



6.1 **1 HOLROYD COURT ST KILDA EAST - PDPL/01004/2021**
LOCATION/ADDRESS: 1 HOLROYD COURT ST KILDA EAST VIC 3183
EXECUTIVE MEMBER: KYLIE BENNETTS, GENERAL MANAGER, CITY GROWTH AND DEVELOPMENT
PREPARED BY: JEREMY NEWLAND, SENIOR URBAN PLANNER
DONNA D'ALESSANDRO, MANAGER CITY DEVELOPMENT

1. PURPOSE

- 1.1 To consider and determine Planning Application PDPL/01004/2021 for the partial demolition of an existing dwelling and buildings and works on a lot over 500m² in a Heritage Overlay.

2. EXECUTIVE SUMMARY

| | |
|---|--|
| WARD: | Canal |
| TRIGGER FOR DETERMINATION BY COMMITTEE: | More than 16 objections |
| APPLICATION NO: | PDPL/01004/2021 |
| APPLICANT: | Matyas Architects |
| EXISTING USE: | Residential |
| ABUTTING USES: | Residential |
| ZONING: | Neighbourhood Residential Zone – Schedule 5 |
| OVERLAYS: | Heritage Overlay – Schedule 388 (Holroyd Court Precinct) |
| STATUTORY TIME REMAINING FOR DECISION AS AT DAY OF COUNCIL | EXPIRED |

- 2.1 Planning permit PDPL/01004/2021 was received by Council on 12 August 2021 and sought approval for partial demolition of the existing building, buildings and works including the construction of a double storey extension, double garage, swimming pool and front fence (converting the two separate dwellings into one). Following an internal referral to Council's Heritage Advisor (twice September and November) resulted in changes that saw a significant reduction to the original proposal which scaled back the bulk and mass and deletion of the swimming pool.
- 2.2 The subject site is an irregular shaped block (approximately 590m²) which includes a double storey building containing two dwellings, one at each level. A double garage is located in the south west corner of the site, with a driveway along the south boundary, accessed via a crossover providing direct access to Holroyd Court.
- 2.3 The application would result in the two single dwellings being consolidated into one dwelling (no permit required). The land is within a Neighbourhood Residential Zone – Schedule 5 (NRZ5) and Heritage Overlay – Schedule 388 (HO388). As the lot is greater than 500m² an assessment against Clause 54 (one dwelling on a lot) of the Planning Scheme is not required (known as ResCode).



- 2.4 The application was advertised, and twenty-two (22) objections were received. Concerns related to the scale and materiality not in keeping with the Heritage Overlay, visibility of the works from Holroyd Court and Holroyd Avenue, size and style of garage and pergola, removal of trees, likely use of the garage as a gym (a personal training studio as per separate planning application PDPL/00022/2022) and concerns with the parking of cars in the court.
- 2.5 In response to matters raised by objectors, amended plans were submitted to Council on 11 February 2022 under s57A of the Planning and Environment Act 1987. This resulted in the retention of the existing garage (brick façade), deletion of garage extension, deletion of the tilt-up panel garage door in lieu of the non-original roller doors, relocation of the pedestrian door to the northern side of the garage and removal of the pergola from the front of the garage over the driveway. These plans supersede the original submitted plans and are the basis of this assessment (Refer to Attachment 1).
- 2.6 A consultation meeting was conducted on 28 March 2022 and attended by ward Councillors, the applicant, objectors and planning officers. The meeting was largely a discussion around the revised s57A plans (as outlined above). The primary concern remained the extent of the new works in relation to the current building footprint, with it deemed by objectors as excessive and contrasting to the general bulk and presentation to the street of the other four buildings in Holroyd Court (consisting of both single and double-dwelling lots). The general appearance of the new works was also raised in direct contrast to the existing built form. The meeting did not result in any further changes to the proposal.
- 2.7 The proposal is considered acceptable given the demolition is contained to the rear of the dwelling, the additions are considerably setback from the front façade with a scale and massing that would neither detract nor overwhelm the original significant graded building. The proposed finishes and colour scheme would respect the original building and the new curved walls would respond to the existing features of the building. The proposal would comply with Council's Heritage Policy.
- 2.8 It is recommended that the Council approve the application and issues a Notice of Decision to Grant a Planning Permit, subject to conditions.

3. RECOMMENDATION

- 3.1 That the Responsible Authority, having caused the application to be advertised and having received and noted the objections, issue a Notice of Decision to Grant a Permit
- 3.2 That a Notice of Decision to Grant a Permit be issued for Partial demolition of existing dwelling and buildings and works on a lot over 500m² in a Heritage Overlay at 1 Holroyd Court, St Kilda East.
- 3.3 That the decision be issued as follows:
- 1. Amended Plans Required**

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted under Section 57A of the Act, date stamp received 11 February 2022 and subsequently advertised, (identified as those prepared by Matyas Architects,



consisting of drawings TP001, TP002A, TP002B, TP003, TP100-TP104, TP200-TP203) but modified to show:

- a) Detail as to the materiality, width and steel profile of the proposed replacement front façade windows to be shown at an increased scale, to ensure the same as those as existing.
- b) The sections of original heritage fabric to be retained, to be noted as cleaned and repainted.
- c) The proposed location of the rainwater tank to be lower in height than the northern boundary fence and conclusively screened by appropriate-height vegetation.
- d) Inclusion of the 9.6m² buffer strip to be shown on the Roof/STORM Calculation Plan (TP104), along with full compliance with the Water Sensitive Urban Design as outlined in Condition 8.

2. No Alterations

The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

3. No Change to External Finishes

All external materials, finishes and colours as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

4. Satisfactory continuation

Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

5. Walls on or facing the boundary

Prior to the occupation of the building(s) allowed by this permit, all new or extended walls on or facing the boundary of adjoining properties and/or the laneway must be cleaned and finished to a uniform standard. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed to the satisfaction of the responsible authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the responsible authority.

6. Piping and ducting

All piping and ducting (excluding down pipes, guttering and rainwater heads) must be concealed to the satisfaction of the Responsible Authority.

7. No equipment or services

No plant, equipment or domestic services (including any associated screening devices) or architectural features, other than those shown on the endorsed plan are permitted, except where they would not be visible from a street (other than a lane) or public park without the written consent of the responsible authority.

8. Water Sensitive Urban Design

Prior to the endorsement of plans under condition 1 of this permit, a Water Sensitive Urban Design (Stormwater Management) Report that outlines proposed stormwater treatment measures must be submitted to, be to the satisfaction of



and approved by the Responsible Authority. The report must demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) or as amended. This can be demonstrated by providing;

- A STORM report with a score of 100% or greater (or MUSIC modelling for large scale developments),
- A plan showing the catchment area in m²,
- The stormwater device included on the relevant floor plans (devices are to include raingarden(s), rainwater tank(s), permeable paving etc. or a combination of one or more).

The report must demonstrate how the stormwater device will be maintained on an on-going basis. This can be demonstrated by providing a maintenance manual including the following information;

- - A full list of maintenance tasks,
- - The required frequency of each maintenance task (monthly, annually etc.),
- - Person responsible for each maintenance task.

When approved, the Report will be endorsed and will form part of this permit.

9. Incorporation of Water Sensitive Urban Design Initiatives

Prior to the occupation of any dwelling/building approved under this permit, the provisions, recommendations and requirements of the endorsed Water Sensitive Urban Design Report must be implemented and complied with to the satisfaction of the Responsible Authority.

10. Time for starting and completion

This permit will expire if one of the following circumstances applies:

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

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before or within 6 months after the permit expiry date, where the development allowed by the permit has not yet started; and
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Permit Notes:

Heritage Overlay

This permit is approved pursuant to the Special Building Overlay and Heritage Overlay controls under the Port Phillip Planning Scheme. No assessment has been made under ResCode and therefore this permit does not purport to give approval for siting dispensation and other relevant matters. Please contact Council's Statutory Building Department on 9209-6253.



Building Approval Required

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Building Works to Accord with Planning Permit

The applicant/owner will provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with this planning permit.

Due Care

The developer must show due care in the development of the proposed extensions so as to ensure that no damage is incurred to any dwelling on the adjoining properties.

Days and Hours of Construction Works

Except in the case of an emergency, a builder must not carry out building works outside the following times, without first obtaining a permit from Council's Local Laws Section:

- Monday to Friday: 7.00am to 6.00pm; or
- Saturdays: 9.00am to 3.00pm.

An after hours building works permit cannot be granted for an appointed public holiday under the Public Holidays Act, 1993.

Drainage Point and Method of Discharge

The legal point of stormwater discharge for the proposal must be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the responsible authority prior to the commencement of any buildings or works.

5. RELEVANT BACKGROUND

There is a previous planning application for this site, PDPL/00022/2022 which sought approval for part-use of the garage for a personal training studio (restricted recreation facility), however this was withdrawn by the applicant on 21 January 2022. This withdrawn application has no relevance to this current planning application.

6. PROPOSAL

- 6.1 The plans which are the subject of this report are those known as s57A Plans submitted and received by Council on 11 February 2022, consisting of drawings TP001, TP002A, TP002B, TP003, TP100-TP104, TP200-TP203.
- 6.2 Specifically, the application proposes the following:

Demolition

- demolition of the ground floor and first floor areas (both internal and external walls) removing the store, laundry, kitchen/dining, study, lounge, bathroom and internal walls of bedroom 2, hall and entrance lobby and associated windows and roof.

- removal of several trees (not considered significant trees)
- a small section of the northern wall of garage
- fence pillars to the entrance of the driveway, along with the external spiral staircase to the first floor
- a number of windows on the retained section of the building.

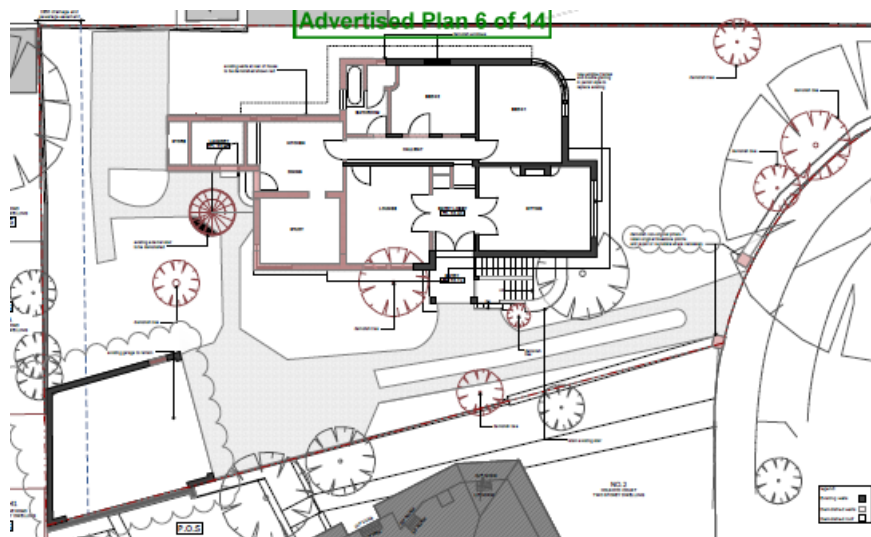


Fig 1 – Ground floor demolition plan (demolition shown red)

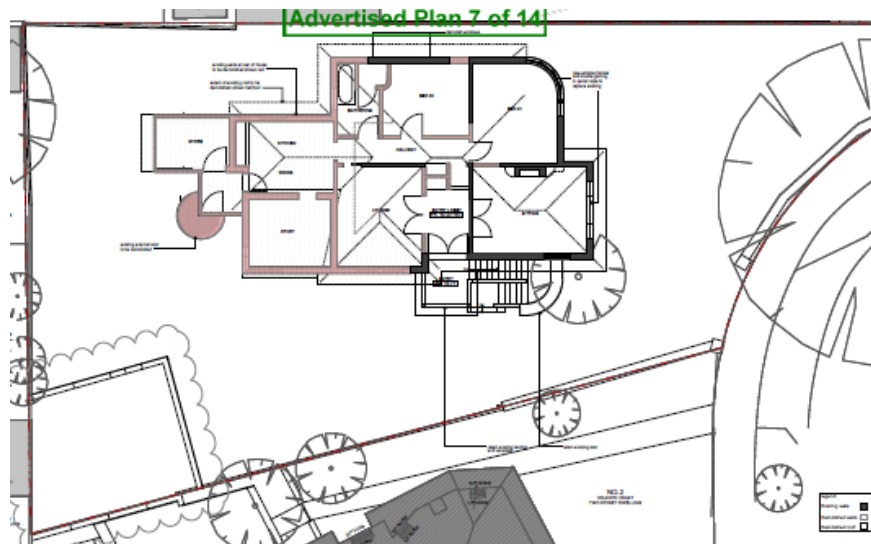


Fig 2 – First floor demolition plan (demolition shown red)

Proposed works

- the primary four front rooms of the existing dwelling would be retained. The general footprint of the front half of the dwelling would largely remain unchanged.
- construction of two storey addition to the rear of the existing dwelling. The proposed northern wall towards the rear of the dwelling would be moved to the

boundary to accommodate an open plan kitchen/pantry/meals and lounge area which opens out onto the west facing private open space area at ground level. The proposed extension would include curved walls which replicate the existing features of the original dwelling.

- at first floor, the primary front rooms would be retained and re-designed to an open plan master bedroom/retreat, WIR and ensuite. The extension to the rear would contain three additional bedrooms, bathroom and powder room.
- the new ground and first floor would include a flat-roof with the front section of the dwelling retaining the original pitched roof.
- windows would be replaced to the front of the building and would be of the same style and material and fitted with double glazing.
- the garage would be retained with a new panel-tilt door and additional pedestrian door located on the northern side, which will not be visible from the street. The rear garden (private open space) will contain landscaping and an open-roofed pergola structure.
- a 5800 litre rainwater tank would be installed within the front setback, adjacent to the northern fence and screened by vegetation.

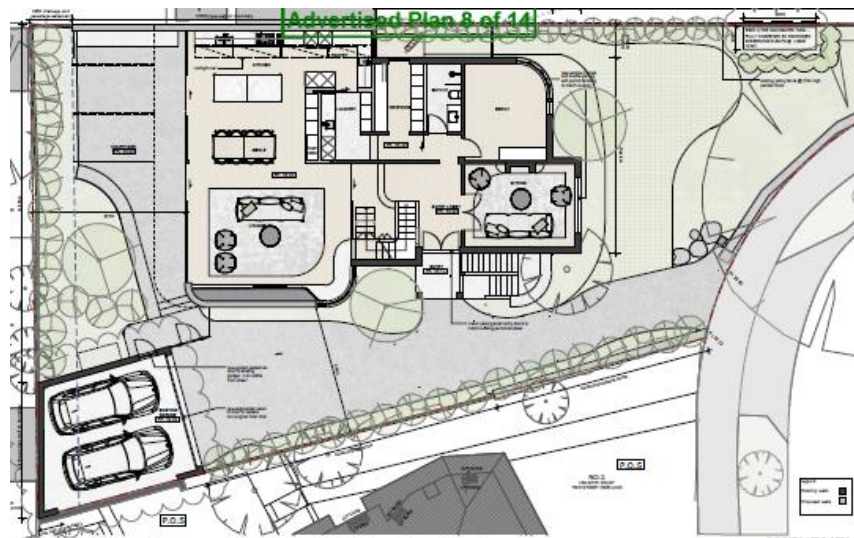


Fig 3 – Ground floor plan

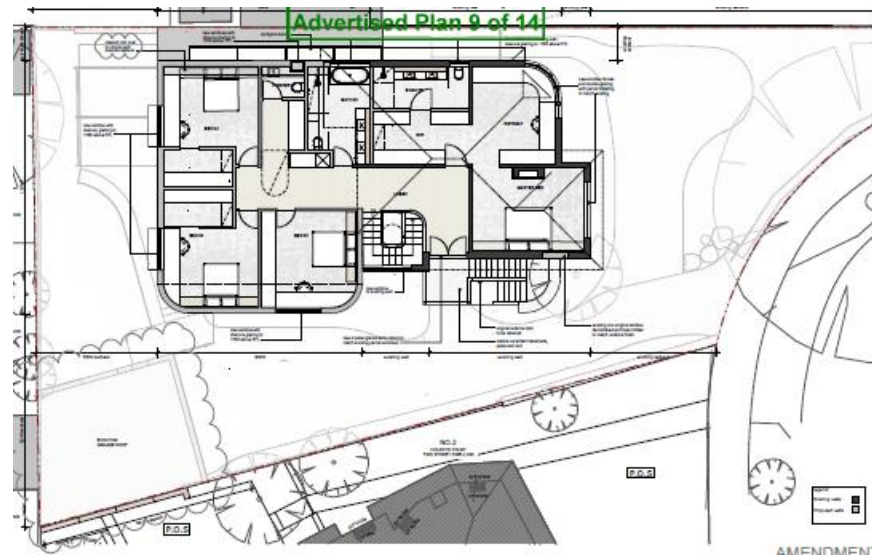


Fig 4 – First floor plan

- works to the roof would include construction of a number of skylights per the plan below. The three skylights contained within the original roof pitch would not be visible from the street.

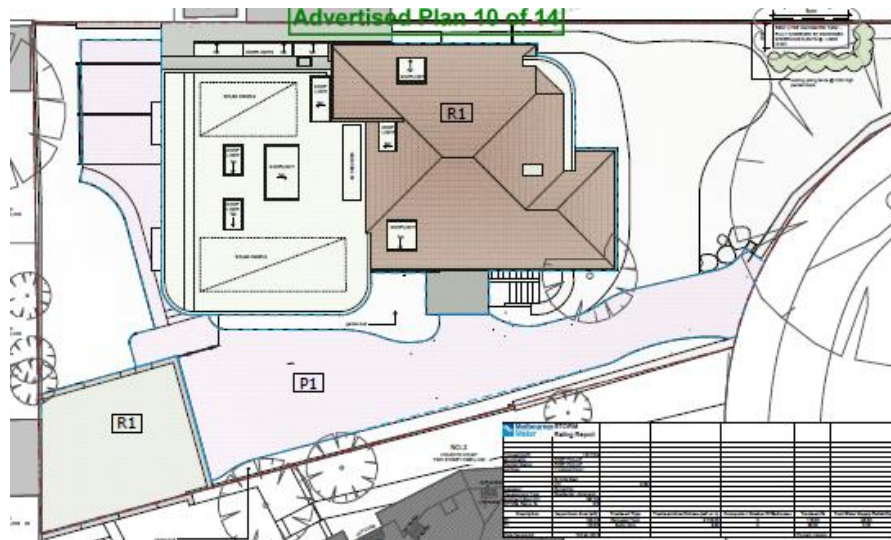




Fig 5 – Roof/STORM calc plan

7. SUBJECT SITE AND SURROUNDS

| Description of Site and Surrounds | |
|-------------------------------------|---|
| Site Area | Site area is approximately 590m ² . |
| Existing building & site conditions | The site is irregular in shape, with a north boundary of 45m, east boundary of 18m, south boundary of 30m and west boundary of 22m. The site contains one centrally located double storey masonry dwelling with a part pitched tile and part-parapet |

| | |
|--|---|
| | <p>walled roof, with curved walls at ground and first floor level presenting to the street. The dwelling contains two dwellings, one at ground level and one at first floor level.</p> <p>A flat roofed double garage is located to the south west corner of the lot, accessed via the driveway along the southern boundary.</p>  <p><i>Fig 5 – 1 Holroyd Court. (Source; author-provided).</i></p> |
| <p>Surrounds/neighbourhood character</p> | <p>The surrounding area is residential, with both single and double storey brick/masonry render and tile roofed period-style dwellings.</p> <p>Lot sizes on both Holroyd Avenue and Holroyd Court are generally greater than 500m² and contain a high prevalence of off street parking and established landscaping, afforded by the larger lot sizes.</p> |
| <p>Immediate interfaces</p> | <p>Holroyd Court contains four double storey buildings of a similar style and materiality to that of the subject site.</p> <p>The four lots contain both single, and two dwellings per site, that present similarly within the street.</p> <p>The below image is indicative of the general appearance of dwellings within Holroyd Court, which have a similar bulk and building width, with slight variation as to materials and colours.</p>  <p><i>Fig 6 – 2 Holroyd Court, and illustrative of the general built form within the Court. (Source; author-provided).</i></p> |



8. PERMIT TRIGGERS

The following zone and overlay controls apply to the site, with planning permission required as described.

| Zone or Overlay | Why is a permit required? |
|---|--|
| Clause 43.01 Heritage Overlay (HO388 - Holroyd Court Precinct) | <p>Clause 43.01-1 states a permit is required;</p> <ul style="list-style-type: none"> • Demolish or remove a building • Construct a building or construct or carry out works • A rainwater tank if the rainwater tank is visible from a street • A fence if the fence is visible from a street • Externally paint (noting external paint controls apply) • A pergola or verandah, including an open-sided pergola or verandah. • Skylights, if visible from a street. <p><i>(A permit is therefore required for all of the above, with exception the pergola which will not be visible from the street).</i></p> |

9. PLANNING SCHEME PROVISIONS

9.1 State Planning Policy Frameworks (SPPF)

- Clause 11 Settlement, including
 - Clause 11.01-1R1: Settlement - Metropolitan Melbourne
 - Clause 11.02: Managing Growth
 - Clause 11.03: Planning for Places
- Clause 15 Built Environment and Heritage, including
 - Clause 15.01-1: Built Environment
 - Clause 15.01-1R: Urban design - Metropolitan Melbourne
 - Clause 15.01-2S: Building Design
 - Clause 15.01-5S: Neighbourhood character
 - Clause 15.02-1: Sustainable development
 - Clause 15.03: Heritage
 - Clause 15.03-1S: Heritage conservation
- Clause 16 Housing, including
 - Clause 16.01: Residential development
 - Clause 16.01-1S: Housing supply
- Clause 21.03 Ecologically Sustainable Development, including
 - Clause 21.03-1 Environmentally Sustainable Land Use and Development
 - Clause 21.03-2 Sustainable Transport
- Clause 21.04 Land Use, including
 - Clause 21.04-1 Housing and Accommodation



- Clause 21.05 Built Form, including
 - Clause 21.05-1 Heritage
 - Clause 21.05-2 Urban Structure and Character
 - Clause 21.05-3 Urban Design and the Public Realm
- Clause 21.06 Neighbourhoods, including
 - Clause 21.06-1 East St Kilda and Balaclava
- Clause 21.07 Incorporated Documents, including;
 - Port Phillip Heritage Review (2020)
 - Port Phillip Design Manual (2000)

9.2 Local Planning Policy Framework (LPPF)

The following local planning policies are relevant to this application:

- Clause 22.04 Heritage Policy
- Clause 22.12 Stormwater Management (Water Sensitive Urban Design)

9.3 Other relevant provisions

- Clause 65 Decision Guidelines
- Clause 71.02 Operation of the Planning Policy Framework

9.4 Relevant Planning Scheme Amendment/s

N/A

10. REFERRALS

10.1 Internal referrals

Comments received through the internal referral process are outlined below:-

Heritage Advisor

The following advice was provided on 28 March 2022 in regards to the revised plans under consideration;

In consideration of the submitted S57A plans, which demonstrate that the garage would be retained (albeit with a new panelled door) and the pergola removed, it is considered that the objections in relation to the garage have now been accordingly satisfied. The panelled door is acceptable from a heritage perspective.

In relation to the proposed additions, the original heritage comments are still applicable. The proposed ground and upper storey additions are considerably setback from the front façade and would feature a scale and massing that would neither detract from nor overwhelm the original heritage fabric. The new additions are respectful of the existing side setbacks and incorporate finishes and a colour scheme that respect the original heritage fabric while at the same time allowing for visible legibility between the retained heritage section of the dwelling and the new additions. This is an outcome supported by Council's Heritage Policy (Clause 22.04), which encourages complementary architectural styles that incorporate a contextual design response for new additions to heritage places.



The proposed removal of the pillar to the original stone fence is still supported. Building plans have been sighted which demonstrate that the pier is non-original, constructed c.1969 or later and is therefore non-original. The proposed letter box would be a simple, low profile construction which is supported.

Clarification sought/additional comments:

- *To ensure that the new windows to the front façade would match the existing, more detailed plans are requested. Specifically plans which detail the materiality, width of the windows and the steel profile at an increased scale.*
- *The sections of the heritage fabric that are to be retained as part of the proposal should not be re-rendered. Instead, the heritage fabric should be cleaned and repainted because re-rendering can change the appearance of the fabric.*
- *The proposed location of the water tank would acceptable if it is lower than the height of the boundary fence and the proposed plantings screen the tank from the street view.*

Planner comment

Council's Heritage Advisor is supportive of the revised changes which also attempt to respond to objector concerns. The above three dot-points will form part of any recommended conditions of permit. Refer recommended conditions 1a, 1b and 1c, respectively.

10.2 External referrals

The application was not required to be externally referred.

11. PUBLIC NOTIFICATION/OBJECTIONS

11.1 It was determined that the proposal may result in material detriment therefore Council gave notice of the proposal by ordinary mail to the owners and occupiers of surrounding properties (34 letters) and directed that the applicant give notice of the proposal by posting 1 notice on the site for an 18 day period, in accordance with Section 52 of the Planning and Environment Act 1987.

11.2 The originally advertised application received 23 submissions, 22 of which were objections and one of support. There have been no further submissions received as a result of the revised plans, nor any objections officially withdrawn. The key concerns raised are summarised below.

- Proposal not in keeping with scale, form and materials as per the heritage overlay
- Additions are visible from the public realm
- Modern garage/size of and pergola at front of garage
- Style/type of new letterbox
- Removal of trees with no replacements
- *Garage to be used as gym
- Cars likely to be parked in Holroyd Court
- Lack of detail as to services locations
- No height, setback and finish of the rainwater tank
- *Change of use (as per PDPL/00022/2022) for gym with parking and noise concerns

Planner comment



As per the referenced heritage advice, the scale, form and materiality are deemed acceptable, with the original garage to be retained, and the pergola originally proposed at front of the garage deleted.

This acceptability also relates to matters concerning the letterbox, and the location of services (generally shown on TP104 - Roof/Storm calc plan).

The subdivision pattern within Holroyd Court results in generally 'pie shaped' lots which means the lots do not present 'square' to the street as per a typical grid-pattern subdivision. This results in visible building side elevations which can be seen from the street, with this applying to the south elevation where the proposed works will be partly visible from some point within Holroyd Court. However, the subject site front façade faces east, out of Holroyd Court onto Holroyd Avenue. The proposed works are not considered to be excessively visible as a result of the existing external staircase and a retained tree which will both provide screening of views from ground to roof level.

Application PDPL/00022/2022 sought planning permission to operate a personal training studio (for commercial purposes) upon the site. This planning permission was formally sought in response to complaints raised with council from neighbours with regards general noise and car parking within Holroyd Court as a result of this use. However, application PDPL/00022/2022 was subsequently withdrawn, in direct response to objections raised concerning noise and car parking within Holroyd Court.

The proposal would involve the removal of eight trees; four within the front setback, three in the side setback and one in the rear setback. The trees are not considered to be significant trees as outlined under Council's Local Law No. 1 (Community Amenity) and therefore can be removed as they add no value to significance of the heritage site and surrounding precinct also noting that the schedule to the heritage overlay does not list tree controls.

12. OFFICER'S ASSESSMENT

Local Policy

12.1 Key Issues

Does the extent of demolition impact on the heritage values of the site? Is the alteration(s) compatible with the existing building and sympathetic to heritage values?

Is the development consistent with the nature of development in the immediate neighbourhood in terms of existing/preferred scale, setbacks, form and pattern of subdivision?

An assessment of these matters follows using the local policy provisions together with the relevant Planning Scheme provisions. In terms of local policy, assessment of the above matters are guided by Clause 21.05 - Built Form, Clause 21.06 - Neighbourhoods, Clause 22.04 – Heritage Policy, Clause 22.12 - Stormwater Management (Water Sensitive Urban Design). The Planning Scheme provisions further used in the following assessment are Clause 43.01 Heritage Overlay (and associated Schedule 388).

Clause 21.05 – Built Form

The proposal responds to the objectives of both Heritage (Clause 21.05-1) and Urban Structure and Character (Clause 21.05-2) as considered below.



Clause 21.05-1 Heritage contains one objective and several strategies relevant to the proposal, referenced in full as follows;

1. To conserve and enhance the architectural and cultural heritage of Port Phillip.

- 1.1 *Protect, conserve and enhance all identified significant and contributory places, including buildings, trees and streetscapes.*
- 10.3 *Support the restoration and renovation of heritage buildings and discourage their demolition.*
- 10.4 *Encourage high quality design that positively contributes to identified heritage values.*
- 10.5 *Ensure that new development respects and enhances the scale, form and setbacks of nearby heritage buildings*

1.9 Maintain the visual prominence of historic buildings, local landmarks and icons

The proposal does not seek to demolish the 'Significant' graded dwelling, but to remove those sections that are non-original located to the rear and are not considered to contribute to the character of the heritage precinct. The proposed works include conservation, restoration and renovation, and noting the current condition is somewhat dilapidated, the proposed works would improve both the existing dwelling and in turn improve how the building presents to the street.

The proposed works are contemporary yet considered to respond to what makes the site a 'Significant' graded dwelling. This is achieved by referencing the curved external wall elements on the original front façade and southern external staircase and replicating these curves (albeit a slightly tighter radius) across the southern elevation of the proposed ground and first floors. This is illustrated earlier at *Fig 3 - Ground floor plan* and *Fig 4 - First floor plan* of this report (see section 5). The proposed parapet / flat roof of the double storey extension also references the original parapet roof found at the north-east front corner of the dwelling, and this provides a further visual reference point to the existing built form. These proposed curved walls and parapet roof elements would not be presenting directly to the street, however this contemporary design response (along with contemporary windows) ensures the new works are visually connected to the original dwelling by virtue of such references.

It is also considered the lower height of the proposed extension ensures an appropriate (reduced) scale and permits the original section of the original dwelling to retain visual prominence, as too the adjacent dwellings which are also higher than the proposed works.

Clause 21.05-2 Urban Structure and Character references the following relevant objectives and strategies.

1. To reinforce key elements of the City's overall urban structure.

1.1 Protect Port Phillip's distinctive physical character, in particular:

- *Identified places and precincts of heritage significance*
- *The distinctive low-rise scale of the established residential areas*

2. To protect and enhance the varied, distinctive and valued character of neighbourhoods across Port Phillip.



3. To ensure that the height and scale of new development is appropriate to the identified preferred character of an area.

7. To protect streetscape characteristics of the established residential areas.

The proposal would comply with the above objectives as the proposed works are contained to the rear of the existing dwelling which would screen any new works as viewed from the front of the site. The proposed height is lower than the existing building, and lower than those directly adjacent (which are also double storey). As such, the proposed works are not expected to unduly affect the existing character of Holroyd Court, and would sit comfortably within the neighbourhood character.

Clause 22.04 – Heritage Policy

The siting of the new works is considered to maintain the significance of the dwelling, whilst the extent of publicly visible additions adopts a contextual design response, and one that is differentiated from the original dwelling, as required under Heritage policy. Council's Heritage Advisor as outlined earlier in this report raises no significant concerns subject to recommending conditions. Also refer to below.

Clause 22.12 - Stormwater Management (Water Sensitive Urban Design)

The proposed Water Sensitive Urban Design response accords with the policy, subject to conditions.

Clause 43.01 Heritage Overlay (HO388)

The relevant purposes of the Heritage Overlay are to '*conserve and enhance those elements which contribute to the significance of heritage places*' and '*to ensure that development does not adversely affect the significance of heritage places*'. This particular Heritage Overlay - HO388 relates specifically to the Holroyd Court Precinct, consisting of 1-7 Holroyd Court, East St Kilda.

In summary, the extent of demolition is appropriate to remove non-original and non-contributory components which do not contribute to the heritage values of the site. The proposed works are considered sympathetic to the existing building as they are generally located to the rear of the existing building. Whilst clearly contemporary, the proposal references existing design elements found on the 'Significant' graded building (curved walls and parapet roof form), which visually connect these two distinctly different areas of construction.

The typically larger lot sizes and corresponding dwelling sizes in the area afford the ability to locate an appropriately sized development such as the works proposed. It is again noted the proposed works are lower in height than the retained heritage-significant building, and lower in height to adjacent dwellings within Holroyd Court. Overall, the proposal would be sympathetic to the heritage value of the site and this particular heritage precinct.

12.2 Amenity – Clause 54 (Rescode)

Given the site is over 500m² a planning permit is not required for the proposed extensions under the Neighbourhood Residential Zone (Clause 32.09). Specifically, Clause 32.09-5 (Construction and extension of one dwelling on a lot), amenity considerations of the development are not assessed as part of this application. However, the development would be required to comply with the relevant building regulations.



Whilst the provisions of Clause 54 would not apply, the proposed layout of the extended dwelling has been well designed, with the main open plan living/meals areas located to the rear, west facing to its secluded private open space.

The floorplan across both levels provides for adequate daylight and ventilation opportunities, along with external shading to west-facing windows. The location of habitable rooms at ground and first floors facing towards Holroyd Court provides for passive surveillance, from within the original façade. The garden areas across the site allow for landscaping opportunities across the front, southern side and rear setbacks.

It is considered the proposed works would result in a practical dwelling that provides for excellent internal amenity through a considered floor plan that responds to the site and also provides external amenity via the garden and landscaped areas.

12.3 Sustainable Design and Water Sensitive Urban Design

Clause 22.12 Stormwater Management (Water Sensitive Urban Design) applies to extensions to existing buildings which are 50 square metres in floor area or greater. Noting the proposed increase in floor area is approximately 90sqm, this policy applies. The s57A plans provide a 100% STORM rating, achieved by collecting stormwater from the original (front) section of dwelling roof along with the garage roof (R1 – a combined area of 245.2sqm) into a 5730L rainwater tank located in the front setback. A 9.6m² buffer strip would collect stormwater from impervious paving (P1 – an area of 120.6 m²). However, the location of the buffer strip is not noted on TP104 – Roof/Storm Calc Plan. In addition, no maintenance manual has been provided with the application material. It is therefore recommended Condition 1d) will require this information, along with the Water Sensitive Urban Design condition in full (refer recommended Condition 8).

13. COVENANTS

13.1 The applicant has completed a restrictive covenant declaration form declaring that there is no restrictive covenant on the titles for the subject site known as Lot 5 of Plan of Subdivision 014174 [Parent Title Volume 06780 Folio 825].

14. OFFICER DIRECT OR INDIRECT INTEREST

14.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

15. OPTIONS

15.1 Approve with changed or additional conditions

16. CONCLUSION

16.1 The proposed demolition is considered appropriate as they are not considered to affect the original significant graded building. In addition, Council's Heritage Advisor is supportive of the proposed demolition and buildings and works as outlined throughout this report.

16.2 The revised plans under consideration have recognised the objections raised and the applicants have actively pursued solutions to address these, also supported by Council's Heritage Advisor.

16.3 The general footprint of the proposed extension is considered respectful of the original building (to become one dwelling) through a design response that does not seek to 'overpower' the original building, nor is it considered to dominate the streetscape.



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- 16.4 The scale of the proposed extension is such that it is lower in height than the original building and lower in height than those adjacent within Holroyd Court.
- 16.5 The internal amenity afforded by the proposed works greatly improves upon that as provided by the two dwellings that currently occupy the site.
- 16.6 The proposed works would result in an improvement through restoration of the current dilapidated site conditions, ensuring a future contribution to Holroyd Court.
- 16.7 Approval is recommended subject to conditions.

ATTACHMENTS

1. Section 57A plans  [Download](#)
2. Superseded Originally Advertised Plans  [Download](#)