

KEW RESIDENTIAL SERVICES – REVISED WALKER DEVELOPMENT PLAN

FILE NO: 40/401/00071 1

On 17 October 2005, Council received the State Government's revised development plan for the redevelopment of the Kew Residential Services site (KRS). The State Government gave Council 28 days to comment on the revised development plan, which was later extended by a further 17 days at the request of Council. During that time, Council sought community feedback on the development plan. The purpose of this report is to inform Council of the contents of the revised development plan, the key differences from the previous development plan, and detail comments received from the community during the consultation period. In addition, this report seeks Council's endorsement of the proposed submission to the State Government.

That Council:

- 1) Endorse the submission to the Minister for Planning provided in **Attachment 12** to this report noting:
 - a) That all information, including subsequent further information provided by the 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 for Planning to demonstrate compliance with the requirements of Clause 43.04 of the Boroondara Planning Scheme.
 - b) That suggested improvements to the revised Walker Development Plan, as outlined in Council's submission contained in **Attachment 12**, be addressed in the Development Plan to be submitted for approval to the Minister for Planning.
- 2) Write to the State Government seeking its views about both developer and State Government contributions regarding child care, kindergarten and primary school facilities in the Kew area.
- 3) Write to the Minister for Education and Training expressing concern about the Kew Primary School's capacity to accommodate additional student enrolments resulting from the redevelopment of

the Kew Residential Services site. That the Minister for Education and Training be requested to consider the possibility of purchasing the land adjoining Kew Primary School to assist the school in accommodating the additional students.

- 4) Forward a copy of all submissions received in relation to the revised Walker Development Plan to the Minister for Planning.
- 5) Advise the Walker Corporation and all submitters of this decision.

1. **Title** Kew Residential Services (KRS) – Response to the revised Walker Development Plan.
2. **Purpose**
The purpose of this report is for Council to consider submissions in relation to the revised Walker Development Plan (WDP) - Kew, October 2005 for the KRS site and agree on the form that Council's submission to the Minister for Planning should take.
3. **Policy Implications**
Most sections of the City of Boroondara's *Municipal Strategic Statement* are relevant to the development plan for the KRS site. The relevant objectives from each section are provided in **Attachment 1** to this report.
4. **Relevance to Council Plan**
Under the Council Plan 2004-2008, Goal 2 is: 'Through strategic planning and appropriate development, we will protect and improve our built and natural environment and foster local economic activity'. In addition, Strategy 2.4 is to: 'Conserve and enhance the high quality urban environment, including our neighbourhood character, liveability and amenity. Promote sustainability through the development of key planning strategies and functionally efficient landscape design and construction'.
5. **Background**
Attachment 2 contains a detailed background.
Attachment 3 contains an aerial photo and site map.
Attachment 4 details Heritage Victoria's approval to demolish specified buildings on the site.
Attachment 5 contains a copy of the Development Plan Overlay of the Boroondara Planning Scheme.
6. **Issues**
The revised WDP is the overall plan for the site that will direct all future planning permits. If the Minister for Planning is satisfied with the plan, then it will be approved without any further opportunity for Council or community input. All future planning permit applications lodged in accordance with that plan will be made to the Minister for Planning, and there is no requirement for those applications to follow normal notification processes and appeal rights to VCAT, if they are generally in accordance with the development plan. Further, neither Council nor the community will have any appeal rights.

This is the last opportunity that Council and its community will have to influence the redevelopment of this site. A copy of the development plan is provided in **Attachment 6**. Council officers have assessed the WDP. The revised WDP contains a number of changes when compared to the earlier WDP released in May 2005. These issues are discussed in **Attachment 7**.

Council officers provided Walker Corporation with a detailed request for more information to enable it to form a view on the proposed development of this site. A summary of information requirements is provided in **Attachment 8**. Council Officers have been encouraged by the recent commitment of the Walker Corporation in responding to Council's request for information. Additional information was provided to

Council to assist in assessing the WDP, upon which time Council wrote to Department of Sustainability and Environment on 28 October requesting an extension of the 28 day period to assess the WDP. An extension was granted by DSE, allowing additional time to review new information up until 2 December 2005, when Council's submission is now due.

7. Consultation

Council has advocated and facilitated 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. The Minister for Planning's actions only provided Council with 28 days to comment on the revised development plan. The Minister has also chosen not to seek comments from the broader community. As part of the 28 day period to comment, Council provided a 14 day period during which time comments were sought from the community.

Attachment 9 contains Council's letter to the community of 19 October 2005.

Attachment 10 contains issues raised during consultation period.

8. Financial and Resource Implications

There are no financial and resource implications related to this submission. The liability to Council of future asset maintenance on the KRS site is unknown to Council at this time, and will be a subject of further discussions between Council, the Walker Corporation, and the State Government.

9. Conclusion

The revised WDP is the final opportunity for Council to provide input in the redevelopment of this site. Council should use this opportunity to ensure that access arrangements to the site are appropriately managed; that significant views and vistas are protected; and that other off-site amenity impacts are appropriately managed.

Information provided in the revised WDP, as well as feedback received from the community in response to the revised WDP, has been assessed by Council officers. 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. Where information is still outstanding, or further improvements can be made to the WDP, Council has provided comment by way of its draft submission, as provided in **Attachment 12**. It is recommended that Council should forward its submission to the Minister for Planning.

MANAGER: FIONA BANKS, MANAGER STRATEGIC PLANNING

REPORT OFFICER: TOM HARRINGTON, SENIOR PROJECT PLANNER

POLICY IMPLICATIONS

The following matters are of relevance to the development of the Kew Residential Services (KRS) site.

Local Planning Policy Framework (LPPF)

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 that 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.*

ZONES

Clause 32.01 Residential 1 Zone (R1Z). 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.*

OVERLAYS

Clause 43.04 Development Plan Overlay. 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.*

Clause 42.02 Vegetation Protection Overlay

- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*

Clause 43.01 Heritage Overlay

Clause 43.01 Heritage Overlay applies to the site as shown in **Attachment 5**. 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.*

OTHER

Melbourne 2030

"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."

BACKGROUND

The Premier of Victoria announced plans to redevelop the significant 27ha Kew Residential Services site (also known as Kew Cottages) in May 2001.

Council KRS Urban Design Framework August 2003

Council initiated a process of preparing an Urban Design Framework (UDF) to guide the site's redevelopment. Council established a *community based Working Group*, including four senior State Government representatives, and representation from the Kew Cottages Parents Association to assist in the preparation of the UDF. Council adopted the KRS UDF on 4 August 2003.

State Government KRS Urban Design Framework October 2004

On 17 October 2003, the Minister for Community Services, the Hon. Sherryl Garbutt, announced the release of an alternate plan prepared by the State Government in the form of a UDF. The Minister sought Council's agreement to the public exhibition of a planning scheme amendment that included the modified plan, and its support and commitment to meeting *specific timeframes* in the consideration of the amendment.

Planning Scheme Amendment C38

On 24 October 2003, Council confirmed its commitment to exhibiting an amendment to the Boroondara Planning Scheme (Amendment C38) based on the UDF developed by the Working Group and adopted on 4 August 2003. Amendment C38 commenced exhibition on 29 October 2003.

Planning Scheme Amendment C53

On 12 November 2003, Council became aware that the Government had used intervention powers, and made itself the responsible planning authority for the site. In doing so, it also approved, without any public consultation, Amendment C53 for the site. Amendment C53 rezoned the land to Residential 1, and required that a development plan be submitted to the satisfaction of the Minister. A clause in the development plan ensured that Council was provided with only 28 days to comment on that plan. The Government chose not to seek comment from the broader community at this time.

The actions of the Minister placed the Government in the unique position of owner, developer, planning authority and final arbiter over the redevelopment of the site.

Council wrote to the Premier of Victoria seeking reinstatement of the opportunities for consultation that were previously available under Council's plan for the redevelopment of the KRS site. No response was received.

Heritage Registration

In October 2004, the City of Boroondara supported Heritage Victoria's registration of the Former Kew Cottages site and on 1 December 2004, Council was informed that the place was formally included on the Victorian Heritage Register. Heritage Victoria's registration generally accorded with the vision for the KRS site expressed through Council's KRS UDF, August 2003.

Release of Original Development Plan – May 2005

On 7 June 2005, Council received the State Government's development plan for the redevelopment of the KRS site. Council was provided with only 28 days in which to comment on the development plan, and during that time, sought feedback on the development plan from the community over a 14 day period from 8 June 2005 to 22 June 2005. Council subsequently commenced action at the Victorian Civil and Administrative Tribunal (VCAT) concerning the inadequacy of the information provided in the Walker Development Plan.

Heritage Victoria permit granted to demolish heritage buildings on the site

Under Section 71 of the *Heritage Act 1995*, Heritage Victoria notified the City of Boroondara of the Heritage Permit Application and provided Council with the opportunity to make a submission.

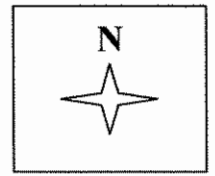
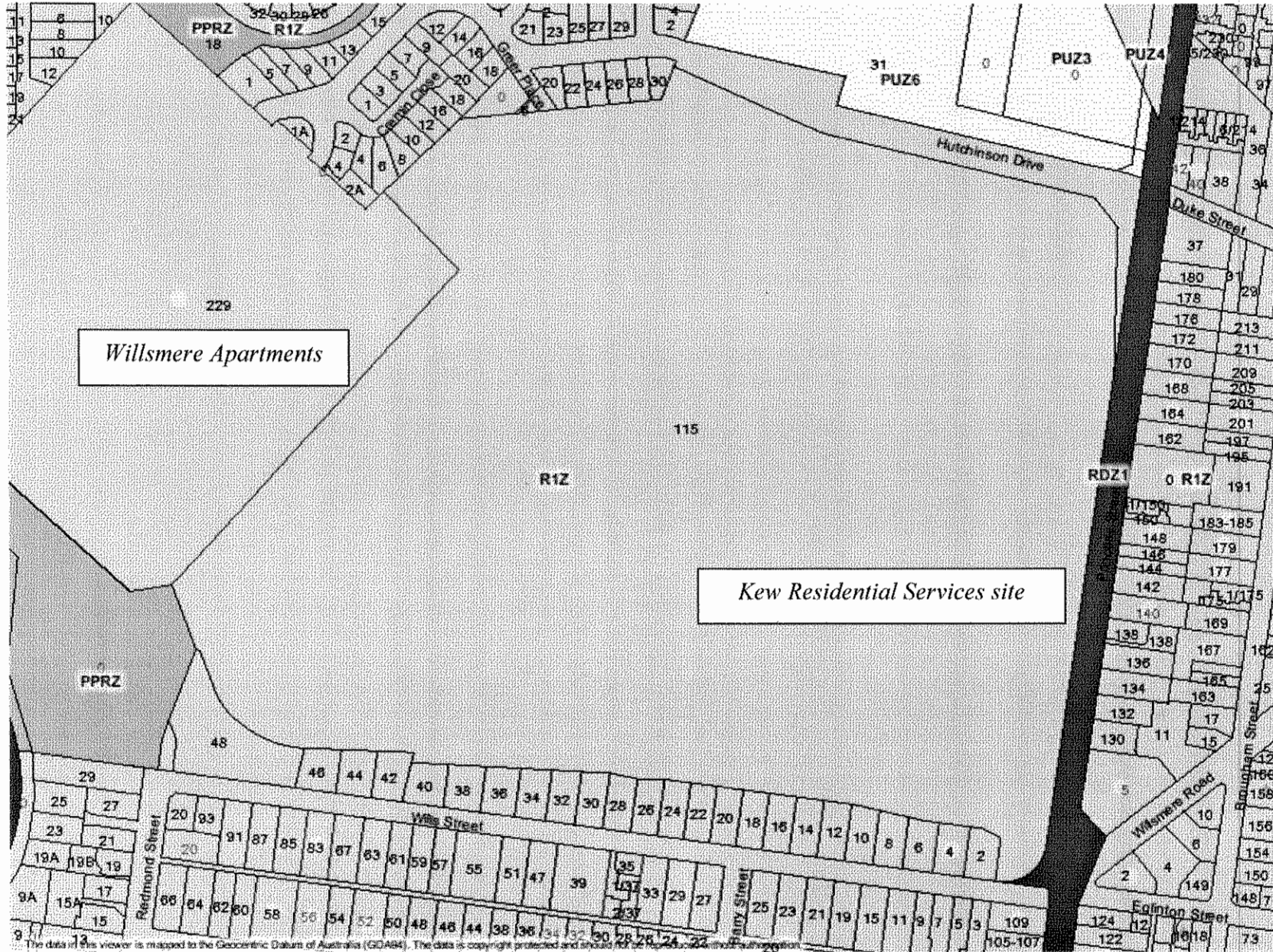
Council received notification from Heritage Victoria on Friday 9 September that it had issued a conditional heritage permit under Section 74 of the *Heritage Act 1995* in relation to the former Kew Cottages (KRS) site; a site included on the Victorian Heritage Register (H2073).

The permit issued by Heritage Victoria allows the "demolition of three Heritage Registered places known as B2, B4, and B5, relocation of three memorials, removal of specified vegetation, and approval of the layout for the site." The permit also granted approval for Stages I and II of the residential development in the north-eastern portion of the site. A summary of the permit issued by Heritage Victoria is included in **Attachment 4** to this report.

Release of Revised Development Plan – October 2005

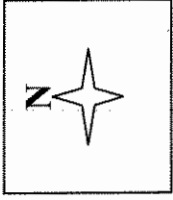
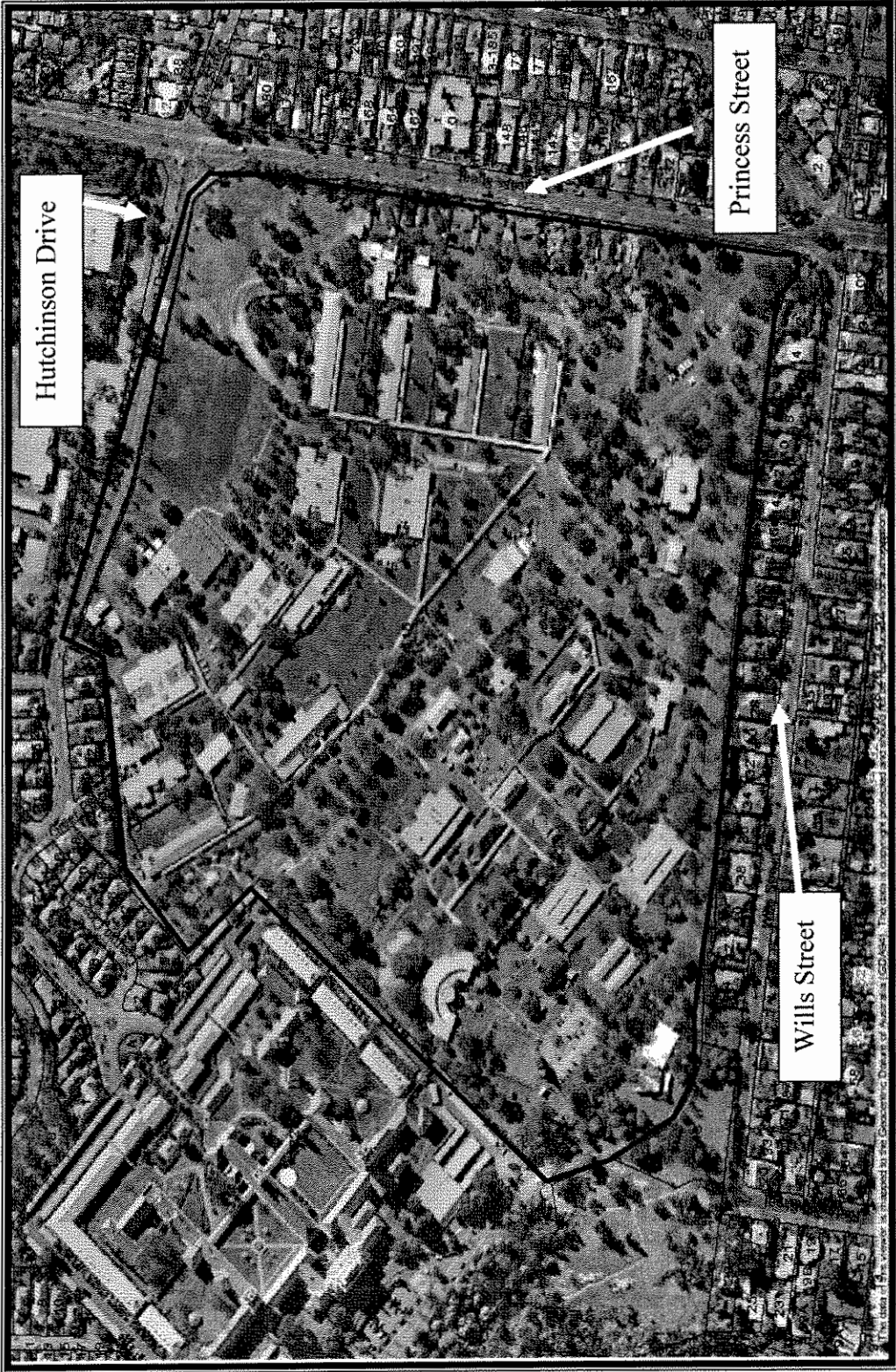
On 17 October 2005, the State Government provided Council with a revised Walker Development Plan for comment. Council has been given 28 days to consider the revised plan, with the State Government requiring Council's comments by 15 November 2005.

ATTACHMENT 3 – KEW RESIDENTIAL SERVICES SITE MAP



The data in this viewer is mapped to the Geocentric Datum of Australia (GDA94). The data is copyright protected and should not be used for any other purpose.

AERIAL PHOTOGRAPH – KEW RESIDENTIAL SERVICES SITE (2004)



Heritage Victoria approval of demolition on KRS site

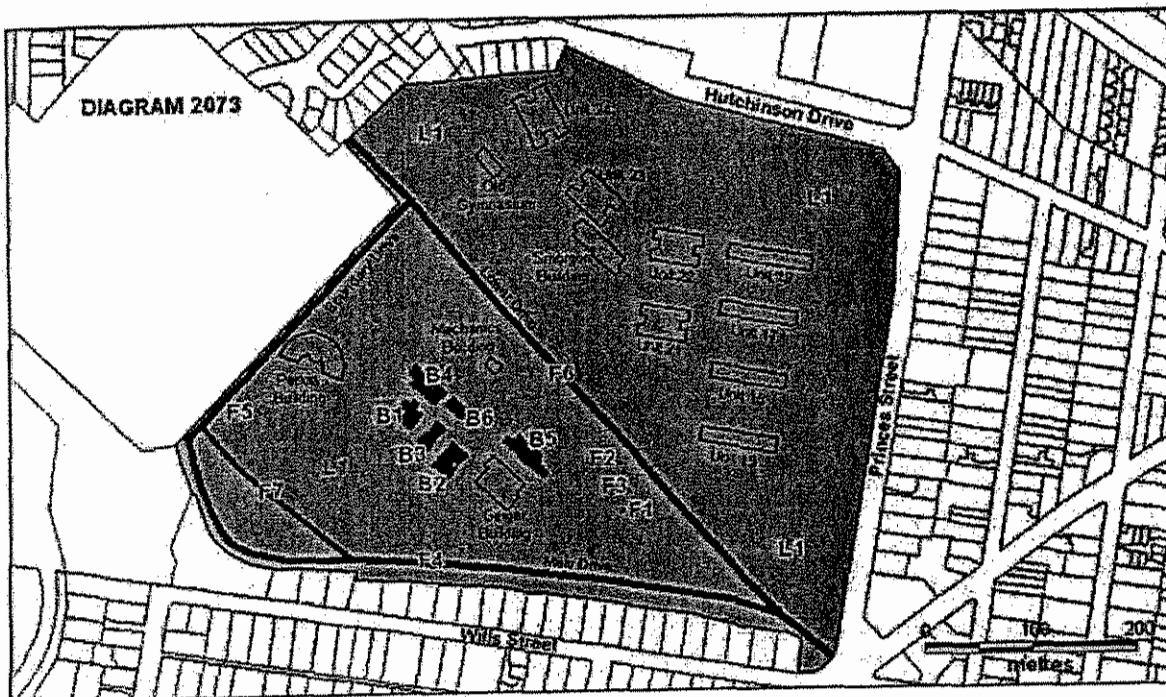
Council received notification from Heritage Victoria on Friday 9 September that it had issued a conditional heritage permit under Section 74 of the *Heritage Act 1995* in relation to the former Kew Cottages (KRS) site; a site included on the Victorian Heritage Register (H2073).

The permit issued by Heritage Victoria allowed the “*demolition of three Heritage Registered places known as B2, B4, and B5, relocation of three memorials, removal of specified vegetation, and approval of the layout for the site.*” The location of these buildings is included in the diagram below. The permit also granted approval for Stages I and II of the residential development in the north-eastern portion of the site.

Victorian Heritage Register



Heritage
VICTORIA



Heritage Victoria’s decision comes after the Executive Director considered 10 detailed submissions (including one from the City of Boroondara). Council lodged a written submission on 20 June 2005 and a follow-up submission on 5 July 2005, requesting the following:

- That all heritage buildings be retained, but that in the event of some buildings being approved for demolition that B1, B2 and B3 be retained (as per Louise Godwin’s submission to Heritage Victoria) in preference to B1, B3 and B6 (as per the DHS/Walker proposal).
- That all significant trees should be retained.
- That all monuments and memorials should remain in-situ.
- That various elements of the Site Concept Plan and Heritage Core Concept Plan (including the height, bulk and location of the apartment buildings surrounding

the 'Heritage Core' and adjacent to Willsmere Hospital) should be addressed prior to allowing development.

The permit issued by Heritage Victoria allows for the demolition of buildings B2, B4 and B5 and the relocation of the memorials and monuments, but it retains the majority of significant trees originally identified for removal. The permit also addresses a number of conditions suggested in Council's detailed submission.

The permit is subject to the following conditions which the developer of the site must adhere to:

1. A Conservation Management Plan (CMP) is to be prepared and approved for the three heritage buildings that are to be retained on site. The CMP is to address options for the future adaptive reuse of the three buildings and the proposed management regimes for the on-going management and conservation of the buildings;
2. The buildings that have been approved for demolition are to be retained on site until the redevelopment of the 'Heritage Core' has received detailed approval and is due to proceed. All buildings are to be protected and secured until the development proceeds;
3. A comprehensive archival-quality photographic record of the three buildings approved for demolition is to be completed and approved prior to demolition works proceeding;
4. A photographic record of the monuments and memorials in their current location, along with detailed drawings to show the proposed new locations and reinstatement/conservation works of the monuments and memorials, is required to be completed and approved prior to relocation works;
5. An Interpretation Plan for the whole site is to be prepared by an experienced practitioner and implemented no later than six months following completion of the development. The Interpretation Plan is to include a proposal to use one of the retained buildings for the display of interpretive material;
6. A comprehensive Landscape Management Plan for the whole site and an Arboriculture Management Plan to protect significant trees during construction, is to be prepared and approved prior to the redevelopment commencing; and
7. Full details for the development of future stages of the site must be submitted for further approval by Heritage Victoria.

43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO** with a number.

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

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.

43.04-1 Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

43.04-2 Exemption from notice and appeal

An application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

43.04-3 Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check the requirements of the zone which applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

SCHEDULE 3 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**

KEW RESIDENTIAL SERVICES (KRS)**1.0 Requirement before a permit is granted**

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority provided the responsible authority is satisfied that the subdivision, use, building or works will not prejudice the future use or development of the land in an integrated manner.

2.0 Conditions and requirements for permits

Nil

3.0 Requirements for development plan**Kew Residential Services Urban Design Framework, October 2003**

A development plan must be generally in accordance with the Kew Residential Services Urban Design Framework, October 2003 incorporated into this planning scheme.

Building height

A building must not exceed the maximum building height shown for areas on the Building Envelopes and Setback Plan that is part of the Kew Residential Services Urban Design Framework, October 2003.

In calculating the building height, a storey has a maximum floor to floor dimension of 3.5m.

Building height is the vertical distance between the natural surface level at any point on the site and the highest part of the building at that point. It does not include architectural features and building services.

The edges of the building height envelopes shown on the *Building Envelopes and Setback Plan* are indicative only. Minor variations, other than to dimensioned set backs, resulting from the detailed design of the road layout, public open space and lot boundaries may be acceptable provided the principles and objectives in the Kew Residential Services Urban Design Framework, October 2003 are met to the satisfaction of the responsible authority.

Set back distances for buildings from the south and west boundary of KRS

All buildings more than 3.5m above ground level must be set back from the south and west boundaries of the KRS land at least the minimum set back distance shown on the Building Envelopes and Setback Plan.

Staging

If a development plan is prepared for part of the land or for a stage of the development, the responsible authority must be satisfied that its approval will not prejudice the future use or development of the land in an integrated manner.

Information requirements

A development plan must be informed by a detailed site analysis of the features of the land and its strategic context. This analysis must be documented and provided with a development plan submitted for approval.

A development plan submitted for approval must include a written report that describes how the plan addresses the principles and objectives and the Framework Plan-The Vision in the Kew Residential Services Urban Design Framework, October 2003.

A development plan must show or include the following information to the satisfaction of the responsible authority, as appropriate:

- The land to which the development plan applies.
- The proposed use and development of each part of the land.
- The indicative staging and timing of development.
- The number and size of proposed lots.
- The number and type of dwellings.
- The height of all buildings, having regard to the Building Envelopes and Setback Plan.
- Retention of the Parents Retreat/Chapel and the STAD Building in an appropriate setting and with a curtilage of at least 3m.
- Retention of the ceramic sculpture produced by Kew Residential Services residents, the long-term residents memorial plaque, the 1996 fire memorial and the Aboriginal scar tree in appropriate settings. The relocation of these items may be acceptable.
- Retention of the significant vegetation identified for protection.
- Tree protection zones for retained trees and a tree protection strategy to protect retained trees during construction and after the development is completed.
- An archaeological assessment.
- At least 27% of the site set aside as public open space and located in the general areas shown on the Framework Plan-The Vision.
- A traffic engineering analysis and Roads Corporation comments.
- Indicative designs for the vehicle connection points to the existing road network. Vehicle access between the KRS site and Wills Street will not be permitted.
- The indicative internal road layout identifying the functional hierarchy and the dimensions of the road reserves in each category. The main collector road reserve should be of sufficient width to accommodate a public bus service through the site and provide accessible bus stops at appropriate locations.
- The location and design details of pedestrian and bicycle paths and connection points to the features external to the site. The grade and surface material of pedestrian paths available to the public must generally be suitable for people of all abilities.
- Treatment along the edges of the site, including compliance with the minimum set backs for buildings more than 3.5m above ground level shown on the Building Envelopes and Setback Plan.
- A landscape concept plan showing areas of public open space, retained trees, areas of new planting and planting themes, proposed facilities including pedestrian and bicycle paths, fence details, and the proposed management and maintenance regime for public open space.
- An integrated water management strategy. This may include a wetlands area in the north east part of the site.

BOROONDARA PLANNING SCHEME

LOCAL
PROVISION

- Arrangements for the provision of major infrastructure including water, sewerage, drainage, electricity, gas and telecommunications facilities. Electricity must be provided underground.
- A Sustainable Development Plan that sets out the environmental initiatives and performance targets to be achieved. The environmental initiatives must address, but are not limited to, strategies that:
 - Promote bicycle use and walking.
 - Encourage the use of public transport, if feasible.
 - Reduce potable water consumption.
 - Reduce stormwater runoff and improve its quality before it leaves the site.
 - Implement Water Sensitive Urban Design.
 - Reduce energy demand and peak loads.
 - Reduce waste volume sent to landfill through re-use and recycling.
- Design objectives and guidelines that address:
 - Overall theme.
 - Slope of the land.
 - Edge/interface treatments.
 - Siting and set backs.
 - Building height, including graduating height between different building height envelopes.
 - Site coverage.
 - Solar orientation.
 - Garages and car ports.
 - Indicative materials and finishes.
 - Roof form and materials.
 - Fences.

Decision guidelines

Before deciding on a development plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Kew Residential Services Urban Design Framework, October 2003.
- The views of the Boroondara City Council, if received within 28 days of the date that Council is provided with the development plan.

THE WALKER DEVELOPMENT PLAN, OCTOBER 2005

Refer to A4 colour copy provided.

ISSUES

- a) **What is a Development Plan?**
- b) **Key components of the revised Walker Development Plan (WDP)**
- c) **Key differences between the WDP May 2005 and the revised WDP October 2005**
- d) **Council officer's assessment of the revised WDP October 2005**

a) **What is the "Development Plan"?**

The development plan is the overall plan for the site that will direct all future planning permits. In the case of the Kew Residential Services (KRS) site, a development plan must make reference to the Urban Design Framework (UDF) developed by the State Government in October 2003. Future permit applications must be generally in accordance with the Development Plan.

Schedule 3 to the Development Plan Overlay (DPO 3 – Kew Residential Services) of the Boroondara Planning Scheme details the list of requirements that the developer of the site will need to provide for approval. Contents of a development plan must include:

- The size, use, number and staging of lots and dwellings.
- Building heights, setbacks, and locations.
- Vegetation, heritage buildings and monuments to be retained.
- Internal Road & path layout, location, design and analysis.
- A staging plan.
- Site analysis.
- Design response.
- Landscape concept plan.
- Water Management Strategy.
- A plan detailing major infrastructure arrangements.
- Sustainable Development Plan.

b) **Key components of the revised WDP**

On 17 October 2005, the State Government provided Council with a revised Walker Development Plan. Council was provided with 28 days to consider the revised plan, with the State Government requiring Council's comments by 15 November 2005. Following the Council officers' preliminary assessment of the revised development plan, Council officers wrote to, and met with, the Walker Corporation on 24 October 2005. Further information was requested by Council, with the Walker Corporation agreeing to provide this information to Council within the 28 day period. In order to properly assess new information submitted by Walker Corporation to support their WDP, Council requested that the State Government provide an extension of time for Council to review and provide comments on the revised WDP. The State Government granted Council an additional 17 days (13 business days). Council has now been given until 2 December 2005 to provide its comments to the State Government.

A copy of the revised WDP can be found in **Attachment 6**. Provided below is a description of the key components of the revised WDP and supporting information. The information provided within the revised WDP is discussed in terms of the following categories:

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

Built Form & Site Layout

The revised WDP identifies:

- A maximum of 520 dwellings on the site.
- A maximum of 520 lots on the site.
- Potential development of up to five storeys to the south-west of the site nearest to Yarra Bend Park.
- Apartment style housing adjoining public open space, both on and off the site.
- The first stage of development to occur adjacent to Princess Street with latter stages of development to occur closer to the site's interface with Yarra Bend Park.

Further information submitted to Council to support the revised WDP identifies:

- 30% of the site public open space, excluding roads and road reserves.
- 22% of the site to be used as roads and road reserves.
- 40% of the site to be used for houses.
- 8% of the site to be used as apartment style housing.
- That the maximum number of lots proposed is 420, which after subdivision, will generate a maximum of 520 dwellings.

Environment & Open Space

The revised WDP identifies:

- An integrated water management strategy will be employed and be taken over by Council. A variety of CSIRO performance objectives have been listed.
- No formal arrangements as to the future management and maintenance of drains retarding basins etc.
- Passive heating and cooling systems in all buildings to reduce energy demands in peak periods through building orientation to maximise exposure to winter sun, provision of sun shades, eaves, and screens to reduce solar access to dwellings where required, and well insulated buildings.
- All appliances to provide a minimum AAA water use classification,
- Use of a variety of plant species, shrubs and grasses to reduce water consumption.

Further information submitted to Council to support the revised WDP identifies:

- The Walker Corporation has signified an intent to work with Council to determine an effective and sustainable integrated water management strategy for the site.
- Re-cycle bin storage facilities will be provided at all houses and apartments.
- The Walker Corporation has signalled an intent to liaise with the Environment Protection Authority and Council to investigate further means of reducing waste and promoting recycling.

Vegetation

The revised WDP identifies:

- Development will occur in accordance with the provisions of Vegetation Protection Overlay- Schedule 2.
- Avenue planting along Main Drive and Lower Drive will be reinforced with existing tree species.
- New streets and public spaces will be planted with a variety of deciduous, native and exotic species to re-enforce the historic landscape character.

Further information submitted to Council to support the revised WDP identifies:

- A tree protection plan (site survey) has been submitted showing trees that are proposed to be retained and removed on the site in Stage 1 & 2 of the project. The majority of significant trees, as identified by the Vegetation Protection Overlay, and the heritage permit granted for the site are to be protected. Exceptions occur to trees identified on Tree Protection Plan LSK11 as: 142, 305, 317, 436, 455, 456, 457, 621, 624, 641, 658, 630, 733. This includes the tree with the largest canopy on the site (305). Where trees marked for removal are identified in the VPO, planning permission will be required.
- 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.

Neighbourhood Character

The revised WDP identifies:

- An intent to obtain dispensations from the requirements of Clause 54 and 55 of the Boroondara Planning Scheme, and the provisions of the Building Act to enable a reduction in building setbacks, and allow for increased height, site coverage, and length of boundary walls. These measures have been identified in the revised WDP as means to create a new neighbourhood character on the site.

Further information submitted to Council to support the revised WDP identifies:

- A plan has been submitted by the Walker Corporation showing areas on the site that are proposed to be occupied by houses, and areas of the site that are to be occupied by apartments.

Land use

The revised WDP identifies:

- Land uses proposed under the revised WDP are primarily residential. The only other use referred to in the revised WDP is a sports and recreation centre, to be located in the open space spine nearest to Hutchison Drive.
- The possible use of heritage buildings for uses such as kiosks or restaurants.
- Twenty CRU houses to be provided in the northern and eastern portions of the site.
- Temporary sales and information centres are identified at four potential locations on the site.

No further information was requested to be submitted to Council to address the issue of land use.

Recreation, Leisure, and Open Space

The revised WDP identifies:

- A minimum area of 30% of the site to be retained for public open space (exclusive of roads, reserves, buildings or memorial locations).
- A public open space spine is proposed to run from the junction of Hutchinson Drive in the north- east corner of the site to the edge of the Yarra Bend Park in the south- western corner of the site.
- The provision of a sport and recreation centre to the north of the site nearest to Hutchison Drive, incorporating a lap pool, gymnasium, kiosk/café, consultation rooms, space for community-based activities, and a hydrotherapy pool to accommodate a minimum of 5 disabled users and their carers at any point in time.
- The sport and recreation facility will be open to all members of the community to use.
- Management options for the sport and recreation facility are to be determined.

Further information submitted to Council to support the revised WDP identifies:

- Edge treatments proposed for Boundary Road include; a shared pedestrian and vehicle pavement for Boundary Road; possible on-street car parking; a vehicle turning area at the end of Boundary Road; and linkages from Boundary Road to pedestrian paths to the north to Kew Gardens, and to the south to Yarra Bend Park.
- Edge treatments for Princess Street include six pedestrian access points to the site from Princess Street, vehicle access to dwellings from points internal to the site (no vehicle access to dwellings from Princess Street), retention of the majority of Canary Island Pines along Princess Street, and a strengthening of the landscape buffer between proposed new houses, and Princess Street. The only vehicle entry/exit point from Princess Street is to remain the roundabout.
- Edge Treatments for Yarra Bend Park include: 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.

Heritage

The revised WDP identifies:

- Three heritage buildings on the site (buildings B1, B3 and B6) are to be retained. Three additional heritage buildings (B2, B4 and B5) are proposed to be removed.
- Other heritage assets such as monuments are proposed to be relocated to appropriate settings.

Further information submitted to Council to support the revised WDP identifies:

- The Cultural Heritage Survey, August 2001 prepared by Biosis Research has been relied upon as the archaeological assessment for the site.
- Walker Corporation have provided a commitment to ensuring that significant monuments and memorials noted in DPO3 are relocated to an appropriate settings, although exact locations are yet to be defined.

Infrastructure Services

The revised WDP identifies:

- Overhead powerlines to be re-directed underground.
- Provision of all water, drainage, sewage, gas requirements to the site.

No further information was requested to submitted to Council with respect to Infrastructure Services issues.

Movement & Access

The revised WDP identifies:

- Access to the site via the Princess Street roundabout, and Hutchison Drive.
- Existing internal roads Main Drive and Lower Drive are to be re-used as roads for vehicular traffic.
- Access to Lower Drive at the entrance of the site from Princess Street has been re-designed so as the bulk of traffic is concentrated to Main Drive. Lower Drive itself is to be intersected by the proposed public open space spine.
- Part of Boundary Road is proposed to be retained as a 'shared access way' and will service development nearest to the Willsmere apartments.

Further information submitted to Council to support the revised WDP identifies:

- 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. The report contends that traffic generation arising from the revised WDP would be within the environmental capacity, and access arrangements should be maintained from the Princess Street roundabout.
- No direct access from properties on the site to Main Drive, but rather that Main Drive become a boulevard, with access to properties obtained from local and collector roads.
- Vic Roads 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.

- The inclusion of bike racks, seating, drinking, fountains, and bins at key areas to support a continuous and accessible path network will promote bicycle activity and walking.
- Discussions are to be initiated with bus companies to understand the feasibility of providing a bus service into the site to promote the use of public transport.

c) Key differences between the WDP May 2005 and the revised WDP October 2005

The key differences between the WDP dated May 2005, and the revised WDP dated October 2005 are identified in the table below. The information provided in the table below was also provided by Council to residents in its letter dated 19 October 2005 (refer to **Attachment 9**). In its letter to Walker Corporation of 24 October 2005, Council requested additional information in relation to the development plan. A summary of information requested by Council is provided in **Attachment 8**.

Key issue	May 2005 Walker Corporation development plan	October 2005 Revised Walker Corporation development plan
Site layout and scope of development	The Government provided several figures ranging from 350 to 1100 new lots, removing any certainty on how much development is planned at the site.	<ul style="list-style-type: none"> ➤ A maximum of 520 dwellings is proposed. ➤ Changes have been made to the location of buildings and open spaces. ➤ The plan foreshadows a variation to the requirements Rescode (Clause 54 and 55) and Building Regulation siting and design requirements for dwellings.
Increases to building height	2 storey dwellings nearest to Hutchison Drive.	➤ Up to 3 storey dwellings nearest to Hutchison Drive.
Decreases to building height	<p>5 storey dwellings to the south east of the proposed central open space spine.</p> <p>4-5 storey dwellings to the north west of the proposed central open space spine.</p>	<ul style="list-style-type: none"> ➤ 4 storey dwellings to the south-east of the proposed central open space spine. ➤ 3 storey dwellings to the north-west of the proposed central open space spine.
Public open space	<p>A minimum of 27% of the site retained as public open space.</p> <p>The proposed central open space spine is interrupted by 4 storey dwellings.</p> <p>Core Heritage buildings surrounded by apartment buildings.</p>	<ul style="list-style-type: none"> ➤ A minimum of 30% of the site retained as public open space, excluding roads and road reserves. ➤ Continuity of the central open space spine linking Princess St to Yarra Bend Park, with dwellings located on its periphery. ➤ Open space has been established around core heritage buildings, with some open space located around significant trees.
	Two possible sites for a recreation facility at the	➤ A recreation facility is proposed for the northern part of site nearest to Hutchinson Drive.

Key issue	May 2005 Walker Corporation development plan	October 2005 Revised Walker Corporation development plan
	north and south of the site.	
Vehicular and pedestrian access into site	The Princess Street roundabout is to carry the majority of vehicles into the KRS site. Secondary access via Hutchinson Drive.	<ul style="list-style-type: none"> ➤ Main access to the site is still from the Princess Street roundabout. The development plan contemplates an expected 1600 traffic movements per day. ➤ Changes have been made to the internal road layout, resulting in the bulk of traffic focused to Main Drive.
Protection of heritage assets	Only 3 buildings are proposed to be retained on the site.	➤ No change. Consistent with Heritage Victoria determination.
Level of detail contained within plan	Does not provide a level of detail essential to provide Council or community with certainty over the development of this important site, despite there being no further opportunities for public input, or a right of appeal to VCAT.	➤ The plan still does not provide a satisfactory level of detail. Council has requested the Department of Sustainability and Environment to provide further information.

d) Council officer's assessment of the WDP October 2005

Council officers have 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 officers contend 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. 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. In the interests of ensuring certainty for both Council and the community, in terms of the potential yield on the site, it is submitted that the number of lots specified in the development plan should be specified as 420, in line with current predictions made by the Walker Corporation.

Council officers 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 officers 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 height could be supported on the basis that:

- 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.

Further information needs to be provided concerning the appropriateness of the proposed height including additional perspectives and sections, and a more comprehensive view line analysis. This 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.

Environment

The Walker Corporation has 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 is proposed in the revised WDP. The Walker Corporation has 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 has provided a commitment to initiate discussions with bus service providers to understand the feasibility of providing public transport to the site.

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

Vegetation

A Tree Protection Plan provided in the revised WDP shows trees to be retained and removed across the site during stages 1 & 2 of the site's redevelopment. Council officers contend that the Tree Protection Plan and the associated Arboriculture Management Plan submitted to Council as further information, are requirements under DPO3, and should form part of the revised WDP. In addition, this plan should be updated to cover all stages of development envisaged under the revised WDP.

The DPO3 requires the retention of significant vegetation identified for protection, unless permits for removal are sought and granted. 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 proposed to provide further details regarding tree removal for latter stages. As Council does not have any further formal opportunity to comment on plans for the site at latter stages (including matters relating to vegetation preservation), Walker Corporation should provide a commitment to include in the development plan, a note: "That all trees identified as significant by Heritage Victoria or identified in the Vegetation Protection Overlay – Schedule 3, are to be retained."

It is noted however, that the Tree Protection Plan proposes removal of the large River Red Gum located to the north of Lower Drive noted as No. 305 on the Tree Protection Plan LSK11. This tree has the largest canopy of any tree found on the entire site is covered by a VPO, and is listed as significant by Heritage Victoria, and must be protected.

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. This Plan should form part of 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 polyanthemos*
- *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, Council should use its submission to recommend to the State Government that dwellings to be constructed on the site be designed in accordance with Council's *Residential Design Policy December 2003*.

Indicative materials and finishes of proposed dwellings have not been provided. This information is required by DPO3, and has been requested to be provided by Council. The Walker Corporation has submitted that such details are unknown at this stage. It is recommended via its submission, that Council seek to ensure that 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 are sensitively managed. The use of muted tone colours, and non-reflective materials will be important in these locations, and should be noted to form part of the revised WDP.

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 Willsmere is proposed to be used as a shared accessway for vehicles and pedestrians. Previously, Boundary Walk was proposed to be reserved for public open space. It is understood through discussions with the architects representing Walker Corporation, that the purpose of this road is to provide activity between new development and the Willsmere boundary wall, to ensure improved safety through natural surveillance of this part of the site.

The establishment of a vehicular road along the Boundary Walk interface was not envisaged under the previous development plan, nor the Urban Design Framework incorporated in the Boroondara Planning Scheme. The Urban Design Framework requires the establishment of a 26 metre buffer of open space at this location. This open space buffer should be honored in the revised WDP without the presence of vehicles.

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. As summarised in Attachment 4 to this report, 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. Council should support this approach.

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. 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 is sufficient to deal with the 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, and should form part of 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. These being:

- 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 has 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.

The TTM traffic engineering analysis and associated VicRoads comments should form part of development plan submitted to the Minister for Planning for approval.

External Traffic Distribution and Assignment:

Previous analysis undertaken by GTA Consultants 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 metres 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.

SUMMARY OF ADDITIONAL INFORMATION REQUESTED BY COUNCIL TO BE SUPPLIED BY WALKER CORPORATION

On 24 October 2005, Council met with Walker Corporation representatives to discuss the Council officer's preliminary assessment of the revised Walker development plan. The Council officer's preliminary review indicated that the revised development plan provided by Walker Corporation, did not contain all of the information required by Clause 43.04-3 of the Boroondara Planning Scheme and did not address all of the information requirements specified in Schedule 3 to the Development Plan Overlay. The following information was identified by Council officers as still being outstanding. Council officers requested this information be provided by Walker Corporation.

Areas where the revised development plan (WDP October 2005) did not provide the information required by the Development Plan Overlay of the Boroondara Planning Scheme

An archaeological assessment: No archaeological assessment is provided with the WDP. A detailed assessment prepared by a suitably qualified archaeologist is required to form part of the development plan.

A tree protection strategy to protect retained trees during construction and after the development is completed. A tree protection strategy that has been prepared by a suitably qualified arborist should form part of the development plan.

Design objectives and guidelines that address: Overall theme, Slope of the land., Edge/interface treatments, Siting and set back, Building height, including graduating height between different building height envelopes, Site coverage, Solar orientation, Garages and car ports, Indicative materials and finishes, Roof form and materials, Fences: Design Objectives and guidelines should form part of the development plan.

A traffic engineering analysis and Roads Corporation comments: A traffic engineering analysis prepared by a suitably qualified traffic engineer showing the impact of a 520 dwelling development, and associated comments provided by VicRoads, should form part of development plan.

Areas of the revised development plan requiring some form of further detail, as required by the Development Plan Overlay

The number of proposed lots: Confirmation of the number of lots proposed should be made as part of this plan.

The type of dwellings: Further detail are required regarding the dwelling types proposed for the site A plan that identifies the on-site location of different dwelling types would assist in interpreting the types of dwellings proposed for the site.

The proposed location of cultural assets: The proposed locations of the ceramic sculpture produced by Kew Residential Services residents, the long-term resident's memorial plaque, the 1996 fire memorial and the Aboriginal scar tree in appropriate settings should form part of the development plan.

Retention of the significant vegetation identified for protection: Significant vegetation proposed to be retained should be shown on a properly scaled plan and provided as part of the WDP.

Details regarding edge treatments specifically for

- a) *Boundary Road*: Clarification as to what components of this edge are pedestrian areas or open space and which components are proposed to be used by vehicles. Confirmation of these details should form part of the development plan.
- b) *Princess Street*: Clarification as to what form of access is proposed for Princess Street (pedestrian and/or vehicle) should form part of the development plan.
- c) *Yarra Bend Park*: Further detail regarding the relationship between the proposed 5 storey apartments and Yarra Bend Park, and the Willsmere Estate is required. A properly scaled perspective drawing or section diagram showing this relationship would be useful in showing this relationship.

An integrated water management strategy. This may include a wetlands area in the north east part of the site. An Integrated Water Management Strategy has been referred to on page. 40. Additional commitments to integrated water management should form part of the development plan.

Further detail regarding environmental initiatives and performance targets, specifically related to:

- *Promote bicycle use and walking*
- *Encourage the use of public transport, if feasible.*
- *Reduce waste volume sent to landfill through re-use and recycling.*

COUNCIL LETTER TO COMMUNITY

19 October 2005



BOROONDARA
City of Harmony

Dear Resident

RE: KEW RESIDENTIAL SERVICES (KRS) – REVISED DEVELOPMENT PLAN

In June 2005 Council notified you of the release of the Walker Development Plan for the KRS site. Subsequently, Council made a submission to the State Government on the plan, which identified a number of concerns. Council has also commenced action at the Victorian Civil and Administrative Tribunal (VCAT) concerning the inadequacy of the information provided in the Walker Development Plan.

On 17 October 2005, the State Government provided Council with a revised Walker Development Plan. Council has been given 28 days to consider the revised plan, with the State Government requiring Council's comments by 15 November 2005.

Council greatly values the input of its local community, and is committed to offering you the opportunity to comment and inform its submission to the State Government. The Minister for Planning has removed the requirement for future planning permit applications on the site to be advertised to affected parties, and also exempted the right of appeal to VCAT for all future development applications relating to the site. This is therefore an important opportunity for you to comment on the redevelopment plan for the site, and your comments will assist Council in preparing its response to the State Government.

Overleaf is a summary of the key changes identified in the revised Development Plan, in comparison to the earlier Development Plan released in May 2005. The revised Development Plan can be viewed on Council's website www.boroondara.vic.gov.au. A hard copy is also available for inspection at the following locations:

- Council's Camberwell Offices - Level 1, 8 Inglesby Road
- Council's Hawthorn Offices - 360 Burwood Road
- Kew Customer Service Centre (Kew Library) - Corner Cotham Road & Civic Drive

It is anticipated that a report will be presented to Council's Urban Planning Special Committee on 10 November 2005. Confirmation of this meeting date can be obtained by visiting Council's website at www.boroondara.vic.gov.au or page 9 of the Progress Leader.

Written submissions can be emailed to: Kew.Cottages@boroondara.vic.gov.au, faxed to 9278 4802, or mailed to *Strategic Planning Department, City of Boroondara, Private Bag 1 Camberwell VIC 3124*.

Your comments should be forwarded to Council by Thursday 3 November 2005. For further enquiries, please contact Tom Harrington, Senior Project Planner on 9278 4819.

Yours sincerely,

Phillip Storer
Director, City Planning

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A comparison between the Walker Corporation's development plans for Kew Residential Services

Key issue	May 2005 Walker Corporation development plan	October 2005 Revised Walker Corporation development plan
Site layout and scope of development	The Government provided several figures ranging from 350 to 1100 new lots, removing any certainty on how much development is planned at the site.	<ul style="list-style-type: none"> ➤ A maximum of 520 dwellings is proposed. ➤ Changes have been made to the location of buildings and open spaces. ➤ The plan foreshadows a variation to the requirements Rescode (Clause 54 and 55) and <i>Building Regulation siting</i> and design requirements for dwellings.
Increases to building height	2 storey dwellings nearest to Hutchison Drive.	➤ Up to 3 storey dwellings nearest to Hutchison Drive.
Decreases to building height	5 storey dwellings to the south east of the proposed central open space spine. 4-5 storey dwellings to the north west of the proposed central open space spine.	<ul style="list-style-type: none"> ➤ 4 storey dwellings to the south-east of the proposed central open space spine. ➤ 3 storey dwellings to the north-west of the proposed central open space spine.
Public open space	<p>A minimum of 27% of the site retained as public open space.</p> <p>The proposed central open space spine is interrupted by 4 storey dwellings.</p> <p>Core Heritage buildings surrounded by apartment buildings.</p>	<ul style="list-style-type: none"> ➤ A minimum of 30% of the site retained as public open space, excluding roads and road reserves. ➤ Continuity of the central open space spine linking Princess St to Yarra Bend Park, with dwellings located on its periphery. ➤ Open space has been established around core heritage buildings, with some open space located around significant trees.
	Two possible sites for a recreation facility at the north and south of the site.	➤ A recreation facility is proposed for the northern part of site nearest to Hutchinson Drive.
Vehicular and pedestrian access into site	The Princess Street roundabout is to carry the majority of vehicles into the KRS site. Secondary access via Hutchinson Drive.	<ul style="list-style-type: none"> ➤ Main access to the site is still from the Princess Street roundabout. The development plan contemplates an expected 1600 traffic movements per day. ➤ Changes have been made to the internal road layout, resulting in the bulk of traffic focused to Main Drive.
Protection of heritage assets	Only 3 buildings are proposed to be retained on the site.	➤ No change. Consistent with Heritage Victoria determination.
Level of detail contained within plan	Does not provide a level of detail essential to provide Council or community with certainty over the development of this important site, despite there being no further opportunities for public input, or a right of appeal to VCAT.	➤ The plan still does not provide a satisfactory level of detail. Council has requested the Department of Sustainability and Environment to provide further information.

CONSULTATION

On 17 October 2005, Council received the revised Walker Development Plan for the redevelopment of the Kew Residential Services site (KRS). Council was provided with only 28 days in which to comment on the revised development plan, and during that time, sought feedback on the development plan from the community.

Consultation opportunities

Council has facilitated ongoing consultation with the community regarding the proposed redevelopment of Kew Residential Services since 2001. An 18-month Urban Design Framework process, which included strong community involvement, was conducted before an amendment to the planning scheme was formally exhibited for comment in October 2003.

In June 2005, Council consulted with the community concerning the original Walker Development Plan. A total of 41 submissions were received at that time, and these submissions helped inform Council's response to the original plan.

On receipt of the revised Walker Development Plan (WDP) on 17 October 2005, Council again informed the community of the plans for the Kew Residential Services (KRS) site through a number of different sources.

- Approximately 4,500 households in the Studley and Bellevue Wards received a letter informing residents of the contents of the WDP, the major changes from the previous plan, information as to where copies could be viewed, and instructions as to how residents could respond to Council.
- Copies of the WDP were provided at Council's Camberwell office planning counter, the Kew Customer Service Centre, and at Hawthorn Customer Service Centre.
- Council's website contained a copy of the revised development plan, a copy of Council's letter to residents, information as to where the development plan could be viewed, and information as to how to make responses to the WDP is provided.
- Notification was also included in Page 9 of the Progress Leader.

Council has sought to advise residents:

- Where to view the revised WDP;
- How to make responses to Council, including key contacts in the Strategic Planning Department;
- When responses were required in order for feedback to be considered in this report (deadline 3 November 2005);
- When Council will consider its response at the Urban Planning Special Committee on 10 November 2005;
- When Council must make its submissions to State Government (by 15 November 2005)

As the Minister for Planning has removed the requirement for notification of affected parties, and denied those same parties the right of appeal to Victorian Civil and Administrative Tribunal (VCAT), this is therefore Council's final opportunity to comment.

Consideration of community feedback

As a result of this consultation, a total of 30 responses have been received by email, post, telephone and fax. The majority of these responses were from residents in close proximity to the site, including residents living within the Kew Gardens estate and the area of Kew to the south of the site. Submissions were also received from the Kew Cottages Coalition, and the Kew Cottages Parents Association as provided in **Attachment 11**. A number of submissions raise concerns about site development which have been raised in earlier submissions. A number of submissions also make comment on specific aspects of the revised Walker Development Plan.

The issues raised in submission have been summarised in the following categories:

- a) Site layout and Open Space;
- b) Future Built Form and Use;
- c) Traffic, Road infrastructure and car parking;
- d) Movement- including public transport, cycling and pedestrian links;
- e) Existing residents of KRS;
- f) Capacity of physical and social infrastructure; and
- g) Heritage
- h) Process issues.

a) *Site Layout and Open Space*

- Support for the proposed increase in public open space provision on the site from 27% to 30%.
- Support for proposed provision of additional open space around the core heritage buildings on the site.
- The revised road layout is not supported.
- Concern at the overall loss of green space on the site.
- The proposed recreation centre is to be sited in public open space and concern at the suitability of this location. This will increase impacts on the existing residential community.
- The *Public Open Space connection to the Kew Gardens Estate* is inappropriate, and will have impacts on existing residential uses.
- The proposal 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.
- The development plan lacks a proper biodiversity corridor through the site linking Yarra Bend Park with the LaTrobe Golf Course.

Council Response

The revised Walker Development Plan provides for an increase in open space provision; the removal of apartment buildings from the heritage core; and a revised site location for the recreation centre. These changes should be supported by Council and meet the requirements of the Development Plan Overlay.

In terms of other site layout changes, including the revised road layout and changes to Main Drive and Boundary Road Council has sought further information from the Walker Corporation. It is noted that the road layout internal to the site has been altered so as to focus traffic away from Lower Drive, and for Main Drive to become the main vehicle route through the site. Main Drive is also due to be extended through to Hutchison Drive. A strong landscape buffer currently exists between property boundaries at the Wills Street interface and Main Drive consisting of Algerian Oaks, English Elms, and Moreton Bay Figs which are proposed to be retained. Additional planting is also proposed for both the Wills Street interface, and Main Drive itself. These changes should be supported by Council, however Council should also seek to ensure that acoustic measures are provided in the WDP to ensure that increased traffic generation on Main Drive does not unreasonably impact on the amenity of properties adjoining the Wills Street interface.

It is also noted that laneways are to be used to provide access to some proposed buildings on the site. Council should seek to ensure by way of its submission that laneways within the site are constructed to appropriate standards, and allow for sufficient movement, parking, access for vehicles, including emergency vehicles and waster collection vehicles.

A submission was received noting concern with the proposed open space connection to Kew Gardens. This open space link is proposed to provide pedestrian access from Greer Place in Kew Gardens to the KRS site. This open space link has been noted in the Urban Design Framework, and the original WDP. Providing an open space link to Kew Gardens is an opportunity to improve accessibility, and promote walking and cycling, and should be supported by Council.

Concern was also raised as to the proposed new location of the sport and recreation facility nearest to Hutchison Drive to the north of the site. Council advocated for the location of this facility to be shifted to the north of the site in its last submission to the State Government to ensure access to the facility for people of all abilities. In its proposed location, the sports and recreation facility would be built opposite a Council depot, and well removed from residential properties to the west in Kew Gardens. Council should support its proposed location in the revised WDP.

A number of the submissions raised concerns associated with the provision of open space on the site. Other submissions received noted satisfaction with the open space provision, and the removal of buildings from the heritage core of the site.

It is noted that Council has previously advocated for a minimum of 50% of the site for public open space. The requirements of the *Development Plan Overlay* require a minimum of 27% open space to be provided on the site. Council would normally require a 5% site area contribution from the developer towards public open space. Through further discussions with the Walker Corporation, it is evident that a figure of 50% is not going to be achieved on this site. Although not required by the Planning Scheme, the revised WDP increases the minimum open space provision on the site from 27% to 30%. This amount of open space provision, and the removal of apartment buildings from the heritage core of the site are changes in the revised WDP that should be supported by Council.

Concern was raised that the revised WDP lacks a proper biodiversity corridor. The WDP contains an ecological assessment, noting the significant flora and fauna found on the site. The WDP is required to identify significant vegetation on the site, and ensure its protection during construction. It is noted that the KRS site is not required by the *Development Plan Overlay* to contain a biodiversity corridor, however there are opportunities to ensure that native indigenous

vegetation is used where possible. Council should seek to ensure by way of its submission that the WDP contains a statement to the effect that all significant vegetation, as identified by Heritage Victoria and the Vegetation Protection Overlay be retained, and that appropriate native species are planted to retain and enhance the biodiversity of the site.

The EPA has re-iterated its comments to Council from previous occasions where it has been asked to comment on the redevelopment of the KRS site, noting that the revised 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. Council should bring this to the attention of the State Government and Walker Corporation, and seek to ensure that Walker Corporation resolve this issue with the EPA.

b) *Future Built Form and Use*

- A dangerous precedent is being set with 5 storey units on the ridge overlooking the golf course and city. There will be adverse impacts for the whole area as a result.
- Concern at the increase in height to 3 storey dwellings near to Hutchison Drive. These will overlook residential dwellings.
- The WDP provides greater flexibility in building height. Concern that 2 storeys will become 3 storeys.
- There should be a maximum 3 storey height limit across the site. Density should be lowered, and more sustainable forms of development promoted.
- The WDP lacks detailed designs.
- A community health centre and aged care facility should be provided on the site.
- A maximum building height of 9 metres should be applied across the site.

Council Response

The proposed predominant residential land use is supported. The revised plan provides for a total of 520 dwellings, with 40% of the site being used for houses and 8% for apartments. It is also recommended in this report that some provision be made on the site for some small scale community uses.

The revised WDP provides for some reductions in built form height in the vicinity of the public open space spine. These changes respond positively to concerns previously expressed by Council in its previous submission to DSE and should be supported.

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. 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) but would appear to obscure the roof form of the lower tower;

- The Council UDF allowed for development of up to 6 storeys, but in a different form; and
- The proposal is generally in accordance with the building height limits set by Heritage Victoria; and
- The proposed built form appears to sit within the vegetation canopy on the KRS site;

The Yarra Bend interface is of significance 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.

Concern was raised in one submission that three storey buildings proposed nearest to Hutchison Drive would overlook residential buildings on Hutchison Drive. Three storey dwellings are proposed internal to the site and further east along Hutchison Drive where they would abut a Council depot. It is considered that there will be no impact on the Kew Gardens Estate from overlooking of proposed three storey dwellings on the site.

Concern was also raised that proposed 2 storey buildings will become 3 storey dwellings. The revised WDP contains a building height envelope plan showing two storey development concentrated to the north west of the site closest to Kew Gardens. Should the revised WDP be approved, then future planning permit applications must be in accordance with an approved development plan for the site, showing a maximum building height of not more than 2 storeys adjacent to Kew Gardens. Council should support two storey building heights at this location.

It has been submitted that there should be a maximum 3 storey height limit introduced across the site. No justification has been provided to support this recommendation. It is noted that the revised WDP provides for some reductions in built form height in the vicinity of the public open space spine, and on Lower Drive. It is also noted that Council's UDF, the State Government's UDF, and the previous WDP allowed for higher built form than that proposed under the revised WDP. Council has long held the view that there are opportunities to consider higher densities on appropriate locations on the KRS site, due to the topography of the site. It is therefore recommended that a three storey height limit is inappropriate for the site.

There has been some criticism of the lack of design detail provided in the revised plan concerning dwelling types and layout. It must be noted that a development plan does not require detailed designs, as required by a planning permit application. It is considered the revised plan contains information which meets the requirements of the Development Plan Overlay, and that further design resolution will need to occur at the planning permit stage.

With regard to the provision of community care related facilities on the site, Council should support the need to ensure a proper range of facilities for KRS clients is provided.

c) Traffic, road infrastructure and car parking

- Concern with existing and future traffic volume and congestion on Princess Street.
- Infrastructure upgrades are needed for Princess Street (including roundabout), Chandler Highway Bridge, and Kew Junction.

- Concern that the revised WDP changes internal road layout so that bulk of traffic is focused to Main Drive.
- Parking at Kew Junction needs to be increased.
- There are shortcomings in the road infrastructure at Kew Gardens (lack of space for vehicle parking). This mistake should not be repeated on this site.
- There will be traffic impacts in surrounding residential streets as a result of this development (eg Walpole and Brougham Streets). This will have a negative impact on residential amenity.
- There will be negative traffic impacts on Hutchinson Drive.
- The WDP will lead to difficulty of vehicles exiting Hutchinson Drive in the morning peak hour.
- Consideration should be given to closing site access at the Princess Street roundabout or closing access to Wills Street at the roundabout.
- Consideration should be given to new access to Redmond Street/Boulevard.
- Emergency vehicle access at peak periods needs to be ensured.
- The use of roundabout on Princess Street as main vehicle entrance is inappropriate.

Council Response

Concerns have been raised about existing traffic issues (the functioning of the Princess Street roundabout, the capacity of the Chandler Highway Bridge; traffic congestion on Princess Street during peak hours). These issues have previously been raised in public submissions concerning the proposed development of the KRS site. It is noted that there is also community concern that the additional residential development on the KRS site will significantly worsen existing traffic congestion

Previous traffic analysis undertaken for development on the KRS site of a significantly larger scale than that proposed under the revised WDP has confirmed that the surrounding road network would be of sufficient capacity to cope with additional traffic generation. Council requested that this analysis be updated to show the impact of a 520 dwelling development on the surrounding road network using the access arrangements and development yields foreshadowed under the revised WDP.

A traffic engineering analysis was prepared for the Walker Corporation by TTM consulting, 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.

It is recommended that The TTM traffic engineering analysis and associated VicRoads comments should form part of development plan submitted to the Minister for Planning for approval.

Council remains concerned with the present access arrangement to the site from the Princess Street roundabout. 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. This is to be noted in Council's submission.

Concern has been raised that the bulk of traffic has been focused on Main Drive, particularly the perceived impact that this change will have on the amenity of Wills Street residents. This is proposed to be achieved by altering the intersection of Main and Lower Drive. It is noted that there would be around 1850 vehicle movements per day on Main Drive. 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. A significant landscape buffer currently exists between Main Drive and Wills Street properties, and is proposed to be strengthened through further landscape planting. Council's submission is to also include a requirement for additional acoustic measures to be introduced at this interface to address noise issues. It is considered that these measures will be sufficient to negate impacts associated with an in traffic generation on Main Drive.

Parking problems in the Kew Gardens estate were identified in a submission as an example not to be repeated in the development of the KRS site. The TTM Traffic Engineering Report produced to support the WDP notes that all dwellings on the site are proposed to provide parking in accordance with the requirements of Clause 56 of the Boroondara Planning Scheme. Additional visitor parking is proposed on all streets, as well as designated parking bays which are proposed to be located on the site. Council should recommend that this report be included in the revised WDP.

To address these issues, Council should use its submission to specify requirements for road width construction and indented parking bays on the site. In addition, Council should recommend that parking on laneways of less than 5.5 metres should be prohibited or restricted to specified indented bays to prevent problems with parking currently experienced to the north of the site at Kew Gardens.

It has been submitted that there will be negative traffic impacts on Hutchison Drive, with difficulty for vehicles exiting Hutchison Drive onto Princess Street. The revised WDP proposes to locate main access to the site via the existing Princess Street roundabout, with a secondary access point provided to the site from Hutchison Drive, east of the Kew Gardens Estate.

Council has advocated for main access to the site to be provided via Hutchison Drive in its UDF August 2003, and in its response to the original WDP. As noted above VicRoads have submitted that a development of the size of 550 dwellings with the access arrangements specified in the revised WDP, would not lead to long-term traffic issues on the arterial road network. 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. It is recommended that Hutchison Drive and its intersection with Princess Street are of sufficient capacity to accommodate a development of 520 dwelling on the site, as identified in the revised WDP.

It has been submitted that access could be provided from Yarra Boulevard or Redmond Street. It is considered that this would be a substantial departure from the access arrangements specified in the revised WDP, the State Government UDF, and Council's UDF and should not be supported.

d) *Movement including public transport, cycling and pedestrian links*

- There is a need for additional public transport to service new development and Kew Gardens.
- There is a need for dedicated commuter cycling lanes.
- There should be a 40km/h speed limit on bus routes and a 20km/h speed limit on all other roads.

Council Response

The need for additional public transport services is noted. With the absence of any immediate fixed rail, opportunities to provide public transport to the KRS site are really confined to the provision of bus services. The revised WDP has provided road widths to enable bus access to the site. Walker Corporation has also provided a commitment to commence discussions with public transport operators to investigate the feasibility of providing bus access to the site. It is recommended that Council's submission again be used to note the importance of public transport provision in seeking to achieve sustainable development outcomes on the site.

Dedicated cycle and pedestrian facilities are proposed for the site. 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. It is recommended that these are sufficient to meet the needs of cyclists and pedestrians, and that dedicated commuter cycling lanes are not required.

A maximum 50kph speed limit is proposed. It is recommended that the concentration of the bulk of traffic away from CRU units on the northern and eastern parts of the site, and the speed control measures identified in the revised WDP and the TTM traffic engineering analysis are adequate and should be supported.

e) *Existing residents of KRS*

- The new proposed location of the sport and recreation facility to the northern part of the site will ensure safe levels of access for disabled residents.
- The re-configured road design will assist in diverting traffic away from the CRU units.
- Diluting Kew Cottages into a housing estate will isolate the KRS residents, perhaps lessening the level of understanding and acceptance by the community.
- Six buildings listed for heritage protection should be put to use for intellectually disabled children (KCC submission makes specific suggestions).
- There should be a minimum lot size of 800 square metres for CRU's.
- Confirmation is required that there will be no CRU's fronting Princess Street. Further detail is required regarding safety provisions for residents living near Princess Street.
- Information is required detailing noise abatement measures for all allotments on Princess Street.
- No further information is available regarding additional services such as medical, dental, and recreational facilities for existing residents. Without this information, Premier Bracks' commitment to ensure that there is no deterioration in services to existing residents as a result of the redevelopment cannot be assessed.

Council Response

The revised WDP does not provide any dwelling (including CRU's with frontage to Princess Street). All dwellings have access internal to the site, with no direct access provided to dwellings from Princess Street.

Dwellings are required to be designed in accordance with the provisions of Clause 56 of the Boroondara Planning Scheme to address acoustic issues, however Council should support further information to be provided in the revised WDP to address noise abatement measures proposed for dwellings along Princess Street.

Council has long sought to provide support to the Kew Cottages Parents Association and community representatives with an interest in achieving the best possible outcome for existing residents of the KRS site. It must be stated however that Council does not own the KRS site, is not responsible for its management, or decisions at State Government level to close the existing facility. Likewise, Council has no control over the housing model proposed to be used to accommodate existing residents, lot sizes required for CRU's, or commitments made by the Premier of Victoria ensuring services to existing KRS residents.

It is recommended that Council again bring these issues to the attention of the State Government by way of providing a copy of all submissions received with relation to the revised WDP to the State Government for review.

The submission received from the Kew Cottages Parents Association (**Attachment 11** to this report) notes satisfaction with proposed location for the sport and recreation centre to the northern part of the site to allow better opportunities for access for residents of all abilities. Revisions to the road layout and the treatment of Lower Drive to divert the bulk of traffic toward Main Drive is also a positive move to improve the safety of existing KRS residents to be located near Lower Drive. Council should also support these components of the revised WDP.

f) Capacity of physical and social infrastructure

- Local kindergartens and primary schools are already constrained.
- Will government provide additional childcare, maternal health centre, primary school and kindergarten facilities?
- The capacity of physical infrastructure is inadequate to serve proposed development.

Council Response

It is noted that concern exists in the community in that the revised WDP has not included provision for community infrastructure (such as kindergartens, child care, schools). Whilst there are a range of facilities within proximity of the site, there is concern at the capacity of existing facilities to meet increased demands resulting from the additional population on the KRS site.

It is noted however, that the capacity of social infrastructure to support the proposed redevelopment, is not required by the DPO. The revised WDP includes a community recreation centre which will be accessible to all members of the community, not just the residents of the redeveloped KRS site. The provision of additional childcare, primary schools and kindergartens, is a State Government responsibility, however it is recommended that Council bring the concerns of the community about the capacity of these services to the attention of the State Government.

g) Heritage

- Concern about the Government's decision to allow the demolition of heritage buildings on the site.
- Main Drive should be re-instated with a tree lined avenue right through to the Willsmere building.
- The original gateway presently located at Victoria Park should be moved back to the Princess Street entrance.
- Will the Minister for Planning present the revised Walker Development Plan to the Heritage Council for a review of the Demolition Permit issued to DHS?

Council Response

It is noted that a Heritage Permit to undertake works on the site was sought by DHS from Heritage Victoria, a Referral Authority for the site, in May 2005. A permit was conditionally granted in September 2005, which (subject to conditions):

- Allows for the demolition of three original cottages,
- Allows for the relocation of monuments and memorials,
- Approves the layout of the site but requires full design details for the future development of the site, or stages thereof, to be submitted to Heritage Victoria for approval prior to the commencement of any proposed development, and
- Provides for the retention and protection of significant trees and landscape features on the site.

Heritage Victoria's recommendation was not Council's preferred outcome for the site, however, Council has made its views known on this matter, as summarised in **Attachment 4** to this report.

It is recommended that Council can use its submission to request that the feasibility and appropriateness of re-instating the original Princess Street gateway, and a tree lined avenue right through to the Willsmere building be investigated, as suggested in submissions received.

A question was raised as to whether the Minister for Planning may seek a review of the demolition permit issued by Heritage Victoria. Council is not aware of any current review of the demolition permit approved by Heritage Victoria, nor does it see likely that Heritage Victoria will reverse its decision to allow demolition on buildings on the site in light of the revised WDP.

h) Process

- The planning process does not ensure fairness or protect resident interests.
- Concern about no further notification concerning built form and the loss of further rights for review.
- Council should request more time to assess new information.

Council Response

Council has consistently advocated for a proper planning process with community input to be applied at the KRS site, and has been critical of the removal of third party notice and applications for review in association with subsequent permit applications for development.

ATTACHMENT 10

These issues have been made known by Council in correspondence to the Premier of Victoria, State Government Ministers, and State Government Departments, since the introduction of current planning scheme controls on the site in 2003.

Council has requested and received additional time to assess new information provided to support the WDP.

**COPIES OF SUBMISSIONS FROM THE KEW COTTAGES COALITION AND KEW
COTTAGES PARENTS ASSOCIATION**

9 November 2005

Mr Phillip Storer
Director of Planning
Private Bag 1
Camberwell VIC 3124

Dear Mr Storer,

RE: Kew Cottages – Revised Walker Development Plan–Kew

Thank you for the opportunity to contribute to the Boroondara Council's submission to the Minister of Planning on the revised Walker Development Plan-Kew.

The Association remains disappointed that there is no provision for other parties to provide a response to government, however appreciates the Boroondara Council's efforts to date to represent our concerns.

KCPA reiterates our objective to ensure that the redevelopment of the Kew Cottages site is a quality result for both residents remaining on site, and those being relocated into other suburbs, and that for those remaining on site, the goal must be to create a suburb that is an "exemplar of community inclusion". We have been strongly encouraged that this objective is achievable by the Boroondara Council's demonstrated commitment to represent the community in the efforts to improve the Walker Development Plan.

Please find attached the KCPA's response to the revised Walker Development Plan – Kew.

Yours sincerely,

Ian Whalley
President, Kew Cottages Parents' Association
Tel: 9663 2324
Mobile: 0425 710262

Attachments

**KCPA RESPONSE TO COUNCIL ON THE
REVISED WALKER DEVELOPMENT PLAN-KEW [WDP-K]
(November 2005)**

The Association continues to call for the government's release of the latest version of the MASTERPLAN for the site development in response to the lack of detail in the revised Walker Development Plan.

KCPA supports the Boroondara Council's efforts to be reinstated as the responsible planning authority for this site, particularly given the absence of third-party appeals to VCAT.

The Association provides the following response to various aspects of the revised Walker Development Plan-K:

1. **Location of the Sport and Recreation Facility:**
KCPA applauds the decision to locate this facility on the northern part of the site will ensure maximum levels of safe access for disabled residents.

2. **Road Design:**
KCPA is pleased with the reconfigured road design diverting traffic away from the area where the CRUs are located. This will ensure a safer environment for KRS clients, and goes some way towards resolving our concerns about traffic safety. Also, the improved detail about traffic management and movement both to, from and within the site.

3. **Parking:**
KCPA remains concerned about parking provisions both on CRU properties, and in the surrounding streets. The revised WDP-K provides no further detail. More details of off- and on-street parking for CRUs must be provided.

4. **Speed Limits:**
KCPA remains committed to securing a proposed a maximum 40 km/h speed limit on bus routes, with a 20 km/h speed limit on all other street forms (Access Street Type 1, Service Street and Lane). We appreciate that this speed limit may not be deliverable by the Walker Corporation under the WDP-K, so will continue to lobby the appropriate body on this issue in the future.

5. **Lot Sizes:**
KCPA remains committed to lobbying for CRU lot sizes to be a minimum of 800 square metres.

6. **CRU Locations:**
KCPA is concerned that there is still an absence of detail regarding the CRUs closest to Princess Street, and continues to seek confirmation that no CRU will face onto Princess Street. The Association also requires further detail regarding safety provisions for residents living in Princess Street houses.

7. **Noise Abatement:**

KCPA is concerned that there is still no detail about noise abatement measures to be implemented for all allotments on Princess Street.

8. Aboriginal Heritage:

The Plan relies on the recommendations of the Kew Cottages Cultural Heritage Survey, August 2001, prepared by Biosis Research. KCPA calls on Walker Corp. to release the additional information that addresses the admission in the Survey "*limited scope of this assessment*".

9. Services/Facilities:

The revised WDF-K provides no further information about the range of services (medical, dental and recreational) that will be available in the Recreation Centre.

Without this information, KCPA cannot assess whether the development will contain the key features required by the residents remaining on the site in order to comply with Premier Bracks' commitment to ensure that there is no deterioration in services to residents as a result of the redevelopment.

10. Other On-site Services:

KCPA continues to advocate for the provision of a **Community Health Centre and Aged-Care Facility** on the redeveloped site.

11. Additional Issues:

- The Association is pleased that the open space has been increased to 30%.
- The Association is pleased that additional open space has been established around the core heritage buildings and significant trees.
- A maximum building height of nine metres as per ResCode should be applied across the site.
- More details about the main vehicular access to site is required. The Association remains unconvinced by the supporting consultant's reports that indicate that both Princess Street and Hutchinson Drive will cope with the traffic generated by the development.
- The wider community's concerns about the lack of provision for wider community infrastructure (such as kindergartens, child-care centres, schools, public transport) should be properly addressed as part of the development.

November 2005

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Kew Cottages Coalition (KCC)

3rd November 2005

Mayor Jack Wegman
Boroondara Council
Private Bag 1
Camberwell
Vic 3124

Dear Jack,

Kew Cottages – Revised Development Plan

In submitting the Coalition's response to the Revised Development Plan I would first like to remind Council of the following resolutions, passed at the Public Meeting held at the Kew Civic Centre on 20th June 2005:

1. This Public Meeting convened to discuss the DHS Demolition and Development Plans for Kew Cottages:
 - Opposes the demolition of any Heritage registered buildings including B2, B4, & B5
 - Opposes removal of any significant trees;
 - Opposes the inappropriate and insensitive DHS Heritage Core Plan
 - Opposes adoption of any of the DHS/Walker Corporation Plans as submitted to Heritage Victoria and Boroondara Council

2. This Public Meeting :
 - Supports the Submission by Boroondara Council to Heritage Victoria
 - Supports the Kew Cottages Coalition Concept of a Heritage Precinct that keeps Cottages & landscape intact
 - Requests Heritage Victoria to undertake an analysis of the KCC Precinct Proposal
 - Calls on Heritage Victoria to request DHS prepare and publicly exhibit three-dimensional models of both the DHS and the KCC proposals, together with comparative costs, and such other relevant information, including the contractual arrangements between the Government and Walker Corporation, as Heritage Victoria may determine appropriate in consultation with Boroondara Council.

3. This Public Meeting :
 - a) Commends Boroondara Council for its submission to Heritage Victoria.

b) Requests Council to seek further and better particulars from Government regarding the proposed Kew Cottages Development Plan, and

c) That Council specifically request the Minister for Planning to:

- Defer consideration of the Walker Development Plan - Kew pending a decision by the Heritage Council on Permit Application P9382 by the Department of Human Services.
- Establish a review of the Kew Cottages Planning Scheme Amendment in light of the Heritage Council's decision in the above matter.

These motions, are in our submission still as relevant today, as they were in June because they still address the underlying principles and issues associated with both the future of the Cottages, and thereby, any revision of the Development Plan put before Council.

In particular, they address the need for a revised plan that at a minimum:

1. Has adequate and comprehensive information provided to the public in the form of three-dimensional model, with supporting documentation;
2. Is sufficiently sensitive to the needs of residents, heritage buildings, and landscape to enable Council to plan appropriately for the management and maintenance of public infrastructure and public open space.
3. Is capable of review in light of the Heritage Council's decision (above);

Unfortunately, in our view the current version of the Walker Plan is still neither adequate, nor comprehensive, and it is certainly not sensitive to the needs of residents and heritage requirements. To be positive, therefore, the best that can be said is that the plan is capable of review in light of the Heritage Council's decision, and on that basis I commend our attached submission to your attention

Additional documentation and supporting argument, including alternative subdivision plans and apartment layouts are available on our website at: www.kew.org.au

With warm regards,

Brian Walsh
President
Encs:

***“Decisions and Revisions
which a minute will reverse...”***

**T.S. Eliot
The Waste Land**

**A Submission to Boroondara Council
Kew Cottages Coalition
3rd November 2005**

The Good News

Walker Corporation has recently been widely reported in the press as having now “Changed its Plan,” (Progress Leader, The Age, The Australian). Various reasons have been advanced for the change of plan ranging from “Community pressure” to “change in market conditions”, to the “Heritage Victoria decision”.

Whatever the reasons, it does appear that Walker Corporation now believes that there really are alternative development solutions available at Kew Cottages.

The latter view is despite DHS’s own assertions to the contrary just over three months ago in July 2005. So it marks a significant change in the stance of the Government and its preferred developer.

Recommendation:

We recommend, therefore, that Council seek further and better particulars from DHS, acting for the owner of the site, as to whether they now agree with Walker Corporation on the specifics of the alternative development solutions available at the Cottages, and/or whether the detailed Development Plan issues involved, are still under discussion.

Why the change of plan is significant.

In support of its recent successful application for a Permit to bulldoze a significant number of State Heritage Registered trees, landscape, and historic buildings in the grounds of Kew Cottages, the Government relied essentially on economic arguments.

In assessing the DHS Demolition Permit Application Heritage Victoria identified the economic arguments put by DHS on behalf of the Government as, *“material and compelling consideration balancing the redevelopment and heritage conservation outcome for the overall site...”*

Heritage Victoria also carefully noted, *“These figures (\$15.4 million) are based on there being no alternative development solutions to the layout originally proposed*

by the preferred developer, so as to take up the shortfall of apartments..." (our emphasis added)

Kew Cottages Coalition challenged the DHS evidence at the time, and submitted subdivision plans that did provide an alternative development solution. The KCC plan was based on moving the DHS high rise (4 & 5 storey) apartment blocks away from the most sensitive heritage areas of the grounds - eg: away from both the original Cottages, that DHS seeks to demolish, and the Willsmere Landmark building.

Heritage Victoria then reported, "*Evidence has been submitted to indicate that there are very limited opportunities to re-configure and/or re-work the current scheme under the Urban Design Framework to re-distribute the apartment units lost. This matter has been taken up with DHS and through them, the preferred developer, and this is their stated position.*"

However, the new Development Plan presented to Boroondara Council by Walker Corporation appears, at face value, to totally contradict DHS' s economic argument.

The New Building Height Envelope Plan (p.16) clearly shows that Walker Corporation now believes that alternative development solutions are possible. Their Revised Plan shows it would be possible to re-distribute the apartment units lost - in a new location that is several hundred metres NE of the 3 Heritage listed Cottages that DHS wants to demolish.

If the new Development Plan is accurate then, the question must now be asked: "Why was Heritage Victoria not informed as soon as this new ' expert' evidence on potentially suitable sites for 4 storey apartments became available ?"

Why has the Bracks Government allowed the development process to proceed so far down the track without a full and proper assessment of ALL the Heritage options available, BEFORE seeking approval to send in the wreckers ?

Will the Minister for Planning now present this new evidence - ie: the "Walker Development Plan - Kew" to the Heritage Council and request that a review of the Demolition Permit issued to DHS be undertaken by the Heritage Council as a matter of urgency ?

Recommendation:

Pending clarification of the above matters, we recommend that Council seek an extension of time from the Government to clarify all outstanding matters and details associated with the revised Development Plan.

The Bad News

1. There is still a serious lack of important design detail so no proper examination of the design can be made at this stage.

2. *The concept fails to address the desired need for a proper biodiversity corridor through the site linking Yarra Bend Park with the Latrobe Golf Course and the Yarra Valley beyond. The 4 storey buildings planned to replace the 3 heritage listed buildings to be demolished will prevent this.*
3. *The approval to demolish these buildings which are an important link with the history of the Kew Cottages is considered to be quite unnecessary and a deplorable decision on the part of the Government.*
4. *The plan while providing for a multi purpose recreation centre is seriously lacking in the provision of other community facilities such as outdoor sports facilities, a child minding health centre, facilities for youth and the aged, an educational facility and an arts and creativity centre to name but a few.*
5. *No mention appears to be made of the use/s proposed for the 3 heritage listed buildings to be retained. The KCC supported by the Kew Cottages Parents Association has made an application to Heritage Victoria to have them reserved for a number of possible uses as listed on the attached summary.*
6. *The likely future traffic problems in the area do not appear to have been addressed properly if at all, and no adequate provision appears to have been made for both on street and off-street parking. Maybe the adjacent streets may have to take the overflow.*
7. *The KCC has applied to Heritage Victoria to have the Main Drive preserved and extended into the Willsmere site as a reinstatement of the original magnificent tree lined avenue right through to the main Willsmere building and for the original gateway presently located at Victoria Park, Kew to be moved back to Main Drive at the Princess Street entrance. The developers proposal indicates that Main Drive will be diverted about half way along its present length and the remaining section destroyed and possibly converted to a walking track. A similar fate apparently awaits Boundary Road. The KCC strongly objects to this short sighted possibility.*
8. *No details appear to have been made available of the actual lot sizes proposed and the likely break up of the various types of building uses proposed. One can only hope the Council planning and other related requirements are observed by the builder.*
8. *The curtiledge proposed by the developer of 2 metres around the remaining 3 heritage buildings is an insult to the intelligence of any thinking person who appreciates the real historic value of these buildings. It shows either a complete misunderstanding of their importance and/or a complete lack of architectural*

sensitivity and aesthetic appreciation when they are obviously going to be overpowered visually by the proposed new 4 storey adjoining apartment blocks.

9. Little or no consideration appears to have been given to the pedestrian safety needs of the 100 ID residents, young children and aged or physically handicapped residents regarding speed control devices, as these appear to have been located only at road or street intersections and will not necessarily slow the traffic down between intersections.

Attachment.

SUGGESTIONS for HERITAGE PROTECTED BUILDINGS on the KEW COTTAGES SITE

It is important that the six buildings listed for heritage protection be put to good use for INTELLECTUALLY DISABLED people (including I.D CHILDREN) as was their original historic and intended purpose. With every regard to heritage protection, these buildings could easily cater for unmet needs of I.D residents and others as appropriate.

These unique and historic buildings could be of benefit to many Department of Human Services clients and if retained in their present form will lend charm, character and historic interest to the whole estate.

We feel the following suggestions regarding their future use are worthy of further consideration:

1. A medical clinic for the whole estate with provision for professional day and complete overnight care for I.D residents. (Not required if developers plans provide for this)
2. A fully equipped dental clinic with an anaesthetics facility available to all people on the estate and I.D people offsite. (Not required if developers plans provide for this)
3. An archival centre covering the history of I.D care in Victoria including a display of historical photographs covering the early years and later photographs of significance and display of memorabilia. The beautiful little memorial to the nine residents who perished in the fire should be relocated in front of the proposed Archival Centre in an appropriate garden setting.
4. Day programs of 30 hours/week for onsite residents particularly those with challenging behaviours.

5. *The chapel to be retained for religious purposes for use by all residents, the local community and the intellectually disabled living offsite.*
6. Early intervention services for I.D children and others with related disabilities.
7. The new location for the KCPA office and separate Parents Retreat.
8. Respite care services for I.D people to supplement present grossly inadequate services in the community today.
9. Frail aged care for ID people who otherwise would be placed in nursing homes or hospitals where staff usually have little knowledge of the needs of I.D people. The Pat Kaufmann facility for the Frail Aged at the Minda Centre in South Australia is a fine example of this.
10. A safety net for I.D people who for whatever reason, psychological, social or behavioural do not integrate comfortably in todays busy society and may require professional management in a sympathetic environment such as at Kew Cottages to overcome their extreme concerns.
11. Accommodation and services to relieve some of the 3000 plus I.D people on the waiting list with over 1000 on the urgent waiting list still living at home with old parents crying out for alternative accommodation.

The six heritage buildings listed would lend themselves to all of the above needs which today are either in critically short supply or completely lacking in Victoria where the demand grows daily. All heritage buildings should of course have satisfactory adjoining curtilage in accordance with Heritage Victoria's requirements.

DRAFT SUBMISSION

VIEWS OF BOROONDARA CITY COUNCIL

25 NOVEMBER 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. This area should remain as open space, and should not be used by vehicles in the revised WDP submitted for approval to the Minister for Planning.
- b) The large River Red Gum located to the north of Lower Drive noted as No. 305 on the Tree Protection Plan LSK11 has the largest canopy of any tree found on the site, is covered by a VPO, and is listed as significant by Heritage Victoria. This tree is highly significant and should 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:

- c) Ensuring that the level of detail (as required by the Development Plan Overlay Schedule 3 – Kew Residential Services) has been provided.
- d) 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. 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. In the interests of ensuring certainty for both Council and the community, in terms of the potential yield on the site, it is submitted that the development plan should specify that regardless of the number of lots, the maximum number of dwellings on the site should be 520, and that of these 520 dwellings not more than 8% of the site will be apartments.

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 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 waster volume sent to landfill.

Vegetation

A Tree Protection Plan provided in the revised WDP shows trees to be retained and removed across the site during stages 1 & 2 of the site's redevelopment. Council submits that the Tree Protection Plan and the associated Arboriculture Management Plan submitted to Council as further information, are requirements under DPO3, and should form part of the revised WDP. In addition, this plan should be updated to cover all stages of development envisaged under the revised WDP.

The DPO3 requires the retention of significant vegetation identified for protection, unless permits for removal are sought and granted. 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 proposed to provide further details regarding tree removal for latter stages. As Council does not have any further formal opportunity to comment on plans for the site at latter stages (including matters relating to vegetation preservation), Walker Corporation should provide a commitment to include in the development plan, a note stating that: "That all trees identified as significant by Heritage Victoria or identified in the Vegetation Protection Overlay – Schedule 3, are to be retained."

It is noted however, that the Tree Protection Plan proposes removal of the large River Red Gum located to the north of Lower Drive noted as No. 305 on the Tree Protection Plan LSK11. This tree has the largest canopy of any tree found on the entire site is covered by a VPO, and is listed as significant by Heritage Victoria, and must be protected.

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. This Plan should form part of 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 polyanthemos*
- *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*.

Indicative materials and finishes of proposed dwellings have not been provided. This information is required by DPO3, and has been requested to be provided by Council. The Walker Corporation has submitted that such details are unknown at this stage. Council seeks to ensure that 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 are sensitively managed. The use of muted tone colours, and non-reflective materials will be important in these locations, and should be noted to form part of the revised WDP.

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 Willsmere is proposed to be used as a shared accessway for vehicles and pedestrians. Previously, Boundary Walk was proposed to be reserved for public open space. It is understood through discussions with the architects representing Walker Corporation, that the purpose of this road is to provide activity between new development and the Willsmere boundary wall, to ensure improved safety through natural surveillance of this part of the site.

The establishment of a vehicular road along the Boundary Walk interface was not envisaged under the previous development plan, nor the Urban Design Framework incorporated in the Boroondara Planning Scheme. The Urban Design Framework requires the establishment of a 26metre buffer of open space at this location. Council is of the view that this open space buffer should be honored in the revised WDP without the presence of vehicles.

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 Bosis Research. The Bosis 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. 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 is sufficient to deal with the 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, and should form part of 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.

The TTM traffic engineering analysis and associated VicRoads comments should 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:

- d) The 'service street' verge widths are less than those specified in the Scheme;
- e) Parking on laneways of less than 5.5 metre should be prohibited or restricted to specified indented bays; and
- f) 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:

- c) Medium density dwellings: 1 space / 5 dwellings; and
- d) 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:

- Boundary Walk should contain a minimum of 26m between new built form and the historic Willsmere wall. This area should remain as open space, and should not be used by vehicles in the revised WDP submitted for approval to the Minister for Planning.
- The large River Red Gum located to the north of Lower Drive noted as No. 305 on the Tree Protection Plan LSK11 has the largest canopy of any tree found on the site, is covered by a VPO, and is listed as significant by Heritage Victoria. This tree is highly significant and should 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 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) *A traffic engineering analysis and Roads Corporation comments*
 - The TTM traffic engineering analysis and associated VicRoads comments should form part of development plan submitted to the Minister for Planning for approval.
- b) *The number and size of proposed lots.*
 - The number of lots specified in the development plan should be specified as 420, in line with current yield predictions made by the Walker Corporation.
- c) *Retention of significant vegetation identified for protection*
 - A statement should appear in the revised WDP that; “No significant trees, as identified by Heritage Victoria, or in the Vegetation Protection Overlay shall be removed.”
- d) *A tree protection strategy to protect retained trees during construction and after the development is completed.*
 - The Tree Protection Plan and the associated Arboriculture Management Plan submitted to Council as additional information, should form part of the revised WDP submitted to the Minister for Planning for approval.
- e) *An Archaeological Assessment*
 - The revised WDP should contain a statement committing to the retention of trees along Main Drive and Lower Drive in order to preserve the relationship between original elements of the site’s landscape.
- f) *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.

g) *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. This area should remain as open space, and should not be used by vehicles in the revised WDP submitted for approval to the Minister for Planning.

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.

Wills Street interface: Acoustic treatments should be included for this edge treatment to ensure that increased traffic generation on Main Drive does not unreasonably impact on the amenity of properties adjoining the Wills Street interface.

Indicative materials and finishes

- Indicative materials and finishes of proposed dwellings have not been provided. 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 use of muted tone colours, and non-reflective materials will be important in these locations, and should be noted to form part of the WDP.

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.