Planning and Environment Act 1987

Stonnington Planning Scheme

Amendment C341ston

Explanatory Report

Overview

The amendment implements the recommendation of the 'Former *Ken-Ailsa*, 13-15 Avalon Road, Armadale heritage citation' prepared by Trethowan Architecture to apply an individual Heritage Overlay to this site on a permanent basis.

Where you may inspect this amendment

The amendment can be inspected, free of charge, at the Stonnington City Council website at:

https://connectstonnington.vic.gov.au/c341ston

The amendment is also available for public inspection, free of charge, during the office hours at the following location:

Stonnington City Council

Customer Service Counter

311 Glenferrie Road

MALVERN VIC 3144

Alternatively, the amendment can also be inspected, free of charge, at the Department of Transport and Planning website at http://www.planning.vic.gov.au/public-inspection, or by contacted the office on 1800 789 386 to arrange a time to the view the amendment documentation.

Submissions

Any person may make a submission to the planning authority regarding the amendment. Submissions about the amendment must be received by 7 March 2025.

A submission must be sent to:

Email: strategicplanning@stonnington.vic.gov.au

Mail: PO Box 58, Malvern, Victoria 3144

Stonnington City Council
Customer Service Counter

311 Glenferrie Road
MALVERN VIC 3144

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 5 June 2025
- Panel hearing: week of 21 July 2025

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the City of Stonnington, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to 13-15 Avalon Road, Armadale as shown in Figure 1.



Figure 1: Map of 13-15 Avalon Road, Armadale

What the amendment does

The amendment implements the recommendations of the Former *Ken-Ailsa,* 13-15 Avalon Road, Armadale Heritage Citation to apply an individual Heritage Overlay to

13-15 Avalon Road, Armadale on a permanent basis.

Specifically, the amendment:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) to insert one new individual Heritage Overlay HO790 and include a Statement of Significance.
- Amends the Schedule to Clause 72.04 (Incorporated Documents) to insert the 'Former Ken-Ailsa, 13-15 Avalon Road, Armadale, Statement of Significance (Trethowan Architecture, April 2024)'.
- Amends the Schedule to Clause 72.08 (Background Documents) to insert the 'Former Ken-Ailsa, 13-15 Avalon Road, Armadale, Citation (Trethowan Architecture, April 2024)'.
- Amends Map 5HO of the Stonnington Planning Scheme to apply the Heritage Overlay to 13-15 Avalon Road, Armadale (HO790).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to apply an individual Heritage Overlay to 13-15 Avalon Road, Armadale, which has been assessed to be of local heritage significance to the City of Stonnington. The heritage citation prepared by Trethowan Architecture identifies the property at 13-15 Avalon Road to be of historical (Criterion A) and representative (Criterion D) significance to the City of Stonnington.

On 11 November 2021, Council received a request under Section 29A of the *Building Act 1993* to consent to the proposed full demolition of the dwelling at 13-15 Avalon Road. Interim Heritage Overlay controls were applied as the property had been identified as having potential local heritage significance and the council was undertaking work to include the property in the Heritage Overlay as an extension to the existing Hampden Road Precinct. Council refused the application for demolition.

On 2 May 2022, the council requested authorisation from the Minister for Planning to prepare Amendment C320ston to the Stonnington Planning Scheme. Amendment C320ston implements the recommendations of the Toorak, Kooyong and Armadale heritage reviews, prepared by Extent Heritage, by introducing a number of individually significant properties and precincts to the Heritage Overlay and making other changes to the Stonington Planning Scheme. Amendment C320ston proposes to extend the existing Hampden Road Precinct to include 13-15 Avalon Road as a 'contributory' place. Amendment C320ston was exhibited in February–March 2023, progressed to a planning panel and adopted by the council on 18 December 2023. The panel for Amendment C320ston did not support the inclusion of 13-15 Avalon Road, Armadale within the Hampden Road Precinct.

At Council's meeting on 18 December 2023, Council resolved to reject the panel's

recommendation and retain 13-15 Avalon Road, Armadale within the Hampden Road Precinct. Additionally, Council resolved to authorise council officers to commission an assessment of 13-15 Avalon Road, Armadale to determine whether it warrants protection by way of an individual Heritage Overlay.

In February 2024, council officers commissioned Trethowan Architecture to undertake an assessment of 13-15 Avalon Road in accordance with Council's resolution to determine whether it warrants the application of an individual Heritage Overlay. The assessment recommended its inclusion within an individual Heritage Overlay.

The application of the Heritage Overlay on a permanent basis will ensure a permit is required for demolition and/or buildings and works and enable any proposal to be assessed by Council against the purpose and decision guidelines of Clause 43.01 (Heritage Overlay) and state and local heritage policy at Clause 15.03 (Heritage).

How does the amendment implement the objectives of planning in Victoria?

The amendment implements Section 4(1)(d) of the Planning and Environment Act 1987 (the Act) which seeks:

'To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value'.

The amendment will meet this objective by applying permanent heritage protection to 13-15 Avalon Road, Armadale to conserve its heritage significance to the City of Stonnington. The amendment will ensure that heritage significance of the place at 13-15 Avalon Road, Armadale is considered in any development proposal.

How does the amendment address any environmental, social and economic effects?

Environmental

This amendment is not expected to have any adverse environmental effects. It is widely understood that the conservation of heritage buildings has environmental sustainability benefits. Reduction in energy usage associated with demolition, and minimising waste disposal from demolition and new construction to landfill is achieved through the conservation of heritage buildings. Retaining and adapting heritage buildings promotes sustainable development by conserving the embodied energy in the existing buildings.

Social and economic

The amendment is expected to have a positive social effect by protecting and conserving a place of cultural heritage significance to the City of Stonnington. Heritage buildings and places engender a sense of place and connection in

communities. The recognition of buildings contributes to an understanding of Armadale's cultural heritage for present and future generations.

The amendment is not expected to have any adverse economic effects.

Does the amendment address relevant Bushfire Risk?

The land affected by the amendment is not subject to bushfire risk or a Bushfire Management Overlay, and the amendment is unlikely to result in any significant increase to the risk of life, property, community, infrastructure, or the natural environment from bushfires.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the Planning and Environment Act.

The amendment is consistent with *Ministerial Direction No. 9 Metropolitan Planning Strategy* which requires planning scheme amendments to have appropriate regard to *Plan Melbourne 2017-2050*. The amendment is consistent with Direction 4.4 'Respect Melbourne's Heritage as we build for the future', which notes that:

'Heritage will continue to be one of Melbourne's competitive strengths, contributing to its distinctiveness and liveability and attracting visitors, new residents and investors. Heritage is an important component of Victoria's tourism industry and benefits the economy.'

The amendment is also consistent with the requirements of *Ministerial Direction No. 11 Strategic Assessment of Amendments* under Section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with the direction that ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of these clauses:

Clause 15.01-5S - Neighbourhood character

This amendment is consistent with the objective "*to recognise, support and protect neighbourhood character, cultural identity, and sense of place"* by applying an individual Heritage Overlay to the identified significant heritage place to preserve Stonnington's distinct character.

Clause 15.01-5L - Preferred neighbourhood character

13-15 Avalon Road, Armadale is in the preferred neighbourhood character area 'Garden Suburban 1', which seeks to *"Encourage the retention of Victorian, Edwardian and Interwar era buildings that are intact and in good condition"* and to *"Maintain the character of the Garden Suburban 1 (GS1) precinct, comprising leafy streetscapes with a range of Victorian, Edwardian or Interwar era and contemporary buildings set in established garden surrounds."*

15.03-1S Heritage conservation

This amendment is consistent with the objective *"to ensure the conservation of places of heritage significance"* as it applies heritage overlays to identified heritage places.

15.03-1L Heritage

This amendment is consistent with the objective to *"To conserve and re-use significant and contributory heritage places"* by applying an individual Heritage Overlay to a place of local heritage significance.

The amendment supports these clauses by identifying, assessing and documenting the heritage significance of 13-15 Avalon Road, Armadale to provide for its protection in the Stonnington Planning Scheme. The amendment also provides for the conservation and protection of a place which has been identified as being of local heritage significance.

How does the Amendment support or implement the Municipal Planning Strategy?

The amendment is consistent with the strategic directions of the Municipal Planning Strategy and will assist in achieving the objectives of the following clause:

Clause 02.03-4 - Built environment and heritage

The amendment implements the strategic directions for built environment and heritage (Clause 02.03-4) by protecting and reinforcing Stonnington's distinctive character, in particular a place of heritage significance.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions.

The application of the Heritage Overlay and associated statement of significance is the appropriate Victoria Planning Provision tool for the protection of a heritage place of local significance. The application of the Heritage Overlay and statement of significance have been prepared in accordance with *Planning Practice Note 1: Applying the Heritage Overlay.*

This amendment seeks to amend the Schedule to Clause 43.01 (Heritage Overlay). This clause triggers the requirement for a planning permit if proposing to subdivide land, demolish or remove a building, or construct a building or carry out a range of

building work. The Heritage Overlay also provides decision guidelines for the responsible authority on the granting of planning permits for places identified of local heritage significance.

The amendment makes proper use of a statement of significance as an incorporated document to clearly outline the heritage significance of the place affected by the amendment.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought through the public exhibition phase of the Amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The requirements of the *Transport Integration Act* 2010 are not applicable to this Amendment, as it will not have a significant impact on the transport system.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will not result in any significant implications or administrative costs to the responsible authority.