

PERMIT

HERITAGE ACT 1995

PERMIT NO: P9639

OWNER/S: Department of Human Services
ADDRESS: Kew Residential Services
Locked Bag 15
Kew 3101



HERITAGE REGISTER NO:	H2073	FILE NO:
REGISTRATION CATEGORY:	Heritage Place	HER/2001/001389
NAME OF PLACE /OBJECT (IF ANY):	FORMER KEW COTTAGES (KEW RESIDENTIAL SERVICES)	
LOCATION:	PRINCESS STREET KEW	

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

- 1. Proposed 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, as set out on drawings HVS_1B, HVS_3B, HVS_4, HVS_5, HVS_6, HVS_7, prepared by dKO architecture Pty Ltd, dated July 2005, drawing 00009976/SD-00/4/01 dated 9/09/2005, and in the 'submission in support of an application for a Heritage permit, pursuant to s.67 (1) of the Heritage Act 1995, Former Kew Cottages Site, prepared by Disability Services, DHS and SJB Planning Pty Ltd, May 2005' and 'Heritage Impact Statement, prepared for DHS by HLCD Pty Ltd, May 2005' and 'Proposed Development, Report on Submissions, HLCD Pty Ltd, July 2005'*
- 2. Proposed development of Stages I and II for residential development including community houses as set out on drawing HVS_2B dated July 2005, endorsed by the Executive Director and forming part of this permit, and in the 'submission in support of an application for a Heritage permit, pursuant to s.67 (1) of the Heritage Act 1995, Former Kew Cottages Site, prepared by Disability Services, DHS and SJB Planning Pty Ltd, May 2005' and 'Heritage Impact Statement, prepared for DHS by HLCD Pty Ltd, May 2005' and 'Proposed Development, Report on Submissions, HLCD Pty Ltd, July 2005'.*

CONDITIONS:

PROPOSED 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.

Period of permit

1. This permit shall expire if the permitted works have not commenced within four (4) years of the date of issue of this permit, or are not completed within seven (7) years of the date of issue of this permit, unless otherwise agreed in writing by the Executive Director, prior the expiry of either of these dates.

Reason: *To allow sufficient time for the implementation of the proposed phased development of the site*

Demolition of Buildings

2. Unless otherwise agreed in writing by the Executive Director, the demolition of B2 Cottage (House/Hostel, 1887,1954-60) B4 Cottage (*Unit 11, 1891, 1954-60*) and B5 Female Hospital Block (*Unit 9, 1898-1900, 1954-60*) shall not take place until:

- the re-development of this part of the KRS site has received detailed approval and the development is ready to commence, and
- the following conditions are satisfied:

I. A comprehensive archival quality photographic record of Building B2 Cottage (House/Hostel, 1887,1954-60), B4 (*Unit 11, 1891, 1954-60*) and B5 Female Hospital Block (*Unit 9, 1898-1900, 1954-60*), and also F1 Fire Memorial Column and garden setting, F2 Long Term Residents' Memorial, and F3 Residents Sculpture in their current locations, shall be undertaken, in accordance with Heritage Victoria's *Standard Format for Photographic Record*. Two copies of the photographic record are to be submitted to the Executive Director, Heritage Victoria, for approval in writing.

Reason: *To ensure an accurate archival record is created of the current condition of the buildings prior to their demolition and the memorials in their original location,, prior to their relocation, to aid the understanding of the continued evolution of the site, and the interpretation of its cultural heritage significance to future generations*

II. A photographic record of the existing conditions and detailed drawings to show any proposed works to the following buildings: Exterior only B1 Cottage (*Unit 10*) interior and exterior of B3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD) are to be submitted to the Executive Director and approved in writing.

Reason: *To ensure these remaining heritage registered buildings are repaired and that any proposed works are sympathetic and appropriate to the cultural heritage significance of these buildings*

III. Detailed drawings to show the proposed new locations, reinstatement works and conservation works to the following feature; F1 Fire memorial Column and garden setting, F2 Long term Residents' Memorial, and F3 Residents Sculpture are to be submitted to the Executive Director and approved in writing.

Reason: *To ensure the proposals are sympathetic to, and will not impact on the cultural heritage significance of these structures.*

IV. A Conservation Management Plan for Buildings B1 Cottage (*Unit 10*) B 3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD) and their landscape setting, F1 Fire memorial Column, F2 Long Term Residents' Memorial, F3 Residents Sculpture, shall be prepared and submitted to the Executive Director for approval in writing. The Conservation Management Plan shall specifically address:

- The historical archaeological potential of the site and the need for a watching brief and recording during the development of the pre-1920 parts of the site.
- Options for the future adaptive re-use of Building B1 Cottage (*Unit 10*) B 3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD).
- Proposed management regimes for the ongoing management and conservation of Buildings B1 Cottage (*Unit 10*) B 3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD), F1 Fire memorial Column, F2 Long term Residents' Memorial, and F3 Residents Sculpture, and their landscape setting.

Reason: *To ensure the conservation and ongoing management of the heritage registered building, memorials, sculptures and their setting..*

Protection

3. Proposals for the security and protection of :

- Buildings B1 Cottage (Unit 10), B2 Cottage (House Hostel), B 3 School House (Parents Retreat/Chapel), B4 Cottage (Unit 11), B5 Female Hospital Block (Unit 9), B6 Dinning room (STAD), F1 Fire memorial Column, F2 Long term Residents' Memorial and F3 Residents Sculpture prior to implementation of the staged development of the site, and
- Buildings B1 Cottage (Unit 10), B3 School House (Parents Retreat/Chapel), B6 Dinning room (STAD), F1 Fire memorial Column, F2 Long term Residents' Memorial and F3 Residents Sculpture, during the implementation of the redevelopment of the site,

shall be submitted to the Executive Director for approval in writing, prior to the commencement of the redevelopment of this part of the KRS site.

Reason: *To ensure the protection and security of the heritage registered buildings and memorials prior to the redevelopment of the site, and during the construction stages of the development of the site.*

Conservation Works

4. A schedule and program of conservation works to B1 Cottage (Unit 10), B 3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD) and their landscape setting, F1 Fire Memorial Column, F2 Long term Residents' Memorial, F3 Residents Sculpture shall be submitted to the Executive Director for approval in writing, prior to the commencement of the development of this part of the KRS site.

The program of approved conservation works shall be completed to the satisfaction of the Executive Director prior to the practical completion of the proposed apartment buildings adjacent to B1 Cottage (Unit 10) B 3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD), unless otherwise agreed in writing by the Executive Director.

Reason: *To ensure the heritage registered buildings, memorials and their landscape setting are conserved as part of the overall development of the site.*

Security

5. That in accordance with s.74.(4) of the *Heritage Act 1995*, security, in the form of an unconditional Bank Guarantee made out to the Victorian Heritage Council, to ensure completion of the conservation works to B1 Cottage (Unit 10) B 3 School House (Parents Retreat/Chapel) and B6 Dinning room (STAD), F1 Fire Memorial Column, F2 Long term Residents' Memorial, and F3 Residents Sculpture, shall be submitted to the Executive Director, Heritage Victoria. The amount of the Bank Guarantee shall be based on the total of the fully costed schedule of conservation works submitted and approved in accordance with condition 4. The Bank Guarantee will be returned upon the satisfactory completion of the works.

Reason: *To ensure the satisfactory completion of the conservation works to the heritage registered buildings and structures*

Interpretation Plan

6. An Interpretation Plan for the whole site shall be prepared by a suitably qualified and experienced practitioner. The Interpretation Plan shall include proposals for the use of one the retained buildings for the display of interpretive material, and for interpretation signing across the site telling the history and development of the Kew Cottages site, including its landscape. The Interpretation Plan shall be submitted to the Executive Director for approval in writing, and shall be implemented no later than six months from the completion of the development.

Reason: *To inform and enhance the public understanding of the cultural heritage significance of the Kew Cottages site*

New Development

7. Full design details for the future development of the site, or stages thereof, shall be submitted to the Executive Director, for approval in writing, prior to the commencement of any proposed development. Any proposals which includes:

- development or works to, F4 Main Drive, F5 Boundary Drive, F6 Lower Drive and F7 Oak Walk and the associated significant avenues of trees
- development or works within the vicinity of any other significant trees on the site
- the apartment buildings adjoining B1, B3 and B6
- the adaptive re-use of Buildings B1, B3 and B6
- the three apartment buildings in the south west corner of the site

shall be accompanied by a Heritage Impact Assessment, prepared in accordance with the *Heritage Impact Statements Guidelines*, adopted by Heritage Victoria.

Reason: *To allow a detailed assessment of the potential physical and visual impacts of these proposals on the significant buildings and landscape elements of the Kew Residential Site, and the adjacent former Willsmere Hospital site.*

8. No part of the proposed apartment building in the south western part of the site located adjacent to the former Willsmere Hospital site is to be built within the 26 meter buffer zone set out in the Urban Design Framework October 2003, and the overall building height, including plant, shall not to exceed RL 79.8 in accordance with submitted drawing 00009976/SD, 00/4/01 dated 9/09/2005. In developing the design of the apartment buildings at the southern end of the site, detailed consideration shall be given to the external materials, siting and relationship with, and potential impacts on the landmark qualities and visual setting of the adjacent former Willsmere Hospital buildings, and the extensive views to this heritage registered place.

Reason: *To ensure the visual impact of the apartment building on the landmark setting of the adjacent Heritage Registered former Willsmere Hospital building is minimised.*

Landscaping

9. A comprehensive Landscape Management Plan shall be prepared for the site, [Excluding Stages I & II] incorporating,

- all the significant trees on the site.
- the hard landscape elements of F4 Main Drive, F5 Boundary Drive, F6 Lower Drive and F7 Oak Walk, including the gutters and the lamp posts.
- all other retained trees
- proposals for re-instatement plantings along proposed F4 Main Drive, F5 Boundary Drive, F Lower Drive, and F7 Oak Walk
- any fencing treatments fronting F4 Main Drive, F5 Boundary Drive, F Lower Drive, and F7 Oak Walk and the Public Open Space areas
- full details of the proposed landscape treatment of the public open spaces, including the landscape treatment of the heritage core area., and any proposed play equipment, furniture, lighting

is to be prepared and submitted for the approval of the Executive Director before re-development on the site commences. It should include clear recommendations for future management and maintenance of the significant trees within the Public Open Spaces, Highway Verges and Private Gardens (Tree Management Program). An endorsed copy of the Landscape Management Plan shall for part of the permit.

Reason: *To ensure and that the proposed landscape treatment of the public open space, re-instatement of trees, and fencing is appropriate and sympathetic to the existing landscape, and to ensure the existing trees and proposed landscaping for the site is maintained into the future.*

Conservation of trees during works

10. An Arboricultural Management Plan, prepared by an arborist to be submitted for approval by the Executive Director prior to the commencement of development. The plan must show or demonstrate:

- the steps necessary to protect trees during the construction of the development
- tree protection zones for all trees to be determined and shown on the plan
- that the roots will be rigorously protected from damage
- that the construction of any paved surface will not involve removal of or excessive additions to soil, within the root zones
- the precise position of the canopies to be documented to enable evaluation of the impact of works
- that the construction of or resurfacing of driveways should be rigorously reviewed to ensure that it will not result in a diminution to tree health
- the trees and plants that are required to be removed and/or relocated

An endorsed copy of the Arboricultural Management Plan shall form part of this permit.

Reason: *To ensure all existing trees are protected during the construction phase of the development.*

PROPOSED DEVELOPMENT OF STAGES I AND II FOR RESIDENTIAL DEVELOPMENT INCLUDING COMMUNITY HOUSES

Landscaping

11. A Landscape Management Plan document for Stages I and II, incorporating

- all the significant trees on the site
- all other retained trees
- full details of the proposed landscape treatment of the public open spaces including the boardwalk, and any proposed play equipment, furniture, lighting
- proposals for re-instatement plantings along Lower Drive and Princess Street, and
- proposed fencing treatment to the Lower Drive, Princess Street frontages, and the Public Open Space areas

is to be prepared and submitted for the approval of the Executive Director before re-development on the site commences. It should include clear recommendations for future management and maintenance of the significant trees within the Public Open Spaces, Highway Verges and Private Gardens (Tree Management Program).

An endorsed copy of the Landscape Management Plan shall form part of this permit.

Reason: *To ensure and that the proposed landscape treatment of the public open space, re-instatement of trees, and fencing is appropriate and sympathetic to the existing landscape, and to ensure the existing trees and proposed landscaping for the site is maintained into the future.*

12. A full set of construction drawings for the Stages I and II shall be submitted to the Executive Director, Heritage Victoria for record purposes.

Areas of Potential Aboriginal Archaeological Significance

13. All necessary approvals from the relevant Aboriginal community and from Aboriginal Affairs Victoria, shall be obtained prior to the commencement of any works within the areas identifies as being of potential Aboriginal Archaeological Significance, and if any potential Indigenous Archaeological remains are located at any time, it is necessary for all work to cease immediately and for Aboriginal Affairs Victoria and Heritage Victoria to be contacted.

Reason: *To ensure appropriate protection and management of these areas.*

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

TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF UP TO 2,400 PENALTY UNITS (\$240,000) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$480,000).

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

Copies to: Statutory Planner, Boroondara City Council

HERITAGE VICTORIA

LEVEL 22, 80 COLLINS STREET, MELBOURNE 3000

SignedExecutive Director

Date

File Nos. HER/2001/001389
Permit Nos. P9639

9 September 2005

Mr Arthur Rogers
Department of Human Services Disability Directorate
GPO BOX 4057
MELBOURNE 3001

Dear **Mr Rogers**

**RE: FORMER KEW COTTAGES (KEW RESIDENTIAL SERVICES), PRINCESS STREET
KEW, VICTORIAN HERITAGE REGISTER NUMBER H2073, PERMIT P9639**

Attached is a permit for the above place. Please read the conditions imposed on this permit carefully.

An appeal to the Heritage Council against any of the conditions must be lodged within 60 days of this permit. Appeal Forms can be obtained from the offices of Heritage Victoria (22nd Floor, 80 Collins Street, Melbourne) or by phoning (03) 9655 6519.

Notice of appeal should be addressed to the Chairperson, Heritage Council, Nauru House, Level 22, 80 Collins Street, Melbourne, 3000.

If you have any queries please contact Janet Sullivan, Appeals Co-ordinator, on 9655 9753.

Yours sincerely

RAY TONKIN
EXECUTIVE DIRECTOR

Cc Phillip Storer, City of Boroondara,

HERITAGE ACT 1995

REPORT AND RECOMMENDATION TO EXECUTIVE DIRECTOR ON APPLICATION FOR A PERMIT

FEE RECEIVED: Yes **AMOUNT:** \$4410.00

REFUND REQUIRED: No **SENT:** N/A

OWNER/S: Department of Human Services

ADDRESS: Kew Residential Services
Locked Bag 15
Kew 3101

APPLICANT/S: Mr Arthur Rogers

ADDRESS: DEPARTMENT OF HUMAN SERVICES DISABILITY
DIRECTORATE
GPO BOX 4057
MELBOURNE 3001

HERITAGE REGISTER NO: H2073

FILE NO: HER/2001/001389

NAME OF PLACE/OBJECT: FORMER KEW COTTAGES (KEW RESIDENTIAL SERVICES)

ADDRESS / LOCATION: PRINCESS STREET KEW

APPLICATION RECEIVED: 6 June 2005 **60 DAYS EXPIRES:** 5 August 2005

CLOCK STOPPED: 6/6/05 for Advert **RESTART:** 8/7/05 **EXPIRES:** 7/8/2005

CLOCK STOPPED: 27/6/05 additional information. **RESTART:** 27/7/05 **EXPIRES:** 4/09/2005

ADVERTISING REQUIRED: Yes

WHERE ADVERTISED: *The Age*, 8 June 2005 and three notices on site

ADVERT PERIOD ENDS: 22 June 2005

OFFICER REPORTING: Ray Osborne

DESCRIPTION OF APPLICATION:

- 1. Proposed 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, as set out on drawings HVS_1B 2005, HVS_3B, HVS_4, HVS_5 and HVS_6 dated July 2005, and in the 'submission in support of an application for a Heritage permit, pursuant to s.67 (1) of the Heritage Act 1995, Former Kew Cottages Site, prepared by Disability Services, DHS and SJB Planning Pty Ltd, May 2005' and 'Heritage Impact Statement, prepared for DHS by HLCD Pty Ltd, May 2005' and 'Proposed Development, Report on Submissions, HLCD Pty Ltd, July 2005'*
- 2. Proposed development of Stages I and II for residential development including community houses as set out on drawing HVS_2B dated July 2005, and in the 'submission in support*

of an application for a Heritage permit, pursuant to s.67 (1) of the Heritage Act 1995, Former Kew Cottages Site, prepared by Disability Services, DHS and SJB Planning Pty Ltd, May 2005' and 'Heritage Impact Statement, prepared for DHS by HLCD Pty Ltd, May 2005' and 'Proposed Development, Report on Submissions, HLCD Pty Ltd, July 2005'.

SITE INSPECTION: Yes on 28 June 2005, 1 July 2005, 27 July 2005 and 1 September 2005.

DISCUSSION WITH APPLICANT: Yes, on a number of occasions.

Date: 1 July 2005, and 27 July 2005 and via emails.

RECORD OF CURRENT CONDITIONS:

Slides/photographs in Heritage Victoria collection

BACKGROUND

On 12 September 2001, Sinclair Knight Merz, acting on behalf of the Department of Human Services, wrote to Heritage Victoria, enclosing a copy of *Kew Cottages Cultural Heritage Survey, prepared by Biosis Research, August 2001*, requesting an indication as to whether it regards any elements of the site as having cultural heritage significance? In particular it requested Heritage Victoria to advise under what circumstances the site would be assessed under s.32 of the *Heritage Act 1995*?

In relation to historic cultural heritage values, the *Kew Cottages Cultural Heritage Survey, prepared by Biosis Research, August 2001*, recommended that a "Conservation Management Plan for the site should be prepared, which addresses the condition, significance and conservation requirements of the buildings and landscape elements. This should specifically include the central historic core, the Perkins Art Centre and Old Gym, and any other architecturally designed buildings, and the cultural value of the historic trees and landscape".

The study carried out a preliminary assessment of the surviving historical buildings, but noted that more detailed architectural research was required to determine the cultural heritage significance of each structure. Also more detailed assessment was required of the landscape. Page 31 of the Report provided a preliminary assessment of buildings and other elements. See Table 1

On 1 October 2001, Heritage Victoria responded advising that the site had not been nominated to the Heritage Register. It further advised that

"after a preliminary inspection by officers of Heritage Victoria and after consulting the Gary Vines report it would seem to me that a nomination would struggle to make a case for State significance and the registration of Kew Cottages, The physical fabric is not impressive, nor particularly intact, nor amongst the best examples of the cottage approach to mental health. Notwithstanding, the landscape and plantings are very fine. So to my mind Kew cottages would most likely to be judged to be of local significance were it to be assessed formally under the Heritage Act. As such the most likely outcome would be a recommendation for inclusion in the heritage overlay to the Boroondara planning scheme."