Planning and Environment
Regulations 2015

Form 4 Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2604524
Planning scheme:	Yarra Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	57-71 Stephenson Street, Cremorne, VIC 3121 • Lot 1 on Title Plan 602392G Volume 10086 Folio 362 • Lot 1 on Title Plan 754267N Volume 04265 Folio 803 • Lot 1 on Title Plan 603444N Volume 12096 Folio 496 • Lot 1 on Plan of Subdivision 713397T Volume 11427 Folio 060

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
Clause 34.02-1	To use land for Food and Drink premises exceeding 100sqm.
Clause 34.02-4	To construct a building or construct or carry out works.
Clause 43.02-2	To construct a building or construct or carry out works.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Commencement

2. The permit will operate from the issued date of this permit.

Approved and Endorsed Plans – changes required

3. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), 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 must be generally in accordance with the decision plans prepared by Edition

Date of issue: 28 October 2026 **Signature for the responsible authority:**



Office, Rev TP01 and dated 16 June 2026 but modified to show:

a) Reduction in overall building height to the satisfaction of the Responsible Authority through refinement of floor-to-floor heights and upper-level architectural screen features.All building structures including awnings and architectural elements to be entirely within title boundaries, with the exception of the perforated screen and awning to Stephenson Street and the laneway to the east of the building.
b) Awnings integrated with the building design with concealed drainage and no exposed gutters or downpipes visible from the public realm.
c) Deletion of all works within the laneway (including notations/landscaping) and of works outside the eastern boundary.
d) Employee bicycle spaces within a secure lockable compound, separate from visitor spaces and wholly within title boundaries.
e) All visitor and employee bicycle parking spaces to be provided at a horizontal bicycle rail, in compliance with Clause 52.34-3 and AS2890.3.
f) Provision of a minimum of two (2) employee bicycle parking spaces suitable for cargo bikes.
g) Dimensions of all bicycle storage spaces noted to demonstrate AS2890.3 compliance.
h) At least 5 electric bicycle charging points for employee bicycle parking.
i) Roof plans and elevations clearly showing all solar arrays on façades and roof, including size, number of panels and expected kW output.
j) Relocation of the planters along the ground floor setback to the northern laneway ROW to achieve a 500mm clearance from the northern title boundary.
k) Revise the location of, or removal of, the spiral staircase to improve sightlines, safety and wayfinding, avoiding concealed spaces or impeded pedestrian circulation.
l) Southern ground level redesigned to infill the narrow sliver between the subject building and the building to the south, allowing widening of the entry to the end of trip facilities.
m) Provision of a bench seat with back and arm rest along the ground floor setback within subject site street frontage.
n) Modify and simplify the internal ground floor layout to improve visibility of all tenancies to Stephenson Street
o) Show the location of the car park security gate, in line with the building line and clear of the setback.
p) The minimum 1.5 metre setback to Stephenson Street to be free of walls, gates, bollards, services, bicycle parking and other obstructions below a height of 3 metres above footpath level, excluding structural columns shown on the endorsed plans.
q) Feature and non-required stairs to be unenclosed to common areas where practicable, subject to compliance with the National Construction Code.
r) A minimum 1m x 1m corner splay at ground level of the building at the corner of the street and laneway.
s) Width of the car park entrance dimensioned.
t) Width of the internal vehicle access ramp dimensioned.
u) A convex mirror at the car park entrance.
v) Column depths and setbacks dimensioned.
w) Each ramp section for the ground clearance assessment diagram dimensioned.
x) Any changes required to be consistent with the endorsed Façade Strategy and Materials and Finishes Plan.

Date of issue: 28 October 2026 **Signature for the responsible authority:**

[redacted]

y) Any changes required to be consistent with the endorsed Sustainable Management Plan.
z) Any changes required to be consistent with the endorsed Waste Management Plan.
aa) Any changes required for the ground floor (spiral staircase and surrounds) and Level 1 (external staircase and publicly accessible space) to be designed to relevant wind comfort criteria with associated wind mitigation measures in accordance with the endorsed Wind Impact Assessment.
bb) Any changes required to be consistent with the endorsed Landscape Plan.
cc) Any changes required to be consistent with the endorsed Lighting Impact Assessment (Glint and Glare).
dd) Any changes required to be consistent with the endorsed Stormwater Management Plan.
ee) Any changes required to be consistent with the endorsed Acoustic Report.
ff) Any changes required to be consistent with the endorsed Crime Prevention Through Environmental Design (CPTED) Report.

Layout not altered

4. The use (food and drink premise) and development as shown on the endorsed plans and any other documentation endorsed to form part of the permit must not be altered (unless the Yarra Planning Scheme specifies that a planning permit is not required) without the prior written consent of the Responsible Authority.

Architects to be Retained

5. Except with the written consent of the responsible authority, Edition Office or an architectural firm to the satisfaction of the Responsible Authority as part of the ongoing progress and development of the site must be engaged to:

    a) Oversee design and construction of the development; and
    b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Public Access Areas Plan

6. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), a Public Access Areas plan that clearly delineates areas of the site which will be permanently public accessible and associated responsibilities for management, access, security and maintenance to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with the City of Yarra. The Public Access Areas Plan must identify all publicly accessible internal and external areas intended to be available to the public and must specify minimum hours of public access, management arrangements and any circumstances in which access may be restricted. When approved, the plan will be endorsed and will then form part of this permit. The plan must be drawn to scale with dimensions and must be generally in accordance with the plans approved under Condition 3.

Façade Strategy and Materials and Finishes Plan

7. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:

    a) Elevations at a scale of 1:20 or 1:50 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
    b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
    c) Information about how the façade will be maintained, including any vegetation and the solar photovoltaic (PV) façade system; and
    d) A sample board and coloured renders outlining colours, materials and finishes including the glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface.

Amended Sustainable Management Plan (SMP)

8. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the SMP prepared by Finding Infinity and dated 10 June 2026 but modified to show or detail the following:

    a) All design changes required under Condition 3 of this permit, as relevant, including updated roof plans/elevations showing solar arrays with size, number and kW output.
    b) Evidence of registration of the project with the Green Building Council of Australia for a minimum 6 Star Green Star Buildings rating.
    c) Evidence of a commitment with NABERS for a NABERS Commitment Agreement for 6 star NABERS energy.
    d) Evidence of a commitment with NABERS for a NABERS Commitment Agreement for NABERS 4 star embodied carbon.
    e) Evidence of Passivhaus certifier engagement and pre-certification approval.
    f) Evidence of a commitment to Climate Active Carbon Neutral Certification or an alternative carbon neutral measurement and/or certification system.
    g) Commitment either to 100% in the Nabers Renewable Energy Indicator or achievement of 4 points (Exceptional Performance) in Green Star Buildings V1.1, Credit 22, Energy Source.
    h) Commitment to achieve 2 points in the Green Star Buildings V.1.1 Credit 21, Grid Resilience, subject to respective authority approval.

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

Date of issue: 28 October 2026 **Signature for the responsible authority:**

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10. Within twelve (12) months of the occupation of the development, or by such later date as approved in writing by the Responsible Authority, a report from the author of the SMP or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all provisions, recommendations and requirements specified in the endorsed SMP have been implemented. This shall include:

    a) The submission of evidence that the Greenstar Buildings As Built 6 Star or higher certification has been achieved; and
    b) The submission of evidence that the 4 Star NABERS embodied carbon has been achieved.
    c) The submission of evidence of Passivhaus certification.

11. Within twenty-four (24) months of the occupation of the development, or by such later date as approved in writing by the Responsible Authority, a report from the author of the SMP or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all provisions, recommendations and requirements specified in the endorsed SMP have been implemented. This shall include:

    a) The submission of evidence that the 6 Star NABERS energy rating has been achieved.
    b) The submission of evidence that 2 points in the Green Star Buildings V.1.1 Credit 21, Grid Resilience, subject to respective authority approval.
    c) The submission of evidence that Climate Active Carbon Neutral Certification or an alternative carbon neutral measurement and/or certification system has been achieved.
    d) The submission of evidence that either 100% in the Nabers Renewable Energy Indicator or achievement of 4 points (Exceptional Performance) in Green Star Buildings V1.1, Credit 22, Energy Source has been achieved.

Amended Waste Management Plan (WMP)

12. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended WMP will be endorsed and will form part of this permit. The amended WMP must be generally in accordance with the WMP prepared by Ratio and dated 19 June 2026, and amended to include:

    a) All design changes required under Condition 3 of this permit, as relevant.

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

14. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority in consultation with the City of Yarra.

Date of issue: 28 October 2026 **Signature for the responsible authority:**



Amended Wind Impact Assessment

15. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the Wind Impact Assessment prepared by MEL Consultants and dated 03 October 2025, and amended to include:

    a) All design changes required under Condition 3 of this permit, as relevant, and associated wind mitigation recommendations in supplementary memorandum of advice prepared by MEL Consultants dated 1 October 2026.

16. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Amended Landscape Plan (Private Realm)

17. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the amended Landscape Plan will then form part of this permit. The plan must be generally in accordance with the landscape concept plans, prepared by Openwork and contained within the Urban Context Report dated 16 June 2026., but modified to show:

    a) All design changes required under Condition 3 of this permit, as relevant.
    b) Integrate additional planters with greenery in the upper levels of the atrium space.
    c) Provide dimensions and soil volumes for all planted areas (L x W x soil depth) to ensure sufficient soil is provided to support plant growth.
    d) Tree planter details – including materials, dimensions, drainage and lining materials, and tree anchors where required. Trees should be planted in a minimum soil depth of 700mm, with sufficient soil volume to support long term growth. A reputable industry source should be used to calculate the soil volume required, such as: Elke Soil Volume Simulator https://www.elkeh.com.au/soils/ or similar.
    e) Load bearing weights for the building structure is to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed;
    f) Provide detail drawings for built elements such as furniture and planters, including:
        i. Cross sections showing the width and depth of planter boxes and planting, including growing media, irrigation, drainage, water proofing and tree anchors;
        ii. Dimensions (particularly soil depth and width for planted area and planters);
        iii. Proposed materials, including drainage method and lining; and
        iv. For above ground planted areas (particularly rooftop terraces and green roofs), wind-resistant mulch is to be used; and
    g) Provision of details of irrigation systems and any other associated maintenance requirements.

18. 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.

Street Trees

19. Before development commences, one-off contribution of $9,000 (incl GST, CPI indexed) to Council for street tree planting in Cremorne.

Amended Lighting Impact Assessment (Glint and Glare)

20. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended Lighting Impact Assessment (Glint and Glare) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Lighting Impact Assessment (Glint and Glare) will be endorsed and will form part of this permit. The amended Lighting Impact Assessment (Glint and Glare) must be generally in accordance with the Lighting Impact Assessment (Glint and Glare) prepared by Spaces at Night Pty Ltd and dated 03 June 2026 but modified to include or show:

    a) All design changes required under Condition 3 of this permit, as relevant.
    b) All design changes required under Condition 7 of this permit, as relevant.

21. The provisions, recommendations and requirements of the endorsed Lighting Impact Assessment (Glint and Glare) must be implemented and complied with to the satisfaction of the Responsible Authority.

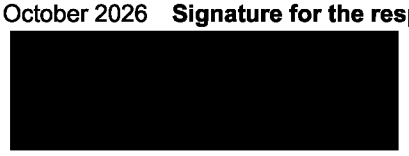
Amended Green Travel Plan (GTP)

22. Before the development is occupied, an amended Green Travel Plan (GTP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel plan will be endorsed and will form part of this permit. The amended GTP must be generally in accordance with the GTP prepared by Ratio and dated 29 June 2026 but modified to include or show:

    a) All design changes required under Condition 3 of this permit, as relevant.

23. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Date of issue: 28 October 2026 **Signature for the responsible authority:**



Public Realm Plan: Functional Layout

24. Before the development associated with the public realm work commences (excluding any demolition, bulk excavation, site preparation or piling), or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted to and approved by the Responsible Authority in consultation with the City of Yarra. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show but not be limited to the following:

    a) All design changes required under Condition 3 of this permit, as relevant.
    b) Layout plan indicating all existing and proposed features and surface levels;
    c) Show all existing and proposed streetscape infrastructure including (but not limited to) light poles, drains and street signs;
    d) Clearly dimensioned elements including pedestrian paths;
    e) All existing and proposed levels and surface grades;
    f) Demonstrate a seamless / DDA compliant levels transition across all proposed footpaths pavements;
    g) Demonstrate a seamless / DDA accessible transition from the public realm into the principal entrance to the proposed building at ground floor level including any proposed setback;
    h) Pavements must meet Council and all relevant Australian standards including for slip resistance;
    i) All existing and proposed drainage infrastructure including any existing or proposed drainage pits and trench grates;
    j) Reconstruction of all footpaths adjacent to the property in accordance with Council standards;
    k) Any existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades; and
    l) Anti-skate measures must be incorporated into the design of relevant elements, ensuring they are discreetly integrated and do not contribute to material damage or increased maintenance requirements.

Public Realm Plan: Detailed Design Phase

25. Before the development associated with the public realm work commences (excluding any demolition, bulk excavation, site preparation or piling), or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, detailed design drawings of the works approved under the Public Realm Plan (as required under Condition 24), addressing all road infrastructure works including soft/hard landscaping, must be submitted to and approved by the City of Yarra's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.

26. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, all associated works shown on the endorsed detailed design plans for the public realm (as required under Condition 25) must be

fully constructed and completed by the permit holder to the satisfaction of the City of Yarra's Civil Engineering Department and at no cost to the Responsible Authority.

Amended Stormwater Management Plan

27. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended Stormwater Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with City of Yarra. When approved, the Stormwater Management Plan will be endorsed and will form part of this permit. The Stormwater Management Plan must be generally in accordance with the Stormwater Management Plan prepared by AECOM and dated 09 July 2026 but amended to show or include:

    a) All design changes required under Condition 3 of this permit, as relevant.

Detailed Drainage Plan

28. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), a Detailed Drainage Plan of all drainage works associated with the development must be prepared, submitted and approved by the City of Yarra. When approved, the plan will be endorsed and will then form part of the permit. The Detailed Drainage Plan must show, but not be limited to, the following:

    a) All design changes required under Condition 3 of this permit, as relevant.
    b) Details of internal finished floor levels (FFL) aligned to the proposed DDA compliant footpath levels at the interface with the property boundary;
    c) Any civil and landscape aspects within the public realm;
    d) Any associated drainage works; and,
    e) Details of any re-located street infrastructure,

All at the permit holders cost and to the satisfaction of the Responsible Authority

29. Before the development is occupied, or at a later date as agreed in writing by the Responsible Authority in consultation with the City of Yarra, all associated works shown on the endorsed Detailed Drainage Plans must be fully constructed and completed by the permit holder at their cost, all to the satisfaction of the City of Yarra.

Amended Acoustic Report

30. Concurrent with the endorsement of development plans under Condition 3, or by such later date as approved in writing by the Responsible Authority and before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), an amended acoustic report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended acoustic report will be endorsed and will form part of this permit. The amended acoustic report must be generally in accordance with the Town Planning Acoustic Report prepared by DDEG and dated 11 June 2026.

a) All design changes required under Condition 3 of this permit, as relevant.

Post Occupation Acoustic Report

31. Within six (6) months of the occupation of the building or commencement of the use, whichever occurs sooner, or by such later date as approved in writing by the Responsible Authority, a Post Occupation Acoustic Report must be submitted to the Responsible Authority confirming that the provisions, recommendations and requirements of the endorsed acoustic report have been installed. The recommendations of the Post Occupation Acoustic Report are to be implemented within 12 months of the occupation of the building or commencement of the use, whichever occurs sooner, to the satisfaction of the Responsible Authority.

32. The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the responsible authority.

Crime Prevention Through Environmental Design (CPTED) Report

33. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), a Crime Prevention Through Environmental Design Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with City of Yarra. When approved, the CPTED Report will be endorsed and will form part of this permit.

34. The provisions, recommendations and requirements of the endorsed Crime Prevention Through Environmental Design Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Park Management Plan

35. Before the use commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

    a) The number and location of car parking spaces, including DDA spaces;
    b) The management of car parking spaces and security arrangements for visitors and employees of the development;
    c) Details of way-finding, cleaning and security of end of trip bicycle facilities;
    d) Security arrangements and formal agreements;
    e) 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;
    f) Details regarding the management of loading and unloading of goods and materials and waste collection in accordance with the endorsed Waste Management Plan; and
    g) Instructions to employees and patrons that they must only use the car parking facilities provided on site or which are otherwise available to the public.

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

General

37. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

38. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

39. 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.

40. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

41. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

42. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

    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, wastewater, waste products, grit or oil; or
    d) The presence of vermin.

43. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

Civil Works

44. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling), vehicle crossing designs must be submitted to Council's Civil Engineering Department for approval. The submitted designs must demonstrate compliance with City of Yarra's Vehicle Crossing Information Sheet.

45. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, 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 City of Yarra.

Date of issue: 28 October 2026 **Signature for the responsible authority:**

[redacted]

46. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, any redundant vehicular crossing must be demolished and re-instated as standard footpath, verge (if applicable), and kerb and channel:

    a) At the permit holder's cost; and
    b) To the satisfaction of the City of Yarra.

47. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, the footpath along the property's Stephenson Street frontage must be re-sheeted in asphalt and the laneway ROW to be constructed as asphalt pavement with bluestone pitcher invert channel:

    a) At the permit holder's cost.
    b) To the satisfaction of the City of Yarra.

48. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, the kerb and channel along the Stephenson Street frontage must be reconstructed:

    a) At the permit holder's cost.
    b) To the satisfaction of the City of Yarra.

49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, the half-width road pavement along the Stephenson Street frontage must be reconstructed:

    a) At the permit holder's cost.
    b) To the satisfaction of the City of Yarra.

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

    a) In accordance with Yarra Standard Drawings | City of Yarra.
    b) At the permit holder's cost.
    c) To the satisfaction of the City of Yarra.

51. Any service poles, structures or pits located within the public realm areas that interfere with the proposal must be adjusted accordingly:

    a) At the permit holder's cost.
    b) To the satisfaction of the City of Yarra.

52. Any on-street parking reinstated as a result of development works must be approved by City of Yarra's Parking Management unit.

53. Any works required to achieve compliance, including surface level modifications, must be undertaken wholly within the subject site. Existing external footpath levels must not be altered

unless an improvement to compliance with adjoining footpaths is demonstrably achieved.

54. All tactiles, handrails, ramps and landings are to be accommodated within the subject site boundary and not protrude outside the subject site's title boundaries.

Car Parking

55. 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.

External Lighting

56. 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 entry must be provided within the property boundary. Lighting must be:

    a) located;
    b) directed;
    c) shielded; and
    d) of limited intensity,

to the satisfaction of the Responsible Authority.

Development Contributions

57. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to City of Yarra in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with City of Yarra to pay the amount of the levy within a time specified in the agreement.

Uses

58. Except with the prior written consent of the Responsible Authority, no more than 150 patrons are permitted in the food and drink premise(s) at ground floor at any time.

59. Except with the prior written consent of the Responsible Authority, the food and drink premise at ground floor may only operate between the following hours:

    a) 7.00am – 10.00pm on any day.

Date of issue: 28 October 2026 **Signature for the responsible authority:**

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60. Speakers or audio systems installed on the rooftop should be designed to minimise off-site noise emissions.

61. The rooftop area must not be used for functions, events or entertainment purposes involving external patrons without the prior written consent of the Responsible Authority.

62. Except with the prior written consent of the Responsible Authority, emptying of bottles and cans into bins may only occur between 7.00am and 10.00pm on any day.

63. Delivery and collection of good to and from the land may only occur between 7.00am and 10.00pm Monday to Saturday, or after 9.00am on a Sunday or public holiday except for those allowed under any relevant local law.

Construction Management

64. Except with the prior written consent of the City of Yarra, 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.

Demolition Management Plan

65. Before the use and development commences (including any demolition, bulk excavation, site preparation or piling), a Demolition Management Plan must be submitted to and approved by the Responsible Authority in consultation with the City of Yarra. When approved, the plan will be endorsed and will form part of this permit. The plan must provide details of the following:

    a) Hours for demolition and construction activity
    b) Measures to control noise, dust, water and sediment laden runoff;
    c) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
    d) Measures to ensure the avoidance of any damage to street trees as a consequence of the movement of large vehicles and machinery (including cranes and excavators) to from the land or as a consequence of the operation of these vehicles and machines in association with the construction of the proposed building, including excavation of the land;
    e) A Traffic Management Plan showing truck routes to and from the site;
    f) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
    g) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
    h) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Demolition Management Plan;
    i) Site Managers name and contact email and mobile number.
    j) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like.

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

Construction Management Plan

67. Before the use and development commences (excluding any demolition, bulk excavation, site preparation or piling shown in an endorsed Demolition Construction Management Plan), a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with the City of Yarra. 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.

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

Section 173 Agreement (Public Access Areas)

69. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority in consultation with the City of Yarra, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the City of Yarra under section 173 of the Planning and Environment Act 1987, which provides for the following:

    a) The Owner must provide public access over all publicly accessible areas identified on the plan required by Condition 6 (Public Access Areas) generally in accordance with the endorsed Public Access Areas Plan, except where temporary closure is reasonably required for maintenance, repairs, public safety, emergency management or other purposes approved by the City of Yarra;
    b) The Owner must maintain the Public Access Areas and implement appropriate access, management and security measures to the satisfaction of City of Yarra and at no cost to City of Yarra.
    c) The Owner must indemnify and keep indemnified City of Yarra against any claim, loss, damage, liability, cost or expense arising from the public use of the Public Access Areas, except to the extent that any such claim, loss, damage, liability, cost or expense arises from the negligence or wilful misconduct of City of Yarra.

    The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority and/or City of Yarra.

    The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority and/or City of Yarra's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

Voluntary Agreement – Community Office Tenancy

70. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the owner (or another person in anticipation of becoming the owner) must provide evidence to the satisfaction of the Responsible Authority which provides for a minimum of 500 square metres of workspace within the development to be made available to an Australian Charities and Not-for-profits Commission registered not-for-profit organisation at a nominal peppercorn rent for a minimum period of 10 years and includes provisions for replacement tenants, monitoring and enforcement.

Railway Interface Conditions (Head, Transport for Victoria)

71. Before the development starts, or such other time agreed to in writing by the Head, Transport for Victoria, amended plans to the satisfaction of the Head, Transport for Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the 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 plans submitted with the application (dated 16 June 2026, prepared by Edition Office Pty Ltd) but modified to show:

a) illegal trespass of people onto railway land is prevented.
b) the designs prevent items from being thrown or falling onto railway land from any part of the building development.
c) the development design does not require people to access onto railway land, or breach electrical safety requirements, for the purposes of routine cleaning, replacement, inspection, maintenance and repair of any part of the building or development.
d) the development does not cause reflected sunlight to interfere with train driver visibility or interpretation of rail signals.
e) the development does not reflect or refract artificial light such that it interferes with train driver visibility or interpretation of rail signals.
f) the development exterior avoids use of red, green or yellow colour schemes that may interfere with driver operations.
g) the development's landscaping and planting will not interfere with train driver visibility or interpretation of rail signals upon completion or in the future.
h) the development's landscaping and planting will not facilitate illegal access to railway land over boundary fence or wall via tree climbing upon completion or in the future.
i) the development's landscaping and planting will not cause damage to any rail assets or infrastructure, via root or branch ingress, upon completion or in the future

72. Windows, doors and balconies must not be placed on the title boundary with railway land. Any windows doors and balconies that are set back from, and generally facing the railway land title boundary shall:

a) be designed to prevent items from being thrown or falling onto railway land.
b) not require people to access onto railway land for the purposes of cleaning, replacement, inspection and maintenance.
c) not cause reflected sunlight to interfere with train driver visibility or interpretation of rail signals.
d) not reflect or refract artificial light such that it interferes with train driver visibility or interpretation of rail signals.

73. Prior to the commencement of works, detailed construction / engineering plans and structural computations for any construction abutting railway infrastructure or railway land must be submitted and approved by Vic Track and the Head, Transport for Victoria. The plans must detail all basement excavation design, retention works and controls of the site adjacent to the railway corridor having any impact on railway land, operations or assets. The design plans must ensure compliance with:

a) the relevant Rail Transport Operator's engineering standard for minimum structural gauge clearances
b) minimum clearances to all electrical assets and procedures for works adjacent such assets, including:
    i. Energy Safe Victoria (ESV) requirements for minimum clearances to electrical assets and works adjacent.

ii. Australian Standards AS2067, AS7000 and Electricity Safety (General Regulations 2019, Part 6) for clearances to electrical assets. Clearances required include for safe working, fire life safety design, electromagnetic interference and earthing, bonding, and electrolysis mitigation design.
iii. Any other reasonable safety requirements required by the Rail Operator.

c) the required rail collision loadings and collision protection measures for the building supports adjacent the rail tracks in accordance with AS5100 Part 1 – 'Bridge Design, Scope and General Principals'.
d) earthquake design loadings for structure designated as a minimum Importance Level 2, by AS1170.4 – 'Structural Design Actions, Earthquake Actions in Australia'.
e) demonstration that ground stabilisation devices, such as temporary or permanent ground anchors, soil nails, reinforced earth straps, do not penetrate onto railway land.

74. Prior to the commence of works (including demolition and bulk excavation), all necessary construction control agreements and indemnity agreements must be prepared and entered into with the Head, Transport for Victoria to the satisfaction of, and at no cost to, the Head, Transport for Victoria and the Rail Operator.

75. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the occupation of the buildings hereby approved, as-built drawing of the foundations, basement, ground floor levels and retention system must be submitted to the Head, Transport for Victoria and VicTrack to the satisfaction of and at no cost to the Head, Transport for Victoria.

76. Unless otherwise agreed in writing with Head, Transport for Victoria, prior to demolition and construction commencing on site, the permit holder must demonstrate to the satisfaction of Vic-Track and the Head, Transport for Victoria that railway land, or air space over railway land, is not required for light and ventilation amenity, or fire safety compliance for the purposes of building code compliance.

77. Prior to commencement of demolition or construction works, the Rail Operator must be contacted through the email address metrositeaccess@metrotrains.com.au to obtain the Rail Operator's conditions and safety requirements for works on, over or adjacent to railway land. This process could take up to 6 months to finalise.

    Furthermore, the developer is required to contact the Developer Interface Projects team, Department of Transport and Planning on developerinterfaceprojects@transport.vic.gov.au to obtain guidance and information regarding pre-construction activities.

78. Prior to the commencement of works, at no cost to the Head, Transport for Victoria, the Permit Holder must engage the Rail Operator to undertake appropriate radio coverage modelling and analysis of the development.

    Where the modelling demonstrates that the development will adversely affect rail operational communications or safe operations, the Permit Holder must implement reasonable and suitable mitigation measures to the satisfaction of, and at no cost to, the Rail Operator and the Head, Transport for Victoria.

Date of issue: 28 October 2026 **Signature for the responsible authority:**

[redacted]

Such mitigation measures may include, but are not limited to, relocation, reconstruction, or upgrading of radio communications antennas and supporting infrastructure.

79. Prior to the occupation of the buildings hereby approved, the development must be demonstrated, to the satisfaction of the Head, Transport for Victoria, not to interfere with Digital Train Radio Systems (DTRS).

80. Prior to the commencement of works (including demolition and bulk excavation), a Traffic Management Plan must be submitted to, and approved by, the Head of Transport for Victoria. The Traffic Management Plan must provide for:

    a) how public transport operations, traffic, walking and cycling movements will be managed during the demolition and construction; and
    b) how any traffic impact to the railway land and associated infrastructure assets will be mitigated.

81. The Traffic Management Plan must be implemented and complied with to the satisfaction of the Head, Transport for Victoria.

82. All costs associated with the preparation and implementation of the Traffic Management Plan will be at no cost to the Head, Transport for Victoria.

83. The endorsed Traffic Management Plan must not be modified without the prior written consent of the Head, Transport for Victoria.

84. Prior to commencement of works (including demolition and bulk excavation), separate Demolition and/or Construction Management Plan must be submitted to and approved by the Head, Transport for Victoria. When approved, the Demolition and Construction Management Plan will form a part of this permit. The Demolition and Construction Management Plan must include (but not be limited to) details of:

    a) the buildings, works and other measures necessary to:
        i. protect railway land, track, overhead power and associated infrastructure.
        ii. Prevent or minimise disruption to the operation of the railway.
    b) the remediation of any damage to railway land, track, overhead and underground power and communication assets, and associated infrastructure.
    c) details of required access to the railway land during demolition and construction of the development with appropriate durations and schedules.
    d) arrangements for:
        v. any hoarding associated with the construction of the development at the railway boundary or that encroaches onto or overhangs railway land.
        vi. piling, excavation, shoring, stabilising, anchoring, filling, earthworks or construction associated with the development occurring on or next to the boundary of the railway land.
        vii. crane location(s), slew radius and slew locking proposals
        viii. the deposit or store of waste, fill or other materials associated with the development on the railway land.

ix. air and dust management.
x. operating hours.
xi. noise and vibration controls.
xii. the management of site drainage, effluent and waste.
xiii. the security of the railway land and associated infrastructure.

All demolition and construction works must be carried out in accordance with the approved Demolition and Construction Management Plan unless with the prior written consent of the Head, Transport for Victoria. The Demolition and Construction Management Plan must be prepared, implemented and monitored at no cost to the Head, Transport for Victoria.

The Demolition and Construction Plan must be consistent with any Construction Management Plan required by the Responsible Authority.

85. The permit holder must, at all times, ensure that the common boundary with railway land is fenced to prohibit unauthorised access to the rail corridor. Any permanent walls or fences permitted on the common boundary with railway land must be designed and constructed with the agreement of Head, Transport for Victoria, and be cleaned and finished using a graffiti proof finish or alternative measures used to prevent or reduce the potential of graffiti as approved by the Head, Transport for Victoria.

86. No drainage, effluent, waste soil or other materials must enter or be directed to railway land from the development site or be stored or deposited on railway land by the proponent.

87. Access to railway assets by rail staff for the purposes of inspection, cleaning, maintenance and repair shall be maintained at all times. Existing access routes to railway land shall not be closed, diverted or modified without prior agreement with the by the Head, Transport for Victoria and the relevant Rail Transport Operator(s).

Permit Expiry

88. This permit will expire if:

a) The development is not commenced within three years of the date of this permit
b) The development is not completed within five years of the date of this permit; or
c) The use is not commenced within five years of 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.

Date of issue: 28 October 2026 **Signature for the responsible authority:**



PERMIT NOTES (USEFUL INFORMATION):

City of Yarra

- Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.
- A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.
- A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.
- No parking restriction signs, or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, valves or meters on Council property will be accepted.
- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
- Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.
- All future business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.
- Legal duties and obligations to protect human health and the environment from pollution and waste are set out in the Environment Protection Act 2017. Please refer to the Environment Protection Authority Victoria website www.epa.vic.gov.au/meeting-your-obligations for more information on identifying potential contamination and complying with your duty to manage contaminated land under the Environment Protection Act 2017.
- The applicant is to liaise with the Relevant Power Authority regarding the removal of the power pole along Stephenson Street. All costs associated with the removal of power pole and streetlamp, and reinstatement of public streetlighting will be the responsibility of the developer.
- For the submission of engineering plans, please submit these to info@yarracity.vic.gov.au marked attention to Engineering Services.
- A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5555 for further information.
- The permit holder must obtain approval from the relevant authorities to remove and/or build over the easements.
- These premises will be required to comply with the Public Health and Wellbeing Act 2008. The use must not commence until registration has been granted by Council's Health Protection Unit.

Date of issue: 28 October 2026 **Signature for the responsible authority:**



Head, Transport for Victoria

- Please contact Head, Transport for Victoria Inner Metropolitan Statutory Referral Department by emailing statutory.planning@transport.vic.gov.au to obtain details relating to the requirements for the Digital Train Radio Systems Coverage Impact Statement.
- All relevant approvals and or consents should be obtained from Head, Transport for Victoria (Development Interface Projects) prior to the commencement of the development. Please forward Demolition, Construction Management Plans and Detailed Construction/Engineering drawings to email developerinterfaceprojects@transport.vic.gov.au

VicTrack

- Rail Development Interface Guidelines can be found on the VicTrack website: https://www.victrack.com.au/get-help/build-next-to-the-rail-corridor

Date of issue: 28 October 2026 **Signature for the responsible authority:**



Planning and Environment
Regulations 2015

Form 4 Sections 63, 64, 64A and 86

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from–
  - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - ii. the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if–
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
   - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if–
   - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
   - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if–
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
   - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision–
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date of issue: 28 October 2026 **Signature for the responsible authority:**

