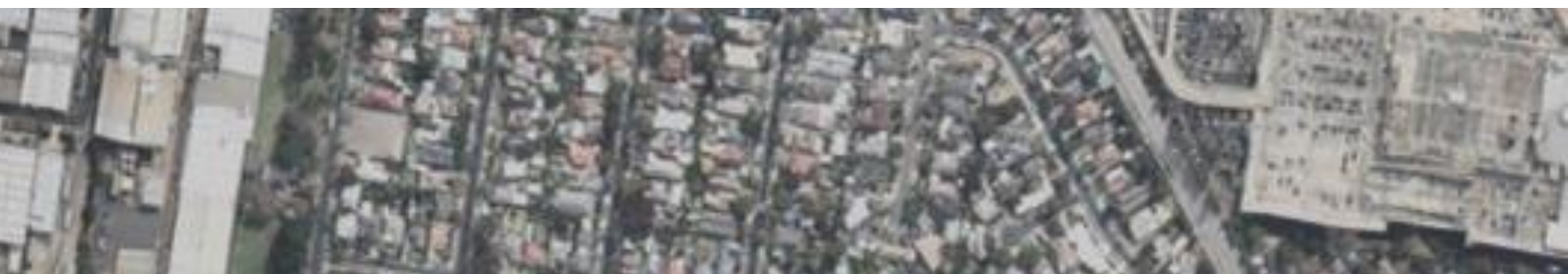




## **1136 – 1138 Nepean Highway, Highett**

Planning Scheme Amendment Report – August 2017

*Prepared for the Department of Treasury and Finance*







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# 1 Introduction

## 1.1 Purpose

This report has been prepared to support an amendment to the Kingston Planning Scheme for land located at 1136-1138 Nepean Highway, Highett ('subject site').

The proposed amendment proposes the following changes to the Kingston Planning Scheme in order to establish a revised planning framework and enable development of the land in accordance with specific design parameters for residential use:

- Minor wording changes to Clause 21.05 – Residential land use - of the Municipal Strategic Statement;
- Amend the existing Design and Development Overlay – Schedule 12 (DDO12) to delete reference to the subject site;
- Apply the Residential Growth Zone – Schedule 2 (RGZ2) to the site; and
- Apply the Development Plan Overlay – Schedule 7 (DPO7) to the site.

The subject land forms a large, underutilised urban landholding with excellent access to infrastructure, urban services and amenities. The opportunity to improve the site from its former industrial use and better integrate it with the surrounding community has long been recognised.

The current planning framework applicable to the site will not enable the land to be properly planned to meet future community needs. An updated suite of planning controls is required to encourage new uses, buildings, and community spaces within that meet community expectations.

The subject land is of a size that warrants special consideration as to how it will be planned and developed over time. Use of the Residential Growth Zone in combination with a Development Plan Overlay will allow the land to be planned and developed in an integrated and staged manner. Importantly, the Development Plan Overlay will ensure that roads, building heights, open spaces and connections to surrounding areas are planned in a manner that promotes excellent urban design outcomes and respects the surrounding context.

This report and accompanying documentation outline the way in which the proposed amended planning framework will facilitate the identified strategic planning policy goals. The report should be read in conjunction with the Architectural Investigation Report prepared by CHT Architects and the Traffic Engineering Assessment by Traffix Group. The Architectural Investigation Report provides an illustration of how the site could be developed under the proposed controls. The Traffic Engineering Assessment considers potential traffic and parking matters.

## 2 Site Context

### 2.1 The Site

The subject site is identified as 1136-1138 Nepean Highway, Highett. It is located in the municipality of Kingston, approximately 18km south-east of the Melbourne CBD (see **Figure 2**). The site is located on the western side of the Nepean Highway, and has a total area of 6.33Ha. The site's frontage is 147.27m long. It is bound by Sir William Fry Reserve to the south, the Frankston Railway line to the west and residential development to the north (see **Figure 1**). To the east is the Nepean Highway and the Moorabbin Justice Centre.



**Figure 1 - Site Context Map**

The site is predominantly vacant and has intermittently occurring grass patches and ground shrubs. Several trees are scattered across the site. Groups of predominantly native trees exist along the Nepean Highway frontage with a mix of trees towards the View Street frontages and along the railway edge of the site. A historically significant remnant brick chimney is centrally located within the site and is the only structure of the former gasworks remaining. A single vehicle accessway to the Nepean Highway exists which connects to an internal unsealed driveway.



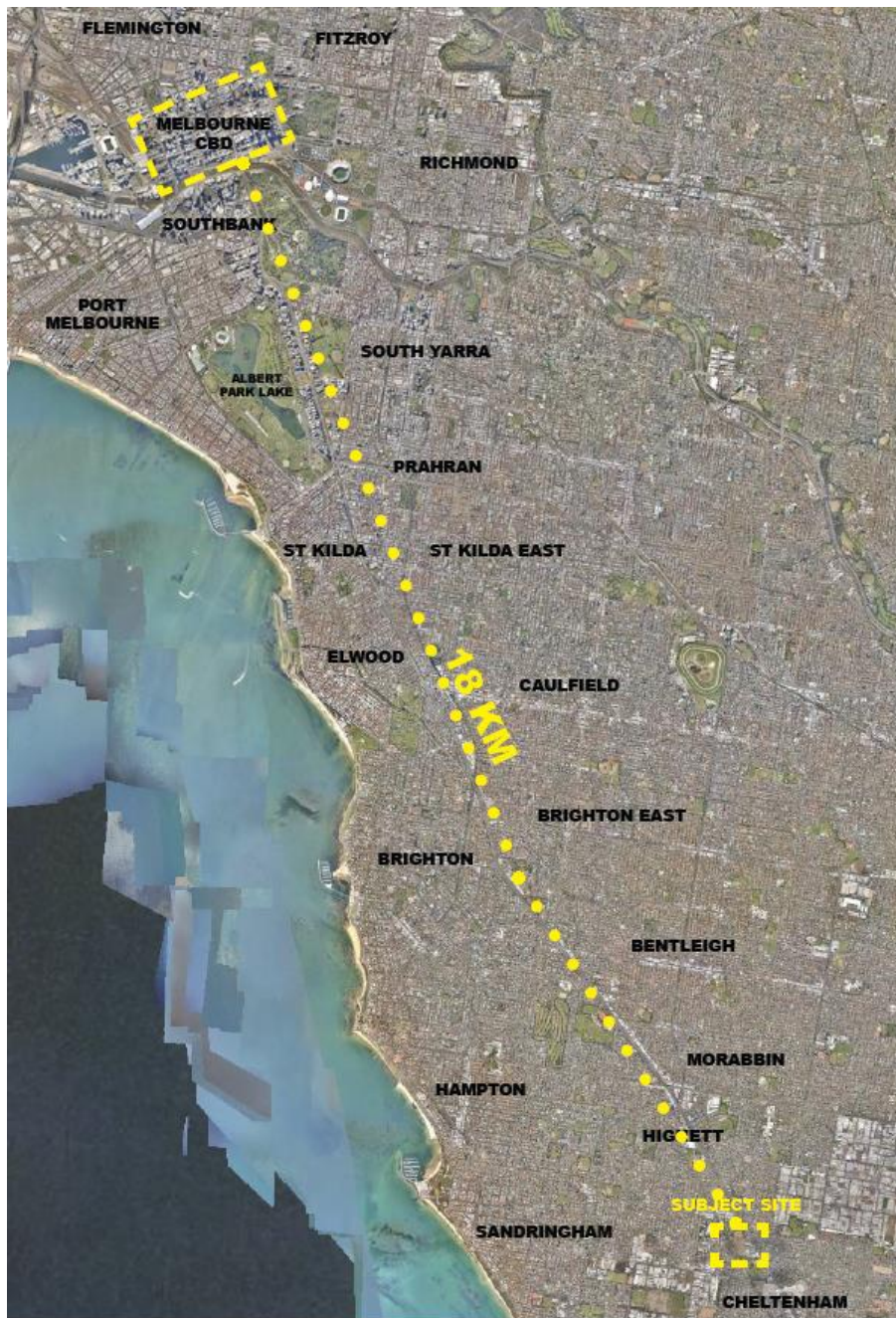


Figure 2 - Map Showing Location of subject site in relation to Melbourne CBD

## 2.2 Historical Overview of the Site

The subject site was previously used as a gas manufacturing and distribution plant by the Gas and Fuel Corporation (**Figure 3**). The site has been mostly cleared of its once extensive complex of buildings and associated equipment used in the production and distribution of gas aside from the remnant chimney.



**Figure 3 - Aerial Map of Subject Site, 1945**

Since the gas manufacturing and distribution plant ceased operation in 1969, the site has been extensively altered. Most of the infrastructure associated with the production of gas, most notably the gasometers and production areas have been demolished in the past three decades. The original owners of the land - the Gas and Fuel Corporation - retained the site and redeveloped it as a gas sales, information and administration centre, known as the 'Highett Gas Technology Business Centre'.

Several large new buildings were constructed throughout the 1970s and 1980s and the site was used as a business park rather than a production facility. This use ceased eventually and the majority of buildings were removed. The site has since remained unused. Although the site has ceased gas production, there is still gas infrastructure located throughout the site including:

- Existing gas transmission and distribution assets
- Three regulators

Due to the historical use of the land, some contamination has previously been present on site. However, the land has also been the subject of remediation works to address contamination issues.





**Figure 4 - Aerial Map of Subject Site, present day**

### 2.2.1 Titles

Two titles form the subject site:

1. Lot 2026 of TP949134X. This lot comprises 1.46Ha, primarily along the south-western boundary running parallel to the railway line. It contains easements E1, E2 and E3 which comprise gas pipelines running parallel and approximately 10m in from the Railway Line.
2. Lot 2027 of TP835477B. This lot comprises 4.866Ha – the majority of the subject site's area. It contains easements E1 and E2 located along the southern boundary of the subject site.

### 2.2.2 Site Context and Surrounding Amenities

The site is located in the municipality of the City of Kingston which has a population of approximately 135,000 and 54,000 dwellings. Kingston has the highest concentration of manufacturing employment in metropolitan Melbourne, and is therefore a major provider of jobs to the south-east metropolitan region. It is expected that Kingston's population will increase to approximately 151,000 by 2021, which will require the provision of additional housing - preferably within the municipality.

The subject site is within proximity to the following amenities:

- Sir William Fry Reserve is adjacent the site to the south. This public open space comprises an area of 8.35Ha and is recognised as an important piece of recreational infrastructure within the municipality. The ongoing interrelationship between the reserve and subject site has important implications for the development of the site and its surrounds.
- The Moorabbin Magistrates Court is located adjacent to the south-east. It was previously used as part of the gas site before it was sold to the Department of Justice.
- The Hallmarc Development (Kingston Park Apartments) is a staged residential development located south of the Moorabbin Courthouse and north-east of Sir William Fry Reserve. The ongoing development of this site may provide indicative development yield outcomes for the subject site.
- Highett Railway Station is 500m north-west of the subject site
- Cheltenham Railway Station is located 1.5km south of the subject site

- Bus routes 708, 822 and 823 operate along the Nepean Highway
- Southland Shopping Centre is 600m south of the site
- Jordan Lyle Reserve is located adjacent to Highett Railway Station

Please refer to **Figure 5**.

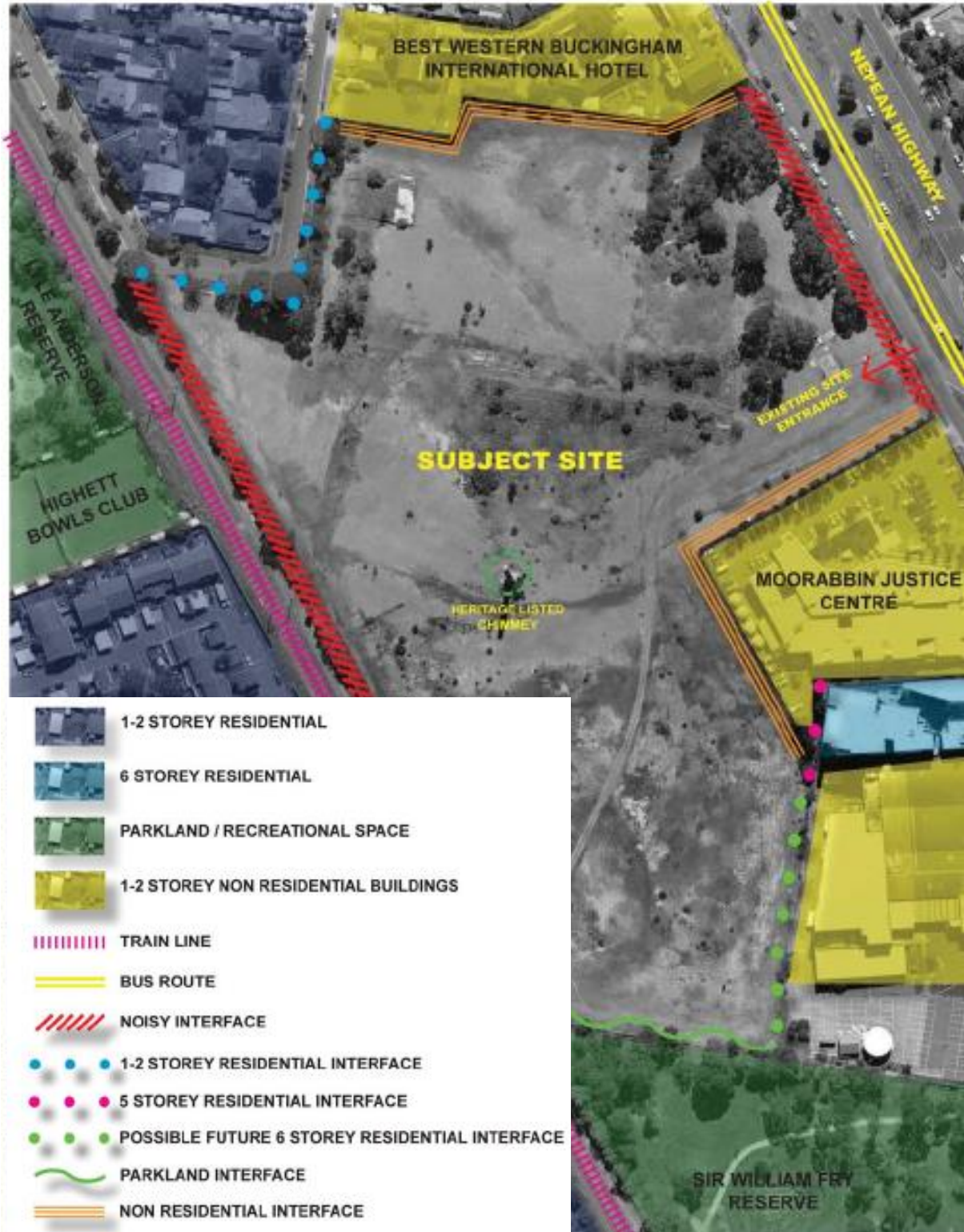


Figure 5 - Surrounding Amenities and Key Site Parameters



### 2.2.3 Environmental Assessment and Staging

The Department of Treasury and Finance initiated a voluntary audit to undertake appropriate due diligence prior to any potential redevelopment of the land. The audit report addressed both Stage 2 and Stage 2A, with a separate Statement of Audit issued for each stage as outlined below.

The former gasworks site was divided into three areas to expedite the audit process as shown in Figure 6:

- Stage 1 forms the south-east corner of the site
- Stage 2 covers the remaining eastern area of the site
- Stage 2A covers the remaining western portion of the site

Stage 1 has been remediated and sold to the Department of Justice. It has since been developed into the Moorabbin Magistrates Court.

Stage 2 and 2A are under the ownership of the Department of Treasury and Finance. Stage 2 has been deemed suitable for some development subject to conditions. Stage 2A has been assessed as unsuitable for future development to occur and requires further remediation works to be suitable for future development. DTF has commenced programming for these remediation works to occur and they are scheduled to be finished prior to completion of the sale of the site.

In addition to further remediation in the Stage 2A area, the DTF has been informed that prior to any works or development on the subject site, it is necessary to relocate the existing gas transmission pipelines offsite. It is proposed that these gas transmission pipelines be relocated to Sir William Fry Reserve. The remediation of Stage 2A will commence upon completion of these works.

Sir William Fry Reserve is currently owned by the State Government and Kingston City Council has a committee of management over the reserve. Kingston City Council have provided DTF with in principle agreement to relocating the gas lines, which would comprise an area of approximately 1,400sqm on Sir William Fry Reserve. In return, Council have requested 2,200sqm of land within the subject site be allocated to open space. This would be in addition to any other open space provided under the planning scheme or *Subdivision Act 1988*.



Figure 6 - Staging Areas for site remediation



#### 2.2.4 Native Vegetation

In 2005 Kingston Council issued Planning Permit KP264/05 which enabled removal of native vegetation in accordance with the endorsed plans. The plans showed approximately one third of the trees located on the subject site were approved to be removed. The removal of these trees was required to complete the initial remediation works for Stage 1 outlined above.

The arborist and Council have advised that the remaining trees located at the subject site can be removed, provided specific offset and protection measures are undertaken.

#### 2.2.5 Heritage

A heritage citation was prepared in 2001 as part of a broader heritage study and this recommended that the chimney on the site be protected by a heritage overlay. At that time there were more features extant (mostly brick buildings) that were not included in the heritage overlay. These features have since been demolished.

A Heritage Overlay (HO11) currently applies to a section of land within the site. It relates to the remnant chimney located at the centre of the site and the small curtilage around the chimney for a radius of five metres from the chimney base (refer **Figure 7**).

A site inspection revealed no other heritage structures.

The entry gates are not listed in the Kingston Planning Scheme and they appear to be a composition of earlier wrought metal gates and a later brick rendered portal.



**Figure 7 - Remnant Chimney**

#### 2.2.6 Movement & Transport

The existing road network includes the following key elements (refer **Figure 8**):

- Nepean Highway – a dual carriageway road to the east of the site configured with three traffic lanes in each direction. The road is classified as a Main Road by VicRoads and is located within a Category 1 Road Zone pursuant to the Kingston Planning Scheme.

- Service Road – located between the subject site and Nepean Highway along the eastern site boundary, the road is restricted to one-way traffic flow in a northbound direction only.
- Station Street – located to the north-east corner of the subject site, the street is classified as a local road and provides for one lane of traffic in each direction.
- View Street – adjoining the northern boundary of the site, the street is classified as a local road and provides for one lane of traffic in each direction.

Access to the site is currently provided via a two-way crossover to the Nepean Highway service road, located towards the site's southern boundary. No access is provided to the site from either Station Street or View Street.

A number of bus routes on the Nepean Highway currently service the site and Highett Railway Station is located approximately 500m walking distance to the north-west.

Initial correspondence with VicRoads has indicated that future development will require the provision of a signalised intersection to the Nepean Highway to manage anticipated vehicular traffic movements, with potential for early stages of development to take place prior to signal installation.

A preliminary Traffic Engineering Assessment has reviewed the configuration of the surrounding road network with regard to the proposed signals and indicated that the signals would be optimally located opposite Turner Road to the east, allowing for an efficient cross-intersection design. These signals would be spaced approximately 300m south of the nearest existing signals at Highett Road.

Furthermore, the Highett Structure Plan seeks to implement a 'loop road' through the subject site. This is discussed in Section 3.4 and Section 3.5.3 of this report.

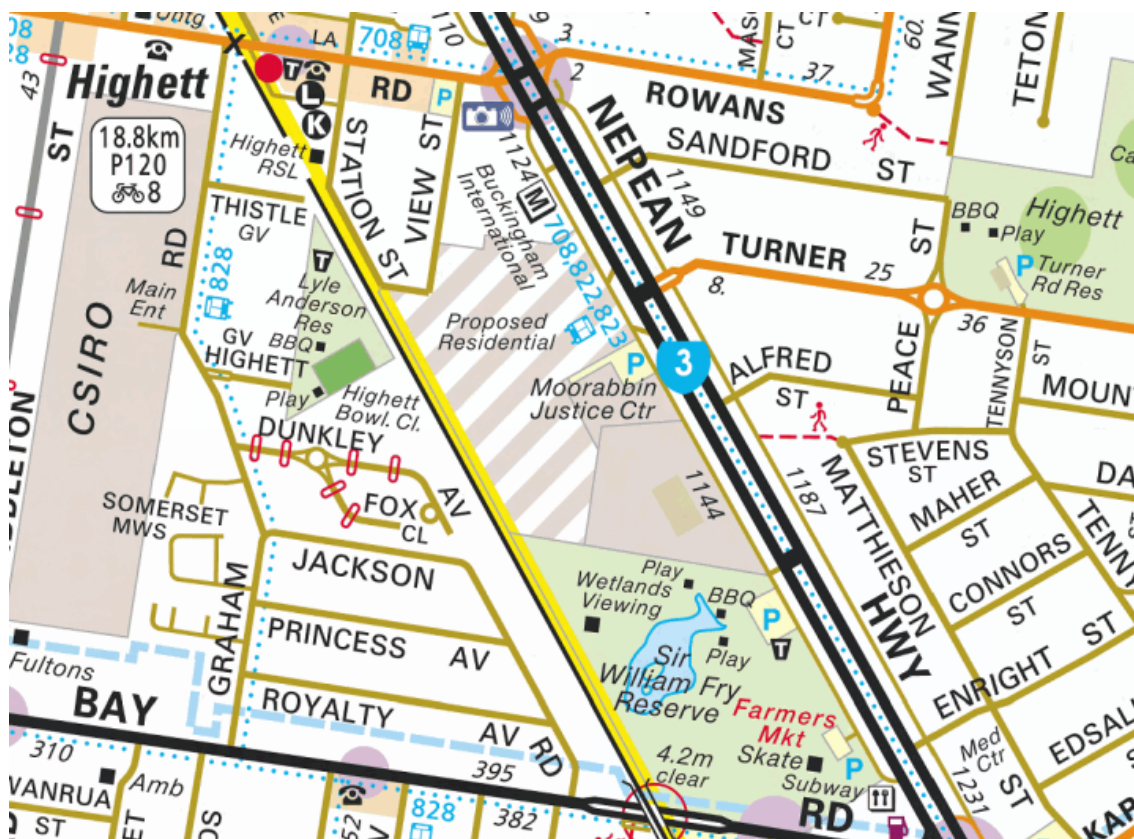


Figure 8 - Existing Road Network

### 3 Planning Policy Context and Analysis

The Kingston Planning Scheme contains a range of State and Local Planning Policy objectives relevant to the subject site. These are examined in detail at Section 6 ‘Strategic Assessment’ (page 36).

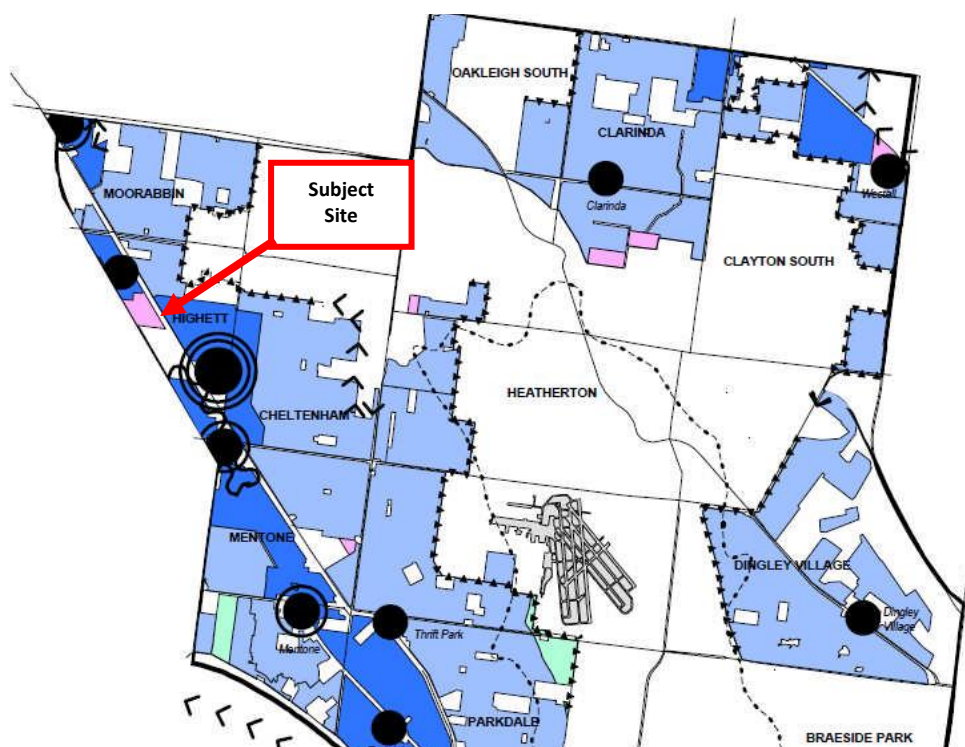


Figure 9 - Map of Residential Renewal sites in Kingston

#### 3.1 Plan Melbourne

*Plan Melbourne 2017-2050* outlines the importance to Melbourne of maintaining its status as the world’s most liveable city through addressing challenges and creating opportunities. The focus areas and objectives of Plan Melbourne include:

- Managing population growth
- Growing the economy
- Creating affordable and accessible housing
- Improving transport
- Responding to climate change
- Connecting communities

The proposed amendment and subsequent development of the site will address a number of Plan Melbourne’s objectives. It would revitalise the existing Highett area and create an increased density of housing along an arterial road in Melbourne’s south-east in a location that is walking distance from the Cheltenham-Southland Major Activity Centre. Plan Melbourne acknowledges the role of developing underutilised strategic redevelopment sites such as the subject site in providing increased dwelling numbers and diversity in well serviced locations. Plan Melbourne also recognises the potential for the



redevelopment of surplus government land in contributing reactivation of land and proceeds to be redirected by Government. For example, Plan Melbourne states:

*“Government land is an important resource for delivering services to Victorians, including places to live, work and learn. The government regularly reviews its land assets to ensure that they are being used efficiently. Land that is considered to be underutilised or surplus can then be considered for community or other government purposes or be disposed of. Any proceeds can then be reinvested into other important infrastructure. More efficient use of land owned by government can help facilitate Plan Melbourne outcomes and deliver social, economic and environmental benefits.”*

The proposed amendment supports Plan Melbourne's objectives. Residential development on this land will help manage population growth through an increased supply of housing and will assist in making housing more affordable resulting in an efficient and pragmatic planning outcome for a government-owned site.

### 3.2 Highett Structure Plan

The *Highett Structure Plan* was adopted by Council in May 2006 and currently forms a reference document within the Kingston Planning Scheme. This document provides prescriptive development guidelines which seek to achieve desired built form and design outcomes for the subject site (refer to **Figure 10**). The guidelines and outcomes for the subject site can be summarised as follows:

#### Layout and Design:

- Encourage community uses which are compatible with the Moorabbin Courthouse and residential activities. Some suggested appropriate uses could potentially include a child care centre or kindergarten.
- Ensure buildings provide surveillance of Sir William Fry Reserve.
- Ensure that development on subject site maximises views to the historic remnant chimney.
- Apply appropriate building setbacks for new development, ensuring that building occupants and users have a high level of amenity including daylight access and outlook.
- Achieve the development of high quality landscape treatment (including main road boulevard planting, canopy tree planting, screen planting, extensive tree plantings and theme plantings in appropriate locations) to be complemented by appropriate setbacks and built form.
- Ensure that building heights increase to a maximum furthest from established residential areas to the north and where contours of the land fall to minimise visual impact from surrounding residential areas.

#### Traffic and Parking:

- Relocate existing pedestrian lights on Highett Road to the Station Street intersection to provide an appropriate connection between the precinct and the Activity Centre.
- Ensure that primary vehicle access for all traffic from the precinct is directed to Nepean Highway to mitigate traffic impacts and minimise the speed and volume of vehicle movements within the adjoining residential area.
- Encourage car parking within multi-level buildings. Visible ground level car parking will generally be discouraged, except for short-term parking.
- Potential for creating a one-way loop within the streets north of the site.

### Pedestrian and Park Linkages:

- Open space links are to be provided on publicly and privately owned land to create pedestrian and cycling path connections between the Highett Railway Station, Lyle Anderson Reserve, open space to be provided within the precinct, the Moorabbin Court Complex and the Sir William Fry Reserve. This could possibly be achieved via a new pedestrian bridge over the railway line and subsequent 'green links'.
- The Highett Structure Plan advocates using the 5% cash contribution from any future redevelopment and/ or subdivision of the subject site as a means of upgrading Sir William Fry Reserve.
- The Highett Structure Plan acknowledges the 'planning risk' in relation to being redeveloped in the short term for low density uses that fail to recognise the long-term potential of the land, by 'locking out' the potential to significantly contribute to the likely housing diversity outcome that could be achieved for the precinct under a number of different development scenarios. It cites highway-based ancillary commercial uses in single level buildings, with ground level car parking as examples of poor development outcomes.

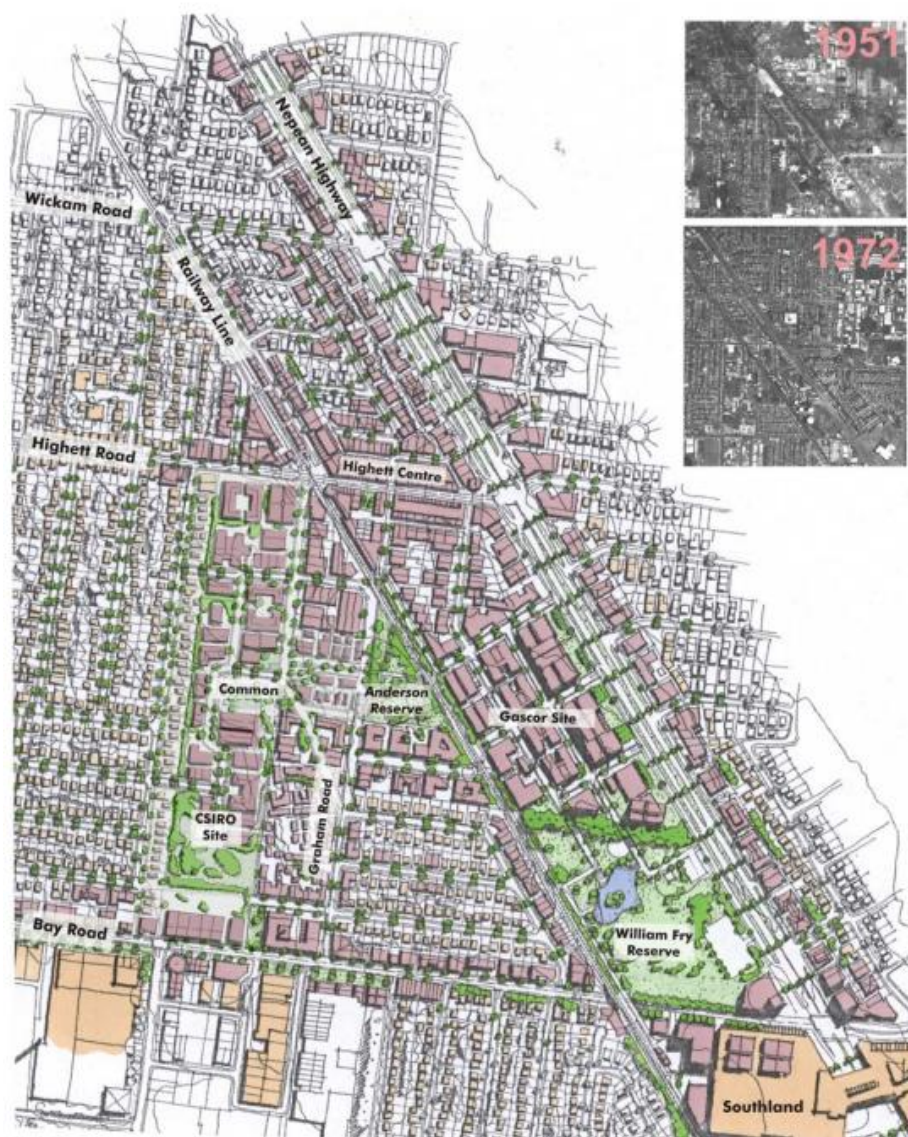


Figure 10 - Extract of Highett Structure Plan - Illustrative Vision Plan

### 3.3 Current Planning Provisions

#### 3.3.1 Zoning

##### Residential Growth Zone - Schedule 1 (RGZ1)

The subject site has had a series of amendments and changes to planning controls particularly regarding zoning. The site was originally zoned Public Use Zone 1 (PUZ1) and Business Zone 3 (BZ3). In 2005, Planning Scheme Amendment C48 saw a portion of the site rezoned from PUZ1 to PUZ7, which achieved a more appropriate zoning outcome to allow for the development for the Moorabbin Law Courts. The remainder of the site was rezoned again in 2008 under Amendment C73 to Residential 1 Zone (R1Z) to facilitate future residential development throughout the site.

In July 2014 new residential zones were introduced throughout Victoria. Under Amendment C140 for the new residential zones in Kingston, the Minister for Planning's media release on Monday 16 June identified Kingston as one of 24 Councils to move to a transitional zoning phase (General Residential Zone GRZ) until the Residential Zones Standing Advisory Committee completed their review of new zoning provisions. The transitional provisions came into effect on 1 July 2014, as a means of maintaining the existing planning policies.

Stage 1 of the Advisory Committee review identified the subject site as an area where it was recommended to 'apply the **Residential Growth Zone** to the area identified as a Residential Opportunity Site at the former Highett Gasworks Site as identified in existing Clause 21.05 of the Kingston Planning Scheme'.

On October 9 2014, Amended C150 was approved and gazetted, which enabled the recommendations made by the Advisory Committee for the subject site to come into effect. The subject site was subsequently rezoned as **Residential Growth Zone 1** (RGZ1) -the current zone applied to the site (refer **Figure 11**). This zone enables new housing at increased densities as well as providing a transition between areas of more intensive use and development and areas of restricted housing growth. A development constraint of the zone is the preferred height is up to 13.5m. The schedule to the RGZ provides no additional requirements.

The RGZ encourages the greatest residential density and scale of development of all the residential zones within the Planning Scheme. It is significant to note that the subject site along with the adjoining Halmarc site is the only location in Kingston zoned as RGZ. It is therefore a key strategic redevelopment site in the City of Kingston.



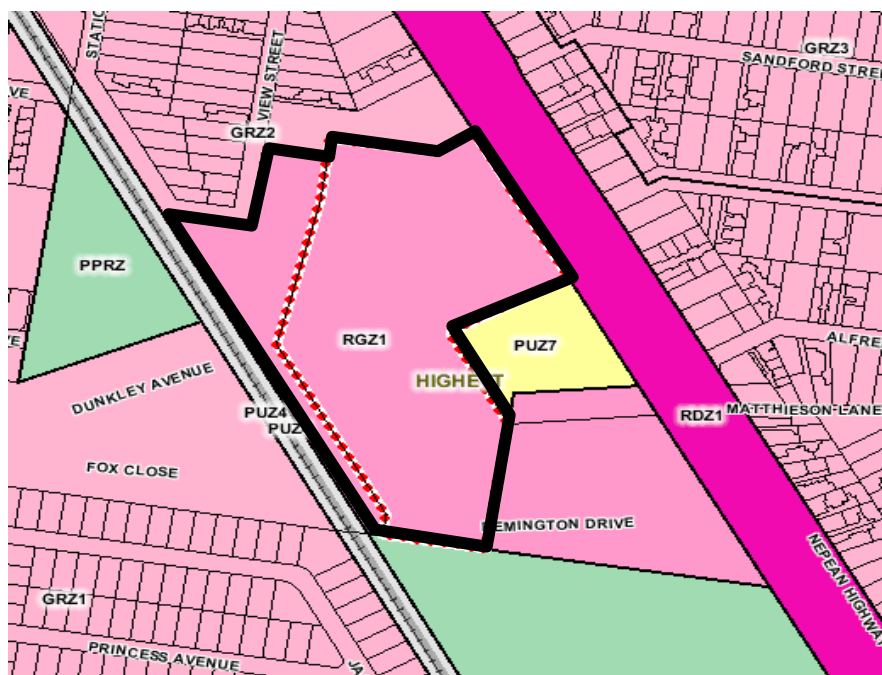


Figure 11 - Zoning Map of Subject Site

### 3.3.2 Overlays

#### Environmental Audit Overlay (EAO)

The subject site is affected by an Environmental Audit Overlay (EAO) (refer **Figure 12**). The purpose of this overlay is to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

The control stipulates that before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Refer to section 2.2.3 for details regarding current and ongoing remediation works and audits at the subject site.



Figure 12 - Environmental Audit Overlay Area

**Heritage Overlay – Schedule 11 (HO11)**

A Heritage Overlay applies to a section of the site containing a remnant chimney of approximately 32 metres in height. The chimney has a small curtilage for a radius of five metres from the chimney base (refer to **Figure 13**).

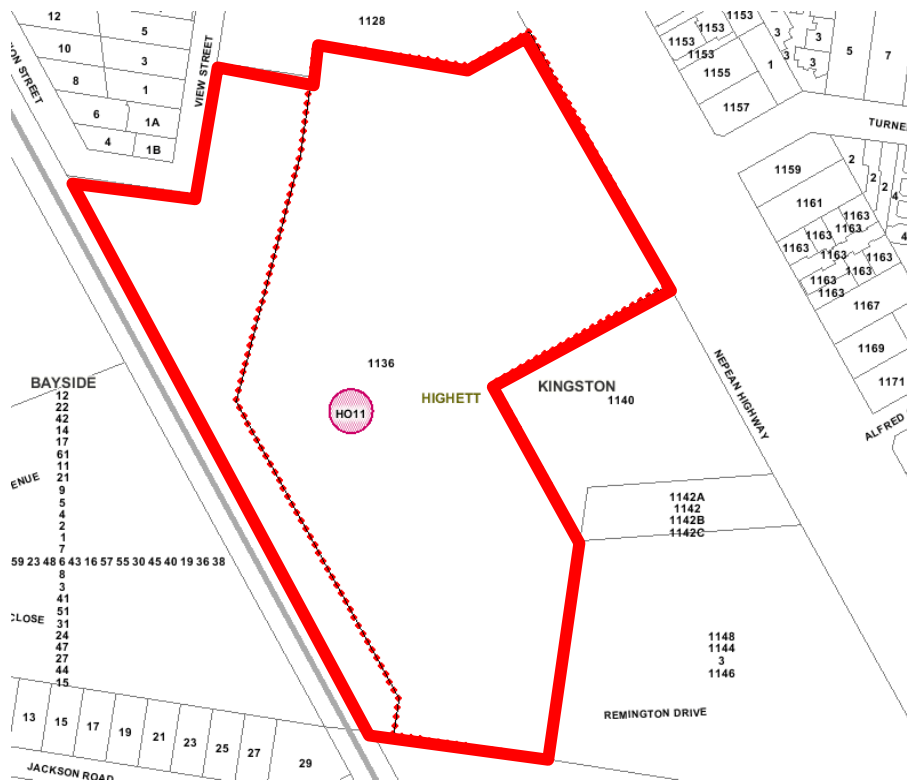


Figure 13 - Heritage Overlay Area

## Design and Development Overlay – Schedule 12 (DDO12)

The subject site is affected by Design and Development Overlay – Schedule 12. The overarching design objective for this overlay is:

- *All buildings should achieve a high standard of building design and articulation.*

This Overlay provides an outline for a development plan to guide the development of the site in a coordinated fashion. It includes specific guidelines for the 'Highway West' area to facilitate preferred development outcomes for the site and surrounds.

The Overlay divides the affected areas into precincts (H1- H6) (refer to **Figure 15**), each of which has specific desirable outcomes in terms of building height and setbacks. Important objectives and design outcomes for the subject site are as follows:

- *“To ensure buildings within Precinct H6 (Increased Density Highway West) address Nepean Highway, any new network of streets established and open space areas throughout and adjoining the precinct to provide for surveillance.*
- *To ensure that building heights increase to a maximum furthest from established residential areas to the north to minimise visual impact from surrounding residential areas.*
- *To encourage a transition of building heights across Precinct H6 (Increased Density Highway West) from 7.5 metres adjacent to established residential areas up to a maximum building height of 17 metres near the south-east corner of the precinct.*
- *To protect historic features of Precinct H6 by ensuring that adequate setbacks, scale and height are provided to taller buildings to ensure views are not compromised and development responds to the significance of the site.*
- *To create treed boulevards and high quality landscape treatment along new network or public streets and open spaces.*
- *To achieve development of circulation networks that focus on providing strong linkages within the Increased Density Highway West precinct with the Lyle Anderson Reserve west of the Railway line, the Highett Activity Centre, the Sir William Fry Reserve south of the precinct and Southland Principal Activity Centre.*
- *To provide solar access in mid-winter to key boulevards within the precinct to contribute to a comfortable, pedestrian friendly urban environment.*
- *To facilitate the enjoyment of public urban spaces, streetscapes, pedestrian and bicycle paths by ensuring that these areas are not excessively overshadowed or affected by wind tunnelling from new buildings and works.*
- *To encourage consolidation of land that facilitates the creation of viable development sites capable of achieving the outcomes promoted by the Scheme and the Highett Structure Plan, May 2006 for land within this precinct.*
- *Buildings with unique architectural or design features that substantially contributes to the overall building form and appearance as identified by the Highett Structure Plan, May 2006, must:*
  - *Substantially contribute to the overall building form and appearance by forming part of a distinctive architectural design feature;*
  - *Be based on contemporary architectural and innovative urban design elements;*
  - *Be located where higher built form outcomes are identified in the Highett Structure Plan, May 2006;*
  - *Not cast additional overshadowing upon adjacent and nearby properties and public spaces at 12 noon on 22 June.*
- *Landscape design must:*
  - *Provide canopy trees and native and indigenous plantings;*
  - *Provide landscape treatments to soften the urban built form environment; and*



- *Create private and public open space areas/links to established public open spaces areas within the surrounding area that are accessible, safe, attractive and functional for all users”*

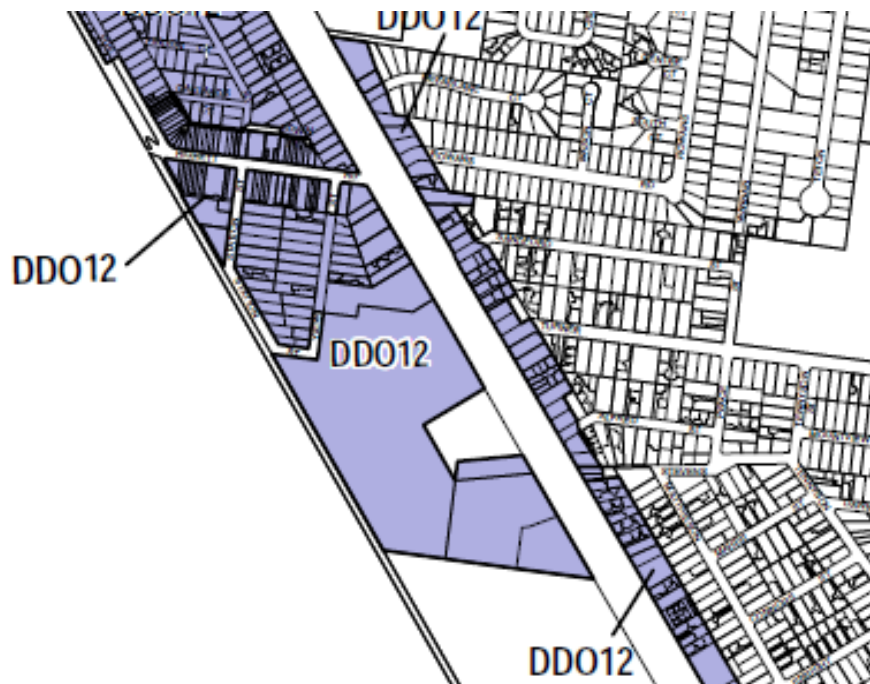


Figure 14 - Extent of DDO on Subject Site



Figure 15 - Subject Site Divided - DDO Precincts

With regard to building height and setbacks, it is important to note that:

- Building heights in the DDO are discretionary and can be varied. It is preferred that buildings and works should not exceed the maximum building height set out in Table 1.
- A permit may be granted to exceed the height limit, “if the additional height is necessary to achieve the design objectives.”
- Regardless of whether or not the preferred height is exceeded, the development must continue to comply with the design objectives and design standards for that area.
- Building setbacks within the DDO are mandatory and cannot be varied. Buildings and works must be constructed in accordance with the setback requirements in Table 1 below. A permit cannot be granted to vary any of the setback requirements

The following controls apply to each precinct:

Precinct	Height (preferred, not mandatory)	Design Guidelines (mandatory)
<b>H6 a)</b>	3 storeys (11m)	<ul style="list-style-type: none"> <li>• Development must respect the scale of, and provides a transition to, adjoining lower scale residential buildings and proposed higher scale residential buildings within the precinct.</li> <li>• Development must be setback to provide for a landscaped and tree-lined new network of streets.</li> <li>• High quality architecture must respond to and address the new and existing network of public streets, and open and public spaces.</li> </ul>
<b>H6 b)</b>	3 storeys (11m) for a depth of 15 metres along Nepean Highway 4 storeys (14m) for the remaining precinct	<ul style="list-style-type: none"> <li>• The scale of development must have a comfortable relationship with the lower-scale, built form of adjoining development.</li> <li>• Development must setback to provide for a landscaped and tree-lined new network of streets.</li> <li>• High quality architecture must respond to its visibility from Nepean Highway and makes a positive contribution to Nepean Highway.</li> </ul>
<b>H6 c)</b>	4 storeys (14m)	<ul style="list-style-type: none"> <li>• Development must be setback to provide for a landscaped and tree-lined new network of streets.</li> <li>• Development must respect the scale of, and provides a transition to, lower scale residential buildings and proposed higher scale residential buildings within the precinct.</li> <li>• High quality architecture must respond to and addresses the new and existing network of public streets, and open and public spaces.</li> <li>• The scale of development should take advantage of the opportunities of an uninhibited site but must not restrict views to and should maintain a comfortable relationship with the historic features within the precinct.</li> <li>• New buildings must provide a transition from 2 storeys to higher storey built forms. Any 4th or higher storey must be setback from the street frontages to minimise its visual bulk.</li> </ul>

<b>H6 d)</b>	4 storeys (14m)	<ul style="list-style-type: none"> <li>• Development must be setback to provide for a landscaped and tree-lined new network of streets.</li> <li>• Development must respect the scale of, and provides a transition to, adjoining lower scale buildings and proposed higher scale residential buildings within the precinct.</li> <li>• High quality architecture must respond to and addresses the new and existing network of public streets, and open and public spaces.</li> <li>• New buildings to provide a transition from 3 storeys to higher storey built forms. Any 4th or higher storey must be setback from the street frontages to minimise its visual bulk.</li> <li>• The scale of development should take advantage of the opportunities of an uninhibited site but must not restrict views to and should maintain a comfortable relationship with the historic features within the precinct</li> </ul>
<b>H6 e)</b>	5 storeys (17m)	<ul style="list-style-type: none"> <li>• Development must be setback to provide for a landscaped and tree-lined new network of streets.</li> <li>• High quality architecture must respond to and addresses the new network of public streets, open and public spaces and Sir William Fry Reserve.</li> <li>• High quality architecture must respond to its visibility from Nepean Highway and make a positive contribution to Nepean Highway.</li> <li>• New buildings to provide a transition from 4 storeys to higher storey built forms. Any 5th or higher storey must be setback from the street frontages to minimise its visual bulk.</li> <li>• Development must provide a transition to adjoining lower scale residential buildings within the precinct.</li> </ul>

It is important to recognise the maximum preferred heights outlined in DDO12 at H6b-e exceed the preferred height requirements of 13.5m as outlined in the RGZ presenting an anomalous outcome for the desired future form of development on site. However, neither height is mandatory and higher built form is supported based on the site's strategic and physical attributes. In addition, the Hallmarc development provides a benchmark for higher built form that should be reflected in the development of the site.

### 3.3.3 Hallmarc Development & Loop Road

The Hallmarc Development (Kingston Park Apartments) is located at 1144, 1146 and 1148 Nepean Highway, Highett. It is south of the subject site and courthouse, adjacent to Sir William Fry Reserve and shown in Figure 16.

The Hallmarc Development involved the construction of 8 buildings proposed to be built across 3 stages. Three Stage 1 buildings are now completed. Each building in the development is 6 storeys, exceeding the 5 storey preferred height outlined in DDO12. Previous permits have been granted for this development to exceed these height requirements. The development also provides nominal setbacks for the upper levels of development and basement car parking.

All buildings are proposed to be residential, with the exception of Building 4 which also provides additional compatible and ancillary uses such as conference rooms and a gym.

The approval of the Hallmarc Development sets a precedent for taller built form in the vicinity of the subject site. Furthermore, the site shows Remington Drive, an internal road which provides direct



access to the south of the site. Remington Road could help to facilitate a loop road through the subject site, an outcome which is favoured by both Council and VicRoads.



Figure 16 - Extract of Hallmarc Development Concept Image

### 3.4 Summary of Planning Opportunities and Constraints

#### Opportunities

- The site is a large, underutilised development site which is surplus to the government's needs and therefore ready for redevelopment.
- The site has non-sensitive interfaces along its east, south and west interfaces where more intensive built form can be absorbed into the surrounding context without unreasonable amenity impacts.
- Due to the size of the site, an opportunity to provide public open space contributions should be made via both a financial contribution as well as setting aside land for open space. This matter could be addressed through the inclusion of a new local classification playground and an additional 2,200m<sup>2</sup> of public open space to compensate for the relocation of the gas pipes to Sire William Fry Reserve.
- It has also been recommended that the potential 5% financial contribution for public open space also be used to fund an upgrade to Sir William Fry Reserve.
- Clause 22.17 - Highett Activity Centre Policy and the Highett Structure plan provide extensive guidelines for design outcomes for the site. Key findings include:
  - Strong support for a pedestrian / cycling link between Lyle Anderson Reserve, Moorabbin Railway Station, the site and Sir William Fry Reserve including potential pedestrian bridge (promoted heavily throughout the Kingston Planning Scheme and additional policies).
  - Primary access to site via Nepean Highway, however opportunity for a loop road through the site via Remington Road.
- An Arboricultural Report and subsequent permit facilitated removal of native vegetation to enable remediation works for Stage 1.

- The chimney is in good condition and recommended for retention and use as a way finding marker.

### **Constraints**

- The Design and Development Overlay (DDO12) identifies the preferred maximum height for residential development on the subject site as 4 storeys and 2-3 storeys at sensitive residential interfaces.
- Potential overshadowing upon adjacent and nearby properties and public spaces.
- The chimney is to be protected during development - any development proposal must ensure that the chimney be made fully safe prior to occupation of site and it is likely a Section 173 agreement with Council would be required to guarantee the chimney's ongoing maintenance and repair.

## 4 Urban Design Objectives and Outcomes

An Architectural Investigation Report for the site has been prepared with regard to the existing planning policies, reference documents and as a response to the opportunities and sensitivities presented by the surrounding urban context.

### 4.1 Design Intent

To determine the development capabilities of the site and capitalise on the strategic development opportunities outlined in Section 3, CHT Architect's Architectural Investigation Report provides concepts to illustrate how increased residential development can be accommodated on the land through a site responsive design to the site's existing features and surrounding context.

The master plan envisions varying heights of 2 to 8 storeys across the site and has been informed by the residential development to the north, railway line to the west, Moorabbin Justice Centre and Hallmarc development to the south and Nepean Highway to the east, as outlined in Section 4.2 below. The heights proposed consist of a maximum 26m and consolidate current planning policy by resolving the anomalous heights currently outlined under the existing RGZ1 (13.5m) and DDO12 (17m) controls.

The proposed height and form of development is considered to achieve the strategic intent of the 'Residential Opportunity Site' and further accomplish the strategic directions set out within the Kingston Planning Scheme. Additionally, the introduction of a site specific development plan as proposed in Section 5 will provide clear development parameters for future residential use in line with the Architectural Investigation Report and is consistent with the current DDO12, which envisages the preparation of an outline development plan to guide the future development of the site in an integrated manner.



Figure 17 – Potential built form and heights



## 4.2 Proposed Land Uses & Built Form

The subject site is to be developed predominantly for residential use. The Architectural Investigation Report illustrates how a diversity of residential dwellings can be accommodated on the land based on the road and open space network shown in the Concept Plans and the preferred heights in the proposed Development Plan Overlay.

The apartment buildings shown in the concepts from the Architectural Investigation Report vary between 6 to 8 stories in height with the higher buildings located more centrally to the site and away from site boundaries where sensitivities are considered to exist.

The site has a variety of key connections around its perimeter. It is with these in mind that a rationale has been developed in order to determine appropriate building heights for new development across the site.

To the east is the Nepean Highway and to the south-east lies the Moorabbin Justice Service Centre. These interfaces are robust and densely populated, with existing developments sitting hard on the footpath at a height of up to six (6) storeys. An appropriate building height to this interface is six (6) levels, to continue the height of the adjacent developments up the Nepean Highway.

The northern interface of the site includes some residential dwellings in the 'knuckle' of Station and View Streets, behind a bank of well-established trees which sit approximately four (4) to five (5) storeys in height. To the North East, the Best Western Buckingham International Hotel sits between View Street and the Nepean Highway, offering a buffer between the majority of View Street residents and the new precinct.

Moving into the site from the north, a series of two (2) and three (3) storey townhouses provide a visual barrier between the neighbouring residents and the taller buildings in the centre of the site. The buildings range from six (6) storeys up to eight (8) in the centre of the site. Buildings are typically orientated on a North-South axis, to minimise overshadowing of new public outdoor areas, minimise visual impact to residents to the North and provide acoustic buffers to the Nepean Highway and adjacent railway line.

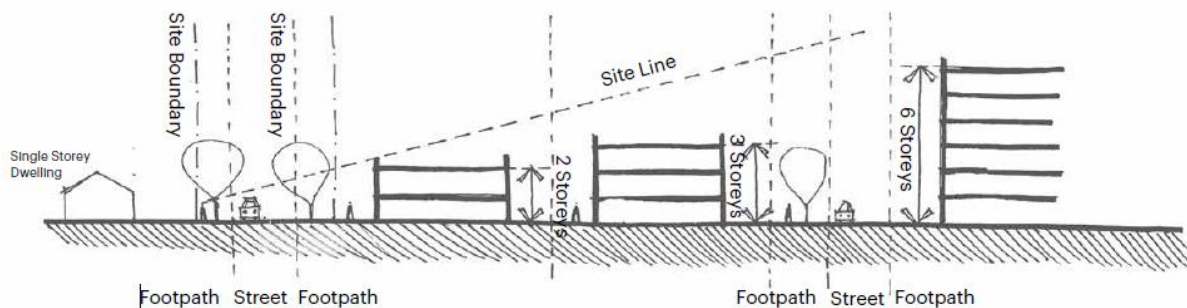


Figure 18 – Indicative site section – residential interface

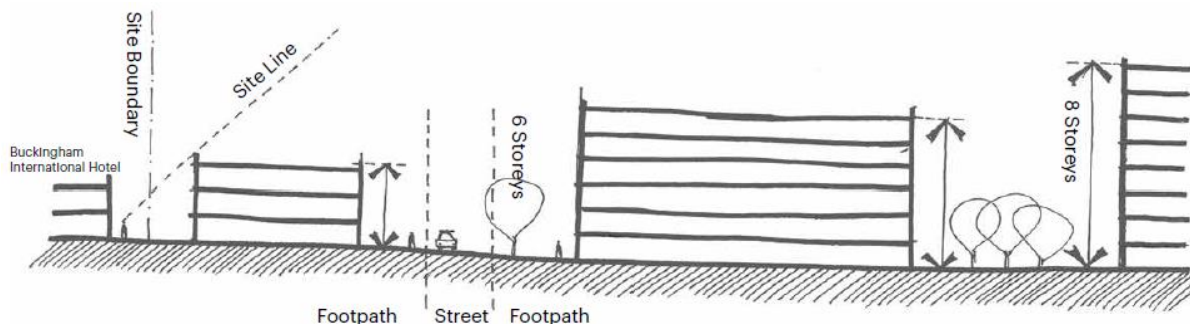


Figure 19 – Indicative site section (northern interface)

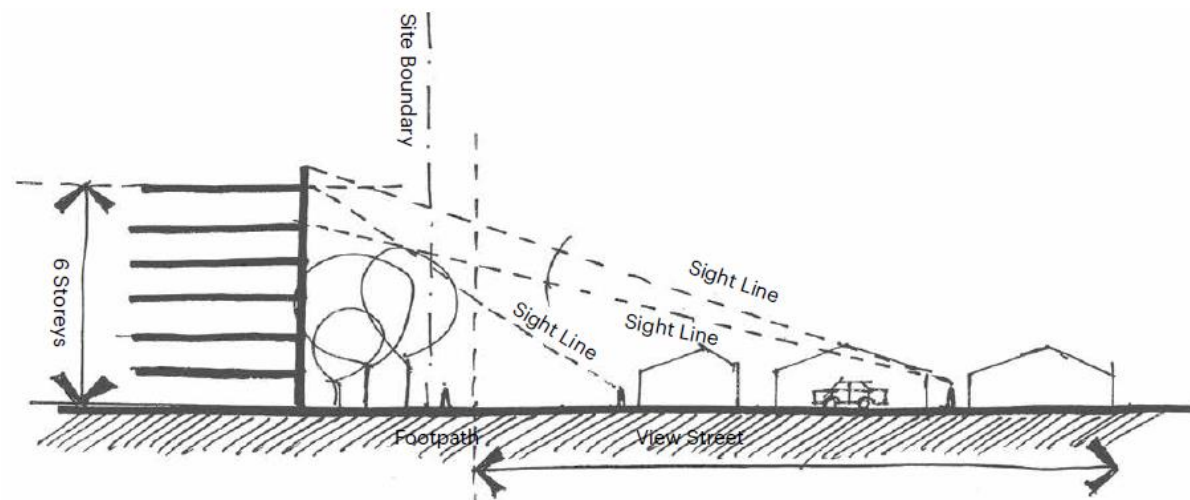


Figure 20 - Indicative site section (View street interface)

### 4.3 Road Network

The Architectural Investigation Report concept maps feature a hierarchy of roads (figure 21 overleaf). A primary road is proposed to link the site’s Nepean Highway entry with the future Remington Drive ‘loop road’ connection. Secondary roads are to branch off this road and service the apartments and townhouses. The continuous nature of these roads will facilitate truck access for waste collection, furniture deliveries and general servicing needs of the development without the need for trucks to turn around.

There is to be no road connection to View Street, with only individual driveway access for each of the townhouses proposed to front this street. Vehicle crossing points with the primary pedestrian/bike path through the site have been minimised and will be designed for traffic calming and pedestrian/bike priority.

The provision of a road to the edge of the site abutting the railway lines will foster activity and lessen the risk of vandalism and graffiti. Key elements of the proposed road network can be summarised as:

- Main entry to the site via a new connection to the service road located directly opposite Turner Road
- Secondary access to the site via a connection through the development site to the south (Remington Drive extension)

- No road access between the site and Station Street or View Street

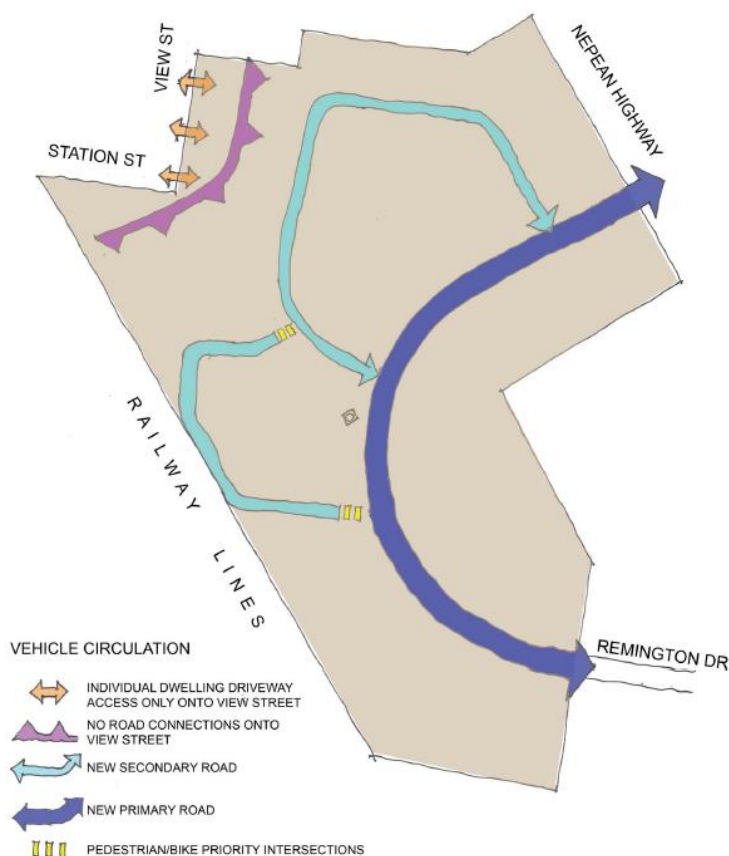


Figure 21 - Indicative Vehicle Circulation

#### 4.4 Pedestrian & Bicycle Network

The subject site offers a unique opportunity to broaden the public pedestrian and cycling network in this area of Highett and facilitate new links between the existing streets and reserves (Figure 21 & 22).

As demonstrated in the Architectural Investigation Report, the vehicular circulation concept plan represents opportunities for cycle and pedestrian links from the heart of the site into Station and View streets, Nepean Highway and the Sir William Fry Reserve. The provision of new open space and green links through the site is a key aspect of the concept plan from the DPO. The pedestrian/bicycle pathways illustrated in the Architectural Investigation Report are designed to complement the new open spaces.

The remnant heritage chimney is to be retained, remediated and integrated as the centrepiece of the open space network and master plan.

Apart from the valuable recreational contribution the proposed open spaces will make to the public realm and existing parkland in the surrounding area, they also have the potential to accommodate a range of community features that could include such things as a playground, artworks, interpretive signage explaining the history of the site, seating and landscape structures.



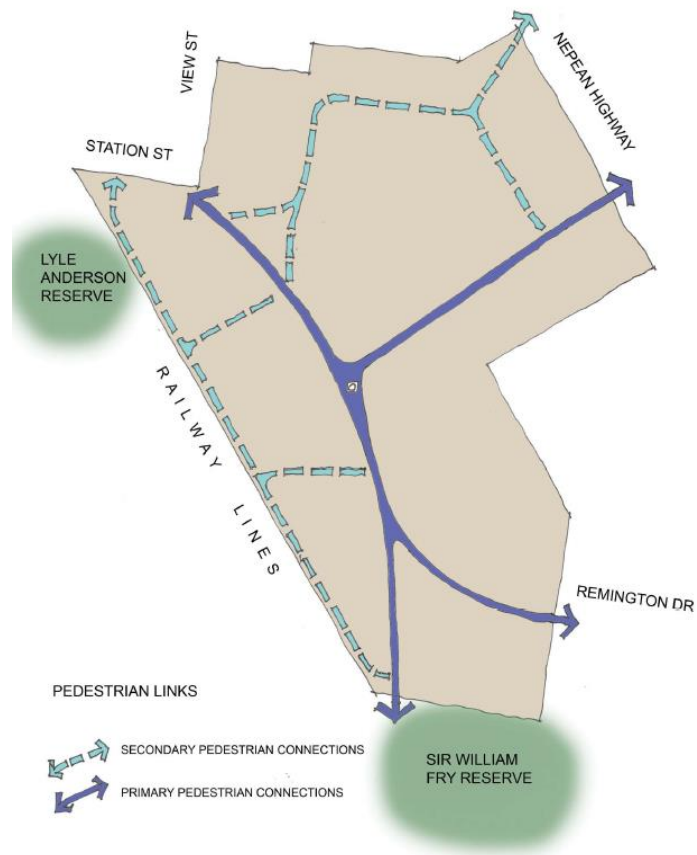


Figure 22 - Indicative Pedestrian Links

## 5 Proposed Planning Framework

The proposed amendment seeks the following changes to the Kingston Planning Scheme in order to establish a revised planning framework and enable development of the land in accordance with specific design parameters for residential use:

- Makes minor wording changes to Clause 21.05 of the Municipal Strategic Statement;
- Amends the existing DDO12 to delete reference to the site;
- Applies the RGZ2 to the site;
- Applies the DPO7 to the site; and
- No change to the balance of overlays that apply to the site, being an EAO and HO.

A planning scheme amendment is therefore sought to implement the above changes into the Kingston Planning Scheme. The proposed development outcome arising from the amended planning framework is depicted in the concept plan in **Figure 23**.



**Figure 23 - Proposed Concept Plan to be included in DPO7**

The changes to the planning scheme proposed are being sought for the following reasons.

### Minor wording changes to Clause 21.05

Changes are proposed to Clause 21.05 – Residential Land Use – to properly identify the implementation strategy for the site through the application of the DPO. This is required to ensure a consistent and correlated approach within the planning scheme to the site.

### **Amend the existing DDO12 to delete reference to the site**

This change to the scheme is appropriate as the DPO7 will become the primary development control for the site. The DPO is a more comprehensive overlay to guide development including land use and site layouts whilst the Design and Development Overlay is used to identify and apply specific design and built form controls for new development. The application of both controls is not necessary and the DPO is a more appropriate overlay to achieve the desired development outcome.

### **Application of Residential Growth Zone - Schedule 2 (RGZ2)**

The application of Schedule 2 to the Residential Growth Zone seeks to introduce a maximum building height requirement of 26m to the site in accordance with the proposed Development Plan Overlay and Schedule 7.

The Schedule will replace the default height of 13.5m under the zone and consolidate the varying height controls that currently apply to the land, providing a clear and consistent guide to the anticipated form of development on site.

A new Schedule to the Zone is also appropriate in this instance as the maximum height proposed is different to that proposed in Schedule 1 to the Zone which is applicable to a different site.

### **Application of Development Plan Overlay – Schedule 7 (DPO7)**

Applying the Development Plan Overlay to the site is appropriate to facilitate integrated medium density and apartment style residential development in response to the site's status as a large strategic redevelopment site.

A Development Plan Overlay is the appropriate mechanism within the planning scheme to use in this instance as it allows for a comprehensive plan to be applied to land with respect to proposed uses *and* development for each part of the land.

## **6 Strategic Assessment**

### **6.1 Strategic Assessment Guidelines**

To establish whether the proposed amendment represents an appropriate change to the Kingston Planning Scheme, an assessment against the Strategic Assessment Guidelines has been undertaken below.

#### **6.1.1 Why is an amendment required?**

The land is one of the few Residential Growth Zone parcels within the City of Kingston and the only undeveloped parcel in such a zone. The site is currently under the ownership of the Department of Treasury and Finance. The site is identified within the Highett Structure Plan 2005 as a "Strategic Redevelopment Site" and it is noted that such sites provide opportunity for increased density and residential development. The site can be understood as a location where higher density residential development is appropriate and supported by policy (as well as the zone). However, in balance with achieving higher density development, the site should also provide, a variety of building heights, forms and layouts, protect historic features, provide quality landscaping and a well considered access and movement network.



The existing Design and Development Overlay (DDO12) provides some guidance for the preferred development outcomes. DDO12 was implemented in 2008, and the Highett Structure Plan in 2005. While many of the overarching policy objectives continue to be relevant, there is an opportunity to reconsider and refresh the outcomes sought should be taken. In particular, height and development expectations have changed over time.

The reconsiderations which have occurred as part of this project have identified scope to change the planning controls affecting the subject land. Deleting the discretionary DDO12 which provides limited certainty in relation to height outcomes and underutilisation of a strategic redevelopment site. Replacing that control with a Development Plan Overlay (DPO) and Residential Growth Zone Schedule 2 (RGZ2), will provide increased certainty in relation to height outcomes and specify more direct mandatory requirements within the DPO and mandatory height through the RGZ2.

### **6.1.2 Does the amendment implement the objectives of planning and address any environmental, social and economic effects?**

The amendment implements the following objectives of planning in Victoria:

- *To provide for the fair, orderly, economic and sustainable use and development of land;*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The new Development Plan Overlay will allow future use and development that is consistent with the strategic and physical context of the site.

The amendment will not cause any negative environmental, social or economic effects, for the following reasons:

#### **Environmental Effects**

The subject site has an Environmental Audit Overlay applying to the land and is currently under remediation following the closure of the former Gas and Fuel activities undertaken on the site. Remediation works will be completed before any future development occurs.

An existing chimney on the site is protected by a Heritage Overlay which the DPO recognises and requires its retention.

The proposed DPO includes specific Environmentally Sustainable Development Guidelines.

The proposed DPO introduces specific requirements for a Landscape Masterplan. This Landscape Masterplan includes specific requirements relating to a flora and fauna assessment and identification of how existing vegetation is to be retained will be incorporated into the development.

#### **Social and Economic Effects**

The amendment is expected to have positive social and economic effects by:

- Underpinning infill development which will enable housing growth and provide a range of residential housing opportunities for Victorian families;
- Outlining and requiring efficient and effective access and movement within, to and from the site, including specific requirements relating to pedestrian access, particularly to the existing park known as Sir William Fry Reserve);
- Providing certainty about expected development outcomes consistent with the residential zoning; and
- Requiring additional 2,200m<sup>2</sup> public open space contribution in addition to the 5% Public Open Space contribution which would be required as part of any subdivision of the land.

### 6.1.3 Does the amendment address relevant bushfire risk?

The subject site is within an existing urban area and is not affected by a Bushfire Management Overlay. Any bushfire mitigation measures will come into effect during the building permit application stage.

### 6.1.4 Does the amendment comply with all the relevant Minister's Directions?

#### Ministerial Direction on the Form and Content of Planning Schemes

The amendment will result in changes to the planning scheme that are consistent with the Ministerial Direction on the Form and Content of Planning schemes pursuant to section 7(5) of the *Planning and Environment Act 1987*.

#### Ministerial Direction No. 1 – Potentially Contaminated Land

Requires planning authorities, when preparing planning scheme amendments, to ensure that the environmental conditions of land previously used for industrial purposes and proposed to be used for a sensitive use will be suitable for that sensitive use. The existing Environmental Audit Overlay will be retained, maintaining compliance with this Direction.

#### Ministerial Direction No. 9 – Metropolitan Strategy

The purpose of this Direction is to ensure that the planning scheme amendments have regard to the Metropolitan Strategy. The proposed amendment reinforces Direction 1 of the *Metropolitan Strategy* – 'a more compact city'.

The Metropolitan Strategy directions establish policies for housing that seek to locate a substantial proportion of new housing in or close to activity centres and other strategic redevelopment sites that offer good access to services and transport (Policy 1.3).

The amendment will enable quality higher density housing on a strategic development site that is well located in relation to activity centres and public transport. The amendment will assist with:

- providing for the forecast increase in population and households;
- ensuring the available housing stock better matches changing demand by widening housing choice, particularly in middle suburbs;
- supporting opportunities for a wide range of income groups to choose housing in well-serviced locations; and
- increasing the local population base that supports activity centres and local businesses.

#### Ministerial Direction No. 11 – Strategic Assessment of Amendments

The purpose of this Direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. The proposed amendment is consistent with Ministerial Direction No. 11, given this assessment is undertaken against the strategic assessment guidelines in accordance with Clause 3.

### 6.1.5 Does the amendment support or implement the State Planning Policy Framework (SPPF)?

The amendment is consistent with the relevant clauses of the State Planning Policy Framework (SPPF) as follows:

- **Clause 11.02-1 Supply of urban land** – The amendment will meet the objectives and strategies of this clause by providing an opportunity for greater urban consolidation and redevelopment within an established area of Melbourne with the necessary services and

infrastructure to accommodate increased population, and improving the amenity of the existing area, neighbourhood character and landscape considerations.

- **Clause 11.04-2 Housing choice and affordability** – The amendment will contribute to the provision of a diversity of housing in defined locations with close proximity to jobs and services.
- **Clause 15 Built Environment and Heritage** - The amendment will implement this clause by improving the amenity of the neighbourhood through the introduction of design parameters that will underpin a quality built environment, contributing positively to local urban character and a functional, liveable style of residential development.
- **Clause 15.03 Heritage** – The amendment will ensure the conservation of the heritage remnant chimney on site through the retention and incorporation of the item as a key design feature of the site.
- **Clause 16.01-1 Integrated housing** - The amendment will facilitate the supply of housing in existing urban areas by allowing increased housing yield on sites that are appropriate for priority development.
- **Clause 16.01-2 Location of residential development** - The amendment will support an increase in the proportion of housing in Metropolitan Melbourne to be developed within an established urban area, particularly at strategic sites and will reduce the share of new dwellings in greenfield and dispersed development areas.
- **Clause 16.01-3 Strategic Redevelopment Sites** - The amendment supports the identification of strategic redevelopment sites that are able to provide 10 or more dwelling units, close to activity centres and well served by public transport.
- **Clause 16.01-4 Housing diversity** – The amendment will facilitate the construction of housing stock that matches changing demand by widening housing choice, particularly in the middle suburbs. A range of housing types and accommodation is proposed.
- **Clause 16.01-5 Housing affordability** – The amendment supports housing affordability by allowing a continued housing supply within an established metropolitan area.

#### **6.1.6 How does the amendment support or implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?**

**Clause 21.02** identifies Kingston as a municipality within Metropolitan Melbourne’s south-eastern band of middle suburbs growth corridor.

**Clause 21.03** identifies the key land use challenges for the new millennium including future housing need and residential amenity and neighbourhood character. The clause acknowledges that management of change within Kingston will require an approach which integrates urban consolidation objectives with an understanding of the specific character issues which are important to local neighbourhoods in Kingston.

**Clause 21.04** includes the strategic framework plan for Kingston, which identifies Highett as an area for the promotion of increased housing diversity, with the subject site noted a ‘residential opportunity site’ where new residential development (including medium density housing) should be pursued.

**Clause 21.05** relates to residential land use and identifies the former Gas and Fuel site as an important large strategic redevelopment site, to provide an integrated mix of lot sizes and housing types, with medium density housing a more important housing element on the site. The amendment supports a range of objectives and strategies including:

- *Ensure development plans are prepared and implemented for all large residential opportunity sites to address the provision of a diversity of housing opportunities and to ensure that other site and contextual issues are addressed.*



- *Promote increased housing diversity in residential areas that are within convenient walking distance of public transport and activity nodes (increased housing diversity areas). Such areas will accommodate a variety of medium density housing types and layouts at increased residential densities, responding to the established but evolving urban character*
- *Protect areas/buildings of recognised historical/cultural significance*

The amendment further responds to the Implementation plan at Clause 21.05-4 to, 'apply the Development Plan Overlay to provide guidance on the manner in which land within and on the periphery of the Highett and Mordialloc Activity Centres can be developed to ensure a diversity of built form outcomes is achieved'.

**Clause 21.11** relates to the provision and access of open space within Kingston. The amendment supports the objective at Clause 21.22-3, providing 'fair and equitable access to a range of high quality open space areas located within Kingston's urban and non-urban environments which aim to optimise community enjoyment of open space.'

**Clause 21.12** requires a balanced transport network based on public transport, road, pedestrian and cycle systems is also important in providing access for Kingston residents to commercial and activity centres, community facilities, education and recreation area. The amendment will ensure new development provides safe and efficient access to Nepean Highway, adequate and well located car parking and includes a requirement for a detailed traffic assessment to determine the impact of the development on the road network, in accordance with the strategies in this policy.

The amendment further supports **Clause 21.13 Heritage**, providing for the protection of the chimney within the site.

**Clause 22.11** contains the residential development policy, which applies to locations where increased housing diversity will be encouraged and provides policy guidance on how development design should respond to the desired objectives. The current site falls within an increased housing density area.

**Clause 22.17** contains the Highett Activity Centre policy, implementing the *Highett Structure Plan 2006*. While the structure plan is now quite outdated, the amendment supports the general policy direction through maximising development opportunities on vacant and underutilised land and allowing for the upgrade of Sir William Fry Reserve to create a major open space feature and park land. The site is located in Precinct 3: Increased Density – Highway West and amendment responds positively to the policy guidance including:

- *Promote increased density housing.*
- *Facilitate the integrated development of the precinct by rezoning land from the Public Use Zone 1 and Business 3 Zone to a Residential 1 Zone and applying appropriate overlay controls to provide for an integrated development and to ensure that the development is responsive to the physical and environmental issues affecting the precinct and surrounding area.*
- *Encourage the development of residential dwellings of various sizes and formats.*
- *Ensure buildings address Nepean Highway and any new network of streets established throughout the precinct to provide for surveillance of the Sir William Fry Reserve.*
- *Ensure new streets, pedestrian and cycling paths connect to the adjoining street network and open space areas west, north and south of the precinct as identified in the Highett Structure Plan.*
- *Ensure that development on the former Gas and Fuel Site at 1138 Nepean Highway, Highett maximises views to the historic remnant chimney.*
- *Ensure that development provides a mixture of building heights and varying built forms and layouts to provide visual interest.*

- *Achieving innovative contemporary design and built form for all new development that is based on the best current architectural design practice and sustainability principles.*
- *Provide for buildings which are visually diverse and contribute to the public realm through the use of varied, high quality and environmentally appropriate materials.*
- *Apply appropriate building setbacks for new development, ensuring that building occupants and users have a high level of amenity including daylight access and outlook.*
- *Achieve the development of high quality landscape treatment (including main road boulevard planting, canopy tree planting, screen planting, extensive tree plantings and theme plantings in appropriate locations) to be complemented by appropriate setbacks and built form.*
- *Ensure that building heights increase to a maximum furthest from established residential areas to the north and where contours of the land fall to minimise visual impact from surrounding residential areas.*
- *Promote traffic management that minimises impact on adjoining residential areas. Ensure that primary vehicle access for all traffic from the precinct is directed to Nepean Hwy to mitigate traffic impacts and minimise the speed and volume of vehicle movements within the adjoining residential area.*
- *Negotiate for open space links to be provided on publicly and privately owned land to create pedestrian and cycling path connections between the Lyle Anderson Reserve, open space to be provided within the precinct, the Moorabbin Court Complex and the Sir William Fry Reserve through to Southland, that are useable, accessible, safe, well landscaped and provide opportunities for recreation and social interaction.*
- *Promote improved pedestrian access across Highett Road and the railway line south of Highett Road.*

In response to this policy, the site was already rezoned to Residential Growth and the proposed amendment and DPO has been designed to facilitate integrated development of the site that is responsive to its location.

#### **6.1.7 Does the amendment make proper use of the Victoria Planning Provisions (VPP)?**

The amendment makes proper use of the Victoria Planning Provisions through the application of a Development Plan Overlay (DPO), the amendment of the existing Design and Development Overlay (DDO) to delete reference to the site to ensure no duplication of the DPO and zone control, and the application of Schedule 2 to the Residential Growth Zone (RGZ) to introduce a maximum building height control and provide more certainty regarding maximum height outcomes.

These controls are proposed to be used in a manner consistent with the objectives of the VPPs and are appropriate within the context of the proposed amendment as discussed below.

#### **Development Plan Overlay**

The application of the Development Plan Overlay seeks to enable the appropriate and orderly future development of the site for residential use. The DPO and the proposed Schedule 7 to the DPO, stipulates specific development plan requirements, instead of permit application requirements to ensure the development of the land is informed by consideration of key issues and site sensitivities. The application of the DPO requires that a development plan be produced and encompasses the following elements:

- Provision of preferred design and treatments for key interface areas;
- Retention and protection of the heritage listed remnant chimney and incorporation into future development proposals;
- A range of housing typologies;
- Indicative building heights and setbacks;

- Demonstrated provision of vehicular and pedestrian linkages with surrounding development features and areas;
- Key landscape design principles and provision of public open space.

The Development Plan Overlay is the most appropriate Victorian Planning Provision to support the desired form of residential development on the site.

### **Design and Development Overlay**

The amendment of Schedule 12 to the Design and Development Overlay seeks to delete reference to the site in order to allow development to occur in accordance with the proposed Development Plan Overlay and Schedule 7 as outlined above.

### **Residential Growth Zone**

The introduction of Schedule 2 to the Residential Growth Zone seeks to introduce a maximum building height requirement of 26m to the site in accordance with the proposed DPO7 as outlined above. The introduction of Schedule 2 will further replace the default height of 13.5m under the zone and consolidate the varying height controls that currently apply to the land, providing a clear and consistent guide to the anticipated form of development on site.

Use of Schedule 2 to the RGZ is considered the most appropriate mechanism to guide the height of future development, in accordance with the outcomes specified in DPO7.

#### **6.1.8 How does the amendment address the views of any relevant agency?**

All relevant agencies will be directly notified of the proposed amendment and will have an opportunity to make a formal submission. Feedback will be incorporated into the final documentation as appropriate.

#### **6.1.9 Does the amendment address the requirements of the Transport Integration Act 2010?**

This Amendment will assist in the provision of an integrated and sustainable transport system in Victoria. The Traffic Engineering Assessment Report prepared by Traffix Group demonstrates the Amendment will not have a detrimental impact on the existing transport network.

#### **6.1.10 What impact will the new planning provisions have on the administrative costs of the responsible authority?**

There are no adverse impacts arising from the proposed new planning provisions on the resource and administrative costs of the responsible authority. The proposed DPO will introduce a clear framework for the development of the site and articulate consistent and clear guidelines for Council, prospective purchasers, developers and the community.

## **7 Conclusion**

This report has considered the planning issues relevant to the proposed amendment of the existing planning controls pertaining to the land at 1136-1138 Nepean Highway, Highett. It has provided an assessment of the proposed application of the Development Plan Overlay (DPO7) and associated planning framework changes requested to be made to the Kingston Planning Scheme.

It has also considered the future design and development issues associated with the redevelopment of a residential opportunity site, based on a landscape and urban design review of the land. Heritage and traffic matters have also been analysed in order to inform a notional development concept for the site



which underpins a recommended planning control (Development Plan Overlay) to guide and enable the informed consideration of future detailed design proposals.

On the basis of all the issues being considered it is the finding of this report that the amendment of the existing planning controls as proposed will assist in the implementation of state level planning policies, and is consistent with the directions of local level planning policies, especially with respect to the site's designation as a 'Residential Opportunity Site', providing an opportunity to provide a mix of lot sizes and housing types with an emphasis on medium density development to support residential housing demands.