



14/04/2023

[REDACTED]  
Trethowan Architecture  
25 William Street  
Cremorne Victoria 3121

Via email: [REDACTED]

Dear [REDACTED]

**RE: PERMIT APPLICATION P38201 - ARMADALE HOUSE, 117 KOOYONG ROAD ARMADALE, STONNINGTON CITY (H0637)**

Thank you for your application for a heritage permit for the above Place. A heritage officer has been allocated to your application and has reviewed your documentation.

We are concerned about the level of new development proposed for the front setting of Armadale House as shown in your permit application. In particular, it is considered that the proposed 'pool house' will have a level of detrimental impact on the understanding of the context of the place as a modest example of boom-era mansion design set within a landscaped garden. Armadale House was once located within extensive landscaped gardens but now sits within a much reduced site. It is important that the front setting of the house maintains an appropriately soft landscape garden rather than a proliferation of new building, structures and hard landscaping.

Since March 2020, Heritage Victoria has issued two permits which have allowed for substantial change at this place including subdivision and construction of a childcare centre at the rear of the site. That approval facilitated the sale of Armadale House for use as a residence. A further permit was issued to allow substantial upgrades to provide for a appropriate standard of lifestyle and amenity consistent with a house of this stature and location. Externally this included a swimming pool and basketball court. These decisions were made after assessment of the proposals against the reasonable and economic use considerations set out at Section 101(2)(b) of the Heritage Act 2017 (the Act).

We are concerned that the development set out in your current permit application proposes further incremental change to the front setting of the house which is likely to have a detrimental impact on the setting and significance of the place. These concerns were communicated during the pre-application stage for heritage permit P35172 when discussing the tennis court or tennis pavilion proposed at that time and subsequently removed from the works approved under the permit. We are not persuaded that the works now proposed are necessary for the reasonable use of this place as a residence.

If you wish to proceed with the application in its current form you may wish to address the issue of reasonable and economic use set out in the Act. By way of further information, under Section 101(2)(b) of the Act, the Executive Director is required to consider the extent to which the application, if refused, would affect the reasonable or economic use of the registered place. The 'reasonable use' consideration is an objective assessment and is concerned with the reasonable use of the registered place or object, not what is subjectively reasonable. The Heritage Impact Statement (section 4.2.1) has provided a statement addressing the need for the 'toilet block' and 'pool house' to reasonably use the place. However, you may wish to provide further evidence that demonstrates the extent to which reasonable use of the registered place would be affected by a refusal of the application.

To assist the Executive Director, Heritage Victoria in determining your application, you are **required** to provide the following additional information under s98 of the *Heritage Act 2017* (the Act):



- Details as to why the 'toilet block' needs to include a sauna, shower and toilet and cannot be limited to housing pool equipment.
- Further information associated with the proposed location of the 'toilet block'. The Heritage Impact Statement states that the '*Positioning the structures to the west was found to be less functional*', however it is unclear as to why the 'toilet block' or a smaller structure that is limited to housing necessary pool equipment could not be located to the north-west corner of the swimming pool which would recess it further on the block.

This information is required by no later than 13 May 2023. Your application will lapse under s98(2) of the Act if you do not provide the requested information by this date. The email address to which you should send this information is [heritage.permits@delwp.vic.gov.au](mailto:heritage.permits@delwp.vic.gov.au).

Once any further information is supplied you will be requested to publicly advertise the permit application.

Please note that, under s99(d) of the Act, the 60-day period within which your application would ordinarily be determined has been suspended until you provide the information that has been requested.

You may request additional time to provide the information which will be considered in accordance with ss98(4), (5) and (6) of the Act.

If you would like to discuss this request please contact [REDACTED] Heritage Officer (Permits) on [REDACTED] or email [REDACTED]

Yours sincerely

Janet Sullivan

Principal Heritage Permits

Heritage Victoria

(As delegate for the Executive Director, Heritage Victoria pursuant to the Instrument of Delegation)

[REDACTED]  
[REDACTED]