

### **Re: Kew Residential Services – Planning Scheme Amendment**

The City of Boroondara has prepared and is now exhibiting Amendment C38 to the Boroondara Planning Scheme. The Amendment affects the land included in the Kew Residential Services (KRS) site, and the exhibition of the Amendment is the next stage in Council's ongoing consultation with the community about the future of this significant site.

As you may be aware, when the State Government first announced its intention to sell the site, Council initiated a planning process whereby the community could have a say in its future.

A Working Group was formed with representatives from the community, parents of current Kew Cottages residents as well as from Council and the State Government to develop an Urban Design Framework (UDF) for the site. A UDF outlines a vision and set of principles to guide the future development of a site; it does not deal with questions regarding the sale of public land or the government's approach to housing people with disabilities.

In August 2003, Council considered the Working Group's recommendations and adopted a UDF. The principles of the UDF took into account community concerns as well as a number of technical assessments of the site.

Some of the key outcomes of the UDF are:

- **Open space** – 50 per cent of the land must be provided as public open space.
- **Existing residents** – At least 20 single-storey dwellings will be provided for those existing Kew Cottages residents who will remain on the site.
- **Building location and height** – The UDF identifies not only areas where buildings could be constructed but also stipulates the maximum height of buildings allowed in each area. While some areas can have buildings with a maximum height of 5 storeys, the UDF also supports the construction of one and two-storey buildings across the entire site if that is the response of the future developer of the site – there are no minimum heights. Further, Council would not automatically approve a development application with buildings of maximum height unless the application complied with every principle of the UDF (i.e. traffic, visual bulk, etc).
- **Protection of assets** – The existing significant and canopy trees, heritage buildings and items of cultural significance on the site must be protected in any development.
- **Traffic** – Development on the site will be limited by the capacity of site and the surrounding area.

### **The Planning Scheme Amendment**

In order for a UDF to have legal weight (i.e. to ensure that any future development application delivers the vision of the UDF) the UDF must be translated into planning controls, which form a Planning Scheme Amendment to the Boroondara Planning Scheme.

Council has taken the adopted UDF and translated it into more detailed controls to govern aspects of the development such as sustainable design, traffic, meeting the needs of the intellectually disabled who stay on the site, where buildings can be built, how big they are, to name a few.

#### **BOROONDARA OFFICE**

8 Inglesby Road Camberwell Victoria 3124 Telephone 9278 4444 Facsimile 9278 4466

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Private Bag 1 Camberwell Victoria 3124

#### **WEB SITE**

[www.boroondara.vic.gov.au](http://www.boroondara.vic.gov.au)

We believe that these controls accurately realize the vision of the UDF, and effectively provide a way of ensuring the views of the community are reflected in any future development of the KRS site.

You may also be aware that the State Government has recently put forward an alternative plan for the KRS site, which proposes some significant changes to Council's adopted UDF.

Notably, this plan proposes a reduction in public open space from 50 per cent to 27 per cent, and allows for more of the land to be built on. It also increases the maximum building height allowed in the highly visible area backing on to Yarra Bend Park, from 3 storeys to 5 storeys. The State Government plan allows for between 450 and 800 new dwellings but provides no explanation for how these figures were arrived at, or how they might satisfy the principles of the UDF. The Council adopted UDF did not make any reference to dwelling numbers.

Council expects that the State Government, which is both owner and developer, will submit this plan for consideration as part of this Amendment process rather than attempting to replace Council as the planning authority by exhibiting its own amendment.

### **Have your say**

Council invites your comments on the proposed Planning Scheme Amendment.

A copy of the Statutory Notice is attached. The Planning Scheme Amendment includes quite an amount of detail and several maps. In this regard, more information is available at Council's Camberwell Office and Kew Customer Service Centre, in the Your Say section of our website, [www.boroondara.vic.gov](http://www.boroondara.vic.gov), or by calling Council's Strategic Planning Department on 9278 4819.

You can provide your comments by email to: [boroondara@boroondara.vic.gov.au](mailto:boroondara@boroondara.vic.gov.au), or in writing to:

KRS Planning Scheme Amendment  
Strategic Planning  
City of Boroondara  
Private Bag 1  
Camberwell VIC 3124

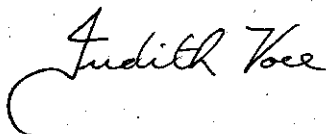
Please make sure that we receive your comments by 12 December 2003.

### **Next steps**

All community feedback on the proposed Planning Scheme Amendment will be considered before a decision is made whether to forward it as is, or with changes, for further review by an Independent Panel, or to abandon it. All those who make submissions will be invited to present to the Independent Panel should that path be pursued.

I strongly encourage you to provide us with your feedback to assist Council's efforts to ensure the community has a say in the future of the Kew Residential Services site.

Yours sincerely



Cr Judith Voce  
**MAYOR**

## **Planning and Environment Act 1987**

### **BOROONDARA PLANNING SCHEME**

#### **Notice of Amendment**

#### **Amendment C38**

The City of Boroondara has prepared Amendment C38 to the Boroondara Planning Scheme.

The amendment follows the State Government's announcement in late 2001 of its intention to redevelop the Kew Residential Services site, and a subsequent Urban Design Framework (UDF) process facilitated by Council to develop the principles and objectives for the redevelopment of the site. Amendment C38 has been prepared to formally translate the UDF into statutory planning controls.

Land affected by the Amendment:

The amendment affects land known as Kew Residential Services (formerly known as Kew Cottages), at Princess Street, Kew.

The amendment proposes to change the Boroondara Planning Scheme by:

- Rezoning the land from the Public Use Zone (PUZ3) to a Residential 1 Zone (R1Z).
- Introduces a new Schedule 7 to Clause 43.02 - "Design and Development Overlay" (DDO) to specify the design objectives and requirements required to be met in the event of demolition of specified buildings, the removal or lopping of specified trees and or future development of the site.
- Amends Planning Scheme maps 2 & 7 to reflect the change in zoning, and maps 2DDO and 7DDO to include the introduction of DDO7 to the Kew Residential Services site.

A copy of the amendment can be inspected, free of charge, during office hours, at:

Department of Sustainability and Environment  
Planning Information Centre  
Nauru House  
80 Collins Street  
MELBOURNE

City of Boroondara  
Planning Counter  
1<sup>st</sup> Floor, 8 Inglesby Rd  
CAMBERWELL

City of Boroondara  
Kew Customer Service Centre  
Civic Drive  
KEW

Submissions about the amendment must be in writing and be sent to:

Amendment C38  
Strategic Planning Department, City of Boroondara  
Private Bag 1  
CAMBERWELL VIC 3124

Council or the delegate of Council will consider all submissions received by  
Friday 12th December 2003.

Signed:

A handwritten signature in black ink, appearing to read 'P. Storer', written in a cursive style.

Phillip Storer  
Director Urban Planning

29 October 2003

Hon Mary Delahunty MP  
Minister for Planning  
c/-South East Metropolitan Office  
12 Lakeside Drive, East Burwood  
VIC 3151

Dear Minister,

**AMENDMENT C38  
BOROONDARA PLANNING SCHEME  
NOTICE OF PREPARATION OF AN AMENDMENT**

The City of Boroondara has prepared Amendment C38 to the Boroondara Planning Scheme.

The amendment affects land known as Kew Residential Services (formerly known as Kew Cottages), at Princess Street, Kew. (Land affected by the amendment is delineated on the planning scheme maps).

The amendment proposes to change the Boroondara Planning Scheme by:

- Rezoning the land from the Public Use Zone (PUZ3) to a Residential 1 Zone (R1Z).
- Introducing a new Schedule 7 to Clause 43.02 - “Design and Development Overlay” (DDO) to specify the design objectives and requirements required to be met in the event of demolition of specified buildings, the removal or lopping of specified trees and or future development of the site.
- Amending Planning Scheme maps 2 & 7 to reflect the change in zoning, and maps 2DDO and 7DDO to include the introduction of DDO7 to the Kew Residential Services site.

Under Section 17 of the *Planning and Environment Act 1987* I attach an electronic copy of the above Amendment and Explanatory Report. Under Section 18 of the Act you are required to make these documents available for inspection by any person free of charge, during office hours until the amendment is approved or lapses.

A notice of the Amendment will appear in the Victorian Government Gazette on 30 October 2003.

Notice will be sent to individuals and authorities affected on 29 October 2003

Notice will also appear in The Age and Herald Sun newspapers on 30 October 2003

If you have any queries regarding this matter please contact Tom Harrington from the City of Boroondara by e-mail [tharrington@boroondara.vic.gov.au](mailto:tharrington@boroondara.vic.gov.au) or telephone 9278 4819.

Yours sincerely

Phillip Storer  
**DIRECTOR URBAN PLANNING**

Enc.

Planning and Environment Act 1987

## **BOROONDARA PLANNING SCHEME**

### **AMENDMENT C38**

#### **EXPLANATORY REPORT**

#### **Who is the Planning Authority?**

This amendment has been prepared by the Boroondara City Council and the Boroondara City Council is the Planning Authority for this amendment.

The amendment has been made at the request of the Boroondara City Council.

#### **Land affected by the Amendment.**

The amendment applies to a 27-hectare area of land located in Kew generally bounded by Princess Street, Hutchinson Drive and properties facing the northern side of Wills Street (as shown in Map A to this Explanatory Report). It is located approximately 6 kilometres from the Melbourne Central Business District.

#### **What the Amendment does.**

The amendment rezones the land from the Public Use Zone 3 (Health and Community Facilities) to the Residential 1 Zone. The amendment also introduces a Schedule 7 to the Design and Development Overlay – Kew Residential Services Design and Development Area.

The purposes of the Residential 1 Zone are to provide for ‘residential development at a range of densities’, ‘development that respects the neighbourhood character’, and ‘in appropriate locations, to allow educational, recreational, religious, community, and a limited range of other non-residential uses to serve local community needs’. The Residential 1 Zone prohibits uses that are contrary to the purposes of the zone.

The Residential 1 Zone purposes are consistent with the vision for residential redevelopment of this site and the intended provision of open space and other facilities and uses that would serve the local community. Importantly, the zone allows for the continuation, redevelopment, or even expansion of accommodation for the existing Kew Residential Services residents who are to remain on the site.

The use of the schedule to the Design and Development Overlay is designed to ensure the conservation of significant cultural and landscape assets and ensure the provision of quality open space. It also introduces particular design requirements for the future buildings and works. Use of both the Residential 1 Zone and the Design and Development Overlay allows Council to encourage appropriate development and identify areas for public open space.

#### **Why the Amendment is required.**

The amendment is required to facilitate the redevelopment of the site in accordance with an Urban Design Framework developed by a community-based Working Group. The Urban Design Framework is reflected in the proposed Design and Development Overlay that includes statutory development requirements for the site. The Design and Development Overlay requires that a Design and Development Plan must be prepared and approved by

Council prior to development proceeding. Development must be in accordance with the Design and Development Plan and meet the design objectives and requirements including movement and access, built form and building height, setbacks and interfaces, open space, infrastructure and conservation objectives.

### **Impact of the Amendment.**

#### *Environmental, Social and Economic Effects*

The amendment seeks to ensure a comprehensive and sustainable approach to the redevelopment of this site. It aims to maximise residential amenity and ensure built form, movement networks and public open space respond to the topography of the site and existing and potential view lines. The Amendment will allow for the expansion of available housing in the locality and the provision of at least 20 ground floor single level dwellings designed for all existing Kew Residential Services residents who remain on the site. It will ensure that development acknowledges the historic, cultural and social significance of the site and retain historic and significant trees, buildings, memorials and features. The Amendment supports sustainable design, infrastructure provision and modes of transport.

#### *Minister's Directions*

This amendment has regard to Section 12(2)(a) of the *Planning and Environment Act 1987*, including Minister's Direction No. 9 – Metropolitan Strategy. The following section addresses the matters raised in Minister's Direction No. 9.

#### *What aspects, if any, of the Metropolitan Strategy are relevant?*

Melbourne 2030 plans for the sustainable growth of metropolitan Melbourne. The strategy aims to accommodate an additional 620,000 households in the metropolitan area over the next 30 years. The strategy encourages a concentration of development at strategic development sites, such as the Kew Residential Services site.

#### *How does the Metropolitan Strategy affect the amendment?*

The following policies positively support the amendment.

Policy 1.3 Locate a substantial proportion of new housing in or close to activity centres and other strategic redevelopment sites that offer good access to services and transport.

Policy 5.1 Promote good urban design to make the environment more liveable and attractive.

Policy 5.2 Recognise and protect cultural identity, neighbourhood character and sense of place.

Policy 5.4 Protect heritage places and values.

Policy 5.5 Promote excellent neighbourhood design to create attractive, walkable and diverse communities.

Policy 5.6 Improve the quality and distribution of local open space and ensure long-term protection of public open space.

Policy 6.3 Improve the coordination and timing of the installation of services and infrastructure in new development areas.

Policy 7.4 Reduce the impact of stormwater on bays and catchments.



Policy 7.6 Ensure that land-use and transport planning and infrastructure provision contribute to improved air quality.

Policy 8.1 Upgrade and develop the Principal Public Transport Network and local public transport services to connect activity centres and link Melbourne to the regional cities.

Policy 8.7 Give more priority to cycling and walking in planning urban development and in managing our road system and neighbourhoods.

Policy 8.8 Promote the use of sustainable personal transport options.

Amendment C38 is also consistent with the aims of Implementation Plan 3 (Housing), which states:

*"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 Kew Residential Services site, given its location and its scale, provides opportunities to achieve the above outcomes.

There is also consistency between Amendment C38 and the aims of Implementation Plan 6 – Integrated Transport, which include:

*"...provide real travel choice and reduce inequalities in access to opportunities, develop a more sustainable transport system by reducing the environmental impacts of transport, make better use of resources by using infrastructure efficiently."*

*Is the amendment consistent with any directions and policies in the Metropolitan Strategy?*

As described above, the amendment is consistent with the relevant directions and policies contained in the Metropolitan Strategy.

*Does the amendment support, give effect to or assist the implementation of the Metropolitan Strategy or can it be reasonably modified to do so?*

The amendment assists the implementation of the Metropolitan Strategy by facilitating the reuse of a major development site in a planned, sustainable and attractive manner.

*Will the amendment compromise the implementation of the Metropolitan Strategy?*

The amendment will not compromise the implementation of the Metropolitan Strategy.

The use and development envisaged by this amendment is not affected by any other Minister's Directions under section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Act.

## Strategic and Policy Justification of the Amendment

The State Planning Policy Framework (SPPF) identifies principles of land use and development planning relevant to this amendment. The proposed Amendment is consistent with these principles, including:

- Clause 11.03-1 Settlement: Providing appropriately zoned and serviced land for housing, employment, recreation and open space, commercial, community facilities and infrastructure.
- Clause 11.03-4 Infrastructure: Planning for the development of urban physical and community infrastructure in a manner that is efficient, equitable and accessible. Redevelopment of areas should plan for the efficient provision and maintenance of infrastructure, including the setting aside of land for future transport routes. Planning should facilitate the efficient use of existing urban infrastructure and community services. Planning policies should assist strategic land use planning and should be used to guide both private or public providers of urban infrastructure.
- Clause 11.03-6 Social Needs: Recognising social needs by providing land for a range of accessible community resources.

The proposed amendment is also consistent with the Local Policy Planning Framework, specifically:

- Clause 21.05 Urban Character
  - To identify and protect all areas, clusters and individual objects of heritage, cultural, Aboriginal, townscape and landscape significance.
  - To conserve vegetation which contributes to the character of the City.
- Clause 21.06 Environment
  - To encourage all new development in the City, both domestic and commercial, to be energy efficient and environmentally clean and sensitive.
  - To enhance the well being of residential and commercial environments for future generations.
- Clause 21.07 Residential land use
  - Maintain and increase housing choices and diversity within existing residential areas.
  - Increase residential development opportunities (including higher density development) in and around commercial centres and other strategic locations.
  - Protect existing housing stock and residential use.
  - Encourage a high standard of residential development.

- Clause 21.09 Community Facilities
  - To ensure that all members of the Boroondara community have appropriate and equitable access to community facilities according to their needs.
  - To ensure that community facilities complement and enhance residential areas.
- Clause 21.10 Recreation and leisure
  - To ensure that facilities are highly accessible to all user groups.
  - To develop the City's open space and recreation systems in a manner sensitive to the surrounding environment.
- Clause 21.11 Infrastructure
  - To ensure that infrastructure systems are efficient and environmentally sustainable.
  - To ensure that the infrastructure system is able to accommodate new development and that new development is designed to have a minimal impact on the infrastructure system.
- Clause 21.12 Movement
  - To increase use of the public transport system or alternative healthier forms of movement such as walking or cycling.
  - To optimise use of the City's roads in an environmentally sustainable manner.

### **Strategic Reports**

A number of reports have been prepared that contribute to the strategic policy basis for the amendment:

- Kew Residential Services: Urban Design Framework, August 2003
- Kew Cottages Conservation and Management Plan Final Draft, April 2002
- Preliminary Site Report – Boroondara KRS Working Group March 2002
- Kew Cottages Site Precinct (Morphology) Study, May 2002
- Preliminary Environmental site assessment and geotechnical investigation Kew Cottages, April 2002.
- Melbourne 2030 Planning for Sustainable Growth, August 2002

**Where you may inspect this Amendment.**

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

Department of Sustainability and  
Environment  
Planning Information Centre  
Upper Plaza  
Nauru House  
80 Collins Street  
Melbourne Vic 3000

City of Boroondara  
Kew Customer Service Centre  
Civic Drive  
Kew Vic 3101

City of Boroondara  
Planning Counter  
1<sup>st</sup> Floor  
8 Inglesby Road  
Camberwell Vic 3124

The Amendment is available for viewing on the City of Boroondara Website at [www.boroondara.vic.gov.au](http://www.boroondara.vic.gov.au)

**Further Information**

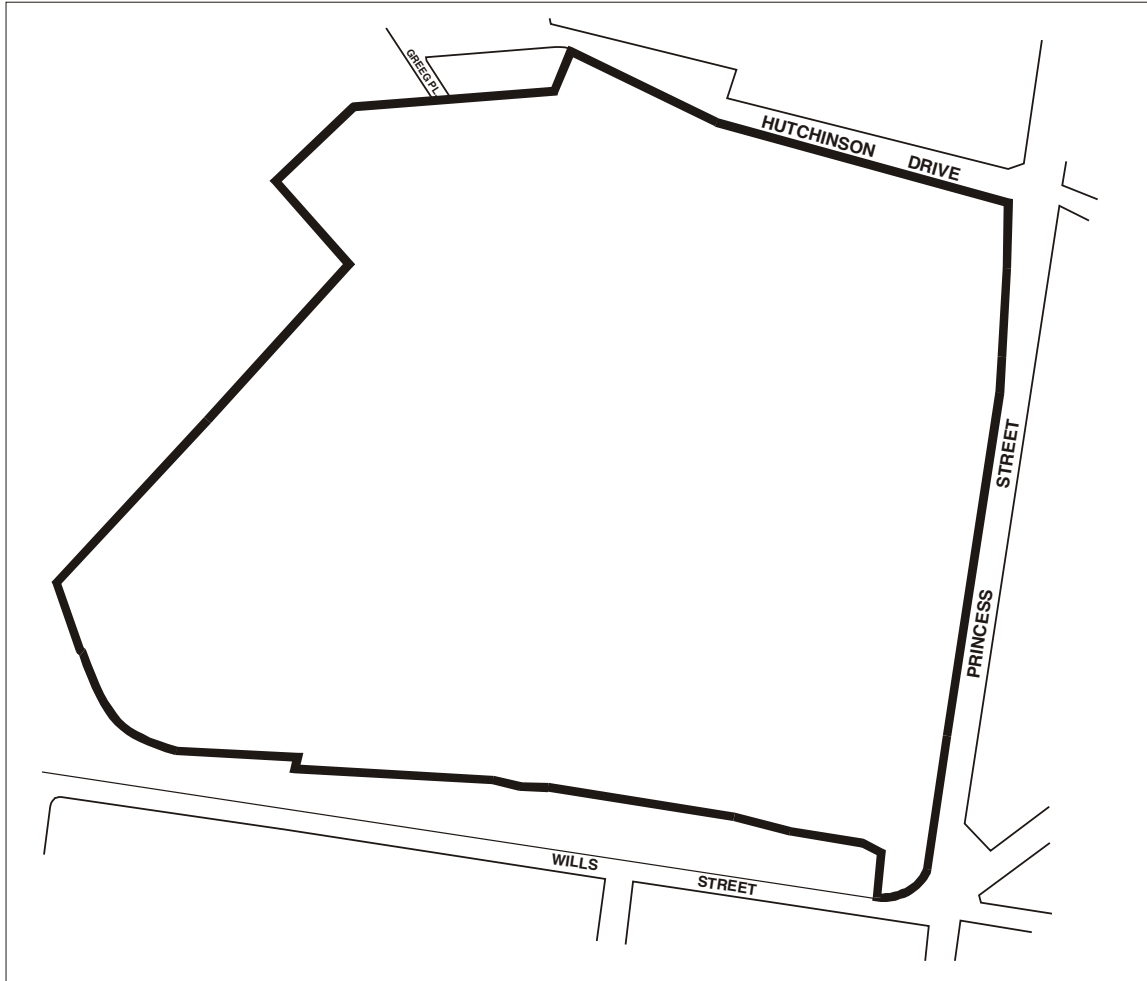
For further information on the Amendment, please contact the Strategic Planning Department of the City of Boroondara on ph. 9278 4534 or email [boroondara@boroondara.vic.gov.au](mailto:boroondara@boroondara.vic.gov.au) please make reference to "Planning Scheme Amendment C38 - Kew Residential Services".

**Submissions should be addressed as follows:**

Amendment C38  
Strategic Planning Department  
City of Boroondara  
Private Bag 1  
Camberwell Vic 3124

**Submissions must be received by Friday 12<sup>th</sup> December 2003.**

**Map A: Area of Boroondara Planning Scheme Amendment C38  
Kew Residential Services**



**SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO7**.

**KEW RESIDENTIAL SERVICES DESIGN AND DEVELOPMENT AREA****1.0 Design Objectives**

To facilitate environmentally, social/culturally and economically sustainable development of the site.

To ensure built form, movement networks and public open spaces reinforce and respond to the topography of the site and existing and potential view lines.

To ensure development on the site maximises residential amenity.

To ensure that the staging, subdivision, construction and other development of the site supports the achievement of all objectives of this schedule.

To provide a movement network for public transport, private vehicles, bicycles and pedestrians of all abilities that:

- Meets the future demands generated by the site.
- Provides internal circulation including loop/orbital routes.
- Supports a public transport route through the site.
- Maximises links with and usage of public transport.
- Encourages pedestrian and cyclist movement through the site's open space.
- Provides pedestrian priority, amenity, convenience and safety.
- Minimises conflict between pedestrians, cyclists and vehicles.
- Provides direct pedestrian and cyclist access to surrounding destinations.
- Avoids intrusion of roads into areas of open space.
- Creates low vehicle speed.
- Reduces potential dangers to all residents of the site.

To ensure that the location and design of pedestrian, bicycle and vehicle access to the site:

- Avoids negative impacts on adjacent roads and intersections.
- Utilises Hutchinson Drive as the preferred vehicle access point.
- Provide entrance treatments that support the amenity and character of the site and ready identification of the access points.
- Invites people into the site.

To ensure that parking required by land uses on the site is contained within the sites boundary.

To ensure that site access during construction avoids undue impact on surrounding residential areas and the road network.

To provide a built form that addresses and integrates with open space.

To ensure development is complementary and supportive of the significance of the Willsmere Estate.

To create an integrated urban character.

To encourage residential development including a range of dwelling types to accommodate different household needs.

To allow buildings that support complementary commercial and community activity that meets the needs of the local community.

To minimise the impact of any non-residential building component on residential amenity.

To ensure that built form includes measures to protect on-site residential amenity.

To ensure adequate facilities, services and numbers of appropriately designed dwellings are provided on the site, to meet the needs of existing Kew Residential Services residents who are to remain on the site.

To ensure built form is of an appropriate scale and height.

To maximise the permeability of the site and provide a sense of space.

To ensure built form addresses the interface with roads, open space and adjacent residential areas.

To retain vegetation and enhance edge treatments to adjacent residential development.

To ensure the appropriate provision, design and location of private and public open space.

To provide public open spaces that are linked by pedestrian and cycle paths.

To locate public open space along the landscape axes and around the perimeter of the site.

To provide built form that offers opportunities for community interaction.

To ensure that development is consistent with the infrastructure capacity of the land, including in-ground services, roads and intersections.

To encourage on-site retention of stormwater.

To ensure infrastructure facilities and works are not visually intrusive.

To limit the amenity impacts of infrastructure provision.

To protect and enhance the trees that contribute to the amenity and tree lined character of the site.

To ensure that development acknowledges the historic, cultural and social significance of the site and retains historic and significant trees, buildings, memorials and features.

To enhance views from and within the site.

To ensure that the staging of the development does not limit the achievement of any of the objectives of this schedule.

## **2.0 Buildings and works**

### **Requirements before a permit is granted**

A permit must not be granted for demolition or to construct a building, construct or carry out works, including the removal, relocation or lopping of any tree or construction of fencing, until a Design and Development Plan is submitted to and approved by the City of Boroondara. The Plan must be generally consistent with the Kew Residential Services Urban Design Framework August 2003.

The Design and Development Plan must be to the satisfaction of the City of Boroondara and meet all the requirements in this schedule, for the site and its sub-precincts as identified in Map 1 to this schedule. The Design and Development Plan may comprise plans or reports or a combination of these and must include:

- An existing conditions plan of the site and its environs, drawn to scale showing: topography, existing and potential views, existing roads, paths, buildings, trees, other significant features and vegetation and memorials.

- A site analysis report and a design response report, describing the design response to the key features and influences as identified in this schedule and the existing conditions plan.
- A development concept plan of the site and its environs, drawn to scale that indicates:
  - Proposed private land, public land, public and private open space, building envelopes and height, roads, pedestrian and cycle paths, and view lines.
  - All trees, buildings, vegetation and other significant features that are to be retained.
  - All memorials to be retained and/or moved.
- A development construction report including, at each stage of construction, the movement and access arrangements, the details and responsibility of measures used to protect trees and buildings to be retained, memorials, and significant features and the details of any temporary fencing, indicating how the following requirements are met:
  - Site access during construction must avoid undue impact on the surrounding residential areas and road network
  - All features that are to be retained including trees, buildings, memorials, and significant features, must be protected from the impact of adjacent demolition and building and works.
- A height report, indicating how the requirements, for each sub-precinct as identified in Map 1 to this schedule, are met as listed in Table 1 of this schedule.
- A movement report, indicating how the following requirements are met:
  - No vehicle access from Wills Street.
  - Determine the volumes, impact and required works resulting from the traffic generated by the site (post construction) on the surrounding road network and in particular:
    - Princess Street (between Wills Street and the intersection with Earl Street and Chandler Highway).
    - Hutchinson Drive.
    - The intersection of Princess Street, Willsmere Road, Eglington Street and Wills Street.
    - The intersection of Hutchinson Drive and Princess Street.
    - The intersection of Princess Street, Earl Street and Chandler Highway.
    - The intersection of Princess Street, Denmark Street, High Street and Studley Park Road (Kew Junction).
    - The intersection of Princess Street and side streets, between the site and Kew Junction.
  - Provide access through the site and an internal circulation system for all modes of transport.
  - Provide an internal orbital vehicular road that has access from Hutchinson Drive through sub-precinct 3a and/or 7b.
    - Not allow the orbital vehicular road to be located in sub-precincts 1a, 1b or 2a.
    - Not allow a vehicular road to be in sub-precincts 4a, 4h, 5h, 3b or 7a.
  - Facilitate public transport access through the site.
  - Align the street pattern with contours, significant views and infrastructure requirements.
  - Encourage low vehicular speeds by traffic calming measures and the design of the road network.
  - Provide priority and accessibility across the entire site for pedestrians of all abilities.
  - Provide adequate levels of car parking within the site for occupiers and visitors.
  - Encourage bicycle and pedestrian use, and prohibit vehicle use, on the existing roads within the site identified as Wills Street Avenue (former Main Drive) and Willsmere Avenue (former Boundary Road) in the "Kew Residential Services Urban Design Framework August 2003".
  - Provide bicycle and pedestrian access points that are located to provide direct, convenient and safe connection with surrounding destinations, including Yarra Bend Park, Studley Park and Chandler Park.
  - Support Hutchinson Drive as the preferred primary vehicle access to the site.
  - Support safe and convenient access to open space, recreational facilities and other services within the site.
  - Provide primary pedestrian movement across the site, along 'The Terraces' (between 'The Grove' (sub-precinct 4h) and 'The Common' (sub-precinct 3b) and along the former Lower



Drive as identified in the "Kew Residential Services Urban Design Framework August 2003".

- Provide a bicycle path and secondary pedestrian path at the perimeter of the site, including along Wills Street Avenue (former Main Drive) and Willsmere Avenue (former Boundary Road).
  - Provide access points and a movement network that is legible and appropriately identified and landscaped.
  - Encourage street names that recognise the history of the site.
  - Allow for future pedestrian links to Kew Gardens.
  - Provide a pedestrian and bicyclist link between 'The Grove' and Yarra Bend parklands.
  - Provide sheltered rest points along the primary and secondary pedestrian paths that may be located within open space areas.
  - Set back pedestrian and bicycle paths from adjacent roads.
  - Ensure that the design specifications of proposed internal roads, pedestrian, cycle paths and access points (including crossing points) allow access for people of all abilities.
- A built form report, indicating how the following requirements are met:
    - Address and integrate with areas of private and public open space.
    - Ensure that where open space is provided between buildings it is of adequate dimensions to support a range of related activities.
    - To ensure ensure building wall lengths are limited to reduce visual bulk and maximise permeability.
    - Support tree retention and include conservation of the significant features shown on Map 2 to this schedule.
    - Reinforce the movement network and topography of the site.
    - Respond to urban character by:
      - using consistent themes across the site.
      - supporting the Willsmere Estate as the dominant built form element in the area.
      - supporting the open and tree lined character of the site.
    - Maximise accessibility and views to open space.
    - Provide at least 20 single storey dwellings designed for all existing Kew Residential Services residents who remain on the site.
    - Provide required services and facilities for all existing Kew Residential Services residents who remain on the site.
    - Include appropriate noise attenuation materials and building treatments.
    - For non-residential development minimise the impact on residential development by:
      - including noise and vapour attenuation measures.
      - avoiding commercial traffic through internal residential roads.
      - securing and screening storage and waste areas.
    - Encourage energy use minimisation.
    - Encourage waste minimisation.
    - Encourage natural and passive design features, through the use of:
      - passive solar access.
      - natural ventilation.
      - shading.
      - materials.
      - landscape.
      - north orientation.
    - A minimum 5 Star energy ratings for each building.
    - Support a tree lined avenue character by retaining and planting trees.
  - An open space report, indicating how the following requirements are met:
    - Ensure that at least 50% of the site is useable public open space (road and road reserves are not counted in this 50%) that is of adequate dimensions to support a range of related activities.
    - Provide increased areas of public open space proportional to the density of development.
    - Protect the dominant views within and from the site.
    - Respond to the topography of the site.
    - Support the use and amenity of the pedestrian and bicycle paths.
    - Provide community meeting places.

- Visually and physically connect different parts of the site.
- Maximise tree retention and allow new planting.
- Integrate 'The Common' with adjoining community facilities.
- Focus recreational activities and active uses on 'The Common'.
- Provide access and facilities for both residents and visitors.
- Maintain the visual link from 'The Grove' to the Melbourne Central Business District (CBD).
- Achieve a visual link between 'The Common' and any future wetlands.
- Support the existing character of 'The Grove'.
- Consider the use of the wetlands for stormwater.
- Include:
  - The areas shown in the "Kew Residential Services: Urban Design Framework August 2003" and in particular:
    - 'The Grove' (Sub-precinct 4h).
    - 'The Common' (Sub-precinct 3b).
    - 'Possible Future Wetland' (Sub-precinct 7a).
    - 'Wills Street Avenue' (former Main Drive) (Sub-precinct 5h).
    - 'Willsmere Avenue' (Sub-precinct 4a and 2a).
    - The Terraces (Sub-precinct 4g and 2g).
    - Former Lower Drive (Sub-precinct 6d).
  - Areas within setbacks.
  - Areas between buildings to maximise the permeability and a sense of space within the site.
- An interfaces and edges report, indicating how the following requirements are met:
  - Built form must be of a scale and mass appropriate to surrounding built form and roads.
  - Facilitate passive surveillance.
  - Create visual permeability.
  - Integrate with adjoining open space and movement networks
  - Include active frontages to open spaces.
  - Include fence line treatment and landscape designs that minimise the impact on adjacent residential areas.
  - On sites abutting Princess Street, address Princess Street and include pedestrian permeability.
  - Along Hutchinson Drive, establish a new address to the site.
  - Along Kew Gardens interface, identify and allow opportunity for a future pedestrian link.
  - Protect views to Willsmere Towers.
  - Differentiate public and private realms.
- A setbacks report, indicating how the following requirements are met:
  - Setbacks of a minimum of 33 metres from the site boundary must be provided where it adjoins the Willsmere Estate.
  - Setbacks of a minimum of 26 metres must be provided from the rear boundary of properties with a Wills Street frontage.
  - Setbacks must be provided from all sub-precinct boundaries to allow provision of open space, pedestrian and bike paths, to minimise visual bulk and potential impacts on adjacent residential properties and streetscapes.
  - Setbacks must be provided to provide permeability and a sense of space.
- An infrastructure report including the site's infrastructure capacity, future requirements for stormwater, electricity, gas, water supply, sewerage and telecommunications, required works and responsibility, indicating how the following requirements are met:
  - All cabling must be laid underground.
  - Stormwater retention is encouraged in the area of 'possible future wetlands' (sub-precinct 7a).
  - Encourage water collection, recycling re-use and treatment.
  - Encourage the minimisation of energy use.
- A conservation report, indicating how the following requirements are met:
  - The conservation requirements as specified in Table 1 to this schedule.

- The proposed treatment and location of all memorials, trees, buildings and features identified in Map 2 to this schedule, developed through consultation with the relevant stakeholders, including:
  - Kew Cottages Parents Association.
  - KCSNPA.
  - Wurundjeri Tribe Land Compensation Council.
  - Aboriginal Affairs Victoria.
  - any other relevant stakeholders.
- Existing trees that contribute to character and amenity of the site should be retained and be:
  - located in public open space.
  - protected from building and works.
  - placed in Tree Protection Zones.

### **Permit requirements**

All demolition, building and works (including landscaping and fencing) or removal, relocation, or lopping of any tree must be in accordance with the Design and Development Plan. A permit cannot be granted for demolition, building and works (including landscaping and fencing) that is not in accordance with the Design and Development Plan.

The Design and Development Plan may be amended with the consent of the City of Boroondara.

A permit cannot be granted to vary the height requirements in Table 1 of this schedule, except for:

- rooftop infrastructure, plant or equipment that is located and designed to minimise its visibility to the satisfaction of the City of Boroondara.
- buildings and works associated with the role, function or management of open space/recreational areas/wetlands in sub-precincts 4h, 3b, 7a, 5h, 4a, 2a, 4g, 2g, and 6d.

A permit cannot be granted to vary the open space requirement that at least 50% of the site is useable public open space (road and road reserves are not counted in this 50%) that can support a variety of associated activities.

A permit is required to remove, relocate, or lop any tree:

- in a Tree Protection Zone as identified in the Design and Development Plan.
- in a Tree Protection Area as identified on Map 2 to this schedule.
- individually identified on Map 2 to this schedule.

A permit is required for demolition, or alteration of any building identified on Map 2 to this schedule.

An acoustic engineering report may be required for a permit application for buildings and works demonstrating the use of suitable materials and building treatments to achieve satisfactory internal noise levels.

### **Requirements to be met**

All demolition, building and works (including landscaping and fencing) or removal, relocation, or lopping of any tree must be in accordance with the Design and Development Plan approved by the City of Boroondara.

## **3.0 Subdivision**

A permit must not be granted to subdivide land until a Design and Development Plan has been submitted and approved by the City of Boroondara.

A permit for subdivision must support the objectives and buildings and works requirements of this schedule.

A permit application for subdivision must include:

- A staging plan, indicating:
  - the staged subdivision for each area of the development (including public open space, car parking, access ways, building envelopes, residential and commercial components).
  - the sequence and timeframe of each stage.
- The location of significant features as indicated on Map 2 to this schedule and all other trees, buildings and features to be retained.
- A survey plan of any area (open space/road/infrastructure facility) to be transferred to Council, indicating the works/construction to be completed before transfer and the timeframe for the transfer.

**Table 1 to Schedule 7**

Precinct	Maximum Building Height (storeys)	Significant landscape, building, memorial and feature conservation.
1a	2	None specified
1b	3	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
2a	0	Willsmere Avenue (former Boundary Road): retain existing avenue trees along the western boundary of the site and conduct re-planting of lost specimens with Algerian Oaks. Establish Tree Protection Zones.  Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
2b	5	None specified
2c	3	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
2d	3	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
2e	5	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
2f	5	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
2g	0	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English oak from seedlings of existing trees. Establish Tree Protection Zones.
3a	3	Old Gymnasium: retain.
3b	0	None specified
3c	5	None specified
3d	5	None specified
4a	0	Willsmere Avenue (former Boundary Road): retain existing avenue trees along the western boundary of the site and conduct re-planting of lost specimens with Algerian Oaks. Establish Tree Protection Zones.
4b	3	None specified

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4c	3	None specified
4d	3	None specified
4e	4	None specified
4f	4	None specified
4g	0	Retain former Parents Retreat/chapel, with 20 <sup>th</sup> century additions removed.
4h	0	The Grove (Southwest Garden plantation): retain the majority of trees, with new additions and weed species removed. Seeds collected for replacement. Establish Tree Protection Zones.  Former Main Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian Oak, English Elms, Moreton Bay Figs and Bhutan Cypress from seedlings of existing trees. Establish Tree Protection Zones.
5a	3	Central Garden Plantation: retain three mature trees (Algerian Oaks and Holly-leaf Cherry). Remove deadwood and dead leader in cherry tree. Establish Tree Protection Zones.
5b	3	None specified
5c	5	None specified
5d	5	Bishop pine: retain, reduce stress and improve growing conditions. Collect seeds for future replacement.  1996 fire memorial: retain, may be moved with consultation with stakeholders.  Long term residents memorial: retain, may be moved with consultation with stakeholders.  Scarred Tree: retain, may be moved with consultation with stakeholders.
5e	3	None specified
5f	3	None specified
5g	3	None specified
5h	0	Former Main Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian Oak, English Elms, Moreton Bay Figs and Bhutan Cypress from seedlings of existing trees. Establish Tree Protection Zones.
6a	4	None specified
6b	3	River Red Gum: retain collect and propagate seeds for eventual replacement. Establish substantial Tree Protection Zones.
6c	5	River Red Gum: retain collect and propagate seeds for eventual replacement. Establish substantial Tree Protection Zones.
6d	0	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English Oak from seedlings of existing trees. Establish Tree Protection Zones.  Sculpture: retain, may be moved
7a	0	River Red Gum: retain collect and propagate seeds for eventual replacement. Establish substantial Tree Protection Zones.
7b	3	None specified
7c	3	River Red Gums: retain collect and propagate seeds for eventual replacement. Establish substantial Tree Protection Zones.
7d	3	River Red Gum: retain collect and propagate seeds for eventual replacement. Establish substantial Tree Protection Zones.
7e	0	Former Lower Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian and English Oak from seedlings of existing trees. Establish Tree Protection Zones.

		<p>Former Main Drive: retain existing avenue trees and conduct re-planting of missing specimens with Algerian Oak, English Elms, Moreton Bay Figs and Bhutan Cypress from seedlings of existing trees. Establish Tree Protection Zones.</p> <p>Holly-leaved Cherry: retain. Propagate seedlings for replacement. Establish Tree Protection Zones.</p>
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#### 4.0 Decision Guidelines

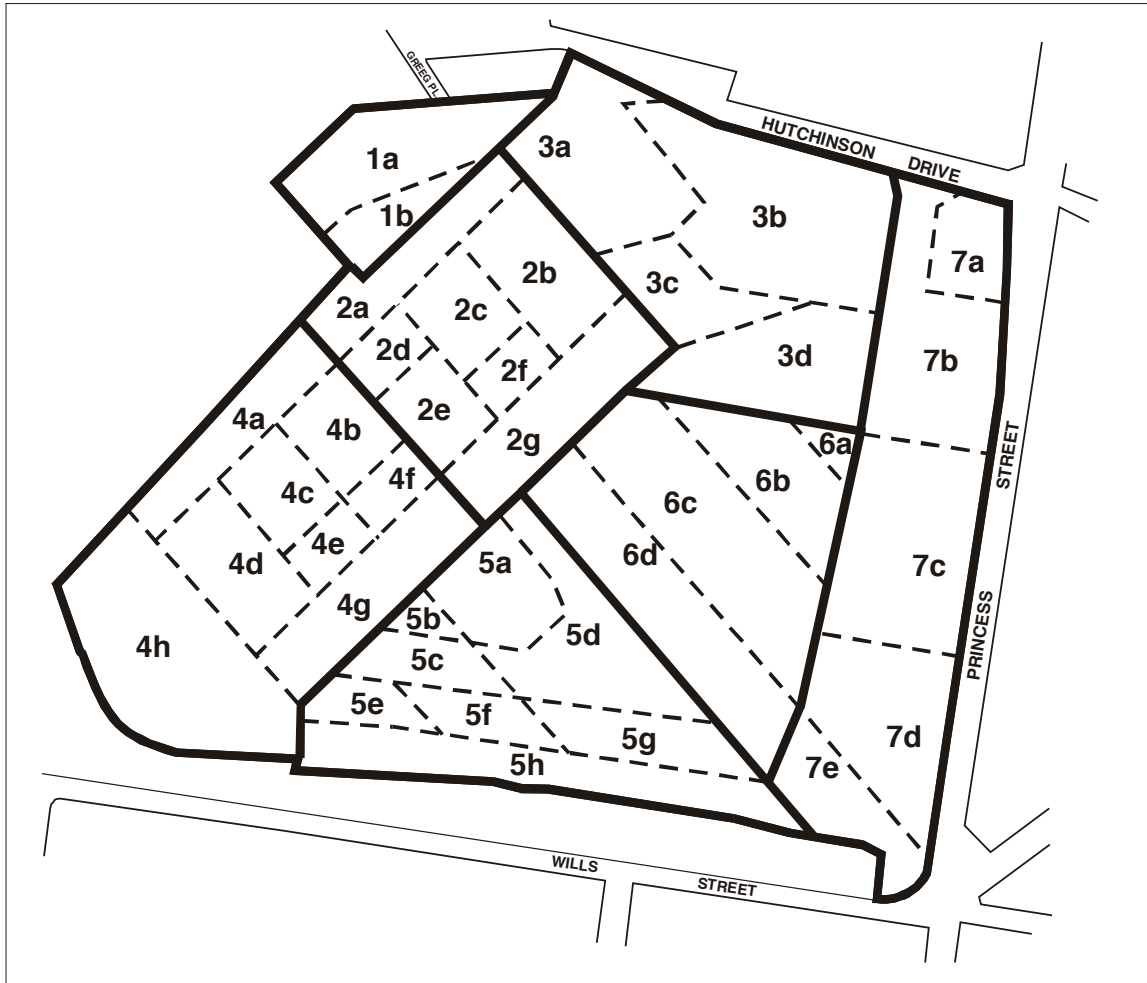
Before deciding on an application, responsible authority must consider:

- The recommendations of the "Kew Cottages: Conservation and Management Plan Final Draft Report April 2002".
- The "Kew Residential Services: Urban Design Framework August 2003".
- Whether the development meets the objectives of this schedule.
- The impact of any non-residential component of the development including:
  - Off-site impacts;
  - Acoustic and other measures appropriate to eliminate the level of noise generated;
  - The location and type of ventilation equipment including extractors;
  - The provision of storage, including waste which must be adequately secured and screened;
- The amenity provided within proposed residential development with particular regard to physical noise attenuation measures.
- The environmental sustainability of the proposed development including the use of permeable surface treatments, energy efficient design and practices, use of low embodied energy materials, water reuse, stormwater recycling.
- The impact on the character of the site and amenity of the site and adjoining land.
- The views of a qualified arborist when considering an application for:
  - Buildings and works in a Tree Protection Zone as identified on the Design and Development Plan, and
  - A proposal to remove, relocate or lop any tree in a Tree Protection Zone or that has been identified to be retained in the Design and Development Plan, and
  - Any variation to a Tree Protection Zone.
- The method, including any required fencing, for the protection of all trees to be retained and significant trees, buildings, memorials and features to be retained, as identified in Map 2 to this schedule, during and post construction.
- The need for an Environmental Management Plan to facilitate environmental sustainability measures.

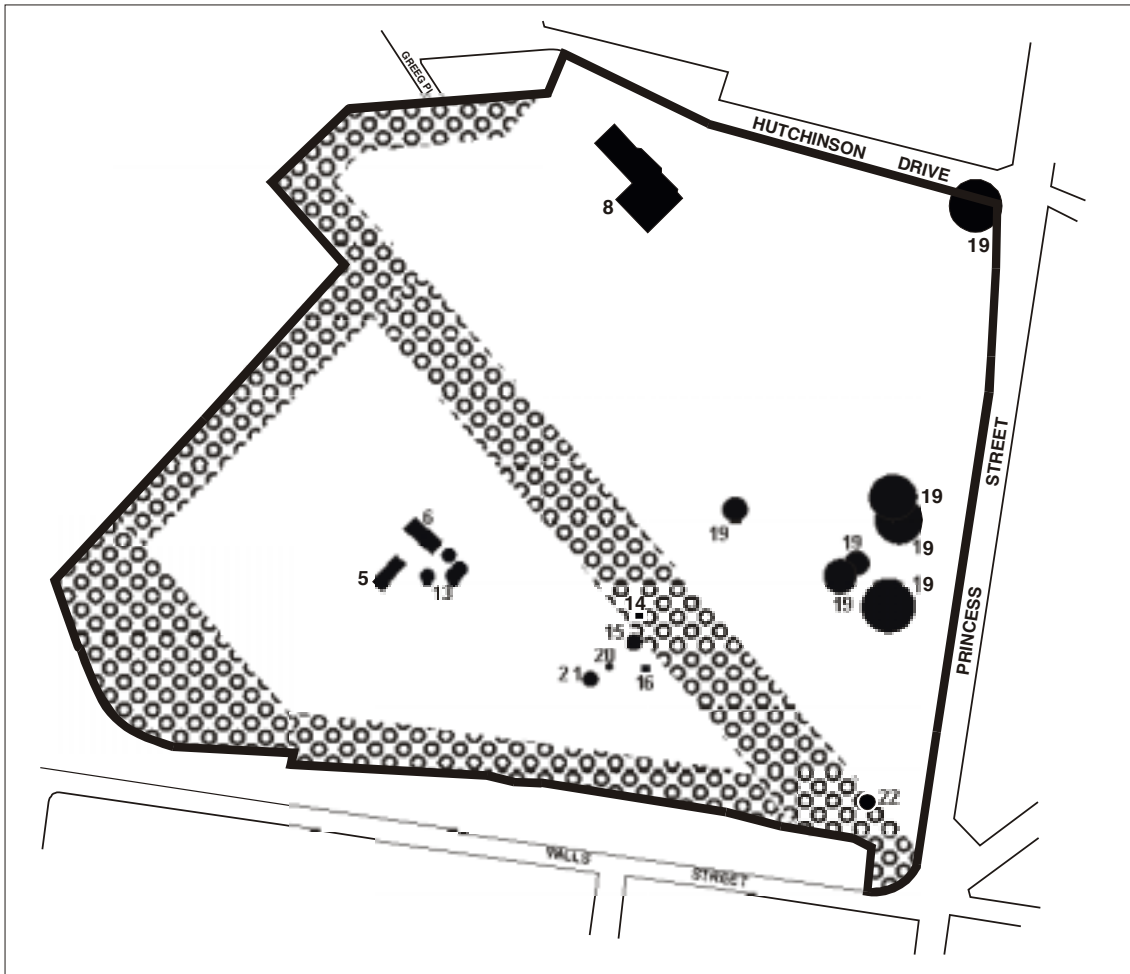
#### Reference documents

- "Kew Residential Services: Urban Design Framework August 2003".
- "Kew Cottages: Conservation and Management Plan Final Draft April 2002".
- "Preliminary Site Report – Boroondara KRS Working Group March 2002".
- "Kew Cottages Site Precinct (Morphology) Study, May 2002"
- "Preliminary Environmental site assessment and geotechnical investigation Kew Cottages, April 2002"
- "Melbourne 2030 Planning for Sustainable Growth, August 2002"

**Map 1: Precinct and sub-precinct boundaries**



## Map 2: Conservation



Numbers indicated on the above map accord to the numbering in the "Kew Cottages: Conservation and Management Plan, Final Draft, April 2002"

- 5 Parents retreat / chapel
- 6 Stad Building
- 8 Old Gymnasium
- 13 Central Garden Plantation
- 14 Sculpture
- 15 Long term residents memorial
- 16 1996 fire memorial
- 19 River Red Gum
- 20 Scarred Tree
- 21 Bishops Pine
- 22 Holly-leaved Cherry



Tree Protection Area