Planning and Environment
Interim Regulations 2026

Form 4

Regulation 22

PLANNING PERMIT

Permit No.:	PA2503893
Planning scheme:	Darebin Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	7 Hartington Street, Northcote (1\LP204716)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
32.08-2	Use of land for *Residential hotel*, *Shop* (bookshop), *Place of assembly* (*Function centre* and theatre), *Art and craft centre*, *Restaurant* and *Child care centre*.
32.08-7	Construction of two or more dwellings on a lot.
32.08-10	Construct a building or construct or carry out works for a Section 2 use.
52.05-2	Construct or put up for display a sign.
52.29-2	Creation or alteration of access to a road in a Transport 2 Zone.
52.34-2	Vary, reduce or waive requirements of Clause 52.34-5 and Clause 52.34-6.

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 or endorsed under this permit to the satisfaction of the responsible authority.

Commencement

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

Date of issue: 2 November 2026 **Signature for the responsible authority:**

Layout not altered

3. The use and development as shown on the endorsed plans/reports must not be altered (unless the Darebin Planning Scheme specifies that a permit is not required) without the prior written consent of the Minister for Planning.

Amended plans

4. Before development starts, excluding demolition, architectural plans must be approved and endorsed by the responsible authority. The architectural plans must be prepared to the satisfaction of the responsible authority and be generally in accordance with the following plans but amended to show the changes required under Condition 5:
    - *Architectural Plans Set A* (KUD) March 2026
    - *Architectural Plans Set B* (KUD) March 2026
    - *Architectural Plans Set C* (KUD) March 2026
    - *Architectural Plans Set D* (KUD) March 2026
5. Prior to approval and endorsement by the responsible authority, the architectural plans must be amended to:
    a) Show any modifications required to reflect changes to, and/or the requirements and recommendations of, any document endorsed under this permit.
    b) At *Architectural Plans Set A* (KUD) March 2026:
        i. Delete Sheet nos. TP300, TP301, TP302, TP303, TP304 at the end of the plan set. These sheets provide drawings of a separate building at 515-519 Malvern Road, Toorak.
        ii. Delete Sheet nos. A-TP2001, A-TP2002, A-TP2003, A-TP2004, A-TP2201, A-TP2203, A-TP2210, A-TP2212, A-TP2701, A-TP2702, A-TP2703, A-TP2704, A-TP2705. These drawings show demolition and planning permission is not required for demolition.
        iii. Provide more information on how the natural ventilation objective of Clause 57 is met, including justification as to why Standard E3-10 is not achievable.
        iv. Clearly nominate the storage areas used to achieve the storage objective of Clause 57 on relevant plan drawings.
        v. Clarify and/or correct the areas and dimensions associated with:
            1. Apartment 1.02. Sheet no. A-TP3007 shows the lower level of this apartment, however the following Sheet no. A-TP3008 does not show the upper level. Additionally, the section drawing of this apartment indicates that the staircase extends into the living room of the lower level.
            2. Apartment 2.01. Drawing A-02.01-PLAN on Sheet A-TP4113 does not specify the area or provide relevant room dimensions.

vi. Clarify and/or correct using notations or drawings how the exit boom gate shown on Sheet no. A-TP3003, among other sheets will operate. If controlled vehicle access is required, it needs to be demonstrated that:

1. Vehicles cannot exit the car park by driving on the opposite side of the entry/exit ramp, and
2. That vehicles can operate the boom gate. The absence of a median island through the ramp suggests that license plate recognition may be required to enable vehicles to operate the boom gate.

If these requirements cannot be met then the car park access must be reconfigured to the satisfaction of the Responsible Authority.

vii. Provide dimensioned plan and elevation drawings of the restaurant building, noting its dimensions including its height and nominating its proposed materials (with corresponding changes to the material palette).

viii. Provide a section drawing through the restaurant building showing and dimensioning the rooftop planting space, and information to clarify how the space will be accessed for maintenance.

c) At *Architectural Plans Set B* (KUD) March 2026:

i. Clearly nominate the storage areas used to achieve the storage objective of Clause 55 on relevant plan drawings.

ii. Provide tap and floor waste to every balcony and terrace to support residents growing plants.

iii. Use annotations to identify the bicycle parking devices inside basement garages.

iv. Show the location and capacity of any solar energy systems serving the dwellings.

d) At *Architectural Plans Set C* (KUD) March 2026:

i. Show a revised building design at the top floor, through changes in building mass, facade and/or architectural expression. The revised top floor design should read as visually subordinate to the principal form of the apartment buildings and adopt a lighter palette than lower floors. The private open space at the top floor should be provided with a reasonable extent of weather protection and landscaping.

ii. Clearly nominate the storage areas used to achieve the storage objective of Clause 58 on relevant plan drawings.

iii. Provide a more detailed and enlarged elevation drawing of the eastern elevation. This should specify the material palette at the ground plane and details of the fencing. The fencing should be reasonably transparent to allow opportunities for passive surveillance to Hartington Street.

iv. Provide tap and floor waste to every balcony and terrace to support residents growing plants.

v. Provide adequate landscaping at the rooftop terrace, e.g. through planter boxes.

vi. Provide more detail on the rooftop terrace relating to function and layout, e.g. permanent furniture, shading devices, food production/BBQs.

e) At *Architectural Plans Set D* (KUD) March 2026:

i. Provide additional opportunities for landscaping, including deep soil planting, along the subject land's western boundary and at its north-western corner. These opportunities must allow for planting that is generally in accordance with the planting palettes provided in the *Landscape Plans* (Acre) March 2026 or any superseding landscape plan.

ii. Clarify the purpose of the void at the south-western corner of the ELC building shown on Sheet no. DP-TP305.

iii. Identify the materials to be used for the south-eastern (flat) wall of the theatre building on Sheet no. D-TP451 and at the corresponding material palette.

iv. Identify the materials to be used for the amphitheatre on relevant sheets and at the corresponding material palette.

v. At the western elevation, introduce adequate external sun shading elements.

vi. At the southern elevation, provide additional windows to the level 1 and 2 staff rooms, as well as the level 2 corridor.

vii. Include a section drawing through the building that

1. Shows and dimensions the planter bed proposed to support the canopy tree and grass planting at levels 1 and 2
2. Dimensions the height of the balustrading around the open spaces at those levels and the external spiral staircase connecting them.

viii. Provide operable windows to all regular use areas including all children's rooms to allow for fresh air.

ix. Provide solar panels on the roof of the childcare centre building.

x. Provide a second door and access path from St Georges Road to the ground-floor bicycle store at the childcare centre building.

xi. Amend the elevation drawings to clearly nominate the height of the building, from natural ground to roof parapet, at each corner of the building.

xii. Amend Sheet no. D-TP306 to show the indicative location of the skylight and overhanging roof over windows facing the outdoor play area.

xiii. Amend the materials schedule at Sheet no. D-TP465 and any relevant plan drawings (via notations) to specify what ground surface will be used for the upstairs children's play areas. Natural materials are encouraged over synthetic ones where they are appropriate and practical to implement.

xiv. Provide additional dimensions and notations specifying the ground levels (as RL measurements) to the north and east of the theatre building on all section and elevation drawings.

f) Provide a signage schedule including detailed elevation drawings showing the dimensions and (using notations) details of all signs proposed across the site.

g) Show any design changes required by the endorsed Arboricultural Report to ensure the viable retention of trees, including street trees.

h) Show the location of any external heating and cooling plant and equipment in private open spaces associated with dwellings, noting that these cannot be credited towards private open space.

i) Show using drawings and/or annotations the clotheslines, food production areas, digital ESD noticeboard and IEQ monitoring devices referred to in the *Sustainability Management Plan* (GIW Environmental Solutions) August 2025, or provide written justification and alternate documentation in lieu of any of those commitments.

j) Show using drawings and/or annotations the lighting elements required or recommended by the endorsed Lighting Strategy.

k) Show using drawings and annotations any rainwater tanks required or recommended by the *Sustainability Management Plan* (GIW Environmental Solutions) August 2025.

l) Show and label the car-share spaces recommended in the endorsed Transport Impact Assessment (or provide written justification and alternate documentation in lieu of the provision of car-share spaces).

m) Show and label any changes to the provision of bicycle facilities in accordance with the endorsed Transport Impact Assessment, including any signage or wayfinding.

n) Show using annotations power outlets in indoor bicycle parking areas to support e-bikes.

o) Provide details of the proposed fencing and any level changes along the southern boundary of the subject land, including through elevation drawings.

p) Show through notations and/or drawings any acoustic mitigation measures required by the endorsed acoustic assessment, including specified glazing, ventilation, building-fabric and private open space treatments.

q) Show through annotations and/or drawings the location of any permanent noise-monitoring and noise-limiting required by the endorsed acoustic assessment.

6. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the buildings without prior written consent from the responsible authority.

Updated residential provisions assessment

7. Concurrent with the submission of architectural plans for endorsement, updated written assessment of the development against the objectives and standards of Clauses 55, 57 and 58 must be provided to the satisfaction of the responsible authority.

Amended landscape plans

8. Before development starts, excluding demolition, landscape plans must be approved and endorsed by the responsible authority. The landscape plans must be prepared to the

satisfaction of the responsible authority and generally in accordance with the *Landscape Plans* (Acre) March 2026 but amended to show and provide adequate detail on the:

a) Additional landscaping required to be shown in the endorsed architectural plans

b) Landscaping and landscaping elements relied upon in the endorsed Sustainability Management Plan and associated BESS and MUSIC assessments.

9. The endorsed landscape plans must include the following:

a) Layout of landscaping within all open areas of the subject land

b) Details of surface finishes of pathways and driveways

c) A planting schedule of all proposed plants, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant

d) Details of how the project responds to water-sensitive urban design principles, generally in accordance with the *Sustainability Management Plan* (GIW Environmental Solutions) August 2025 or any superseding endorsed sustainability management plan.

e) Clear demarcation of public realm and private spaces

f) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site

Car parking management plan

10. Before development starts, excluding demolition, a car parking management plan must be approved and endorsed by the responsible authority. The car parking management plan must be prepared to the satisfaction of the responsible authority and generally in accordance with the information set out in the *Transport Impact Assessment* (Ratio) March 2026 but amended to:

a) Reflect any relevant changes to the architectural plans

b) Include and consider the staff, patron and visitor numbers, as well as square meterages for each of the uses at the subject land, including ancillary uses

c) Include and consider the number of dwellings to be delivered at the subject land

d) Assess and make recommendations relating to the exit boom gate at the apartment buildings, further to Condition 5.b.vi.

e) Assess and make recommendations for the provision and operation of the car-share scheme referred to in the *Sustainability Management Plan* (GIW Environmental Solutions) August 2025. This must include the number, location, access, management and allocation of car-share spaces. If a car-share scheme is not proposed, the assessment must explain and justify its omission.

f) Further assess and refine the porte cochere arrangement, building on the submitted swept-path assessment, to demonstrate that a dedicated pick-up and drop-off lane can be provided clear of the internal vehicle circulation lane, and recommend any consequential changes to the architectural plans and operating management plan.

g) Identify the applicable category under the Car Parking Requirement Map and recalculate the car parking requirement for each proposed use in accordance with the transitional provisions of Clause 52.06, applying the lower of the former and current minimum requirements, and update the assessment of the proposed parking provision and any required reduction accordingly.

The endorsed Transport Impact Assessment must make any consequential recommendations for the allocation and management of car parking across the development.

This requirement does not require a change to the proposed number of car parking spaces.

h) Provide recalculated Clause 52.06 and Clause 52.34 calculations based on any updated staff, patron and visitor numbers, and an assessment of the proposed provision of car parking spaces and bicycle facilities against those requirements.

i) Identify the occasional major church services excluded from the ordinary combined patron limit and the traffic, parking, pedestrian and event-management measures applying to those services.

j) Specify the arrangements for managing childcare parking and use of the porte cochere for pick-up and drop-off, minibuses, deliveries and occasional event set-up.

k) Include a single reconciled schedule of bicycle facilities including parking spaces, their typology, allocation, information on whether they are within a lockable compound, and their location in relation to any proposed change rooms and showers.

l) Discussion of how the signage and wayfinding requirements of Clause 52.34 have been achieved.

Amended acoustic assessment

11. Before any non-residential use starts, an acoustic assessment must be approved and endorsed by the responsible authority. The acoustic assessment must be prepared to the satisfaction of the responsible authority and generally in accordance with the *Acoustic Assessment* (Acoustic Logic) August 2025 but amended to:

a) Assess potential noise emissions from the internal theatre, external amphitheatre, function centre, ballroom, restaurant, child care centre and any associated mechanical plant in accordance with the *Environment Protection Act 2017*, *Environment Protection Regulations 2021*, the current EPA Noise Protocol and relevant EPA guidance

b) Address Clause 53.06 (Live music entertainment venues) of the Darebin Planning Scheme, including consideration of noise impacts on existing noise-sensitive residential uses and dwellings proposed on the subject land.

c) Assess the external amphitheatre based on its proposed capacity, activities, amplification, hours, event frequency and duration, and the orientation and operating levels of any sound systems.

d) Assess noise from outdoor play at the child care centre based on the approved capacity, operating hours and arrangement of play areas and confirm the location, height and materials of all required acoustic barriers.

e) Assess the cumulative effects of concurrent operation of noise-generating uses across the subject land.

f) Assess the potential noise impacts of patrons queuing, congregating and dispersing including after events.

g) Assess expected noise received within habitable rooms and private open spaces of surrounding dwellings, including those on the subject land, having regard to their proximity and orientation to the noise-generating uses.

h) Specify any acoustic attenuation or mitigation required to dwellings on the subject land, including through building fabric, glazing, ventilation and treatment of private open spaces.

i) Specify the design, construction and operational measures required to protect the amenity of existing residential uses on surrounding land including on the subject land and to achieve compliance with applicable noise requirements, and state any operating hours, event limits or other restrictions necessary to achieve those outcomes.

j) Identify the location and requirements of any permanent noise-monitoring equipment and noise-limiting devices.

12. The approved uses under this permit must at all times operate in accordance with the endorsed acoustic assessment.

Amended arboricultural report

13. Before development starts, excluding demolition, an arboricultural report must be approved and endorsed by the responsible authority. The arboricultural report must be prepared to the satisfaction of the responsible authority and generally in accordance with the *Arboricultural Report* (John Patrick Landscape Architects) July 2025 but amended to:

a) Assess all trees on the subject land and adjoining street trees identified for retention using the Notional Root Zone and Structural Root Zone methodology in AS 4970-2025.

b) Identify the extent of encroachment into the Notional Root Zone and Structural Root Zone of each tree identified as retained.

c) Incorporate the findings of all non-destructive root investigations undertaken to date, including the *Root Investigation Report* (John Patrick Landscape Architects) February 2026.

d) Specify any trees identified for retention for which further non-destructive root investigation is required to determine the effect of the development on its viable retention.

e) Incorporate the findings of all further required non-destructive root investigations.

f) Recommend any design changes or construction measures required to ensure the viable retention of each tree identified as retained, having regard to their arboricultural values.

14. All buildings and works must be carried out in accordance with the endorsed Arboricultural Report, and all trees identified for retention must be retained and protected in accordance with that report.

Amended operating management plan

15. Before the use starts, an operating management plan must be approved and endorsed by the responsible authority. The operating management plan must be prepared to the satisfaction of the responsible authority and generally in accordance with the *Operating Management Plan* (Hub Property Group) August 2025 but amended to:
    a) Identify staff, patron and visitor numbers in accordance with the endorsed Transport Impact Assessment.
    b) Identify the arrangements for coordinating bookings for the church, function rooms and theatre so that their combined patron attendance does not exceed 430 persons during normal operations.
    c) Distinguish clearly between the internal theatre and external amphitheatre, including their respective capacities, activities, operating hours and arrangements for live or amplified noise
    d) Specify the permitted frequency, duration and hours of events within the external amphitheatre
    e) Specify arrangements for concurrent events and other noise-generating uses across the subject land.
    f) Incorporate all operational requirements and restrictions identified in the endorsed acoustic assessment.
    g) Provide for the management of patron arrival, queuing, congregation and dispersal, including directing patrons away from residential areas within and outside the site where practicable.
    h) Provide procedures for monitoring and responding to noise complaints, including keeping a complaints register available to the responsible authority upon request.
    i) Require relevant staff, tenants and event operators to be informed of and comply with the endorsed acoustic assessment, this permit and the operating management plan.
16. The uses must at all times be carried out in accordance with the endorsed operating management plan.

Amended sustainability management plan

17. Before development starts, excluding demolition, a sustainability management plan must be approved and endorsed by the responsible authority. The sustainability management plan must be prepared to the satisfaction of the responsible authority and generally in accordance with the *Sustainability Management Plan* (GIW Environmental Solutions) August 2025 but amended to:
    a) Demonstrate, through coordinated civil, landscape and architectural information, that the stormwater treatment measures relied upon in the MUSIC model are feasible, including their locations, dimensions, treatment areas, catchments, levels, drainage pathways,

inlets, outlets, overflows and maintenance access, and update the MUSIC model where necessary to reflect the demonstrated design.

b) Demonstrate that the amended stormwater-management response satisfies Clause 53.18 of the Darebin Planning Scheme.

c) Demonstrate how the development satisfies the applicable stormwater-management and energy-efficiency objectives of Clauses 55, 57 and 58 of the Darebin Planning Scheme as they apply, including under any relevant transitional provisions.

d) Demonstrate that stormwater can drain to the proposed treatment measures and legal point of discharge by gravity, unless otherwise agreed in writing by the relevant drainage authority.

e) Substantiate the daylight performance claimed for dwellings and regular-use non-residential areas through calculations, modelling or annotated plans that identify the assessed spaces, relevant inputs, architectural drawing references and results, and recommend any measures required to achieve the stated performance.

f) Complete the thermal-performance assessment of all proposed non-residential buildings, including the theatre, and update the SMP and BESS assessments to replace placeholder inputs and accurately demonstrate the performance of the proposed building fabric and services against the relevant NCC reference cases, including any measures required to address heat gain through the theatre's west-facing glazing.

g) Identify the regular-use non-residential areas relied upon to achieve the stated 60 per cent effective natural-ventilation commitment, demonstrate how effective natural ventilation is achieved in those areas, and specify the enhanced mechanical ventilation or carbon-dioxide control measures applying to the remaining regular-use areas.

18. The responsible authority must consult with Melbourne Water and Darebin City Council before approving or endorsing a sustainability management plan.

19. The development must be constructed and operated in accordance with the endorsed Sustainability Management Plan to the satisfaction of the responsible authority. No measure specified in the endorsed Sustainability Management Plan may be altered or reduced without the prior written consent of the responsible authority.

20. Before the use starts, a Building User's Guide must be prepared and made available to future site users and building managers in accordance with the endorsed Sustainability Management Plan.

Amended waste management plan

21. Before the use starts, an amended waste management plan must be approved and endorsed by the responsible authority. The waste management plan must be prepared to the satisfaction of the responsible authority and generally in accordance with the *Waste Management Plan* (Ratio) August 2025, but amended to reflect the endorsed architectural plans and incorporate any waste-management commitments in the endorsed Sustainability Management Plan.

22. All waste and recyclables must be stored and collected in accordance with the endorsed waste management plan, to the satisfaction of Darebin City Council.

Date of issue: 2 November 2026 **Signature for the responsible authority:**

Staging plan – no document previously submitted

23. Before the development starts, excluding demolition, a staging plan must be submitted to and approved by the responsible authority in consultation with Darebin City Council. The staging plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the following documents, or any endorsed architectural plans which would supersede those specified below:

    - *Architectural Plans Set A* (KUD) March 2026
    - *Architectural Plans Set B* (KUD) March 2026
    - *Architectural Plans Set C* (KUD) March 2026
    - *Architectural Plans Set D* (KUD) March 2026

Facade strategy – no document previously submitted

24. Before the development associated with any of the following buildings starts, a facade strategy for those buildings must be approved and endorsed by the responsible authority.

    - The townhouse dwellings shown in *Architectural Plans Set B* (KUD) March 2026
    - The apartment development shown in *Architectural Plans Set C* (KUD) March 2026
    - The child care centre and theatre buildings shown in *Architectural Plans Set D* (KUD) March 2026

25. The endorsed facade strategy must be prepared to the satisfaction of the responsible authority, be drawn to scale and be generally in accordance with the endorsed architectural plans. Additionally, the endorsed facade strategy must include:

    a) A concise description by the architect of the building design concept and how the facade works to achieve this.

    b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear coding.

    c) Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the responsible authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation.

    d) Cross sections or other method of demonstrating the facade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.

    e) Information about how the facade will be accessed, maintained and cleaned.

Lighting strategy – no document previously submitted

26. Before the use starts, a lighting strategy must be approved and endorsed by the responsible authority. The lighting strategy must:

a) Show the location, type and general level of external lighting throughout the site, including along pedestrian paths, building entrances, communal areas and vehicle accessways, together with measures to minimise glare and light spill to dwellings and adjoining land.

b) Include plans drawn to scale with dimensions.

27. All external lighting must be constructed and operated in accordance with the endorsed Lighting Strategy.

Green travel plan – no document previously submitted

28. Before the use starts, a Green Travel Plan (GTP) must be approved and endorsed by the responsible authority. The GTP must identify measures to encourage walking, cycling and other low-emission travel by residents, staff and visitors. The endorsed GTP must be implemented and maintained.

Tree protection and management plan – no document previously submitted

29. Before the development starts, a tree protection and management plan must be approved and endorsed by the responsible authority. The tree protection and management plan must specify the tree protection zones and construction measures required to ensure the viable retention of all trees identified for retention in the endorsed arboricultural report, including tree protection fencing, ground protection, tree-sensitive construction methods, restrictions on excavation, filling, storage and access within tree protection zones, and the stages of work requiring inspection or supervision by the project arborist, to the satisfaction of the responsible authority.

30. All buildings and works, including demolition, must be carried out in accordance with the endorsed tree protection and management plan.

DDA access plan – no document previously submitted

31. Before the development starts, excluding demolition, a DDA access plan prepared by a suitably qualified access consultant must be approved and endorsed by the responsible authority. The endorsed DDA access plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the architectural plans and *DDA Access Memorandum* (Functional Access Solutions) 31 July 2025. The plan must demonstrate that the proposed access path network within the site is accessible to the satisfaction of the responsible authority. The plan must consider the relevant levels, gradients, path widths, passing areas, ramps, handrails, landings, surface treatments and any other measures necessary to provide accessible movement through the site.

Limit on number of persons

32. Except for special occasion events identified in the endorsed Operating Management Plan, the combined attendance across the church, theatre and function centre must not exceed 430 persons at any one time.

33. At any time no more than 150 patrons may be present at the restaurant, comprising 100 patrons indoors and 50 patrons outdoors.

34. At any time no more than 110 children may attend the child care centre.

Hours of operation

35. The uses may only operate during the following times:

a) Indoor theatre and ancillary bar:
   i. 8am-10pm Monday to Saturday, with any amplified sound or events concluding by 9.30pm.
   ii. 9am to 8.30pm Sunday or public holiday, with any amplified sound and events concluding by 8.00pm.
   iii. The ancillary bars at the proposed theatres may only operate while the indoor theatre is in operation.

b) External amphitheatre:
   i. 8am-8.30pm Monday to Saturday, with any amplified sound or events concluding by 8pm.
   ii. 9am to 8.30pm Sunday, with any amplified sound or events concluding by 8pm.
   iii. No more than 12 organised performance events may occur within the external amphitheatre in any calendar year unless otherwise agreed in writing by the Responsible Authority.

c) Hotel reception and ancillary bar:
   i. The hotel reception may operate 24 hours a day, 7 days a week.
   ii. The ancillary bar may only operate while the hotel is in operation and between the hours of 10am to 11pm.

d) Art and craft centre (makerspaces)
   i. 6am to 10pm Monday to Friday
   ii. 8am to 6pm Saturday and Sunday

e) Child care centre:
   i. 6.30am to 6.30pm Monday to Friday
   ii. 8.30am to 5.30pm Saturday and Sunday

f) Restaurant
   i. 8am to 10pm 7 days a week

g) Function centre
   i. 7am to 10pm 7 days a week

h) Bookshop (shop)
   i. 7am to 10pm 7 days a week

36. The responsible authority may agree in writing to vary the above operating hours. The responsible authority must consult with Darebin City Council and consider any endorsed documents, including any endorsed acoustic assessment and operating management plan, before agreeing in writing to increase the operating hours specified in the above condition.

Date of issue: 2 November 2026 **Signature for the responsible authority:**

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Signs

37. 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.
38. The signs must not be animated or contain any flashing or intermittent light.
39. 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 (excluding any external walls to which a sign is mounted or embossed) 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.

Tree protection fencing

40. Before the development starts, any tree protection fencing required by the endorsed tree protection and management plan must be installed in accordance with that plan to the satisfaction of Darebin City Council.
41. At all times during the carrying out of the construction of the development, the tree protection fencing must be in place and maintained.

Vehicular crossings

42. The removal and construction of new vehicular crossings to a council road must be designed, constructed and carried out to the satisfaction of Darebin City Council.
43. Any buildings and works associated with the construction and removal of vehicular crossings to council roads must be carried out at cost to the land owner.
44. After the completion of the development, vehicular access to and egress from the subject land that is to and from a council road must only be at the vehicular ingress and egress points shown on the endorsed plans.
45. Darebin City Council may consent in writing to vary the requirements of Conditions 42, 43 and 44.

Head, Transport for Victoria Condition

46. Prior to the commencement of the use the new crossover on St Georges Road shown on the endorsed architectural plans must be constructed to the satisfaction of the responsible authority and at no cost to the Head, Transport for Victoria. All vehicles using that crossover must always enter and exit the site in a forward direction to the satisfaction of the Head, Transport for Victoria.

Loading and unloading

47. After the completion of the development, the loading and unloading of goods from vehicles must only be carried out within the designated loading bays and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

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Landscaping completion and maintenance

48. Within 3 months of the completion of development or the use starts, whichever occurs first, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of Darebin City Council.

49. 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 Darebin City Council.

Construction management plan

50. Before the development starts, a construction management plan (CMP) must be submitted to and approved by Darebin City Council. Once approved, the CMP must be endorsed by the responsible authority to form part of this permit and must be implemented to the satisfaction of Darebin City Council.

51. The CMP must address, but not be limited to, the following:

    a) Protection and remediation of road infrastructure

    b) Containment of dust, dirt, mud and other debris

    c) Locations of loading zones, site sheds, cranes, gantries and other construction equipment

    d) Site security

    e) Construction program and truck delivery arrangements

    f) Compliance measures and requests to occupy footpaths and roads

    g) A 24-hour emergency contact

    h) A traffic management plan

    i) A noise and vibration management plan

    j) Temporary stormwater discharge and protection measures

52. The CMP must address how the construction and demolition waste will be managed to achieve the diversion-from-landfill target specified in the endorsed sustainability management plan.

Affordable housing contribution

53. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:

    - At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.

Date of issue: 2 November 2026 **Signature for the responsible authority:**

- An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.

54. The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

Public open space

55. The owner of the land must provide and maintain public access, 24 hours a day and 365 days a year, to all areas shown as publicly accessible on the endorsed plans. Public access to an area must commence upon completion of the stage containing that area, unless otherwise agreed in writing by the responsible authority.
56. An area may be temporarily closed or reserved where reasonably necessary for maintenance, repairs, public safety, emergencies, construction authorised under the endorsed staging plan, or an event or booking managed in accordance with the endorsed Operating Management Plan. Any closure must be limited to the area and period reasonably necessary and must not unnecessarily prevent public movement through the site.
57. The owner or operator may require a person to leave the land where reasonably necessary to protect public safety, prevent property damage or address conduct causing unreasonable disturbance to other users of the land.
58. The owner of the land is responsible for the ongoing management, cleaning, repair, replacement and maintenance of all publicly accessible areas shown on the endorsed plans, as well as all costs associated with those responsibilities.
59. The publicly accessible areas must be maintained to the satisfaction of the responsible authority.

Development contribution

60. Prior to the occupation of the development, the permit holder must:
    a) Pay the amount of the levy required under the *Darebin Development Contributions Plan September 2022 (Amended December 2023)* (HillPDA Consulting); or
    b) Enter into an agreement with Darebin City Council to pay the amount of the levy within a time specified in the agreement.

Retention of architect

61. Except with the written consent of the responsible authority, KUD (architect) and Acre (landscape architect) must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans to the satisfaction of the responsible authority.

Implementation of sustainability management plan initiatives

62. Within six months of the occupation of each stage of the development as shown in the approved staging plan, a report from the author of the endorsed sustainability management plan must be submitted to and approved by the responsible authority. The report must outline how the initiatives in the completed stage of development achieve the performance outcomes

specified in the endorsed sustainability management plan and in accordance with the relevant planning scheme clauses, to the satisfaction of the responsible authority.

63. The stormwater management system approved by the responsible authority and included in the endorsed sustainability management plan must be managed and maintained to the satisfaction of Darebin City Council.

Implementation of acoustic assessment

64. Within 6 months of commencement of the theatre, amphitheatre or function centre uses, an acoustic compliance review (for each of those uses) must be submitted to and approved and endorsed by the responsible authority. The report must confirm that the acoustic treatments, noise-monitoring equipment and noise-limiting devices required by the endorsed acoustic assessment have been installed and that the relevant buildings and uses can operate in accordance with the endorsed acoustic assessment.

65. Any noise-monitoring and noise-limiting devices required by the endorsed acoustic assessment must be calibrated by a suitably qualified acoustic consultant and maintained in accordance with the endorsed acoustic assessment.

Specified operator only

66. The use of the land for the ancillary bar at the theatre must only be carried out by the operator of the theatre.

67. The use of the land for the ancillary bar at the residential hotel must only be carried out by the operator of the residential hotel.

Residential reticulated gas service connection

68. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

69. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

General amenity

70. The use and development must be managed to the satisfaction of Darebin City Council so that the amenity of the area is not detrimentally affected through the:
    a) Transport of materials, goods or commodities to or from the land
    b) Appearance of any buildings, works or materials
    c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
    d) Presence of vermin

Form 4

Regulation 22

Expiry – Use and development

71. 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 6 years of the issued date of this permit

c) The approved uses do not start within 2 years of completion of the development.

Date of issue: 2 November 2026 **Signature for the responsible authority:**

Form 4

Regulation 22

USEFUL INFORMATION

- 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*.
  - Tree removal permissions under local laws.
  - Separate consent for works within the road reserve and the specifications of these works is required under the *Road Management Act 2004*. The proposed development requires construction of new crossover to St Georges Road. Please contact the Department of Transport prior to commencing any works on email MetroExternalProjectsDevelopment@roads.vic.gov.au.
- The responsible authority intends to consult with the Environment Protection Authority before deciding whether to endorse the acoustic assessment required by Condition 11.
- The responsible authority may consult with Darebin City Council before agreeing to vary a condition in writing.

Date of issue: 2 November 2026 **Signature for the responsible authority:**

Planning and Environment
Interim Regulations 2026

Form 4

Regulation 22

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

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–
  (a)the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  (b) 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 if no time is specified, within 3 years after the issue of 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 2 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 5 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 3 years after the issue of the permit; or
   - the use is discontinued for a period of 3 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 if no time is specified, within 3 years after the issue of 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 5 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 3 years after the completion of the development; or
   - the use is discontinued for a period of 3 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 2 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: 2 November 2026 **Signature for the responsible authority:**