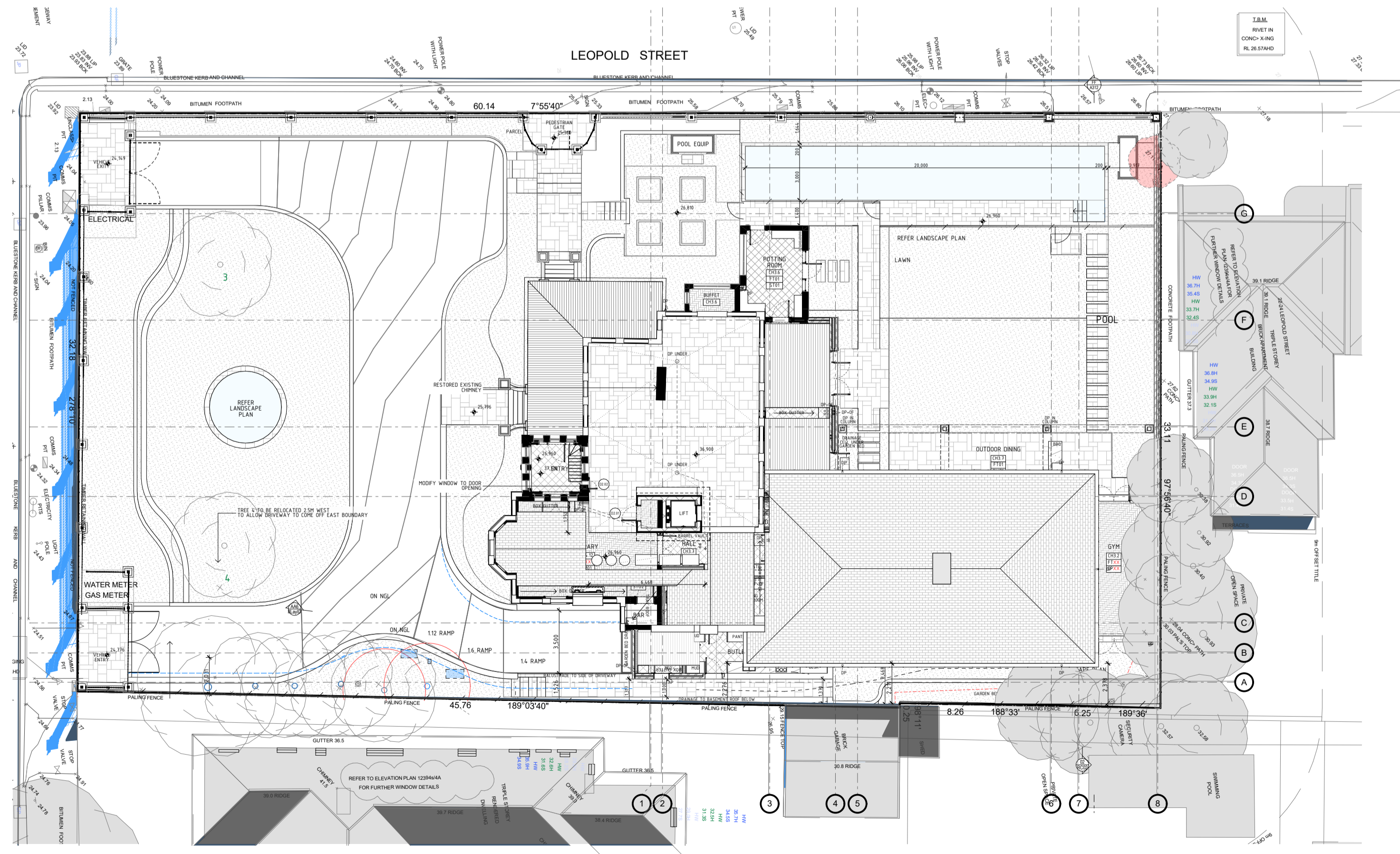
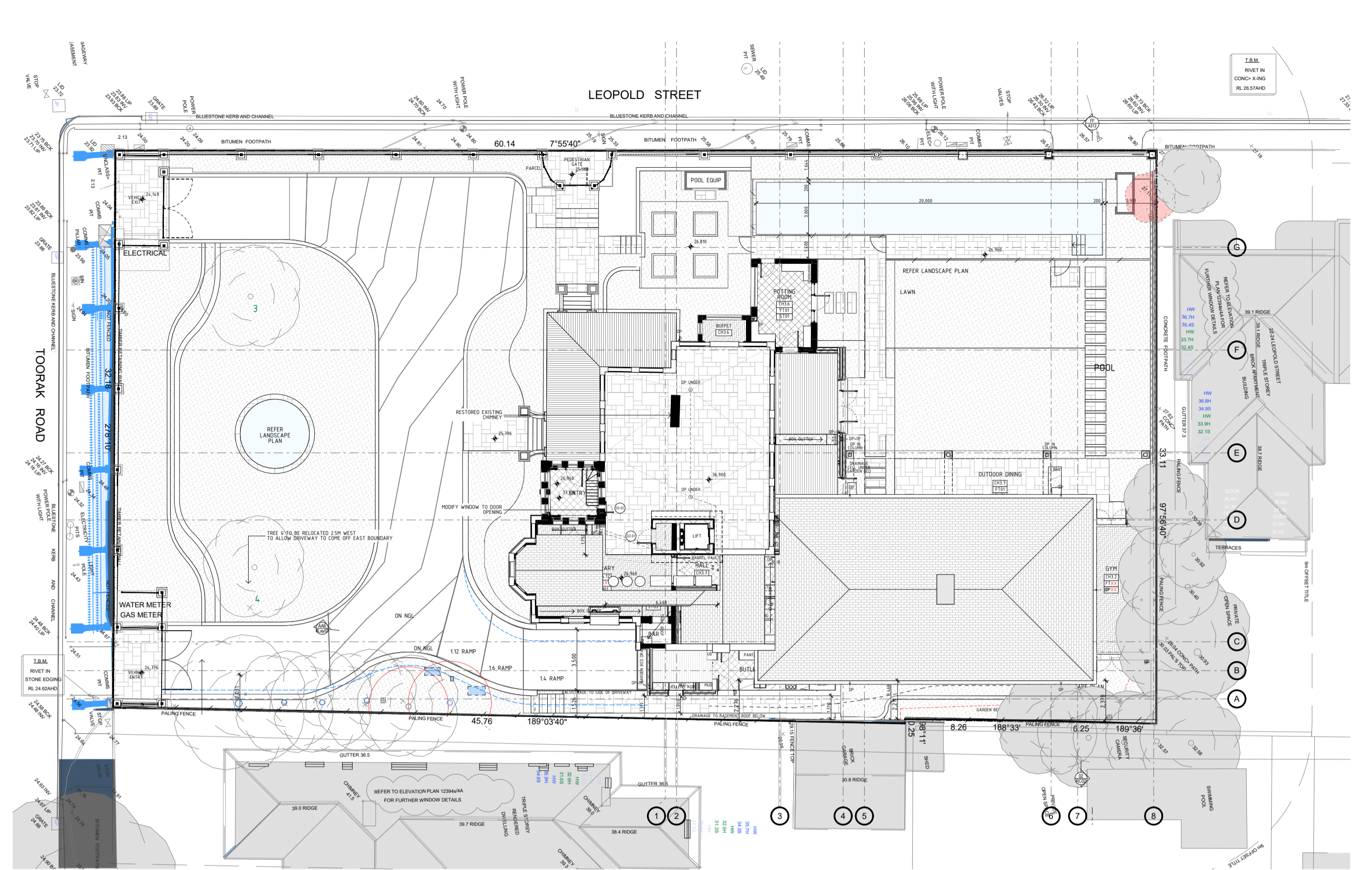
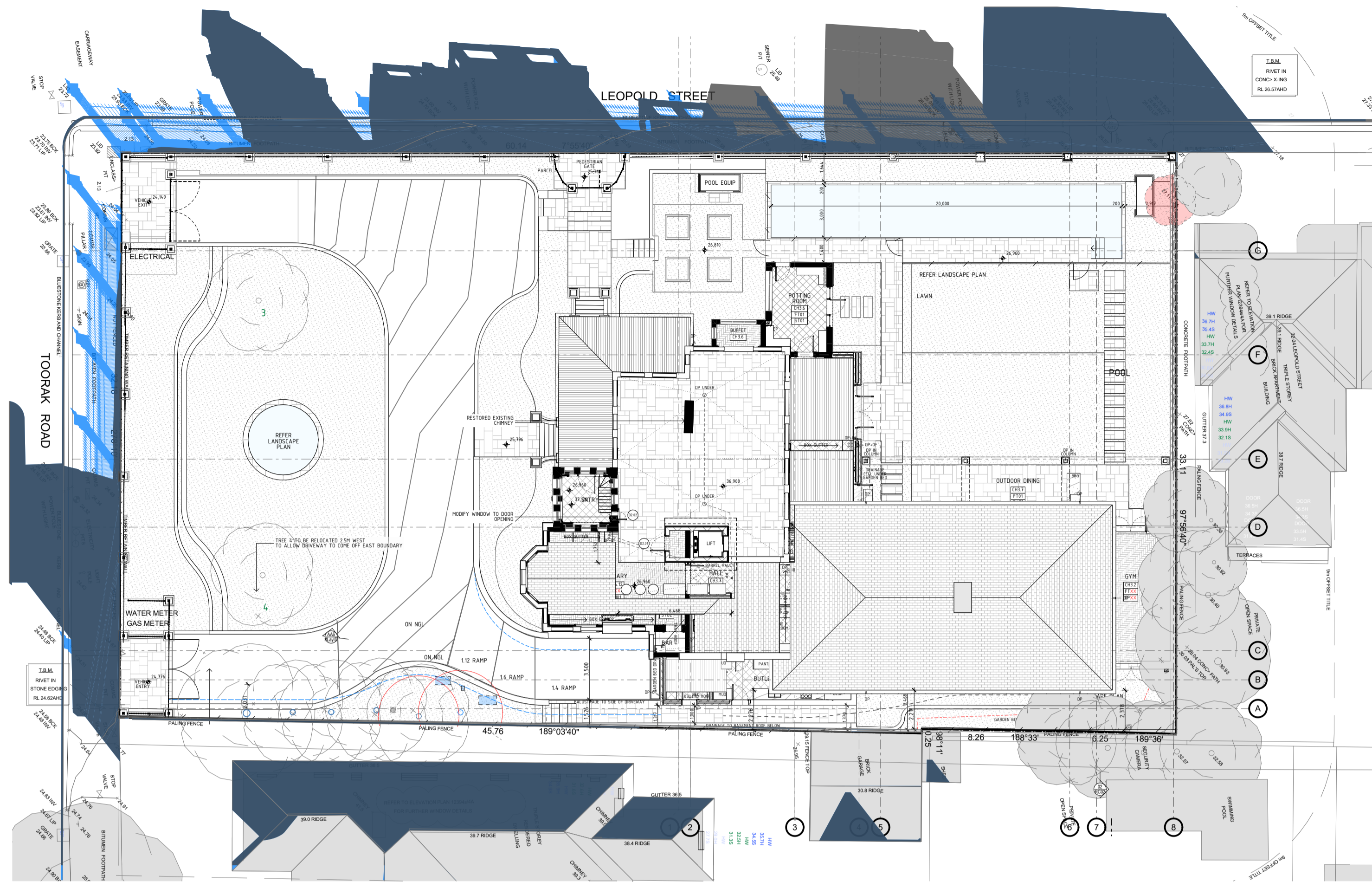
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PROJECT **GOODREST RESIDENCE**  
120W Toorak Rd  
South Yarra, VIC

TITLE PROJECT NORTH

**PROPOSED SECTIONS**

DATE	18/03/2022	SCALE	1:100
DESIGNED	EG	JOB NUMBER	557
DRAWN	KR LW	DRAWING NO.	TP16
CHECKED	P&G	REV NO.	G



**TOWN PLANNING  
ISSUE  
NOT FOR CONSTRUCTION**

18/03/22	TP-G TOWN PLANNING - FOR FMC	KR P&G
18/02/22	TP-F TOWN PLANNING - 5-7 MARNE NEIGHBOUR	KR P&G
17/12/21	TP-E TOWN PLANNING - FOR DISCUSSION	KR P&G
15/09/21	TP-D TOWN PLANNING - RE SUBMISSION	KR P&G
08/09/21	TP-C BUILDERS PRICING	KR P&G
27/08/21	TP-B BUILDERS PRICING	KR P&G
21/05/21	TP-A TOWN PLANNING SUBMISSION	KR P&G

D A T E N O. REVISION B Y CHECKED

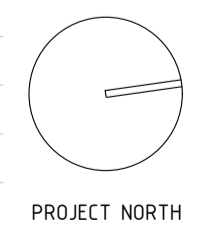
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PROJECT **GOODREST RESIDENCE**  
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**SHADOW DIAGRAMS**

DATE	18/03/2022	SCALE	1:200
DESIGNED	EG	JOB NUMBER	557
DRAWN	KR LW	DRAWING NO	TP17
CHECKED	P&G	REV NO.	G



VIEW FROM TOORAK RD



NORTH WEST AERIAL VIEW



VIEW FROM POOL AREA LOOKING EAST



VIEW FROM ENTRY

**TOWN PLANNING  
ISSUE  
NOT FOR CONSTRUCTION**

18/03/22	TP-G TOWN PLANNING - FOR FMC	KR	P&G
18/02/22	TP-F TOWN PLANNING - 5-7 MARNE NEIGHBOUR	KR	P&G
17/12/21	TP-E TOWN PLANNING - FOR DISCUSSION	KR	P&G
15/09/21	TP-D TOWN PLANNING - RE SUBMISSION	KR	P&G
08/09/21	TP-C BUILDERS PRICING	KR	P&G
27/08/21	TP-B BUILDERS PRICING	KR	P&G
21/05/21	TP-A TOWN PLANNING SUBMISSION	KR	P&G

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PROJECT **GOODREST RESIDENCE**  
120W Toorak Rd  
South Yarra, VIC

PROJECT NORTH

TITLE **3D VIEWS**

DATE	18/03/2022	SCALE	1:66.67, 1:145.46, 1:106.60
DESIGNED	EG	JOB NUMBER	557
DRAWN	KR LW	DRAWING NO	TP18
CHECKED	P&G	REV NO	E1



VIEW FROM TOORAK RD LOOKING NORTH  
ROOF TERRACE NOT VISIBLE



VIEW FROM TOORAK RD LOOKING NORTH  
ROOF TERRACE NOT VISIBLE



VIEW FROM LEOPOLD ST LOOKING SOUTH EAST

**TOWN PLANNING  
ISSUE  
NOT FOR CONSTRUCTION**

18/03/22	TP-G TOWN PLANNING - FOR FMC	KR	P&G
18/02/22	TP-F TOWN PLANNING - 5-7 MARNE NEIGHBOUR	KR	P&G
17/12/21	TP-E TOWN PLANNING - FOR DISCUSSION	KR	P&G
15/09/21	TP-D TOWN PLANNING - RE SUBMISSION	KR	P&G
08/09/21	TP-C BUILDERS PRICING	KR	P&G
27/08/21	TP-B BUILDERS PRICING	KR	P&G
21/05/21	TP-A TOWN PLANNING SUBMISSION	KR	P&G

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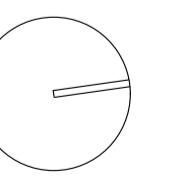
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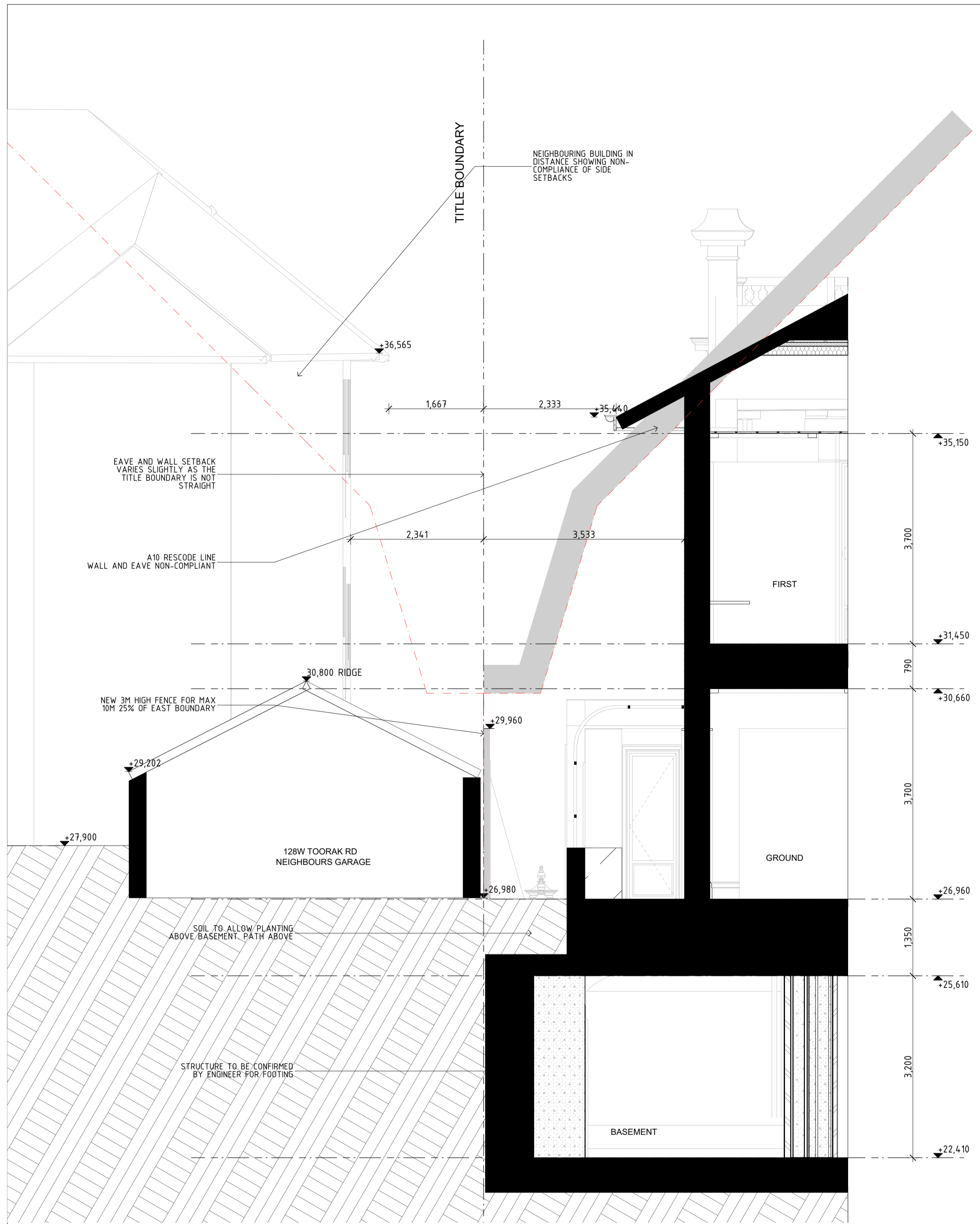
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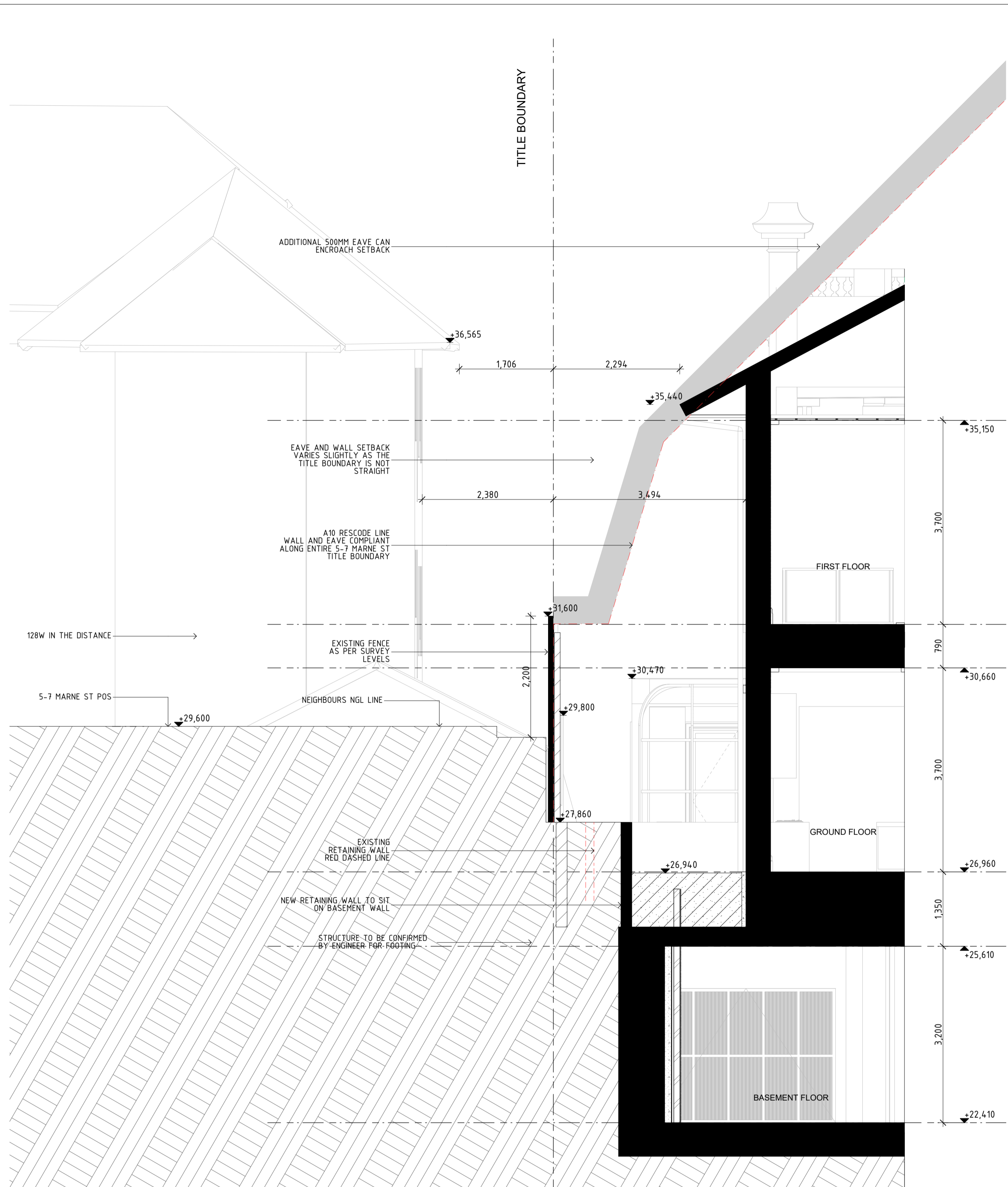
PROJECT NORTH

TITLE **ADDITIONAL REQUIRED 3D VIEWS**

DATE	18/03/2022	SCALE	1:200
DESIGNED	EG	JOB NUMBER	557
DRAWN	KR LW	DRAWING NO	TP19
CHECKED	P&G	REV NO.	E1



SECTION 01



SECTION 02

**TOWN PLANNING  
ISSUE**  
NOT FOR CONSTRUCTION

18/03/22 TP-G TOWN PLANNING - FOR FMC KR P&G  
 18/02/22 TP-F TOWN PLANNING - 5-7 MARNE NEIGHBOUR KR P&G  
 17/12/21 TP-E TOWN PLANNING - FOR DISCUSSION KR P&G  
 15/09/21 TP-D TOWN PLANNING - RE SUBMISSION KR P&G  
 08/09/21 TP-C BUILDERS PRICING KR P&G  
 27/08/21 TP-B BUILDERS PRICING KR P&G  
 21/05/21 TP-A TOWN PLANNING SUBMISSION KR P&G

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PROJECT **GOODREST RESIDENCE**  
 120W Toorak Rd  
 South Yarra, VIC

PROJECT NORTH

TITLE **ADDITIONAL EAST SECTIONS**

DATE 18/03/2022 SCALE 1:50  
 DESIGNED EG JOB NUMBER 557  
 DRAWN KR LW DRAWING NO TP20 REV NO F1  
 CHECKED P&G

(557) LITTLE NEW PRINTED: 18/03/2022

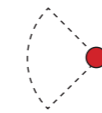


**MYLES BALDWIN DESIGN**

8 Maddison Lane, Redfern, Sydney, NSW 2016 Australia  
Ph 02 9699 2622 | www.mylesbaldwin.com

VIEW 01 - CORNER OF TOORAK RD & LEOPOLD ST  
Little | South Yarra

KEY LEGEND



VIEW LINE



TOORAK ROAD





**MYLES BALDWIN DESIGN**

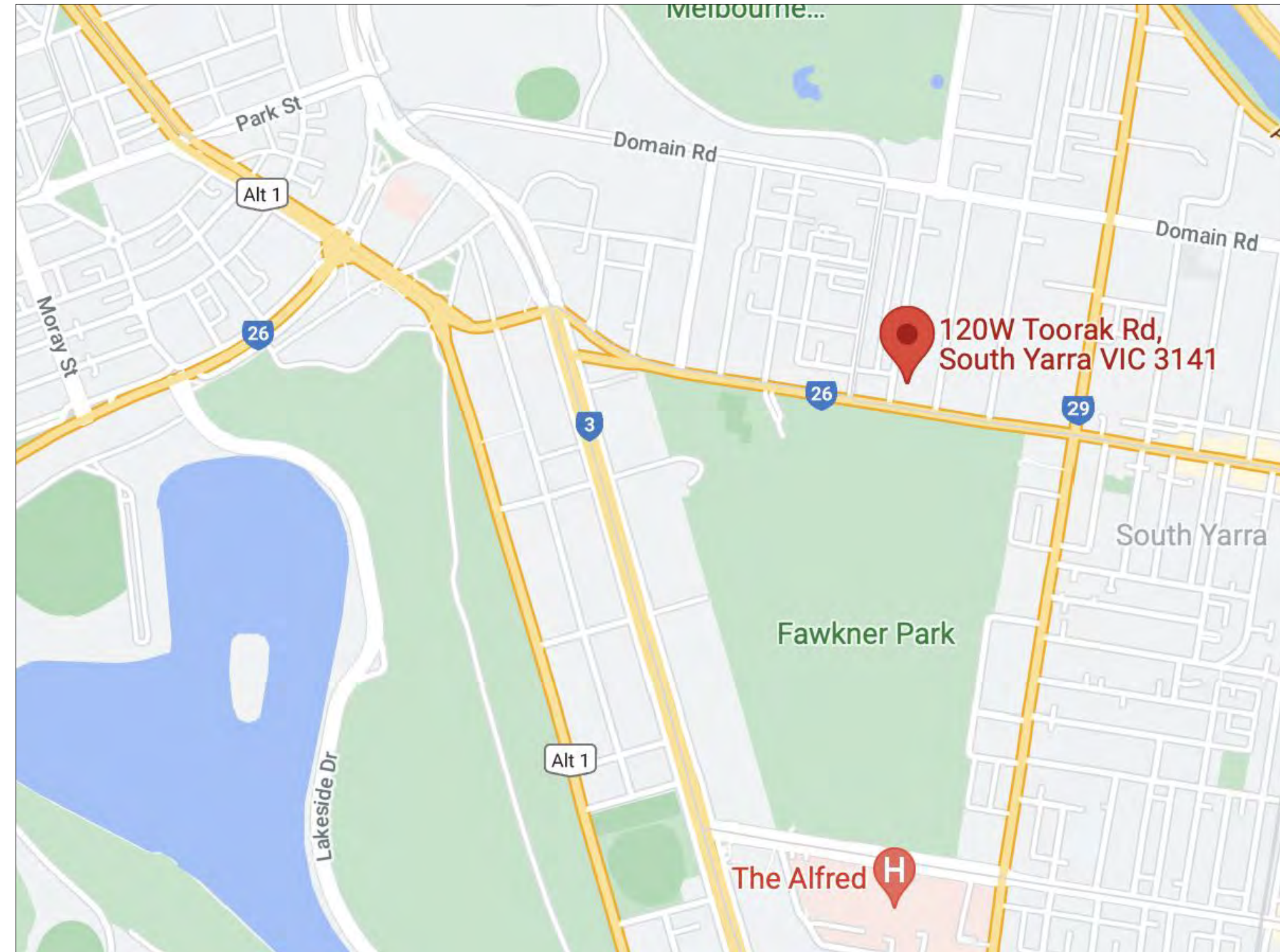
8 Maddison Lane, Redfern, Sydney, NSW 2016 Australia  
Ph 02 9699 2622 | www.mylesbaldwin.com

VIEW 02 - EASTERN BOUNDARY VEHICLE ENTRY  
Little | South Yarra

**KEY LEGEND**





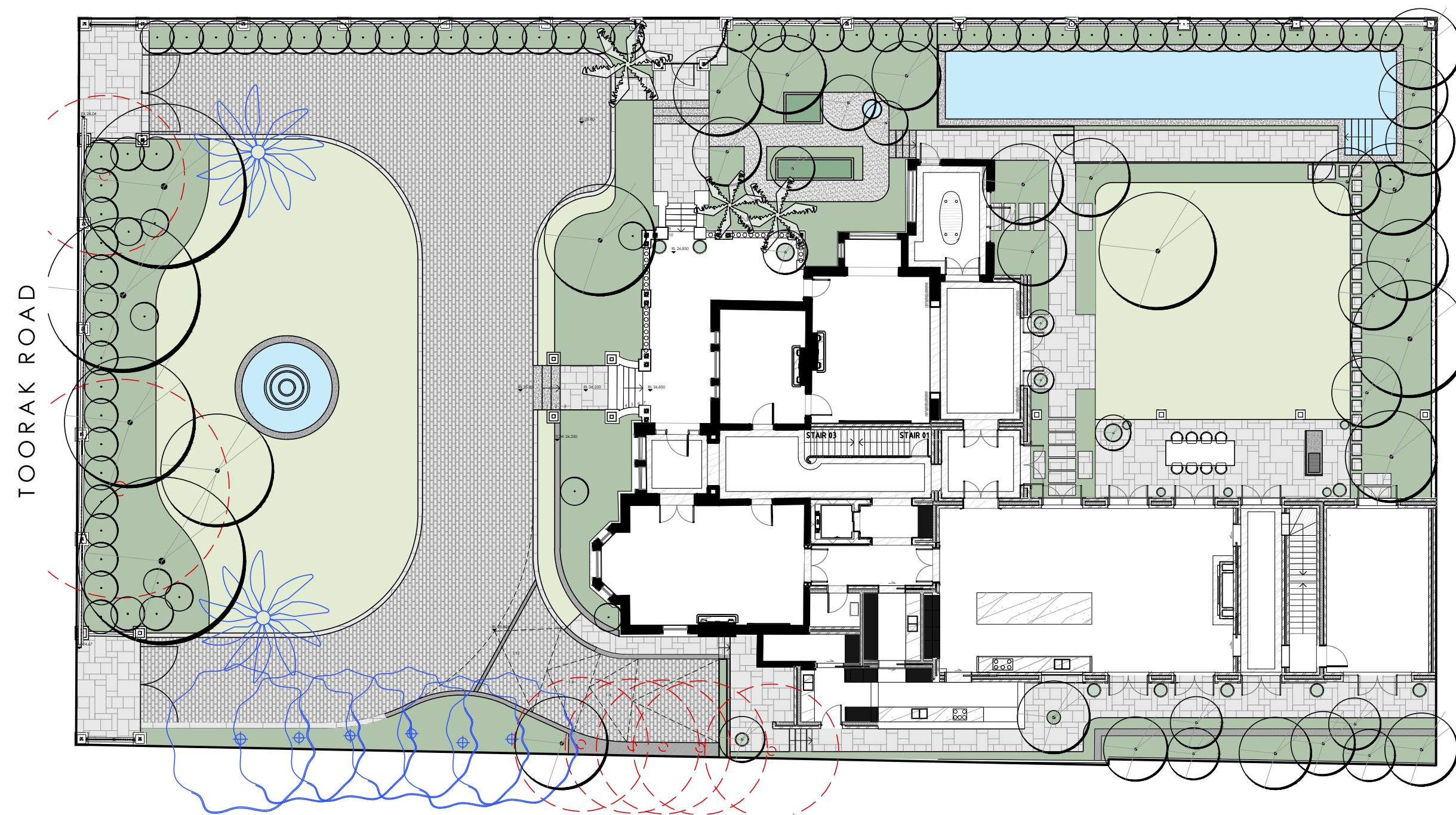


SITE LOCATION  
NTS | GOOGLE MAPS

**DRAWING SCHEDULE**

561_TP_01	COVER PAGE
561_TP_02	PLANT SCHEDULE
561_TP_03	FINISHES SCHEDULE
561_TP_10	LANDSCAPE PLAN - FRONT GARDEN
561_TP_11	LANDSCAPE PLANS - BACK GARDEN
561_TP_12	LANDSCAPE PLANS - LEVEL 1
561_TP_35	DETAILS
561_TP_50	GENERAL SPECIFICATION

LEOPOLD STREET



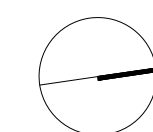
SITE PLAN  
SCALE 1:200 @ A1

**GENERAL NOTES**

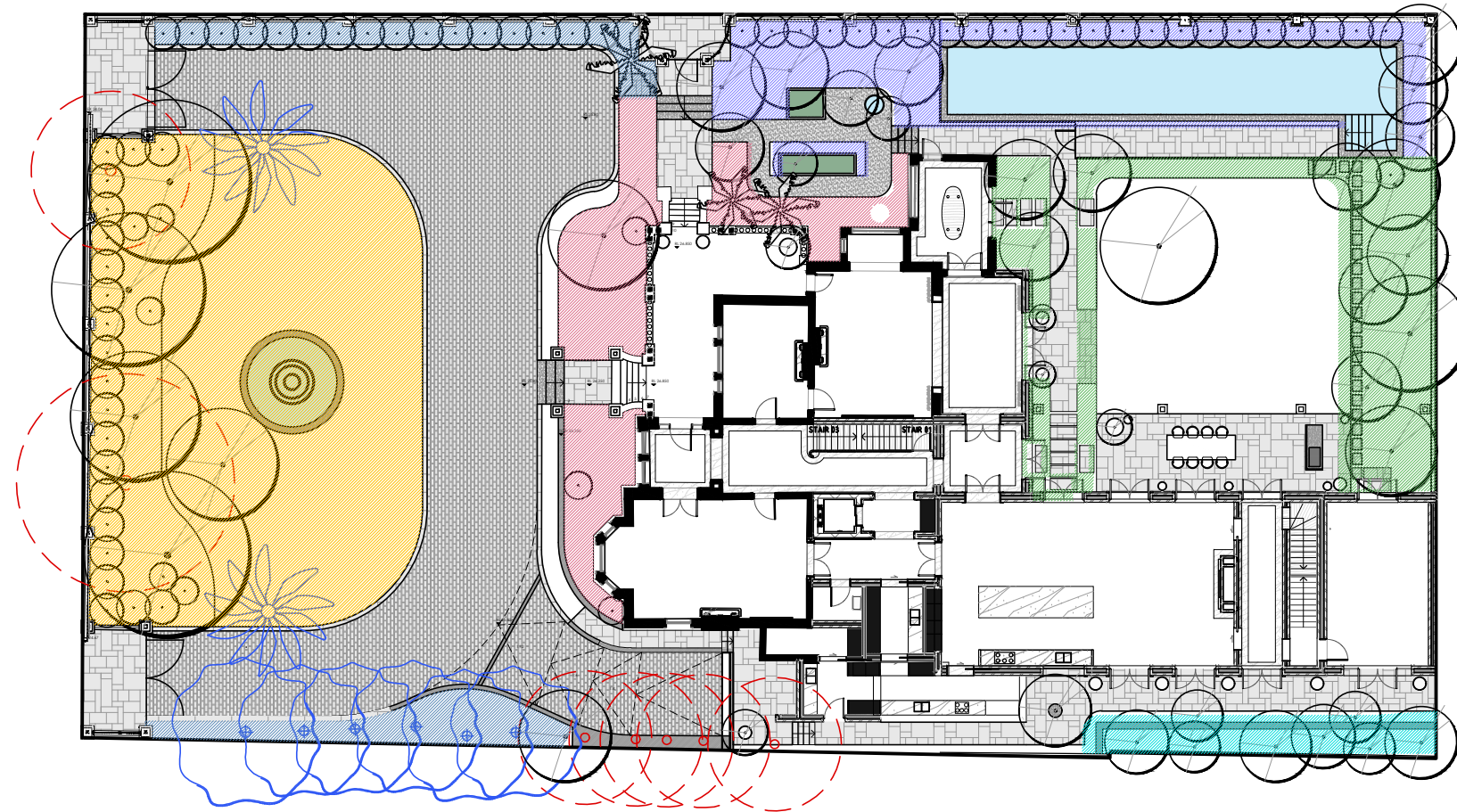
- ALL LANDSCAPE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECTS AND ADDITIONAL CONSULTANT'S DRAWINGS, SPECIFICATIONS AND REPORTS
- ALL PUBLIC UTILITY SERVICES ARE TO BE LOCATED ON SITE BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS. THE LOCATION, PRESENCE AND EXTENT OF SERVICES SHOWN ARE NOT GUARANTEED COMPLETE OR CORRECT
- PERFORM EXCAVATION IN THE VICINITY OF UNDERGROUND UTILITIES WITH CARE AND IF NECESSARY, BY HAND. THE CONTRACTOR BEARS FULL RESPONSIBILITY FOR THIS WORK AND DISRUPTION OR DAMAGE TO UTILITIES SHALL BE REPAIRED IMMEDIATELY AT NO EXPENSE TO THE OWNER
- NO TREES PROTECTED UNDER THE LOCAL COUNCIL'S TREE PRESERVATION ORDER ARE TO BE REMOVED UNLESS APPROVED BY DEVELOPMENT CONSENT OR PERMIT OBTAINED FROM COUNCIL
- ALL PAVING IS INDICATIVE, TO BE TO FUTURE SPECIFICATION, AND SET OUT ON SITE
- ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LOCAL COUNCIL'S APPROVAL, STANDARDS AND CODES
- THE CONTRACTOR IS TO ENSURE THAT ALL THE WORKS ARE CARRIED OUT IN ACCORDANCE WITH THE WORK HEALTH AND SAFETY ACT
- MBD TO REVIEW PLANT MATERIALS AT SOURCE OR BY PHOTOGRAPHS PRIOR TO PURCHASE AND DELIVERY
- EXACT LOCATIONS OF NEW PLANT MATERIAL TO BE SETOUT AND APPROVED BY THE MBD ONSITE PRIOR TO INSTALLATION. MBD RESERVES THE RIGHT TO ADJUST PLANTS TO EXACT LOCATION ONSITE

**DRAINAGE AND IRRIGATION NOTES**

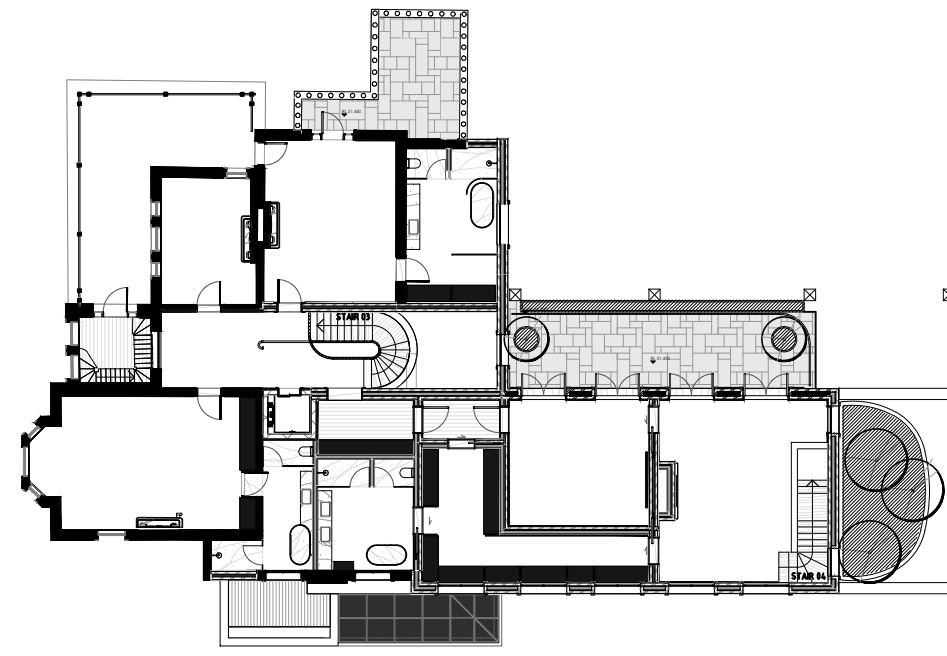
- REFER TO CIVIL ENGINEER'S UTILITY AND DRAINAGE PLANS FOR UTILITY LOCATION AND DRAINAGE INFORMATION.
- REQUIREMENTS FOR LANDSCAPE DRAINAGE TO BE CONFIRMED ONSITE UNLESS OTHERWISE SHOWN ON THE LANDSCAPE PLANS
- TREE PITS THAT HAVE BEEN EXCAVATED INTO HEAVY EARTH OR STONE TO CONTAIN A RING OF AG PIPE LAID AT THE INVERT OF THE PIT WITHIN A MINIMUM 200mm LAYER OF FREE DRAINING MATERIAL. AG PIPE TO BE CONNECTED TO A DRAINAGE OUTLET (REFER TO TYPICAL TREE PIT DRAINAGE SECTION)
- ALL POTS TO HAVE AN IRRIGATION ALLOWANCE (SHRUBLERS OR DRIP)
- FOR POTS LOCATED ON PAVED SURFACES, TYPICAL PAVING IRRIGATION DETAIL TO BE USED AS SHOWN
- POTS ADJACENT TO GARDEN BEDS TO BE IRRIGATED VIA IN GARDEN IRRIGATION SYSTEM
- ALL LAWN AREAS TO HAVE POPUP ROTORS
- ALL GARDEN BEDS TO HAVE FIXED SOLID RISERS WITH SPRAYS



PLANT SCHEDULE TBC



PLANTING KEY PLAN GROUND FLOOR  
SCALE 1:300 @ A1



PLANTING KEY PLAN LEVEL 1  
SCALE 1:300 @ A1

LEGEND



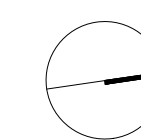
TREES												
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6	ZONE 7	TOTAL	POT SIZE	MATURE HEIGHT
AP	Acer palmatum	Japanese Maple				1	1	3	2	7	Mature	4m
BC	Butia capitata	Jelly Palm	2		1		2			5	Mature	5m
CH	Chamaerops humilis	European Fan Palm	5	3	2				3	13	Mature	3m
CJ	Camellia japonica	Japanese Camellia						3		3	Mature	5m
CS	Camellia sasanqua	Sasanqua Camellia						4	1	5	Mature	5m
CI	Citrus	Citrus				3			4	7	Mature	Varies
FC	Ficus carica	Fig Tree				1				1	Mature	4m
FH	Ficus hilli	Flash	21	17		28				66	Mature	6m
LI	Lagerstromia indica	Crepe Myrtle	1			1	1			3	Mature	12m
MG	Magnolia grandiflora	Bullbay Magnolia	1				2	1		4	Mature	20m
MXS	Magnolia X soulangeana	Saucer Magnolia					3			3	Mature	7m
MS	Malus sylvestris	Crab Apple				2				2	Mature	4m
OE	Olea europaea	Olive						2	4	6	Mature	4m
PCA	Phoenix canariensis	Canary Island Palm					1			1	Mature	15m
QI	Quercus ilex	Holm Oak	3			2	3		2	10	Mature	22m
UP	Ulmus procera	English elm	1							1	Mature	18m
WR	Washingtonia robusta	Mexican Fan Palm			3					3	Mature	25m
SHRUBS												
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6	ZONE 7	TOTAL	POT SIZE	MATURE HEIGHT
Bs	Bartlettina sordida	Purple Torch									300mm	2m
Bus	Buxus sempervirens (balls)	English Box									500mm	Varies
Cc	Cotinus coggygria 'grace'	Smoke Bush									400mm	3m
Do	Daphne odora	Winter Daphne									400mm	2m
Fd	Ficus dammaropsis	Kapika									300mm	5m
Hm	Hydrangea macrophylla	White Ball									300mm	2m
Hp	Hydrangea paniculata	Panicled Hydrangea									300mm	1.5m
Hq	Hydrangea quercifolia	Oak Leaf									300mm	1.5m
Mf	Michelia figo	Port Wine Magnolia									400mm	3m
Sn	Sambucus nigra	Elderberry									300mm	3m
Vp	Viburnum plicatum	Japanese snowball									400mm	2.5m
Vs	Viburnum suspensum	Sandankwa									400mm	3.5m
Xj	Xylosma japonica	Xylosma									400mm	3m
PERENNIALS												
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6	ZONE 7	TOTAL	POT SIZE	MATURE HEIGHT
Am	Acanthus mollis	Bears Breeches									300mm	1.5m
An	Alpinia nutans	Dwarf Cardamom									200mm	1m
Ah	Anemone x hybrida	Japanese Anemone									200mm	0.7m
Ae	Aspidistra elatior	Cost Iron Plant									300mm	1m
Cxa	Calamagrostis x acutiflora	Karl Foerster									200mm	1.5m
Dc	Deschampsia cespitosa	Tufted hairgrass									200mm	0.6m
Es	Echinacea sanguinea	Sanguine coneflower									200mm	1.2m
Ep	Eryngium planum	Blue eryngo									200mm	0.9m
Em	Eupatorium maculatum	Spotted joe-pyeweed									200mm	1.5m
Fu	Filipendula ulmaria	Meadowsweet									200mm	0.8m
Gm	Geranium maculatum	Wild geranium									200mm	0.3m
Hm	Hakonechloa macro	Hakone grass									300mm	0.6m
Hh	Helleborus x hybrida	Hellebore									200mm	0.6m
Hs	Hosta species	Hosta									200mm	0.5m
Ho	Heuchera obsidian	Coral Bells									200mm	0.4m
Lm	Liriope muscari	Liriope									200mm	0.5m
Lr	Ligularia reniformis	Tractor Seat Plant									300mm	0.8m
Ms	Miscanthus sinensis	Chinese Silver Grass									300mm	1.2m
Ph	Penstemon hybrid	Penstemon Port Wine									200mm	0.9m
Pm	Polygonatum multiflorum	Solomons Seal									200mm	1.2m
Rh	Rudbeckia hirta	Black eyed Susan									200mm	0.6m
Ro	Rosmarinus officinalis	Rosemary									300mm	1.2m
Tf	Teucrium fruticans	Shrubby Germander									300mm	1.2m
Th	Teucrium hircanicum	Iranian Germander									300mm	0.6m
Vv	Veronicastrum virginicum	Culvers Root									200mm	1.2m

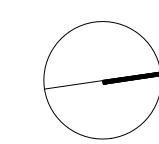
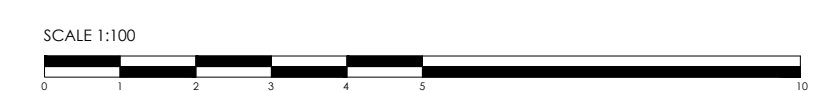
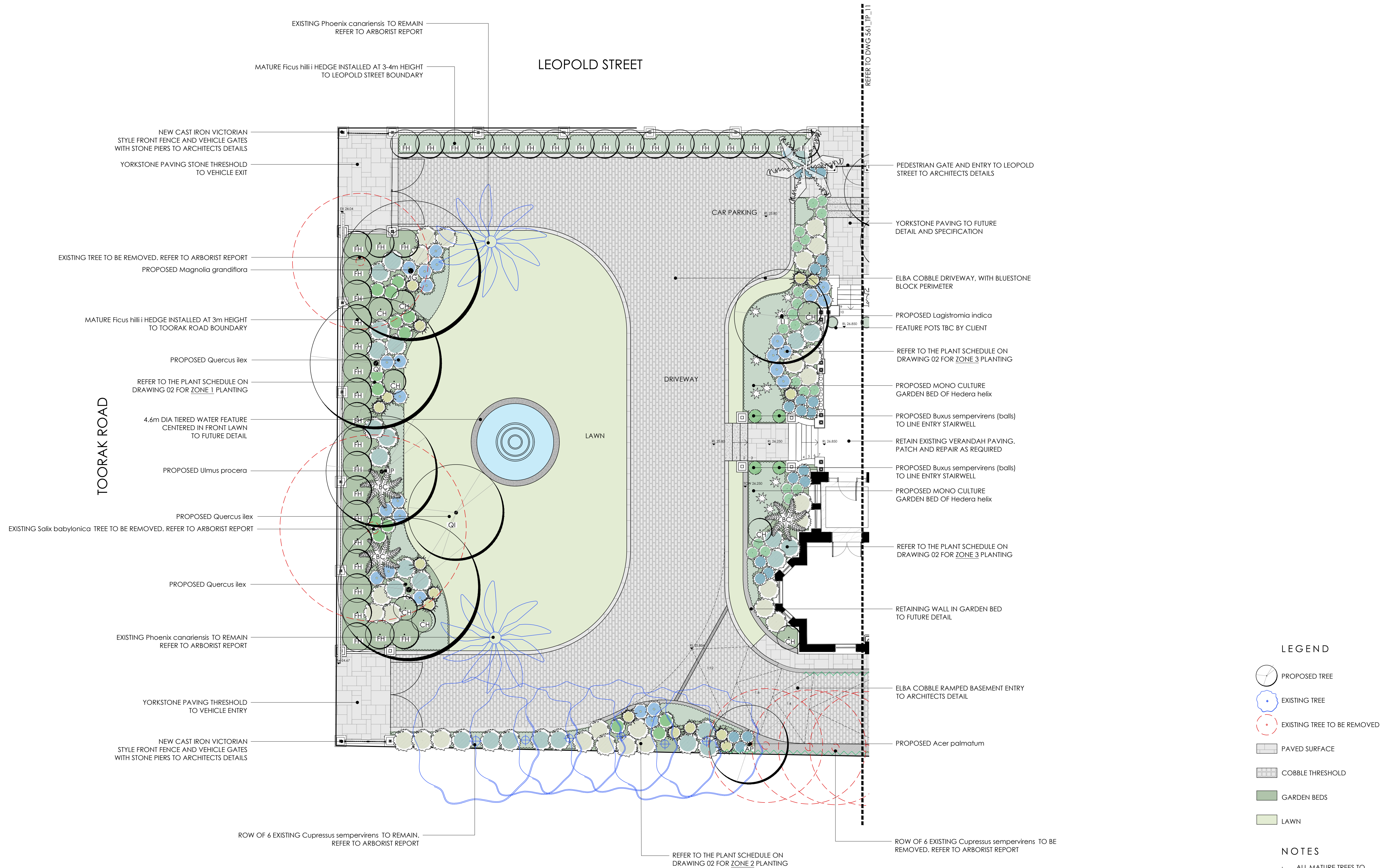
GROUNDCOVERS & CLIMBERS												
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6	ZONE 7	TOTAL	POT SIZE	MATURE HEIGHT
Aj	Akebia japonica	Akebia									140mm	Climber
Ad	Actinidia deliciosa	Kiwifruit vine									140mm	Climber
Hh	Hedera helix	English Ivy									140mm	Groundcover
Fp	Ficus pumila	Creeping Fig									140mm	Climber
Pat	Pachysandra terminalis	Japanese spurge									140mm	Groundcover
Pt	Parthenocissus tricuspidata	Boston Ivy									140mm	Climber
Rp	Rosemarinus prostratus	Creeping Rosemary									140mm	Groundcover
Ra	Rosa albertine	Rambling Rose									140mm	Climber
Rd	Rosa david austin	David Austin Rose									140mm	Groundcover
Wf	Wisteria floribunda	Wisteria									140mm	Climber

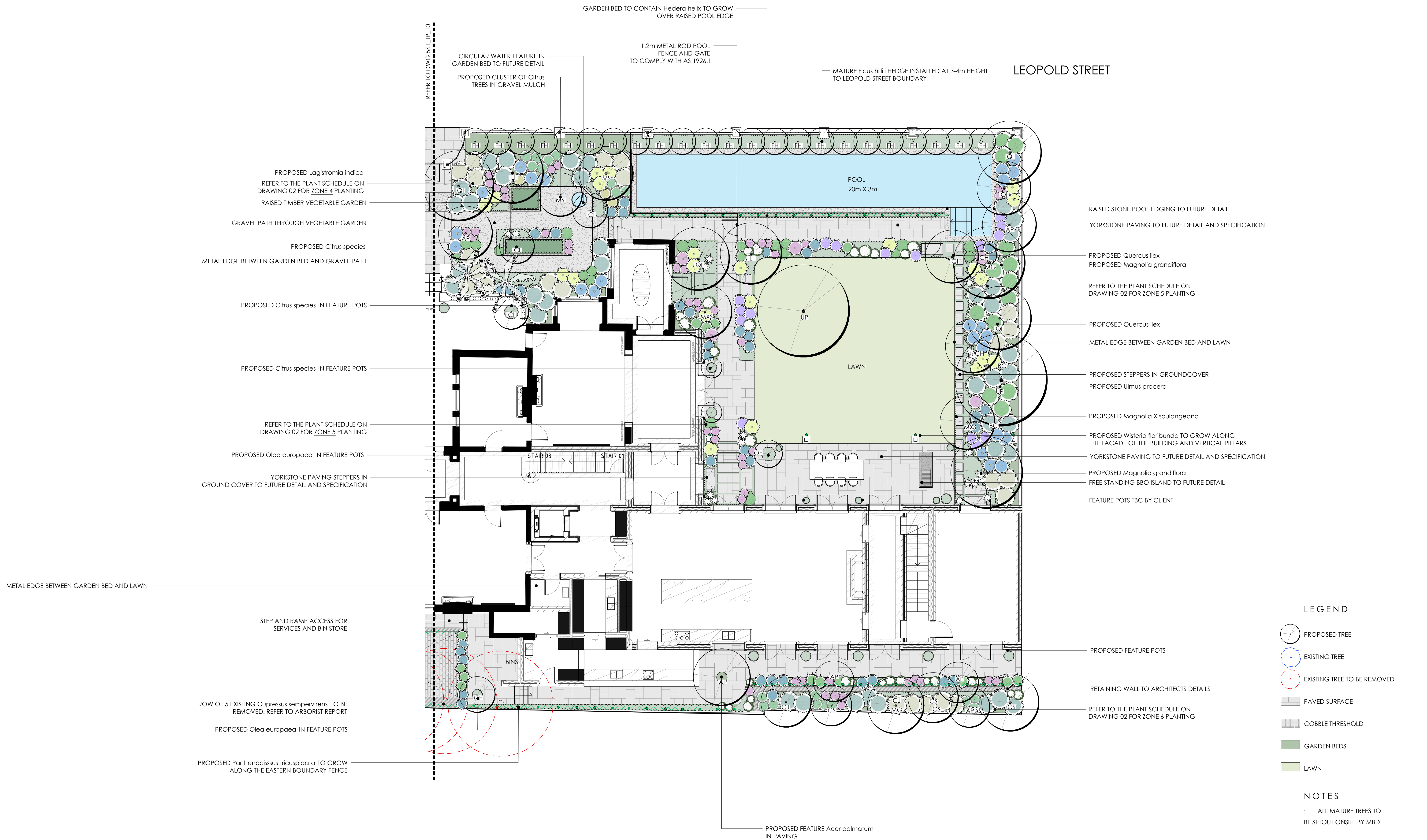
Note: Mature trees MBD to source

NOTES

- ALL MATURE TREES TO BE SOURCED AND SUPPLIED BY MYLES BALDWIN DESIGN
- THE PLANT SCHEDULE IS CALCULATED BASED OFF THE LANDSCAPE PLANS PROVIDED BY MBD. ADDITIONAL PLANTS OUTSIDE OF THIS SCHEDULE MAY BE REQUIRED TO REACH THE DESIRED PLANT DENSITIES ONSITE
- ALL PLANT MATERIAL TO BE SETOUT ONSITE BY MYLES BALDWIN DESIGN PRIOR TO INSTALLATION







LEGEND

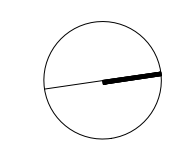
-  PROPOSED TREE
-  EXISTING TREE
-  EXISTING TREE TO BE REMOVED
-  PAVED SURFACE
-  COBBLE THRESHOLD
-  GARDEN BEDS
-  LAWN

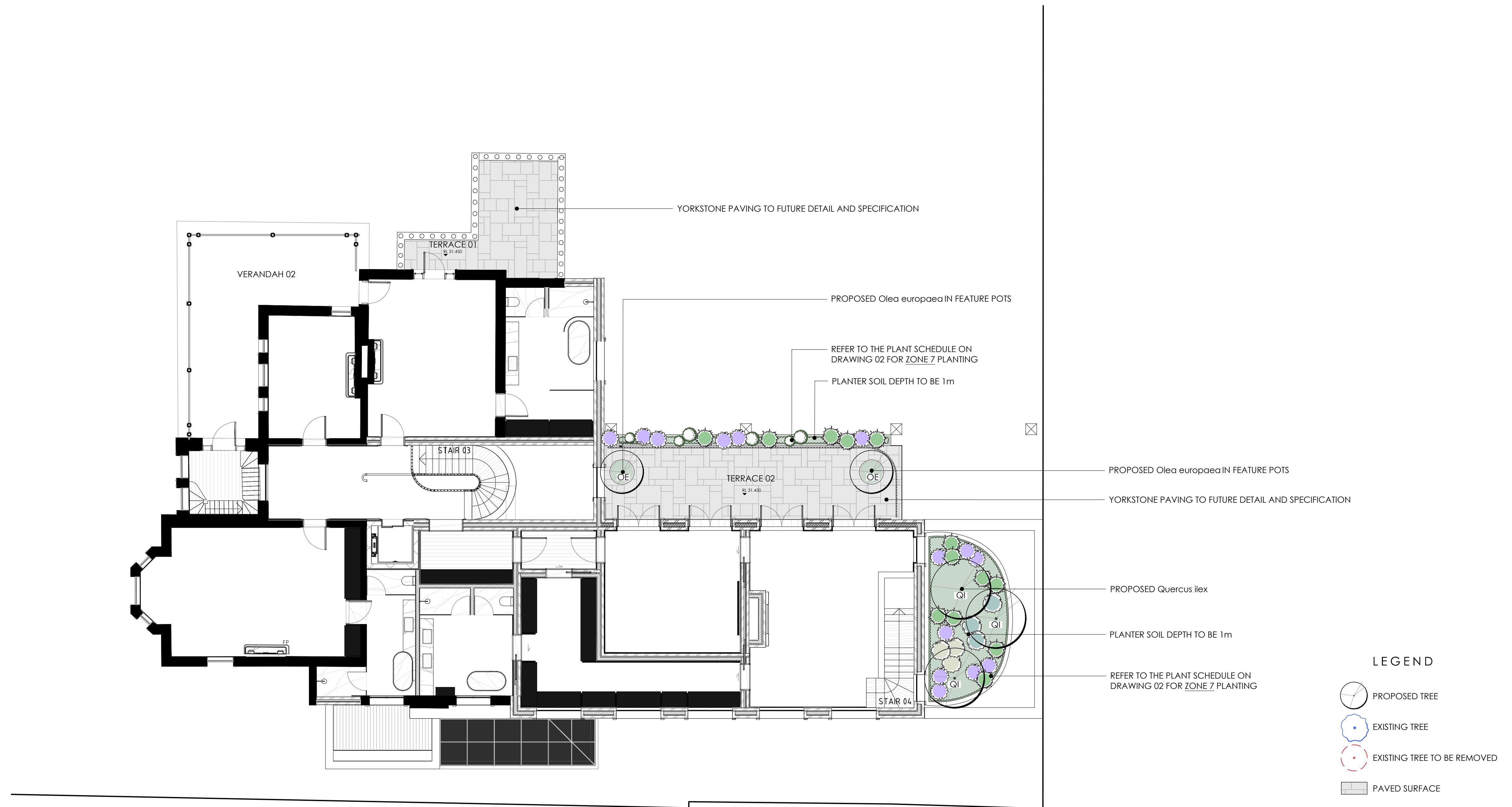
NOTES

ALL MATURE TREES TO BE SETOUT ONSITE BY MBD

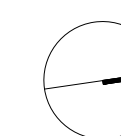


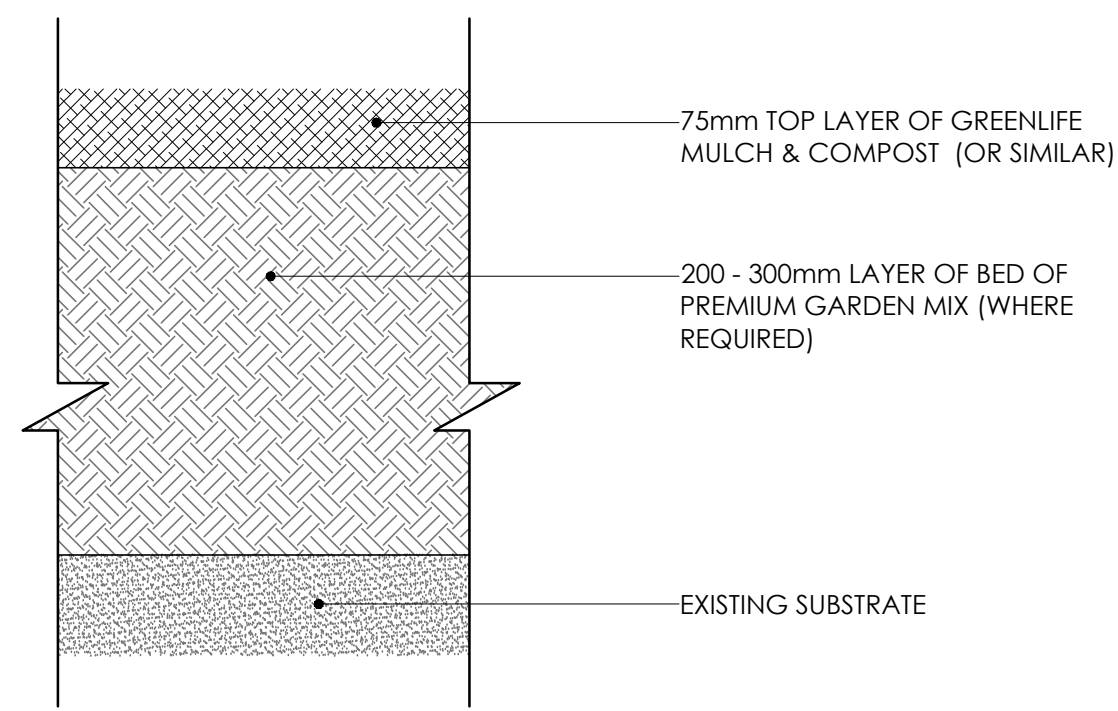
AMENDMENT	DATE	DETAILS
A	14.09.21	ISSUE FOR TOWN PLANNING
B	20.12.21	ISSUE FOR TOWN PLANNING



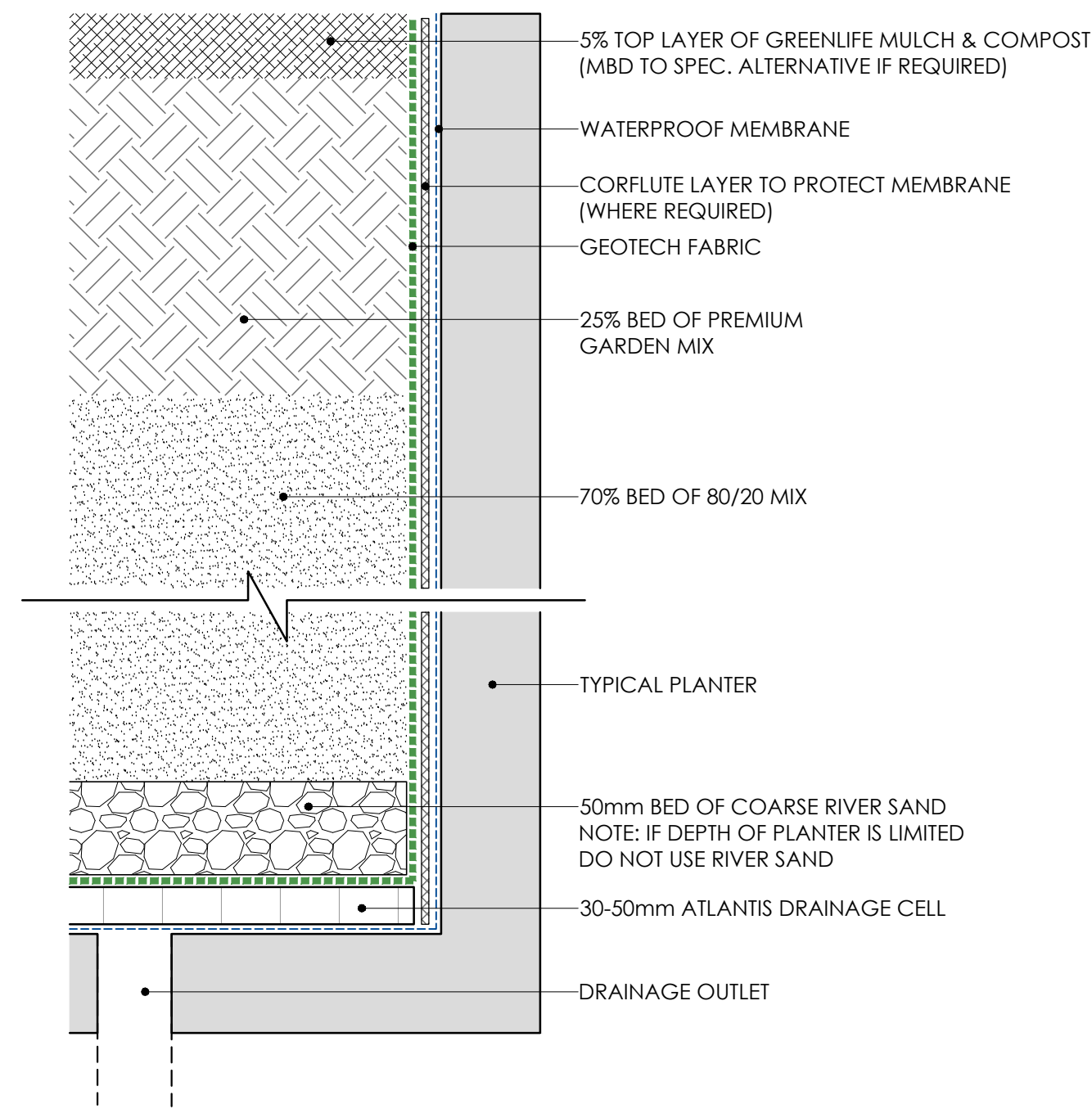


SCALE 1:50

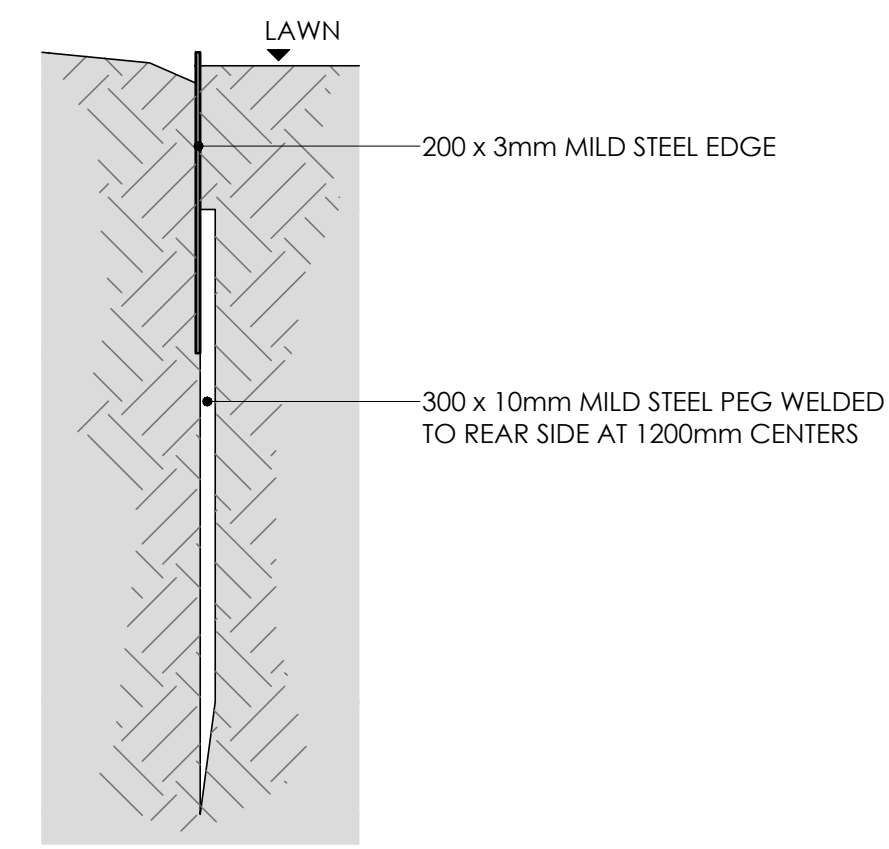




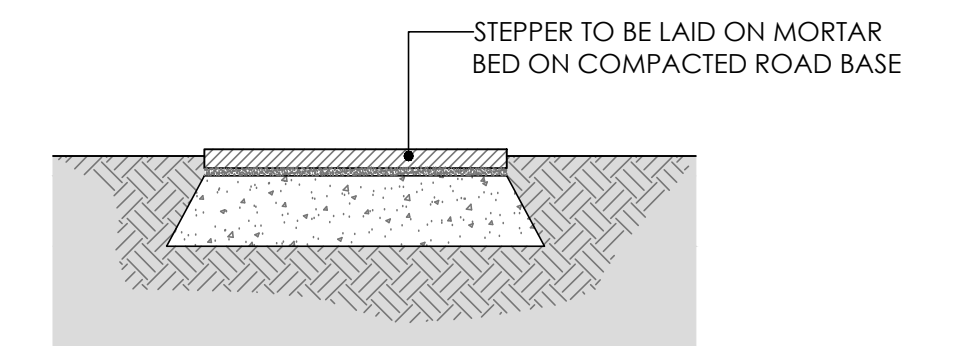
TYPICAL GARDEN SOIL PROFILE  
SCALE: 1:5 @ A1



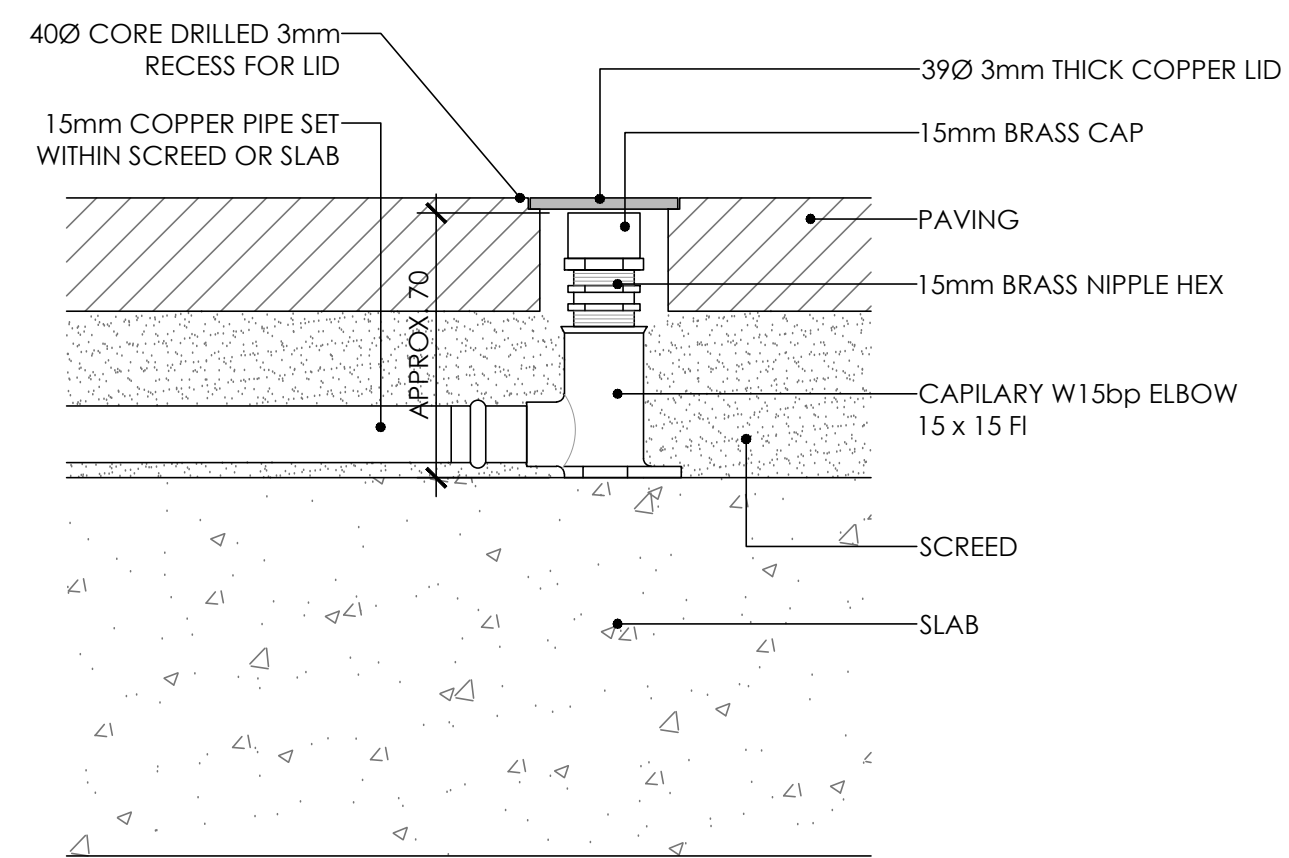
TYPICAL PLANTER SOIL PROFILE  
SCALE: 1:5 @ A1



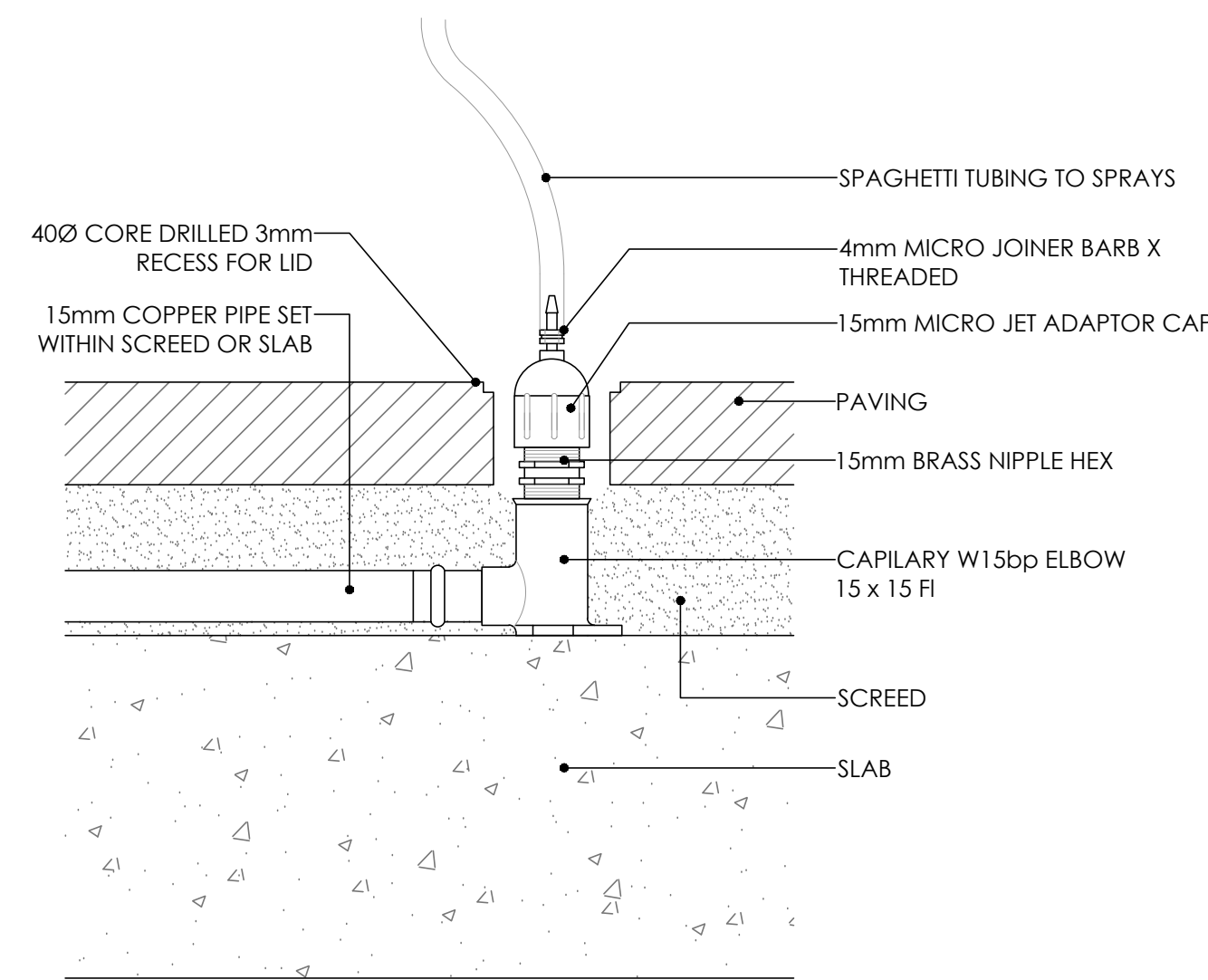
TYPICAL STEEL EDGE  
SCALE: 1:5 @ A1



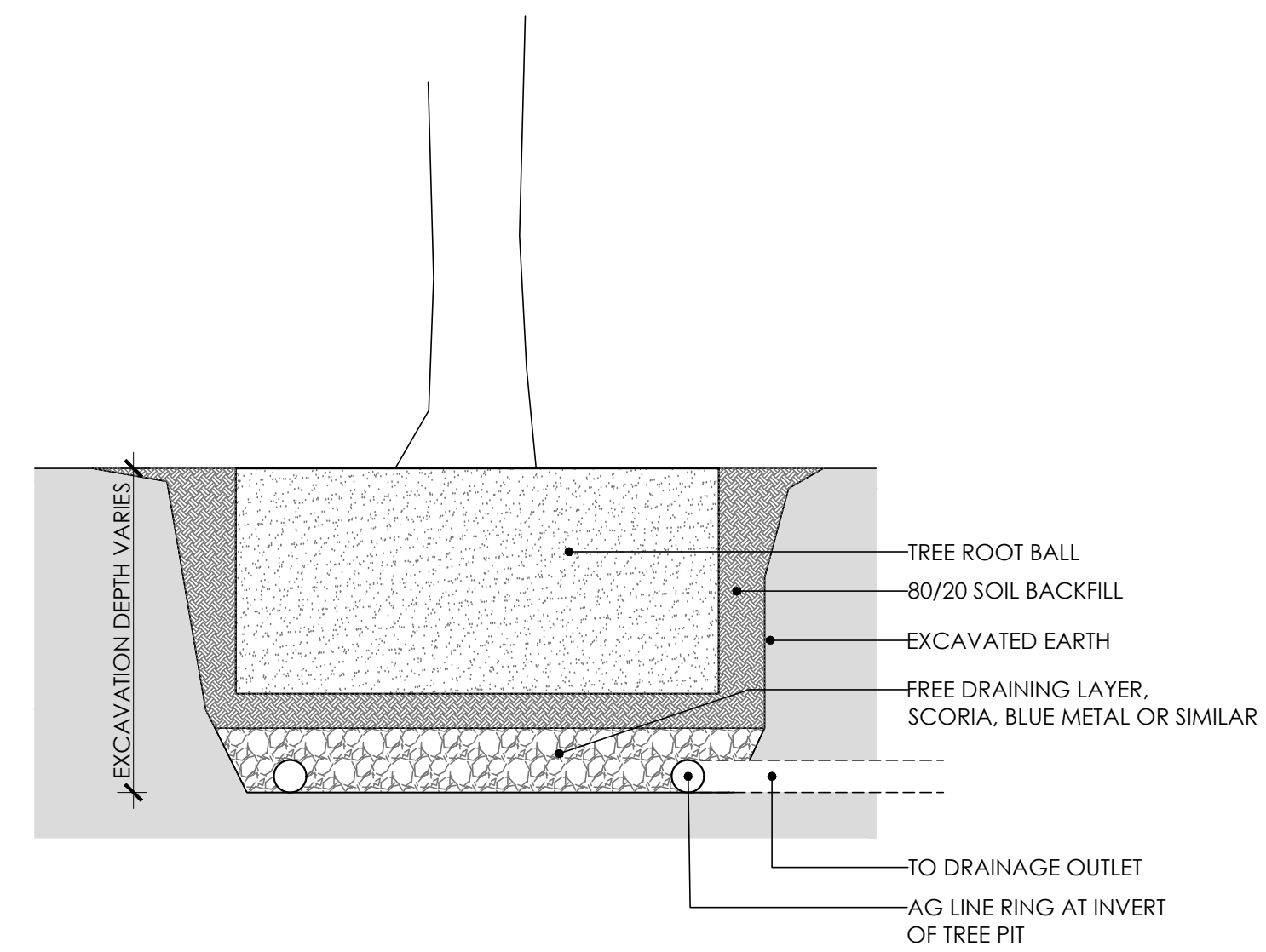
TYPICAL GARDEN STEPPER  
SCALE: 1:10 @ A1



TYPICAL PAVING IRRIGATION CLOSED  
SCALE: 1:2 @ A1



TYPICAL PAVING IRRIGATION OPEN  
SCALE: 1:2 @ A1



TYPICAL TREE PIT DRAINAGE  
SCALE: 1:20 @ A1

## GENERAL SPECIFICATION NOTES

### 1.0 Standards

#### 1.1 Soils

- Site and imported topsoil: To AS 4419.
- Potting mixes: To AS 3743.
- Composts, soil conditioners and mulches: To AS 4454.

### 2.0 Products

#### 2.1 Material

##### Topsoil

- Source: Provide topsoil, which contains organic matter, will support plant life and is free from stones, contaminants and weeds.
- Site: If available, provide material recovered from the site.

##### Turf

- Supplier: Obtain turf from a specialist grower of cultivated turf.
- Quality: Provide turf of even thickness, free from weeds and other foreign matter.

##### Fertiliser

- General: Provide proprietary fertilisers, delivered to the site in sealed bags marked to show manufacturer or vendor, weight, fertiliser type, N:P:K ratio, recommended uses and application rates.

##### Plants

- Health: Supply plants with foliage size, texture and colour at time of delivery consistent with the size, texture and colour shown in healthy specimens of the nominated species.
- Vigour: Supply plants with extension growth consistent with that exhibited in vigorous specimens of the species nominated.
- Damage: Supply plants free from damage and from restricted habit due to growth in nursery rows.
- Pests and disease: Supply plants with foliage free from attack by pests or disease.

### 3.0 Execution

#### 3.1 Preparation

##### Weed eradication

- Herbicide: Eradicate weeds with a non-residual glyphosate herbicide in any of its registered formulae, at the recommended maximum rate.

##### Earth mounds

- Placing: Place clean filling in layers approximately 150 mm thick compacted to 85% of the dry density ratio of the surrounding soil as determined by AS 1289.5.4.1. Minimise slumping and further internal packing down.

##### Edges

- Construct changes in grade over a minimum width of 500 mm to smooth, gradual and rounded profiles with no distinct joint.

##### Existing trees

- Maintain the natural ground level under the canopy.

##### Planting beds

- Excavated: Excavate to bring the subsoil to at least 300 mm below finished design levels. Shape the subsoil to fall to subsoil drains where applicable. Break up the subsoil to a further depth of 100 mm.
- Unexcavated: Remove weeds, roots, building rubbish and other debris. Bring the planting bed to 75 mm below finished design levels.
- Services and roots: Do not disturb services or tree roots; if necessary cultivate these areas by hand.

##### Placing topsoil

- General: Spread the topsoil on the prepared subsoil and grade evenly, making the necessary allowances to permit the following:
- Required finished levels and contours may be achieved after light compaction.
- Grassed areas may be finished flush with adjacent hard surfaces such as kerbs, paths and mowing strips.

##### Topsoil depths

- General: Spread topsoil to the following typical depths:
- Excavated planting areas: If using organic soil, 300 mm. Refer to typical soil profile detail.
- Irrigated grassed areas generally: 150 mm.
- Irrigated grassed areas, heavy use (e.g. playing fields, playgrounds, and public parks): 200 mm.

### 3.2 Turfing

#### General

- Supply: Deliver the turf within 24 hours of cutting, and lay it within 36 hours of cutting. Prevent the turf from drying out between cutting and laying. If it is not laid within 36 hours of cutting, roll it out on a flat surface with the grass up, and water as necessary to maintain a good condition.
- Laying: Lay the turf in the following manner:
  - In stretcher pattern with the joints staggered and close butted.
  - Parallel with the long sides of level areas, and with contours on slopes.
  - To finish flush, after tamping, with adjacent finished surfaces of ground, paving edging, or grass seeded areas.
- Tamping: Lightly tamp to an even surface immediately after laying. Do not use a roller.
- Fertilising: Mix the fertiliser thoroughly into the topsoil before placing the turf. Apply lawn fertiliser at the completion of the first and last mowings, and at other times as required to maintain healthy grass cover.
- Watering: Water immediately after laying until the topsoil is moistened to its full depth. Continue watering to maintain moisture to this depth.
- Levels: Where levels have deviated from the design levels after placing and watering, lift turf and re-grade topsoil to achieve design levels.

### 3.3 Planting

#### General

- Individual plantings in grassed areas: Excavate a hole to twice the diameter of the root ball and at least 100 mm deeper than the root ball. Break up the base of the hole to a further depth of 100 mm, and loosen compacted sides of the hole to prevent confinement of root growth.
- Watering: Thoroughly water the plants before planting, immediately after planting, and as required to maintain growth rates free of stress.
- Placing: Remove the plant from the container with minimum disturbance to the root ball, ensure that the root ball is moist and place it in its final position, in the center of the hole and plumb, and with the top soil level of the plant root ball level with the finished surface of the surrounding soil.
- Fertilising plants: In planting beds and individual plantings, place fertiliser pellets around the plants at the time of planting.
- Backfilling: Backfill with topsoil mixture. Lightly tamp and water to eliminate air pockets.

### 3.4 Mulching

#### Placing mulch

- General: Place mulch to the required depth, clear of plant stems, and rake to an even surface flush with the surrounding finished levels. Spread and roll mulch so that after settling, or after rolling, it is smooth and evenly graded between design surface levels sloped towards the base of plant stems in plantation beds, and not closer to the stem than 50 mm in the case of gravel mulches.
- Depths: Spread organic mulch to a depth of 75 mm, and gravel mulch to a depth of 50 mm.

### 3.5 Stakes and ties

#### Stakes

- Material: Hardwood, straight, free from knots or twists, pointed at one end.
- Installation: Drive stakes into the ground at least one third of their length, avoiding damage to the root system.

#### Ties

- General: Provide 50 mm hessian webbing ties fixed securely to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

### 3.6 Watering

#### Establishment

- Extent: Available soil moisture content of grass areas and garden beds to be monitored on a weekly basis using an approved moisture probe and water applied on a demand basis. Readings should be taken at a depth of 200-300mm.
- All grass areas and garden beds should be maintained within a range of 50-80% available soil moisture. Under no circumstance should areas under irrigation fall below a level of 30% available soil moisture.
- No visible signs of wilting of leaves or stems, with all plants fully turgid at all times.
- No sign of over-watering such as constantly wet soil, brown leaf margins, stem rot or brown spots on foliage.

### 3.7 Completion

#### Cleaning

- Stakes and ties: Remove those no longer required at the end of the planting establishment period.
- Temporary fences: Remove temporary protective fences at the end of the planting establishment period.

### 4.0 Establishment & defects liability

#### 4.1 Establishment

##### General

- All landscaping works will have an establishment period of 26 weeks in which the subcontractor will be responsible for the maintenance and upkeep of the contracted scope, unless otherwise noted in the project documentation. If applicable refer to the project manager / builder for confirmation.

#### 4.2 Defects Liability Period

##### General

- All landscaping works will be subject to a defects liability period of 52 weeks, commencing from the date of Practical Completion, unless otherwise noted in the project documentation. If applicable refer to the project manager / builder for confirmation.

## PLANNING PERMIT APPLICATION DELEGATE REPORT

<b>Application number:</b>	TP-2021-326
<b>Applicant:</b>	Jane Hansen c/- Urbis
<b>Owner:</b>	Jane Hansen
<b>Architect:</b>	Powell & Glenn
<b>Address:</b>	120 Toorak Road West, SOUTH YARRA VIC 3141
<b>Proposal:</b>	Partial demolition; the removal of vegetation; the construction of alterations and additions to the existing building; and the alteration of access to a road in a Transport Zone, Category 2
<b>Cost of works:</b>	\$6.3 million
<b>Date of application:</b>	26 May 2021
<b>Responsible officer:</b>	Nikki Brock

### 1 SUBJECT SITE AND SURROUNDS

#### 1.1 The Subject Site

The subject site (the Site) is located on the north side of Toorak Road, with Leopold Street forming its western boundary.

The Site has a frontage to Toorak Road of 32.18 metres and a boundary to Leopold Street of 60.14 metres, yielding a total site area of 1,969 square metres.

A carriageway easement is located in the south-west corner of the Site, forming a corner splay 2.13 metres in length to both Toorak Road and Leopold Street.

The Site is regular in shape and has a fall from the rear to front boundary of approximately 3 metres along the depth of the Site.

The Site features a total of four crossovers; two to Toorak Road and two to Leopold Street.

The Site contains a substantial 'boom style' Italianate mansion originally known as 'Goodrest', constructed in the late 1800's. The Toorak Road portion of the building is double-fronted, with a projecting bay window on each level on the east side, and a cast iron verandah with an upper level balcony on the west side, which extends around the corner along the Leopold Street elevation. A three storey tower element is located at the centre of the building on the Toorak Road frontage.

The property also includes a double-storey wing running northwards along the eastern property boundary. This wing is built of rendered brick with a slate roof and

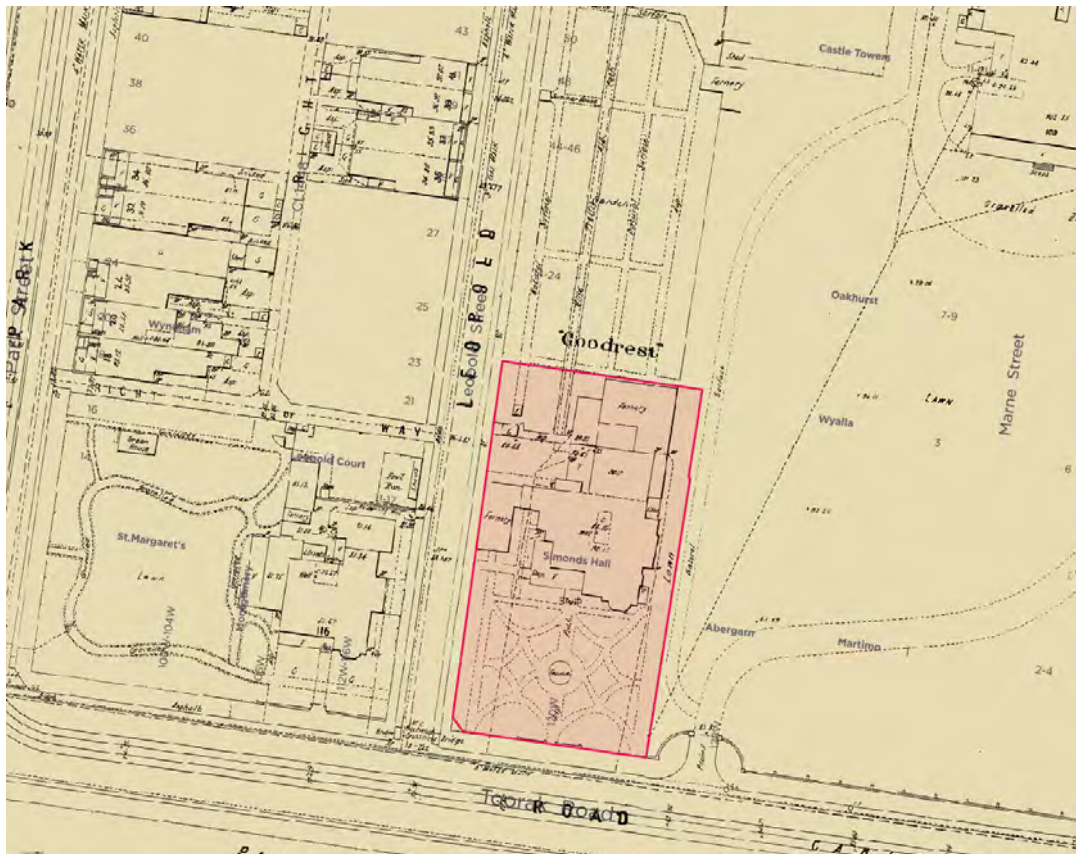


was a later addition constructed in the twentieth century. To the north-west corner of the house is a single storey room and further to the north is a double storey accommodation wing constructed in 1960s.

Council's i-Heritage database includes the history and notable features of the building as follows:

*This grand "boom style" Italianate mansion stands on Crown Land Portion No. 18 which was bought by Melbourne pioneer merchant Henry Ward Mason at public auction on 14th March 1849 for the sum of 399 pounds. When Mason died, in 1883, the nine and a half acre estate was bought for 22,500 pounds by William P Buckhurst, a dynamic property speculator and estate agent of South Melbourne, who proceeded to subdivide the estate into 24 allotments, with frontages on the east side of Park Street and both sides of Leopold Street (created in 1884). He retained two acres on the south east side of Leopold Street and built a large elegant mansion from plans prepared by his architect son, Walter Buckhurst, with a garden stretching half way along the narrow street northwards. The garden has disappeared, covered by ten newer buildings including small flat blocks, but fortunately the house has survived and is currently (1984) used as a convention centre by the Catholic Church.*

*Notable features include the verandah decoration, verandah roof and structure and an elaborate / high standard design of cement rendered surfaces. A large boom style Italianate mansion with tower and return verandah. Render decoration derives from several sources with check key pattern frieze, Byzantine arcading, Victorian vermiculation, rosettes and bunting and Serlian motif windows. A French mansard roof with patterned slates & widows walk completes the tower.*



**Figure 1: The Site shown in the Melbourne and Metropolitan Board of Works map dated 1895 showing the layout of landscaping to Toorak Road and former gardens extending to the rear (Source: Compass)**

The Site has been afforded a Significant grading in Council's Heritage Places Inventory February 2020 Part A (Amended May 2021) (the Inventory), as does the Toorak Road streetscape.

The Site was nominated to Heritage Victoria for registration in 2014. However, at the time of writing, this nomination had not been assessed.

Council's Heritage Precincts Statements of Significance February 2020 describes the South Yarra Precinct and specifically names Goodrest as one of the larger residences in the area that remained following the subdivision of many larger estates and relatively high density development occurring by the end of the 19<sup>th</sup> century.



**Figure 2: The Site as viewed from the corner of Toorak Road and Leopold Street (Source: Google Street View)**



**Figure 3: The Site from Leopold Street (Source: Google Street View)**



**Figure 4: Aerial image of the Site (Source: Compass)**

In addition to its significant heritage grading, the Site also includes a number of trees on Council's Exceptional Tree Register (ETR). These include two Canary Island Date Palms located towards the front boundary, with one towards the east and one towards the west boundaries as can be seen in Figure 4 above and Figure 5 below.

A row of Bhutan Cypress trees, also visible in Figures 4 and 5, line the east boundary of the site. There are 11 trees in total.



**Figure 5: Two Canary Island Date Palms and row of Bhutan Cypress on the Site as seen from Toorak Road, note Weeping Willow is not included in the Register (Source: Google Street View)**

## **1.2 Surrounds**

The Site is located opposite Fawkner Park, a large 40 hectare park which features paths lined with large well-established trees, playgrounds, sportsgrounds and a number of sporting / community facilities, including two art-deco brick pavilions constructed in the 1930s.

The Site is well served by public transport with a tram route along Toorak Road, bus routes within walking distance and the new Anzac Railway Station, currently under construction, approximately 500 metres to the north-west.

More immediate surrounds feature the following:

### **1.2.1 North**

Sharing the Site's north boundary, 14-24 Leopold Street features a three-storey residential building that contains 18 apartments and is known as 'Louvain'. A timber paling fence separates the Site from the red brick building which features habitable room windows facing the subject site at each level in two separate locations.

The property features a large area of private open space to the rear, north of the Site.

### **1.2.2 East**

To the east of the Site, also facing Toorak Road, 128-130 Toorak Road West features a three-storey residential building that contains 6 apartments and is known as 'Abergarn'. The majority of the building sits forward of the building on the subject Site, with habitable room windows facing the Site at the rear. A brick garage sits in the north-west corner abutting the Site's boundary fence.

The property at 128-130 Toorak Road West is also included in the Inventory and has been afforded a Significant grading in a Significant streetscape.

Also to the east, facing Marne Street, 3-5 Marne Street features a double storey dwelling known as 'Wyalla'. The property shares its rear boundary with the Site's east boundary for a length of approximately 14 metres.

There is a shed in the property's south-west corner, adjacent to the Site's east boundary fence. A row of trees on the property's boundary sit next to a large area of secluded private open space and swimming pool.

The property at 3-5 Marne Street is also included in the Inventory and has been afforded a Contributory grading in a Significant streetscape.

### **1.2.3 South**

As described above, Fawkner Park lies to the south of the Site, on the south side of Toorak Road. Fawkner Park is included on the Victorian Heritage Register (H2361).

### **1.2.4 West**

On the west side of Leopold Street facing Toorak Road, 112-116 Toorak Road West features a three-storey red brick building that contains 8 apartments. The entrance to the lobby is off Toorak Road and a crossover on Leopold Street provides vehicular access. A number of habitable room windows face the Site across Leopold Street.

The property is included in the Inventory and has been afforded a Significant grading in an ungraded streetscape.

Abutting the property's north boundary, 11-17 Leopold Street features a three-storey residential building that contains 9 apartments arranged around a central courtyard which faces Leopold Street. The property is known as 'Leopold Court'. The property has not been afforded a heritage grading in the Inventory.

To the north again, 21 and 23 Leopold Street are single storey dwellings joined by a central party wall. These dwellings have been afforded a Contributory grading in the Inventory, in an ungraded streetscape.

## **2 BACKGROUND AND HISTORY**

### **2.1 Pre-application discussions**

No pre-application discussions were held prior to the application being lodged.

### **2.2 S.50 Amendment**

In response to advice provided by Council's Heritage Advisor and Urban Forestry and Ecology team; and of its own volition to introduce other changes, the Application was amended pursuant to Section 50 of the *Planning and Environment Act 1987 (Vic) (Act)* on 21 September 2021 to make modifications to the proposal, being (in summary):

- Deletion of the single storey gym and pool house, and swimming pool at first floor, adjacent to the north boundary and relocation of the pool to the west boundary.
- Provision of a gym in the Site's north-east corner.
- Minor internal changes to the double storey addition.

Whilst no changes were made to the proposed vegetation removal, further information by way of justification for the removal was submitted.

A Construction Management Plan was also submitted as part of this amendment.

### **2.3 S.57A Amendment**

In response to feedback from Council and objectors the applicant amended the Application pursuant to Section 57A of the Act on 23 March 2022 to make modifications to the proposal, being (in summary):

- Basement ramp setback further from the eastern boundary to ensure it is not constructed within the Structural Root Zones of the retained Bhutan Cypress Trees.
- Revised basement layout, including an additional setback to the north-eastern corner, resulting in the existing retaining wall being demolished and reinstated with an increased footprint.
- Level 1 northern terrace deleted and replaced with a non-habitable garden bed.
- Revised roof terrace layout.
- Minor internal rearrangements.
- Minor rearrangement of the garden, courtyard, and lap pool.

The Section 57A plans are prepared by Powell & Glenn, dated 18 March 2022.

## 2.4 Relevant Permit History

The following application, considered relevant to the current proposal, has previously been considered for the Site:

TP number	Description of Proposal	Decision & Date of Decision	Officer Comment
TP-2013-1054 and TP-2013-1054/A	Use and development of the land for the purpose of a childcare centre (early learning centre) and primary school, including partial demolition of the existing building, alterations and additions to the existing building, vegetation removal and alter access to a road in Road Zone Category 1 in accordance with the endorsed plans	Permit 31 May 2016  Amended Permit 30 November 2018	Permit approved demolition of the rear later addition and a double storey addition in its place; two basement car parks under the Site to the front and rear of the retained building with access via Toorak Road and Leopold Street; the removal of the Weeping Willow still extant towards the front of the Site (and its removal from the Register); and relocation of the two Canary Island Date Palms.  This permit was not acted on and lapsed on 30 May 2020.

There are no applications of relevance on adjoining sites.

## 2.5 Planning Scheme Amendments

In the intervening period between when the application was first received by Council and the date of this report, the following amendments to the Scheme are considered to be relevant as bearing on the Application.

### 2.5.1 Amendment VC205

On 20 January 2022, VC205 was gazetted into the Scheme which introduced a new Transport Zone to replace the Road Zone and Public Use Zone Schedule 4. The amendment also makes consequential change within the Scheme. It is noted that the Site abuts a Road Zone / Transport Zone.

## 3 PROPOSAL

The application seeks to partially demolish the existing building, remove vegetation, construct alterations and additions to the retained building and alter access to the Site.

The plans which have been considered in this planning assessment are those that were formally submitted as an amendment under Section 57A of *the Planning and Environment Act 1987* (the Act) and have been informally advertised to all objectors.

Those plans include Drawings TP01 to TP20 inclusive dated 18 March 2022 by Powell & Glenn and Landscape Plans TP\_01; TP\_02; TP\_10-13; TP\_35; and TP\_50 dated 20 December 2021 by Myles Baldwin Design.

Those plans propose the following:

### 3.1 Demolition

The application seeks to demolish the rear double storey 1960's addition to the heritage building in its entirety. In addition, the following demolition is proposed:

- Sections of the rear north-facing walls of the original building will be demolished in three separate locations at the ground floor.
- Sections of the east facing outer wall at the ground floor will be demolished in two separate locations.
- A shed / outbuilding located next to the west boundary will be demolished.
- Various internal walls and doors, some not original fabric, will be demolished at the ground floor.

A similar pattern follows at the first floor where demolition is mostly proposed to internal walls and doors in addition to the widening of an existing window and removal of a non-original window on the east elevation and alteration of a window to a door on the west elevation.

Much of the roof will be demolished or reconstructed.

The retaining wall in the Site's north-east corner will be demolished and reconstructed.

The southern crossover on Leopold Street will be demolished.

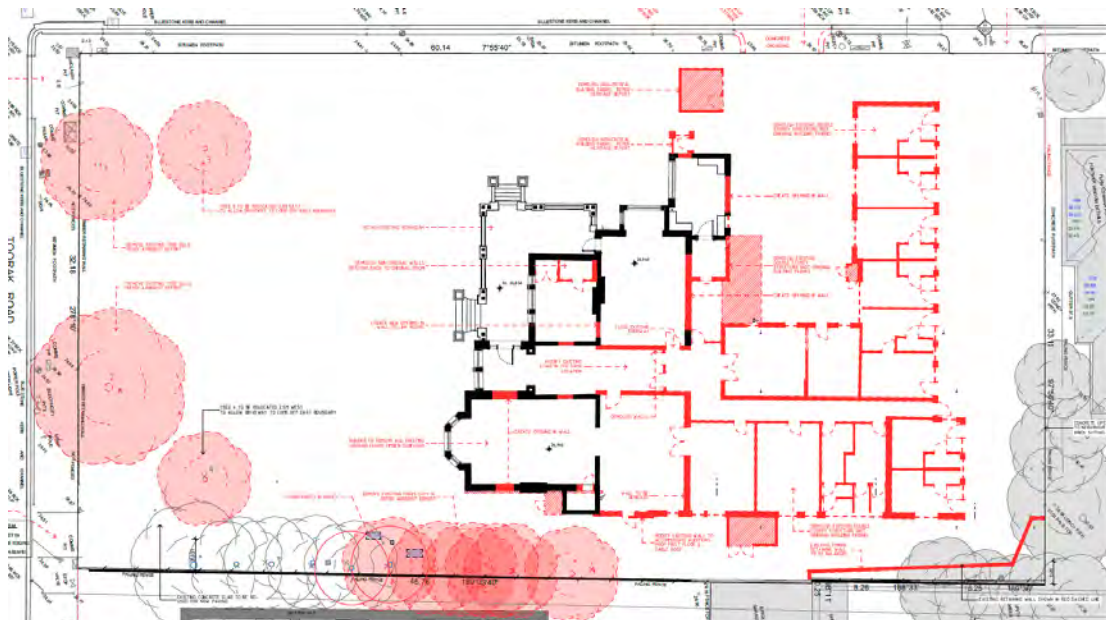
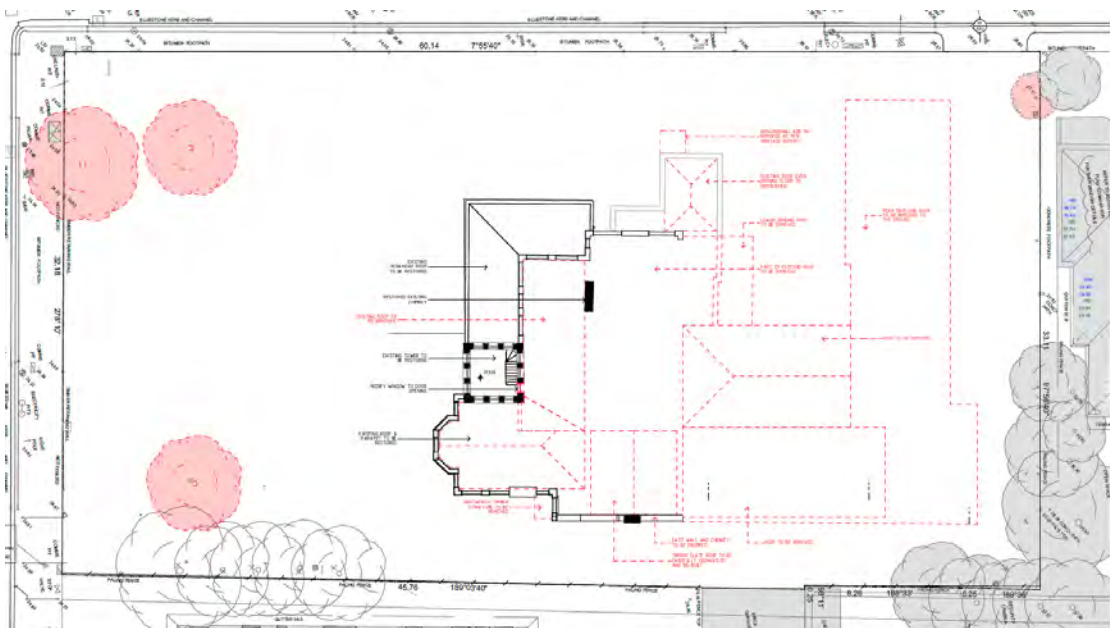


Figure 6: Ground floor demolition plans (Source: Applicant)



**Figure 7: First floor demolition plan (Source: Applicant)**



**Figure 8: Demolition roof plan (Source: Applicant)**

### **3.2 Removal of vegetation**

It is proposed to remove the five most northern trees growing in the row of Bhutan Cypress trees along the Site's east boundary.

The two Canary Island Date Palms will be retained in their current location.

Two additional trees will be removed that are growing in proximity to the Toorak Road boundary; a Field Elm and Weeping Willow.



### 3.3 Alterations and additions

The original building will undergo extensive refurbishment of the interior and exterior, with a double storey addition to the north and east.

A basement will be constructed to the rear of the original building, with access via a ramp adjacent to the eastern boundary.

The basement will have parking for 6 cars, a main and secondary lobby, wine storage, workshop, bathroom and sauna and general storage area.

The ground floor of the original building will be restored and feature living and entertaining areas whilst an addition to the east and north will feature a mud room, butler's pantry and laundry with an informal kitchen / dining / living area separated by a breezeway from a gym to the north.

The first floor will feature two bedrooms, a study, living rooms and bathroom facilities.

A roof terrace will be constructed above the first floor, to the rear of the tower, which will be restored.

Lift access will be provided from the basement to the roof terrace.

A 20 metre lap pool will be constructed alongside the west boundary at the rear of the site and the grounds will be extensively landscaped.

A pedestrian entrance will be created in the centre of the Site's west boundary from Leopold Street.

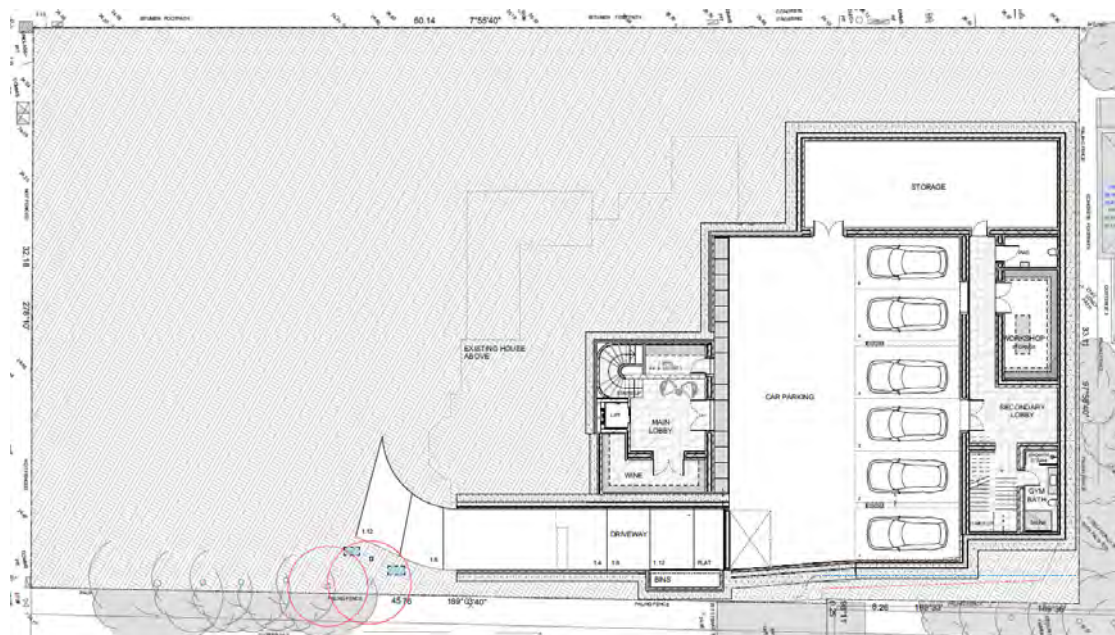


Figure 9: Basement plan (Source: Applicant)

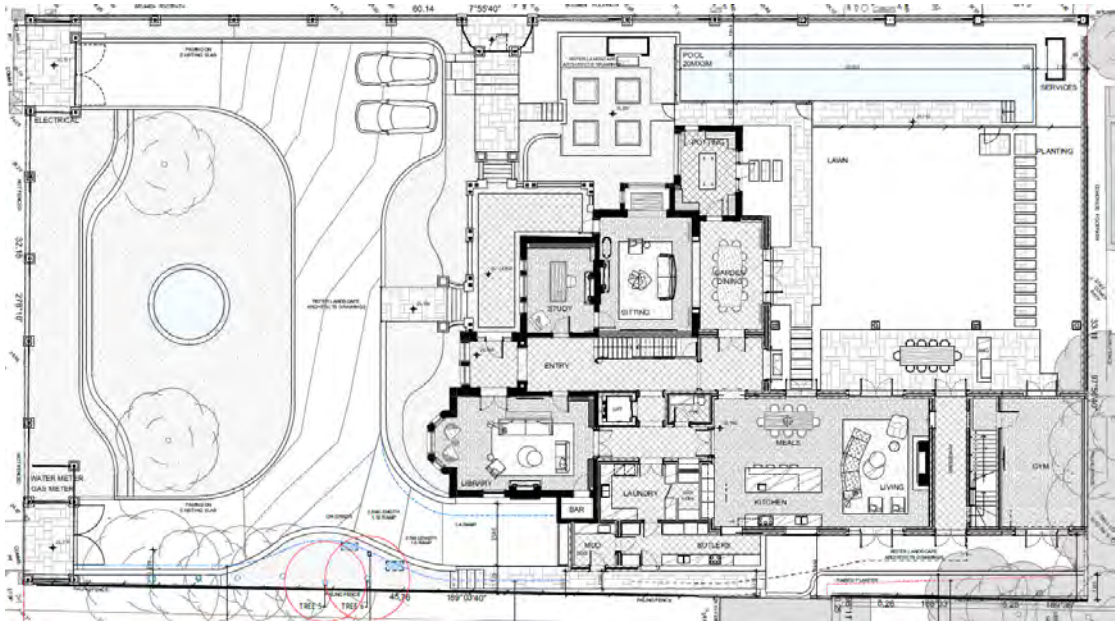


Figure 10: Ground floor plan (Source: Applicant)

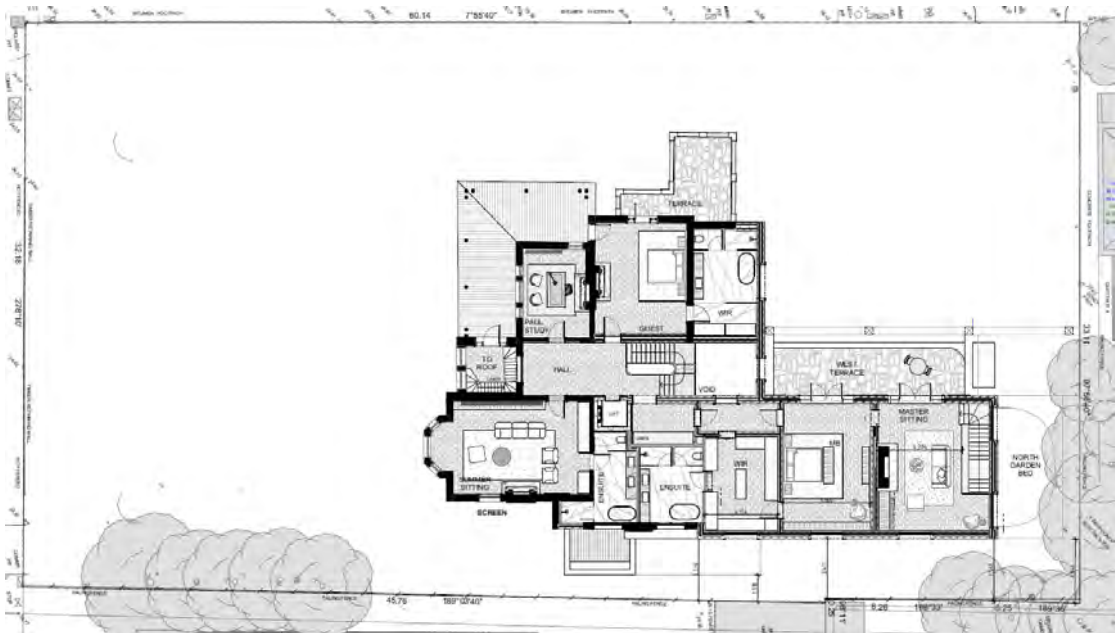
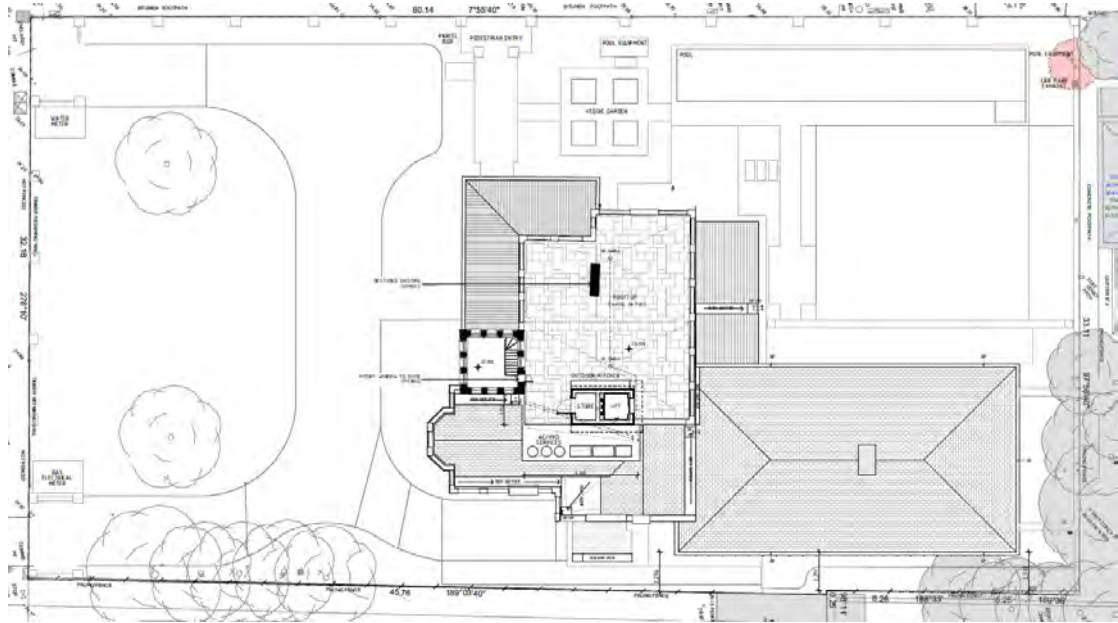


Figure 11: First floor plan (Source: Applicant)



**Figure 12: Roof terrace plan (Source: Applicant)**



**Figure 13: Rendered image of rear extension (Source: Applicant)**



Figure 14: Rendered image of proposal from Toorak Road (Source: Applicant)

### 3.4 Alteration of access

Vehicular access to the site will be via the existing crossovers on the Toorak Road boundary. A circular driveway will be constructed within the front setback, allowing vehicles to enter and exit in a forwards direction.

## 4 PLANNING CONTROLS

The following table summarises the planning controls and requirements of the Scheme applying to the Site and proposed development:

Clause	Permit Trigger
<p>Clause 32.08 General Residential Zone Schedule 5</p>	<p><b><i>No permit required.</i></b></p> <p>Pursuant to Clause 32.08-2 a <b>permit is not required</b> to use the land for a dwelling.</p> <p>Pursuant to Clause 32.08-4, an application to construct or extend a dwelling on a lot must provide a minimum garden area for a lot above 650 square metres of 35%.</p> <p>Pursuant to Clause 32.08-5, a permit is required to construct or extend one dwelling on a lot of less than 300 square metres. Given the Site is on a lot greater than 300 square metres, a <b>permit is not required.</b></p> <p>Pursuant to Clause 32.08-10, a building must not be constructed for use as a dwelling that exceeds a height of 12 metres. An extension to an existing building may exceed the maximum building height if it does not exceed the building height of the existing building.</p> <p>Building height is defined at Clause 73.01 as:</p> <ul style="list-style-type: none"> <li><i>The vertical distance from natural ground level to the roof or parapet at any point.</i></li> </ul>
<p>Clause 42.01</p>	<p><b><u>Permit required –to construct a building or construct or carry out works within the TPZ of an exceptional tree, to remove an</u></b></p>

<p>Environmental Significance Overlay Schedule 2 (Exceptional Trees)</p>	<p><b><u>exceptional tree</u></b></p> <p>Pursuant to Clause 42.01-2, a permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.</p> <p>A permit is also required to remove any vegetation.</p> <p>Schedule 2 to the overlay states that a permit is not required to construct a building or construct or carry out works, or to construct a fence, outside the Tree Protection Zone (TPZ) of any exceptional tree listed in the table to the schedule.</p> <p>Some of the works will occur within the TPZ of exceptional trees and, therefore, a <b>permit is required</b>.</p> <p>Schedule 2 to the overlay also states that permit is not required to remove vegetation which is not listed in the table to the schedule.</p> <p>The table to the schedule includes both the two Canary Island Date Palms on the Site as well as the row of Bhutan Cypress trees adjacent to the east boundary. Therefore, a <b>permit is required</b> for the removal of five of the Bhutan Cypress trees, as proposed.</p>
<p>Clause 43.01 Heritage Overlay Schedule 6 (South Yarra Precinct)</p>	<p><b><u>Permit required – partial demolition, buildings and works, construct a fence, external alterations, and painting.</u></b></p> <p>Pursuant to Clause 43.01-1, a <b>permit is required</b> to demolish or remove a building; to construct a building or construct or carry out works; construct a fence, construct a domestic swimming pool, external alterations, painting and to remove, destroy or lop a tree if the schedule to the overlay specifies the heritage place as one where tree controls apply.</p> <p>Schedule 6 includes:</p> <ul style="list-style-type: none"> <li>• External paint controls; and</li> <li>• Tree controls relating to <i>120W Toorak Rd: 2 Canary Island Date Palms &amp; Row of 11 Italian Bhutan Cypress.</i></li> </ul>
<p>Clause 43.02 Design and Development Overlay Schedule 15 Area 1 (Royal Botanic Gardens)</p>	<p><b><u>Permit required – construct a building or construct or carry out works.</u></b></p> <p>Pursuant to Clause 43.02, a <b>permit is required</b> to construct a building or construct or carry out works, unless a schedule to the overlay specifies that a permit is not required.</p> <p>Schedule 15 includes a mandatory maximum height of 12 metres for buildings and works and includes a number of design objectives and built form outcomes for a development to achieve.</p>
<p>Clause 43.02 Design and Development Overlay Schedule 66 (Hospital Emergency Medical Services Helicopter Flight Path Protection (Outer Area))</p>	<p><b><u>No permit required.</u></b></p> <p>Pursuant to Clause 43.02, a permit is required to construct a building or construct or carry out works.</p> <p>A permit is not required to construct or carry out buildings and works in relation to an existing dwelling that exceeds the heights specified in Table 1 provided the buildings and works do not exceed the existing height of the building (measured at the apex of the roofline).</p> <p>The buildings and works proposed do not exceed the existing height of the building and, therefore, a <b>permit is not required</b>.</p>
<p>Clause 43.02 Design and Development</p>	<p><b><u>Permit required – construct a building or construct or carry out works.</u></b></p>

Overlay Schedule 70 (Melbourne Metro Rail Project – Infrastructure Protection Areas)	Pursuant to Clause 43.02, a <b>permit is required</b> to construct a building or construct or carry out works.  Section 2 of Schedule 70 lists a number of permit exemptions, none of which apply to the current application. Therefore, a <b>permit is required</b> .
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Clause	Particular Provisions
Clause 52.29 Land Adjacent to the Principal Road Network	<b><u>Permit required – to create or alter access to a road</u></b>  Pursuant to Clause 52.29-2, a <b>permit is required</b> to create or alter access to a road in a Transport Zone 2.  Pursuant to Clause 52.29-4, an application must be referred under Section 55 of the Act to the Head, Transport for Victoria.

Clause	General Provisions
Clause 65 Decision Guidelines	Requires that the Responsible Authority decides whether a proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
Clause 66 Referral and Notice Provisions	Sets out the kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act.

## 5 STRATEGIC FRAMEWORK

The following provisions of the Melbourne Planning Scheme apply:

Planning Policy Framework (PPF)	<ul style="list-style-type: none"> <li>• Clause 15.01-1S – Urban design</li> <li>• Clause 15.01-2S – Building design</li> <li>• Clause 15.02-1S – Energy and resource efficiency</li> <li>• Clause 15.03-1S – Heritage conservation</li> </ul>
Municipal Strategic Statement (MSS)	<ul style="list-style-type: none"> <li>• Clause 21.06 – Environment and landscape values</li> <li>• Clause 21.06 – Built environment and heritage</li> <li>• Clause 21.16-1 – St Kilda Road and South Yarra</li> </ul>
Local Planning Policies	<ul style="list-style-type: none"> <li>• Clause 22.05 – Heritage places outside the Capital City Zone</li> <li>• Clause 22.17 – Urban design outside the Capital City Zone</li> <li>• Clause 22.19 – Energy, water and waste efficiency</li> <li>• Clause 22.23 – Stormwater management (WSUD)</li> </ul>

## 6 PUBLIC NOTIFICATION

It was determined that the proposal may result in material detriment. Notice of the proposal was given by ordinary mail to the owners and occupiers of surrounding

properties and by posting two notices on the site for a 14 day period, in accordance with Section 52 of the *Planning and Environment Act 1987*.

In addition to the above, and following the submission of an amendment to the application under Section 57A of the Act, the amended plans were informally circulated via email to the objectors on 23 March 2022.

Objectors were provided with a 7 day period in which to respond to the amended plans, if they wished to do so. No responses were received at time of writing of this report.

## **7 OBJECTIONS**

A total of two objections were received, and raised the following concerns with the proposal:

- Overlooking.
- Overshadowing.
- Loss of daylight.
- Proximity of basement to eastern boundary and lack of space for landscaping in this location.
- Impact of basement on existing trees at 3-5 Marne Street.
- Insufficient information on materials and finishes proposed.
- Potential amenity impacts to be assessed as a future Report and Consent request.

All issues raised in the objections will be given due consideration in the following assessment.

## **8 CONSULTATION**

Formal notification and informal notification of the proposal has occurred.

In addition to individual consultation with objectors being undertaken by telephone, and email, a copy of the objections received were provided to the applicant for their consideration and response.

The applicant amended the application under s.57A of the Act following the first notice period as outlined above.

It is also understood that discussions have been held between the applicant and objectors.

## **9 REFERRALS**

### **9.1 Internal**

The application was referred internally to the following:

#### **9.1.1 Heritage**

Council's Heritage Advisor has attended a site visit with the applicant and provided heritage advice on the application on two separate occasions. The following summarises the most recent advice received:

- Additional evidence provided that the row of Bhutan Cypress were likely planted in the early 1960s, coinciding with the conversion of the Site to a hotel. There is no adverse heritage impact from their removal.

- Overall, the roof's imperceptibility from the street and concealment of the rooftop terrace's elements from the public realm, together with meaningful conservation works to the façade, allow for an on balance approval to be made.
- The revised Conservation Management Plan (CMP) clarifies changes to the east elevation which are acceptable.
- Changes to the west elevation, namely the terrace above the proposed potting room, would have a negligible impact on the interpretation and intactness of the place.
- The applicant's additional evidence in relation to the use of York stone paving now means this proposed material is accepted.

This advice is further discussed in Section 10.1 below.

### **9.1.2 Urban Forest and Ecology**

The application was referred to Council's Urban Forest team for comment.

Council's Urban Forrester acknowledged that historic pruning of the eastern canopy of Bhutan Cypress trees has greatly reduced the amenity value of the trees but noted that regardless, the trees contribute to the local landscape character given their visibility from the public realm.

Investigative works by the applicant demonstrated the basement ramp would likely have a negative impact on the long-term viability of the northernmost trees, resulting in their proposed removal. However, it is also probable that additional incursions into the TPZ would be required for construction purposes which may be detrimental to tree health.

The applicant has identified the requirement to ensure that the driveway is constructed above existing soil levels and remains permeable. This methodology is considered necessary and should form a condition of any permit.

A site specific Tree Protection Plan (TPP) should outline temporary protection measures and work methodologies to minimise the impacts to trees during the construction phase.

Subsequent submission of a Non-Destructive Root Investigation to demonstrate the impact of basement ramp works on Trees 1-6 suggested that roots within the Structural Root Zone (SRZ) of Trees 5 and 6 would need to be removed, impacting the trees' stability and not complying with AS4970 (Protection of trees on development sites).

As a result of this the applicant formally amended the application via s.57A to alter the location of the driveway to ensure that it did not encroach into the SRZ of Trees 5 and 6.

Conditions are also recommended on any permit that may issue requiring tree protection measures and further confirmation that the driveway relocation will ensure the long term health of the trees is maintained.

This advice is further discussed in Section 10.2 below.

### **9.1.3 Traffic**

Council's Traffic Engineers offered no objection to the proposal and advised the following:

- The provision of 6 parking spaces in the basement is acceptable and the entrance ramp complies with relevant requirements.



- Vehicles will enter and exit the Site on Toorak Road in a forwards direction and entrance / exit gates are sufficiently set back from the title boundary to allow vehicles to stop clear of Toorak Road. However, adequate sight distance must be provided to allow vehicles exiting the Site to have visibility of passing pedestrians.

A condition has been recommended for any permit to issue to address the need for adequate sight lines.

#### 9.1.4 Civil Design

Council's Infrastructure and Assets team offered no objection to the proposal and requested that standard conditions be included on any permit to issue.

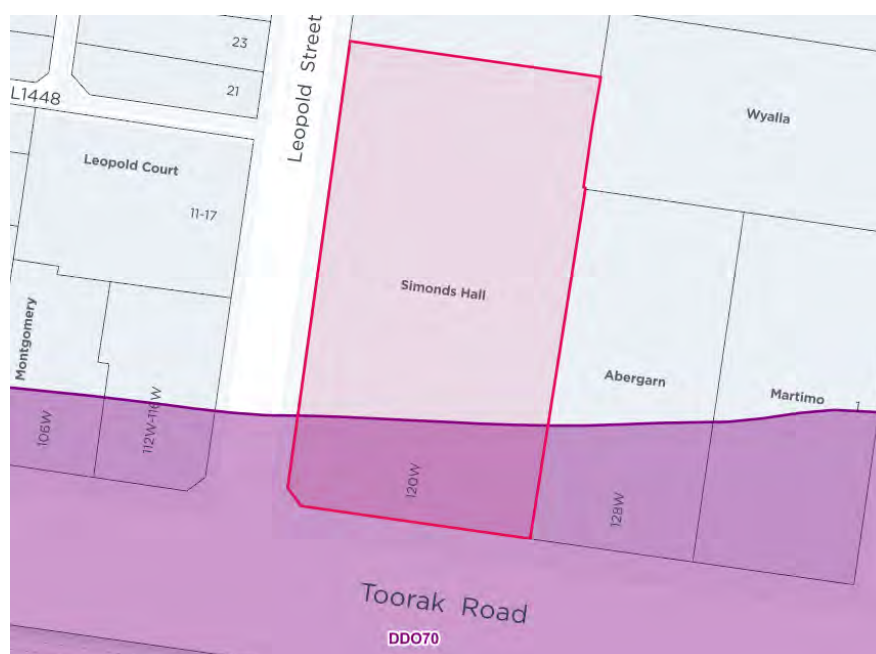
These have been included in the recommended conditions in their entirety.

## 9.2 External

The application was referred externally to the following:

### 9.2.1 Rail Projects Victoria (RPV) on behalf of the Secretary to the Department of Economic Development, Jobs, Transport and Resources

The application was referred to RPV pursuant to Clause 66.04 given the Site's location in the DDO70. However, it is noted that the DDO70 affects only the south side of the Site's front boundary and does not appear to extend to the location of proposed works. The application was referred nonetheless.



**Figure 16: Location of DDO70 (Source: Compass)**

RPV offered no objection to the grant of a planning permit, subject to the inclusion of a condition of permit requiring as-constructed plans to be submitted to them.

This condition will be included on any permit to issue.

### 9.2.2 Head, Transport for Victoria

The application was referred to the Department of Transport (VicRoads) on 16 September 2021. At the time of writing, no response had been received.

The application does not seek to create new access from the Transport Zone 2, rather to retain the existing crossovers and construct a new driveway within the title boundary for vehicle access.

Referral Authorities have 28 days to respond to a referral after which a decision can be made on an application. Having regard to the nature of the proposal, for a single dwelling utilising an existing crossover, the volume of vehicles accessing the Site from Toorak Road is expected to be low and the application can continue to be assessed on this basis in the absence of a response.

## **10 ASSESSMENT**

The application seeks partial demolition; the removal of vegetation; the construction of alterations and additions to the existing building; and the alteration of access to a road in a Transport Zone, Category 2.

The key issues for consideration in the assessment of this application are heritage; the removal of vegetation; the Design and Development Overlay Schedule 15; ESD; and additional concerns raised by objectors.

### **10.1 Heritage**

The application seeks partial demolition of the significant graded heritage building, which sits in a significant streetscape.

The following provides an assessment against the objectives and policies of Clause 22.05, Council's Local Policy for Heritage Places outside the Capital City Zone:

#### **10.1.1 Demolition**

Proposed demolition is generally confined to the rear double storey addition which was added to the building in the 1960s and is of no heritage value, nor does it contribute to the character of the original building.

Council's Heritage Advisor has advised that the degree of demolition is supported.

Whilst policy states that partial demolition of significant buildings will not generally be permitted, the demolition in this case is of little consequence to the original building. Demolition will make way for a new rear addition which will appropriately connect to the original building and allow for its meaningful restoration.

The three dimensional form of the building will be retained. Additions will not be highly visible from Toorak Road or main vantage points in the public realm, sitting behind the prominent heritage building.

The proposed demolition and redevelopment of the Site will include extensive restoration of the original building, contributing to the long-term conservation of significant fabric of the building.

Demolition of sections of the rear wall of the original building are mostly confined to the north-east corner of the building, set well back from Toorak Road and Leopold Street, and will facilitate the new addition.

Changes to various openings as well as internal changes to walls and doors are proposed, in some cases to reinstate original features, which is supported.

Overall, the degree of demolition to the significant graded building is supported for the reasons outlined above.

A condition has been recommended that requires the payment of a bond to Council, prior to the commencement of works, to ensure that demolition is restricted to that which has been approved, should a permit issue.

### **10.1.2 Additions**

Key attributes identified in the Statement of Significance for the South Yarra heritage precinct include:

- Typical nineteenth and early twentieth century building characteristics including:
  - Use of face brick, rendered masonry and bluestone building materials, the latter typical of the early institutional buildings.
  - Hipped and gable ended roof forms with often visible and prominent chimneys, slate or tile cladding; prominent parapets, with urns and finials; side or party walls extending from the fronts of terraces; verandahs with decorative and often ornate cast iron work and tiled verandah floors, and timber verandahs and friezes in the Edwardian dwellings; iron palisade fences on stone plinths.
- Importance of gardens and front setbacks to dwellings, particularly the larger residences; and street tree plantings to streets.

Whilst the submitted plans lack details of materials and finishes, and a recommended condition of any permit that may issue requires details to be submitted, the Town Planning Report submitted with the application suggests the finishes of the rear addition will primarily be render to match the original building.

The additions will feature hipped roof forms with a central chimney.

The large front setback will be landscaped, including the provision of mature trees.

The additions will be double storey in height, sitting to the rear of the taller original building and not visually disrupting the appreciation of the original building from Toorak Road or Leopold Street.

Additions will be respectful of the building's character and appearance, adopting similar materials and finishes but in a location and form that will readily be viewed as a later addition.

As well as the main double storey addition, a roof terrace will be created at the second floor to the rear of the prominent front verandah and tower. Whilst lift access will be provided, this will also be concealed from views from the public realm by the tower and surrounding parapet. Council's Heritage Advisor has reviewed plans for the addition and advised that it is supported based on the concealment of this element.

For the reasons outlined above, the additions are supported.

### **10.1.3 Restoration and Reconstruction**

The restoration of the original building is supported by policy. The proposal has also been reviewed by Council's Heritage Advisor who has offered support.

Whilst the Conservation Management Plan (CMP) and submitted plans make reference to selected restoration works, a condition of permit is recommended to be included on any permit to issue requiring full details of the restoration works proposed.

### **10.1.4 Vehicle Accommodation and Access**

Clause 22.05 states that the introduction of on-site car parking, garages and carports, and vehicle crossovers is discouraged unless the following standards, of relevance to the current application, are met:

- Car parking is located to the rear of the property, where this is an established characteristic.
- 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.

The plans include provision of a paved parking area on the west side of the driveway, adjacent to the Leopold Street boundary. Given there is a basement car park also proposed, with capacity for 6 vehicles, this area is not supported.

This area would increase the area of hard paving to the south-west of the original building and be highly visible from both Toorak Road and Leopold Street. The provision of car parking in this location would visually disrupt the appreciation of the heritage building.

A condition will be included on any permit to require this area of paving to be deleted with suitable landscaping provided in its place.

The entrance to the basement ramp is located to the east side of the heritage building, set well back from the Toorak Road boundary. The location will not be highly visible from the public realm, will not disrupt the setting of the building, and is located to ensure excavation will not need to occur beneath the heritage building.

The location of the basement ramp is supported.

#### **10.1.5 Fences and Gates**

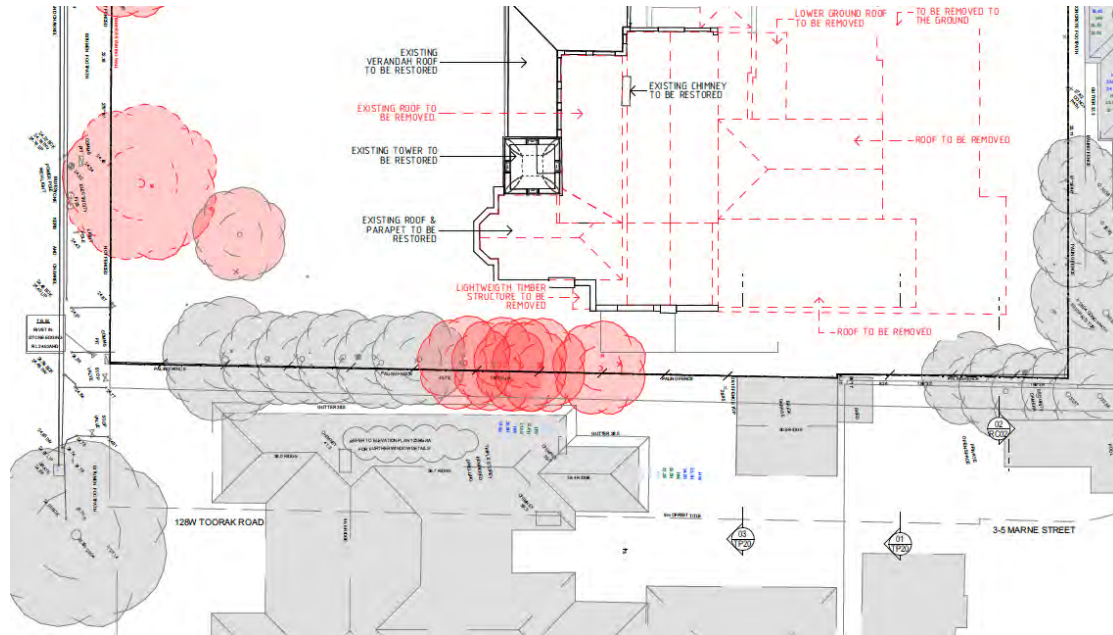
A new Victorian style fence featuring 2 metre high metal pickets and posts is proposed to the Toorak Road and Leopold Street boundaries of the Site.

The CMP suggests the Toorak Road boundary was most likely occupied by a masonry wall. The proposed fence is therefore not a reconstruction of an original fence.

The proposed fence is appropriate given the early-Victorian age of the heritage building. It will not conceal prominent views of the heritage place given the height and placement of the building on the Site.

#### **10.2 Removal of vegetation**

The application seeks approval for the removal of the 5 most northern trees in the row of Bhutan Cypress trees located on the east boundary of the Site. The row includes a total of 11 trees, all which are included in the Table at Schedule 2 to the Environmental Significance Overlay; in the City of Melbourne Exceptional Tree Register 2012 (as amended in 2014) (ETR), which is a reference document in the Melbourne Planning Scheme; and included in Schedule 6 to the Heritage Overlay.



**Figure 17: Location of Bhutan Cypress trees to be removed (circled) (Source: Applicant)**

A permit is required to remove the vegetation under the ESO2 and HO6.

Decision guidelines of relevance to the current application at Clause 42.01-5 include the following:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to the ESO.
- Any other matters specified in a schedule to the ESO which, in this case, includes a number of decision guidelines of relevance:
  - The impact of the proposal on the environmental, ecological, habitat, historical, cultural, landscape, aesthetic or scientific significance of the identified exceptional tree or group of trees.
  - The impact of the proposal on the health, appearance and stability of the tree.
  - The impact of the proposal within the tree protection zone of any identified exceptional tree including whether the tree protection zone (as assessed by a qualified arborist) is different in size or shape to the tree protection zone for that tree as defined in clause 3.0.
  - Any relevant report provided by a suitably qualified arborist.
  - The relevant identified values and statement of significance as in the Table to this schedule.
  - Any report that identifies, describes, or deals with the tree including the City of Melbourne Exceptional Tree Register 2012 (as amended in 2014) and the National Trust of Australia (Victoria) Register of Significant Trees in Victoria.

- Whether alternatives to tree removal including potential redesign or relocation of buildings and works, have been considered.
- Whether the planting of appropriate replacement tree(s) or vegetation is required.

The following provides an assessment against the relevant decision guidelines:

Council's Urban Forestry and Ecology team have reviewed the proposal on several different occasions and provided advice that the extensive pruning of the eastern canopy of the trees in question has greatly reduced the amenity of the trees but that their visibility from the public realm mean they still contribute to the landscape character of the area.

The statement of environmental significance at Clause 1.0 of Schedule 2 to the ESO states that trees included in the ETR '*...contribute to the character and culture of local areas and collectively, to the valuable ecosystems of the City of Melbourne's Urban Forest*'.

The identified values of the row of trees in the table to the ESO2 include their '*outstanding size, historical (HO6) value, particularly old, location or context*'.

The applicant has provided evidence to demonstrate that the trees were not part of the original planting on the Site and more likely to be a much later addition. They also cite the location of trees, set well back from the Toorak Road boundary, as meaning their landscape value is further reduced.

The proposal would retain trees in the row that sit forward of the building's existing façade, with the trees to be removed located adjacent to the building's east wall. As a result of the proposed works, including landscaping of the large front setback of the building and proposed fencing to the front and west boundaries, the trees to be removed would not be highly visible from the public realm. The 6 remaining trees, much closer to the front boundary, will remain visible and continue to contribute to the landscape character of the area.

Council's Urban Forestry and Ecology team raised concern with the proximity of the driveway, and associated works to construct it, to the rear most trees to be retained, Trees 5 and 6. Most recent advice suggested the basement ramp needed to be amended to ensure no encroachment of works into the SRZ of those trees.

The applicant has responded to this advice, formally amending the application via s.57A to amend the basement ramp and driveway so that works will not result in the cutting of roots in the SRZ.

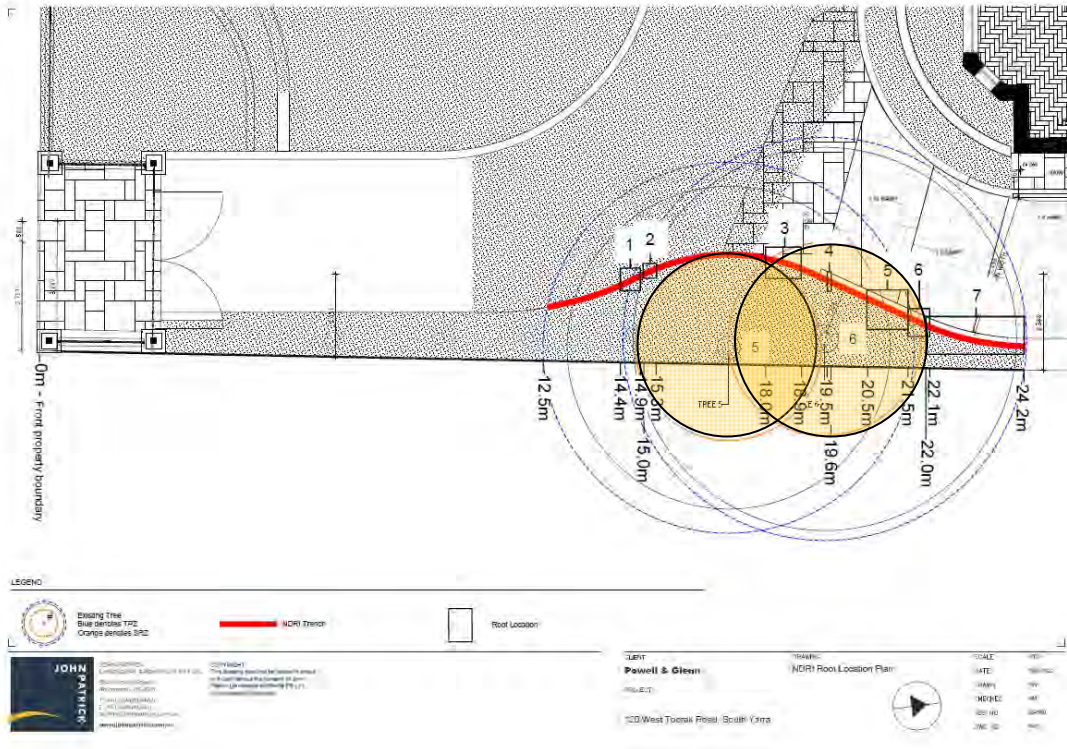


Figure 18: Location of Trees 5 and 6 TPZ in blue and SRZ in orange (and highlighted for clarity) as per advertised plans (Source: Applicant)

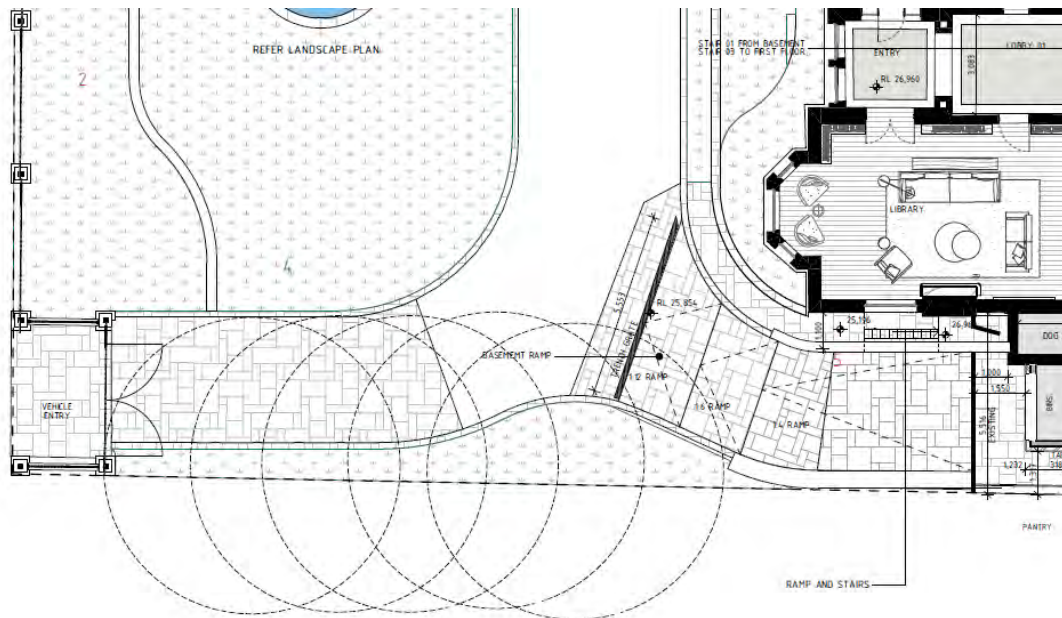
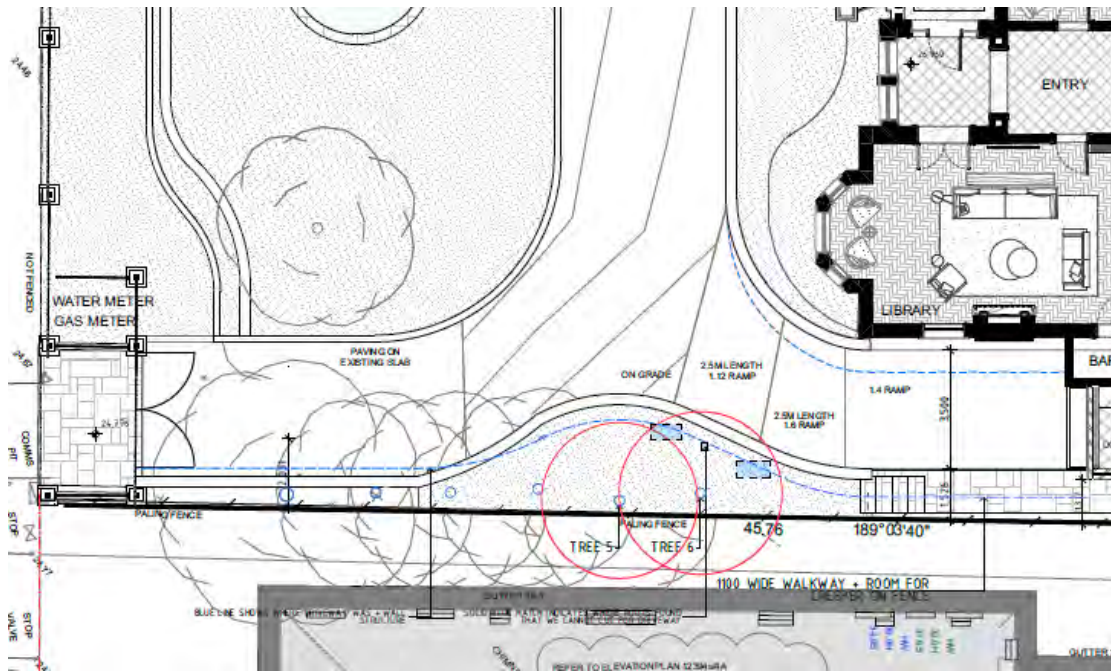


Figure 19: Location of basement ramp (advertised plans) (Source: Applicant)



**Figure 20: Location of basement ramp with blue dashed line showing previous ramp location (S57A amended plans) (Source: Applicant)**

Urban Forestry and Ecology have also advised the driveway could be constructed in such a way to ensure it sits above the existing soil levels on site and is permeable to ensure retention of the remaining trees. This forms one of the recommended conditions of any permit that may issue.

The applicant has not submitted any evidence to demonstrate what, if any, alternatives to tree removal have been explored. However, as outlined above, the location of the basement ramp and entrance on the east boundary alongside the retained building is the least visible location on the Site. The ramp is set well back from Toorak Road and away from Leopold Street, both of which provide the most extensive views of the Site from the public realm. The basement, ramp and driveway are also located where they will have the least potential impact on the retained building, not disrupting the footprint of the existing ground floor.

Due to proposed works along the east boundary where trees are to be removed, replacement trees are not proposed in the same location. However, landscape plans have been submitted with the application that include extensive landscaping of the Site. Plans include in excess of 120 new trees and greater than 35 percent (approximately 48 percent) of the Site will feature 'garden area', as required by Clause 32.08-4.

Council's Urban Forestry and Ecology team have reviewed the plans, suggesting that more climate ready species should be chosen. This forms part of the recommended conditions, should a permit issue.

In addition to the above, Clause 22.05 sets out policy for trees with assessed significance (noted in the Schedule to the Heritage Overlay). For those trees, it is policy that:

- Trees with assessed cultural significance (as noted in the schedule to the Heritage Overlay) be retained wherever possible.



- Buildings and works respect trees with assessed cultural significance (as noted in the schedule to the Heritage Overlay) by siting proposed new development at a distance that ensures the ongoing health of the tree.
- New buildings and works comply with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites for vegetation of assessed significance.

Council's Heritage Advisor has provided advice to confirm that they agree the row of trees were most likely planted in the 1960s during the Site's conversion to a hotel. Advice confirmed that there would be no adverse heritage impact from their removal.

Council's Urban Forestry and Ecology team have reviewed the proximity of the driveway to the significant trees to be retained and suggested conditions to ensure their ongoing health and retention.

The applicant has also made changes to the application, amending the basement ramp location to respond to concerns that the SRZ of Trees 5 and 6 are protected. In conjunction with additional conditions, these changes will meet the requirements of AS 4970-2009.

For the reasons outlined above, removal of the rear 5 Bhutan Cypress trees is appropriate. Conditions of permit, including a Tree Protection Plan, will ensure the long-term retention of remaining significant trees on the Site. Extensive landscaping on the Site will also make a significant contribution to the landscape character of the area, balancing the loss of significant trees.

The two Canary Island Date Palms towards the front of the Site are proposed to be retained in situ, according to the applicant's Town Planning Report. However, the demolition plans indicate that these trees will be relocated.

Although the previous approval on the Site endorsed the relocation of these trees due to the proposed basement directly below, information that these trees would need to be relocated under the current application has not been provided.

For this reason a proposed condition of permit has been included requiring the deletion of references to the trees' relocation. Should this become a matter the applicant later wants to explore, an amendment to the permit could be submitted should a permit issue.

Upon review, it was also noted that the 'Landscape Plan – Front Garden' refers to the removal of 6 rather than 5 trees. A recommended condition of permit seeks to correct this error.

An objection was received by Council in relation to the impact on trees at 3-5 Marne Street due to the proposed location of the basement in proximity to the Site's east boundary and trees on the neighbouring property.

The trees being referred to are not on the ETR or included in the schedule to the Heritage Overlay.

However, through negotiations between the applicant and objector, the basement was set back further from the trees in question. Additionally, an existing retaining wall will be demolished and reconstructed with an increased footprint but also set further back from these trees. These measures will ensure an improved outcome for existing trees on the adjoining property.

### **10.3 DDO15 Area 1 (Royal Botanic Gardens)**

The Site is located in the DDO15 which has a mandatory maximum height of 12 metres. However, Schedule 15 also states that a permit may be granted to replace or alter a building or works existing at the approval date but which do not comply with

the Maximum Building Height, if the responsible authority is satisfied an increased height improves the amenity and enhances the urban character of the area.

Due to the topography of the land, the height of the additions when measured from the vertical distance at the natural surface level at the centre of the site frontage and the highest point of the building would be approximately 14 metres. However, this is lower than the height of the heritage building and, therefore, allowable given that the building was constructed prior to the approval date. The height of the additions will allow an improved amenity on the Site and enhance the urban character of the area.

The height is also consistent with Clause 32.08-10 which states that a building must not be constructed for use as a dwelling that exceeds a height of 12 metres noting the clause also provides an exemption to this requirement where an extension to an existing building may exceed the maximum building height if it does not exceed the building height of the existing building.

The following provides an assessment against the relevant design objectives and built form outcomes of Schedule 15 – Area 1:

- The Site is located approximately 400 metres south of the Royal Botanic Gardens. The development will not be visible from the gardens and will have no impact on its amenity.
- The redevelopment of the Site is compatible with the existing scale and character of buildings in the area.
- The residential amenity of the area will be protected.

The proposal exhibits an acceptable response to the requirements of the DDO15 Area 1.

#### **10.4 ESD**

The application did not include a response to Clause 22.19 (Energy, Water and Waste Efficiency) or Clause 22.23 (Stormwater Management) of the Melbourne Planning Scheme.

It is noted that a Waste Management Plan is required to be submitted to meet the requirements of Clause 22.19 and this will form a recommended condition to be included on any permit to issue.

An additional condition can require an ESD report to ensure the development achieves the relevant performance measures set out at Clauses 22.19 and 22.23. Given the nature of the proposal, these requirements are not onerous and can be readily met.

#### **10.5 Objections**

In addition to the objections received relating to trees and the basement location addressed above, objectors raised several other concerns.

Matters relating to overlooking, overshadowing and a loss of daylight were raised as concerns, with one objector acknowledging that potential amenity impacts would be assessed as a future Report and Consent request at the Building Permit stage.

A permit is not required under the General Residential Zone as the Site exceeds an area of 300 square metres. An assessment against the relevant Building Regulations will be undertaken by the Building Surveyor and is not a matter that can be addressed as part of the planning application.

It does appear that habitable room windows would be within 9 metres of adjoining habitable room windows or secluded private open space on neighbouring properties. The plans are not clear whether views from these windows are proposed to be

obscured or not. However, as noted, this is a matter for the Building Surveyor to address.

Concerns about overshadowing and a loss of daylight were received from a neighbour to the north of the Site. Whilst these are also a matter for the Building Surveyor, it is evident that overshadowing would not occur to a property to the north of the Site due to the trajectory of the sun throughout the day. Additionally, the addition is set back in the order of 5 metres from the north boundary of the site and is only double storey in height.

An objector also raised a concern about the insufficient information on materials and finishes proposed. This has also been acknowledged in the assessment above and a condition of any permit to issue has been recommended to require a schedule of materials and finishes.

## **10.6 Conclusion**

It is considered that the proposal is consistent with the relevant sections of the Melbourne Planning Scheme, as discussed above, and that a Notice of Decision to Grant a Permit be issued for the proposal subject to the below conditions.

## **11 RECOMMENDATION**

That a Notice of Decision to Grant a Permit be issued subject to the following conditions:

### **Permit preamble**

Partial demolition; the removal of vegetation; the construction of alterations and additions to the existing building; and the alteration of access to a road in a Transport Zone, Category 2 in accordance with the endorsed plans.

### **Amended Plans**

1. Prior to the commencement of the development on the land, electronic plans, drawn to scale must be submitted to the Responsible Authority generally in accordance with the plans by Powell & Glenn drawings TP01 to TP20 inclusive dated 18 March 2022 and landscape plans by Myles Baldwin Design drawings TP\_01; TP\_02; TP\_10-13; TP\_35; and TP\_50 dated 20 December 2021 but amended to show:
  - a) A schedule of all external materials, colours and finishes including colour rendered and notated plans / elevations.
  - b) A total of 5 existing Bhutan Cypress included in Council's Exceptional Tree Register 2012 (as amended in 2014), identified as Trees 133/7 to 133/11 inclusive, to be removed in plan and notation form shown on all relevant architectural plans and landscape plans, with Trees 133/1 to 133/6 inclusive, to be retained.
  - c) Any references to Trees 3 and 4, the Canary Island Date Palms, being relocated to be deleted, with these trees being noted as retained in situ.
  - d) The car parking area on the driveway adjacent to Leopold Street deleted, with the area of paving reduced in this location to serve as a driveway only.

- e) The existing concrete vehicle crossing in Leopold Street to be reconstructed in asphalt to current Council standards.
- f) The provision of measures to ensure vehicles exiting the site to Toorak Road will have adequate sight distance for passing pedestrians.
- g) Any changes required by the Waste Management Plan at Condition 9.
- h) Any changes required by the ESD statement at Condition 10.
- i) Any changes required by the Landscape Plan at Condition 13.

These amended plans 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 development as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

#### **Architecture**

- 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. Prior to the occupation of the development, all buildings and works required by this permit must be completed to the satisfaction of the Responsible Authority.

#### **Heritage Retention**

- 5. Prior to the commencement of the development, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of building 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 City of Melbourne and be to the satisfaction of the Responsible Authority.
- 6. Before the development starts, an amended Conservation Management Plan for the existing building on the land must be submitted to and be approved by Melbourne City Council. The Conservation Management Plan must be generally in accordance with the submitted Conservation Management Plan by Bryce Raworth dated December 2021 and must include:
  - a) Details of how the retained portion of the building is going to be supported during demolition, excavation and construction works.
  - b) Details of the restoration works proposed to and within the building.
  - c) Detailed construction drawings.
  - d) A comprehensive coloured photographic record of the building recording the interior and exterior of the building and accompanied by plans indicating the location of the photographs.

When approved, the Conservation Management Plan will form part of the permit. Works to the building at 120 Toorak Road West, South Yarra, approved under this permit must be undertaken in accordance with the Conservation Management Plan to the satisfaction of Melbourne City Council.

7. Before the development starts, including demolition and bulk excavation, a bank guarantee or bond to the value of \$150,000 must be deposited with Melbourne City Council to ensure that the existing building is not demolished except to complete the development in accordance with the endorsed plans. The bank guarantee or bond will be returned when the works are completed to the satisfaction of Melbourne City Council.

### **Construction Management Plan**

8. Prior to the commencement of the development, including demolition and bulk excavation, a detailed construction and demolition management plan must be submitted to and be approved by the Responsible Authority – Construction Management Group.

This construction management plan must be prepared in accordance with the City of Melbourne - Construction Management Plan Guidelines and is to consider the following:

- a) Public safety, amenity and site security.
- b) Operating hours, noise and vibration controls.
- c) Air and dust management.
- d) Stormwater and sediment control.
- e) Waste and materials reuse.
- f) Traffic management.

### **Waste Management**

9. Prior to the commencement of the development, a Waste Management Plan (WMP) must be prepared, submitted and approved by the Melbourne City Council - Waste and Recycling. The WMP must detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council - Waste and Recycling.

### **Environmentally Sustainable Design**

10. Prior to the commencement of the development, an Environmentally Sustainable Design (ESD) Statement shall be prepared by a suitably qualified professional and submitted to the satisfaction of the Responsible Authority. The ESD Statement must demonstrate that the building has the preliminary design potential to achieve the objectives of Clause 22.19-2 of the Melbourne Planning Scheme.
11. Prior to the occupation of any building approved under this permit, a report from the author of the endorsed ESD report, or similarly qualified persons or

companies, outlining how the performance outcomes specified in the amended ESD report have been implemented must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the approved ESD report have been implemented in accordance with the relevant approved plans.

### **Driveway Design**

12. The driveway within Tree Protection Zones of Exceptional Trees must be constructed above existing soil levels in accordance with the recommendations of John Patrick Landscape Architects contained in the letter dated 17 September 2021.

### **Landscape Plan**

13. Prior to the commencement of any works, a revised landscape plan that identifies tree species that are future climate ready must be provided to the satisfaction of the Responsible Authority. Six of the trees must be of super advanced size - minimum 200 L (3-4 m in height) at planting. The landscape plan must identify adequate soil volumes, irrigation and maintenance proposals to ensure successful establishment. Should any of the tree species not successfully establish or die, they must be replaced.

### **Tree Removal**

14. The removal of five Exceptional Trees must be carried out by suitably qualified contractors, under the supervision of a Project Arborist, to ensure any damage to remaining trees is minimised and any necessary remedial pruning undertaken.

### **Tree Protection Plan**

15. Prior to the commencement of any works, including demolition and bulk excavation, a Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority (City of Melbourne Urban Forestry & Ecology). The TPP must identify all impacts to trees identified on the Exceptional Tree Register and be in accordance with AS 4970-2009 – Protection of trees on development sites and include:
  - a) Reference to any finalised Construction and Traffic Management Plan, including any protection gantries, scaffolding, loading zones and machinery locations.
  - b) Site specific details of the temporary tree protection fencing to be used to isolate trees from the demolition and or construction activities or details of any other tree protection measures considered necessary and appropriate to the works.
  - c) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any trees.
  - d) Details of the frequency of the Project Arborist monitoring visits.

All works (including demolition), within the Tree Protection Zone of trees identified on the Exceptional Tree Register must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Responsible Authority.

#### **Drainage connection underground**

16. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – Infrastructure and Assets. 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 underground stormwater drainage system.

#### **Groundwater management**

17. 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.

#### **Demolish and construct access**

18. Prior to the commencement of the occupation of the development, 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 – Infrastructure and Assets.

#### **Roads**

19. All portions of roads and footpaths 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 – Infrastructure and Assets.

#### **Footpaths**

20. The footpaths adjoining the site along Toorak Road West and Leopold Street must be reconstructed together with associated works including the 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 – Infrastructure and Assets.

#### **Street levels not to be altered**

21. 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 – Infrastructure and Assets.

#### **Existing street lighting not altered without approval**

22. 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 – Infrastructure and Assets.

#### **Existing street furniture**

23. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Responsible Authority – Infrastructure and Assets.

#### **Rail Projects Victoria Condition**

##### **Submission of As-Constructed Plans**

24. Upon completion of the works, the as-constructed details must be provided to Rail Projects Victoria. Plans are to be emailed to [planningapprovals@railprojects.vic.gov.au](mailto:planningapprovals@railprojects.vic.gov.au) quoting reference MM2021/018.

##### **Permit Expiry**

25. This permit will expire if one of the following circumstances applies:
- a) The development is not started within three years of the date of this permit.
  - b) The development is not completed within five years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards.

The Responsible Authority may extend the time for completion of the development if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

##### **Permit Notes**

All necessary approvals and permits are to be first obtained from the City of Melbourne's Infrastructure and Assets Branch and VicRoads and the works performed to the satisfaction of the responsible road authority.

The permitted development has not been assessed against Clause 54 of the Melbourne Planning Scheme (Rescode) as the size of the lot exceeds 300 square metres. A Clause 54 assessment is the responsibility of the relevant Building Surveyor.