

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2302676-1
Planning scheme:	Bayside Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	<ul style="list-style-type: none">• 18 Young Street, Brighton (Lot 42 of Plan of Subdivision 004740)• 20 Young Street, Brighton (Lot 41 of Plan of Subdivision 004740)• 1 McCallum Street (Lot 39 of Plan of Subdivision 004740)• 90 Outer Crescent (Land in Plan of Consolidation 363249W)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
32.09-2	Use the land for an education centre (primary and secondary school)
32.09-10	Construct a building or construct or carry out works for an education centre (primary and secondary school)
43.01-1	Construct a building or carry out works and display signs
43.02-2	Construct a building or carry out works for a non-residential building with height exceeding 8 metres (DDO3)
52.05-13	Construct and display business identification signs
52.37-2	Remove a canopy tree in the Neighbourhood Residential Zone

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.

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Commencement

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

Approved and endorsed plans – changes required

3. Before the development starts, including bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by Harding Architects Pty Ltd, Revision D, dated 20 October 2025, but amended to show the following details:
- a) Elevation plans to clearly show location of proposed signage, including height above ground level dimensioned.
 - b) Details of proposed roof plant including height above roof level dimensioned.
 - c) Clear demarcation of pedestrian access arrangements and circulation from existing school entrances points.
 - d) Location of trees to be retained, consistent with Tree Management Plan.
 - e) Noise attenuation measures consistent with the submitted Acoustic Report.

Layout not altered

4. The use and development as shown on the endorsed plans must not be altered (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Noise attenuation

5. Concurrent with the endorsement of development plans, an acoustic report must be approved and endorsed by the responsible authority. The acoustic report must be prepared to the satisfaction of the responsible authority, be generally in accordance with the report prepared by Acoustic Control Pty Ltd, Revision D, dated 5 November 2025, and amended to include the following details:
- a) Any changes required by the detailed development plans.
 - b) Revised multipurpose stadium hours of operation, consistent with requirements of this permit.
 - c) Demonstrate compliance with EPA Publication 1826.4.
 - d) Any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.4.
 - e) Demonstrate compliance with external noise target level of maximum of 45 dB, outside the nearest adjoining dwellings, as specified in submitted acoustic report.
 - f) Demonstrate any PA system (if proposed) is designed to comply with noise limit for music noise, as specified in the submitted acoustic report.

Noise monitor and report

6. If a PA system is installed, before the development is occupied, the operator must install a Noise Monitor and Limiter (“the Device”). The Device must be set at a level by a qualified acoustic engineer to ensure the escape of amplified music noise from the land does not exceed the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol.
7. Within three months of the occupation of the development, a Noise Monitor report must be submitted to the responsible authority. The report must be prepared to the satisfaction of the responsible authority by a suitably qualified acoustic engineer and must:

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- a) Demonstrate compliance with external noise target level of maximum of 45 dB, outside the nearest adjoining dwellings, as specified in the endorsed acoustic report.
 - b) In relation to any PA system, confirm that the Device is operating and has the following characteristics which are also operating:
 - i. the Device limits internal noise levels so as to ensure compliance with the music noise limits according to the *Environment Protection Regulations 2021*
 - ii. the Device has a limiter suitable for interfacing with a Permanently Installed Sound System which will include any amplification equipment and loudspeakers
 - iv. the Device controls are in a locked metal case that is not accessible by personnel other than a qualified acoustic engineer or technician nominated by the owner of the land and notified to the responsible authority
 - v. the Device is installed to control all amplification equipment and associated loudspeakers
 - vii. the monitor level component of the Device includes a calibratable frequency discriminating sound analyser with an internal microphone incorporated in its own tamper-proof enclosure (beyond the normal reach of a person)
 - viii. the Device must prevent a relevant noise level referred to in these conditions being exceeded
 - ix. the Device demonstrates compliance with noise limits in the *Environment Protection Regulations 2021*.
8. Noise levels emanating from the premises must not exceed those required to be met under the *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues* (EPA Publication 1826.4). Any works required to ensure and maintain the noise levels in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the responsible authority.

Tree management plan

9. Concurrent with the endorsement of development plans, a tree management plan must be approved and endorsed by the responsible authority. The tree management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Tree Impact Assessment prepared by Arbor Co Australia Pty Ltd, Revision 2 and dated 19 June 2025, and must include the following:
- a) measures that must be incorporated into the design and construction of the development to ensure the protection of Trees 8, 17, 30, 31 and any other tree identified for retention, determined in accordance with *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*
 - b) the location of tree protection zones (TPZ) and tree protection fencing for trees identified for retention on a plan that is drawn to scale with dimensions

The responsible authority may consent in writing to vary these requirements.

Erection of tree protection fencing in accordance with vegetation management plan

10. Before the development starts, including bulk excavation and site preparation works, tree protection fencing must be erected around any trees identified for retention on the approved and endorsed plans in accordance with the approved vegetation management plan and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites*, to the satisfaction of the responsible authority.

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Maintenance of tree protection fencing and exclusion of activities within fencing

11. At all times during the carrying out of the development:

- a) The tree protection fencing must remain in place and be maintained around any trees identified for retention on the approved and endorsed plans, in accordance with the approved vegetation management plan and *Australian Standard AS4970-2009 - Protection of Trees on Development Sites* to the satisfaction of the responsible authority
- b) Development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over and must be excluded from any areas inside the tree protection fencing to the satisfaction of the responsible authority.

The responsible authority may consent in writing to vary these requirements.

Landscape plan

12. Concurrent with the endorsement of development plans, a landscape plan must be approved and endorsed by the responsible authority, in consultation with Bayside City Council. The landscape plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the Landscape Plan prepared by John Patrick Landscape Architects Pty Ltd, Revision A, dated 23 October 2025, and must include the following:

- a) Layout of landscaping and planting within all open areas of the subject land.
- b) A survey (including botanical names) of all existing trees to be retained and removed.
- c) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
- d) Details of surface finishes of pathways and driveways.
- e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- f) Planting of canopy trees in the northern, western and southern setbacks (minimum two metres tall when planted), consistent with submitted landscape plan.
- g) Details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation
- h) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
- i) Confirmation of proposed street tree location and species, as per Bayside City Council requirements.
- j) Tree species and sizes to be planted over southern easement to be selected to avoid root systems which may impact existing Council drainage assets, to the satisfaction of Bayside City Council.
- k) Shade tolerant tree species selected to be planted within the southern setback.

Completion of landscaping

13. Before the development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the Bayside City Council.

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Landscaping maintenance

14. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of Bayside City Council.

Sustainability Management Plan

15. Concurrent with the endorsement of development plans, a Sustainability Management Plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Environmental Sustainable Design Report prepared by Harding Architects Pty Ltd, dated 10 November 2025 and must include:
- a) Any changes required by the detailed development plans.
 - b) BESS or Green Star Assessment demonstrating best practice sustainable building design.
 - c) STORM and MUSIC Assessment demonstrating best practice standard stormwater management and water quality objectives are met.
 - d) The recommendations of the approved SMP must be implemented to the satisfaction of the responsible authority.

Implementation of ESD Statement Initiatives

16. Within six months of the occupation of the development, a report from the author of the endorsed report must be submitted to and approved by the responsible authority. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed report, to the satisfaction of the responsible authority.

Stormwater Management Plan

17. Concurrent with the endorsement of development plans, a stormwater management plan must be approved and endorsed by the responsible authority, in consultation with Bayside City Council. The stormwater management plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the stormwater management recommendations included in the Environmental Sustainable Design Report prepared by Harding Architects Pty Ltd, dated 10 November must:
- a) include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system
 - b) set out how the stormwater management system will be managed on an ongoing basis
 - c) demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations

Vehicle crossing removal

18. Before the development is occupied, all existing disused or redundant vehicle crossings to Young Street must be removed and the nature strip and kerb and channel reinstated to the satisfaction of the Bayside City Council, at the cost of the owner.

Hours of operation – 1 McCallum Street

19. The use of the land at 1 McCallum Street must operate within the following hours:
- a) 7:00am to 8:00pm Monday to Friday
 - b) 7:00am to 6:00pm Saturday
 - c) 9:00am to 3:00pm Sunday

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The responsible authority may consent in writing to vary these requirements.

Hours of operation – Multipurpose Stadium

20. The use of the multipurpose stadium must only operate between the following times:

- a) 7.00 am and 8.00 pm Monday to Friday
- b) 8.00 am and 4.00 pm Saturday
- c) No operation on Sunday or public holidays.

The responsible authority may consent in writing to vary these requirements.

Pedestrian access to the school from Young Street

21. No student may access or egress the school site at 29-31 Grosvenor Street via Young Street, unless in the event of an emergency. Students and staff must access and egress the sites via the main school campus to the satisfaction of the responsible authority.

Signage

22. Directional signage must be provided that nominates that staff and students cannot access and egress the main school campus via Young Street to the satisfaction of the responsible authority.

Signs not to be altered

23. The location and details of the signs, and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.

Plant/equipment or features on roof

24. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building.

Amenity

25. 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 the land.
- b) The unsightly appearance of any buildings, works or materials.
- c) The emission of noise and artificial light.
- d) The presence of vermin.

To the satisfaction of the Responsible Authority.

Expiry – Use and Development

26. This permit will expire if one of the following circumstances applies:

- a) The development is not started within 3 years of the issued date of this permit.
- b) The development is not completed within 5 years of the issued date of this permit.
- c) The use is not started within two years from the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

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Expiry – Signs

27. This permit as it relates to signs will expire 15 years from the issued date of this permit.

On expiry of the permit, the sign and structures built specifically to support and illuminate it must be removed.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
19 February 2026	<ul style="list-style-type: none"> • Amend the permit site address to include 90 Outer Crescent (also known as 29-31 Grosvenor Street, school campus address). • Amend the permit preamble to include the following triggers: <ul style="list-style-type: none"> ○ Construct a building or carry out works for a Section 2 land use (Clause 32.09-10 - Neighbourhood Residential Zone). ○ Construct a building or carry out works and display of a sign (Clause 43.01 - Heritage Overlay (HO547)) ○ Construct a building or carry out works (Clause 43.02 – Design and Development Overlay (DDO3)) ○ Construct and display a business identification sign (Clause 52.05 Signs) ○ Removal of a canopy tree (Clause 52.37 - Canopy Trees) • Amend the conditions of the permit which relate to operating hours. • Amend the plans (construction of a multi-purpose building and associated landscape areas and demolition of existing buildings). 	Minister for Planning	Section 75

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USEFUL INFORMATION:

(the following information does not form part of this permit)

- The permitted use or development may need to comply with, or obtain the following further approvals:
 - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
 - A building permit under the *Building Act 1993*.

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A handwritten signature in black ink, appearing to be 'AS', written over a horizontal line.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit *at the direction of the Victorian Civil and Administrative Tribunal.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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.

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