

Assessment Officer Report

PA2402917 – 17–25
Heyington Place, Toorak.
St Catherines College



Officer Assessment Report
Development Approvals & Design



Department
of Transport
and Planning

OFFICIAL



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Executive Summary



Key Information	Details		
Application No:	PA2402917		
Received:	23 May 2024		
Statutory Days:	63		
Applicant:	St Catherine School c/- Urbis		
Planning Scheme:	Stonnington		
Land Address:	17-25 Heyington Place, Toorak		
Proposal:	Partial demolition of the Frank Osborn Centre, Wintergarden and Dorothy Pizzey Centre. Internal and external refurbishment works to the existing Frank Osborn Centre and wintergarden and construction of new music school.		
Development Value:	\$ 20 m		
Why is the Minister responsible?	In accordance with the schedule to Clause 72.01 of the Stonnington Planning Scheme, the Minister for Planning is the responsible Authority for this application because it is for the development of school building that is ancillary to, carried out in conjunction with and on the same land or contiguous land in the same ownership as a primary school or secondary school as the estimated cost is greater than \$3 million.		
Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 32.08	General Residential Zone Schedule 8 (GRZ8)	<i>Demolish a building. Construct a building or construct or carry out works</i>
Overlays:	Clause 43.01	Heritage Overlay Schedule 50	<i>Demolish a building and construct a building or construct or carry out works</i>
	Clause 43.01	Heritage Overlay Schedule 494	<i>N/A</i>
	Clause 43.03	Incorporated Plan Overlay Schedule 1	<i>N/A</i>
	Clause 45.06	Development Contributions Overlay	<i>N/A – the development for a non-government school is exempt from a development contribution.</i>
Particular Provisions:	Clause 52.06	Car Parking	<i>N/A – no change to student or staff numbers</i>
Cultural Heritage:	A CHMP is not required.		
Title:	Lot 1 on Title Plan 629963 Lot 1 on Title Plan 680621G The land is subject to a 173 Agreement W635557U		
Total Site Area:	5142.65	m ² - (area for proposed works within the school grounds)	
Referral Authorities:	Stonnington City Council		
Public Notice:	Notice of the application was undertaken by the applicant at the direction of the Minister for Planning in the following manner: Letters were sent to adjoining properties (owners and occupiers) and 2 signs were erected along the site frontage. No objections have been received as of 16/07/2024		



Application Process

1. The school site has had an extensive planning permit history over many years. The planning permits were issued previously by the City of Stonnington and are as follows:
 - 0399/98-PC1 – issued 23 August 2023
Council's consent to end the Section 173 Agreement W635557U and remove it from the title of the above land.
 - 1080/15-2 – issued 4 March 2019
Approved amendments to endorsed plans via Secondary Consent to allow Modifications to landscaping details and replacement of raingarden in the southeast corner with standard garden bed.
 - 0764/18 – issued 14 February 2019
Partial demolitions and construction of buildings and works associated with an existing education centre in general residential zone and heritage overlay in accordance with the endorsed plans and subject to the following conditions:
 - 1056/18 – issued 4 January 2019
External painting in a heritage overlay in accordance with the endorsed plans and subject to the following conditions.
 - 0504/17 – issued 24 August 2017
Partial demolition and buildings and works to an existing education centre in a general residential zone and heritage overlay in accordance with the endorsed plans and subject to the following conditions.
 - 1080/15 – issued 23 September 2016
Partial demolition, buildings and works associated with an existing education centre (Section 2 Use) in a general residential zone and heritage overlay in accordance with the endorsed plans and subject to the following conditions.
 - 0544/16 – issued 31 August 2016
Partial demolition and buildings and works in a heritage overlay in accordance with the endorsed plans and subject to conditions.
 - 0094/04 – issued 15 April 2004
Alterations and additions to the rear of Wiltondale House in accordance with the endorsed plans and subject to conditions.
 - 0095/04 (Amendment) – issued 10 March 2005
Deletion of the proposed ramp along the northern side of Wiltondale House, and replacement with two (2) smaller ramps along the northern side of the new Visual Arts Centre, to provide disabled access to the studios and sculpture courtyard.
 - 399/98 – issued 9 October 1998
Development and use of car parking in accordance with endorsed plans.
 - 400/98 – issued 9 October 1998
Development and use of an indoor swimming complex in accordance with the endorsed plans.



2. The following planning permit have been issued by the Department:

- EFCN-2009001415 – issued 1 July 2009

To construct an atrium over a courtyard within the middle school, to construct a roof over an adjoining stairway.

- EFCN-2009000884 – issued 24 July 2009

To construct an Aquatic Centre

3. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	23 May 2024
Further information requested	N/A
Further information received	N/A
Decision Plans	Plans prepared by McIldowie Partners Architects , titled ' Wintergarden, Frank Osborn & Music School ' and dated 10/05/2024 .
Other Assessment Documents	<ul style="list-style-type: none">• Landscape plan prepared by Taylor and Cullity Pty Ltd, Rev 01, dated 10/05/24• Sustainability Management Plan, prepared by BRT Engineering Services, dated 10.05.2024.• Acoustic report, prepared by Resonated, dated 9 May 2024• Heritage Impact Assessment, prepared by Urbis, dated 10/05/2024

4. The subject of this report is the decision plans (as described above).

Proposal Summary

5. Planning permit application PA2402917 proposed to partially demolish the campus buildings known as the Frank Osborn Centre, Wintergarden and the Dorothy Pizzey Centre on the site at 17 – 25 Heyington Place, Toorak.

6. Specific details of the application include:

- Partial demolition of existing buildings on the site.
- Internal and external refurbishment works to the Frank Osborne Canter, the Wintergarden and Dorothy Pizzey building.
- Construction of a new music school (3 storeys)
- Landscaping works, primarily located within the front setback to Heyington Place.
- Construction of a new metal fence along the Heyington Place frontage adjacent to the proposed works.
- Maximum building height of the new music school of 12.930m(top of plant) 11,950m to the top of the building.

7. The applicant has provided the following concept images of the proposal:

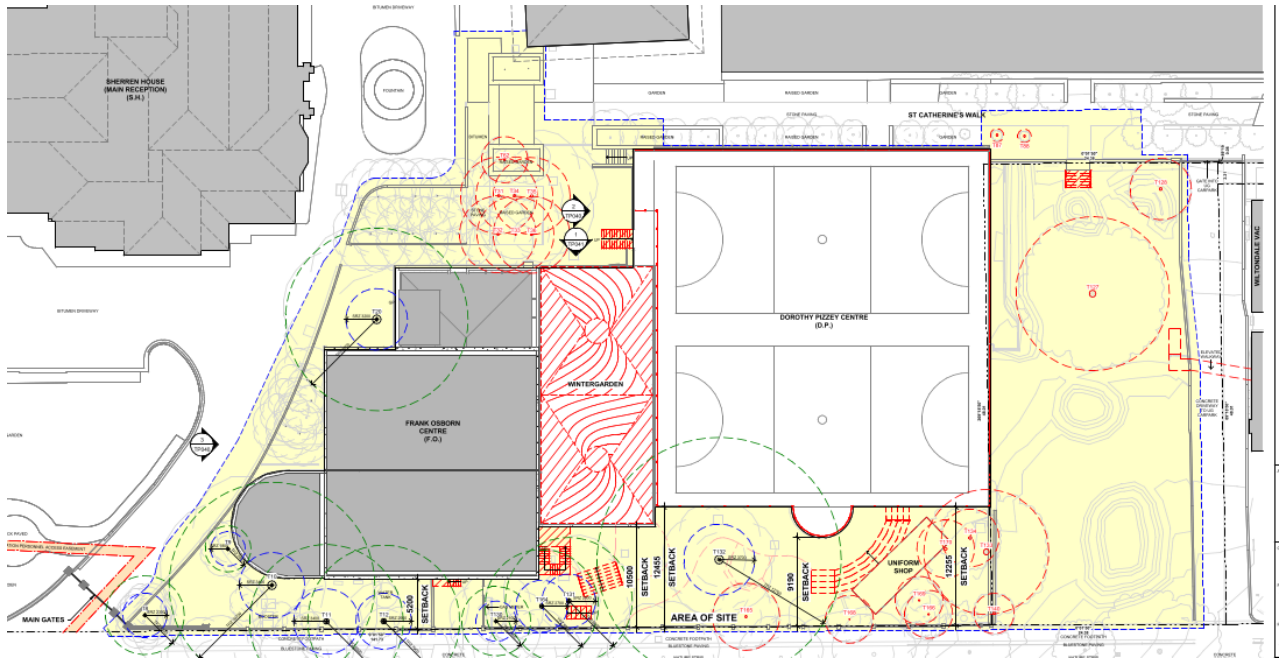


Figure 1: Existing site conditions

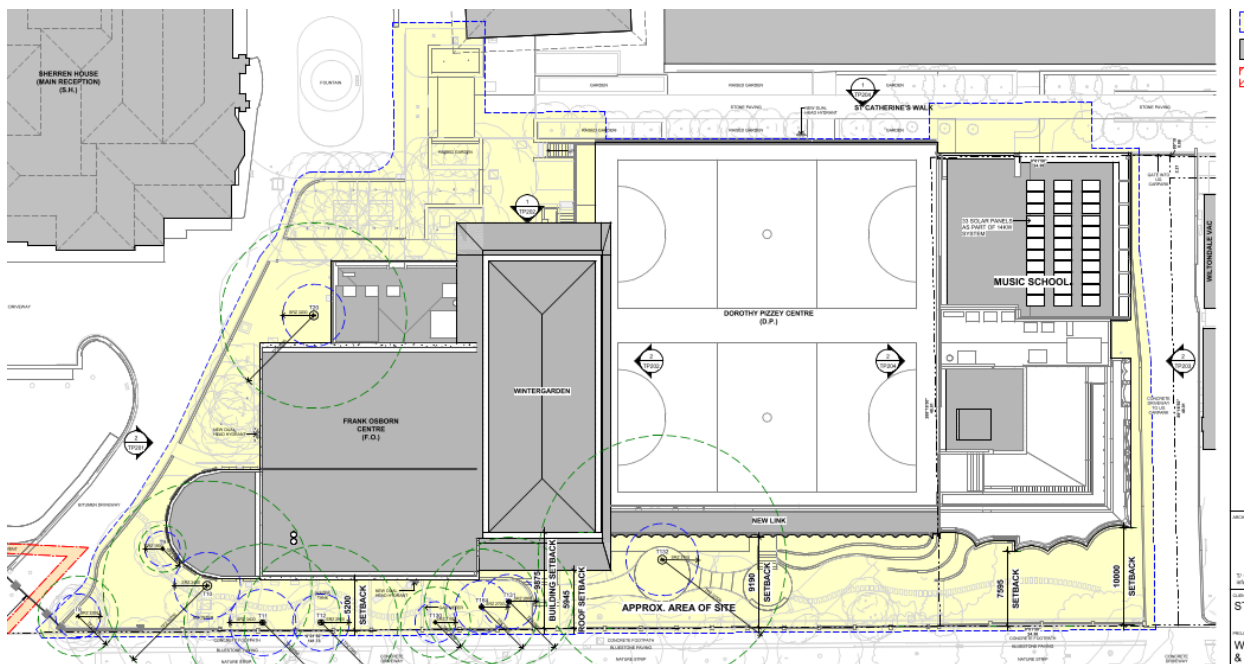


Figure 2: Proposed Buildings and works.



Figure 3: Heyington Place Street Elevation



Site Description

- The site is referred to as 17-25 Heyington Place, Toorak. The overall site is irregular in shape and located on the western side of Heyington Place. This application comprises of a small portion of the overall site, which contains a variety of school buildings including classrooms, sporting facilities, a variety of heritage buildings, administration and onsite carparking to provide education facilities for girls from Early learning to Year 12.



Figure 4: Subject Site (source Applicant)

9. The area associated with the scope of works includes the Frank Osborne Centre, Wintergarden and Dorothy Pizzey building and a vacant lot within the grounds. Additional works to replace the fence along the Heyington Place frontage and associated landscaping works around the renovated and new buildings.

Site Surrounds

10. The surrounding development consists mainly of the broader extent of the school and residential dwellings in the broader context.
11. Development surrounding the site can be described as follows:
- To the **north** of the scope of works:

Directly to the northern edge of development site is the 'Wiltondale Visual Arts Centre (VAC)'. This part of the school is included in Heritage Overlay HO494 and is nominated as an A2 Significant Building on the site. Wiltondale is identified as an Interwar English Domestic Revival building and presents a largely intact façade to Heyington Place with newer additions located to the rear, it is separated from the proposed works by a driveway running the length of the building providing access an underground car park.

Further north additional school buildings and facilities are located within a series of single and double storey residential buildings with open space to the rear.



Figure 5: Wiltondale VAC

- To the **south** of the scope of works:

To the south of the proposed development includes buildings internally to the school including the main reception building (Sherren House), the science centre and staff carparking. Sherren House is an A1 Graded significant building and is located within the Heritage Overlay HO50.



Figure 6: Sherren House (source applicant)

- To the **east** of the scope of works:

To the east of the site, including Heyington Place (council road) comprises of bi-directional traffic and on-street parking. On the eastern side of Heyington Place are a series of residential dwellings, comprising of single and double storey built form and predominately having high fencing to the street.



Figure 7: No. 38 Heyington Place



Figure 8: No. 40 Heyington Place

- To the **west** of the scope of works:

The main sporting fields for the school are located to the west of the scope of works, these in turn border residential properties which are addressed to St Georges Road.

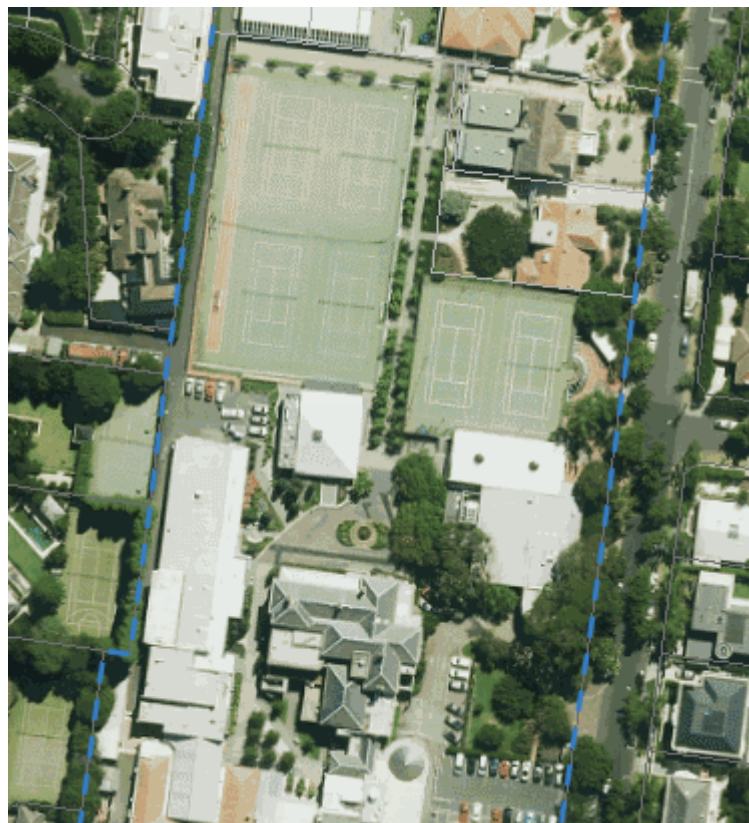


Figure 9: Sporting fields located to the west of the Wintergarden.



12. A site inspection of the subject site and surrounds was undertaken on **Friday 21 June 2024**. Additional images of the site and surrounds are reflected in **Figures 10 - 13**.



Figure 10: VAC



Figure 11: Wintergarden



Figure 12: Frank Osborne Centre



Figure 13: Dorothy Pizzey Centre



Municipal Planning Strategy

13. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause	Description
02.02	Vision
02.03-3	Environmental risks and amenity (Institutional Uses)

Planning Policy Framework

14. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 13	Environmental Risks and Amenity
	Amenity
13.07-1L-01	<i>Locate and design non-residential uses so they do not have an adverse impact on the amenity of the surrounding residential area through noise, hours of operation, traffic or parking associated with the use.</i>
13.07-1L-02	Commercial and community uses in residential zones. <i>To facilitate non-residential uses in residential zones that are compatible with the residential amenity of the area and serve the needs of the local community.</i>
13.07-1L-03	Institutional uses <i>Applies specifically to St Catherine's School – to ensure institutional uses are developed in an orderly manner and are complementary to the context of their surroundings, especially any surrounding residential areas.</i>
Clause 15	Built Environment and Heritage
	Urban Design
15.01-1S	<i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
15.01-1L-01	Urban Design <i>Seeks to ensure design responsive and respectful to its neighbourhood context, including amenity, solar access, overshadowing and wind, laneways and landscaping.</i>
15.01-2S	Building Design <i>To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.</i>
15.01-2L-01	Building Design <i>Design development to respect the scale, height, density, bulk, setbacks, style, form, building materials, colours and character of buildings, fences and gardens of the street or any defined character precinct. Support development that respects the scale, form and setbacks of nearby heritage places.</i>
15.01-2L-02	Environmentally sustainable development <i>Seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.</i>
15.03-1S	Heritage Conservation <i>Encourage appropriate development that respects places with identified heritage values. Ensure an appropriate setting and context for heritage places is maintained or enhanced.</i>
15.03-1L	Heritage <i>To ensure that new development respects the significance of heritage places. To retain views of, and vistas to, significant heritage places.</i>
Clause 19	Infrastructure
19.02-2S	Education facilities

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

19.03-3L-02

Water sensitive urban design

To promote the use of water sensitive urban design, including stormwater re-use.

To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.

This policy applies to an application for an extension or alteration of an existing building of greater than 50 square metres in floor area.

15. The assessment section of this report provides a detailed assessment of the relevant planning policies.

Zoning and Overlays

Applicable Zone/s

General Residential Zone – Schedule 8

16. A planning permit is required to construct a building or construct or carry out works in accordance with a Section 2 use of **Clause 32.08-1**. The site benefits from existing use rights and therefore no planning permit is required to use land for the school.

17. The purpose of the **General Residential Zone** is:

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

18. The following sections include a discussion of how the proposal responds to these requirements.

Applicable Overlay/s

Heritage Overlay HO50 and HO494

19. A planning permit is required to demolish or remove a building, construct a building or construct or carry out works in accordance with Clause 43.01-1.

20. The objectives and decision guidelines relevant to this proposal are:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

21. The proposed works are located within land affected by heritage overlay HO50 which specifically relates to Sherren House (St. Catherine's School) and Elaine Haxton Mural – external eastern wall of the school library. HO494 specifically affects Wintondale which is located outside the scope of works.

22. The applicants have submitted a Heritage Impact Assessment as part of the application documents.

Development Contributions Plan Overlay (DCPO)

23. Clause 45.06 – Development Contributions Plan Overlay (DCPO) requires development contributions to be paid in accordance with the requirements of schedule 1. Schedule 1 states that the development of a non-government school is exempt from paying a development contribution.

Incorporated Plan Overlay – Schedule 1

24. Clause 43.03-1 specifies that a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until an incorporated plan has been incorporated into this scheme.

25. This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme. Schedule 1 to Clause 43.03 specifies one incorporated plan for *Loreto Mandeville Hall Master Plan (October 1999)*.

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

Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 (Car Parking)

27. Clause 52.06 -1 is applied to an increase in floor area or site area of an existing use. The proposal is not a new use of land but the addition of the new music school and the changes to the existing buildings results in an increase in floor area. The application documents have confirmed that there is no change to operation of the school and no increase to the number of staff or students at the school.

Clause 52.34 (Bicycle Facilities)

28. The application proposed no increase to student numbers or teaching staff. As there are no changes to the staff or student numbers, no additional bicycle parking is required.

Clause 53.19 (non-government schools)

29. Clause 53.19 applies to the use and development of land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

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

Clause 53.18 Stormwater in Urban development

31. Clause 53. 18 (Stormwater in urban developments) applies to this application for buildings and works. The clause includes standards and objectives relating to stormwater management and aim to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits. General Requirements and Performance Standards.



Referrals

32. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 52 Notice	Stonnington Council	22/07/2024

Municipal Council Comments

33. The Stonnington City Council (the council) have considered the application and do not object to the proposed works.

34. The council has requested that the following conditions be included on any permit issued.

- Noise mitigation measure, to ensure the use of the proposed buildings (including the roof terrace) do not adversely impact on the amenity of the surrounding residential area.
- Ensure the proposal appropriately responds to Council's ESD Policy at Clause 15.02-1L-02.

Notice

35. The applicant was directed to give notice by way of erecting a signs along the Heyington Place frontage and notifying adjoining owners and occupiers.

36. No objections have been received.



Strategic Direction and Land Use

38. The *Planning Policy Framework* encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
39. The relevant MPS and PPF policies have been considered in assessing the application.
40. The proposed land use is consistent with the strategic direction of the following policies.
41. Clause 02.02-3 Environmental Risks and Amenity (institutional Uses) seeks to:
- *Manage the potential impacts of institutional uses on residential amenity in residential areas.*
 - *Continues the effective management of the school within the broader area.*
42. Clause 13.07-1L-02 which has an objective to:
- To facilitate non-residential uses in residential zones that are compatible with the residential amenity of the area and serve the needs of the local community.*
43. Clause 13.07-1L-03 is a policy for institutional uses which applies to a variety of non-residential uses within the municipality including St Catherine's School. The clause provides guidance through the following strategy:
- Ensure institutional uses are developed in an orderly manner and are complementary to the context of their surroundings, especially any surrounding residential areas.*
44. Clauses 15, 15.01-1S, 15.01-2S, 15.01-5S and 15.01-2L-01 collectively have the following objectives relating to design:
- To create the urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

And the following strategies which provided the following guidance:

- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure the form, scale and appearance of development enhances the function and amenity of the public realm.*
- *Support development that respects the scale, form and setbacks of nearby heritage places.*
- *Discourage development that is significantly higher or lower in height than the surrounding buildings unless a different preferred height is specified for the particular area in another provision of the planning scheme or in a structure plan.*

Clause 19.02-2S provides the following guidance:

Education Facilities

To assist in the integration of education and early childhood facilities with local and regional communities.

- *Consider the demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.*
- *Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.*
- *Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).*



45. The proposed upgrades to the existing buildings and the construction of the new music building have taken the local planning policies into account. The siting of the buildings along the Heyington Place frontage are respectful of the heritage buildings located within the school grounds and the adjoining residential properties surrounding the school.
46. The renovated buildings and the new music school building will help to meet the educational needs of the surrounding and broader community.

General Residential Zone

47. The purpose of the zone is to:
 - *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To encourage development that respects the neighbourhood character of the area.*
 - *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
 - *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*
48. The guidelines in the zone provide direction for non-residential uses which are allowable under Section 2 of Clause 32.08-1. For the consideration of non-residential uses, the decision guidelines direct decisions to consider the Municipal Planning strategy and the Planning Policy Framework.
49. Accordance with the purpose of zone which recognises residential land for the use for community facilities, the proposed refurbishment of existing buildings and the construction of new buildings provides an acceptable built form when assessed against the decision guidelines for non-residential use and development.
50. The use of the land as a school is ongoing and does not trigger a planning permit.

Buildings and Works

51. Detailed plans have been submitted for the proposed renovation works to the retained buildings and the proposed new music building.
52. The works include the following:

Frank Osborne Centre (Theatre building) and Wintergarden Foyer

- Internal refurbishment including, bathrooms, offices, change rooms and drama rooms.
- Upper-level multipurpose rooms and drama space.
- Changes to the lower wintergarden foyer.

Dorothy Pizzey Centre and Music Building

- Removal of staff room from the Dorothy Pizzey Centre.
- New pedestrian link.
- Lower ground (Music building) bathrooms, music store, student store, music tuition rooms, staff room, recording studio, staff room and lift.
- Ground (Music building) staff rooms, recital space, rehearsal rooms and circulation corridors.

Dorothy Pizzey Centre and Music Building (roof)

- Rooftop terrace (music building)

- Basketball courts (Dorothy Pizzey Centre)

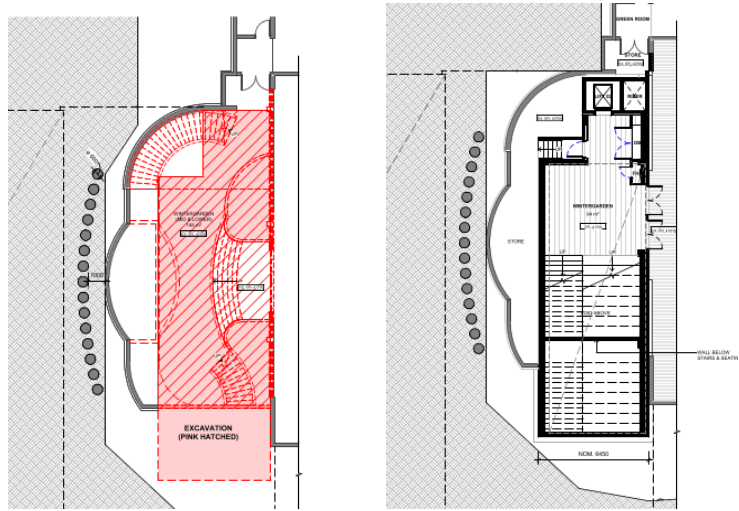


Figure 14: Lower Wintergarden foyer (existing left) and (proposed right)

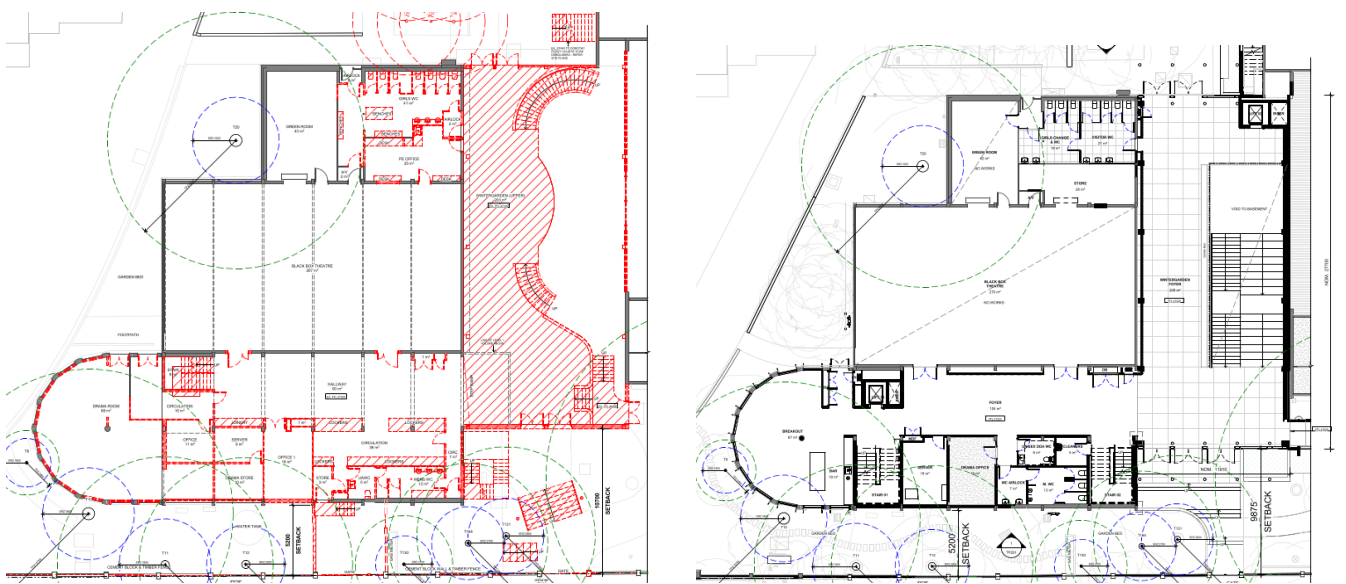


Figure 15: Frank Osborn Centre (existing left) and (proposed right)

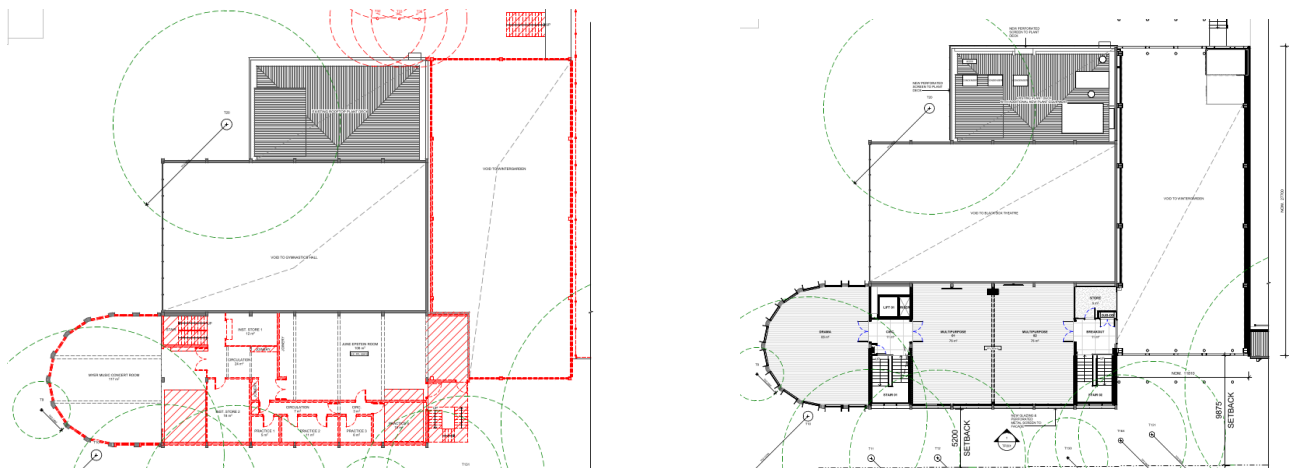
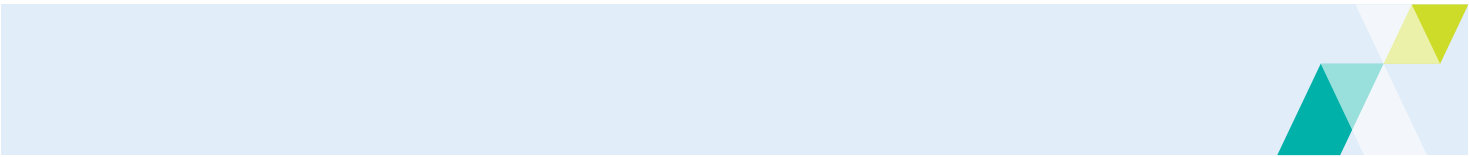


Figure 16: Frank Osborn Centre (existing left) and (proposed right) upper level.



Figure 17: Dorothy Pizzey Centre and music building (existing left) and (proposed right)

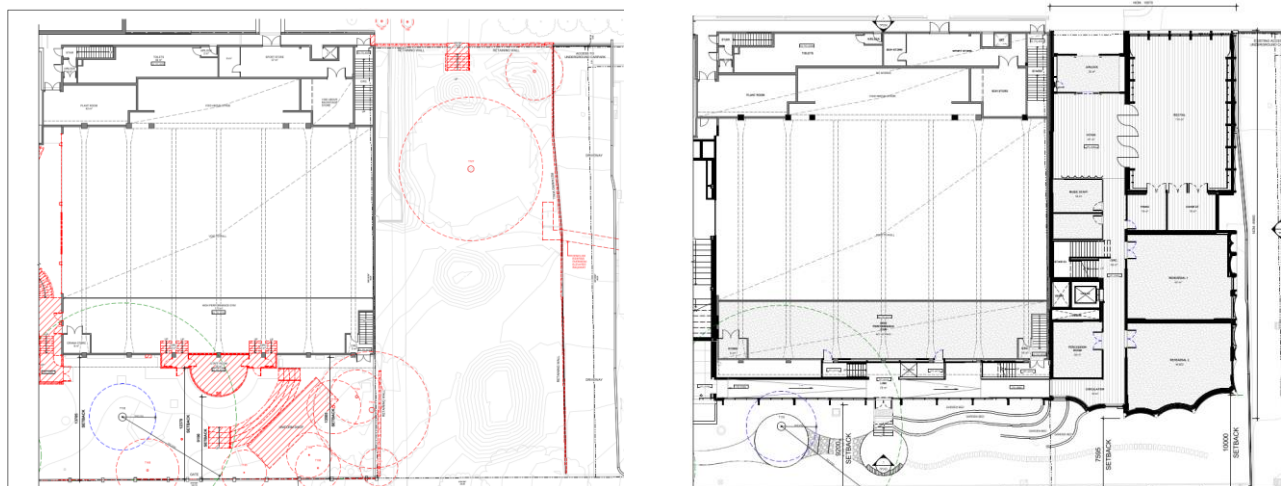


Figure 18: Dorothy Pizzey Centre (existing left) and ground floor Music (right)

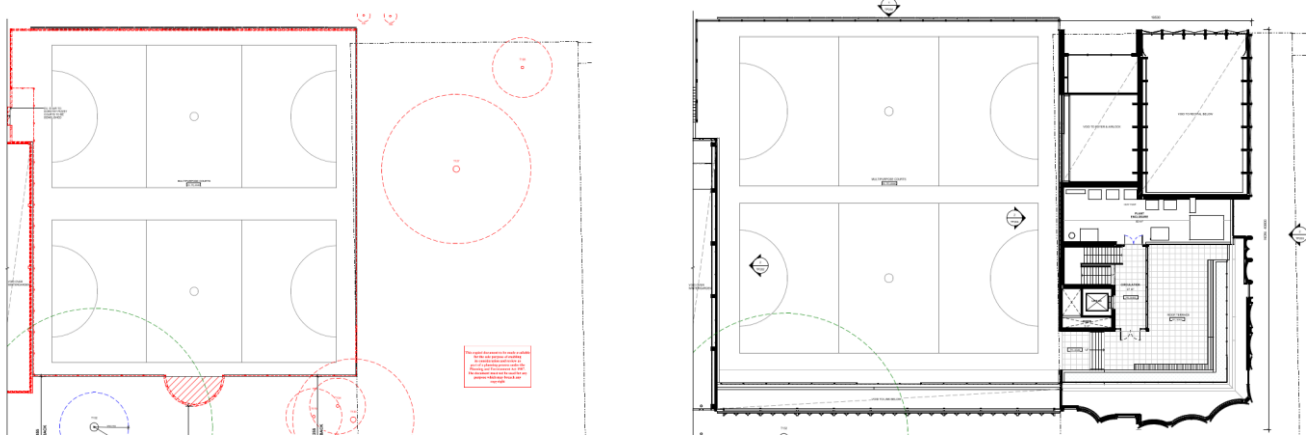


Figure 19: Dorothy Pizzey Centre (existing left) and terrace Music (right)

53. The plans show the new music building to be located along the street frontage in line with the existing structures. The building comprises of a variety of learning spaces associated with the arts, being the theatre and music building supporting the broader school. The flexible spaces in the buildings allow for a variety of performing spaces for students.
54. The existing buildings are to be modified to provide a flat roof which will be consistent with the new building, reducing the built form presented to the street scape. The extensive use of glass improves solar access for the internal spaces and provides passive surveillance.

Heyington Place - fence works.

55. The existing fence will be modified, and new fencing will be constructed along the remainder of the frontage directly adjacent to the proposed works and new building, the current fence consists of blockwork piers and plinths with timber paling fence between each of the piers as shown in Figure 20 below.



Figure 20: Existing Fence

56. The change to the fence utilizes existing infrastructure with the blockwork piers and plinths retained and extended along the frontage of the new building, the timber paling fence will be removed and replaced with new black metal bars as insert fencing. The blockwork will be rendered to provide a consistent finish between old and new materials.



57. The proposed fencing provides a significantly improved street presence, greater permeability between the school and the street, allowing views into the grounds and a sympathetic response to the original heritage gates and original ironwork.



Figure 21: Current conditions

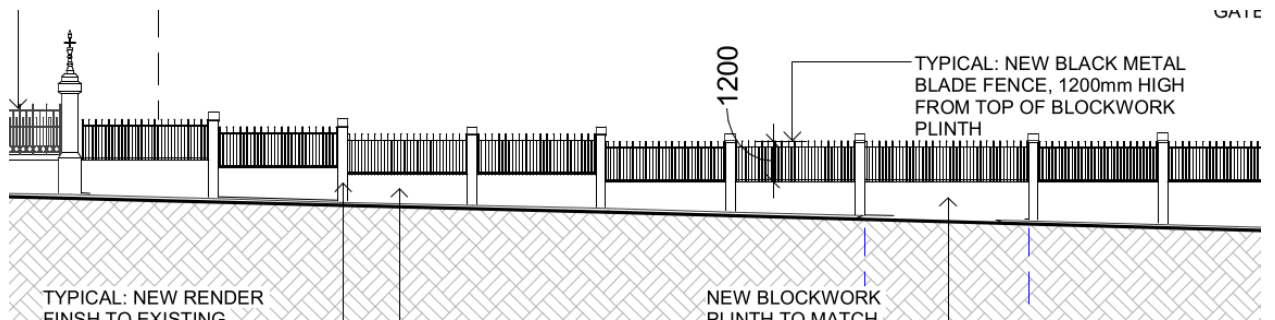


Figure 22: Proposed fence

58. The new fencing and gates providing access from the street to the music building and Wintergarden are an acceptable response to the existing conditions, the works will be an improved street response providing greater integration, which is supported by local planning policy.

Height and Setbacks

59. The new music building has a maximum building height of 12.930m to the top of the lift overrun but a height of 11,950m to the top of the Music building. The site has significant fall from south to north along the school frontage and the new music building height remains consistent with the Frank Osborne Centre.

Figure 25: Eastern street elevation sports hall

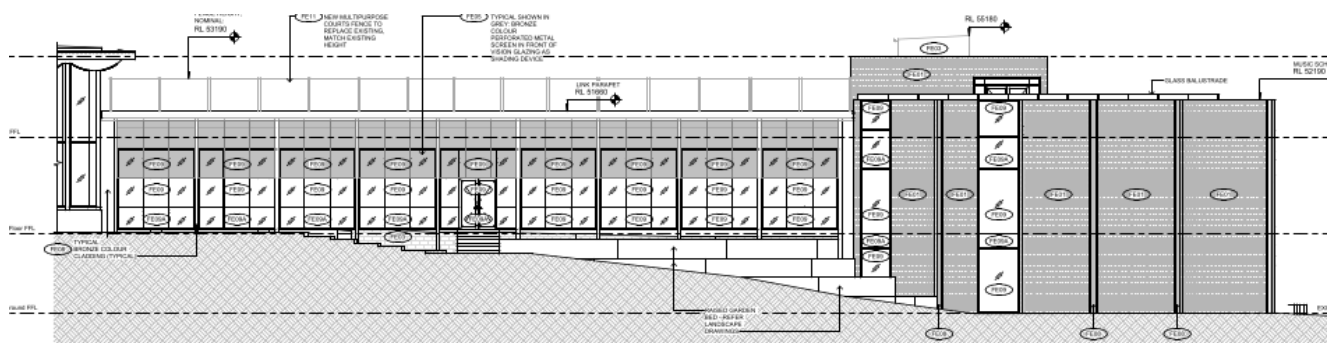


Figure 26: Proposed eastern street elevation sports hall & new music building.

66. The new pedestrian link will increase passive surveillance of the street and provide a more interactive street presentation.
67. The new music building comprises of brick walls, grey in colour, with the insertion of full height glass windows reflecting the existing architecture to be retained.
68. The new and amended architecture is considered a significant improvement from the existing conditions and provides a more interactive streetscape response. The building upgrades including double glazed windows and shading devices to ensure a more environmentally sustainable building supported by local planning policy. The choice of materials including render, timber look battens, perforated metal screens and cladding is considered acceptable and appropriate to the surrounding residential context.

Heritage

69. The application was supported by a Heritage Impact Assessment, prepared by Urbis. The location for the construction of the new music building is on land not subject to the Heritage Overlay HO50 which affects the remainder of the area of works.
70. The proposed partial demolition of existing buildings within the heritage overlay triggers a planning permit pursuant to Clause 43.03. However, the partial demolition is supported by local planning policy Clause 15.03-L (Heritage Conservation Policy) which supports partial demolition of heritage buildings when the fabric to be demolished is of no significance.
71. The extent of demolition has been assessed and confined to areas of no identified significance, this is a view that has been supported by Councils heritage adviser who does not object to the proposed works to the buildings or the replacement of the fencing.
72. The works will not affect the listed heritage elements sited in the overlay or be detrimental to the Sherren House. The works to the front fence will complement the existing heritage elements of the original front gate and wrought iron fencing.

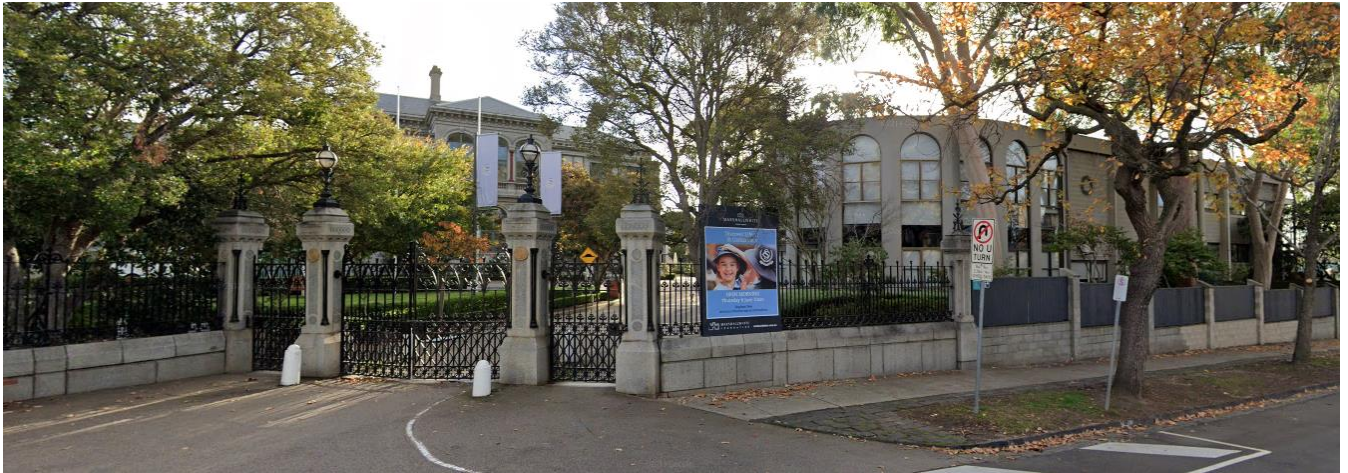


Figure 27: Original gate and wrought iron fence.

Amenity

Amenity Impacts (internal and offsite)

73. The amenity impacts to the adjoining residential properties will be minor, the intended use of the existing building remains the same and the additional music building use is consistent with other school buildings.
74. The application has been submitted with an acoustic report to demonstrate the noise generated by the additional building will not create any further unreasonable noise impacts to the adjoining residential properties. All mechanical plant equipment, including existing equipment, is proposed to be located on the roof top of the buildings removing them from the street scape.
75. Conditions will be included in any permit granted to ensure the amenity of the adjoining residential properties is protected.

Overshadowing

76. The application included shadow diagrams demonstrating that the proposed works will not overshadow any adjoining residential properties. Shadows are located within the school grounds or fall over the footpath and the adjoining street and no additional shadows will affect the heritage property "Wiltondale" located to the north of the proposed works.

Public Realm

Ground Level Activation / Public interfaces.

77. The modifications to the buildings include new windows and a permeable fence between the street and the school buildings. New gates allow access to the Wintergarden foyer from the street and new internal pathways allow access to the pedestrian link for the music building.
78. The street activation is improved through the additions of a permeable fence, new gates, improved landscaping and additional windows facing the Heyington Street frontage.

Landscaping

79. The application has been submitted with a high-level landscape plan detailing the new landscaping direction around the development.



80. The removal of trees from the site does not require planning permission, however, is required under local laws which has been applied for separately, allowing the removal for the construction of the music building and new landscaping along the street frontage. The updated landscaping includes the seven well established gum trees along the frontage which are to be retained as part of the overall landscaping concept.

81. The landscaping plan proposes the following:

- An additional 44 canopy trees to be planted.
- 5 new Grevillea Robusta (Silky Oak) capable of reaching a mature height of 22 metres.
- 3 Tristaniopsis laurina's (Water Gum's) capable of reaching a mature height of 15 metres are to be planted along the Heyington Street frontage.

82. The upper canopy tree planting is supported by the addition of 26 Chinese Elms and 3 Crepe Myrtles; however, the plans do not specify ground covers or small shrubs. Walkways and courtyards are conceptually shown on the plans along with built in seating. The details of all plants, hard surface treatments and seating will be required to be included on a landscape plan for endorsement.



Figure 28: Overall landscaping concept



Figure 29: Landscaping along Heyinton Street frontage.

83. The overall planting of canopy trees proposed is consistent with the existing landscaping within the school grounds and an updated landscape plan will provide a comprehensive landscaping outcome to the street frontage which will be visible through the new fence. The proposed landscaping can be supported subject to conditions.

Car parking

84. The proposal does not include any additional staff or students and does not trigger the requirement for additional onsite car parking. There are no changes to the existing onsite parking provided for staff, including the at grade and underground car park located within the school grounds.

Bicycle Facilities

85. The proposal does not include any additional staff or students therefore no additional bicycle parking is required as a result of the amendment.

Waste

86. A waste management plan has not been provided however the waste management on the site is not expected to vary significantly from the current conditions. Waste management will be managed in accordance with the existing operations of the school.

Sustainability

Environmentally Sustainable Design (ESD)

87. The application has been submitted with a Sustainable Management Plan (SMP) report for the proposal which broadly outline the strategies and sustainability initiatives that will be deployed within the proposed scope of works.
88. The SMP includes a BESS report which achieves a rating of 54% demonstrating that the proposed renovation of existing buildings and the new building will achieve best practice.

Stormwater Management

89. The application has been submitted with a stormwater management plan as part of the SMP report which provides stormwater treatment for the extent of the proposed works.
90. The new development will include a 7,000-litre rainwater tank to reduce the volume of run-off, this water is to be used to irrigate the new landscaping.
91. The STORM report achieves a rating of 100% demonstrating best practice for the project.

Planning Permit

Permit No.:	PA2402917
Planning scheme:	Stonnington Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	17-25 Heyinton Place, Toorak

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
Clause 32.08-10	Construct a building or construct or carry out works associated with an existing Education Centre.
Clause 43.01-1	Demolish a building and construct and carry out works. Construct and carry out works for the construction of a fence

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit.

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Layout not altered.

2. The layout of the use and development must not be altered from the layout shown on the approved and endorsed plans without the written consent of the responsible authority.

Amended Plans

3. Before the development starts, including demolition, bulk excavation and site preparation works, detailed development plans for that stage including a development summary must be approved and endorsed by the Responsible Authority. The plans must be generally in accordance with the plans prepared by McIldowie Partners dated 10 May 2024, but modified to show:

- a) Any changes required by the Landscape plan.

Landscaping

4. Concurrent with the endorsement of plans, an amended landscape plan must be submitted to and approved by the Responsible Authority. The Landscape plan must be generally in accordance with the landscape plan prepared by T.C.L., dated 10.05.24, but modified to show:

- a) Details of all surface finishes.
- b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes at maturity, and quantities of each plant.

Noise Impacts

5. Noise levels emanating from the music building must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1. Any works required to ensure and maintain the noise levels are in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.

General Amenity

6. The amenity of the area must not be detrimentally affected by the use(s), including through:
 - The transport of materials, goods or commodities to and from the land;
 - The unsightly appearance of any buildings, works or materials;
 - The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waster water, waste products, grit or oil; or
 - The presence of vermin;

To the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

7. Concurrent with the endorsement of plans, the Environmentally Sustainable Design (ESD) Statement prepared by BRT Consulting Engineers, dated 10/05/2024 must be approved by the Responsible Authority. The performance outcomes for the development must be in accordance with the report, to the satisfaction of the Responsible Authority. The report must not be altered without the prior written consent of the Responsible Authority.
8. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed report in an addendum to this report, which must be provided to the satisfaction of the Responsible



Authority prior to the commencement of construction.

Commencement

9. This permit will operate from the issued date of this permit.

Expiry

10. This permit will expire if one of the following circumstances apply:

- a) The development is not started within 2 years of the issued date of this permit.
- b) The development is not completed within 4 years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

- a) The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- b) The completion date referred to if a request is made in writing within six months after the permit expires and the development started lawfully before the permit expired.

Notes:

(the following information does not form part of this permit)

The permitted use or development may need to comply with, or obtain the following further approvals:

- These notes are provided for information only and do not constitute part of the permit or conditions of this permit.
- This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The applicant/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- A building permit under the *Building Act 1993*.
- Paths, access ramps and Tactile Ground Surface Indicators to be installed in accordance with DDA requirements and the relevant Australian Standards.

Recommendation



92. The proposal is consistent with the relevant planning policies of the Stonnington Planning Scheme and will contribute to the provision of education facilities within the Toorak area.
93. The proposal is supported by the various referral agencies.
94. It is recommended that Planning Permit No. PA2402917 for the construction of a new music building and renovation of existing school buildings at 17-25 Heyington Place, Toorak be issued subject to conditions.
95. It is recommended that the applicant and the council be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: Cath te Lintelo

Title: Senior Planner, Development Approvals and Design

Signed:



Phone:

Dated: 25/07/2024

Approved by: Grant Logan

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: Grant Logan

Title: Manager, Development Approvals and Design

Signed:



Phone: 0428809519

Dated: 25/07/2024