



**YARRA CITY COUNCIL  
INTERNAL DEVELOPMENT APPROVALS  
COMMITTEE  
MINUTES**

**to be held on Wednesday 20 January 2016 at 6.30pm  
in Fitzroy Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly  
Councillor Sam Gaylard  
Councillor Simon Huggins

Ally Huynh (Coordinator Statutory Planning)  
Amy Hodgen (Principal Planner)  
Ivan Gilbert (Group Manager Chief Executive's Office)

**II. APOLOGIES AND LEAVE OF ABSENCE**

**III. DECLARATIONS OF CONFLICT OF INTEREST - Nil**

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

**Moved:** Councillor Jolly **Seconded:** Councillor Gaylard

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 16 December 2015 be confirmed.

**CARRIED**

**Printed on 100% recycled paper**

***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri as the Traditional Owners  
of this country, pays tribute to all  
Aboriginal and Torres Strait Islander  
people in Yarra and gives respect to  
the Elders past and present."***



## Guidelines for public participation at Internal Development Approval Committee meetings

### POLICY

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Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

Councillor Gaylard nominated Councillor Huggins as Chair.

There being no other nominations, Councillor Huggins was appointed Chair.

Councillor Huggins assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

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**1.1 PLN15/0334 - 3 Hertford Street Fitzroy - Development of the land for the demolition of the existing building for the construction of a four storey building (plus roof terraces) for use as dwellings and a reduction in the car parking requirement.**

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Trim Record Number: D15/162426  
Responsible Officer: Principal Planner

*The chair called for any objectors to the planning application – no objectors came forward.*

## **RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0334 for the development of the land for the demolition of the existing building for the construction of a four storey building (plus roof terraces) for use as dwellings and a reduction in the car parking requirement at 3 Hertford Street, Fitzroy, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by SJB Architects received by Council on 14 April, 27 May, 6 and 27 October 2015 but modified to show:
  - (a) The east-facing, ground floor bedroom window and entry door of Townhouse 5 to be constructed of glass;
  - (b) The balcony of Townhouse 5 to have a portion of it at least 1.6m in width;
  - (c) The third floor, north-facing bedrooms to be screened to limit any views to the north in accordance with the objective of Standard B22 of Clause 55 of the Yarra Planning Scheme;
  - (d) The pedestrian entrances to be clearly signposted and security lighting provided;
  - (e) Provision of one bike space per dwelling;
  - (f) A roof plan showing all plant and equipment to be screened from views from the public realm;
  - (g) All habitable room windows as openable (except when required due to privacy screening);
  - (h) The provision of an external shading device to the east-facing, third floor bedroom window of Townhouse 4;
  - (i) The provision of internal shading devices to the second floor, north facing windows of Townhouses 1 to 3 and the east-facing, second floor, living room window of Townhouse 4;
  - (j) A 1 in 20 scale cross sectional drawing of the new vehicle crossing and the proposed ramp profile and existing road profile of Hertford Street. The drawing must include actual reduced levels of the building line, invert level, kerb levels, and pavement levels;
  - (k) The setback area for the garages (within the subject site) constructed in a different material to that of the bluestone Right of Way;
  - (l) The south alignment of the Right of Way must be clearly delineated to differentiate it from the Right of Way;
  - (m) Any requirement of the endorsed ESD report (condition 3) (where relevant to show on plans);

- (n) Any requirement of the endorsed WMP report (condition 4) (where relevant to show on plans); and
  - (o) Any requirement of the endorsed acoustic report (condition 5) (where relevant to show on plans).
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

#### Sustainable Management Plan

3. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

4. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Acoustic report

5. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the noise impacts of surrounding non-residential uses on the new dwellings.
6. The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Road Infrastructure

8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services,

the footpath and the bluestone kerb and channel immediately outside the property's Hertford Street road frontage must be reconstructed:

- (a) with a new footpath with a cross-fall of no more than 1 in 40 for DDA compliance;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the Right of Way to the north of the subject site must be reconstructed:

- (a) with a 1.2 to 1.8 metre wide smooth bluestone pavement on one side of the Right of Way, from the subject site to Hertford Street;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

#### Car parking

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

- (a) constructed and available for use in accordance with the endorsed plans;
- (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- (c) treated with an all-weather seal or some other durable surface; and
- (d) line-marked or provided with some adequate means of showing the car parking spaces;

to the satisfaction of the Responsible Authority.

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

#### Lighting

15. Before the building is occupied, or by such later date as is approved by the Responsible Authority in writing, a Lighting Plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of the permit. The plan must address lighting for the pedestrian access off the northern Right of Way. The lighting must be suitably located and baffled to ensure no unreasonable light impact on adjacent dwellings. The approved Lighting Plan must be implemented and maintained to the satisfaction of the Responsible Authority and at the permit holder's expense.



16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

### General

17. The amenity of the area must not be detrimentally affected by the use, including through:
- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### Construction Management

21. Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;

- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to:
  - (i) contaminated soil;
  - (ii) materials and waste;
  - (iii) dust;
  - (iv) stormwater contamination from run-off and wash-waters;
  - (v) sediment from the land on roads;
  - (vi) washing of concrete trucks and other vehicles and machinery; and
  - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

#### Time expiry

22. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use has not commenced within five years of the date of this permit.

23. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

All future residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

### Submissions

*The Applicant, Mr Joseph Indomenico of Tract Consultants addressed the Committee.*

*Mr Mark Simpson of DesignOffice also addressed the Committee.*

*The chair, again called for any objectors, no objectors came forward.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Gaylard

**Seconded:** Councillor Stone

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0334 for the development of the land for the demolition of the existing building for the construction of a four storey building (plus roof terraces) for use as dwellings and a reduction in the car parking requirement at 3 Hertford Street, Fitzroy, subject to the following conditions:

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  - (a) The east-facing, ground floor bedroom window and entry door of Townhouse 5 to be constructed of glass;
  - (b) The balcony of Townhouse 5 to have a portion of it at least 1.6m in width;
  - (c) The third floor, north-facing bedrooms to be screened to limit any views to the north in accordance with the objective of Standard B22 of Clause 55 of the Yarra Planning Scheme;
  - (d) The pedestrian entrances to be clearly signposted and security lighting provided;
  - (e) Provision of one bike space per dwelling;
  - (f) A roof plan showing all plant and equipment to be screened from views from the public realm;

- (g) All habitable room windows as openable (except when required due to privacy screening);
  - (h) The provision of an external shading device to the east-facing, third floor bedroom window of Townhouse 4;
  - (i) The provision of internal shading devices to the second floor, north facing windows of Townhouses 1 to 3 and the east-facing, second floor, living room window of Townhouse 4;
  - (j) A 1 in 20 scale cross sectional drawing of the new vehicle crossing and the proposed ramp profile and existing road profile of Hertford Street. The drawing must include actual reduced levels of the building line, invert level, kerb levels, and pavement levels;
  - (k) The setback area for the garages (within the subject site) constructed in a different material to that of the bluestone Right of Way;
  - (l) The south alignment of the Right of Way must be clearly delineated to differentiate it from the Right of Way;
  - (m) Any requirement of the endorsed ESD report (condition 3) (where relevant to show on plans);
  - (n) Any requirement of the endorsed WMP report (condition 4) (where relevant to show on plans); and
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6. The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.
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  - (a) at the permit holder's cost; and
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10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services, the footpath and the bluestone kerb and channel immediately outside the property's Hertford Street road frontage must be reconstructed:
  - (a) with a new footpath with a cross-fall of no more than 1 in 40 for DDA compliance;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the Right of Way to the north of the subject site must be reconstructed:
  - (a) with a 1.2 to 1.8 metre wide smooth bluestone pavement on one side of the Right of Way, from the subject site to Hertford Street;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

### Car parking

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
  - (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces;to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

### Lighting

15. Before the building is occupied, or by such later date as is approved by the Responsible Authority in writing, a Lighting Plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of the permit. The plan must address lighting for the pedestrian access off the northern Right of Way. The lighting must be suitably located and baffled to ensure no unreasonable light impact on adjacent dwellings. The approved Lighting Plan must be implemented and maintained to the satisfaction of the Responsible Authority and at the permit holder's expense.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.

### General

17. The amenity of the area must not be detrimentally affected by the use, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### Construction Management

21. Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this

permit. The plan must provide for:

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to:
  - (i) contaminated soil;
  - (ii) materials and waste;
  - (iii) dust;
  - (iv) stormwater contamination from run-off and wash-waters;
  - (v) sediment from the land on roads;
  - (vi) washing of concrete trucks and other vehicles and machinery; and
  - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

Time expiry

22. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use has not commenced within five years of the date of this permit.

23. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

All future residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

**CARRIED**



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**1.2 PLN15/0530 - 71-81 Hoddle Street, Richmond - Use of the land as a child care centre and buildings & works.**

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Trim Record Number: D15/167208

Responsible Officer: Principal Planner

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0530 for use of the land as a child-care centre and buildings and works at 71-81 Hoddle Street, Richmond, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans dated 22 October 2015, but modified to show:
  - (a) All of the alterations required within the amended SMP, as outlined in Condition 5;
  - (b) All relevant plans/elevations amended to include the modified setback of the fencing in the south-west corner of the playground (as demonstrated on drawing A011);
  - (c) Details of the type and location of all proposed services, along with any attenuation measures that may be required for this equipment;
  - (d) An amended width of the proposed Regent Street crossover, with no part of this crossing to encroach upon the existing pit on Regent Street. The location of this pit must be demonstrated on the relevant plans; and
  - (e) The removal of car space 01 in the Regent Street car park.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. No more than 120 children are permitted on the land at any one time.
4. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 6.30am to 7.00pm, Monday to Friday, with the use of the outdoor play areas to be between the hours of 7am to 6pm, Monday to Friday.
5. Before the use and development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Cardno and dated 18 August 2015, but modified to include:
  - (a) The location and capacity of the proposed rainwater tanks and raingardens, with a note specifying that the rainwater tanks will be connected to all toilets within the facility;
  - (b) A STORM rating with an assessment score of a minimum of 100%;
  - (c) The specific number of bicycle parking spaces provided onsite (6 spaces);
  - (d) A notation confirming that the majority of east-facing first-floor windows will have a degree of operability;
  - (e) A natural ventilation system to the undercroft car parking space;

- (f) Shading to the west-facing, first-floor windows;
  - (g) The provision of one shower and lockers for employees;
  - (h) Detailed information about the intended landscape irrigation for the outdoor play areas;
  - (i) Evidence that the development will exceed BCA energy efficiency requirements by at least 10% (best practice target); and
  - (j) The provision of a gas boosted solar hot water system.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

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13. The operator of the centre must engage the services of a professional Traffic Controller to manage onsite traffic circulation and to ensure no queuing occurs on Hoddle Street. The Traffic Controller must be present within the entrance of the site between the hours of 6.30am-9.00am and 4.00pm-7.00pm, Monday to Friday and is not permitted to operate outside of the premises on Hoddle Street.
14. The open car parking area adjacent to Hoddle Street and the undercroft car parking area to be designated for short-term use only (i.e. not exceeding five minutes).

15. Before the use and development commences, a Traffic Management Plan to the satisfaction of VicRoads must be submitted to the Responsible Authority and approved by VicRoads. When approved, the Traffic Management Plan will be endorsed and will form part of this permit. The Traffic Management Plan must address, but not be limited to, the following:
  - (a) the number and location of car parking spaces allocated to employees and visitors;
  - (b) emphasis on the use of the Regent Street car park for parents;
  - (c) the management of car parking spaces;
  - (d) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.; and
  - (e) details regarding the management of loading and unloading of goods and materials.
  
16. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the parking restriction sign (located 3.5m south of the northern boundary) must be undertaken:
  - (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
  
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossings must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
  
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
  - (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces to the satisfaction of the Responsible Authority.
  
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car parking spaces and entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensityto the satisfaction of the Responsible Authority.

20. The amenity of the area must not be detrimentally affected by the use or development, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.To the satisfaction of the Responsible Authority.
21. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
22. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
23. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
24. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit;
  - (b) the development is not completed within four years of the date of this permit; and
  - (c) the use is not commenced within five years from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

All future employees within the development approved under this permit will not be permitted to obtain employee parking permits.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

### Submissions

*Mr Sam Renauf addressed the Committee on behalf of the Applicant.*

*The following people addressed the Committee:*

*Ms Jane Marx;*

*Ms Gerri McLaren; and*

*Mr Neil Roberts.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Gaylard

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0530 for use of the land as a child-care centre and buildings and works at 71-81 Hoddle Street, Richmond, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans dated 22 October 2015, but modified to show:
  - (a) All of the alterations required within the amended SMP, as outlined in Condition 5;
  - (b) All relevant plans/elevations amended to include the modified setback of the fencing in the south-west corner of the playground (as demonstrated on drawing A011);
  - (c) Details of the type and location of all proposed services, along with any attenuation measures that may be required for this equipment;
  - (d) An amended width of the proposed Regent Street crossover, with no part of this crossing to encroach upon the existing pit on Regent Street. The location of this pit must be demonstrated on the relevant plans;
  - (e) The removal of car space 01 in the Regent Street car park;
  - (f) Provision of 16 bicycle spaces on site; and
  - (g) Confirmation that access to the sewer easement along the south-east corner of the site is provided.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. No more than 120 children are permitted on the land at any one time.
4. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 6.30am to 7.00pm, Monday to Friday, with the use of the outdoor play areas to be between the hours of 7am to 6pm, Monday to Friday.
5. Before the use and development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Cardno and dated 18 August 2015, but modified to include:

- (a) The location and capacity of the proposed rainwater tanks and raingardens, with a note specifying that the rainwater tanks will be connected to all toilets within the facility;
  - (b) A STORM rating with an assessment score of a minimum of 100%;
  - (c) The specific number of bicycle parking spaces provided onsite (6 spaces);
  - (d) A notation confirming that the majority of east-facing first-floor windows will have a degree of operability;
  - (e) A natural ventilation system to the undercroft car parking space;
  - (f) Shading to the west-facing, first-floor windows;
  - (g) The provision of one shower and lockers for employees;
  - (h) Detailed information about the intended landscape irrigation for the outdoor play areas;
  - (i) Evidence that the development will exceed BCA energy efficiency requirements by at least 10% (best practice target); and
  - (j) The provision of a gas boosted solar hot water system.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
  7. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
  8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
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  11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
    - (a) at the permit holder's cost; and
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  12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

VicRoads Conditions 13 - 15

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  - (a) located;

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- (c) shielded; and
- (d) of limited intensity

to the satisfaction of the Responsible Authority.

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- (a) the transport of materials, goods or commodities to or from land;
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- (d) the presence of vermin.

To the satisfaction of the Responsible Authority.

21. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

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**CARRIED**



The meeting closed at 7.20pm.

**Confirmed at the meeting held on Wednesday 10 February 2016**

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**Chair**