



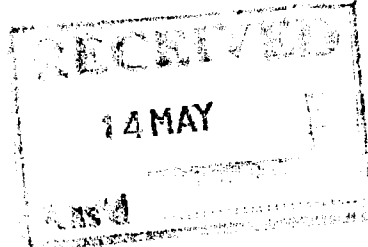
# Department of Planning and Community Development

File No. PL-HE/03/0291 [1-9]  
Hermes 12309, H2073, P15474  
Doc 1481024

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Melbourne Victoria 3000  
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5 May 2010

Brian Walsh, President  
Kew Cottages Coalition  
PO Box 2317  
KEW Vic 3101



Dear Mr Walsh

**RE: FORMER KEW COTTAGES (KEW RESIDENTIAL SERVICES) PRINCESS STREET KEW H2073 – HERITAGE PERMIT P15474 – 12 LOT SUB**

Further to my letter of 12 April 2010, I advise that a Heritage Permit has been issued for the 12 Lot Subdivisions and houses.

I attach a copy of the Heritage Permit for your records.

If you have any queries regarding this matter, do not hesitate to contact Ray Osborne on 8644 8939 or [ray.osborne@dpcd.vic.gov.au](mailto:ray.osborne@dpcd.vic.gov.au)

Yours sincerely

 **Jim Gard'ner**  
**Executive Director**  
**HERITAGE VICTORIA**

Any personal information about you or a third party in your correspondence will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the Information Privacy Act 2000 (Vic) and applicable laws. Enquiries about access to information about you held by the Department should be directed to the Privacy Officer, Department of Planning and Community Development, PO Box 2392, Melbourne, VIC 3001

Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 1995 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 68 of the Heritage Act 1995.



PERMIT

HERITAGE ACT 1995

PERMIT NO: P15474

OWNER/S: Secretary  
ADDRESS: The Department of Innovation, Industry and Regional  
Development  
Level 8, 121 Exhibition Street  
Melbourne  
Victoria 3000



HERITAGE REGISTER NO: H2073 FILE NO: PL-HE/03/0291  
REGISTRATION CATEGORY: Heritage Place [1-14] [Part 9 & 10 closed ]  
NAME OF PLACE /OBJECT (IF ANY): FORMER KEW COTTAGES (KEW RESIDENTIAL  
SERVICES)  
LOCATION: PRINCESS STREET KEW

Pursuant to Section 74 of the Heritage Act (1995) and in respect to the above-mentioned place / object, the Executive Director, Heritage Victoria hereby grants a PERMIT, subject to conditions as prescribed hereunder to carry out the following:

**12 Lot Sub-division as set out on submitted drawings** AR03A.21.01 rev 6, AR03A.21.02 rev 6, AR03A.21.03 rev 6, AR03A.21.04 rev 6, AR03A.21.05 rev 6, AR03A.22.01 rev 6, AR03A.23.01 rev 6, ARO3A.23.02 rev 6, AR03A.23.03 rev 6, AR03A.123.24.01 rev 6, ARO3A.126.24.01 rev 6, ARO3A.127.24.01 rev 6, ARO3A.128.24.01 rev 6, ARO3A.129.24.01 rev 6, ARO3A.130.24.01 rev 6, ARO3A.131.24.01 rev 8, AR03A.132.24.01 rev 6, ARO3A.133.24.01 rev 6, ARO3A.134.24.01 rev 6, ARO3A.135.24.01 rev 6, ARO3A.136.24.01 rev 6 and SM09-027 LA000 issue A, SM09-026 LA001 issue A, SM09-026 LA002 issue A, SM09-027 LA401 issue A, SM09-027 LA402 issue A, SM09-027 LA501 issue A, SM09-027 LA02D-04.01 issue 02, *as endorsed by the Executive Director and forming part of this permit.*

**CONDITIONS:**

1. This permit shall expire if the permitted works have not commenced within one (1) year of the date of issue of this permit, or are not completed within two (2) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
2. The Executive Director is to be given five working days notice of the intention to commence the approved works.
3. Notwithstanding the approved Arboricultural Management Plan, to ensure the highest level of protection of trees on the site, all works within the vicinity of Heritage Registered Trees shall be carried out in accordance with the AS 4970-2009 Protection of trees on development sites.
4. To ensure no impact on trees 296 and 297 on submitted drawing SM09-027 LA501 rev A, full construction details of the proposed footpath and the seat shall be submitted to the Executive Director for approval in writing prior to work commencing.
5. To ensure no impact on trees numbered 298 on submitted plan ARO3A.131.24.01 rev 6, tree 297 on ARO3A.132.24.01 rev 6, and tree 350 on submitted plan ARO3A.136.24.01 rev 6, full engineering and construction drawings, showing existing and proposed ground levels, and the methodology for the construction of the dwellings on lots 131, 132 and 136, shall be submitted to the Executive Director for approval in writing prior to work on these lots commencing.

6. To ensure maximum protection for the trees during the demolition of the buildings on the site, the re-engineering of the site, construction of any new access, buildings and the installation of services, the existing tree protection fencing shall remain in place during the entire construction phase of the development of Stage 3A (12 lots subdivision) unless otherwise agreed in writing with the Executive Director.
7. To ensure an appropriate interface between the boundaries of the proposed dwellings and the areas of public open space, footpath to the public open space, Main and Lower Drive, full details of the proposed boundary treatment of the rear (western side) of all lots, the southern sides of lots 125, 128, 132, and the northern sides of lots 127, 131 and 136 shall be submitted to the Executive Director for approval in writing prior to the installation of the boundary treatment to these lots.
8. To ensure the long-term protection of trees 298 and 350, a landscape plan, showing all proposed hard and soft landscaping on lots 131 and 136 shall be submitted to the Executive Director for approval in writing prior to work on these lots commencing. The landscape plan shall be designed to take full account of trees 298 and 350.
9. To ensure the long-term conservation of the Heritage Registered trees within Stage 3A, (296, 297, 298 and 350) a Tree Management Plan shall be submitted to the Executive Director for approval in writing, prior to the completion of the development.
10. To ensure the protection of Heritage Registered Trees within the Public Reserves, prior to the lodgement of the certified plan of subdivision with the Office of Titles, the owner of the land must enter into an agreement with the responsible authority, pursuant to section 173 of the *Planning and Environment Act 1987*. This agreement must be registered by the responsible authority, pursuant to section 181 of the *Planning and Environment Act 1987*, on the certificate of title of lots abutting trees 298, 297, and 350, these being lots 131, 132 and 136. The cost of the preparation and registration of this agreement must be met by the owner of the land. This agreement must provide for the recognition and protection of the heritage registered trees in the Public Open Space and Lower Drive Reserve abutting and overhanging adjacent residential lots. It should ensure any works undertaken to, or development in the vicinity of, the trees overhanging lots currently numbered 131, 132 and 136 on plan ARO3A.21.01 revision 6, do not adversely impact on the long term health of the trees.
11. To ensure future owners of properties adjoining the public reserve are aware of the heritage register status of the trees within the public reserve abutting and overhanging their properties, and the legal implications in relation to works to these trees, a copy of the new titles, with confirmation of registration of the Covenant, is required to be provided to the Executive Director within 28 days of registration of the Plan of Subdivision.
12. Prior to lodgement of the certified plan of subdivision with the Office of Titles the owner shall provide a copy of the certified plan of subdivision to the Executive Director for endorsement. Once endorsed the certified plan becomes part of this permit.
13. All works must cease and this office contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
14. The Executive Director is to be informed when the approved works have been completed.
15. The development approved by this permit is to be carried out in accordance with the endorsed drawings, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.

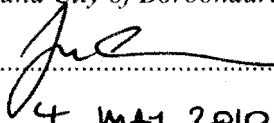
**NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.**

**TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF UP TO 2,400 PENALTY UNITS (\$272,208) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$544,416).**

**THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.**

*Copies to: Statutory Planner, DPCD Planning and City of Boroondara*

HERITAGE VICTORIA  
PO Box 2392 Melbourne, Vic 3001

Signed .....  ..... Executive Director  
Date ..... 4 MAY 2010 .....