

VIEWS OF BOROONDARA CITY COUNCIL



12 DECEMBER 2005

**KEW RESIDENTIAL SERVICES SITE
WALKER DEVELOPMENT PLAN, OCTOBER 2005**

1.0 BACKGROUND

On 17 October 2005, the State Government provided Council with a revised Walker Development Plan for the Kew Residential Services site (KRS). Council was provided with 28 days to consider the revised plan, with the State Government requiring Council's comments by 15 November 2005. The receipt of a revised WDP follows Council's assessment of an earlier development plan submitted to Council for comment in May 2005.

Council commenced action at the Victorian Civil and Administrative Tribunal (VCAT) concerning the inadequacy of information provided in the development plan. This matter has been adjourned at VCAT, to allow Council the opportunity to review and comment on a revised Walker Development Plan. Further rescheduling of this VCAT hearing is dependent on the response received by Council to its submission on the revised Walker Development Plan.

Following receipt of the revised Walker Development Plan- October 2005 (WDP), Council officers conducted a preliminary assessment, and wrote to the Walker Corporation on 24 October 2005 requesting further information. Walker Corporation agreed to provide this information to Council within the 28 day period to enable Council to form a view about the revised WDP. In order to properly assess new information submitted by Walker Corporation, Council requested an extension of time in which to comment. The State Government granted Council an additional 17 days (13 business days).

On receipt of the revised WDP, Council also provided the opportunity for its community to comment and inform this submission. Council has sought to advocate and facilitate

community involvement in the redevelopment of this important site since the Premier of Victoria announced the site's sale and future redevelopment in December 2001.

Council officers have met with the Walker Corporation on several occasions to discuss the revised WDP. Council has been encouraged by the commitment of the Walker Corporation, not only to responding to Council's requests for additional information, but also a commitment to fostering positive working relations with Council. Council wishes to acknowledge these efforts, and confirm that it is working with the Walker Corporation to deliver the best possible outcome on this site.

2.0 PLANNING SCHEME PROVISIONS AFFECTING THE SITE

2.1 State Planning Policy

State Planning Policy Framework (SPPF)

The WDP has not addressed the SPPF. Council considers that Clause 14 'Settlement', Clause 15 'Environment', Clause 16 'Housing', Clause 18 'Infrastructure', and Clause 19 'Particular Uses and Development' are relevant to the proposal.

Melbourne 2030 provides some strategic context to the redevelopment of the KRS site, in particular;

"Provide appropriate housing for forecast increases in population; ensure that growth is directed to strategic locations with good access to services and transport; ensure a range of housing opportunities within established residential areas meet changing lifestyles and housing needs; promote walking, cycling and public transport as viable transport alternatives; and build better and more sustainable neighbourhoods."

'The character of established residential areas will be protected through Rescode, and increased densities will not be achieved at the expense of existing amenity'.

2.2 Local Planning Policy

Council considers that the following Clauses of 21.05, 21.06, 21.07, 21.09, 21.10, 21.11 and 21.12 of the Municipal Strategic Statement to be of particular relevance to WDP. Each has been outlined in Council's submission of 11 July 2005.

2.3 Zone

The site is zoned Residential 1. The purpose of the Residential 1 Zone includes:

- *To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.*
- *To encourage residential development that respects the neighbourhood character.*
- *In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.*

2.4 Overlays

Development Plan Overlay

A development plan overlay, and site specific schedule applies to the site. The purpose of the development plan overlay includes:

- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review if it is generally in accordance with a development plan.*

Vegetation Protection Overlay

Clause 42.02 Vegetation Protection Overlay (VPO2) applies to the KRS site. The purpose of the VPO includes;

- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.*
- *To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

Heritage Overlay

Clause 43.01 Heritage Overlay applies to the site. The purpose of the Heritage Overlay includes:

- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

3.0 ASSESSMENT OF THE WALKER DEVELOPMENT PLAN

Council has assessed the revised WDP with the objectives of:

- a) Identifying changes made in the revised development plan.

- b) Ensuring that the development plan is generally in accordance with the Urban Design Framework produced by the State Government dated October 2003.
- c) Ensuring that the level of detail (as required by the Development Plan Overlay Schedule 3 – Kew Residential Services) has been provided.

a) Changes made in the revised development plan

It is submitted that the revised WDP is a substantial improvement on the previous development plan provided to Council for assessment in May 2005. The revised WDP addresses many of the concerns previously raised by Council and the community, and demonstrates a greater level of compliance with the information requirements of DPO3 in the Boroondara Planning Scheme. This can be measured by:

- The commitment of Walker Corporation to a definitive yield on the site, measured by a cap on the maximum number of dwellings proposed at 520.
- The location of the sports and recreation centre to the north of the site nearest to Hutchinson Drive, allowing access to the proposed new facility for people of all abilities.
- An increase in the minimum public open space provision to 30% of the site (exclusive of roads and road reserves).
- A reduced overall building height across the site with only one area of 5 storey apartments.
- A continuous open space spine from Yarra Bend Park through to Princess Street.
- Apartment housing located away from the heritage core.
- The diversion of traffic away from CRU units.

b) KRS Urban Design Framework, October 2003

Schedule 3 to DPO3 of the Boroondara Planning Scheme states that *a development plan must be generally in accordance with the Kew Residential Services Urban Design Framework, October 2003*), an incorporated document to the Boroondara Planning Scheme. It is noted that the revised Walker Development Plan contains the following differences from the KRS UDF. Council contends that these changes are generally in accordance with the UDF, respond positively to the site, offer a reduction in off-site amenity impacts, and should be supported:

- The only proposed 5 storey building heights are at the top of the site nearest to Yarra Bend Park. Five storey development was previously contemplated for many areas on the site in the UDF, particularly adjacent to Lower Drive.
- An increase in minimum public open space provision to 30% of the site (exclusive of roads and road reserves). Previously, the development plan specified an open space provision of 27%, this being in keeping with the requirement of the State Government's UDF for the site.

- An open space spine that links Yarra Bend Park to Princess Street. The open space spine in the UDF linked Yarra Bend Park and Hutchison Drive.
- The development of a new sport and recreation facility. The UDF proposed the use of the existing sports and recreation facility.
- Preservation of a third heritage building at the heritage core. The UDF required the preservation of only two buildings at this core location.
- Two vehicle access points to the site, one from the existing Princess Street roundabout, the other a new access point from Hutchison Drive. The UDF contained an additional vehicle access point from Hutchison Drive, closer to the Kew Gardens estate.
- The use of Main Drive as the main road for vehicles internal to the site, whereas the UDF contemplated the use of Lower Drive as the main vehicle thoroughfare.

Where the revised WDP does not positively respond to the site in a manner contemplated in the KRS UDF, Council recommends that the revised WDP submitted for approval to the Minister for Planning be amended as follows:

- a) Boundary Walk should contain a minimum of 26m between new built form and the historic Willsmere wall. The following measures should be introduced on Boundary Walk to ensure that it remains as an open space, and that pedestrians and cyclists are priority users of this space:
 - Vehicles should only be permitted to the section of Boundary Walk outlined in the revised WDP;
 - Vehicles using Boundary Walk be confined to visitor traffic only;
 - Visitor parking to be provided off street; and
 - No vehicle access from Boundary Walk to proposed new dwellings on the site.
- b) The large River Red Gum located to the north of Lower Drive noted as No. 305 on the Tree Protection Plan LSK11 is covered by a VPO, and is listed as significant by Heritage Victoria. Further information submitted by the Walker Corporation to Council has confirmed that they will endeavour to retain the River Red Gum. Although the subject of recent pruning, this tree remains highly significant, and must be retained in the revised WDP submitted for approval to the Minister for Planning.
- c) **Development Plan Overlay Schedule 3 - Information Requirements**

Council has assessed the revised WDP against the relevant requirements specified in the Boroondara Planning Scheme, with the objective of:

- a) Ensuring that the level of detail (as required by the Development Plan Overlay Schedule 3 – Kew Residential Services) has been provided.
- b) Ensuring that the development plan is generally in accordance with the Urban Design Framework produced by the State Government dated October 2003.

Council contends that all information, including subsequent further information provided by Walker Corporation submitted to Council in support of the revised Walker Development Plan- Kew, must form part of the Development Plan submitted for approval to the Minister of Planning, to demonstrate compliance with the requirements of Clause 43.04 of the Boroondara Planning Scheme.

The following issues have been addressed in the Council officer's assessment of the revised WDP:

- Built Form & Site Layout
- Environment
- Vegetation
- Neighbourhood Character
- Land Use
- Recreation, Leisure & Open Space
- Heritage
- Infrastructure Services
- Movement and Access

Built Form & Site Layout

By way of its submission to the State Government dated 11 July 2005, Council sought a definitive answer from the Walker Corporation as to the proposed yield from the site, expressed as the number of dwellings and lots proposed. The revised WDP contemplates a development to a maximum of 520 dwellings, and a maximum of 520 lots. The Walker Corporation's current masterplan for the site indicates that the number of lots is more likely to be of a maximum of 420 (prior to subdivision). The Walker Corporation has advised Council that it would like the ability to change these numbers based on market conditions when later stages are built, however the dwelling and lot numbers would not exceed the numbers specified in the development plan.

The Walker Corporation have since agreed to include a statement in the revised WDP submitted to the Minister for Planning for approval that; "The development will incorporate no more than 520 dwellings on 520 lots." It is noted that this potential yield would take into account the total number of dwellings and lots on the site, after subdivision.

It is considered that Council's own UDF, August 2003 would have led to a yield on the site greater than that proposed under the Walker Development Plan, due to its comparative overall increase in height across the site. It is also noted that the revised

WDP commits to a yield on the site of less than that contemplated under the previous Walker Development Plan. Council officers previously determined that there could be anywhere up to 1100 lots on the site.

The commitment to a definitive yield from the site by the Walker Corporation provides Council and the community with certainty that a maximum of 520 dwellings on a maximum of 520 lots will be created on the site. This development yield is supported by Council.

Council sought clarification from the Walker Corporation as to the types of dwellings proposed for the site. In response, a plan that identifies the on-site location of different dwelling types was provided, which distinguishes between the location of dwellings and apartments. From this plan, it is evident that the vast proportion of housing on the site will be detached and attached housing. The plan identifies six areas on the site where apartment buildings are to be located, all of which are to adjoin public open space.

Council also sought further information regarding the impact of the five storey dwellings at the south western corner of the site nearest to Yarra Bend Park. The impact of building height at this location is of considerable sensitivity, due to the close proximity of Yarra Bend Park, views of the Melbourne CBD, and the adjoining historic Willsmere Apartment Building. The significance of this position on the site is therefore of great interest to Council and the community.

Walker Corporation provided additional information on 17 November 2005 concerning the layout and design of the proposed 4 and 5 level buildings at the south-west corner of the site (near to the intersection of Main Drive and Boundary Drive). The site layout provides for three five storey buildings to the west of Main Drive and a four storey building to the east of Main Drive.

These diagrams show a maximum building height of 16.6 metres (to RL 79.8) for the five storey buildings, allowing for 3.3 metre height per floor level. An analysis of sections and photomontages suggests that the proposed building heights raise the following issues:

- The maximum building height sits below the mansard roof form of the main Willsmere Tower (which extends from RL80 to RL 89.7);
- The orientation of the buildings means that views of Willsmere will be maintained from the Main Drive vantage point;
- The built form sits within the site vegetation and does not appear to protrude significantly beyond the vegetation canopy;
- The Council UDF August 2003 provided for up to five storeys of development at this location; and
- The proposal is generally in accordance with the building height limits set by Heritage Victoria, and the KRS UDF October 2003, an Incorporated Document to the Boroondara Planning Scheme.

The Yarra Bend Park interface is important given that the Willsmere Towers are a prominent Melbourne landmark. It is important that new built form does not intrude into key view lines, nor detract from the tower forms of Willsmere as the dominant skyline feature. The orientation and height of the buildings must ensure that views of Willsmere will be maintained from the key vantage points including Main Drive; from the Merri Creek corridor to the west of the site; and from Studley Park Road to the site's south. The new buildings on the KRS site should not intrude into the viewline of the tower forms and should achieve appropriate visual separation between the old Willsmere built form and the higher built form on the KRS site.

Environment

The Walker Corporation have made a commitment to ensure compliance with CSIRO performance objectives – Urban Stormwater – Best Practice Environmental Management Guidelines 1999. The Walker Corporation has provided an additional commitment to work with Council to determine an effective and sustainable integrated water management strategy for the site.

Further information was sought from the Walker Corporation to determine further performance targets and environmental initiatives related to promote bicycle use and walking; to encourage the use of public transport; and to reduce waste volume sent to landfill through re-use and recycling.

A network of pedestrian and cycle paths are proposed in the revised WDP. The Walker Corporation have also made a commitment for the inclusion of bike racks, seating, drinking fountains, and bins at key locations on the site to promote bicycle use and walking.

The road network has been designed to accommodate bus access into the site. The Walker Corporation have provided a commitment to initiate discussions with bus service providers to understand the feasibility of providing public transport to the site.

The Walker Corporation have also provided a commitment to investigate alternatives with the EPA and Council to reduce waste volume sent to landfill.

Vegetation

The DPO3 requires the retention of significant vegetation identified for protection, unless permits for removal are sought and granted. A Tree Protection Plan provided as further information to Council shows trees to be retained and removed across the site during stages 1 & 2 of the site's redevelopment. Based on the Tree Protection Plan LSK11, the majority of significant trees identified on the site are proposed to be retained in stages 1 & 2 of the WDP.

Walker Corporation has provided a commitment to be included in the revised development plan as follows: "Walker Corporation's intention is to retain significant

trees including those covered by the Vegetation Protection Overlay and Heritage Registration. Walker Corporation is committed to the due planning process if significant trees are required to be removed.” Such a commitment meets the requirement of DPO3, and provides Council with greater certainty about the protection of significant vegetation on the site.

Root preservation zones, excavation requirements, tree retention, and siting of new built form are identified in an arboriculture management plan prepared by Galbraith and Associates dated 25 October 2005 for stages 1 & 2 of the revised WDP. It is acknowledged that precise details regarding Root preservation zones, excavation requirements, tree retention, and siting of new built form will not be known by the developer at this stage. This plan should therefore be updated and submitted for approval to the Minister for Planning prior to the commencement of each stage identified in the revised WDP.

With respect to additional tree planting, the revised development plan indicates that inter-planting will occur with significant existing species within existing streetscapes to re-enforce the historic landscape character of the site. This approach should be supported.

While new streets and new public open space should still reflect the historic theme of the site, native and indigenous plantings should also be introduced to reflect the close proximity of this site to the Yarra River corridor. It is noted that revised WDP only contemplates the use of River Red Gum (*Eucalyptus camaldulensis*) and Yellow Box (*Eucalyptus. Meliodora*) as the only two native species proposed for planting. The following species are significant in strengthening the proportion of native and indigenous vegetation on the site, and should be included in the landscape concept plan in the revised WDP:

- *Eucalyptus camaldulensis*
- *Eucalyptus meliodora*
- *Eucalyptus polyanthemus*
- *Acacia implexa*
- *Acacia melanoxylon*

Council officers are concerned with the use of *Fraxinus angustifolia*, *Acmena smithii* and *Melaleuca* spp. in the context of new street tree planting. *Fraxinus angustifolia* is untested as a street tree in Melbourne, *Acmena smithii* invariably causes problems with berry drop in the future and Paperbarks are aesthetically poor in the streetscape. It is recommended that Council support the removal of these tree species from the revised WDP.

Neighbourhood Character

The use of laneways for access to garages is not used anywhere else in the vicinity of the site. With the exception of the refurbished Willsmere Apartments, there are no large apartment blocks found in the area and little construction over two storeys. The diagonal

street layout proposed appears to follow the contours to the north west of the site, and accords partly with existing streets on the site and the layout of Willsmere.

Through the use of permit conditions, restrictions on plans of subdivision, and restrictions on titles, a new neighbourhood character can potentially be achieved, but will require approval by the Minister for Planning. It is noted in the revised WDP, and previously in the KRS UDF October 2003 that there is no dominant or consistent neighbourhood character surrounding the site. To this extent, it is agreed that the lack of an established, dominant neighbourhood character enables the potential for a new neighbourhood character to be created. To ensure the quality of any new character, dwellings should be constructed on the site be designed in accordance with Council's *Residential Design Policy December 2003*.

A schedule of indicative materials and finishes of proposed dwellings has not been provided as part of the revised WDP, but has since been provided to Council as further information. The selection of materials and finishes, particularly at visually prominent parts of the site such as the Princess Street interface, and the Yarra Bend Park interface must be sensitively managed. The Indicative Materials and Finishes schedule submitted to Council indicates that the design intent and choice of materials at sensitive locations is appropriate and should form part of the development plan submitted to the Minister for Planning for approval.

Land Use

The predominant land use on the site is residential. Some other community uses and facilities have been proposed such as the recreation centre, and the use of existing heritage buildings such as a kiosk or restaurant. Consideration should be given to areas that will facilitate and enhance social interaction amongst all future residents of the site, including the provision of some small scale shops and amenities within the site. Whilst local shops exist on Willsmere Rd approximately 400m from the site, and approximately 700m away at Kew Junction, the steep topography of the local area may hinder walkability to these destinations for those with mobility constraints.

Recreation, Leisure, and Open Space

Management implications for the future maintenance of the proposed public open spaces, and the Recreation Centre are required to be further arranged between Council and the Walker Corporation.

Council has three main strategic documents relating to the provision of public open space these include the Boroondara Planning Scheme's Clause 21.10 Recreation and Leisure, the *Public Open Space Contributions Policy* at Clause 22.09 of the Boroondara Planning Scheme and the *Open Space Policy* (1996) which is a reference document within the planning scheme. Based on these strategic documents, the revised development plan should avoid the following; with respect to open space;

- Overlooking of public space from private dwellings.
- Overshadowing of public space from private dwellings,
- Minimal setbacks to public open space from private dwellings
- Limited access to public open space due to the presence of private dwellings.

Council's objectives listed in Clause 21.10 of the Boroondara Planning Scheme include the provision of a full range of high quality recreation and leisure facilities; ensuring that the facilities are highly accessible to all user groups; and that open spaces should be developed in a manner sensitive to the surrounding environment.

It is noted that the interface between Boundary Walk and the Willsmere apartments is proposed to be used in part as a shared accessway for vehicles and pedestrians. Boundary Walk is currently referred to as Boundary Road, and contains some vehicular traffic on the site for its entire length. The original development plan for the site identified Boundary Walk as open space.

Walker Corporation has identified that by introducing some vehicle movement to this part of the site will improve the safety through an increase in activity, and natural surveillance.

Walker Corporation has confirmed that the section of Boundary Walk proposed to be shared by vehicles and pedestrians will not form part of the 30% open space calculation for the site, and that Boundary Walk will not be used to provide access to new dwellings. Access to new dwellings is proposed to be provided from other roads to the rear, to ensure that that Boundary Walk is utilized for low levels of visitor traffic and parking only.

It is recognised that there is some merit in introducing increased activity to this part of the site to improve the perception of safety. Currently, by virtue of the historic Willsmere wall and a lack of activity on this part of the site, Boundary Walk is a secluded edge to the site. By introducing a shared accessway on part of Boundary Walk for pedestrians, cyclists, some visitor traffic and visitor parking, it is envisaged that this will provide natural surveillance and a perceived improvement in safety at this location.

Council supports the use of Boundary Walk, as outlined in the revised WDP, but seeks to ensure that Boundary Walk remains as part of the open space network on the site, and that pedestrians and cyclists are priority users of this space. By way of this submission, Council recommends the following measures should be introduced on Boundary Walk to achieve the above:

- Vehicles should only be permitted to use the section of Boundary Walk outlined in the revised WDP;
- Vehicles using Boundary Walk be confined to visitor traffic only;
- Visitor parking to be provided off street; and
- There be no vehicle access from Boundary Walk to proposed new dwellings on the site.

Heritage

The provisions of the DPO3 require an archaeological assessment to be provided with the development plan. The revised WDP relies upon the archaeological assessment produced for the KRS UDF in 2001 by Biosis Research. The Biosis report made several recommendations which are summarised as follows:

- Preparation of a Conservation Plan and Conservation Policy;
- Retention of the memorial to the 1996 fire (although not necessarily on its current location);
- Protection of the scarred tree, with relocation possible in consultation with the specified key bodies;
- Monitoring of areas of Aboriginal archaeological sensitivity by a qualified archaeologist and representative of the aboriginal community;
- Statutory protection for the site;
- Retention of the alignment or axis of the road system;
- Monitoring of future demolition work.

This report notes that *“Considering the limited scope of this assessment, it is recommended that a further heritage assessment be carried out of the Kew Cottages site.”*

It is noted that since the production of 2001 Biosis report, the Minister for Planning has introduced a Heritage Overlay over two buildings on the site. Heritage Victoria has also assessed the heritage significance of KRS site, and included the site on the Victorian Heritage Register. Heritage Victoria has also issued a permit allowing the demolition of three Heritage Registered buildings, the relocation of three memorials, removal of specified vegetation, and approval of the layout for the site.

It is submitted that the recommendations made in the 2001 Biosis report have now either been addressed in the revised WDP, or by authorisation to demolish or relocate buildings by Heritage Victoria. It is noted that a key recommendation of the Biosis 2001 report required retention of the alignment or axis of the road system to conserve the relationship between original elements of the landscape. The WDP proposes to alter the axis by:

- Altering the vehicle pavement of Main Drive as it approaches Yarra Bend Park, diverting the pavement north to Hutchison Drive;
- Altering the intersection between the vehicle pavements of Main Drive and Lower Drive;
- Intersecting Lower Drive with an open space spine.

Where areas are to be altered by proposed changes to the alignment of the road space on Main and Lower Drive, each location is to be retained as open space, and is not proposed to be occupied by new buildings. It is submitted that should the avenues of trees which

mark each axis also be retained, then the intent of the Biosis recommendation will be met. The revised WDP must therefore ensure that avenue plantings, which mark Main Drive and Lower Drive are retained, thereby retaining the relationship between original elements of the landscape, as identified in the Biosis 2001 report.

Walker Corporation has provided a commitment to ensuring that significant monuments and memorials noted in DPO3 are relocated to an appropriate setting. Such a statement should form part of the revised WDP. To provide further certainty about the future location of cultural assets on the site, Walker Corporation have provided a further commitment as follows:

- That the proposed location of cultural assets on the site will be within Public Open Space where they are accessible to the general public; and
- The context siting and appropriate landscape treatment for each element will be determined in consultation with Heritage Victoria; as required under the conditions of Heritage Permit No. P9639

The provisions of the permit approved by Heritage Victoria for the site deal extensively with the re-location of cultural heritage assets, requiring detailed drawings for the proposed new locations; and details regarding re-instatement works and conservation works to the following features: F1 Fire Memorial Column and Garden Setting , F2 Long Term Residents Memorial, and F3 Residents Sculpture. It is submitted that this requirement, and commitments outlined by the Walker Corporation will be sufficient to ensure the appropriate future location of heritage assets on the site.

Fence details and further landscape treatments including proposed lighting and furniture are required by the DPO3, such documentation, including details of the landscape treatment of the heritage core area is required by Condition 9 of the permit issued by Heritage Victoria. To this extent, Council is satisfied that this requirement will be met by the developer.

An Arboriculture Management Plan, as required by condition 10 of the heritage permit, has been provided to demonstrate how significant trees are planned to be protected during construction. As discussed earlier in this report, an Arboriculture Management Plan has been submitted to Council for stages 1 & 2 of the revised WDP, and should be updated and provided to the Minister for Planning for approval for each stage of development outlined in the revised WDP.

It is noted that there may be further opportunities to re-instate other culturally significant components of the site, not necessarily referred to in the heritage permit. The feasibility of these should be investigated:

- a) The continuation of Main Drive with a tree lined avenue right through to the Willsmere building,
- b) The re-instatement of the original gateway presently located at Victoria Park back to the Princess Street entrance.

Infrastructure

All infrastructure services are to be provided to the site. It is noted that no infrastructure upgrades are proposed to Princess Street or the surrounding road network. Future arrangements for the management of infrastructure on the site are to be determined through further discussions between Council and the Walker Corporation.

Movement & Access

Council has been provided with an updated traffic engineering analysis prepared by TTM Consulting Pty Ltd showing the impact of a 520 dwelling development on the KRS site. Using a traffic generation rate of 6 vehicle movements per day per household, the heaviest traffic volumes on any part of the site will be around 1850 vehicle movements per day. As submitted in the TTM report, this volume is well within the environmental capacity for an "Access Street" as described in Clause 56 of the Boroondara Planning Scheme.

Comments have also been provided by VicRoads, who have confirmed that no infrastructure upgrades are proposed for Princess Street and the surrounding road network to accommodate development envisaged by the WDP. VicRoads have submitted that a development of the size of 550 dwellings at KRS would not lead to long-term traffic issues. Further, that on Princess Street at the intersection of Willsmere Road and Hutchison Drive, there appear to be no detrimental impacts on traffic on the declared road network at least up until the year 2012.

Walker Corporation has confirmed that the TTM traffic engineering analysis and associated VicRoads comments is to form part of development plan submitted to the Minister for Planning for approval.

External Traffic Distribution and Assignment:

Previous analysis undertaken by GTA Consultants on behalf of Council has indicated that vehicle ingress only is more appropriate at the roundabout unless mitigating works are put in place and degraded operating conditions along Princess Street are accepted. The exception to this is any bus service which should have the ability to enter and exit at this location for a route diverted off Princess Street.

Council remains concerned with the present access arrangement to the site from the Princess Street roundabout. This view has been consistently supported by a perceived lack of safety of the Princess Street roundabout in submissions received by Council from the community for all of the plans prepared for the KRS site to date. With the exception of a bus service, Council's preferred access arrangement for vehicles is ingress only from the Princess Street roundabout, and main access to the site established via Hutchison Drive.

Internal Road Cross-section: The collector roads should be designed in accordance with Clause 56 of the Boroondara Planning Scheme such that they preferably provide a 6m wide (minimum) clear carriageway or two 3.5m wide (minimum) clear carriageways (divided by a median) respectively. Provision for parking (indented) and bus stops should also be provided along these roads plus minimum verge widths of 4.5m to 6m.

The remaining internal road cross-sections are generally consistent with the Scheme (including the service road with a 5.5m carriageway given that residences are provided along one side only), with the following exceptions noted:

- a) The 'service street' verge widths are less than those specified in the Scheme;
- b) Parking on laneways of less than 5.5 metre should be prohibited or restricted to specified indented bays; and
- c) 7.5m carriageways are recommended for 'access streets' to allow unimpeded emergency vehicle access and more efficient on-street parking for visitors.

Car Parking: All resident car parking should be provided off-street while visitor parking should be provided either on-street (where appropriate) or off-street as follows:

- a) Medium density dwellings: 1 space / 5 dwellings; and
- b) Traditional 'detached' dwellings: 1 space / 2 dwellings with scope for additional spaces (as outlined in Clause 56.07-4 of the Scheme).

Public Transport: Public transport operators should be contacted regarding the possible provision of an extra service to the KRS site given the proposed density of the site and the opportunities this offers to encourage sustainable transportation options.

Non-motorised Transport (Walk and Cycle): The development appears to provide a good level of walk and cycle facilities with a number of internal footpaths and walking/cycle links proposed. Suitable connections to the external road network (particularly to Princess Road) and surrounding residential and recreational areas are also proposed.

4.0 CONCLUSION

It is submitted that the revised WDP is a substantial improvement on the previous development plan provided to Council for assessment in May 2005. The revised development plan addresses many of the concerns previously raised by Council and the community, and demonstrates a far greater level of compliance with the information requirements, as required by the DPO3 in the Boroondara Planning Scheme.

Council is pleased that the revised WDP ensures an increase in minimum public open space provision to 30% of the site (exclusive of roads and road reserves), including a continuous open space spine from Yarra Bend Park through to Princess Street without the interruption of 5 storey apartment buildings nearest to the heritage core. A general reduction in building height across the site and a cap on the maximum amount of

dwellings to be built on the site (520) are also positive changes to the revised WDP worthy to note. It is noted that the WDP contemplates a development outcome on the site that is generally less than that envisaged under Council's KRS Urban Design Framework, August 2003 with respect to building height.

Where information in the revised WDP is still outstanding, or further improvements can be made to the WDP, Council has provided comment by way of recommendations made in this submission. Council requests that these issues be addressed in the development plan submitted to the Minister for Planning for approval.

It should be noted Council commenced action at the Victorian Civil and Administrative Tribunal (VCAT) concerning the inadequacy of information provided in the development plan. This matter has been adjourned at VCAT, to allow Council the opportunity to review and comment on a revised Walker Development Plan. Further rescheduling of this VCAT hearing is dependent on the response received by Council to its submission on the revised Walker Development Plan.

5.0 RECOMENDATIONS

Kew Residential Services Urban Design Framework, October 2003

Schedule 3 to DPO3 of the Boroondara Planning Scheme states that *a development plan must be generally in accordance with the Kew Residential Services Urban Design Framework, October 2003*), an incorporated document to the Boroondara Planning Scheme.

Where the revised WDP is not generally in accordance with the KRS UDF, October 2003, and does not positively respond to the site in a manner contemplated in the KRS UDF, Council recommends that the revised WDP submitted for approval to the Minister for Planning should be amended as follows:

- Council supports the use of Boundary Walk, as outlined in the revised WDP, but seeks to ensure that Boundary Walk remains as part of the open space network on the site, and that pedestrians and cyclists are priority users of this space through the following measures:
 - Vehicles should only be permitted to the section of Boundary Walk outlined in the revised WDP;
 - Vehicles using Boundary Walk be confined to visitor traffic only;
 - Visitor parking to be provided off street; and
 - No vehicle access from Boundary Walk to proposed new dwellings on the site.
- The large River Red Gum located to the north of Lower Drive noted as No. 305 on the Tree Protection Plan LSK11 is covered by a VPO, and is listed as significant by Heritage Victoria. Further information submitted by the Walker

Corporation to Council has confirmed that they will endeavour to retain the River Red Gum. Although the subject of recent pruning, this tree remains highly significant, and must be retained in the revised WDP submitted for approval to the Minister for Planning.

Development Plan Overlay – Schedule 3, Information requirements

To comply with the information requirements specified in DPO3, it is noted that a development plan must show or include the information specified in the schedule.

Council recommends that in order to demonstrate compliance with the provisions of Clause 43.04 Development Plan Overlay of the Boroondara Planning Scheme, particularly so as to meet the information requirements specified in Schedule 3, that additional information submitted to Council providing commitments to outcomes on the site to support the revised WDP must be included to form part of the revised WDP submitted to the Minister for Planning for approval.

Council also recommends that the following matters should be amended in the revised WDP to comply with the information requirements specified in DPO3. These matters should be addressed in the development plan submitted to the Minister for Planning for approval.

a) *Tree Protection Zones for retained trees and Tree Protection Strategy to protect trees during construction and after the development is completed.*

- That Walker Corporation retain significant trees on the site, including those covered by the Vegetation Protection Overlay and Heritage Registration, and that such a statement be included to form part of the revised WDP submitted to the Minister for Planning for approval.
- That an arboricultural management plan prepared by a suitably qualified professional be submitted for approval to the Minister for Planning prior to the commencement of each stage of development identified in the revised WDP.

b) *Landscape Concept Plan*

The following species are significant in strengthening the proportion of native and indigenous vegetation on the site, and should be included in the landscape concept plan submitted for approval to the Minister for Planning:

- Eucalyptus camaldulensis
- Eucalyptus meliodora
- Eucalyptus polyanthemus
- Acacia implexa
- Acacia melanoxylon

- The landscape concept plan should also be amended to remove the use of *Fraxinus angustifolia*, *Acmena smithii* and *Melaleuca sp* in the context of new street tree planting.

c) *Design Objectives and Guidelines that address:*

Edge treatments

- **Boundary Road interface:** Boundary Walk should contain a minimum of 26m between new built form and the historic Willsmere wall. The following measures should be introduced on Boundary Walk to ensure that it remains as an open space, and that pedestrians and cyclists are priority users of this space:
 - Vehicles should only be permitted to the section of Boundary Walk outlined in the revised WDP;
 - Vehicles using Boundary Walk be confined to visitor traffic only;
 - Visitor parking to be provided off street; and
 - No vehicle access from Boundary Walk to proposed new dwellings on the site.
- **Yarra Bend Park interface:** New built form must not intrude into key view lines, nor detract from the tower forms of Willsmere as the dominant skyline feature. The orientation and height of the buildings must ensure that views of Willsmere will be maintained from the key vantage points including Main Drive; from the Merri Creek corridor to the west of the site; and from Studley Park Road to the site's south. New buildings on the KRS site should not intrude into the viewline of the tower forms and should achieve appropriate visual separation between the old Willsmere built form and the higher built form on the KRS site. Further sectional diagrams must be produced and included in this revised WDP to demonstrate the above.

Indicative materials and finishes

- A schedule of indicative materials and finishes of proposed dwellings has not been provided as part of the revised WDP, but has since been provided to Council as further information. The selection of materials and finishes, particularly at visually prominent parts of the site such as the Princess Street interface, and the Yarra Bend Park interface must be sensitively managed. The Indicative Materials and Finishes schedule submitted to Council as further information commits to these objectives and should form part of the development plan.

6.0 FURTHER IMPROVEMENTS/AMENDMENTS TO THE DEVELOPMENT PLAN

Attached as Attachment 1 is a list of improvements/amendments that, to the extent that it is able, Council would recommend be required in relation to the WDP before it (as so amended) is considered for approval or otherwise by the Minister for Planning.

Attachment 1

- Main access to the site should be provided via Hutchinson Drive. Problems with the current access arrangements from the Princess Street roundabout to and from the site have been well documented in this report. If this cannot be achieved, then alternative intersection treatment options should be considered, including an ingress only option from the roundabout, signalisation, and mitigation works to Princess Street.
- That some small-scale commercial uses to service the local community be included in the revised WDP.
- New buildings to the south-west of the site nearest to Yarra Bend Park should be designed and sited so as not threaten the significant views and vistas from Yarra Bend Park, and the Willsmere apartments with their scale or bulk.
- Whilst it is acknowledged that road widths have been designed to allow for future bus access to the site, detail should be provided demonstrating a commitment to the provision of public transport services into the site. This may include details of discussions with public transport providers, or incentives offered to public transport providers to provide services to the site.
- That proposed dwellings be designed in accordance with Council's Residential Design Policy December 2003.
- All roads should be able to provide emergency vehicle access, including any lanes proposed for the site.
- All resident car parking should be provided off-street while visitor parking should be provided either on-street (where appropriate) or off-street as follows; Medium density dwellings: 1 space / 5 dwellings; and traditional 'detached' dwellings: 1 space / 2 dwellings with scope for additional spaces (as outlined in Clause 56.07-4 of the Boroondara Planning Scheme);
- That the internal road network be designed to accommodate Council's typical waste collection vehicle and other heavy rigid trucks (such as moving trucks).
- That collector and trunk collector roads be designed in accordance with Clause 56 of the Boroondara Planning Scheme such that they provide a 6m wide (minimum) clear carriageway or two 3.5m wide (minimum) clear carriageways (divided by a median) respectively. Provision for parking and bus stops should also be provided along these roads plus minimum verge widths of 4.5m to 6m.
- The feasibility and appropriateness of re-instating the original Princess Street gateway should be investigated.
- The feasibility of re-instating Main Drive with a tree lined avenue up to the Willsmere apartments should be investigated.
- That noise abatement measures be introduced for proposed dwellings nearest to Princess Street.
- That contact be made with the EPA to resolve their claim that WDP does not comply with 100m separation threshold required by Clause 52.10 of the Scheme, which would require greater separation of residential uses from the existing Council depot and recycling centre to the north of the site.