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AGENDA

**Planning Committee Meeting to be held on Monday
11 October 2021 at 6.30pm.**

This meeting will be held virtually.

**This meeting will be closed to the public pursuant to
Section 395 of the Local Government Act 2020.**

**This meeting will be livestreamed and may be
accessed from Councils website
www.darebin.vic.gov.au.**




ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



English

This is the Agenda for the Council Meeting. For assistance with any of the agenda items, please telephone 8470 8888.

Arabic

هذا هو جدول أعمال اجتماع المجلس. للحصول على المساعدة في أي من بنود جدول الأعمال، يرجى الاتصال بالهاتف 8888 8470.

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

Αυτή είναι η Ημερήσια Διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα της ημερήσιας διάταξης, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

यह काउंसिल की बैठक के लिए एजेंडा है। एजेंडा के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è l'ordine del giorno della riunione del Comune. Per assistenza con qualsiasi punto all'ordine del giorno, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Дневниот ред за состанокот на Општинскиот одбор. За помош во врска со која и да било точка од дневниот ред, ве молиме телефонирајте на 8470 8888.

Nepali

यो परिषद्को बैठकको एजेन्डा हो। एजेन्डाका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫ਼ੋਨ ਕਰੋ।

Somali

Kani waa Ajandaha Kulanka Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriir 8470 8888.

Spanish

Este es el Orden del día de la Reunión del Concejo. Para recibir ayuda acerca de algún tema del orden del día, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کا ایجنڈا ہے۔ ایجنڈے کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là Chương trình Nghị sự phiên họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong chương trình nghị sự, xin quý vị gọi điện thoại số 8470 8888.

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Agenda

1. MEMBERSHIP

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Recommendation

That the Minutes of the Planning Committee Meeting held on 9 August 2021 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/777/2020 212 - 220 High Street and 1 Wimble Street Northcote

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owners	Consultants
Northcote Theatre	Marianna Colaci, Maria Catena Lentini, Angelina Galati, Rosanna Esposito, Francesco Galati and Daniele Giuseppe Galati	Tract Consultants Noise Consulting Low Impact Development (LID) Winwood McKenzie Architecture Salt

SUMMARY

- The application site (the site) comprises two properties:
 - No. 212 - 220 High Street (Northcote Theatre) and;
 - No. 1 Wimble Street, Northcote.
- The proposal seeks planning permission for the refurbishment, restoration and use of the Northcote Theatre located at No. 212 – 220 High Street and No. 1 Wimble Street, Northcote as a performing arts centre comprising a performance space for 1130 patrons, food and drink premises and bars including a rooftop bar and associated reduction to the car parking requirement.
- The application also seeks permission for associated building and works and a late night on-premises liquor licence.
- The proposal seeks to restore the heritage fabric of the original High Street façade and mezzanine and restore the building's ornate interior while providing a range of necessary upgrades and amenities including universal access to all areas. The proposal will also incorporate a range of ecologically sustainable design measures.
- A Commercial 1 Zone applies to the site.
- The site is affected by the Development Contributions Plan Overlay (DCPO) and the Design and Development Overlay – Schedule 14.
- No. 212 - 220 High Street Northcote is affected by Heritage Overlay (Schedule 312) which is included on the Victorian Heritage Register.
- No. 1 Wimble Street, Northcote is affected by Heritage Overlay (Schedule 97).
- There is no restrictive covenant contained within the titles affecting the site.
- Forty-four (44) objections were received against the application, including a petition.
- Thirteen (13) letters of support were received in favour of the application.
- The proposal is generally consistent with the Municipal Planning Strategy and the Planning Policy Framework of the Darebin Planning Scheme.

- It is recommended that the application be supported subject to conditions.

CONSULTATION:

- Public notice was given via five signs posted on site and letters sent to surrounding owners and occupiers.
- Two consultation meetings were held with Council officers, the applicant and residents.
- Prior to the public notification process the applicant undertook separate consultation with adjacent residents located within the immediate vicinity of the site.
- This application was referred internally to the following units in Council: Arboricultural Planning; Assets and Capital Delivery; Infrastructure Maintenance and Services; Climate Emergency and Sustainable Transport; Environmentally Sustainable Development; Equity & Wellbeing; Health; Heritage and Property Services.
- This application was referred externally to The Department of Transport; Victorian Commission for Gambling and Liquor Regulation.

Recommendation

That Planning Permit Application D/777/2020 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development and use starts, 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 plans submitted with the application (identified as: Drawing numbers, A000, A010, A011, A100, A101, A103, A105, A106, A111, A113, A114, A115, A116, A200, A201, A203, A204, A210, A212, A401, A402, A403, A501, A602, A603, A604 all revision C, dated 12 May 2021, prepared by Winwood McKenzie Architecture) but modified to show:
 - (a) Any modifications required as a result of the Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit. A table listing the ESD commitments must be included.
 - (b) Any modifications required in the Acoustic Report in accordance with Condition No. 18 of the Permit. This can be done as a table of works or as individual notations;
 - (c) Any modifications as a result of the Patron Management Plan in accordance with Condition No. 26 of the Permit.
 - (d) Any modifications as a result of the Waste Management Plan in accordance with Condition No. 28 of the Permit.
 - (e) Any modifications as required by the Bike Concept Plan in accordance with Condition No. 30 of the permit.
 - (f) Any modifications as a result of the Sustainable Venue Transport Policy in accordance with Condition No. 40 of the Permit.
 - (g) A revised Venue Management Plan to include a comprehensive complaint handling process to be put in place to effectively manage complaints received from neighbouring and nearby businesses and residents. This must include details of a Complaints Register to be kept at the premises. The Register must

include details of the complaint received, any action taken and the response provided to the complainant.

- (h) The relocation of the main entry/exit doors to be from High Street with a notation confirming that patrons to exit to High Street only and that the Basting Street entry/exit from the premises must not be used after 10:00pm (except for patrons who require lift access).
- (i) An arboricultural assessment, prepared by a suitably qualified person and in accordance with AS4970-2009 Protection of Trees on Development Sites, detailing all trees on and adjacent to the site that are affected by any proposed works at No. 1 Wimble Street, Northcote. The report must list all species names and recommend either removal or retention with protection measures necessary for those retained.
- (j) Minimisation of noise levels arising from the bicycle parking and valet area located at No. 1 Wimble Street, through the provision of an acoustic fence erected along the northern common boundary. Details of the fence height, materials and design must be included on the endorsed plans in accordance with acoustic recommendations.
- (k) A landscape buffer adjacent the north common boundary designed to improve the amenity and visual impact of the bicycle parking area in relation to the adjacent residential property. The landscape buffer must not result in a reduction to the 140 bicycle parking spaces.

When approved, the plans will be endorsed and form part of this Permit.

- 2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. This Permit will expire if either:
 - (a) The development does not start within three (3) years from the date of this Permit; or
 - (b) The development is not completed or the use is not started within five (5) years of the date of this Permit.

As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:

- (a) Before this Permit expires;
 - (b) Within six (6) months after the expiry date; or
 - (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- 4. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
- 5. The land must be drained to the satisfaction of the Responsible Authority.
- 6. Before plans are endorsed under Condition No. 1 of this Permit, an amended Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended SDA will be endorsed and will then form part of this Permit. The amended SDA must be generally in accordance with the document identified as *Environmentally Sustainable Design prepared by Low Impact Development Consulting, dated 18 March 2021*, but modified to show:

- (a) Specific examples of how the building will be carbon neutral and if/how this is linked to green energy;
- (b) Any shade cloth to be a non-combustible material;
- (c) Details of western shading to roof top bar;
- (d) Details of how cigarettes are to be disposed;
- (e) Details of the size and location of the solar PV system to be used. The size of the panels must be shown on the endorsed roof plans. The solar PV panels must be in a location on the roof that will be least impacted by future development potential to the satisfaction of the Responsible Authority.

The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

7. During the construction phase of the development:

- (a) Only clean rainwater may be discharged to the stormwater drainage system;
- (b) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises, enters the stormwater drainage system;
- (c) Vehicle borne materials must not accumulate on the roads abutting the site;
- (d) All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
- (e) All litter (including items such as cement bags, food packaging and plastic stripping) must be disposed of responsibly;
- (f) All site operations must comply with the Environment Protection (Residential Noise) Regulations 2008 and Darebin General Local Law No.1 2015 Clause 16.

8. The use including the number of patrons may operate only between the hours of:

Use	Patrons	Hours:
Restaurant & wine bar	25	Monday to Sunday – 7:00am to 1.30am
Cocktail bar	25	Monday to Sunday – 12:00pm to 1.30am
Main room / Performance Space	1130	Monday to Sunday – 9:00am to 12:30am
Food service window	52 (these patrons are included in the main room capacity, however, do not account for the takeaway service).	Monday to Sunday – 5:00pm to 11.30pm
Mezzanine level cocktail bar	380	Monday to Sunday – 9:00am to 3:00am
Rooftop bar	200	Monday to Wednesday – 9:00am to 10:00pm; Thursday to Sunday – 9:00am to 11.00pm

9. No more than 1760 patrons may be present on the premises at any one time.
10. Other than in the event of an emergency the northern external stairs must not be used by patrons after 9:00pm.
11. Other than in the event of an emergency the southern external stairs must not be used by patrons after 11:00pm.
12. Other than in the event of an emergency or for patrons requiring lift access, the Basting Street entry/exit from the premises must not be used after 10:00pm.
13. The main room / performance space is permitted to play live music in accordance with the revised acoustic report required by Condition No. 18 of this permit.
14. The main room / performance space is permitted to play background music until the closure of the space at 12.30am on any night.
15. The roof top bar and the restaurant & wine bar must not be used for live music.
No music other than of a type and volume appropriate to background music may be emitted from external speakers in the rooftop area. For the purposes of this condition, background music means any music played at a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voice to a substantial degree, shout, or use a stage voice such as that used by an actor in the theatre.
16. The mezzanine level and cocktail bar may operate with background music including DJs.
17. Live music noise must be assessed by a qualified sound technician over a 15-minute period at the commencement of any live music performance to confirm that music levels comply with noise limits under the relevant noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and relevant Noise Protocol
18. Before plans are endorsed under Condition No. 1 of this Permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will then form part of this Permit. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must:
 - (a) Detail any recommended acoustic attenuation measures to ensure that the live music venue is designed, constructed and managed to minimise noise emissions from the premises;
 - (b) Include acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.The requirements of the approved Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority. At the request of the Responsible Authority, this report will be subject to peer review by a qualified acoustic engineer selected by the Responsible Authority and to the satisfaction of the Responsible Authority, at the full cost of the owner/operator.
19. Within two (2) months of the completion of the buildings and works as shown on the plans endorsed under Condition No. 1, a Post Commencement Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Post Commencement Acoustic

Report will be endorsed and will form part of this Permit. The Post Commencement Acoustic Report must be prepared by a suitably qualified acoustic engineer and must:

- (a) Assess whether the noise attenuation measures contained within the Acoustic Report required under Condition No. 18 have been implemented;
- (b) Assess whether the noise attenuation measures contained within the Acoustic Report required under Condition No. 18 achieve:
 - (i) any noise targets contained within the Acoustic Report;
 - (ii) compliance with the maximum noise levels prescribed by the relevant noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and relevant Noise Protocol

The assessment must include acoustic testing undertaken by a suitably qualified acoustic engineer.

- (c) If the testing reveals that the use/development does not meet relevant noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and relevant Noise Protocol include recommendations for modifications of the buildings and works to bring the use and development into compliance with those requirements and timeframes for those modifications.

The requirements of the endorsed Post Commencement Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Any recommended modifications must be carried out within the timeframes specified in the endorsed Post Commencement Acoustic Report.

Within two (2) months of the completion of the recommended modifications, further acoustic testing must be carried out by a suitably qualified acoustic engineer to confirm whether the use complies with the relevant noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and relevant Noise Protocol and a written report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

All acoustic testing must be carried out during a peak operation of the live music venue.

At the request of the Responsible Authority, this report will be subject to peer review by a qualified acoustic engineer selected by the Responsible Authority and to the satisfaction of the Responsible Authority, at the full cost of the owner/operator.

- 20. Noise levels from the premises must not exceed those required to be met under the relevant noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and relevant Noise Protocol.
- 21. The delivery of goods to the site, and the loading and unloading of goods from vehicles, may only occur during the following times:
 - (a) 7:00am - 10:00pm Monday to Saturday
 - (a) 9:00am - 10:00pm Sundays and public holidays.
- 22. This Permit allows the use of the land only by the owner/operator of the business known as '*Northcote Theatre*' to the satisfaction of the Responsible Authority. If the business owner/operator ceases to use the land for the Place of Assembly, this Permit will expire.

23. A sign or signs must be displayed at the exit(s) to the building requesting that patrons leave the site promptly and in a manner that does not cause disturbance to the amenity of the neighbourhood.
24. At all times during the operation of the use, there must be present on the premises a person(s), over the age of eighteen (18) years, who is responsible for ensuring that the activities on the premises, and the conduct of persons attending the premises, do not have a detrimental impact on the amenity of the locality, to the satisfaction of the Responsible Authority.
25. At all times during the operation of the use, appropriately trained staff must be provided by the operator of the use to ensure that:
- (a) patrons leave the premises in a quiet and orderly manner so that disturbance is not caused to the amenity of the neighbourhood; and
 - (b) patrons do not loiter around the premises or nearby residential properties
- to the satisfaction of the Responsible Authority.
26. Before the use starts and before the plans are endorsed under Condition No.1 of this Permit, the Venue Management Plan must be amended for approval and to the satisfaction of the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must be generally in accordance the Patron Management Plan. Amendments required:
- (a) The training of staff and the management of patron behaviour;
 - (b) Staff communication arrangements;
 - (c) Measures to control noise emissions from the premises and amenity control;
 - (d) Measures to prevent vandalism and antisocial behaviour;
 - (e) Details on the main exit and entry points. All patrons to exist the premises from High Street after 10:00pm;
 - (f) Operating hours as per Condition No. 8 of the Permit;
 - (g) Methods to ensure that taxi and ride share pick up occurs via High Street only. Not Bastings Street and;
 - (h) A comprehensive complaint handling process to be put in place to effectively manage complaints received from neighbouring and nearby businesses and residents. This must include details of a Complaints Register to be kept at the premises. The Register must include details of the complaint received, any action taken and the response provided to the complainant.
- to the satisfaction of a Responsible Authority.
27. Collection of waste must be conducted so as not to cause any disturbance to nearby residential properties in accordance with EPA Noise Control Guidelines (Publication 1254 October 2008). The following must be adhered to:
- (a) Collections may only be carried out between 7:00am to 8:00pm Monday to Saturday and 9:00am to 8:00pm Sundays and Public Holidays;
 - (b) Compaction may only be carried out while on the move;
 - (c) Bottles must not be broken up at the point of collection;
 - (d) Waste is only to be transferred to external bins between 9:00am and 6:00pm;
 - (e) Waste collection must be via Bastings Street and the bins at no point should be left on the kerbside;

to the satisfaction of the Responsible Authority.

28. Before plans are endorsed under Condition No. 1 of this Permit, the Waste Management Plan prepared by Salt June 2021 must be approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of this Permit.

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

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

Waste storage and collection must not affect the amenity of the surrounding area.

Waste storage and collection must not cause any interference with the circulation and parking of vehicles on abutting streets.

29. The use and development must not adversely affect the amenity of the area, including through the:

- (a) transport of materials, goods or commodities to or from the land;
- (b) appearance of any building, works, stored goods or materials;
- (c) emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil;

and/or in any other way, to the satisfaction of the Responsible Authority.

30. Before plans are endorsed under Condition No. 1 of this Permit, the Bike Concept Plan must be revised in accordance with Condition No. 38 of this Permit approved by the Responsible Authority. When approved, the revised Bike Concept Plan will be endorsed and will then form part of this Permit.

31. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.

32. No intermittent or flashing light may be installed on the land without the prior written consent of the Responsible Authority.

33. No goods, equipment, packaging material, or any other material/object must be stored, or left exposed, outside a building that will be visible from any public road or thoroughfare, to the satisfaction of the Responsible Authority.

34. No food or beverage containers may be taken off the premises from patrons to the live music venue.

35. Car spaces and bicycle spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.

36. Before the use starts, the areas set aside for the parking of vehicles and bicycles and access lanes as shown on the endorsed plan(s) must be:

- (a) constructed;
- (b) properly formed to such levels that they can be used in accordance with the plans;
- (c) surfaced with an all-weather sealcoat;

- (d) drained;
- (e) line-marked to indicate each car space and all access lanes; and
- (f) clearly marked to show the direction of traffic along the access lanes and driveways,

to the satisfaction of the Responsible Authority.

- 37. At all times when the use is operating during its permitted hours, the car and bicycle parking areas must be illuminated to the satisfaction of the Responsible Authority. All external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.
- 38. The bike parking area and valet service may operate between 10:00am to 10:00pm from Tuesdays until Sundays, for patrons, with one (1) staff member accessing the bike parking area to retrieve patrons bikes after 10:00pm, up until 12.30am in alignment with ground floor operating hours, to the satisfaction of the Responsible Authority.
- 39. The kitchen exhaust system must be installed and maintained to prevent the emission of unreasonable odours from the site to the satisfaction of the Responsible Authority.
- 40. Before the use starts and before plans are endorsed under Condition No. 1 of this Permit, a Sustainable Venue Transport Policy must be submitted and approved by the Responsible Authority. The Policy must demonstrate how patrons will be informed and incentivised to travel sustainably to the venue to the satisfaction of the Responsible Authority.
- 41. Prior to the commencement of works or the use of the land that forms part of the right of way to the north of the site that is currently used as a cool room, this land must be purchased by the owner of the land of No. 212 – 220 High Street, Northcote.

Department of Transport Conditions No. 42 to 43.

- 42. The construction of the development must not disrupt bus operations on Bastings Street or tram operations on High Street without the prior written consent of the Head, Transport for Victoria. Any request for written consent to disrupt public transport operations during the construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.
- 43. Any damage to public transport infrastructure during the construction of the development must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

Notations

- N1 Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site

- N3 Amendments made to plans noted in Condition 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the use and development they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4 This Planning Permit represents the planning approval for the use and/or development of the site, and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5 Where the Disability Discrimination Act requires the provision of disabled access to the premises any such access must be in accordance with the requirements of this Act.
- N6 Except where no planning permission is required under the Darebin Planning Scheme, no sign may be displayed on the site without further planning approval.
- N7 The sale of liquor may require permission from the Victorian Commission for Gambling and Liquor Regulation and Council.
- N8 The use of the land may require approval by, and/or registration with, Council's Health Protection Unit under the provisions of the *Food Act 1984*, *Public Health and Wellbeing Act 2008* and/or *Tobacco Act 1987*.
-

INTRODUCTION AND BACKGROUND

Pre-application meetings

In September 2020 the applicant undertook a pre-application meeting with Council officers, outlining the proposal and to seek initial feedback.

A second pre-application meeting was held on the 18 November 2020 to provide further details of the operation of the venue and the proposed building refurbishment.

The application was lodged with Council on the 24 December 2020.

Applicant led consultation meetings with residents

On the 20 April 2021 the applicant held their own consultation meeting with residents located to the eastern side of High Street within a 200-metre radius of the site.

Following the meeting, the development was amended to make changes to the application to address some of the concerns raised at this meeting. A letter was sent to Council and residents who attended the meeting on the 23 July 2021.

Consultation meetings facilitated by council officers

Following notification of the application, consultation meetings facilitated by Council officers were held on the 1 and 2 September 2021. These meetings provided an opportunity for residents and the applicant to discuss concerns with regards to the proposal.

Planning History: No. 212 – 220 High Street Northcote

- Planning permit D/975/2004 was issued for *Business identification signs located within a heritage overlay*.

- Planning permit D/870/2010 was issued for a *licensed (restaurant and café licence) food and drink premises (convenience restaurant) in accordance with the endorsed plans*. Condition No. 3 of this permit allowed the use to operate Sunday to Thursday between 6.30am to 11.00pm and on Friday and Saturday between 6.30am until 12 midnight for 300 patrons.

Planning History: No. 1 Wimble Street, Northcote

- A review of Council's records also notes a historical planning permit application for No. 1 Wimble Street, Northcote to use the site as a car park.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The application site comprises two lots being No. 212 – 220 High Street Northcote (corner of Bastings Street), which contains the Northcote Theatre and No. 1 Wimble Street, Northcote. No. 1 Wimble Street is a vacant block.
- Importantly the land at No. 1 Bastings Street (corner of Wimble Street), Northcote, located directly adjacent the eastern boundary of No. 212 – 220 High Street, does not form part of this application (as shown with a star in Figure 1 below). This site is occupied by a substantial two storey building.

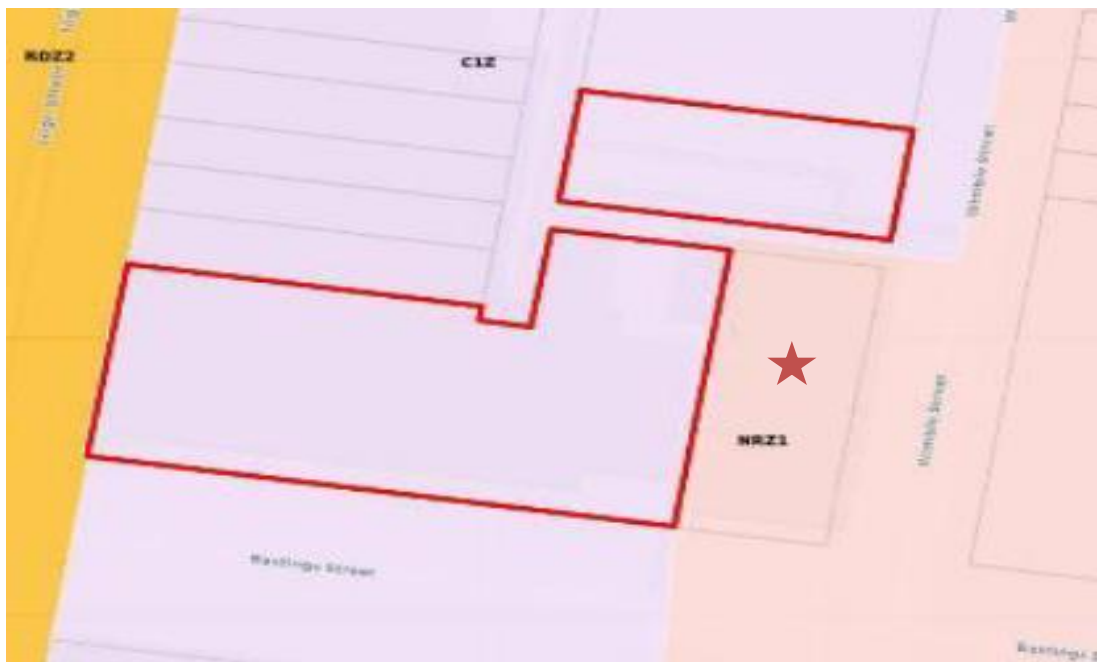


Figure 1: Zoning map of the two (2) sites taken from the Town Planning report, prepared by Tract.

- A small portion of the laneway located to the east of No. 222 High Street Northcote is to be acquired by the landowner and forms part of the site.

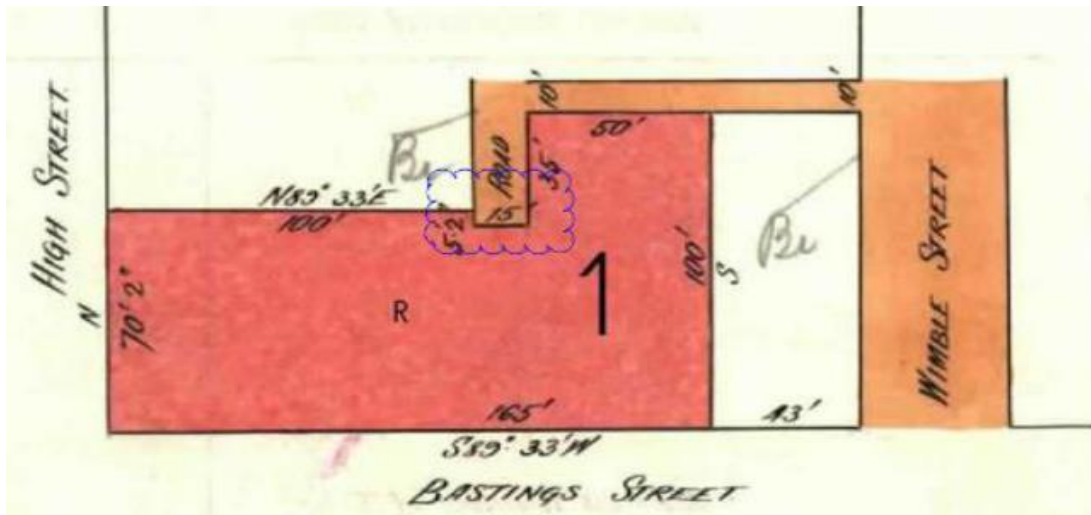


Figure 2: Clouded section identifying land that is to be acquired by the landowner to be used as part of the proposal, taken from the Planning Report, prepared by Tract.

No. 212 – 220 High Street, Northcote

- This property is located on the north-eastern corner of the intersection of High Street and Bastings Street.
- This lot is irregular in shape and measures 1196 square metres in area, with a frontage of 21.39 metres to High Street and a frontage of 50.28 metres to Bastings Street.
- No. 212 – 220 High Street shares a boundary with No.1 Bastings Street of 30.47 metres. The northern boundary measures 40.47 metres to the adjacent property at No. 222 High Street and 15.24 metres to the adjacent lane running east – west.
- A laneway abuts the site's north and western boundaries. The lane runs north – south and intersects with a lane running eastwards towards Wimble Street.
- No. 212 – 220 High Street, Northcote is occupied by the Northcote Theatre, which was built in 1912 and is recognised as Melbourne's oldest surviving purpose-built cinema.
- The Northcote Theatre was developed to originally accommodate 1500 patrons.
- The Heritage citation Statement of Significance for No. 212 – 220 High Street states:
The Former Theatre is a rare, substantially intact example of an early purpose – built theatre in Victoria. It has a small, simple foyer; large, box – like auditorium with a barrel vault ceiling, flat floor and raised stage that could be used for a variety of functions; an area of balcony seating; windows making it suitable for use for daytime functions; and perfunctory, but intact, interior embellishment. The 'attractive' auditorium seated 1500 patrons on two levels and is decorated with pilaster and wreaths. The stage and fly-tower provided for live theatre productions, though the building's main use was for film.
- The theatre operated as a cinema until 1960 before being replaced with the 'Regal Ballroom', function centre inclusive of live music, entertainment and a liquor licence for 300 patrons until 1.30am.
- The theatre building occupies most of the property with a small shed and loading area located in north-eastern corner. This portion of the site includes double gates for vehicle access to the adjacent lane.
- There is currently no space on site for car parking.
- Internally, the building consists of a main entry and foyer connecting the main venue event space to the High Street frontage. A number of small rooms are connected to the foyer including a cloak room/office, store and bathroom.

- There are two retail spaces to the High Street frontage which are both currently vacant.

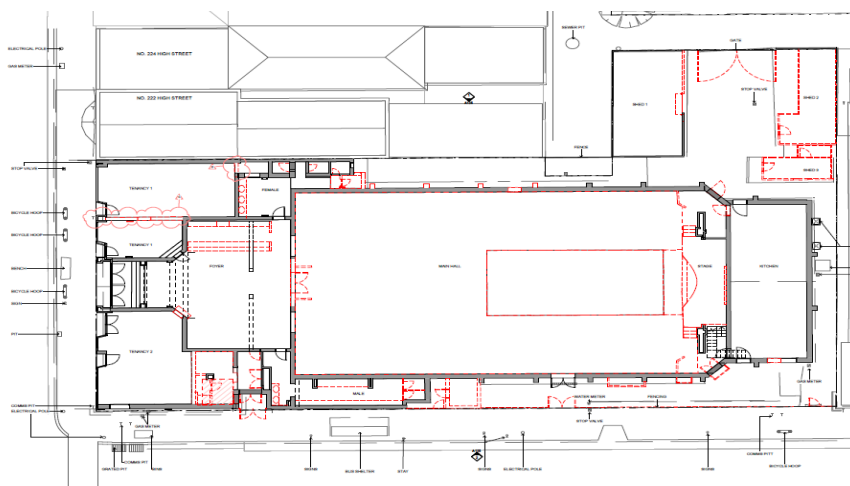


Figure 3: Existing ground floor of the Northcote Theatre, taken from the Planning Report prepared by Tract.

Land surrounding No. 212 - 220 High Street, Northcote

- North: The front portion of the site abuts No. 222 High Street, Northcote which operates as “Francesca’s Bar”, with the remaining part of the land abutting a laneway and then No. 1 Wimble Street, Northcote. The bar is licensed to operate Sunday to Thursday between 5:00pm and 1:00am and Friday and Saturday between 5:00pm. and 3:00am.
- To the north of the rear portion of the site is both a north – south and east – west lane. To the north of the east – west lane is No. 1 Wimble Street which also form part of the application site.
- South: Directly south of the site is Bastings Street. The Peacock Hotel is located on the opposite side of Bastings Street. The Hotel is licensed to operate on Sunday between 10:00am and 11:00pm and on any other day between 7:00am and 1:00am.
- Bastings Street includes one lane in each direction with parallel parking located along both sides of the street and angled parking provided along the southern boundary near the intersection with High Street. The Peacock Hotel provides outdoor seating along the Bastings Street footpath.
- East: Directly east of the site is No. 1 Bastings Street (corner of Wimble Street), which is occupied by a double storey brick building containing commercial uses.
- West: Directly west of the site is High Street which is a Road Zone Category 2. High Street includes one lane in a north - south direction, centrally located tram lines and on street parallel parking.

No. 1 Wimble Street, Northcote

- This lot is regular in shape and measures approximately 345 square metres in area with a frontage of 12.2 metres and a depth of 28.34 metres.
- This site is currently vacant.
- The site is currently used by staff of the Northcote Theatre for car parking.
- This site forms part of the Heritage Overlay - Rucker’s Hill precinct (Schedule 97) and is identified as being, ‘Not mapped’, within the overlay.



Figure 4: Aerial image of both lots and the vacant block at 1 Wimble Street, Northcote, taken from the Planning Report prepared by Tract.

Land surrounding No. 1 Wimble Street, Northcote

- Wimble Street is a no-through road comprising 13 residential properties. The western side of Wimble Street contains three large lots developed with single storey dwellings of varied architectural design and with varied front setbacks.
- The eastern side of Wimble Street contains ten residential lots that are narrower in size and include both detached single fronted weatherboard dwellings and attached Victorian dwellings.
- North: To the north of the site at No. 3 Wimble Street, Northcote is a single storey dwelling on a block of approximately 650 square metres. The dwelling occupying the site is setback approximately 3 metres from the common boundary and approximately 5 metres from the Wimble Street frontage. Directly west and north west of the dwelling are three (3) separate outbuildings. To the north of the dwelling is a garden.

The site previously operated as a builder's yard. The main building was converted to a dwelling circa 2014.

- South and West: A lane running north – south and intersecting with an east – west lane leading to Wimble Street. No. 1 Basting Street located to the south on the corner of Basting Street and Wimble Street is occupied by a double storey brick commercial building.
- East: East of the opposite side of Wimble Street are various dwellings are described above.



Figure 5: Eastern elevation showing the rear half of the Northcote Theatre and No 1 Bastings Street, Northcote.

General

- Both sites are within the Commercial 1 Zone and Design and Development Overlay (schedule 14).
- High Street contains kerbside parking with the following restrictions:
 - 1 hour parking between 8:00am to 6:00pm Monday to Friday;
 - 1 hour parking between 8:00am to 1:00pm Saturday;
 - or is prohibited or only for ¼ hour between 8:00am to 10:00pm.
- Bastings Street contains kerbside parking with the following restrictions:
 - 1 hour parking between 8:00am to 6:00pm Monday to Friday;
 - 1 hour parking between 8:00am to 12.30pm on Saturday;
 - 1 hour parking between 8:00am to 3:00pm Monday to Friday and;
 - 2 hour parking further east along the street.
- Wimble Street contains kerbside parking with the following restrictions:
 - 2 hour parking on both sides of Wimble Street at the southern end;
 - 1 hour parking along the north-east side of Wimble Street and;
 - No parking restrictions to the north-west side of Wimble Street.
- More broadly, the site is located in the Northcote Activity Centre, which includes a range of retail, hospitality and entertainment offerings along with other community services.
- The site has access to public transport including:
 - Tram Route 86 which runs along High Street, between La Trobe University in Bundoora and the CBD.
 - Northcote Train Station which is located approximately 590 metres to the west of the site and which runs along the Mernda line.
 - Bus route 567 which connects the site to Northland and which includes a bus stop directly opposite the site on Bastings Street.
- Venues with live music and various forms of entertainment in close proximity of the site include Northcote Social Club, Northcote Town Hall, Open Studio, the Wesley Ann and Bar 303.

- Other live music and entertainment venues in the Darebin area include the Darebin Arts and Entertainment Centre (1500 patrons), the Croxton Park Hotel (1050 patrons), Welcome to Thornbury (700 patrons) and Paradise Lanes – 188 Plenty Road Preston (600 patrons – planning permit issued 03/06/2021).

Planning Scheme Land Use terms and Definitions

- Bar – Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling.
- Food and drink premises – Land used to prepare and sell food and drink for immediate consumption on, or off the premises.
- Place of assembly – Land where people congregate for religious, spiritual or cultural activities, entertainment or meetings.

Proposal

- The proposal seeks planning permission for the refurbishment, restoration and reuse of the Northcote Theatre (No. 212 – 220 High Street Northcote) and No. 1 Wimble Street, Northcote.
- No. 212 – 220 High Street, Northcote is occupied by the Northcote Theatre, which was built in 1912 and is recognised as Melbourne's oldest surviving purpose-built cinema originally developed to accommodate 1500 patrons.
- The proposal involves the use of the main hall as a performing arts centre which will include comedy, theatre, live music, concerts, cabaret and events.
- The venue is to be used as a multi-purpose venue to cater for various patrons and showcase the venue to the broader community.
- The venue, including all restaurants and bars, is proposed to have a capacity of 1760 patrons.
- The main performance space is proposed to have a capacity of 1130 patrons.
- Bars and food and drinks, including a rooftop bar are proposed.
- Three car parking spaces are proposed at No. 1 Wimble Street site.
- The proposal includes a bicycle valet service which includes the provision of 140 bicycle parking spaces designed to encourage cycling as a convenient, sustainable and secure transportation mode at the No. 1 Wimble Street site.
- The planning permission sought comprises four (4) components:
 1. Use of the land as a place of assembly (live music venue^{*}).
 2. Construction of buildings and works on land in the Commercial 1 Zone and affected by a Heritage Overlay (H097) and Design and Development Overlay - Schedule 14.
 3. A reduction to the statutory car parking requirement for a place of assembly
 4. Sale and consumption of liquor (late night on-premises licence – after 1:00am).

* While the main room / performance space is classified as a place of assembly to be used as a live music venue, this will not be the only type of entertainment to occur in this space. It is the intention by the venue operators that a wide range of entertainment

offerings will utilise this space including comedy, theatre, live music, concerts, cabaret, ballet, festival events and other forms of performance.

The approach was taken to include “live music venue” as the main descriptor of the space, as this use has the most potential to cause amenity impacts.

1. Use of the land as a place of assembly (live music venue)

- A total of 1760 patrons is proposed on the site. The frequency of a full capacity venue would be dependent on market demand, tour scheduling and other variables.
- Approximately 60 staff will be on premises at any one time.
- Proposed operating hours in the venue range from 7:00am to 3:00am.
- The use is further broken down into sub-categories, with respective patron numbers and operating hours as follows:

Use	Number of patrons proposed	Operating hours	Description of space
Restaurant and wine bar (Food and drink premises*)	Approximately 25	Monday to Sunday 7:00am to 1.30am	This space is intended to be used as a bespoke restaurant and wine bar designed to maximise visibility and activity to the High Street frontage.
Cocktail bar (Bar*)	Approximately 25	Monday to Sunday 12.00pm 1.30am	This space is intended to be used as a bespoke cocktail bar designed to maximise visibility and activity to the High Street frontage.
Main room/ Performance Space (Place of assembly*)	1130	Monday to Sunday 9.00am to 1.30am	Main performance area for live music, performing arts and other shows.
Food service window (Food and Drink premises*)	52 (these patrons are included in the main room capacity, however, do not account for the takeaway service)	Monday to Sunday 5pm until 11.30pm	Window service point and seated outdoor dining space with table service for patrons and the public.
Mezzanine level cocktail bar (Place of assembly and bar*)	380	Monday to Sunday 9.00am to 3.00am	Cocktail bar that will operate separately to the main performance area as well as serve patrons during events.
Rooftop bar (Place of assembly and bar*)	200	Monday to Wednesday Until 11.00pm; Thursday to Sunday until 11.30pm	Outdoor alfresco bar and function space. The operating hours for this space have been staggered to assist in mitigating ‘flash points’ of patron dispersal as some patrons will be able to choose to move upstairs to the

			mezzanine level following the end of a show.
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- With regards to the main room / performance space, the performances will typically be ticketed events. It is proposed that communication via the marketing of performances would encourage patrons to attend the site via bicycle, public transport, ride share / taxi due to the limited availability of car spaces around the premises. Communications will also provide information around timetabling for arrival and departure from the site with event finishing times designed to align with public transport availability for trams and trains.
 - The venue operators anticipate that 11% of attendees are expected to be under the age of 24 with 63% of attendees expected to be aged 35 – 65 years old (according to the Economic and Cultural Value of Live Music in Australia 2014 report). The demographic profile of the attendees to the main shows suggests one of maturity with familial obligations.
 - It is anticipated that arrival times of patrons for the main show will be staggered due to patrons arriving early to the precinct to either attend the site or other venues for pre-show dinner and drinks.
 - Some daytime shows are proposed including matinee shows, school holiday programs, festival programming, theatrical rehearsal work and gallery type exhibitions.
 - In relation to the dispersal of crowds, the licensing hours are proposed to allow the operators to retain the crowd in the main room / performance space and mezzanine level / cocktail bar. This gives the crowd time to mingle and staggers the egress of the crowd over time to smooth crowd dispersal.
 - The restoration works will involve opening the currently bordered up mezzanine space, while providing a range of necessary upgrades and amenities including DDA access to all areas and ecologically sustainable design measures.
- 2. Construction of buildings and works on land in the Commercial 1 Zone and affected by a Heritage Overlay (HO97) and Design and Development Overlay (schedule 14).**

No. 212 - 220 High Street, Northcote*

Works include:

- *external stairwell and alterations to the face of the existing building under the Commercial 1 Zone.*
- *Introduction of a rooftop area at the western end of the building, including a new bar and amenities area, lift and glass laminate sound barrier. The primary bar structure has a maximum height of 1.96 metres above the existing parapet and is setback a minimum of 4.7 metres from the parapet to High Street and 6.1 metres from the parapet to Bastings Street.*
- *Reinstating the existing balcony on the western elevation to High Street including cast iron balustrading detail.*
- *Reinstating arch opening on the western elevation to High Street including view to stained glass window behind.*
- *New fencing and gate to Bastings Street for patron access to performance space.*
- *Arch window frames to Bastings Street and north elevation finished in brick tiling for acoustic attenuation.*

- *Southern elevation to Bastings Street 'made good' via removal of existing building services.*
- *Construction of new back of house storage.*
- *Internal works including reinstating the foyer staircase into the mezzanine and balcony stalls, removing the existing false wall separating the main room and mezzanine and reinstating tiered seating for views into the stage and providing substantial upgrades to existing amenities and circulation areas to support universal accessibility.*

***Planning permit exemptions**

Heritage Overlay (Schedule 312) affecting No. 212-220 High Street.

- It is important to note that the Northcote Theatre site (No. 212-220 High Street) is affected by Heritage Overlay (Schedule 312) and is included on the Victorian Heritage Register under the Heritage Act 2017. A Planning Permit is not required for buildings and works to a place on the Victorian Heritage Register under the Darebin Planning Scheme. A separate application under the Heritage Act 2017 will be required to be submitted to Heritage Victoria who will consider all external and internal modifications to the building.

No. 1 Wimble Street, Northcote

- Works in a heritage overlay and commercial 1 zone at No. 1 Wimble Street allowing for shared car park and bike valet.
 - Specifically, the works will involve new timber fencing to the Wimble Street frontage to match the adjacent residential dwelling with a height of 2.2 metres;
 - New chain link fencing adjacent the ROW accessway;
 - Installation of a shipping container to accommodate the bike valet service desk and overnight storage of bikes if required by patrons.
 - Addition of solar panels on the roof of the bike valet to provide power for lighting.
- 3. A reduction to the statutory car parking requirement associated with use as a place of assembly.**
- Three onsite car parking spaces will be available for staff;
 - No onsite car parking is available for patrons;
 - The Wimble Street property will accommodate 140 bicycle parking spaces and operate a bicycle parking valet service;
- 4. To use the land for sale and consumption of liquor (late night on-premises licence);**
- A late night on-premises licence allows the serving of alcohol on site from 1am onwards.
 - The proposed hours of operation are consistent with existing licensing along the High Street corridor.

Planning Permit triggers:

- Clause 34.01-1 (Commercial 1 Zone) Use of the land as a Place of assembly.
- Clause 34.01-4 (Commercial 1 Zone) Buildings and works.
- Clause 43.01-1 (Heritage Overlay) Construct or carry out works (No .1 Wimble Street only).
- Clause 43.02-2 (Design and Development Overlay – Schedule 14) Carry out works.
- Clause 52.06-3 (Car Parking) Reduce the statutory car parking requirement.
- Clause 52.27 (Licensed Premises) Use of the land for the sale and consumption of liquor (late night on-premises licence which allows the serving of alcohol after 1:00am).

Objections

- Forty-four objections have been received.

Objections summarised

- A desire to maintain the heritage integrity of the building;
 - Works are not sympathetic to the heritage building.
 - Heritage report should be provided.
 - Bricking up the south facing original glass arched windows diminishes the heritage fabric.
 - External stair cases are not in keeping with the heritage fabric of the building;
 - Demolition involved and construction of a rooftop bar inconsistent with the heritage fabric of the building;
 - Council should consider local precincts HO97 and HO162 in relation to the proposal;
- Fencing and landscaping to the bicycle valet area on Wimble Street not sufficient;
- Parking;
 - Pre-COVID car parking capacity at limits;
 - Car parking signs often ignored;
 - More effective traffic management strategies required;
 - Reality is many people will drive;
 - Parking surveys conducted outside of 'lockdown', however unlikely to be reflective of actual parking situation given they were taken only a day after lockdown ended and heavy restrictions were still in place;
 - Car parking assessment was conducted on one occasion only;
 - More restaurants have opened since the car parking assessment was conducted;
 - Parking restrictions should change simultaneously with any approval;
 - Parking report contains errors and was conducted in lockdown;
 - Proposed patron numbers are too great for neighbourhood;
 - It is likely that parking demand is much greater than when the traffic survey was undertaken;
 - Transport assessment should acknowledge that parking availability is in the residential streets;

- The revised parking rates have not been sufficiently justified, particularly given the lack of protection for nearby residents;
- The car parking assessment compares the proposal to Billboard nightclub located in the city which is a completely different geographical area with much better public transport;
- Transport assessment doesn't take into account the lack of public transport at closing hours;
- The assessment doesn't acknowledge where the 1700 odd patrons will be accommodated on the footpaths when they've exited the premises, waiting for Ubers/Taxi's etc;
- Council should create taxi / ride share ranks on High Street to ensure no picks ups in Basting Street;
- Changes to the entry to the laneway off the corner of 1 Wimble Street to allow for better access to the laneway;
- Similar uses, with comparable capacities are generally located in the city with better public transport infrastructure and access to more on-street car parking;
- Car parking an issue both during the day and at night;
- Increase in traffic in residential streets, including cars roaming looking for car parking;
- Traffic safety and congestions;
- Noise including:
 - Noise of people coming and going;
 - Noise from rooftop bar (request that the 70% rooftop cover- stage 2, be brought forward to stage 1, with trading hours as per stage 1);
 - Noise from patrons can't be controlled from rooftop bar nor from doors opening and closing;
 - Extra acoustic assessments required once the use has commenced;
 - If noise is not in accordance with the acoustic report, what happens?
 - Noise from music;
 - Noise from loading and unloading (including loading of equipment post performances at 1.30am);
 - Inconsistencies in the acoustic report;
 - Council should monitor noise disturbances once the use commences;
 - Noise from the external staircase, requests that this is suitably noise attenuated and contains enclosed treads and risers and be clad with sound-absorbing surfaces such as rubber, synthetic carpet or the like;
 - Further acoustic treatments should be required, including heavy duty door and window seals, sub-floor insulation, equipment on acoustic mounts and sealing of any floor and wall vents;
 - Piped noise to outside;
 - SEPP N2 concerns not met.
 - Music trading hours conflict with the acoustic report;
 - Noise associated with air-conditioning units;
 - Noise associated with the refrigerated cooling units

- Noise associated with collection of bicycles
- Noise controls and seals to doors (as per the acoustic report) should be added as a condition;
- Outdoor seating areas will result in unacceptable noise;
- Anti-social behaviour once patrons leave the premises, including:
 - Littering;
 - Drunken behaviour;
 - Broken glass;
 - Vandalism to property;
 - Drug use and violence;
 - Urination in the street;
 - Graffiti
 - Nobody (Council nor the applicant) takes responsibility of people behaviour once they've left the premises;
- Saturation of similar uses in the area;
- How will Uber/Taxi drop off and pickups be managed? Large number of Ubers/Taxi's coming at one time will be difficult to manage; lack of appropriate infrastructure;
- Wimble Street should maintain its residential integrity;
- Loading and unloading requirements will result in amenity impacts;
 - Loading and unloading timeframe window 7.00 am to 8.00 pm Monday to Saturday and 9.00 am to 8.00 pm Sunday and public holidays' is excessive
 - How is waste to be picked up?
 - Commercial waste contractors may not comply with the requirements set out in the waste management plan;
- Safety of evacuation of 1760 peoples in case of emergency;
- Overdevelopment - number of patrons proposed is excessive;
- Decrease property values;
- Not respectful to the broader residential character of the area;
- Buildings and works lack architectural merit;
- The height of the roof top bar is not in keeping with the character of the area;
- Excessive number of bars proposed and no need for a kitchen in the development;
- Congestion of people, making social distancing difficult;
- Rooftop bar inappropriate not necessary;
- Poor ESD commitments, PV panels only shown, no detail of number, general lack of detail;
- Lack of daylight internally, given bricking up of existing windows;
- External stairs not required and should be deleted given the small capacity of the rooftop bar;
- Operating hours excessive, particularly when combined with number of patrons;
- Operating hours mid week should be reduced;

- Safety of people hanging around;
- Light disturbance from the bicycle area – requests that lighting be minimal and located low down, switched off at the close of business;
- The use and intensity of the site is not suitable for a residential area, use more compatible with the city;
- Is the application considered an Agent of Change as per Clause 52.43?;
- Fire services and possible new water meter may be required. Where will these be located?
- The Venue Management Plan should be incorporated into the Permit and require a formal amendment to any changes;
- Entry and exit from Bastings Street problematic:
 - Staggered admission times must be provided for patrons;
 - Entry from Bastings street will result in a poor amenity outcome for nearby residential properties;
 - The main point of entry should be High Street;
 - Queuing of patrons should not occur in Basting Street;
 - The double gates adjacent to the entry in the main hall should be used for emergency use only;
 - The ticket box should be relocated to the front of the site;
- Vehicle and smoking related air pollution;
- Overlooking and overshadowing from the rooftop bar. Noting no overlooking or shadow diagrams proposed;
- Is the main entry from Bastings Street? Where will people queue along Bastings Street? Where will the queue be directed when it reaches Wimble Street. Will there be people managing this queue?
- Will the use operate both day and night with full numbers of patrons?
- How will patrons be discouraged from parking in residential streets?
- How is it expected the large number of patrons will disperse on public transport and ride share when they leave the premises? Is it expected that patrons will walk to Northcote Railway Station through the residential areas?
- What will happen if the vacant lot being used for bicycle parking is sought to be redeveloped in the future?
- Could there be a maximum number of large events per year to help alleviate residents concerns?
- Notice of application insufficient:
 - Request to extend the advertising period ignored;
 - Lack of community consultation;
 - Application documentation not available online;
 - Inadequate signage on site notifying the public of the proposal (no yellow sign);
 - A 200 metre radius of letters not sufficient given the scale of the application;
 - Application complex and confusing and not available in person due to lockdown;

- Inadequate information on the signs, too general in nature, no mention of number of car spaces being reduced, or mention of rooftop bar.
- Significant amenity impact from patrons leaving the venue. The experience the Applicant cited in running “festivals” does not reflect the logistical needs of running regular, large-scale events in a primarily residential area.

Officer comment on summarised objections

- A desire to maintain the heritage integrity of the building;
 - *Works are not sympathetic to the heritage building;*
 - *Heritage report should be provided;*
 - *Bricking up the south facing original glass arched windows diminishes the heritage fabric;*
 - *External stair cases are not in keeping with the heritage fabric of the building;*
 - *Demolition involved and construction of a rooftop bar inconsistent with the heritage fabric of the building;*
 - *Council should consider local precincts HO97 and HO162 in relation to the proposal;*

The Northcote Theatre is affected by Heritage Overlay (Schedule 312) and included on the Victorian Heritage Register under the Heritage Act 2017. No Planning Permit is required for buildings and works to a place in the Victorian Heritage Register under the Darebin Planning Scheme.

An application has been lodged with Heritage Victoria to assess the proposed alterations, which residents will be able to make submission on through Heritage Victoria's application process.

The property at No. 1 Wimble Street Northcote is affected by Heritage Overlay (Schedule 97) and is currently vacant. This site forms part of the Rucker's Hill precinct and is identified as being, 'Not mapped', within the overlay. Council's Heritage advisor has no objection to the proposed works of the land to contain the bike valet.

- Fencing and landscaping to the bicycle valet area on Wimble Street not sufficient;

The location of the fence is considered consistent with the Commercial 1 Zone and the use of the site for the purpose of a bike valet.

- Car parking related issues;
 - *Pre-COVID car parking capacity at limits;*
 - *Car parking signs often ignored;*
 - *More effective traffic management strategies required;*
 - *How will patrons be discouraged from parking in residential streets?*
 - *Reality is, many people will drive;*
 - *Parking surveys conducted outside of 'lockdown', however unlikely to be reflective of actual parking situation given only a day after lockdown ended and heavy restrictions still in place;*
 - *Car parking assessment was conducted on one (1) occasion only;*

- *More restaurants have opened since the car parking assessment was conducted;*
- *Parking restrictions should change simultaneously with any approval;*
- *Parking report contains errors and was conducted in lockdown;*
- *Proposed patron numbers are too great for neighbourhood;*
- *It is likely that parking demand is much greater than when the traffic survey was undertaken;*
- *Transport assessment should acknowledge that parking availability is in the residential streets;*
- *The revised parking rates have not been sufficiently justified, particularly given the lack of protection for nearby residents;*
- *The car parking assessment compares the proposal to Billboard nightclub located the city- which is a completely different geographical area with much better public transport;*
- *Transport assessment doesn't take into account the lack of public transport at closing hours;*
- *The assessment doesn't acknowledge where the 1700 odd patrons will be accommodated on the footpaths when they've exited the premises, waiting for Ubers/Taxi's etc;*
- *Council should create taxi/ ride share ranks on High Street to ensure no picks ups in Basting Street;*
- *Changes to the entry to the laneway off the corner of 1 Wimble Street to allow for better access to the laneway;*
- *Similar uses, with comparable capacity's are generally located in the city with better public transport infrastructure and access to more on-street car parking;*
- *Car parking an issue both during the day and at night.*

A detailed response to the car parking reduction proposed is included in the assessment below and is summarised below.

Council's transport engineers have advised that in assessing the expected parking demands from the proposal, the applicant's traffic engineers have adopted parking rates that are well below the statutory parking requirements of Clause 52.06 of the Darebin Planning Scheme.

The results of parking surveys by both the applicant and by Council indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

The applicant has submitted that encouraging use of other forms of transport will be well communicated to patrons, when purchasing their tickets prior to any event. The applicants Transport Assessment was reviewed by Council's Transport Engineering Unit who did not object to the proposal, noting the site is located in the Northcote Activity Centre, along High Street, where an intensification of uses is encouraged. A condition requiring that patrons exit the building from High Street will encourage taxi and ride share pickups to occur on High Street, rather than Basting Street.

- Increase in traffic in residential streets, including cars roaming looking for car parking;

It is acknowledged there will be patrons who will attend the event by car, however this will be strongly discouraged by venue operators. Additionally, it is expected that a portion of patrons will consume alcohol, which will limit the number of patrons travelling by car.

The venue operators have stated they are committed to implementing operational measures to ensure that patrons who attend the venue, do so via public transport, bicycle or taxi/ride share. This will be communicated via the website and tickets purchased for events.

The website and ticketing will also provide information on timetabling for public transport, as well as coordinating event finishing times with available public transport options.

The results of parking surveys by both the applicant and by Council indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards.

- Traffic safety and congestion;

It is anticipated that many patrons will arrive at the venue or the wider area earlier than any scheduled event to have a pre-event meal or drink, thereby staggering the arrival times. Similarly, patrons may choose to remain in the area or attend another venue within the building at the conclusion of an event.

The greatest time expected for traffic congestion will be at the conclusion of events in the evening, when traffic volumes are at their lowest.

As part of the proposal, patrons will be strongly encouraged to ride bikes and utilise the bike valet service.

Due to the nature of live performance and the arts scene it is not expected that the venue will be running at full capacity seven days a week.

- How will Uber/Taxi drop off and pickups be managed? Large number of Ubers/Taxi's coming at one time will be difficult to manage; lack of appropriate infrastructure;

As previously stated, the applicant proposes to inform patrons prior to events that car parking is limited and to seek alternative methods of transport. The venue operators have committed to ensuring that security staff will be stationed at the corner of Wimble and Bastings Street to direct traffic along the main streets and ensure that taxis/ride share cars occur on High Street or the western end of Bastings Street.

- Noise including:

- *Noise of people coming and going;*
- *Noise from rooftop bar (request that the 70% rooftop cover- stage 2, be brought forward to stage 1, with trading hours as per stage 1);*
- *Noise from patrons can't be controlled from rooftop bar nor from doors opening and closing;*
- *Noise from music;*
- *Extra acoustic assessments required once the use has commenced;*
- *If noise is not in accordance with the acoustic report, what happens?*
- *Noise from loading and unloading (including loading of equipment post performances at 1.30am);*
- *Inconsistencies in the acoustic report;*

- *Council should monitor noise disturbances once the use commences;*
- *Noise from the external staircase, requests that this is suitably noise attenuated and contains enclosed treads and risers and be clad with sound-absorbing surfaces such as rubber, synthetic carpet or the like;*
- *Further acoustic treatments should be required, including heavy duty door and window seals, sub-floor insulation, equipment on acoustic mounts and sealing of any floor and wall vents;*
- *Piped noise to outside;*
- *SEPP N2 concerns not met;*
- *Music trading hours conflict with the acoustic report;*
- *Noise associated with air-conditioning units;*
- *Noise associated with the refrigerated cooling units;*
- *Noise associated with collection of bicycles;*
- *Noise controls and seals to doors (as per the acoustic report) should be added as a condition;*
- *Outdoor seating areas will result in unacceptable noise;*

A detailed assessment regarding noise has been included below under the Planning Assessment component of the report. A number of conditions have been included in the recommendation to reduce noise impacts to surrounding residents, including a further acoustic assessment after the use has commenced.

With regard to noise associated with servicing, such as air-conditioning or refrigerated cooling, all servicing of this nature will be located in an acoustically treated room at the rear of the venue to reduce noise issues.

Any resident can alert the police or the EPA if noise levels exceed what is permitted. Council will also be responsible for enforcing the conditions of the permit.

- Safety of people hanging around;

As has been noted, the venue operators have a strong commitment to the safety of patrons and will have extra security and staff to reduce the likelihood of anti-social behaviour. Once patrons have left the venue, they will be encouraged to leave the area.

- Anti-social behaviour once patrons leave the premises, including:

- *Littering;*
- *Drunken behaviour;*
- *Broken glass;*
- *Vandalism to property;*
- *Drug use and violence;*
- *Urination in the street;*
- *Graffiti*
- *Nobody (Council nor the Applicant) takes responsibility of people behaviour once they've left the premises;*

The behaviour of individuals is generally outside the scope of planning regulations. It is noted that a number of conditions, including signs at exits requesting patrons respect the nearby residents, have been included. The applicant has indicated that a number of security staff will be employed on-site to manage patron behaviour at the conclusion of an event.

The proposed business depends upon responsible amenity management. The applicant, through the Venue Management Plan, has enforceable responsibilities to protect the amenity of residential properties and as per liquor licensing conditions, the licensee shall not cause or permit undue detriment to the amenity of the area.

With regard to illegal behaviour of individuals, these matters should be referred to the police.

- Saturation of similar uses in the area:

The Planning Scheme actively encourages the concentration of live music and entertainment venues within existing areas, particularly in activity centres such as Northcote which are well served by public transport.

- Rooftop bar inappropriate and not necessary:

The site is located in a Commercial 1 Zone, in a commercial strip. It is considered that the proposed use and surrounding similar uses are appropriate with regard to the zoning and broader activity centre to which the site is located.

- Wimble Street should maintain its residential integrity:

It is noted that No. 1 Wimble Street is zoned Commercial 1. Notwithstanding this, the use of the Wimble Street property as a bike valet is not particularly intense and will not result in a commercial feel to Wimble Street. The main venue itself fronts High Street and Basting Street.

- Loading and unloading requirements will result in amenity impacts:

- *Loading and unloading timeframe window 7.00am to 8.00pm Monday to Saturday and 9.00am to 8.0 pm Sunday and public holidays' is excessive*
- *How is waste to be picked up?*
- *Commercial waste contractors may not comply with the requirements set out in the waste management plan;*

Waste Management is addressed in the main body of the Planning Assessment. Should the commercial contractor not comply with the requirements set out in the waste management plan, this can be enforced via Council's Planning Enforcement Team.

Additionally, the venue operators have indicated they will endeavour to have the bins collected at approximately the same time each day to minimise noise impacts. Bins are to be left behind the fence on Bastings Street and transferred to the collection waste truck, so that they are not visible from the public realm.

- Safety of evacuation of 1760 peoples in case of emergency:

It is the owner's responsibility to ensure that they comply with the relevant health and safety provisions. This is outside the scope of the planning assessment.

- Overdevelopment - number of patrons proposed is excessive:

The Northcote Theatre was originally developed to accommodate 1500 patrons.

The proposed 1130 patron capacity of the main performance space is based upon floor area and is limited by requirements under the building regulations.

The capacity of the main performance space will differentiate the proposal from other live music venues, in that the venue is a larger building with a commercial frontage within a major activity centre.

The venue is to be used for multiple purposes including hosting international acts. The shows will vary from music, theatre, comedy and other performances including those that support the local arts scene.

- Decrease property values;

A decrease in property values is difficult to measure and is not a relevant planning consideration.

- Not respectful to the broader residential character of the area;

The site is located in a Commercial 1 Zone. The proposed use, as further discussed in the Planning Assessment below, is considered appropriate for the site and its zoning.

- Buildings and works lack architectural merit;

The proposed works have been sought to reinstate a number of original elements, including reopening the original terrace to Hight Street, restoring the mezzanine which is currently boarded up and making good the internal detailing of the hall.

New works are deliberately contemporary in appearance to distinguish it from the original heritage building.

Much of the works proposed are considered restorative, rather than major works which could change the appearance of the place.

The applicant engaged a heritage architect to assist with the final design. Heritage Victoria is the responsible authority in relation to all buildings and works elements of the proposal and will determine the suitability of the design.

- The height of the roof top bar is not in keeping with the character of the area;

The proposed rooftop bar is set back from Wimble Street by approximately 50 metres and is located to the High and Bastings Street corner to alleviate amenity impacts to the residential area.

The roof top bar will be partly concealed by the existing parapet and will not be overly visible from the eastern or western sides of High Street due to existing street level canopies.

Visibility from the western end of Bastings Street will be minimal due to the acoustic grade laminate glass proposed around the bar.

- Congestion of people, making social distancing difficult;

Public health orders, such as social distancing, are outside the scope of any planning assessment. Any approval must continue to meet public health orders.

- Poor ESD commitments, PV panels only shown, no detail of number, general lack of detail;

Further ESD details will be required via a condition of any approval. It is noted the proposal has provided the following ESD commitments:

- Reduction to waste through operations including limiting single use bottles and plastics;
- Inclusion of solar PV panels;

- Promotion of sustainable transport with a strong emphasis on public transport, bikes, ride share.

- Lack of daylight internally, given bricking up of existing windows:

As the venue is primarily a night-time venue, daylight is not considered a necessity within the building. There is no relevant planning policy to address daylight to the proposed use. Several windows currently bricked up are to be opened.

- External stairs not required and should be deleted given the small capacity of the rooftop bar:

The external stairs are required to comply with building regulations for the mezzanine.

- The use and intensity of the site is not suitable for a residential area, use more compatible with the city:

Both sites are located in a Commercial 1 Zone which amongst other matters encourages a vibrant mix of uses for retail, office, business, entertainment and community purposes. Policy for the Northcote Activity Centre is also encourages entertainment-based activity.

- Operating hours excessive, particularly when combined with number of patrons:

- Operating hours mid week should be reduced;

Conditions included on the Permit have reduced the hours of operation to respect the nearby residential uses. General amenity conditions and patron management requirements are also imposed.

- Light disturbance from the bicycle area – requests that lighting be minimal and located low down, switched off at the close of business:

A condition of any approval will require that the lighting to the bike valet is appropriately baffled to minimise light disturbance.

- Is the application considered an Agent of Change as per Clause 52.43?:

An assessment against Clause 53.06 Live Music Venue is included below. The proposal is required to comply with the relevant noise regulations.

- Fire services and possible new water meter may be required. Where will these be located?

Fire services and meters will be located in a position that complies with building regulations with regards to these items.

- The Venue Management Plan should be incorporated into the Permit and require a formal amendment to any changes:

The Venue Management Plan will form an endorsed document and any changes would be required to be dealt with via a secondary consent or a Section 72 Amendment application to Council.

- Is the main entry from Bastings Street? Where will people queue along Bastings Street? Where will the queue be directed when it reaches Wimble Street. Will there be people managing this queue?
 - *Entry and exit from Bastings Street problematic.*
 - *Staggered admission times must be provided for patrons.*
 - *Entry from Bastings street will result in a poor amenity outcome for nearby residential properties.*
 - *The main point of entry should be High Street.*
 - *Queuing of patrons should not occur in Basting Street.*
 - *The double gates adjacent to the entry in the main hall should be used for emergency use only.*
 - *The ticket box should be relocated to the front of the site.*

The main entry point to Bastings Street will remain, however conditions will require that this entry point is noted for use for the exiting of patrons. This is further discussed in the Planning Assessment below.

- Vehicle and smoking related air pollution:

The traffic pollution generated from the proposal cannot be easily measured. It is estimated it will be in keeping with any Commercial area abutting a residential area. Smoking will be strictly limited to specific areas of the site.

- Overlooking and overshadowing from the rooftop bar. Noting no overlooking or shadow diagrams proposed:

It is not considered that the proposed rooftop bar will not result in overlooking or overshadowing to adjoining residential properties. The bar is located on the western side of the building and approximately 50 metres from Wimble Street. The proposal complies with overlooking requirements of the Planning Scheme, which would ordinarily apply to residential development.

- Will the use operate both day and night with full numbers of patrons?

The use will be permitted to operate in accordance with the conditions of the Permit, which would allow for both night and day time use at the capacities specified in the conditions. However, it is unlikely that the use will operate at full capacity all the time.

- How is it expected the large number of patrons will disperse on public transport and ride share when they leave the premises? Is it expected that patrons will walk to Northcote Railway Station through the residential areas?

The staggered closing times will assist with the dispersal of patrons across an evening. Conditions will also require that patrons exit to High Street.

- What will happen if the vacant lot being used for bicycle parking is sought to be redeveloped in the future?

Should this block not be used for the bike valet, an amendment to the application would be required. Future development of this block would also require a planning permit.

- Could there be a maximum number of large events per year to help alleviate residents' concerns?

A cap on the number of events that could occur at the site is considered unreasonable and could undermine the viability of the proposal.

- Notice of application insufficient:
 - *Request to extend the advertising period ignored;*
 - *Lack of community consultation;*
 - *Application documentation not available online;*
 - *Inadequate signage on site notifying the public of the proposal (no yellow sign);*
 - *A 200 metre radius of letters not sufficient given the scale of the application;*
 - *Application complex and confusing and not available in person due to lockdown;*
 - *In adequate information on the signs, too general in nature, no mention of number of car spaces being reduced, or mention of roof top bar;*

Notice of the application was carried out in accordance with the requirements of the Planning and Environment Act by placing signs on site and distributing letters to nearby residents within a 200-metre radius of the site. Technical difficulties experienced during the initial stage of the notice period were resolved including an extension to the availability of documents online. The notice of application signs were displayed on site for an additional week. Documents were sent to residents electronically upon request.

- Significant amenity impact from patrons leaving the venue. The experience the Applicant cited in running "festivals" does not reflect the logistical needs of running regular, large-scale events in a primarily residential area.

The application proposes that patrons will leave at staggered finishing times over the course of the evening. This would be facilitated through the differing closing times of the performance space, the restaurants and bars.

Letters of support:

- Thirteen letters of support were received.

Supporting comments can be summarised as follows:

- Restoration of an important historical building that has been in existence since 1912 and is a key feature of the suburb of Northcote.
- The retention of the Northcote Theatre as an entertainment venue, will ensure its longevity (as opposed to being turned into residential accommodation).
- The community of Darebin will benefit from a proposal that supports the local art scene.
- The reinvigoration of the live music scene is integral to its survival, post COVID – 19.
- The proposal will add to the vibrancy of the City of Darebin.
- The proposal will encourage visitors to the City of Darebin, which will have a positive flow on effect to adjoining businesses.
- The proposal will benefit the hospitality sector, particularly nearby venues.

- The venue operators should be applauded for their vision to restore the building at a time where there is much economic uncertainty.
- The venue will provide employment opportunities for artists and hospitality workers.
- The use will activate High Street.

PLANNING ASSESSMENT

1. Use of the land as a place of assembly (live music venue)

The Council Action Plan 2021 – 2025 at strategic directive 2.4 seeks to *foster local urban streetscapes and activity centres that connect the community and support the economic recovery and encourage people to live, work and play locally.*

The following State and Local Planning Policy within the Darebin Planning Scheme are relevant to the consideration of use of the site as a place of assembly (live music venue).

The objective of Clause 11.03-1S (Activity centres) seeks to *encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*

The site is contained within the Northcote Activity Centre and will be highly accessible to the community. To this end the use is considered appropriate.

Relevant strategies contained under Clause 11.03-1R (Activity centres - Metropolitan Melbourne) aim to:

Support the development and growth of Metropolitan Activity Centres by ensuring they:

- *Are able to accommodate significant growth for a broad range of land uses.*
- *Are supported with appropriate infrastructure.*
- *Are hubs for public transport services.*
- *Offer good connectivity for a regional catchment.*
- *Provide high levels of amenity.*

The site is located within the Northcote Activity Centre and has excellent access to transport infrastructure and good connectivity to the local area. The proposed use is in an appropriate location with excellent access to public transport. Amenity considerations are discussed in detail below.

Clause 13.05-1S (Noise abatement) aims to *assist the control of noise effects on sensitive land uses.*

Noise attenuation will be addressed further below.

Clause 13.07-3S (Live Music) aims to *encourage, create and protect opportunities for the enjoyment of live music.*

Strategies to achieve this objective include:

- *Identify areas where live music venues are encouraged or where there are high concentrations of licensed premises or clusters of live music venues.*
- *Implement measures to ensure live music venues can co-exist with nearby residential and other noise sensitive land uses*

The site is located in an area where there are other licensed premises and live music venues.

The assessment below will consider how the proposal can co-exist with the nearby sensitive land uses without causing unreasonable amenity impacts.

Clause 17.01-1S (Diversified economy) aims to *strengthen and diversify the economy*.

The proposed live music venue and associated food and drink premises will provide a source of jobs and stimulate the arts industry. It is considered that the proposal will both strengthen and provide diversity to the local community.

Clause 17.02-1S (Business) seeks to *encourage development that meets the community's needs for retail, entertainment, office and other commercial services*.

The proposed use contributes to the community's entertainment services.

Looking at the Municipal Planning Strategy the following Clauses are relevant:

Clause 21.04-1 (Strategic Economic Development Framework) identifies Northcote as an activity centre and High Street as a retail and commercial precinct. Council recognises that *increasing economic activity and promoting diversity in economic activity will provide benefits to the community*. The policy also supports the transition of Darebin's economy to one that encourages *a greater breadth of uses and investment in retail, institutional and hospitality sectors*.

The Strategic Economic Development Framework Plan highlights the following as one of the key features of economic land use in Darebin, as set by the Darebin Economic Land Use Strategy (2014):

- *A retail activity centre hierarchy that provides a mix of retail, commercial, service and residential uses and encourages intensification of these uses within activity centres.*

The proposed use of the site as a Place of Assembly (Live Music) is consistent with the strategies and objectives of Council's local economic policy.

Clause 21.04-5 (Arts, Culture and Tourism) recognises that Darebin has a *well-established arts and cultural scene that is closely associated with the municipality's identity, attracts a broad range of visitors and generates considerable economic benefits*.

It also notes: *Land use planning aims to support Darebin's cultural and artistic vitality. Council recognises there is ongoing demand for adequate space to accommodate cultural activities such as live music, theatre, and visual art creation and exhibition.*

This Clause lists the following as key issues:

- *How land use planning can support Darebin's cultural and artistic vitality as part of the greater land use mix.*
- *Amenity issues with residential uses within activity centres, particularly with regard to live music venues.*

The objective of the Clause is to *promote and support arts and cultural activities in Darebin*.

Strategies to achieve the objective include:

- *Promote arts and cultural activities as a means to generate economic growth and local employment opportunities.*
- *Support business activities that relate positively to and attract activity at street level within activity centres and other key precincts.*
- *Promote and provide high quality spaces for the development, exhibition or staging of a wide variety of art forms. Encourage the provision of affordable artist working spaces and cooperatives, and performance spaces.*

It is considered that the proposed use is consistent with the objectives and strategies of the Clause. Amenity issues will be discussed in detail below.

Council's Local Policy – Clause 22.08 (Northcote Activity Centre) includes the following objectives:

- *To reinforce High Street as the core retail and commercial activity spine.*
- *To provide physical form and services that seek to create a more ecologically sustainable activity centre, including through incorporating principles of environmentally sustainable design.*
- *To encourage a diversity of use and development focused around walking, cycling and public transport as the preferred forms of access.*
- *To support a mix of uses, activities, services and facilities that enhance the economic, social and environmental viability of the centre.*
- *To develop the Activity Centre as a regional arts and design community.*
- *To maintain strong historic links to social and cultural diversity, including recognition of indigenous cultures and migration.*

Relevant policy includes to:

- *Ensure proposal for late night uses minimise amenity impacts on residential uses, particularly those located in residential zones.*
- *In business zone areas support and encourage a mix of:*
 - *day and night-time activity to consolidate and enhance the Activity Centre's regional retail function and role*
 - *entertain uses which are operating and designed to minimise land use conflict*
- *Increase and improve the provision of locally based jobs and business growth*
- *Reinforce High Street as the core retail and commercial activity spine through encouraging within the strip:*
 - *Promotion of a range of day and night time activities, including niche retail and entertainment facilities*
- *Nurture further development of the emerging creative arts sector in an identified Creative Communities Precinct through continued support for arts, design and related small and home-based businesses in new and older adapted buildings.*
- *Encourage opportunities for growing the evening economy.*

The site is located within the High Street South precinct. The policy indicates that the *precinct is an area of moderate change, and a core pedestrian, cycle and transport spine. Development should support a mix of uses subject to addressing heritage, character, access and land use conflict issues;*

and aims to:

- *Support a mix of local convenience retail, restaurants and speciality retail uses, and upper level office and residential uses which consolidate the retail and entertainment core.*
- *Encourage a range of day and night time uses that can add to the vibrancy of the centre.*

Both the Municipal Planning Strategy and the Planning Policy Framework support the proposed Place of Assembly (live music venue) along High Street within Northcote, as both a source of economic activity, promotion of an appropriate late night use and a fostering of the arts.

Consistently, the policy also highlights the need to protect the amenity of sensitive uses and this will be addressed in detail below.

At Clause 22.08-3 it is general policy to *ensure proposal for late night uses minimise amenity impacts on residential uses, particularly those located in residential zones.*

The proposed Place of Assembly (live music venue) has a number of potential amenity considerations. It should be acknowledged that both No. 212 – 220 High Street and No. 1 Wimble Street site are located in a Commercial 1 Zone.

Adjacent properties located to the north, south and west are also located within the Commercial 1 Zone and include a mix of commercial land use including night-time entertaining uses.

The property located directly to the east of the site, while within the Neighbourhood Residential Zone is used as an office building and has been for some time.

The closest residential properties to No. 212-220 High Street, Northcote are at No. 3 Wimble Street Northcote which is approximately 15 metres from the northern boundary of the site and No. 3 Bastings Street, Northcote which is 24 metres from the eastern boundary of the site.

Further east, along Wimble Street and Bastings Street are a number of residential properties which are in close proximity to the site and may be adversely affected by the proposed use.

Issues regarding amenity, can be broken down into:

- Noise, including live music;
- Waste collection;
- Patron movements

Amenity Impact - including Live Music

Planning Practice Note 81 (Live Music and Entertainment Noise) highlights the following:

Live music is an important part of the state's rich culture. Melbourne has a long established and highly regarded live music scene, making it the leading music city in Australia. Live

music makes a significant contribution to the state's economy, drawing visitors from near and far and provides vital opportunities for emerging and established local musicians.

Settlement trends, particularly in inner urban areas, are increasing the level of residential development in mixed use environments. While this creates more efficient and vibrant communities, close proximity between residential and entertainment uses can sometimes cause conflict about noise emissions.

A balanced approach is essential to support the viability of our valued live music entertainment scene and to ensure live music entertainment venues co-exist amicably with their residential neighbours. Planning seeks to achieve a balance between supporting live music and protecting residents from unreasonable noise disturbance.

Clause 13.05 (Noise) of the State Planning Policy Framework in the Victoria Planning Provisions sets out the overarching policy basis for planning decisions about noise:

Objective: *To assist the control of noise effects on sensitive land uses.*

Strategy: *Ensure that development is not prejudiced and community amenity is not reduced noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area'.*

Clause 53.06 (Live Music Venues) of the Darebin Planning Scheme applies to live music venues.

The purpose of Clause 53.06 is to:

- *Recognise that live music is an important part of the State's culture and economy.*
- *Encourage the retention of existing and the development of new live music entertainment venues.*
- *Protect live music entertainment venues from the encroachment of noise sensitive residential uses.*
- *Ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.*
- *Ensure that the primary responsibility for noise attenuation rests with the agent of change.*

In accordance with the purpose of Clause 53.06 the proposed use is defined as the "agent of change". The agent of change principle assigns responsibility for noise attenuation measures to the 'agent of change' – a new use or development that is introduced into an existing environment. Clause 53.06 requires a consideration of noise sensitive residential uses located within 50 metres of a live music venue.

The following properties (within a residential zone) are located within 50 metres the boundary of the premises:

- No. 3 and 9 Bastings Street, Northcote (northern side);
- No. 2 to 10 Bastings Street, Northcote (southern side);
- No. 2 to 10 Wimble Street, Northcote (eastern side);
- No. 3 and 5 Wimble Street, Northcote (western side)

More specifically the closest lots to the main room / performance space and cocktail bar and rooftop bar are as follows:

- No. 2 Bastings Street, Northcote which is 30 metres southeast of the main room and 50 metres from the cocktail bar and rooftop bar.
- No. 3 Wimble Street, Northcote which is 30 metres northeast of the main room and 42 metres from the cocktail bar and rooftop bar.
- No. 2 Wimble Street, Northcote which is 44 metres northeast of the main room and 68 metres from the cocktail bar and rooftop bar.

Located in between the properties located directly east of the performance space is No. 1 Bastings Street (within a residential zone) which is occupied by a substantial two-storey building.

Clause 53.06 and the Planning Practice Note 81 (Live Music and Entertainment Noise) include the following requirements and approaches to addressing noise from live music venues:

- *A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.*
- *Meet relevant noise requirements stipulated under relevant State Environment Protection Policy.*
- *Operate under a venue management plan focussed on minimising noise.*
- *Position entertainment rooms, the stage and loudspeakers to increase the distance between the noise source and any noise sensitive residential use.*
- *Orienting the stage or loudspeakers of external entertainment spaces to direct noise away from any noise sensitive residential use.*
- *Incorporating measures such as acoustic glazing, wall, ceiling and roof construction.*
- *Seal gaps, joints and service penetrations. Use acoustic insulation.*
- *Setbacks and acoustic fencing.*
- *Limit noise leakage through the use of vestibule / sound-lock entry arrangements.*
- *Install a sound limiter to cap the volume of any amplified sound to an appropriate level.*

The acoustic report accompanying the application provides an assessment against Clause 53.06 and sets out specific acoustic measures. It is noted that reference in the report is made to both SEPP N 1 and 2 acoustic requirements, which as of July 1 2021 are no longer legally binding. A condition of any approval would require that a revised acoustic report is prepared and updated in accordance with the latest legislation. To ensure rigour, the condition requires that the report is reviewed by an independent acoustic engineer (at the cost of the applicant).

A follow up acoustic report will also be required to ensure the methods proposed can meet the requirements of the Scheme and the latest State Environment Protection policy and requirements. Again, this report will be required to be reviewed independently.

The following acoustic treatments and measures are proposed and are to be implemented:

- A cap on the total number of patrons – 1760
- A cap on the total number of patrons permitted within each element of the proposal including the main room / performance space – 1130 patrons.
- All live and recorded music will be played through a house sound system.
- The music will operate through a noise limiting system.
- Self-closing airlocks between the music areas, the main foyer, external exits at stage right and left at the east of the building, the lift foyer and the Cocktail Bar balcony.
- Bastings Street evaporative cooling and all other evaporative cooling systems replaced with closed systems.
- Non-airlock Bastings Street Main Hall exits alarmed to prevent nonemergency access.
- New external walls located adjacent music areas, air lock walls & ceilings, wall from stage to kitchen, High Street Cocktail Bar wall, closed in windows and vents designed and constructed with acoustic treatments.
- Polyester acoustic batts to the ceiling cavity between the main hall and the roof.
- Acoustically sealed ceiling and roof vents and openings.
- Vibration isolated plasterboard ceiling and cement sheet flooring to the cocktail bar and rooftop bar.
- Noise barrier to the east, south and north of the cocktail bar in areas where there is no parapet, solid building structure or roof.
- Ventilation of cocktail toilets and any external air supply via fan through a plenum duct (no direct external openings).
- Acoustically treat parapet gaps.
- A sound absorbing roof covering 75% of the patron area of the rooftop bar (subject to approval from Heritage Victoria).
- External to the rooftop extended and join to the roof sound absorbing roof.
- Open area of the rooftop on the west side only.
- Rooftop and Cocktail Bar external stairs will be fully enclosed.
- Rooftop and Cocktail Bar external stairs will not be used after 11:00pm until Option 2 is completed.
- Bastings Street patron entry (apart from patrons requiring lift access) will not be used after 11:00pm
- External plant with a line of sight to dwellings to be treated with additional acoustic measures.
- Waste will only be transferred to external bins between 9:00am and 6:00.
- A venue management plan.

The following requirements are included in the recommendation as planning permit conditions. These requirements either vary elements of the proposal and / or provide certainty and improved acoustic outcomes particularly in relation to considerations of residential amenity:

- A limit of 1760 patrons across the entire venue.

- A limit on the number of patrons permitted within each element of the proposal including the main room / performance space – 1130 patrons.
- Closure of the main room / performance space at 12:30am **(in lieu of 1:30am)**.
- Other than in the event of an emergency the northern external stairs must not be used after 9:00pm for patrons **(in lieu of 11:00pm)**.
- Other than in the event of an emergency or for patrons requiring lift access the Basting Street entry/exit from the premises must not be used after 10:00pm **(in lieu of 11:00pm)**.
- Other than in the event of an emergency the southern external stairs must not be used after 11:00pm for patrons.
- The main room / performance space is permitted to play live music as per the requirements of the revised acoustic report as per Condition No. 18 of this permit.
- The main room / performance space is permitted to play low level live music or background music until closing at 12:30am any night.
- The Restaurant and Wine Bar may operate until 1:30am with background music.
- The mezzanine level and Cocktail Bar may operate until 3:00am with background music including DJs.
- The Roof Top Bar may operate until 11:00pm Thursday, Friday or Saturday nights and/or 10:00pm on all other nights with background music only.
- Live music noise to be assessed by a qualified sound technician over a 15-minute period at the commencement of any live music performance to confirm that music levels comply with noise limits under the relevant noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and relevant Noise Protocol.
- Waste bins will not be kept on Basting Street, waste collection services will be required to collect the bins on site and return them back on site once they have been emptied.
- Waste collection will occur only between - 7:00am to 8:00pm Monday to Saturday and 9:00am to 8:00pm Sundays and Public Holidays.
- Bottles will not be broken up at the point of collection.
- Waste will only to be transferred to external bins between 9:00am and 6:00pm.

As the building is existing, no consideration can be given to its siting. It is noted that design consideration, in accordance with recommendations from the acoustic engineers, has been given to how best to noise attenuate the existing building.

It should be noted that the venue has previously operated live music until 1.30am as part of the 'Regal Ballroom' function space.

Patron Noise and Movement

State Environment Protection policy does not prescribe noise limits for noise associated with the arrival and departure of people attending a premises. However, an applicant should identify how they propose to manage the behaviour of patrons coming and going from the venue so that nuisance impacts on residents are minimised. Planning Practice Note 81 encourages this information and methodology to be explained and set out in a venue management plan.

The application was accompanied by a venue management plan, patron movement plan and an acoustic report which examine and make recommendations on the issue of patron noise and movement to and from the venue.

The recommendations outlined in the venue management plan and the patron movement plan include:

- *Crowd controllers to manage the flow of patrons into and exiting the venue with an emphasis on High Street as the principle point of entry and exit and not Bastings Street and other surrounding residential streets.*
- *Bastings Street patron entry (apart from patrons requiring lift access) will not be used after 11:00pm (this is to be modified via condition – see below under Entry section of this report)*
- *Separate restrictions and operating hours for the rooftop bar – no more than 200 patrons and a closing time of 11:00pm.*
- *Closure of the northern external stairs to patrons by 9:00pm.*
- *Signage will be placed at all egress points to remind patrons to be aware and respectful of the surrounding residential properties.*
- *No food or beverage containers will be allowed to leave the premises upon patron departure.*
- *Patrons will be required to take reasonable care for their own health and safety and must not adversely affect other people's health and safety. Patrons must comply with instructions given by crowd controllers and venue staff.*
- *The staggered closing times to the different sections of the venue will reduce patrons leaving on mass at one time, with the idea that patrons will disperse the venue in reduced numbers, reducing the noise and amenity impact to the adjoining properties.*
- *The northern external stairs will not be used after 9pm by patrons (unless in the event of an emergency).*
- *Patrons will queue in Bastings Street down from the High Street corner where necessary to avoid build up for entry to events and impact on the curb side trade along High Street. Entry for ticketed events and direct rooftop access will be via airlock doors to the main room or back passageway access from Bastings Street.*
- *Bastings Street patron entry (apart from patrons requiring lift access) will not be used after 11:00pm (this is to be modified via condition – see below under Entry section of this report)*
- *In the event that the taxi zones become congested, crowd controllers shall be responsible for moving vehicles on in a timely manner. In the event that bump in/bump out vehicles arrive other than at their designed times, event management staff shall require vehicles to wait on High Street or Bastings Street in a safe parking location until they can safely access the loading zone (this is to be modified via condition to only be from High Street).*
- *Current legislation requires that smoking is only permitted in designated smoking areas. The mezzanine deck area, rear courtyard and rooftop bar will be the only areas where smoking is permitted.*

Separate to this application the operator will be required to meet relevant requirements under the Occupational Health and Safety Act 2004 (as amended) and Regulations.

Requirements and legal obligation imposed by the Victorian Commission for Gambling and Liquor Licensing address health related considerations for staff and patrons.

The applicant has demonstrated that they have experience in managing patrons at other venues and at larger entertainment based events which they have organised and hosted. A condition of any approval will require that the proposed management team 'Northcote Theatre' is tied to any Permit.

The Venue Management Plan will form part of the endorsed documents set of any approval. To further reduce the impact on the surrounding streets, the following conditions will be required to the operating hours and entry of the premises.

Operating hours

A condition will require the modification of the proposed operating hours for the main room / performance space to 12:30am 7 days a week. This is reduced from the 1.30am closing time proposed under the application. This is based on impact to the residential properties and acknowledging that, *most gigs finish at 11:00pm - 11.30pm and at most midnight* (and indeed, the submitted acoustic assessment assumes that live music will be played an average of three (3) times a week until 11:00pm Thursday, Friday and Saturday nights and 10:00pm on other nights as per page 3 of the report). This will allow a significant proportion of the patrons to exit the premises before or around midnight, consistent with existing bars and restaurants along High Street. The other uses (with the exception of the roof top bar, which will cease operating at 11.30pm) located adjacent High Street are proposed to operate to either 1.30am to 3:00am.

Entry

In response to the residential properties along Basting Street, a condition will require relocation of the main entry from Bastings Street to High Street. Patrons to exit to High Street only, except in the case of emergency. While patrons will be able to enter the premises earlier in the evening from Bastings Street, conditions will require that this entry is not used past 10:00pm in the evening (except for patrons who require lift access).

In response to the adjacent residential context of Bastings Street and other streets, condition No. 26 will require that the patron management plan is modified to ensure that patrons are directed to access taxis and ride share options from High Street and not Bastings Street.

Vehicles are to wait on High Street and not Bastings Street when they do not arrive at their designated times.

Waste collection:

Through the applicant's discussions with residents, prior to formal advertising, it was agreed that no waste collection would occur via Wimble Street or the laneway adjacent to the site, to reduce noise impact and traffic movement along Wimble Street.

As such waste collection is proposed from Basting Street and the Waste Management Plan has received support from Council's Sustainable Transport Team, Waste Management team and Council's ESD Officer.

As well as ensuring compliance with the Waste Management Plan, conditions can ensure that the amenity of the area is not compromised unreasonably via waste collection. It is also noted that:

- Waste bins will not be kept on Basting Street, waste collection services will be required to collect the bins on site and return them back on site once they have been emptied;

- Waste collection will occur only between - 7:00am to 8:00pm Monday to Saturday and 9:00am to 8:00pm Sundays and Public Holidays;
- Bottles will not be broken up at the point of collection;
- Waste will only to be transferred to external bins between 9:00am and 6:00pm.

2. Construction of buildings and works on land in the Commercial 1 Zone and affected by Heritage Overlay (HO97) and a Design and Development Overlay - Schedule 14;

Heritage Overlay (Schedule 312) affecting No. 212-220 High Street

It is important to note that the Northcote Theatre site (No. 212-220 High Street) is affected by Heritage Overlay (schedule 312) and is included on the Victorian Heritage Register under the Heritage Act 2017. A Planning Permit is not required for buildings and works to a place on the Victorian Heritage Register under the Darebin Planning Scheme. A separate application under the Heritage Act 2017 will be required to be submitted to Heritage Victoria who will consider all external and internal modifications to the building.

Heritage Overlay (Schedule 97) affecting No. 1 Wimble Street

The property at No. 1 Wimble Street Northcote is affected by Heritage Overlay (schedule 97), which encapsulates the bounded by Herbert Street, James Street, Butler Street, Bastings Street, Easement Street, Hawthorn Road, Separation Street and Prospect Grove, Northcote.

Council's Heritage Study 2000 listed No. 1 Wimble Street as not significant / not mapped. The site is currently vacant.

The following forms an assessment of the proposal against the decision guidelines at Clause 43.01-4 of the Heritage Overlay (decision guidelines shown in italics):

The Municipal Planning Strategy and the Planning Policy Framework.

The proposed car and bike parking spaces is considered generally compliant with the relevant policies and guidelines, including the Municipal Planning Strategy and the Planning Policy Framework.

The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.

The proposed site has no heritage significance.

Any applicable statement of significance, heritage study and any applicable conservation policy.

The proposed development does not contravene the applicable statement of significance. The proposed works are modest and will not dominate the streetscape.

Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.

The works are minor in scale and bulk. They will not form a dominant component of the streetscape.

Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

The proposal works are minor in scale and, while not in keeping with the general character of larger adjacent buildings, it will not detract from the character of the area or raise any visual

bulk and overshadowing issues. It is also noted that the proposed works are not significant and could be modified or changed in the future.

Commercial 1 Zone - Buildings and works

The site is contained in the Commercial 1 Zone, the purpose of which is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The following is an assessment against the decision guidelines of Clause 34.01-8 of the Commercial 1 Zone:

The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.

The proposal includes entry points to both Bastings Street and High Street. In the earlier parts of the evening, when events are commencing, it is expected that patrons can enter via both the High Street and Basting Street entries. It is considered that later in the evening, when events conclude, or when patrons exit from respective bars/restaurants they should do so from High Street only. As discussed previously, a condition of any approval can ensure this.

The site is well located with respect to public transport and infrastructure, and while it is considered that at the initial conclusion of an event many patrons will leave at one time, if they are directed towards High street, there will be minimal amenity loss.

Bicycle parking is available on the Wimble Street site and will be serviced by a bicycle valet-ensuring there are not masses of patrons going back and forth along Wimble Street.

The provision of car parking

Car parking is assessed under Clause 52.06 (Car Parking) of the Darebin Planning Scheme. Refer to the assessment below.

The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.

The works proposed largely protect and enhance the existing Victorian Heritage Building on site. The existing street frontage façade to High Street is to be retained and restored to its former condition, which will allow for an active presentation to High Street.

The proposed Basting Street façade is less active, however its activation is improved with the 'pizza window', and the main entry.

The storage of rubbish and materials for recycling.

The application includes a bin storage area in the north east section of the High Street site. The space provided is considered acceptable. A detailed waste management has been submitted and is considered satisfactory.

Defining the responsibility for the maintenance of buildings, landscaping and paved areas.

As the building is to be operated by one collective group of owners, there will be no issues in who is responsible for on-going maintenance.

Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

With the exception of the roof top bar and stairs, none of the works have any potential for overlooking or overshadowing.

The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The proposal will not impact any existing rooftop solar energy systems.

The availability of and connection to services.

The site is in a built up area with adequate access to services.

Design and Development Overlay – Buildings and works

The site is affected by the Design and Development Overlay (schedule 14). The objective of the overlay are:

- *To ensure the Northcote Major Activity Centre is developed in accordance with preferred built form outcomes set out in the High Street Urban Design Framework 2005 and High Street Precinct Guidelines, 2005 where applicable.*
- *To avoid underdevelopment of sites.*
- *To encourage environmentally sustainable design in the Northcote Major Activity Centre.*
- *To protect the economic viability of businesses by designing and constructing commercial premises to prevent unreasonable off-site amenity impacts on adjoining and nearby residential uses.*
- *To ensure public spaces including key pedestrian streets have good solar access and weather protection.*

It is considered the objectives, detailed above are broadly met. The proposed works are not considered an underdevelopment of the site, rather they provide a full utilisation and restoration of an existing Heritage Building. An ESD report has been submitted, which, subject to conditions required by Council's ESD Officer, is considered satisfactory.

The proposal includes a number of measures, which have been discussed above in more detail to protect the amenity of the area.

The proposal continues to provide weather protection to High Street by way of an existing verandah.

3. A reduction to the statutory car parking requirement associated with use as a place of assembly.

Clause 52.06 (Car Parking) of the Darebin Planning Scheme applies to the proposal.

A Place of Assembly has a recommended car parking requirement of 0.3 spaces per patron. The applicant proposes a total maximum number of 1760 patrons which requires 528 spaces.

The maximum requirement for car parking has been considered under the 'Place of Assembly' car parking rate when applied to the 1760 patrons permitted on site. Should some

of the other uses or other areas operate separately this approach to the statutory requirement will ensure that the smaller uses/areas have been addressed over and above.

The proposal includes three on-site car parking spaces and thus seeks a reduction in parking spaces of 525 spaces.

The following forms an assessment against the Decision Guidelines for a car parking reduction contained Clause 52.06-7 of the Darebin Planning Scheme:

The Car Parking Demand Assessment.

The applicant has submitted a satisfactory Car Parking Demand Assessment. Council's Transport Engineering Unit have raised no objection to the findings and assumptions within the report. The report notes:

- *The site has excellent access to rail (both tram and train) and bus services;*
- *All patrons will be expected to have purchased a ticket for the event before the day of the event and have accordingly planned their visit to and from the venue. It is expected that given the limited parking availability and good access to public transport, the majority of patrons will utilise the public transport services. The applicant proposes to promote the lack of car parking availability to its patrons and promote alternative transport modes.*
- *Given the existing heritage building covers close to 100% of the site it is not feasible to provide car parking on site;*
- *While additional car parking could be provided on the 1 Wimble Street site, there would still be a substantial shortfall in car parking;*
- *It is considered that the provision of the bike valet is a more efficient and sustainable use of the space;*
- *The site is located within the Northcote Major Activity Centre with good access to services. It is considered patrons will be consuming alcohol at the venue, reducing the likelihood that patrons will personally drive. It is expected that many patrons who do not use public transport will make use of taxi's or other ride share services;*
- *It is noted that there will be no pass outs to the events held on site and this will restrict patrons usage of 1 and 2 hour parking spaces in the area.*

Council's transport engineers have advised that in assessing the expected parking demands from the proposal, the applicant's traffic engineers have adopted parking rates that are well below the statutory parking requirements of Clause 52.06 of the Darebin Planning Scheme.

The results of the parking surveys indicates that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

Furthermore, it would not be unreasonable to expect some patrons to park further than a five minute walk from Northcote Theatre, and where parking occupancies are further reduced.

The transport engineering team has advised that they have reviewed both the surveys provided by the applicant's traffic engineers and Councils own parking data that was collected in 2019. The applicant's parking surveys were collected on Saturday 20th February 2021, 11am – 11pm, within a 400m radius or five minute walk of Northcote Theatre and were

undertaken when COVID restrictions had lifted the previous day. Councils parking data was collected on a Thursday and Saturday between 7am-11pm.

Both surveys reveal that while on-street and publicly available off-street parking is high, it is not at capacity. Parking occupancy peaked at 82% in February 2021 and is summarised in the chart on the left below. Council’s data also confirms average occupancy on both the Thursday and Saturday was below 85%. The graph on the right shows average occupancy within 200m of Northcote theatre on the Saturday.

The surveys substantiate our knowledge of the area that parking is very much temporal in nature fluctuating between the busier lunchtime and evening periods, but generally does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

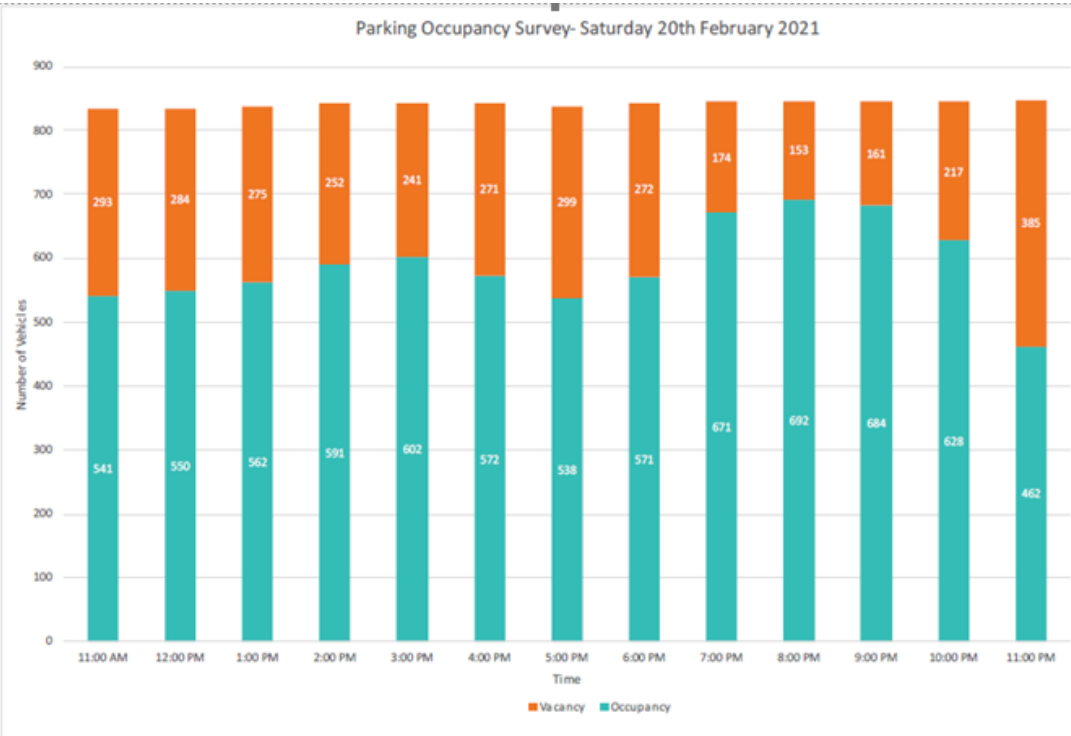
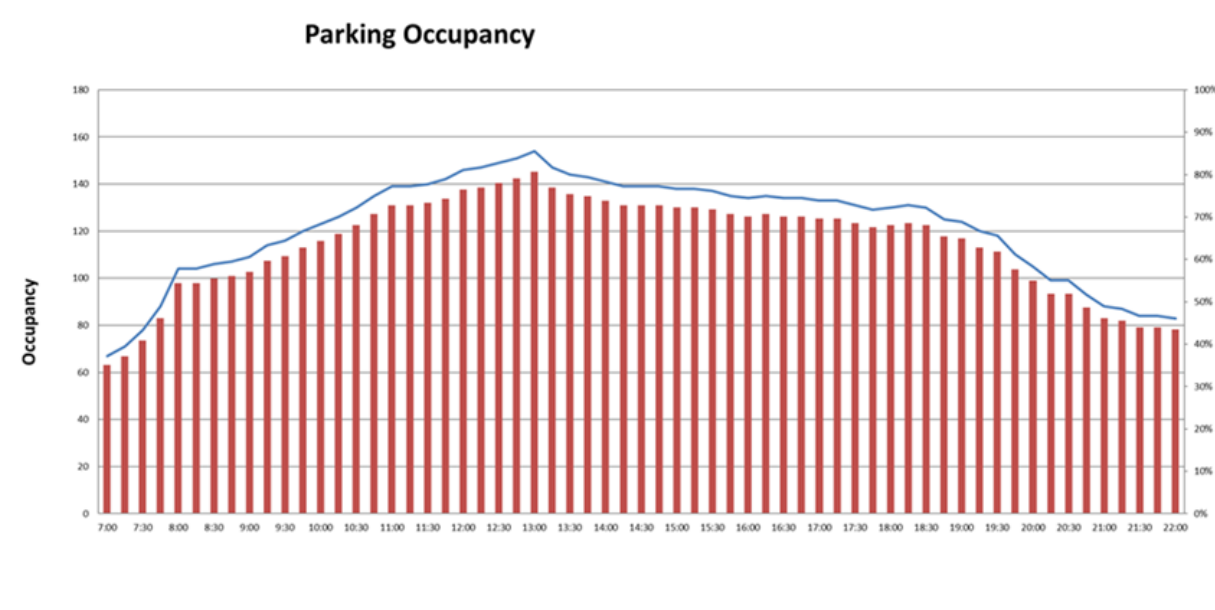


Figure 11 Parking Utilisation Saturday 20th December 2020, 11am – 11pm, 5 minute walk



The Responsible Authority must consider the following decision guidelines (highlighted in italics):

Any relevant local planning policy or incorporated plan.

There is no specific local policy or incorporated plan. Council's local policy, generally promotes the use of alternative transport modes and seeks to see the site's location in High Street Northcote intensified.

Additionally, Council's Strategic Direction 3 – Climate, Green and Sustainable from Council's Action Plan 2021 - 2025 seeks to promote sustainable transport across the city, which the application does through the bike valet service.

Additionally, as part of Council's action plan, Council has committed to reviewing to amend the parking permit policy.

The availability of alternative car parking in the locality of the land, including:

- *Efficiencies gained from the consolidation of shared car parking spaces.*
- *Public car parks intended to serve the land.*
- *On street parking in non-residential zones.*
- *Streets in residential zones specifically managed for non-residential parking.*

There is limited parking availability in the area. It is noted there are a couple of public car parks located nearby, however, these are already heavily used. There is also some limited and timed parking availability along High Street, which is not in a residential zone.

Some of the local residential areas have some form of parking restrictions, typically of 1 or 2 hour parking or permit parking. The residents have expressed the need for further parking restrictions. This is not something that can be done via the planning process, however, it can be requested to Council's Transport Engineering Unit. This can help 'turn over' parking in some areas and enable eligible residents to access parking via permits. Note that eligibility for permits is set under Council's Parking Permit policy.

On street parking in residential zones in the locality of the land that is intended to be for residential use.

As discussed in detail above, the results of the parking surveys indicates that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre.

Generally current parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre. Therefore on-street parking is expected to remain available for residential use.

The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.

There is no ability to provide car parking on the No. 212-220 High Street site given the existing heritage building. There is a small capacity to provide additional car spaces on the No. 1 Wimble Street site, however, on balance, it is agreed that the use of this site for the purpose of 140 bicycle spaces is a more efficient and sustainable use of the land and will likely reduce the demand for car parking more substantially than the provision of a few additional car spaces.

Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.

It is not considered that the proposal will result in a shortfall that will affect the economic viability of the Northcote Activity Centre. Indeed, it is considered that the use will complement the existing commercial uses in the area and link patrons with other food and drinks venues prior to their attending an event.

As discussed in detail above, the results of the parking surveys indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally current parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

The future growth and development of any nearby activity centre.

It is considered that development along High Street will continue in accordance with Planning Scheme policy. Further development will be assessed on its own merits and where new buildings are proposed car parking will likely be required to be considered in accordance with the planning scheme.

Any car parking deficiency associated with the existing use of the land.

The site has recently had a license to accommodate up to 300 persons for functions, including weddings etc. and has previously not provided car parking on site. This accounts for an existing reduction of 90 spaces.

As discussed in detail above, the results of the parking surveys indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally current parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P

restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.

N/A

Local traffic management in the locality of the land.

The transport assessment notes that:

- It is not expected that a large number of patrons will choose to drive.
- Of those that do, it is expected they would park within a 500m distance from the site and it is expected that most additional traffic movements will be dispersed along High Street and the precinct and can be comfortably absorbed the existing road network.
- Of more importance to the is the high number of ride share and taxi's expected to the area, particularly at the end of events where there is less public transport availability. Subject to conditions and management, it is expected that the vast majority of ride share and taxi vehicles can be serviced from High Street, reducing the amenity impact to the surrounding residential streets.
- The transport report does anticipate some congestion along Bastings Street at the commencements of events, though believes this will clear relatively quickly. Given this will be earlier in the evening and not during the more sensitive night time period of the events, this is considered satisfactory.

The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.

As discussed in detail above, the results of the parking surveys indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally current parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

The applicant proposed to communicate and promote alternative forms of transport to and from the site at the ticketing and marketing stage.

The need to create safe, functional and attractive parking areas. Access to or provision of alternative transport modes to and from the land.

There is good access to alternative transport modes in the area, including residential streets appropriate for cycling, tram and train routes and a number of buses.

As discussed in detail above, the results of the parking surveys indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally current parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.

The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.

N/A

The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.

Parking demand in the nearby area is discussed above.

This section discusses the urban design outcomes relating to the on site parking provision proposed, which is for bicycles.

Bicycle Parking:

The proposal includes 140 bicycle parking spaces at the No.1 Wimble Street site and associated bike valet. The bike valet service is proposed to operate from 10:00am until 10:00pm from Tuesdays until Sundays, for patrons, with one staff member accessing this area to retrieve bikes after 10:00pm, up until 12.30am in alignment with ground floor operating hours. In addition, and as an enticement for patrons to commute to the site by bike a bike servicing and repair service will be offered to patrons allowing their bike to be serviced while they attend the venue.

The applicant proposes that the valet service:

- *Will provide a bike valet service for our patrons and the local High Street traders;*
- *Offer bike servicing in addition to the bike parking option area, available to patrons as well as general public;*
- *Be well lit to assist in the security of the area;*
- *Will have different entry and exit points to ensure fluid movement and reduce risk of impact to local traders and residents.*

The bike valet and servicing initiative is supported. In addition, the recommendation requires an acoustic fence adjacent the north common boundary of No. 1 Wimble Street and landscaping along this boundary to improve the acoustic and visual relationship between the bike parking area located at No.1 Wimble Street and the adjacent residential neighbour.

4. To use the land for sale and consumption of liquor (late night on-premises licence);

Clause 52.27 (Licensed Premises) of the Darebin Planning Scheme sets out the requirements for liquor license applications. The schedule to the Clause states that a Permit is not required in a Commercial 1 Zone for the following license types:

- On-Premises
- General Restaurant
- Café

Therefore, a Permit is only required for the late night (on-premises) license, which relates to the serving of alcohol past 1:00am.

The following forms an assessment against the decision guidelines of Clause 52.27 (Licensed Premises) of the Darebin Planning Scheme (decision guidelines shown in italics):

The Municipal Planning Strategy and the Planning Policy Framework.

The proposed late-night premises license is considered consistent with both the Municipal Planning Strategy and the Planning Policy Framework, noting the site is proposed in the Northcote Activity Centre, where late night uses and entertainment are encouraged. The site is also located in an area where there are other similar uses along High Street.

The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

The proposed liquor license will only allow for the consumption of liquor on site. No liquor will be able to be taken off the premises for consumption. This, in combination with various amenity control conditions and the Venue Management Plan, will ensure the amenity of the area is reasonably protected.

The application was referred to Council's Equity and Wellbeing Department who advised that the site is not located in an Alcohol Restricted Zone, rather, the site is located in a cultural and entertainment precinct suitable to the proposed uses.

The SEIFA (Socio-Economic Indexes for Areas) index of relative socio-economic disadvantage derived from census data indicates that the area of the proposed liquor licence is one which is above the average SEIFA index in Darebin at 1078, therefore there is less risk between alcohol misuse and disadvantage when compared to other parts of Darebin.

The impact of the hours of operation on the amenity of the surrounding area.

The proposed hours are considered appropriate given the site's location in the Northcote Activity Centre along High Street. The roof top proposes a closing time of 11.00pm Monday to Wednesday and 11.30pm Thursday to Sunday until which is considered appropriate for a relatively small venue. Its location adjacent High Street together with suitable acoustic measures, including acoustically treated walls and roofed structure will ensure residential amenity is protected.

As discussed above under the use assessment, various conditions will protect the amenity of the surrounding residential properties.

Council's Equity and Wellbeing Department have reviewed the application and recommended that this application be approved with conditions to minimise external amenity impacts on residents in the surrounding area in relation to access to and from the venue by patrons. As a condition of approval, further acoustic testing will be required to be undertaken to determine that the final noise attenuation measures are appropriate. These tests will be based upon the latest legislation and will including testing of the main performance space.

The impact of the number of patrons on the amenity of the surrounding area.

The venue management plan and patron movement plan provide a framework to control the behaviour and movement of patrons. This includes the use of crowd controllers and other measures including the use of High Street as the principle point of entry and exit for patrons. A condition of any approval will require that the proposed managers are retained in the management of the use to ensure their expertise and experience can be put to use in this regard.

The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

The applicant has submitted a Cumulative Impact Assessment in accordance with the Practice Note 61 - Licensed Premises: Assessing cumulative impact. The following is a summary of this assessment:

- *The assessment outlines the negative and positive impacts resulting from the licensed premises as it relates to the cluster of licensed premises within a 500m radius of the site.*
- *There are 60 licensed premises within a 500m radius of the site, being predominantly restaurants and cafes located along High Street. Of these, licensed premises, 39 are restaurants and or cafes and 13 are bars and or hotels. There are also several functions centres, halls and a small number of bottle shops included within the radius.*
- *The majority of licensed venues are concentrated on High Street, allowing patrons travelling to the venue and between other venues in the area without entering the residential areas.*
- *Given the existing similar and compatible uses along High Street and the desire for the area to be an arts and entertainment hub, it is considered that proposed late night liquor license is appropriate and will not form an unreasonable amenity impact.*
- *The following is a breakdown of the type license type of the 60 licensed premises within a 500m radius of the site:*
 - *Restaurant and café license – 31*
 - *On-premises licence – 9*
 - *Late night (on-premises) license – 5*
 - *Limited license -5*
 - *BYO license -3*
 - *General license -3*
 - *Packaged liquor license – 3*
 - *Late night (general) license – 1*
- *As can be seen there are five other venues which operate with a late night (on-premises) license in the area. This affirms that the license type is consistent with the surrounding character of the area. The proposal is unlikely to create any new impacts by adding to this mix of license types, given the similar kinds of operations within the area.*
- *The applicant submits that the proposed management of the venue will mitigate amenity impact. Furthermore, additional conditions, as discussed previously and can be approval of this proposal will allow management of the site and the protection of the general amenity of the area.*
- *Transport and dispersal:*
 - *Licensed premises venues in the areas are predominantly located along High Street, reducing the potential for patrons to travel through residential areas and they go to and from venues.*
 - *The site has excellent access to public transport, as discussed previously, with connection to the CBD and other commercial precincts further down High Street.*

- The proposal includes a bicycle valet services which has the capacity to cater for 140 bicycles.
- The closing times of other licensed premises in the 500m radius range from 10:00pm to 5:00am. This reduces the potential for 'flash-points' where a high number of patrons exit multiple venues onto the street and one time.
- There is some parking available along Bastings Street. It is noted that much of this is restricted to resident only or 1 to 2 hours.
- It is envisaged that given the likely alternative forms of transport, much of the foot traffic will disperse along High Street toward tram and train services. Further conditions, as discussed previously, can encourage this.
- Impact mitigation; the applicant submits that the following initiatives as well as appropriate management plans will mitigate amenity impacts:
 - *Alcohol consumption limited to the interior of the site to avoid street consumption impacts.*
 - *The provision of a bicycle valet service to encourage alternative transport modes.*
 - *A venue management and patron movement plan.*

Enforcement of the use:

Enforcement action against noise and other complaints can be taken by:

- Local government planning enforcement officers, who can enforce against planning permit conditions pursuant to the Planning and Environment Act 1987.
- EPA officers, who can issue a remedial notice under section 31A of the Environment Protection Act 1970 for breach of the latest.
- Liquor licence compliance inspectors, who can enforce liquor licence conditions under the Liquor Control Reform Act 1998.
- Police officers, who can enforce liquor licence conditions, as well as direct a venue to take action to abate noise under section 48AB of the Environment Protection Act 1970.
- Local government environmental health officers, who can take action under the nuisance provisions of the Public Health and Wellbeing Act 2008.

CONCLUSION

The Northcote Theatre has existed at its address since in 1912. The building is largely intact with relatively few modifications. The main hall, stage and backstage areas remain. Over its history the building has been used for various entertainment uses including for music, theatre, weddings and cinema to name some examples. The building is recognised by Heritage Overlay (schedule 312) within the Darebin Planning Scheme and is a listed building on the Victorian Heritage Register (H2287).

The heritage citation provided by the Heritage Victoria highlights the building's history including the following passages:

The attractive' auditorium seated 1500 patrons on two levels and is decorated with pilasters and wreaths. The stage and fly-tower provided for live theatre productions, though the building's main use was for film.

The Former Northcote Theatre is of historical significance to the State of Victoria as the least changed of the earliest remaining examples of purpose-built picture theatres in Victoria. The first purpose-built picture theatres were erected in Victoria from around 1910. The substantially intact Former Northcote Theatre is an important illustration of the characteristics of that phase of picture theatre development in Victoria. The Former Northcote Theatre is historically significant as an important example of a suburban cinema and of the emergence of cinemas in working class suburbs in the 1910s. It is representative of a significant phase in the development of Victoria's cultural and cinema history. The Former Northcote Theatre is historically significant for its unusually intact interior, representative of early purpose-built picture theatres. It displays the typical features of picture theatres from this era including: a small, simple foyer; large, box-like auditorium with a barrel vaulted ceiling, flat floor and raised stage that could be used for a variety of functions; an area of balcony seating; windows making it suitable for use for daytime functions. The high level of intactness of the place allows its previous purpose as a theatre to be easily comprehended.

Most of the buildings and works proposed to the Theatre are considered restorative. The addition of external stairs and other elements are necessary to bring the building in line with current requirements regulating patron movement and safety, emergency and acoustic considerations.

The application proposes the use of the main hall as a performance space for a range of entertainment uses including music, comedy and theatre, continuing the use of the main hall as principally an entertainment venue for formal and ticketed events. The restorative buildings and works both external and internal will upgrade the building, reveal historical elements previously bricked up and should extend the lifespan of the building for further years, which is considered of benefit to the wider community.

Theatres and entertainment venues located in middle and outer suburban areas of Melbourne are not unprecedented. The Palais Theatre in St Kilda and Robert Blackwood Hall in Clayton are two examples. The Northcote Theatre is perhaps the best located in terms of access to public transport.

Due to site constraints only three on site car parking spaces are proposed. The car demand assessment accompanying the application indicates that the estimated demand for on street car parking will be substantially less than the amount suggested under Clause 52.06 (Car Parking) of the Darebin Planning Scheme. According to the assessment, the principle reasons for this are the site's excellent access to public transport, and the nature of the use as a licensed venue. The results of the parking surveys indicate that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre. Generally current parking demand does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre. Council's Transport Engineering Unit support these findings. The proposal introduces substantial provision for alternative means of travel including 140 bikes parking spaces which would be managed by the venue operator. The bike parking area is also available to patrons and visitors of other High Street venues. Other initiatives include ride share options and the promotion of public transport to and from the site for patrons at the ticketing and marketing stage.

The proposed patron capacity of the main hall is in response to the size of the space and the focus on events mainly for standing audiences. The movement and volume of patrons entering the exiting the venue will be managed under an enforceable management plan. Previous uses and operators of the venue have not been subject to a venue management plan. High Street is nominated as the principle entry and exit point for patrons. It is acknowledged that noise and disruptions will occur as a result of the use, however these are

not expected to be beyond the reasonable expectations of an entertainment venue of the capacity proposed. Management of patrons including the use of crowd controllers are designed to limit incidences of unneighbourly behaviour. It is in the interest of 'Northcote Theatre', the operators of the venue, to respect the residential neighbourhood including the adjacent and nearby residential properties. The documentation forming part of the application suggests the operators have appropriately considered the volume, movement and potential impact of patrons as a central consideration to managing the venue and the amenity of the surrounds. This has been demonstrated through the operator's experience managing other entertainment venues and events catering for large audiences. A condition of the permit will tie the operator 'Northcote Theatre' to the use, providing additional surety that the experience and knowledge documented in the planning application submission is maintained and realised by the team responsible for lodging the application.

The proposal has been assessed and considered against all relevant planning policy and standards under the Darebin Planning Scheme. In considering the proposal on balance, including the historical use of the site, the state significance of the building, the suitability of the use in a commercial zone and nominated activity centre and all areas of compliance and non-compliance, it is recommended that the application is supported subject to conditions. The conditions provide additional surety and reduce possible offsite amenity impacts, including a reduction in late night operating hours to the main performance space. The conditions also provide Council with a clear scope to enforce the use should any unreasonable offsite amenity impacts arise including those associated with patrons.

INTERNAL REFERRAL SUMMARY

Department/Authority	Response
Arboricultural Planning	<p>Comments received 30 June 2021</p> <p><i>There are several trees located in the property at 1 Wimble Street with two on the western end of the gravel area adjacent the laneway requiring a local law permit for removal. The remaining trees are undersize and are not significant.</i></p> <p><i>Two street trees are located adjacent the lot at 1 Wimble Street which will require protection throughout works.</i></p> <p><i>An arboricultural Impact Assessment report will be required to provide information for all trees on the site at 1 Wimble Street, Northcote and adjacent street trees and private trees. The report must be in accordance with AS4970 – 2009 Protection of Trees on Development Sites.</i></p> <p>Officer Comment: A condition of approval will be to request an arborist report which demonstrates that trees on and off site will be protected during any works on site.</p>
Capital Works	<p>Comments received 1 June 2021</p> <p><i>No objection as it appears the existing building is being retained and no increase in site envelope.</i></p> <p><i>Stormwater will connect to the kerb in Bastings, Wimble or the underground drain at the front in High Street.</i></p> <p>Officer comment: A condition will be included on the Planning</p>

	Permit that drainage will be to Council satisfaction.
Infrastructure Maintenance & Support	<p>Comments received 25 May 2021.</p> <p><i>Has an agreement been reached for the 2 existing on street car parking spaces to be converted to a loading zone for the loading and unloading of bins (as per the statement within the waste management plan)? Other than that the plan looks acceptable.</i></p> <p>Officer comment: The revised Waste Management Plan submitted on the 24 June 2021 detailed private waste collection, whereby a private waste vehicle will prop safely on Basting Street to perform collection. The commercial waste bins will not be presented to street kerb at any point.</p> <p>Council's Climate Emergency and Sustainable Transport Unit did not support an arrangement to change 2 existing on street car parking spaces in Bastings Street to a loading zone.</p>
Climate Emergency and Sustainable Transport	<p>Comments received 16 June 2021 in relation to a proposed loading zone arrangement in Bastings Street.</p> <p><i>There was no agreement between council and the applicant to provide loading zones on the Basting Street side of the Northcote Theatre. Basting Street has a high demand of parking with limited parking availability. Transport is concerned about loading zone arrangements in Basting Street. There is also a lengthy process involved requiring consultation with nearby residents and traders to make any changes in the parking restrictions.</i></p> <p>Comments received 31 August 2021</p> <p><i>As mentioned in previous communications, it is not practical or feasible to provide any additional on-site car parking spaces in this case as the existing heritage building covers close to 100% of the site. It is understood that while the proposed car parking provision represents a shortfall against the current applicable parking requirement, it is considered an appropriate level of supply in this instance given the venue's location within the Northcote Major Activity Centre and accessibility to services and transport modes that will reduce reliance on private motor vehicles by patrons. Transport is generally satisfied with the information provided and the proposal on their communication strategy for letting the patrons know about no long-term car parking availability while purchasing their tickets in advance as the tickets are not available to buy on-site.</i></p> <p><i>It is also expected that patrons will be consuming alcohol at the venue, reducing the likelihood that patrons will use motor vehicles and therefore not require a car parking space. This may result in the use of popular ride sharing apps (taxi and/or uber) or the use of a single designated driver for a group. Patrons are also expected to plan their trips to and from the venue beforehand given the 'no long-term parking' message that will be given with their tickets.</i></p>

	<p><i>It is mentioned that a private waste collector would collect garbage from Basting Street twice in a week and also recycled items twice a week. Therefore, Transport does not object to the proposal.</i></p> <p><i>Generally, any parking change requests comes from the residents/businesses of the street. Additionally, Transport has received a petition letter from the residents of Wimble Street for the change in the parking restrictions. Further information around how parking changes are managed in Darebin can be found on the following website.</i></p> <p>https://www.darebin.vic.gov.au/Parking-and-transport/Parking/Require-a-parking-change</p> <p>Comments received 6 October 2021</p> <p><i>I have reviewed the parking surveys provided by the applicant's traffic engineers and Councils own parking data that was collected in 2019. The applicant's parking surveys were collected on Saturday 20th February 2021, 11am – 11pm, within a 400m radius or five minute walk of Northcote Theatre and were undertaken when COVID restrictions had lifted the previous day. Council's parking data was collected on a Thursday and Saturday between 7am-11pm.</i></p> <p><i>Both surveys reveal that while on-street and publicly available off-street parking is high, it is not at capacity. Parking occupancy peaked at 82% in February 2021 and is summarised in the chart [supplied]. Council's data also confirms average occupancy on both the Thursday and Saturday was below 85%. The graph on the right shows average occupancy within 200m of Northcote theatre on the Saturday.</i></p> <p><i>The surveys substantiate our knowledge of the area that parking is very much temporal in nature fluctuating between the busier lunchtime and evening periods, but generally does not exceed 85% occupancy, and tapers off substantially from 9pm onwards. Many streets within the surveyed area have 1P and 2P restrictions that continue into the evening and would not be suitable for patrons of the Northcote Theatre.</i></p> <p><i>In assessing the expected parking demands from the proposal, the applicant's traffic engineers have adopted parking rates that are well below the statutory parking requirements of Clause 52.06 of the Darebin Planning Scheme. Nevertheless, the results of the parking surveys indicates that there is capacity within the surrounding street network to accommodate the expected parking demands from the theatre.</i></p> <p><i>Furthermore, it would not be unreasonable to expect some patrons to park further than a five minute walk from Northcote Theatre, and where parking occupancies are likely to be further reduced.</i></p>
Environmentally Sustainable	No objection to the proposal.

Development	
Health	<p>Comments received 26 May 2021</p> <p><i>The applicant to submit an Application for Plans Assessment to Council's Health Protection Unit prior to completing any works.</i></p> <p><i>In view of the potential for noise generation affecting nearby residential lots, compliance with EPA requirements relating to noise generation from this commercial premises are necessary.</i></p> <p><i>All recommendations in the acoustic noise impact and recommendations report that was conducted for the venue are adhered to.</i></p> <p><i>The operator needs to submit to council an acoustic report for the venue after 60 days of operating, this is to ensure that all sources of noise can be measured when in operation.</i></p> <p><i>Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health & Wellbeing, Food or Tobacco Acts.</i></p> <p>Officer Comment: A condition will be included on the permit in relation to the acoustic report.</p>
Equity and Wellbeing	<p>Comments received 22 September 2021</p> <p><i>Council is required to ensure that community health, safety and wellbeing is considered in all planning decisions.</i></p> <p><i>The purpose of this report is to provide an overview of considerations in relation to the potential social and economic impacts relevant to the above planning permit application as per Section 4(d) of the Planning and Environment Act 1987.</i></p> <p>Policy context</p> <p><i>The City of Darebin is committed to reducing harm associated with the misuse of substances, including alcohol. Local government has a vital role to play, as a leader and a partner, in developing and implementing strategies to reduce alcohol-related harms in the local community.</i></p> <p><i>Under the Municipal Health Plan Council has made a commitment to work in partnership with community stakeholders to develop and implement strategies aimed at reducing harm associating with gambling, alcohol and other drugs.</i></p> <p>Darebin Toward Equality Framework 2017-2027</p> <p><i>The Towards Equality Framework sets the vision for a community for all, a fair city where everyone can thrive and belong and poverty and disadvantage eliminated. The Framework is implemented through various Council policies, specific programs and services and the use of the Equity Impact</i></p>

	<p><i>Assessment. This process ensures the application of equity, inclusion, human rights and wellbeing considerations, values and practices across all of Council's work and decision-making.</i></p> <p>Community Safety <i>Council works within an equity and public health framework in its approach to community wellbeing and community safety. This is informed by evidence and best practice and addresses the built, social, economic and cultural factors that influence safety and crime.</i></p> <p>Social Impact considerations</p> <p><i>The following factors should be considered as potential social impacts.</i></p> <p>1. Amenity and safety</p> <p><i>The subject site is surrounded by residential areas and commercial areas and located within a key activity centre well serviced with public transport options.</i></p> <p><i>While the proposal is amenable to current activity, the scale of the development and significant level of patron numbers (1760) will have potential impact on residential amenity particularly with respect to patron noise at night, use of Bastings street as place of assembling/movement of patrons in the accessing the venue and access to parking. It is noted that the application seeks reduction of statutory car park requirements.</i></p> <p><i>In relation to picking up of patrons from Basting Street and High Street - the application notes 1180 patrons will be leaving the venue at the primary departure time. The applications indicates that this would see 190 vehicles picking up patrons within first 10-30 minutes after an event just after 11pm and which may negatively impact on amenity.</i></p> <p><i>While the proposal seeks to minimize external amenity impacts on local residential areas, including noise attenuation and acoustic mitigation measures along with measures in relation to venue and patron management, the application is reliant on assumptions regarding patron behaviour and mode of transport to and from the venue including use of public transport/non-vehicle modes.</i></p> <p><i>While land use in relation to provision of car parking and signage has been considered in the application, including safety considerations, there will be patrons that may not wish to use public transport/alternative transport options at night for reasons of accessibility, convenience and/or for reasons of safety. For patrons that continue to choose private vehicles as preferred mode of transport and noting the high volume of patron activity, this will have an impact on local amenity.</i></p> <p><i>Car parking provision off Wimble St is a potential safety concern.</i></p>
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	<p><i>The activation provided by valet bike parking and servicing will increase the perceptions of safety at this site. This presents a good use of a space that would otherwise present low perceptions of safety with limited activation. This is subject to the service being staffed as stated in the application to provide surveillance and security, and discourage antisocial activity in Wimble St.</i></p> <p>2. Alcohol Restricted Zones</p> <p><i>There are a significant number of licensed premises surrounding the subject site located within the Northcote activity precinct.</i></p> <p><i>Two Alcohol Restricted Zones operate within the City of Darebin. The zones are implemented in partnership with Darebin Police in an attempt to address public drinking and enhance perceptions of safety in the zones. The two locations are:</i></p> <ol style="list-style-type: none"> <i>1. Preston Market shopping precinct, Preston. The boundaries of the zone are Bell Street, Plenty Road, Murray Road, High Street, Regent Street, Spring Street and St Georges Road.</i> <i>2. Edwardes Street shopping precinct, Reservoir. The boundaries of the zone are Ralph Street, High Street, Cleeland Street, Olive Street and Byfield Street</i> <p><i>The subject site is not located within an Alcohol Restricted Zone and is amenable with current precinct activity as a cultural and entertainment destination point.</i></p> <p>3. SEIFA index and localised disadvantage</p> <p><i>The SEIFA index of relative socio-economic disadvantage is an aggregate measure of general disadvantage derived from Census data. The SEIFA index of the area of the proposed liquor license should be taken into consideration due to the link between alcohol misuse and disadvantage.</i></p> <p><i>The SEIFA index for the area surrounding the subject site is 1078 which is above the average SEIFA index for Darebin.</i></p> <p>4. Community Benefit</p> <p><i>Generation of employment opportunities in hospitality industry and the arts and support for creative sector has positive community benefit and will contribute to the economic, social and cultural life of the City within the Northcote activity centre precinct.</i></p> <p><i>There are no significant community disbenefits of this proposal that can be identified with the proposal having positive and significant community benefit around the generation of local employment and creative industry development.</i></p>
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	<p>5. Proximity / Location considerations</p> <p><i>There are no sensitive land use sites to the subject site with exception of laneway at rear of 222 High Street - the subject site has potential impact in relation to adjoining landowner current use as an out-door dining space (private use) and proposed acquisition of rear laneway.</i></p> <p><i>The amenity of properties directly adjoining the application site, including properties to the South East of the site will be potentially impacted.</i></p> <p>Recommendations</p> <p><i>The application has significant potential benefit in relation to economic and cultural benefits within an existing activity area as a Performing Arts Centre. While the application seeks to mitigate impacts, there is risk of negative impact in relation to patron noise and venue access impacting on residential amenity of the surrounding site location and in relation to safety considerations regarding night time activity an noting proposed reduction of statutory car park requirements.</i></p> <p><i>It is recommended that this application be approved with condition that the proposal's efforts to minimise external amenity impacts on residents in the surrounding area in relation to access to and from the venue by patrons be further tested.</i></p> <p>Officer Comment: A new acoustic report with subsequent testing requirements and a venue patron management plan have been required as conditions of approval.</p>
Heritage Advisor	No objection to the works proposed at 1 Wimble Street, Northcote.
Property	<p>Comments received 5 July 2021</p> <p><i>The matter regarding the proposed discontinuance and sale of the road at the rear of 212-220 High Street, Northcote is currently with Council's lawyers in preparation to commence the statutory procedures. As part of their investigations it has been noted that an adjoining property (at 222 High Street) is currently utilising the section of road adjoining the land being proposed to be discontinued and sold to your clients for outdoor dining purposes. This use has essentially land locked the land under investigations. Our concern with this is that we are under the impression that the land your client is acquiring is proposed to be used for an outdoor fire escape stairwell. Given the current occupation by the adjoining property (which I understand is only temporary during Covid) could pose a problem in an emergency evacuation, could you please confirm the use and purpose of the proposed stairway?</i></p> <p>Officer comment: The applicant clarified that the section of land to be acquired is not being used by 222 High Street, Northcote and is entirely enclosed by the existing fence. That section of</p>

	<p>land being used for the purpose of outdoor dining is on the other side of the fence.</p> <p>The applicant also confirmed that the proposed staircase will be used for access to the mezzanine and rooftop including for emergency egress, however above the section of land in question the staircase will be raised.</p> <p>It was decided at Council's internal Development Assessment Panel that a condition be added to the permit requiring purchase of the portion of the ROW prior to the commencement of the development/use.</p>
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EXTERNAL REFERRAL SUMMARY

Department/Authority	Response
Department of Transport	<p>Comments received 31 August 2021</p> <p><i>Thank you for your email referring the above application to Head, Transport for Victoria pursuant to Section 55 of the Planning and Environment Act 1987.</i></p> <p><i>Head, Transport of Victoria, pursuant to Section 56(1) of the Planning and Environmental Act 1987 does not object to the grant of a planning permit subject to the following conditions:</i></p> <p><i>Conditions:</i></p> <ol style="list-style-type: none"> <i>1. The construction of the development must not disrupt bus operations on Bastings Street or tram operations on High Street without the prior written consent of the Head, Transport for Victoria. Any request for written consent to disrupt public transport operations during the construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.</i> <i>2. Any damage to public transport infrastructure during the construction of the development must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.</i> <p>Officer comment: The above conditions will be placed on the planning permit.</p>
Victorian Commission for Gambling and Liquor Regulation	<p>Comments received 16 June 2021.</p> <p><i>I refer to your email sent on 20 May 2021 and received by the Victorian Commission for Gaming and Liquor Regulation (the Commission) on that day.</i></p> <p><i>The Commission has delegated to me its functions, powers, duties and responsibilities as a referral authority for the purposes of the Planning and Environment Act 1987 (the Act).</i></p> <p><i>I acknowledge that Darebin Council has referred application D/777/2020 to the Commission under section 55 of the Act.</i></p> <p><i>I confirm that the Commission does not intend to offer any comment or submission on the above application.</i></p> <p><i>I note that offering no comment to the above application does not affect any decision that the Commission may make pursuant to the Liquor Control Reform Act 1998 in respect of any application that the Applicant is required to make under that Act if the planning permit is granted.</i></p> <p>Officer comment: The Commission does not make any comment on the application.</p>

PLANNING SCHEME SUMMARY




Darebin Planning Scheme clauses under which a permit is required

- Clause 34.01-1 (Commercial 1 Zone) Use of the land as a Place of assembly
- Clause 34.01-4 (Commercial 1 Zone) Buildings and works.
- Clause 43.01-1 (Heritage Overlay) construct or carry out works (No .1 Wimble Street only)
- Clause 43.02-2 (Design and Development Overlay – Schedule 14) Carry out works.
- Clause 52.06-3 (Car Parking) Reduce the statutory car parking requirement.
- Clause 52.27 (Licensed Premises) Use of the land for the sale and consumption of liquor.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.01-1S, 11.01-R1, 11.02-1S, 11.03-1S, 11.03-1R, 13.05-1S, 13.07-3S, 13.07-1S, 15, 15.01-1S, 15.01-5S, 15.02-1S, 15.03-1S, 16, 17, 17.01 17.02, 18, 18.02-1S, 19, 19.02
LPPF	21.01-2, 21.01-4, 21.01-6, 21.02, 21.02-3, 21.02-4, 21.03, 21.04, 21.04-3, 21.04-5, 21.05-2, 22.08, 22.12
Zone	34.01
Overlay	43.02- 14, 43.01 (HO312 and HO97) 45.06
Particular provisions	52.06, 52.27, 52.34, 53.06
General provisions	65.01
Neighbourhood Character Precinct	N/A

Attachments

- Appendix A - Plans - 212 - 220 High Street and 1 Wimble Street, Northcote - **(Appendix A)** [↓](#) 
- Appendix B - Aerial - 212 - 220 High Street and 1 Wimble Street, Northcote - D/777/2020 **(Appendix B)** [↓](#) 
- Appendix C - Urban Context Report - 212 - 220 High Street and 1 Wimble Street, Northcote - D/777/2020 **(Appendix C)** [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

PROPOSED ALTERATIONS AND ADDITIONS TO
NORTHCOTE THEATRE
212-220 HIGH STREET

TOWNPLANNING

0 - Coversheet	
A000	COVER SHEET
0 - Existing Conditions	
A010	CONTEXT PLAN
A011	EXISTING SITE PLAN
A100	EXISTING SITE / ROOF PLAN
A101	EXISTING GROUND
A103	EXISTING LEVEL 1
A105	EXISTING NORTH & SOUTH ELEVATIONS
A106	EXISTING EAST & WEST ELEVATIONS
1 - Demolition	
A111	DEMOLITION - GROUND
A113	DEMOLITION - LEVEL 1
A114	DEMOLITION ROOF
A115	DEMOLITION NORTH & SOUTH ELEVATIONS
A116	DEMOLITION EAST & WEST ELEVATIONS
2 - General Plans	
A200	PROPOSED SITE PLAN
A201	PROPOSED GROUND
A203	PROPOSED LEVEL 1
A204	PROPOSED ROOF
A210	PROPOSED 1 WIMBLE STREET PLAN
A212	PROPOSED 1 WIMBLE STREET ELEVATIONS
4 - Elevations	
A401	PROPOSED NORTH & SOUTH ELEVATIONS
A402	PROPOSED EAST & WEST ELEVATIONS
A403	PROPOSED SOUTH ELEVATION
5 - Sections	
A501	PROPOSED SECTION
6 - Additional	
A601	SUN STUDIES
A602	GF - RED LINE
A603	L1 - RED LINE
A604	ROOF - RED LINE

DEVELOPMENT SUMMARY

Proposed overall details

Level	Development Area (approx)	Functions
Ground floor	667 m ²	Alterations and additions to the existing fabric. Make good and upgrade where necessary for occupation.
Level 1	360 m ²	Refurbish abandoned mezzanine floor and make good for safe occupation.
Level 2 Roof	283 m ²	Build new rooftop space
Staircases	110 m ²	Build staircases access to Level 1 and Rooftop.
Outdoor	55 m ²	Includes sunken bar and outdoor area around pizza window.
Total	1475 m ²	

Proposed spaces

Ground	Development Area (approx)	Level 1	Development Area (approx)
Wine bar	59 m ²	Cocktail bar/ Mezzanine	316 m ²
Food and drink premises	49 m ²	Balcony	23 m ²
Main venue (incl. pizza window, sunken bar)	502 m ²	Roof	Development (approx)
Foyer & amenities	207 m ²	Rooftop bar	283 m ²

Proposed transport

Carparks	3
Bicycle parking spaces	140

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23.04.2021	C	RFI	LN	TM
17.02.2021	B	RFI	LN	TM
18.12.2020	A	TOWNPLANNING	LN	TM
DATE	NO.	REVISION	DRAWN	CHECK

PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE COVER SHEET

PROJECT NO. 2007
SCALE



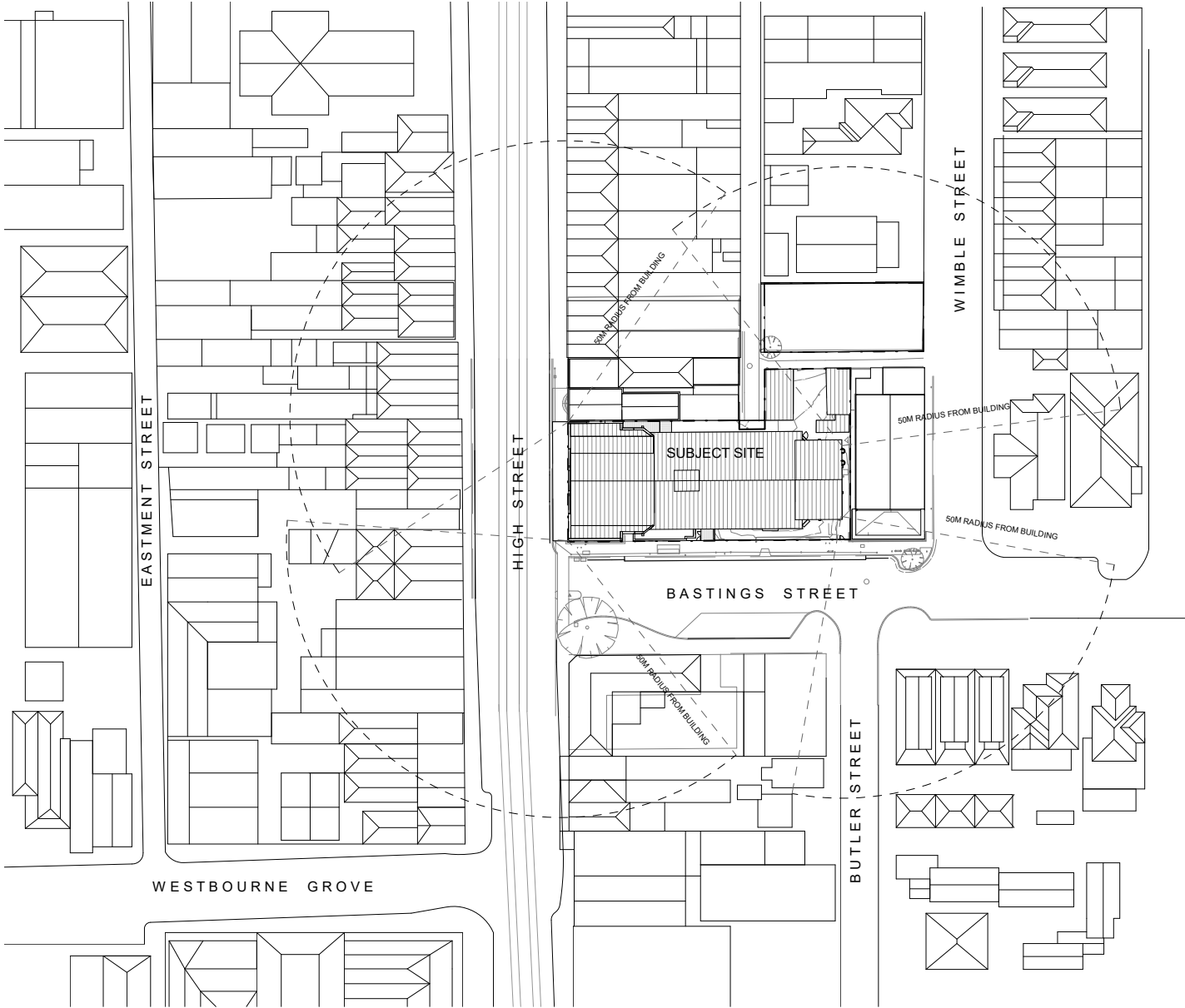
TOWNPLANNING

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18.12.2020	A	TOWNPLANNING	LN	TM
DATE	NO.	REVISION	DRAWN	CHECK

PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE CONTEXT PLAN

PROJECT NO. 2007
SCALE 1 : 500



TOWNPLANNING

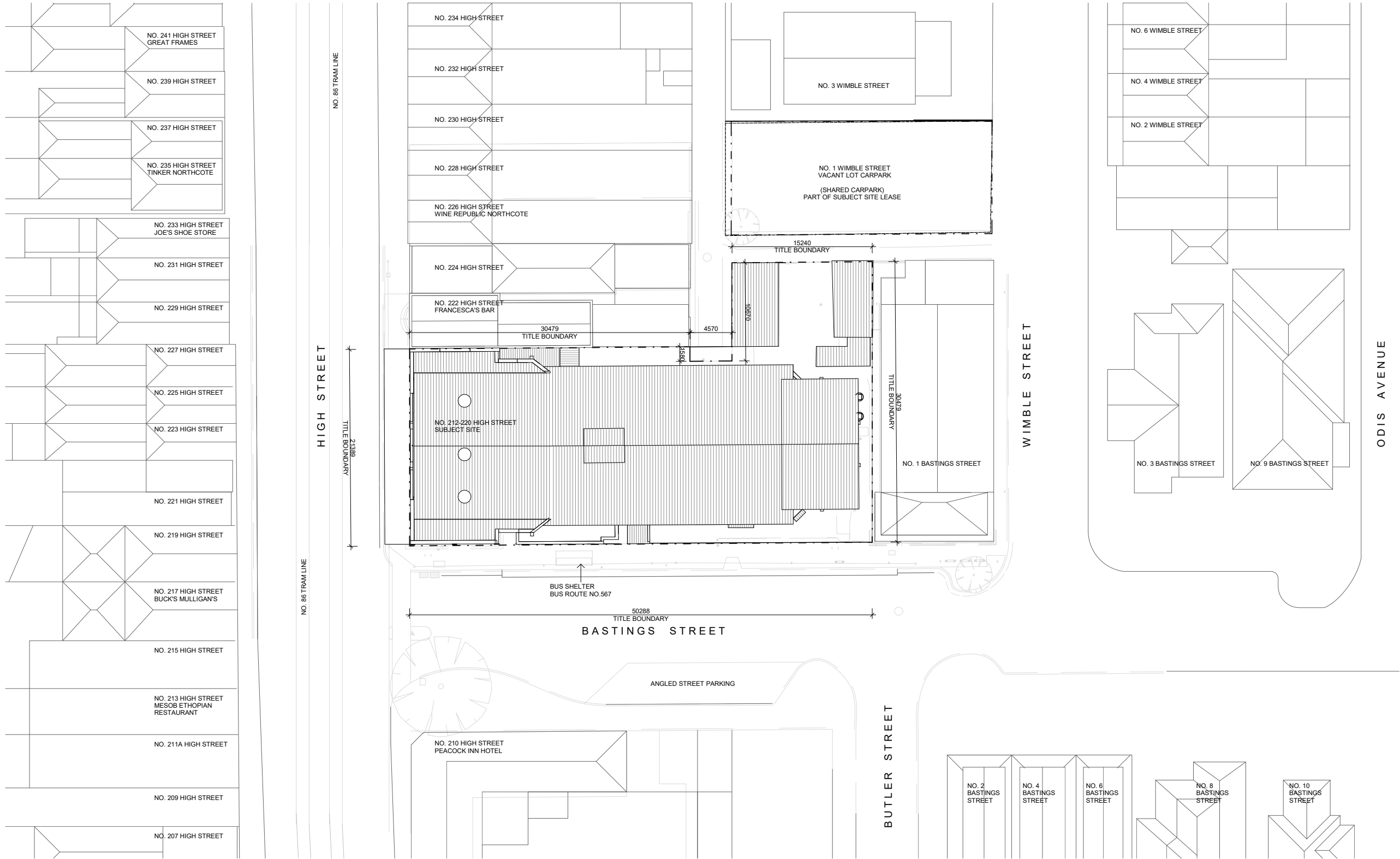
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18.12.2020	A	TOWNPLANNING	LN	TM
DATE	NO.	REVISION	DRAWN	CHECK

PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE EXISTING SITE PLAN

PROJECT NO. 2007
SCALE 1 : 200



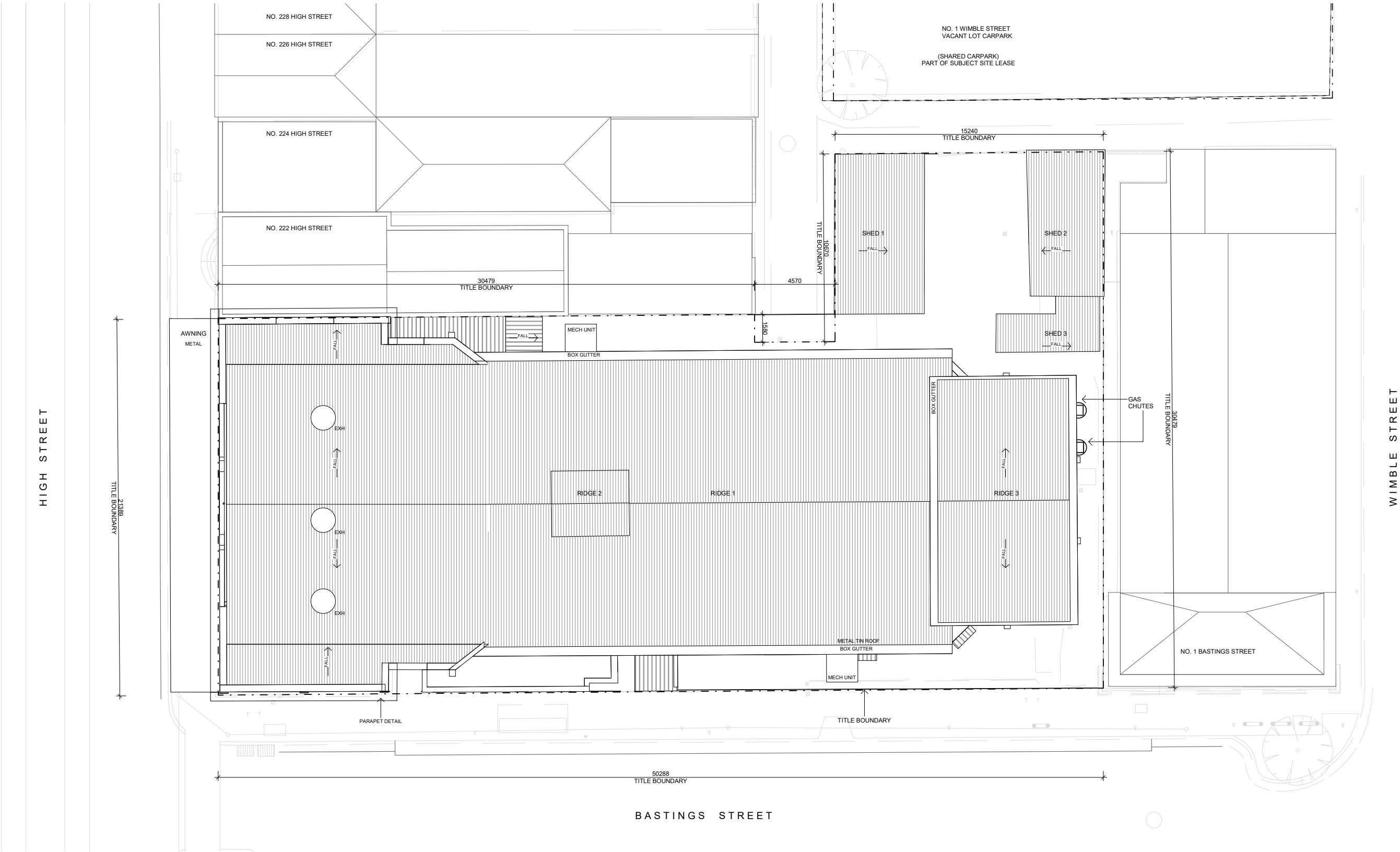
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE EXISTING SITE / ROOF PLAN

PROJECT NO. 2007
SCALE 1 : 100



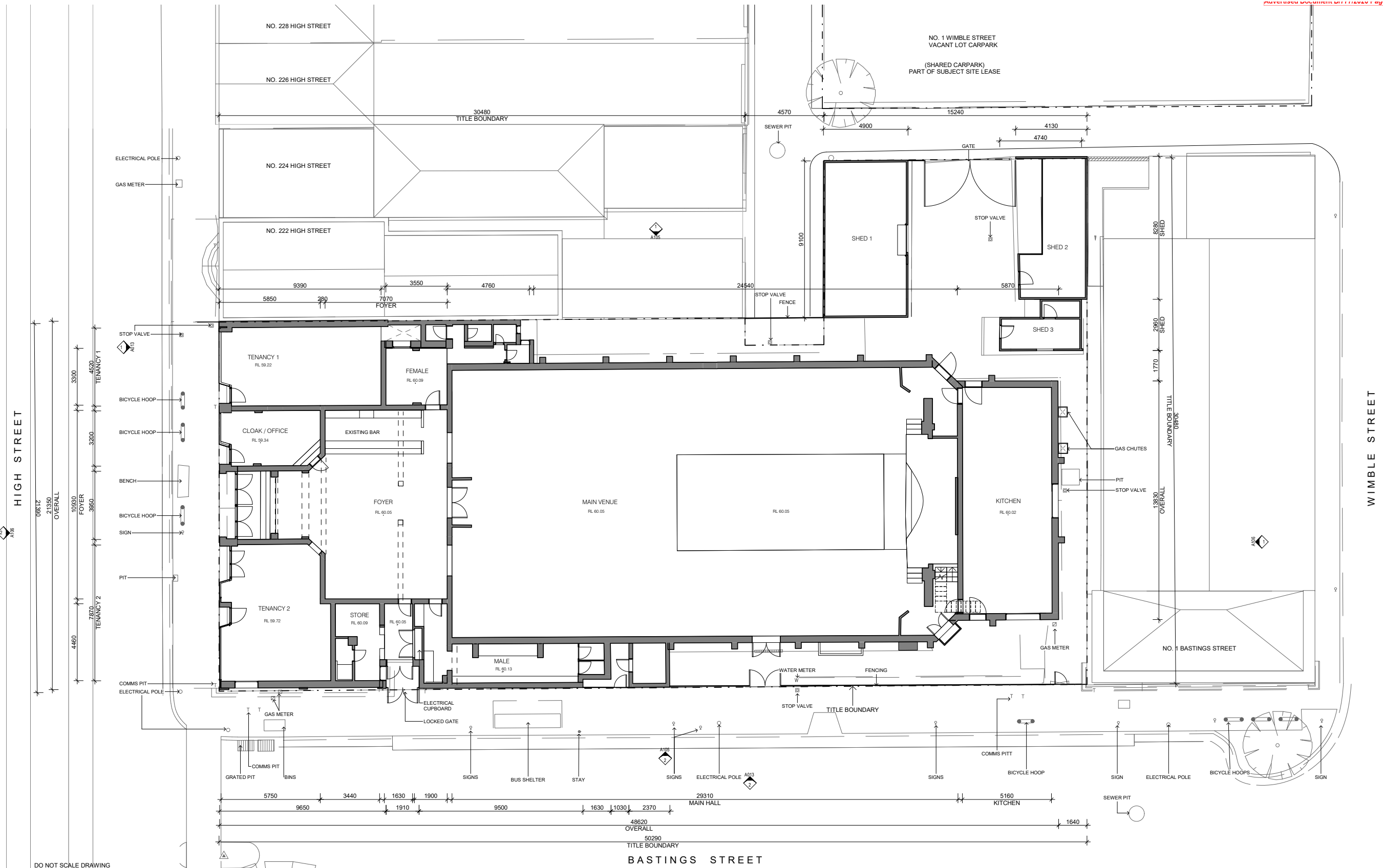
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE EXISTING GROUND

PROJECT NO. 2007
SCALE 1 : 100

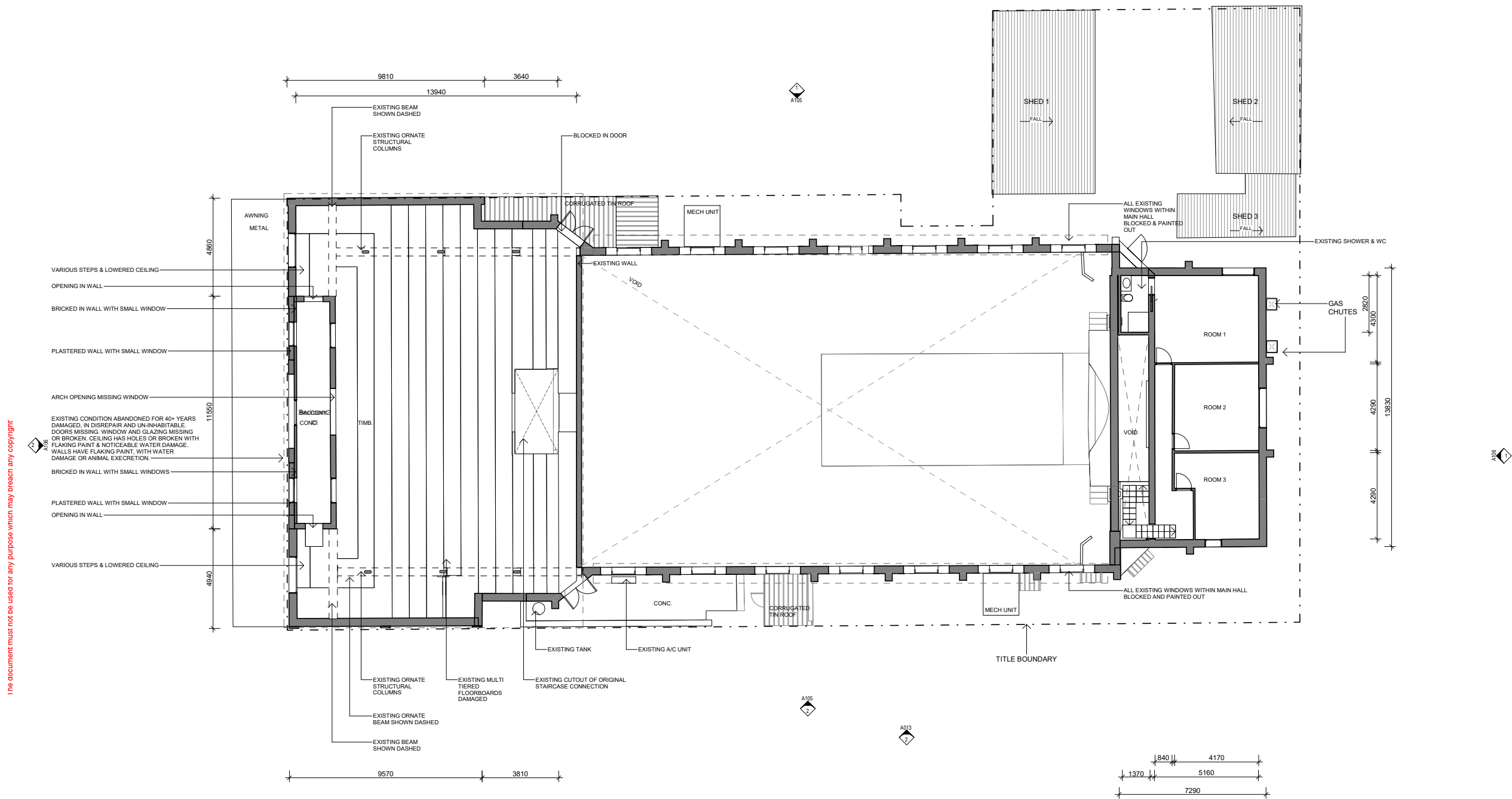


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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE EXISTING LEVEL 1

PROJECT NO. 2007
SCALE 1 : 100

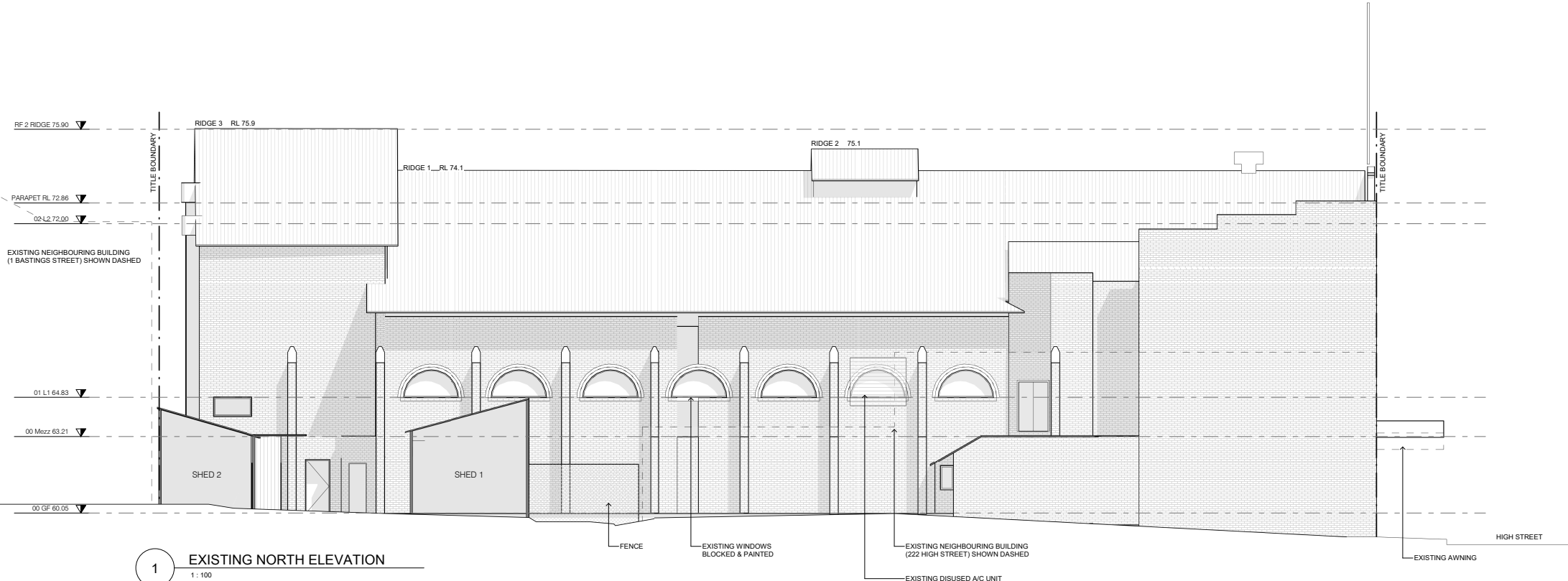


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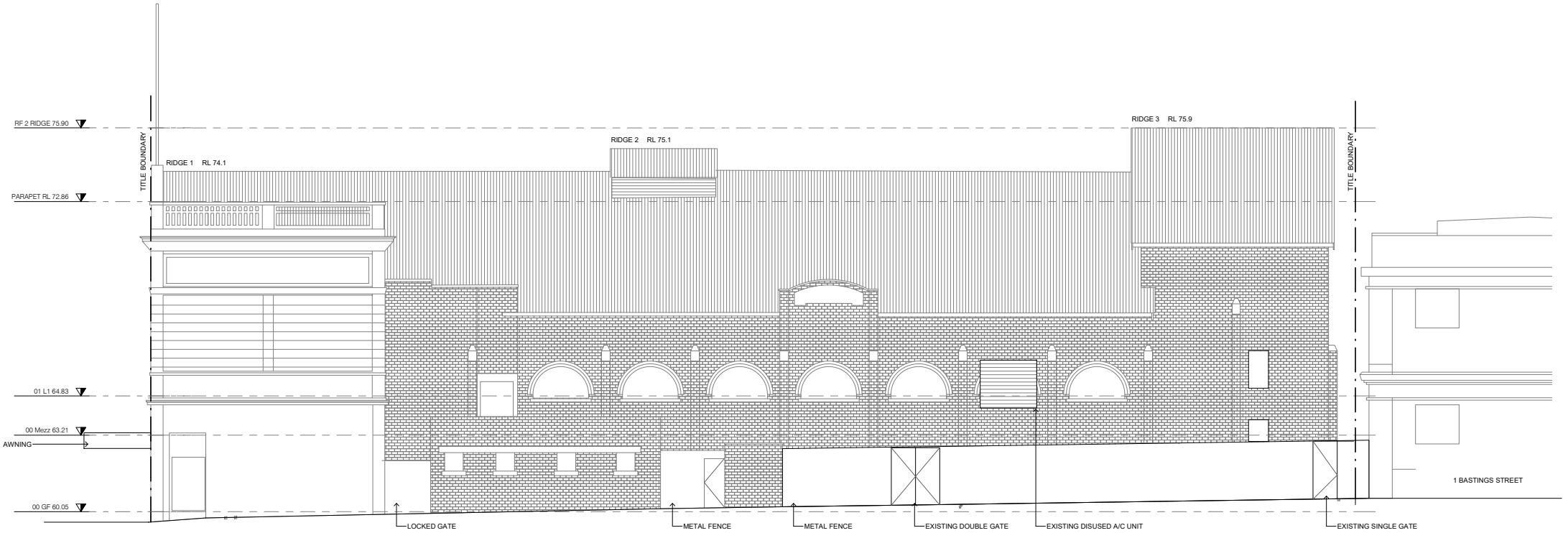
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1 EXISTING NORTH ELEVATION
1 : 100



2 EXISTING SOUTH ELEVATION
1 : 100

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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE EXISTING NORTH & SOUTH
ELEVATIONS

PROJECT NO. 2007
SCALE 1 : 100



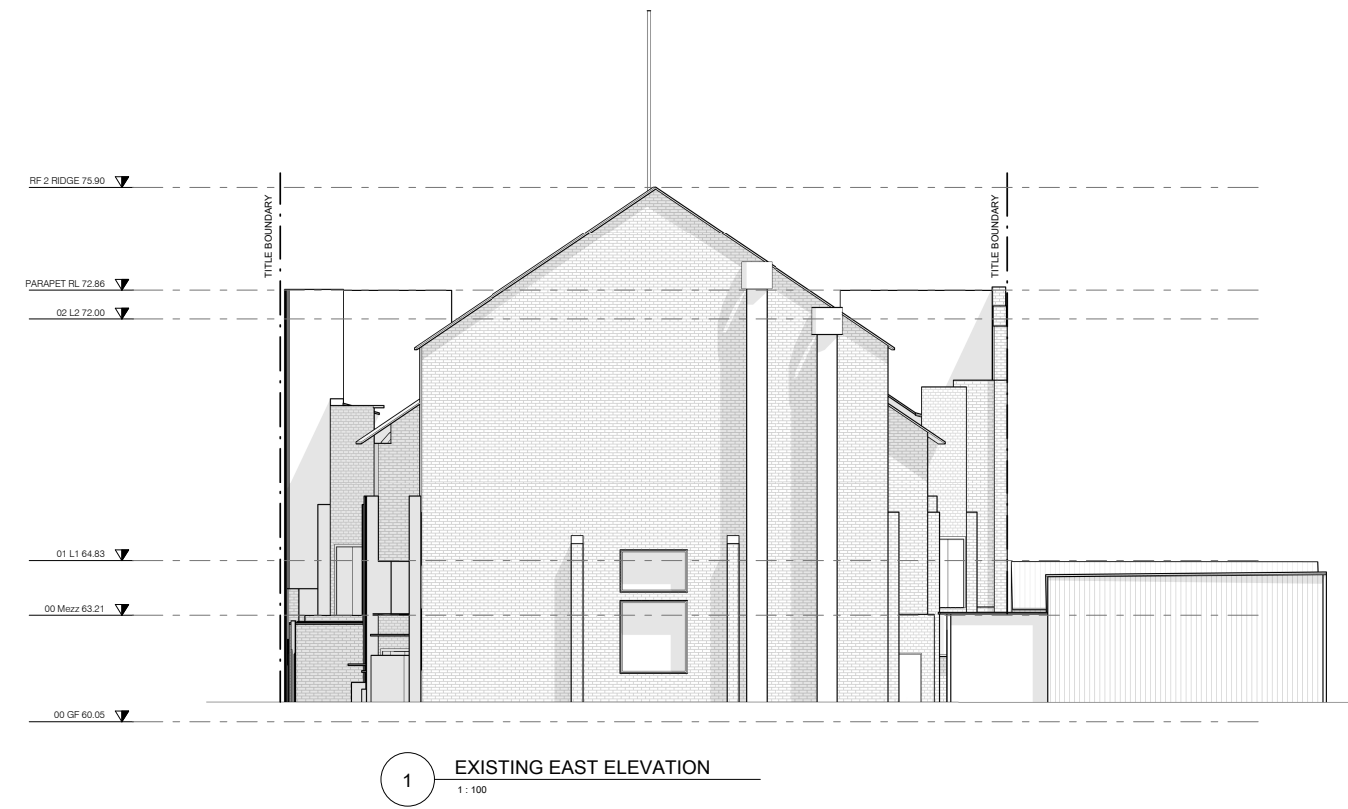
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE EXISTING EAST & WEST ELEVATIONS

PROJECT NO. 2007
SCALE 1 : 100



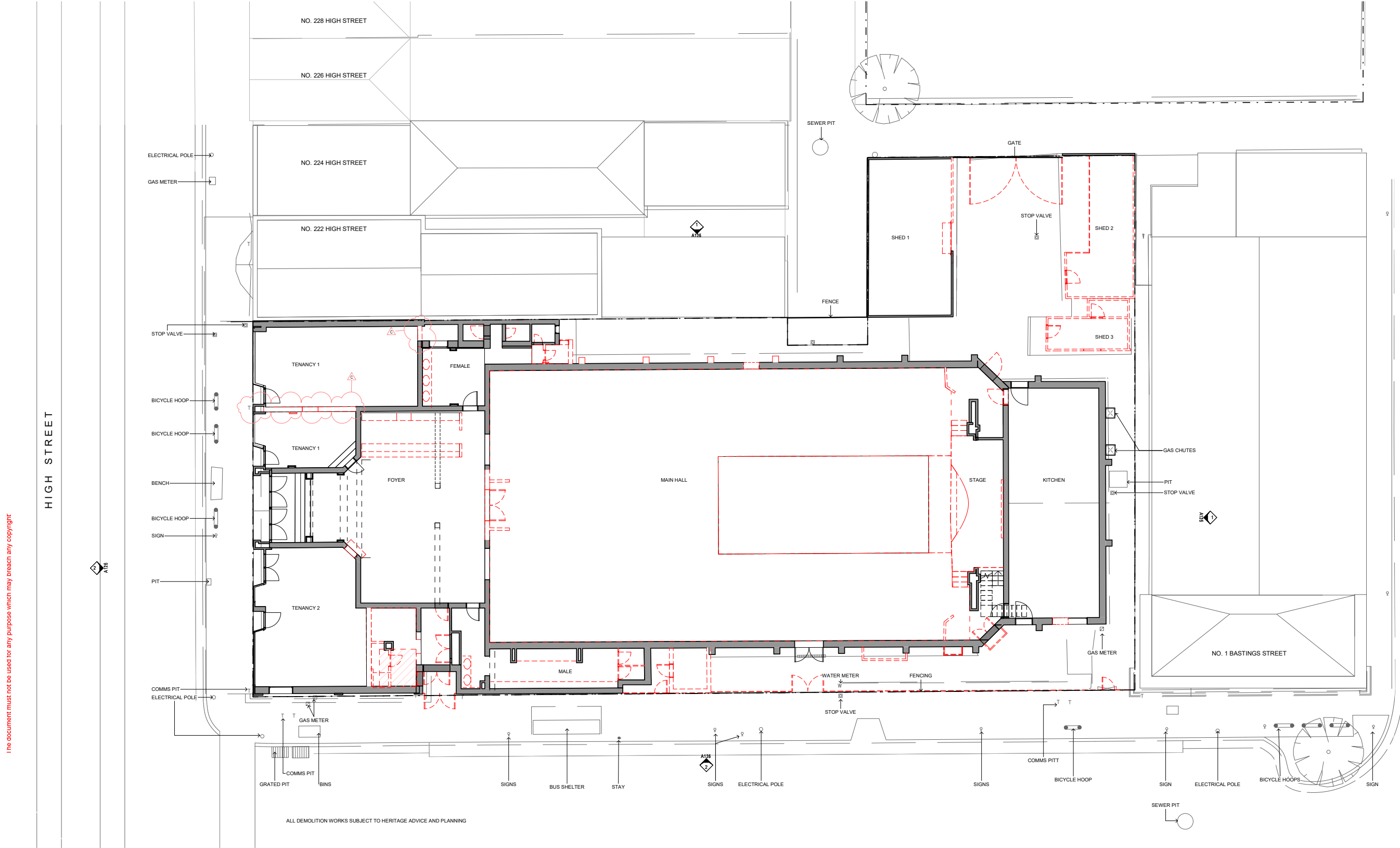
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE DEMOLITION - GROUND

PROJECT NO. 2007
SCALE 1 : 100

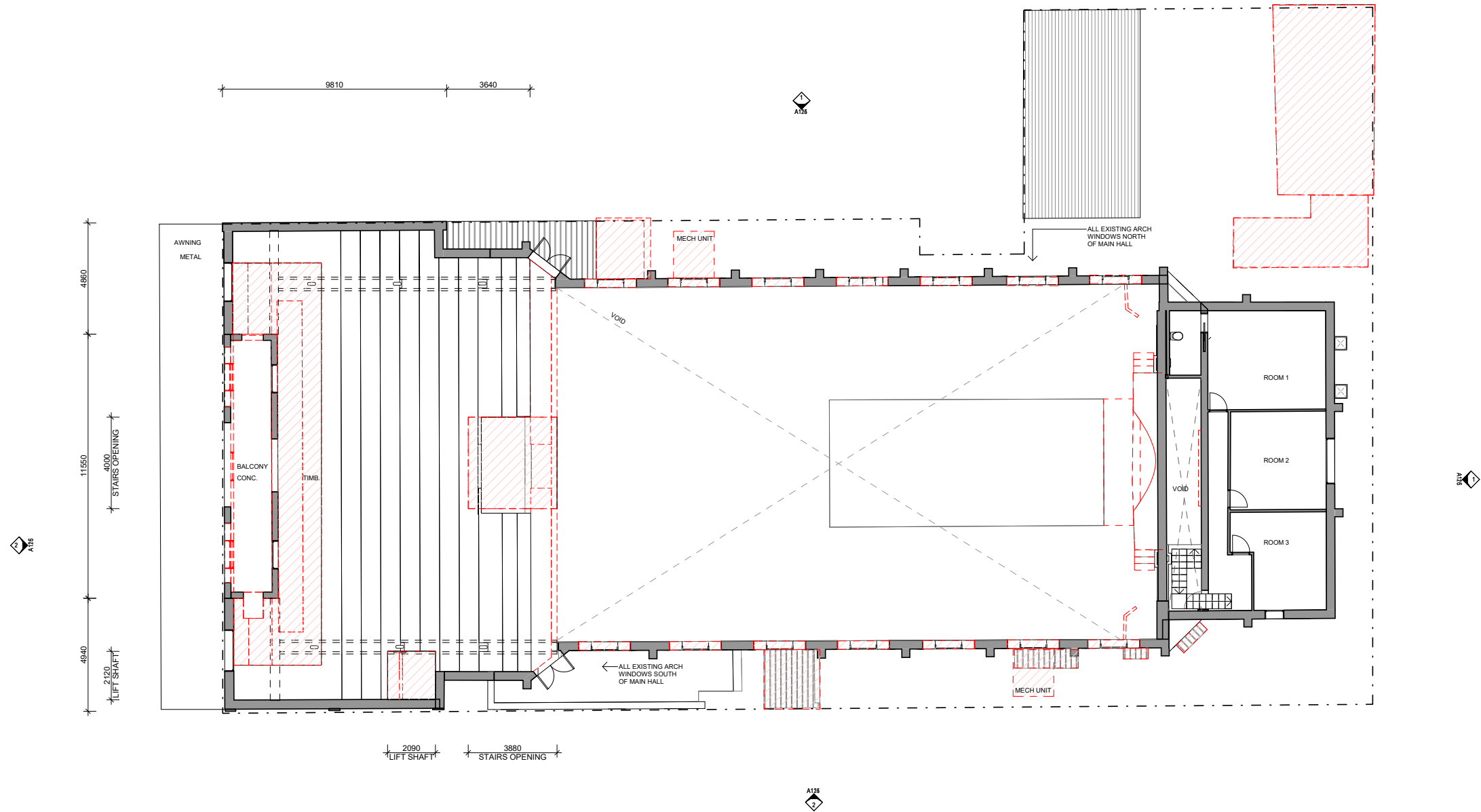


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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE DEMOLITION - LEVEL 1

PROJECT NO. 2007
SCALE 1 : 100



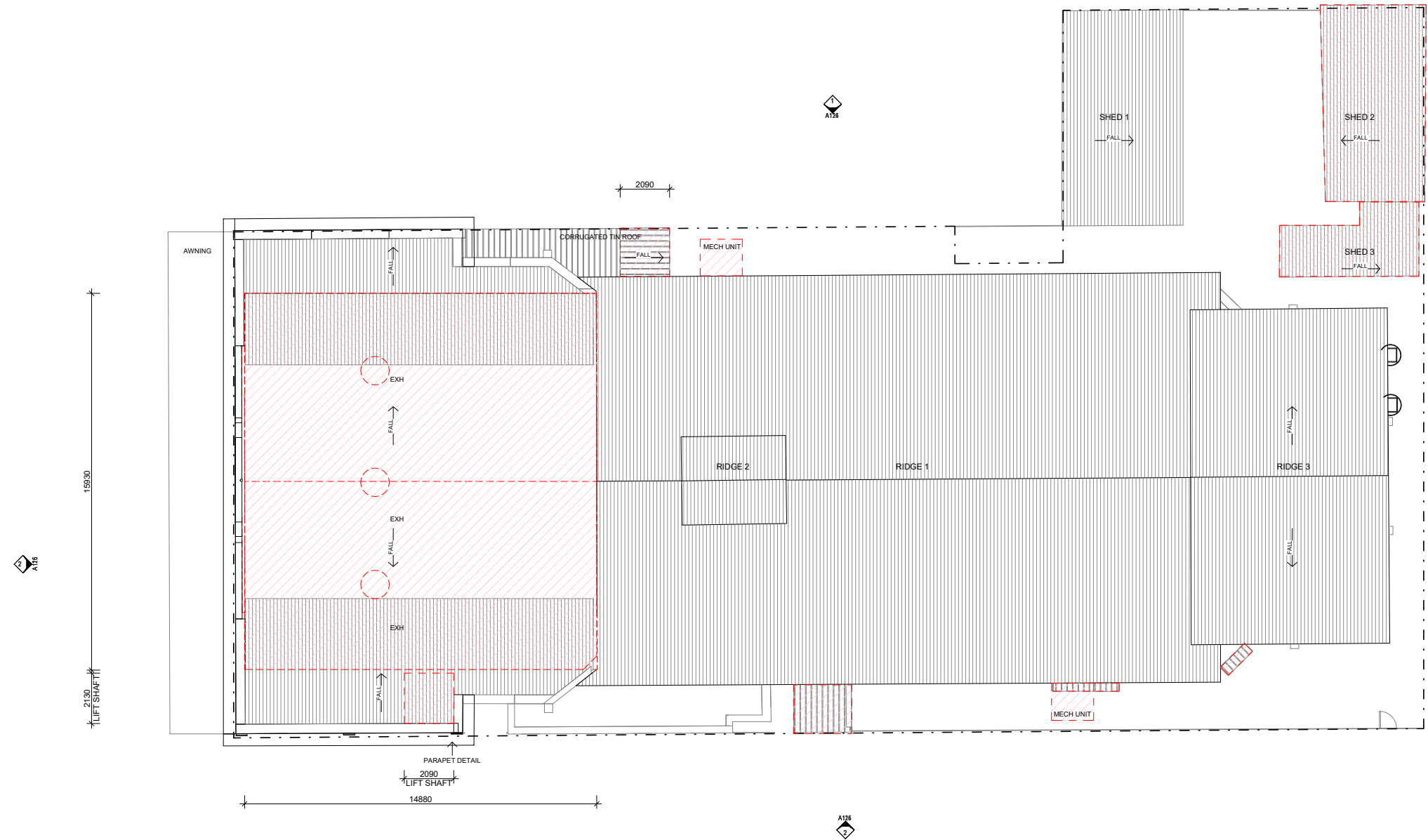
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE DEMOLITION ROOF

PROJECT NO. 2007
SCALE 1 : 100



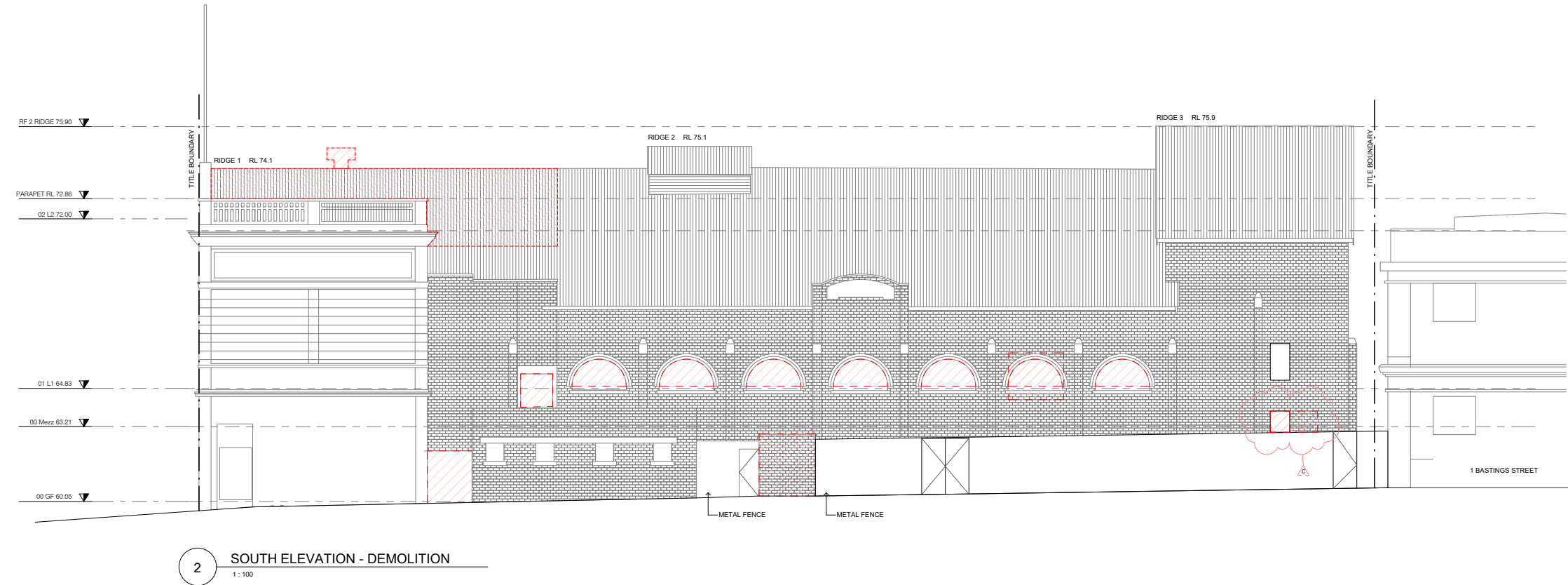
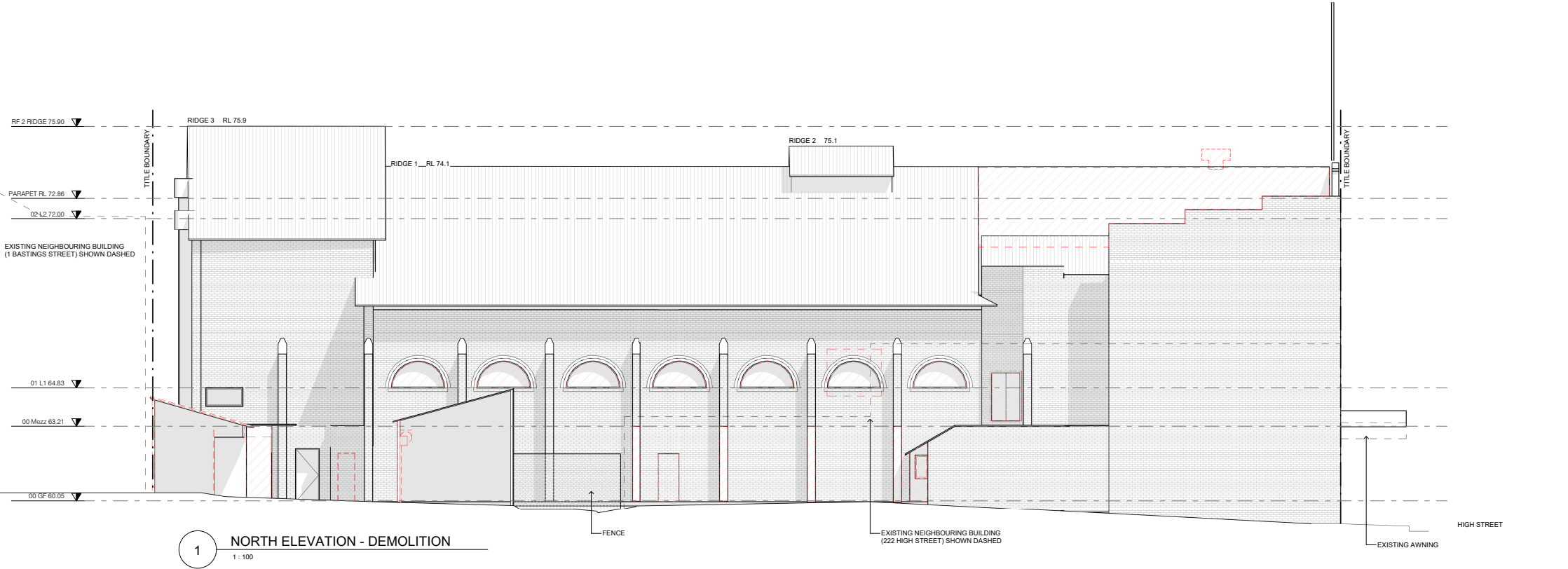
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE DEMOLITION NORTH & SOUTH
ELEVATIONS

PROJECT NO. 2007
SCALE 1:100

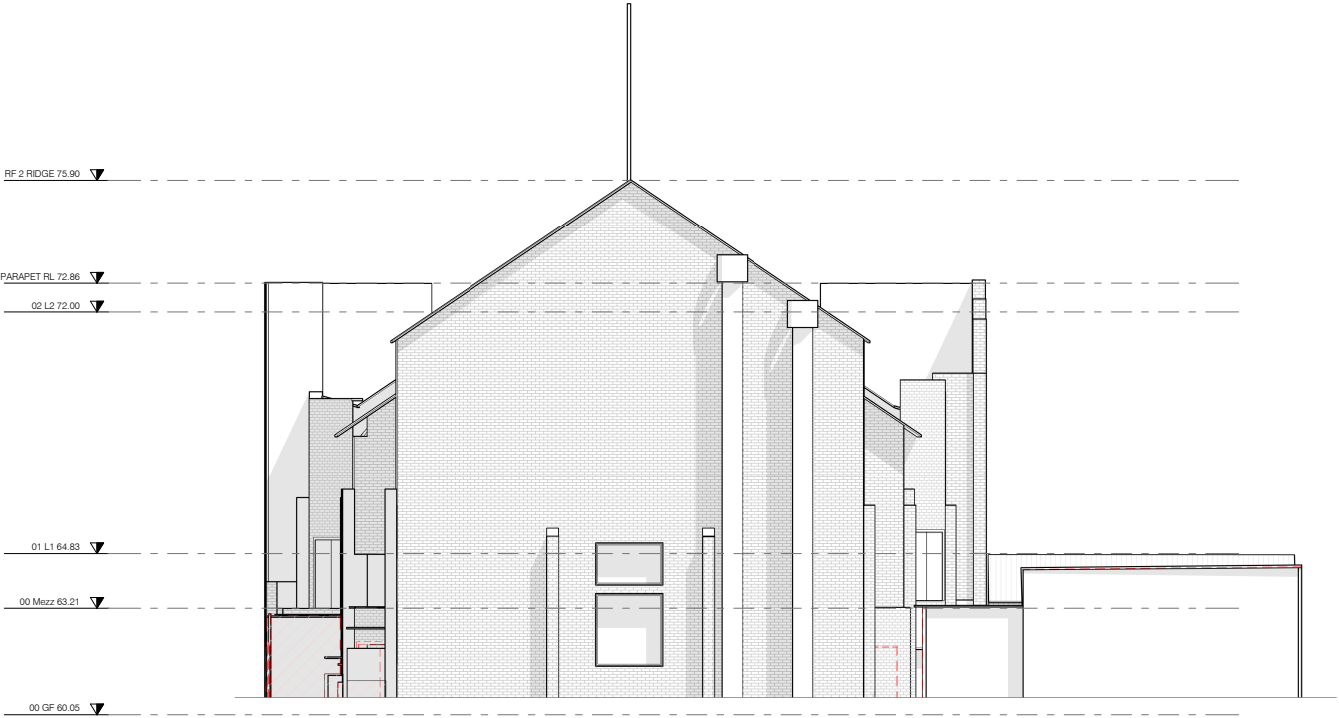


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1 EAST ELEVATION - DEMOLITION
1 : 100



2 WEST ELEVATION - DEMOLITION
1 : 100

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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE DEMOLITION EAST & WEST
ELEVATIONS

PROJECT NO. 2007
SCALE 1 : 100



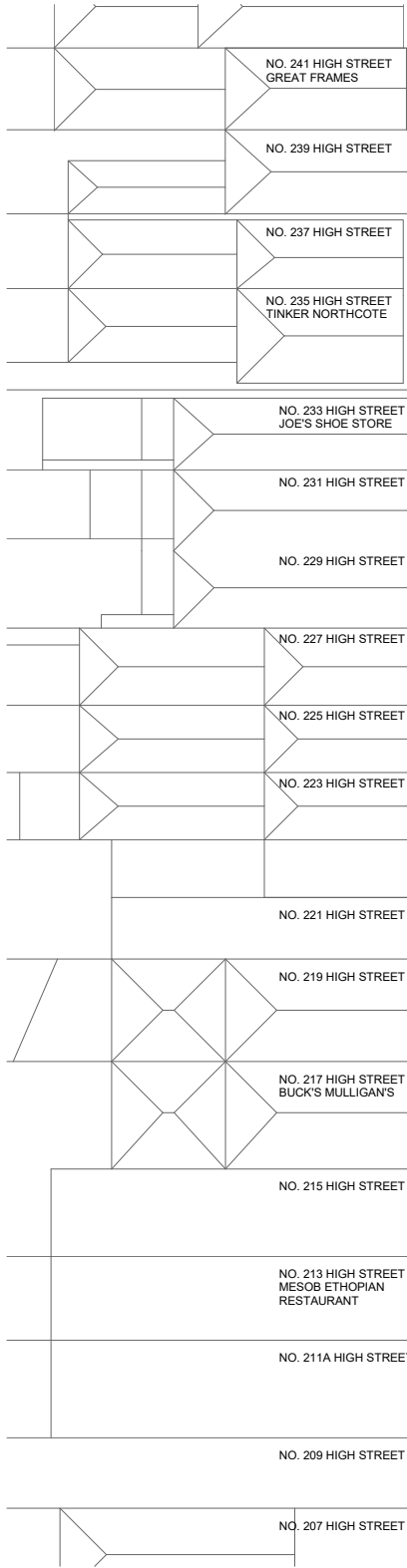
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE PROPOSED SITE PLAN

PROJECT NO. 2007
SCALE 1 : 200



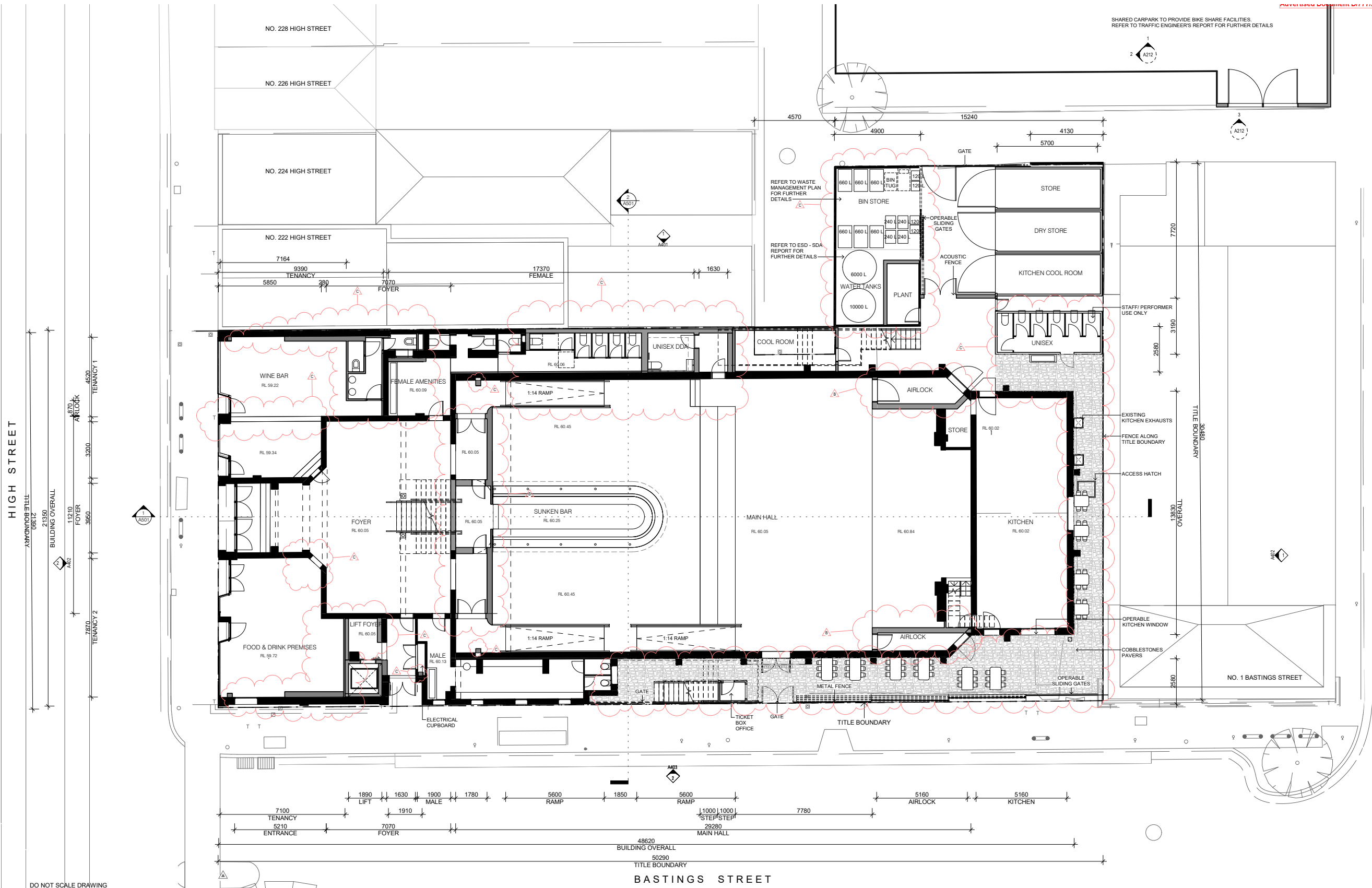
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE PROPOSED GROUND

PROJECT NO. 2007
SCALE 1 : 100



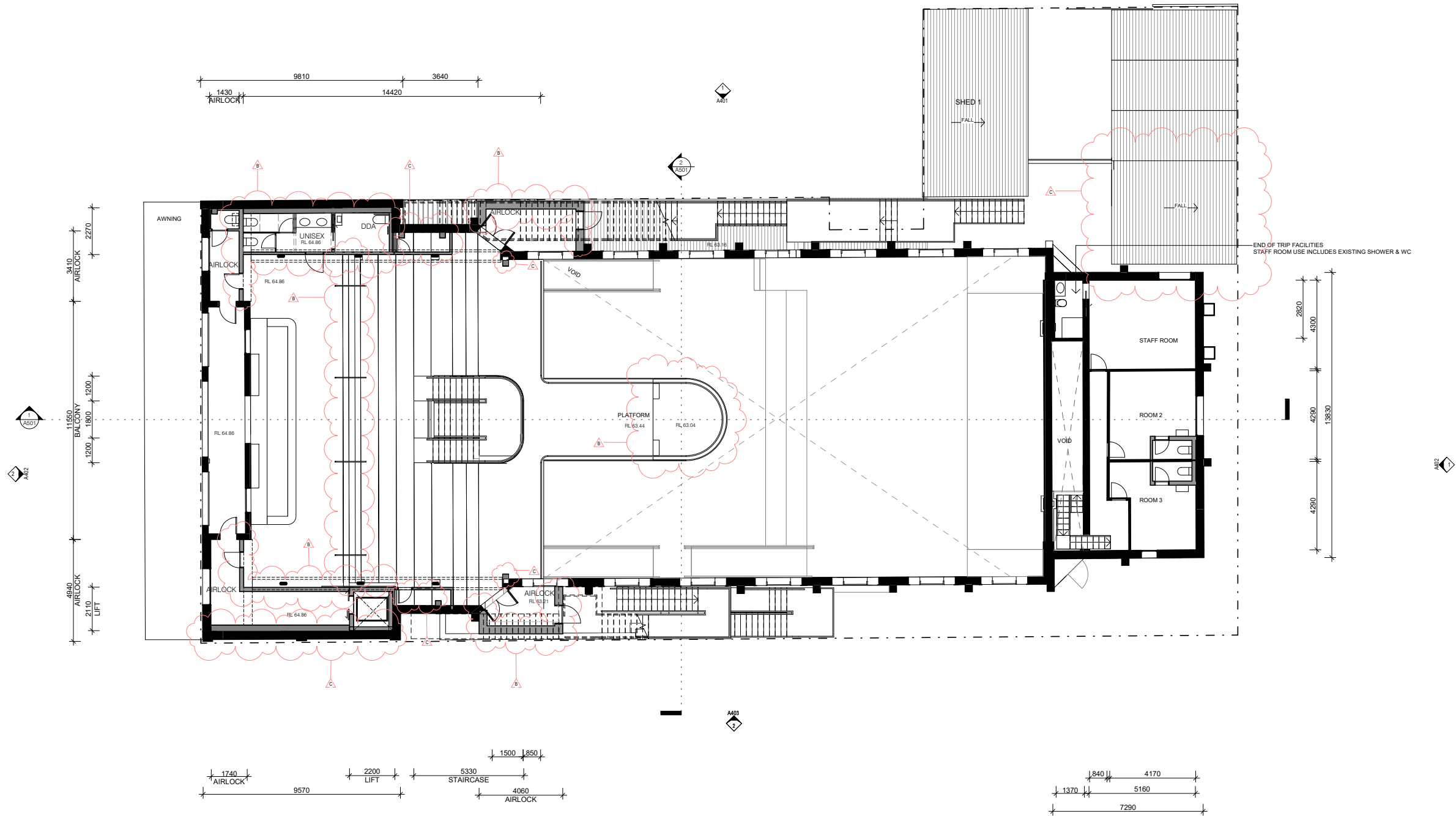
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE PROPOSED LEVEL 1

PROJECT NO. 2007
SCALE 1 : 100



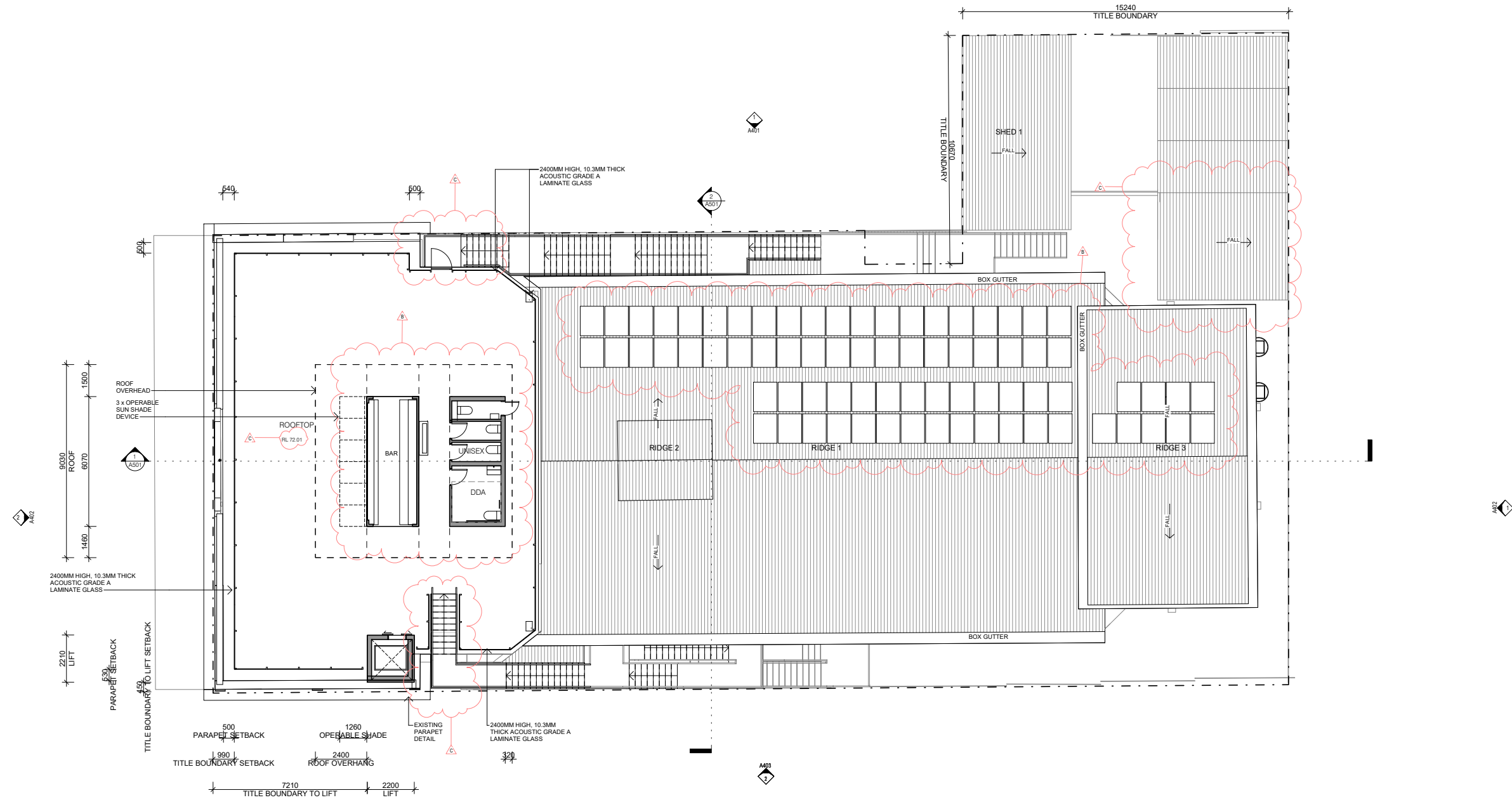
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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE PROPOSED ROOF

PROJECT NO. 2007
SCALE 1 : 100

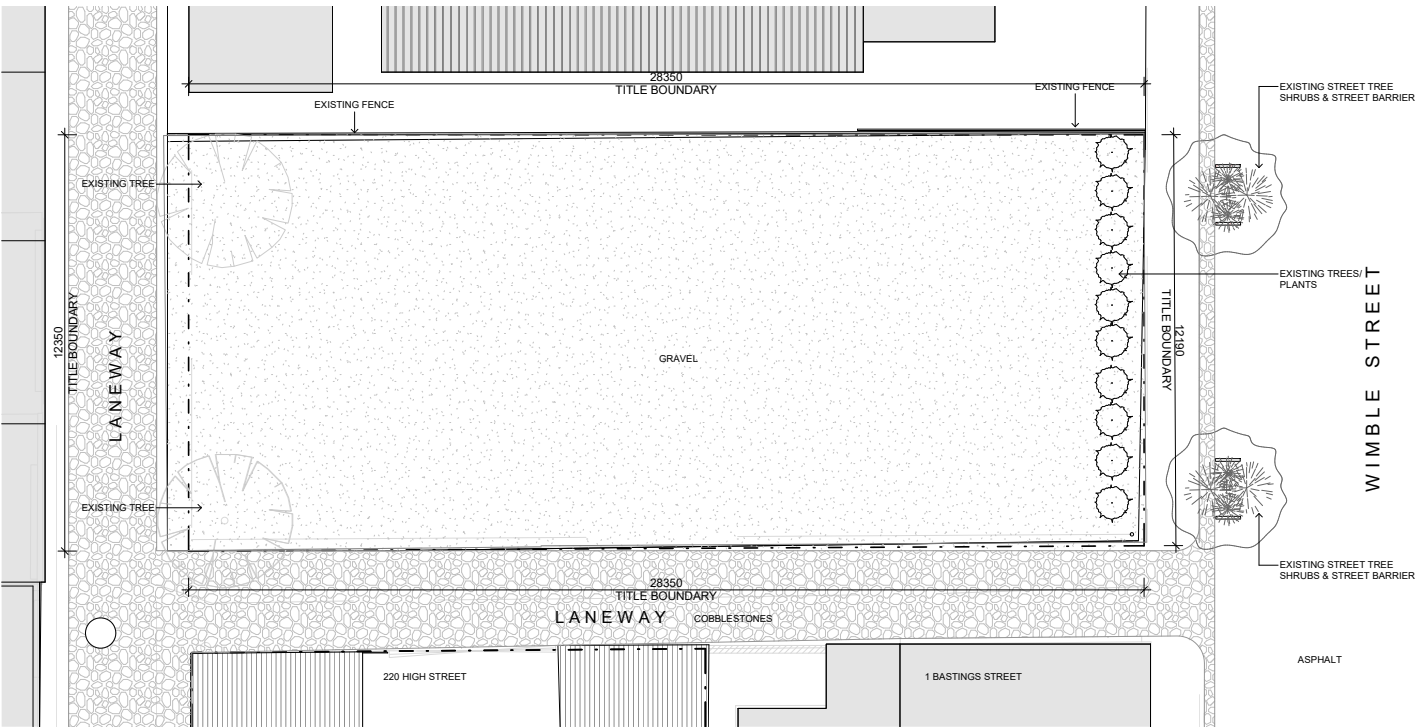


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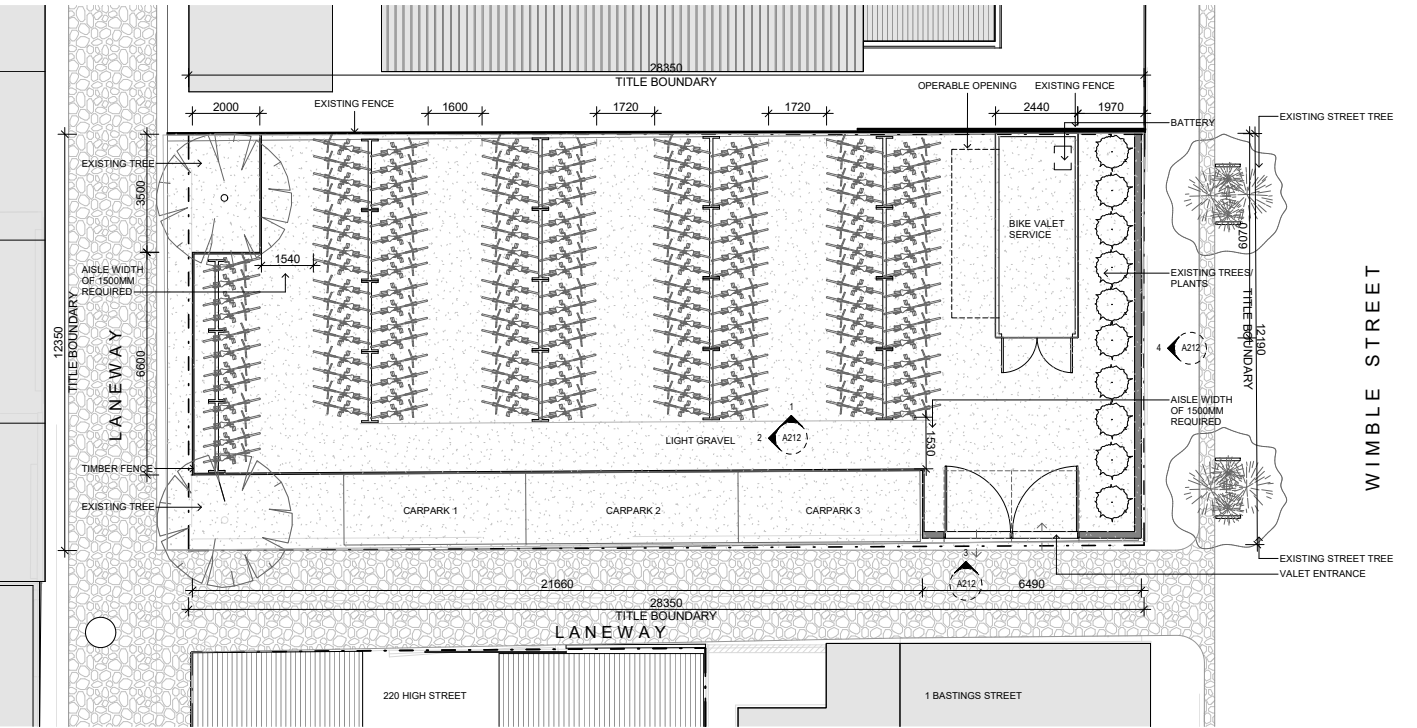
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1 1 WIMBLE STREET CARPARK PLAN - EXISTING
1 : 100



2 1 WIMBLE STREET CARPARK PLAN - PROPOSED
1 : 100

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PROJECT NORTHCOTE THEATRE
212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE PROPOSED 1 WIMBLE STREET PLAN

PROJECT NO. 2007
SCALE 1 : 100

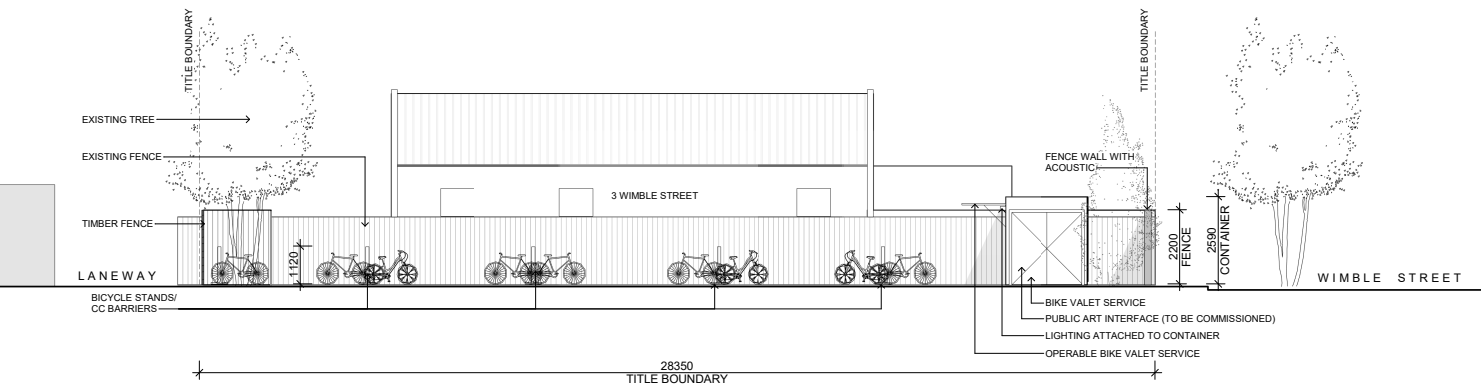


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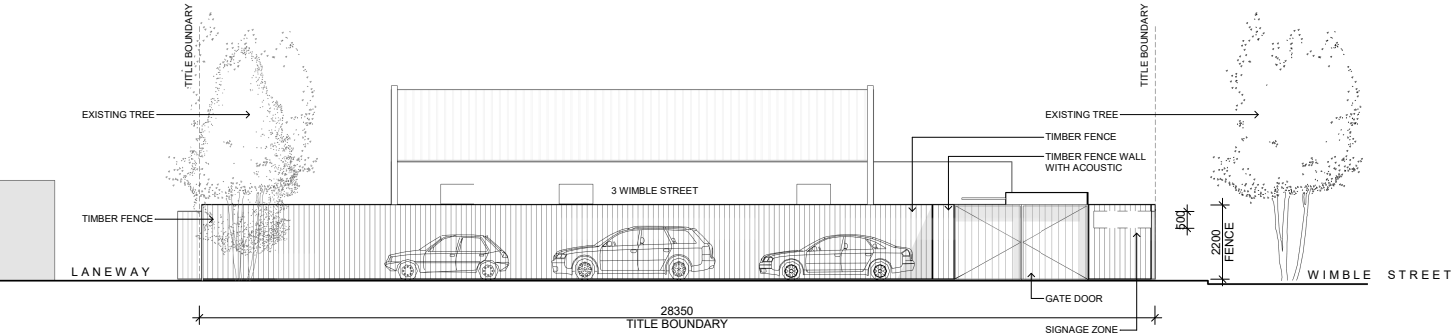
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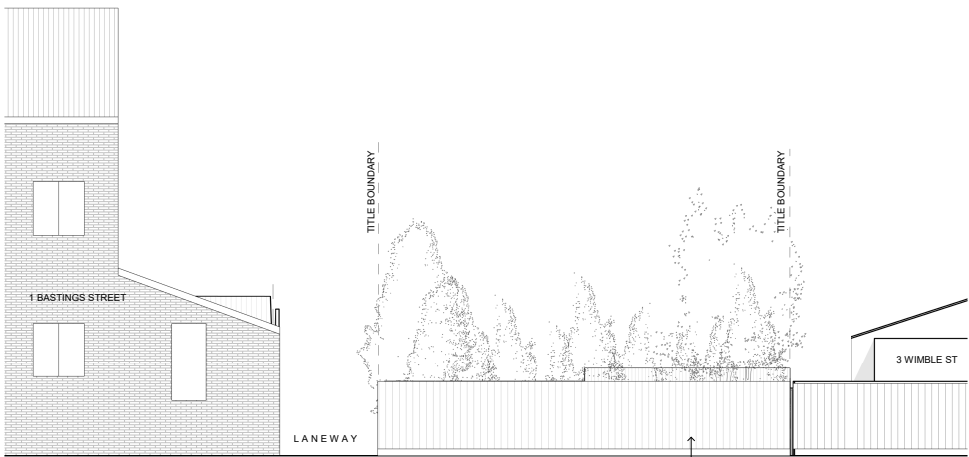
1 1 WIMBLE STREET SOUTH - INTERNAL ELEVATION
1 : 100



2 1 WIMBLE STREET EAST - INTERNAL ELEVATION
1 : 100



3 1 WIMBLE STREET SOUTH - EXTERNAL ELEVATION
1 : 100



4 1 WIMBLE STREET EAST - EXTERNAL ELEVATION
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212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE PROPOSED 1 WIMBLE STREET
ELEVATIONS

PROJECT NO. 2007
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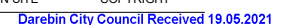


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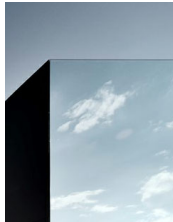
FIN-02 - CAST IRON COLOURED METAL



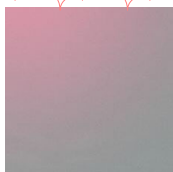
FIN-03 - GALVANISED STEEL



FIN-04 - BRICK VENEER TILES/ BRICKS TO MATCH EXISTING



FIN-05 - REFLECTIVE STAINLESS STEEL

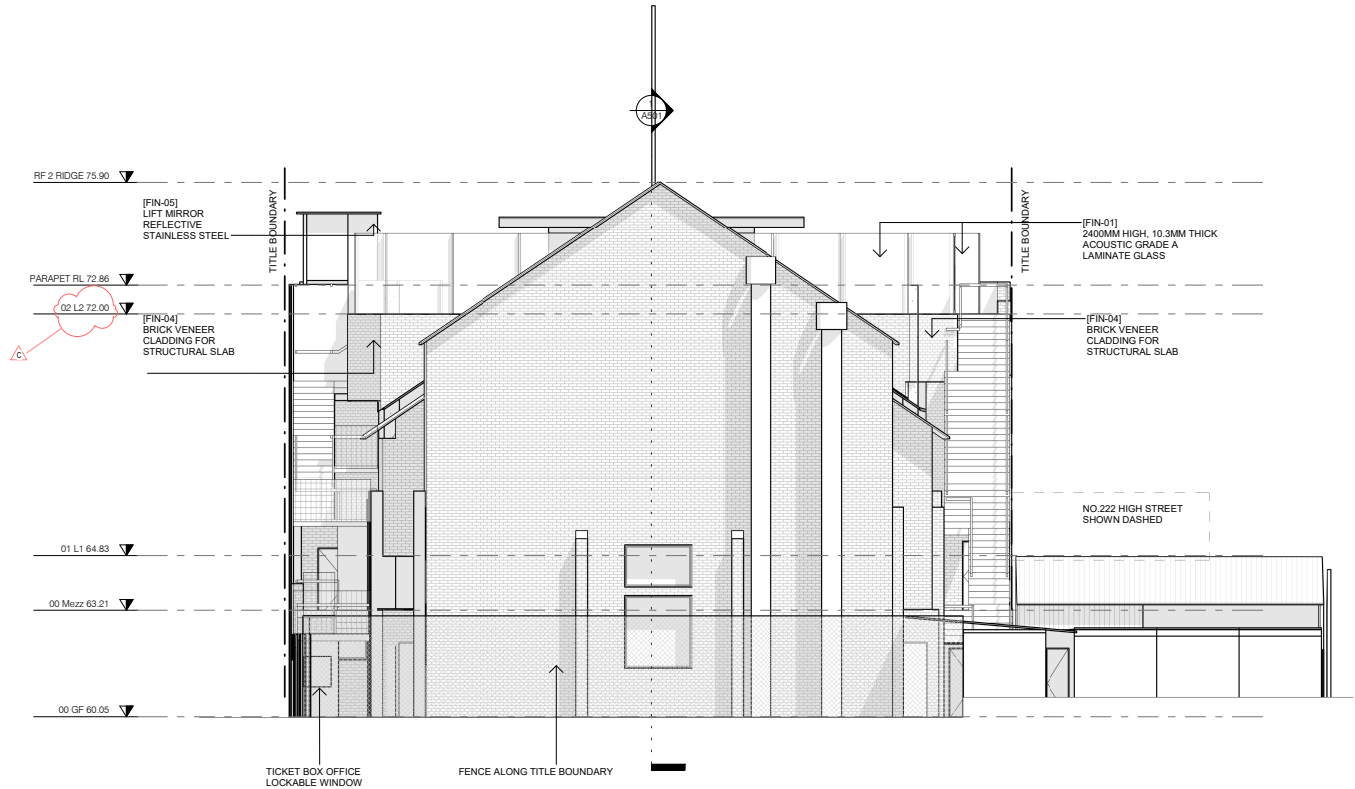


FIN-06 - SOLID ALUMINIUM

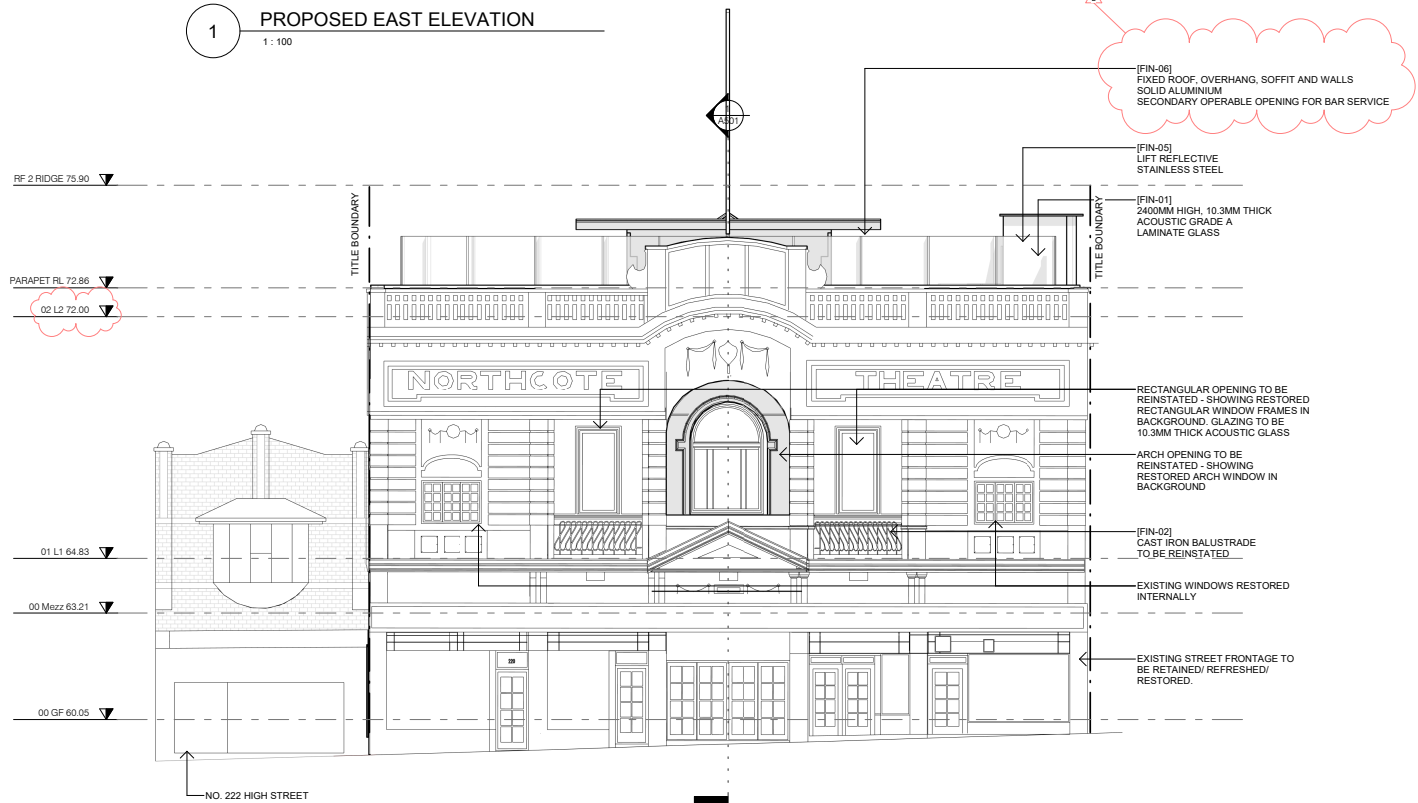
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1 PROPOSED EAST ELEVATION
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2 PROPOSED WEST ELEVATION
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212-220 HIGH STREET

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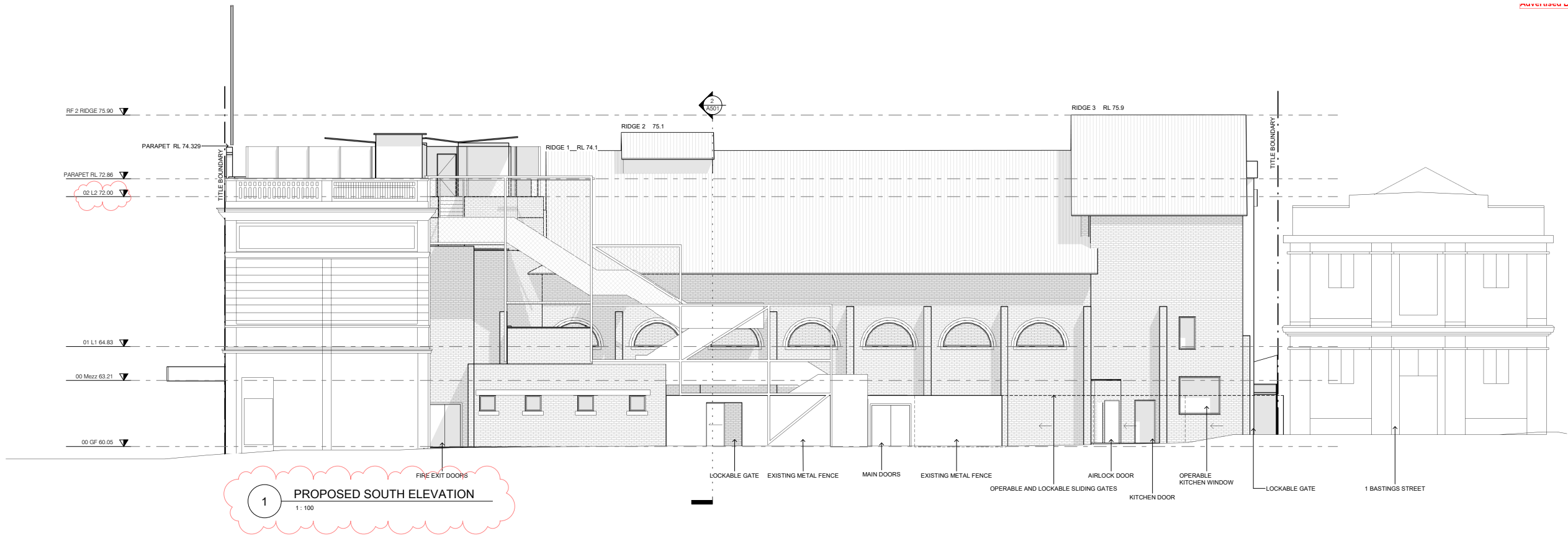
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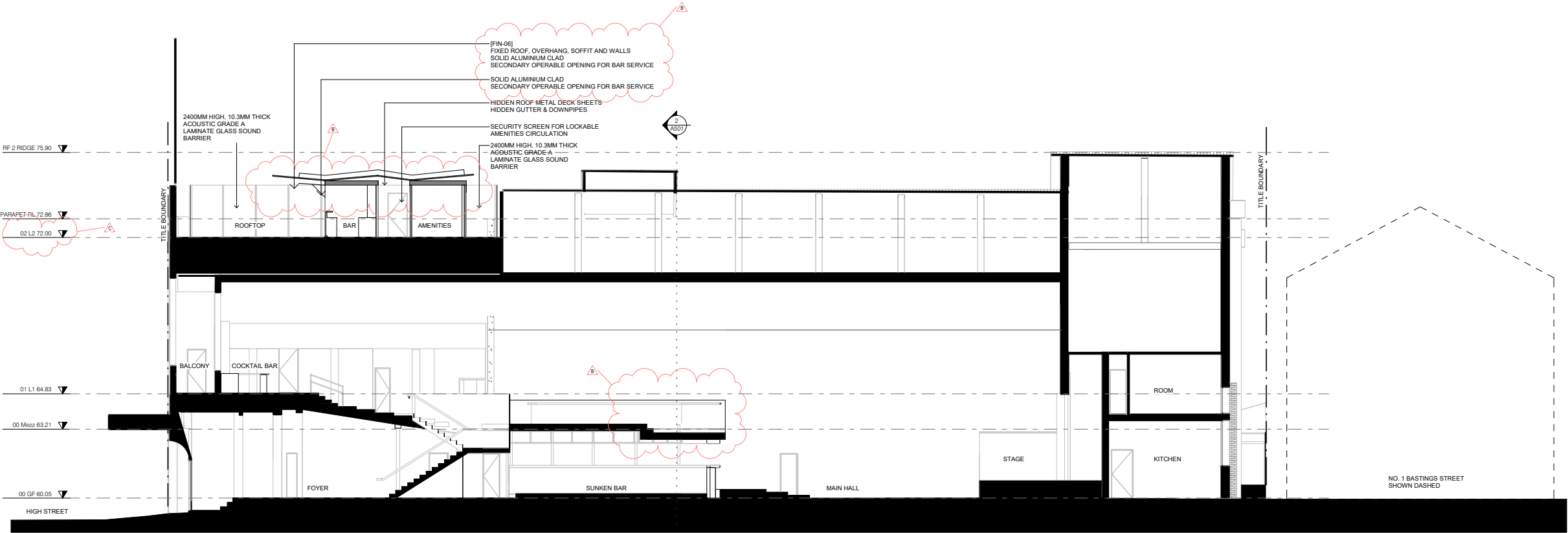
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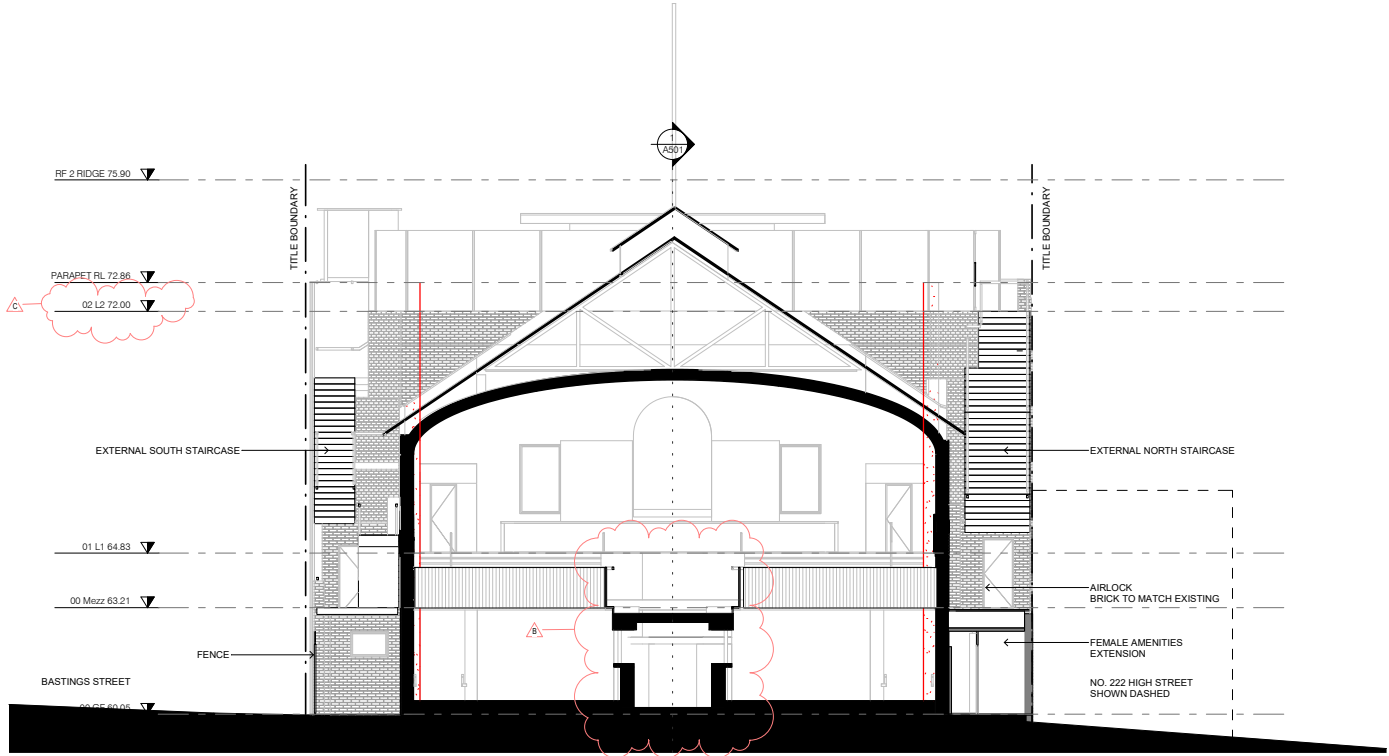
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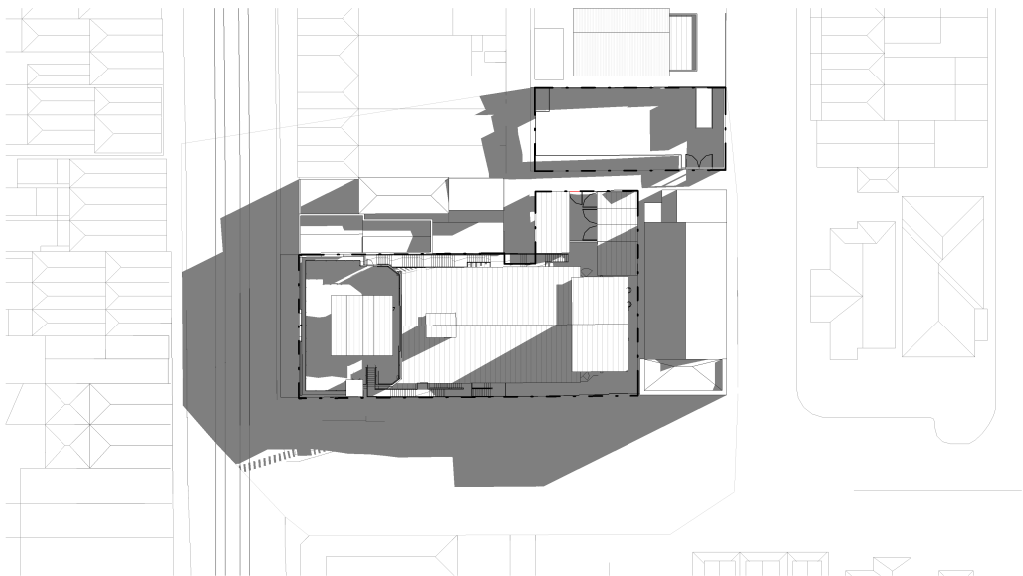


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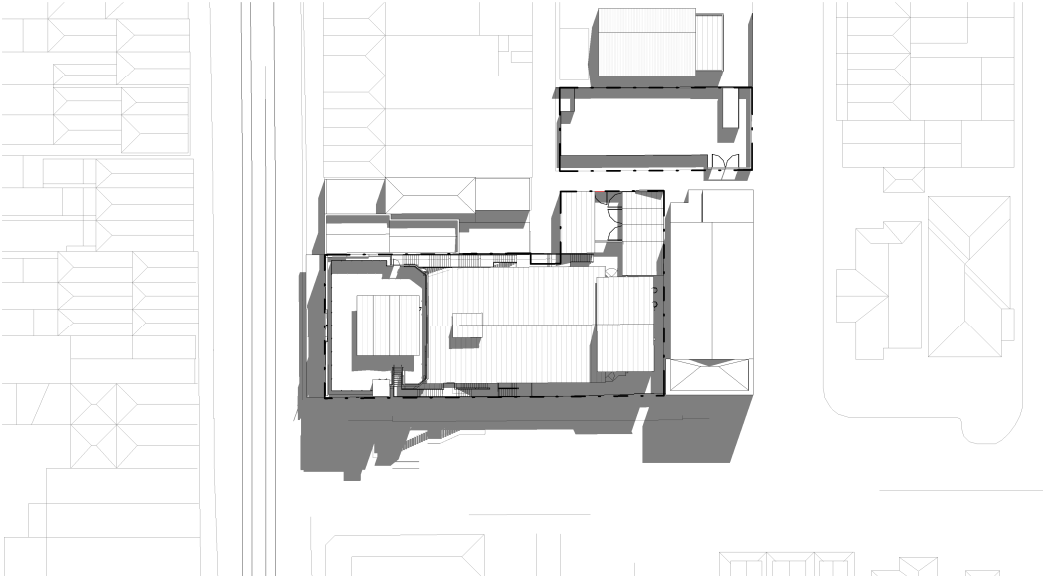
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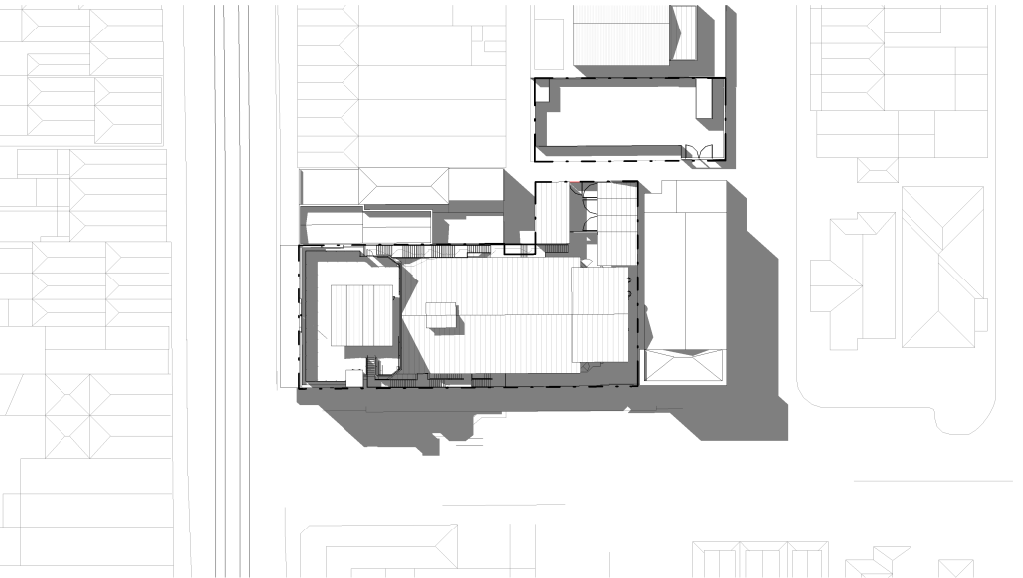
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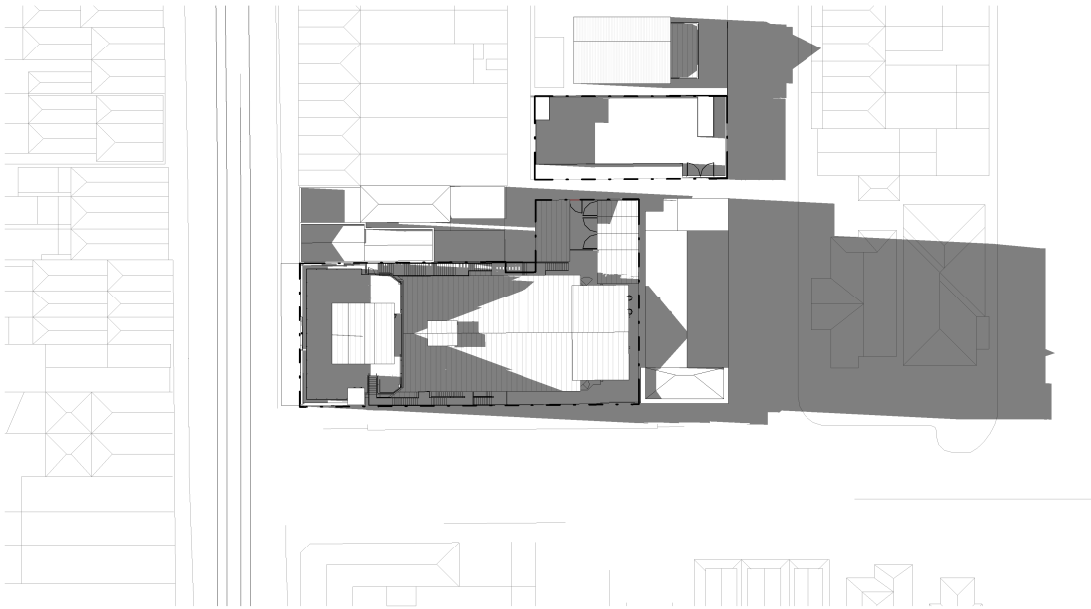
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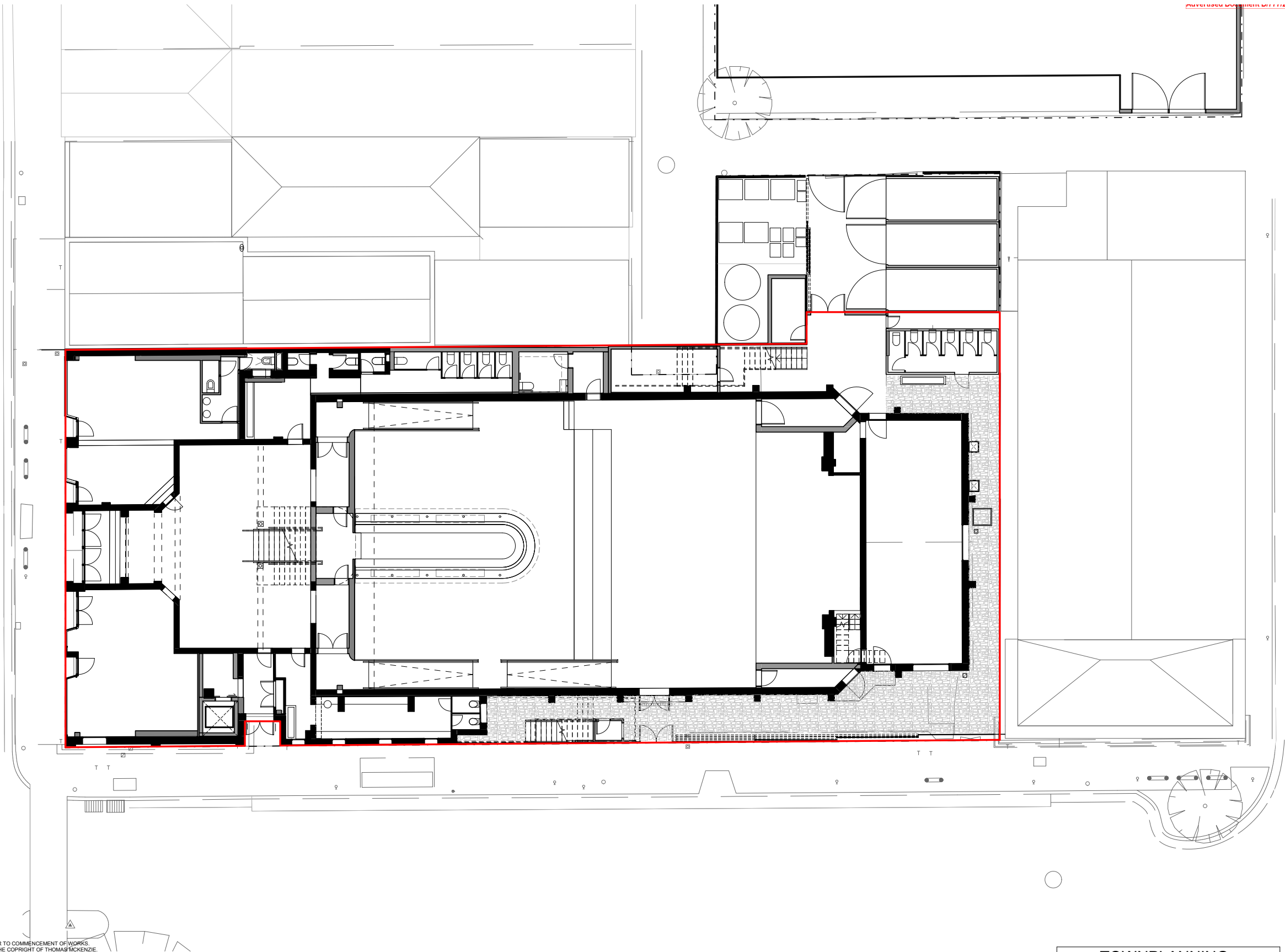
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CLIENT NORTHCOTE THEATRE

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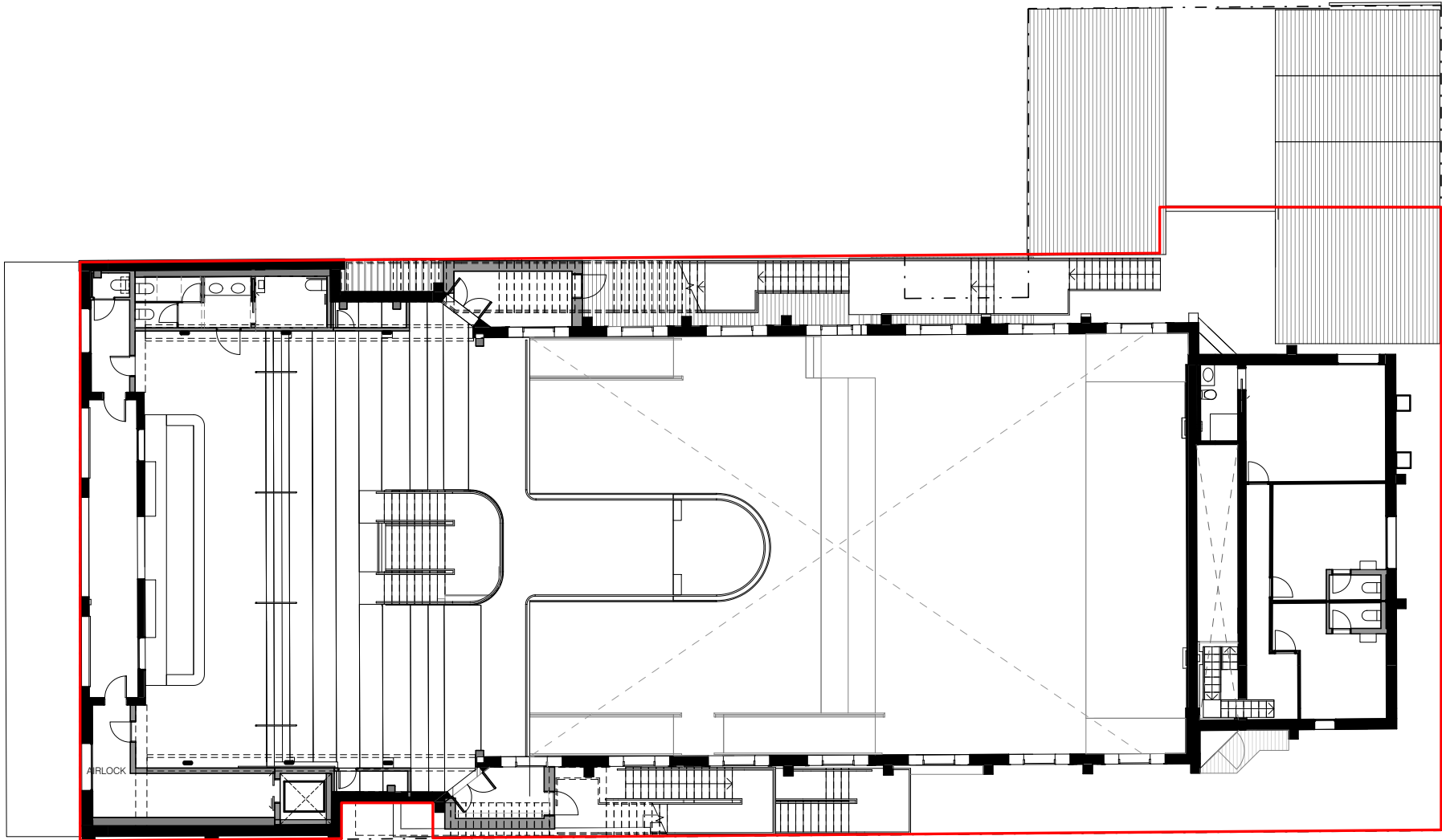
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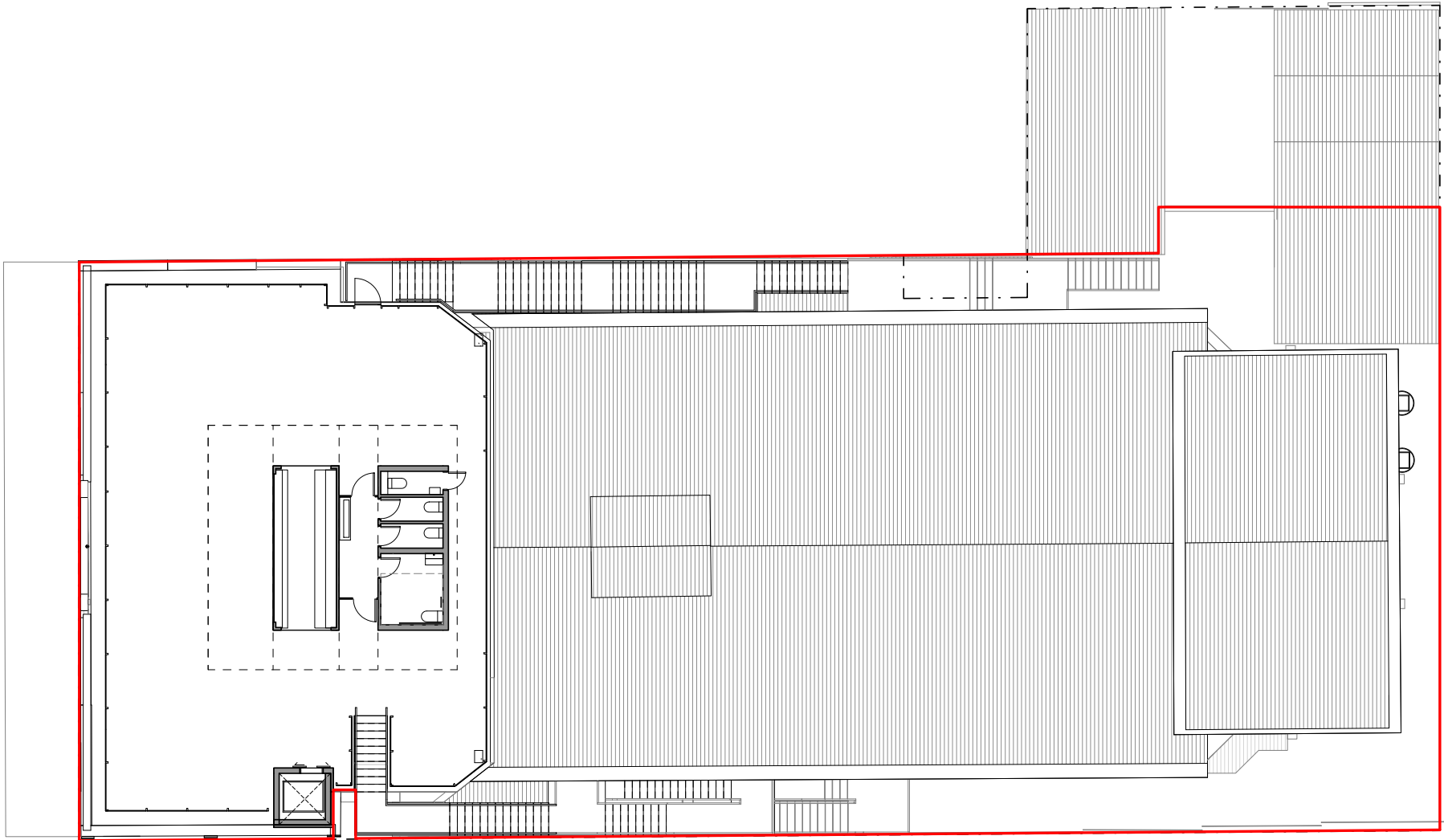
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212-220 HIGH STREET

CLIENT NORTHCOTE THEATRE

TITLE ROOF - RED LINE

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Appendix B – Aerial – 212 – 220 High Street & 1 Wimble Street, Northcote



Image taken from Nearmap, 23 September 2021

Revised Document D17/12/2020 Page 1 of 9



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NORTHCOTE THEATRE

URBAN CONTEXT REPORT

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DATE 12/05/2021

REV C

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Rev	Date	Name	Type	Architects	Author	Approver
A	21/12/2020	Urban context report	A4 Document	Winwood Mckenzie	LN	TM
B	25/02/2021				LN	TM
C	12/05/2021				LN	TM

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INTRODUCTION

EXECUTIVE SUMMARY

The purpose of this Urban Context Report is to accompany a planning permit application for the refurbishment, restoration and reuse of the Northcote Theatre for the purposes of a Performing Arts Centre, comprising a variety of spaces and functions including a performance space and music venue, a rooftop bar, a mezzanine level bar, wine bar cafe and a pizzeria.

The proposal will contribute much needed on-going local employment opportunities in the arts and hospitality industries and will program a broad range of live music, concerts, cabaret, comedy, theatre, and other forms of performance across major international acts and emerging local talents.

The proposed restoration the existing heritage fabric seeks to reinstate elements of the original High Street façade and mezzanine and restore the building's ornate interior while providing a range of necessary upgrades and amenities – including DDA access to all areas - to operate as a world class live music and performing arts venue. The proposal will also incorporate a range of ecologically sustainable design measures, including an innovative bicycle valet service to encourage the use of sustainable modes of transport.

Purpose

This Urban Context Report describes the site's context and surrounds, the vision and design ethos of the proposal.

Other documents

- Architectural Plans prepared by Winwood Mckenzie.
- Planning Report prepared by Tract Consultants.
- Venue Management Plan prepared by Northcote Theatre.
- Sustainable Design Assessment prepared by LID Consulting.
- Noise Impact and Recommendations Report prepared Noise Consulting.
- Traffic Engineering Report prepared by SALT.
- Waste Management Plan prepared by SALT.



PROJECT TEAM

OVERVIEW

The Northcote Picture Theatre Company Group are the operators for the Northcote Theatre Redevelopment.

The team currently operates a number of major music venues, including Northcote Social Club and CBD icons: 170 Russell (Billboards) and Little Bourke St (La Di Da).

Part of the portfolio is the award winning cabaret and performing arts space Red Bennies, which operated between 2009 to 2016 in South Yarra. Another addition is Coburg Velodrome whereby they have worked with Moreland City Council to manage and produce major festivals.

They are the first commercial event producers to organise major ticketed events for both municipalities of Moreland and Yarra Cities.

Building a team to reinstate the former glory of Northcote Theatre will ensure the integrity of the ambition will be met professionally through the application process and in ongoing operations.

Developer	Northcote Picture Theatre Company Group
Architecture	Winwood Mckenzie
Planning	Tract
Heritage	Bryce Raworth
Acoustic Engineer	Noises
Structural Engineer	Mcglie Mcleod
Building Surveyor	RBS
Traffic Engineer	Salt ³
ESD	Lid consulting

DEVELOPMENT
SUMMARY

Restoration area	Entertainment venue	Bars
1475 m ²	1	4
Occupancy capacity	Employee jobs	Food and drink
1760 p	60	1

At a time when Melbourne’s music scene is reeling from the impact of restrictions associated with COVID-19, the restoration and re-purposing of the Northcote Theatre represents a unique opportunity to add a premier new venue to Northcote’s vital and diverse creative ecology while maximising public access and activity in a building that has long played host to Melbournians’ engagement with the arts.

Consistent with the notion of contemporary creative day- and nightlife hubs the Northcote Theatre will become a truly mixed-use destination for the arts and hospitality across all hours of the day, helping to reactivate High Street while providing critical employment opportunities for Darebin’s large population of arts and hospitality workers.

The architectural approach has been guided by a sensitive appraisal of the existing heritage fabric. The focus is on a series of design elements to complement the existing structure whilst providing the necessary upgrades and services to operate as a world-class contemporary live music and entertainment venue.



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VISION

ASPIRATION



1500 patrons on opening night, 27th June 1912 at Northcote Theatre, 216 High Street Northcote

Committed to
excellence,
Building
a cultural
destination,
Working
with the
existing fabric,
Adapting
for reuse,
Reinstating
the theatre
to its former
glory

The relaunch of the historic establishment is to return the Northcote Theatre to its former glory & operate as one of Australia's Performing Arts venue.

The aim is to create a cultural and creative hub in Darebin City that will promote a rich legacy of arts and events.

The proposed uses include:

- Live music
- Concerts
- Cabaret
- Comedy
- Film screenings
- Dining/ food service
- Theatre
- Performing arts
- Cinema
- Functions
- Bars
- Retail



VALUES

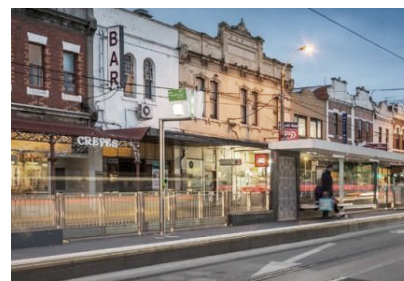
Culture



The venue is about creating a landmark cultural destination that champions progressive values and enriches the areas diverse constituency

It will build on architectural and cultural significance, drawing visitors to Northcote as a popular destination for culture, history, and architecture.

Inclusivity, accessibility and sustainability will be key in the approach to the new venue and it's events.



Collaboration

The success of the project depends on the collaboration with communities and councils before, during and after construction.

The project team understands the value of the vision being developed to contribute to the culture of Darebin and ensure the smooth operations of the venue with the ability to promote local artists and attract international performers.

Northcote Theatre's wider cultural and community intentions will involve partnering opportunities with other local venues. This will enable the hosting of seasonal arts festivals and programs. Consequently it will build on Darebin's reputation as a hub for creative activity and expression.



Demographics

Data collected from similar northside venues, shows approx. 80% of patrons travel from areas outside of a venues immediate setting.

This is why patrons will be keen to spend time exploring new shops, discovering new bars or enjoying a meal at local establishments prior to the events

The expectation is that Northcote Theatre will attract over 200,00 visitors in its first 12 months of operation and upwards of 500,000 visitors annual visitors over the following years.

The audience's cultural affiliation will affirm the area's artistic integrity and bohemian identity.

OPERATIONS

Sustainability



The project will promote environmental health and local amenity. Sustainable principles will be applied to the building.

Policies such as a daily litter clean up policy will be designed to encourage sustainable practices.



Noise control

Acoustics treatment will be one of the main priorities when re developing the building. Airlocks are planned in order to reduce the amount of noise extending beyond the fabric.

Security

The team has experience managing and operating similar venues in the past.

A detailed patron management plan will be developed and maintained as part of the venue.

Occupancy

The venue will be able to occupy 1760 people. Over 60 full and part time staff/ job roles will be created.



Operations

The Northcote Theatre will accommodate a range of spaces and settings to provide a vibrant hub for music, the arts and hospitality across all hours of the day.

For hours of operation, please refer to the Northcote Picture Theatre Company Operational Management Plan.

DETAILED SUMMARY

Existing Site Details

Address

212-220 High Street, Northcote

Site Area1195 m²Ground UFA878 m²Level 1 UFA529 m²Site Frontage

Length of northern boundary: 63.5m

Length of eastern boundary: 30.8m

Length of southern boundary: 63.5m

Length of western boundary (Street front): 21m

Existing building type

2 Storey, brick, rendered concrete building

Existing building use

Disused since 2019

Last use

Function centre



Proposed Details

Overview

Performing arts centre comprising a live music and performance space, café and wine, cocktail bar and rooftop bar

Total Development Area1475 m²

Refers to the internal useable floor area (UFA) of the building.

Building level height

Refer to the Drawing Set

Storeys

Ground, Level 1 mezzanine, Level 2 rooftop

Proposed overall details

Level	Development Area (approx)	Functions
Ground floor	667 m ²	Alterations and additions to the existing fabric. Make good and upgrade where necessary for occupation.
Level 1	360 m ²	Refurbish abandoned mezzanine floor and make good for safe occupation.
Level 2 Roof	283 m ²	Build new rooftop space
Staircases	110 m ²	Build staircases access to Level 1 and Rooftop.
Outdoor	55 m ²	Includes sunken bar and outdoor area around pizza window.
Total	1475 m²	

Proposed spaces

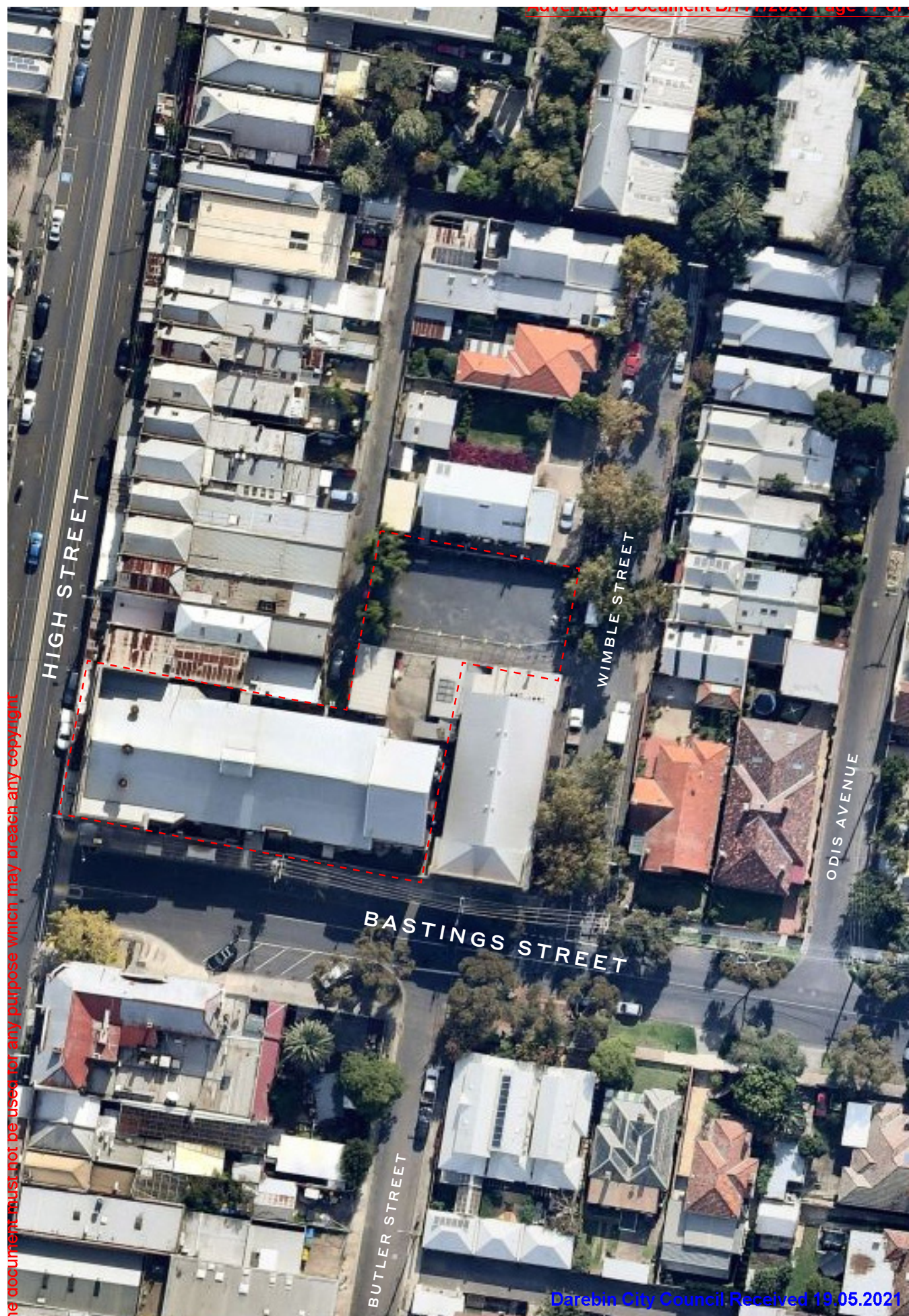
Ground	Development Area (approx)
Wine bar	59 m ²
Food and drink premises	49 m ²
Main venue (incl. pizza window, sunken bar)	502 m ²
Foyer & amenities	207 m ²

Level 1	Development Area (approx)
Cocktail bar/ Mezzanine	316 m ²
Balcony	23 m ²
Roof	Development (approx)
Rooftop bar	283 m ²

Proposed transport

Carparks	3
Bicycle parking spaces	140

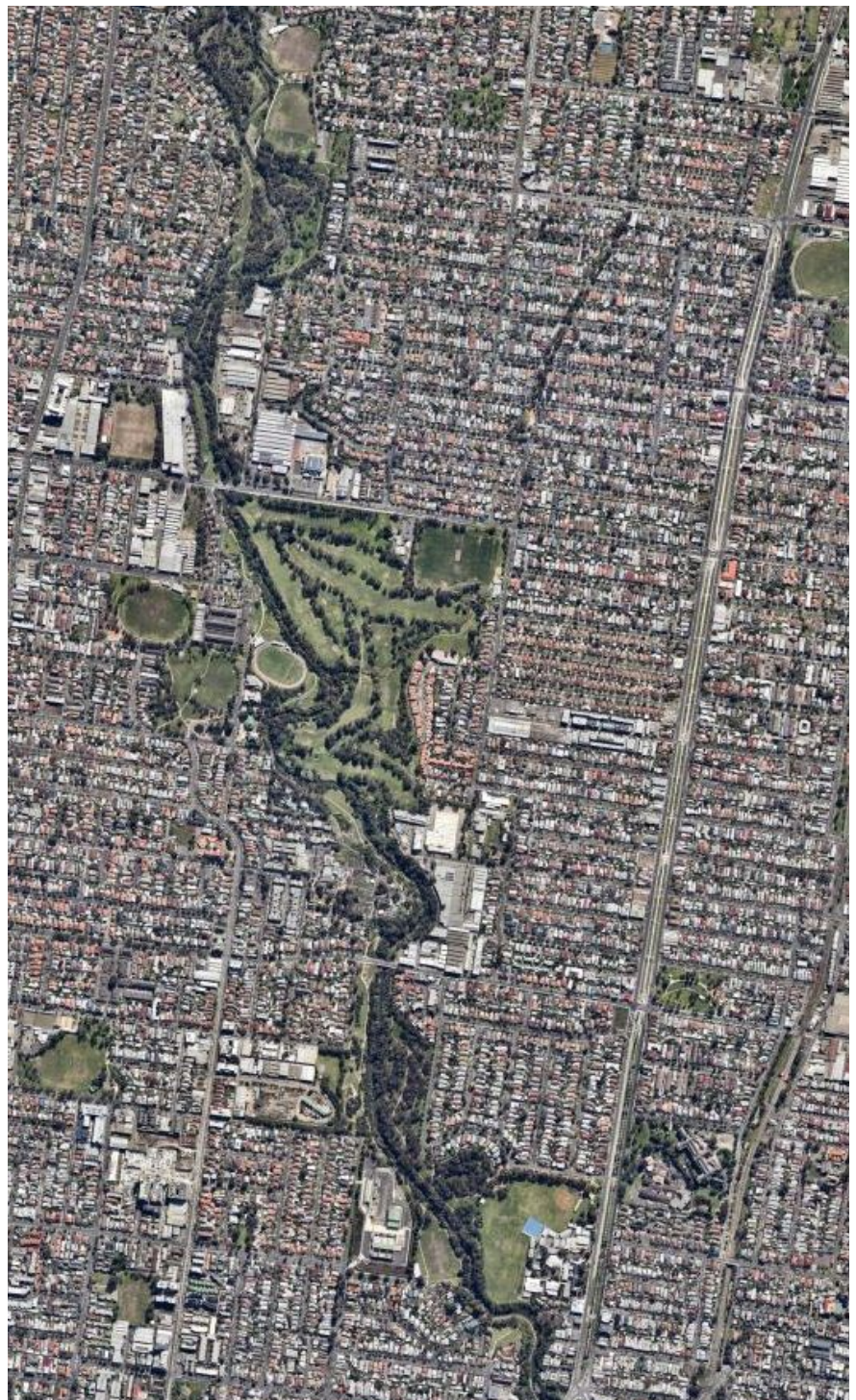




CONTEXT BACKGROUND

LOCATION

The location of Northcote Theatre is at the heart of High Street. Close to Northcote Town Hall it is part of the commercial and retail activity of High Street presenting opportunity for a cultural destination to locals and visitors alike.





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CONTEXT ANALYSIS

Northcote Arts & Culture

Northcote has a rich and diverse cultural, social and economic history that contributes to the arts and culture that Northcote represents.

Creative industries build upon economic prosperity, community vibrancy and overall liveability of a place. The Creative Darebin Council's arts and culture strategy, establishes this through a clear mission to harness and cultivate the benefits. Mapping was used in the Creative and Cultural infrastructure framework as a form of research to understand spatial correlations through a physical provision of a space and non physical, through the provision of funding.

Northcote Theatre proposes a range of activities that align with the spaces listed in the 'creative and cultural infrastructure' document for creation and displays: visual arts, music, performing arts and film.

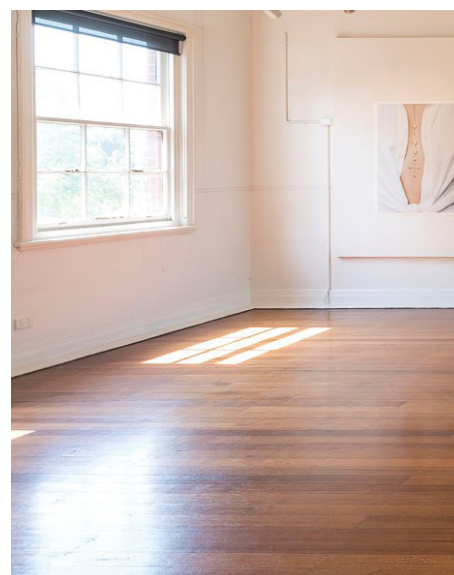
40% of registered businesses in the City of Darebin work within the creative and cultural industries sector.

The Arts Strategy outlines clear goals:

- Inclusive
- Enterprising
- Regenerative
- Connected
- Vibrant and visionary

Tourism: A destination plan for Darebin

- Community health and wellbeing:
- The individual well being
- Community and social cohesion
- Life satisfaction

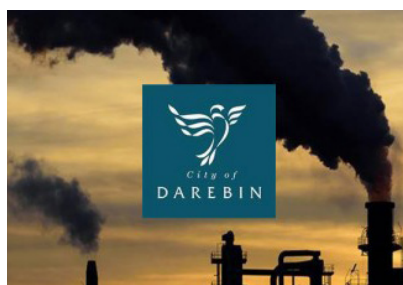
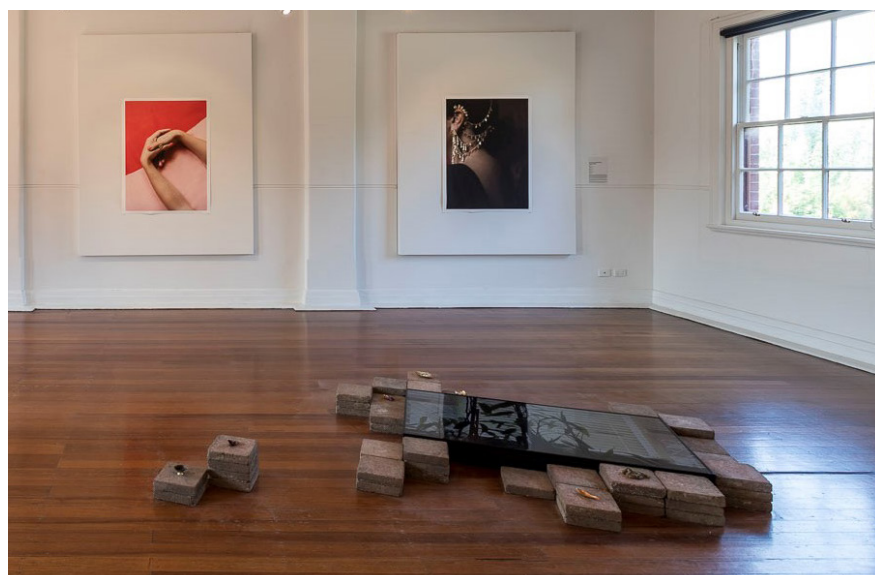


Arts programs

Darebin Arts have a strong network of individuals and creatives across multiple disciplines.

Part of the vision for delivering creative infrastructure is to raise the profile of Darebin as a 'host' and enabler of creative practices.

- Darebin Arts Speakeasy
- n-SCRIBE 2020 (annual literary magazine)
- Darebin Mayor's writing awards
- FUSE - Festivals and events, transforming twice a year
- Morning music (affordable daytime concert series)
- Active spaces in Darebin (working with real estate agents, property owners and creative businesses).



Open spaces - All Nations Park

Darebin Council prides itself on maintaining large areas of greenery. They embrace the significance of open space within the community and is driven to meet community open space needs, re-wilding Darebin: improving biodiversity and creating a green streets network.

An example is the story behind All Nations Park, renowned for its reuse of a destined unusable derelict place.

The site was a former landfill but is now a contemporary 13 hectare regional park. Situated behind Northcote Shopping Plaza with an official opening in 2002, it reflects Darebin's cultural diversity in the visual arts and design components of the park.

Climate Action

As part of the Northcote Activity Centre Structure plan, five key themes have been identified as ESD principles;

- Energy efficient design
- Water sensitive urban design,
- Sustainable transportation,
- Waste reduction and
- Biodiversity.

Darebin Council have also released the Climate Emergency Plan 2017-2022 acknowledging the rapidly changing climate. The council is committed to zero greenhouse gas emissions by 2020. It's to improve energy efficiency, generating more of on site energy and entering into new renewable energy purchasing arrangements.

- Darebin Climate Emergency Plan 2017 - 202

Public sculptures

Darebin has an extensive public art collection to enhance the urban landscape. There is a Darebin Public Art Discovery Map.

This investment shows the dedication to building for the community, to connect stories and places of intrigue throughout the area.

It started in 1996 and was an ambitious public art programs in Australia outside a central business district. After two decades, it earned an impressive reputation with innovative public art projects.

BUILT FORM

High Street

The street presents Northcote as a inner city high street with a diverse range of small businesses.

A central street for the suburb of Northcote, High St has a history spanning 150 years.

Described as one of Melbourne's premier live music precincts it is home to an eclectic mix of retailers, bars, pubs, cafes and restaurants.

The vision from the Northcote Activity Centre is to continue the vibrant community of Northcote through a regional focus for arts and cultural development.

Diversity of use and development, focused around sustainable transport modes and built form for community pride and sense of neighbourliness.

Some of the economic objectives is to nurture further development of the emerging Arts Sector and to increase and improve the provision of locally based jobs and business growth.

- Northcote Activity Centre Structure Plan 2007





Northcote Town Hall

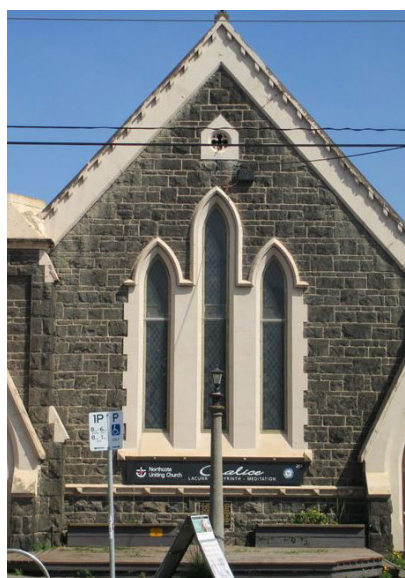
Significant cultural landmark to Northcote.

Situated in close proximity to Northcote Theatre, the building marks the entrance to High Street and Creative Darebin,

A place to hold the stories of the community, this historic icon was designed by George R Johnson when he won the 1887 competition amongst 'French second empire' and neoclassical designs.

It has been recently renovated to include modern and art deco interiors.

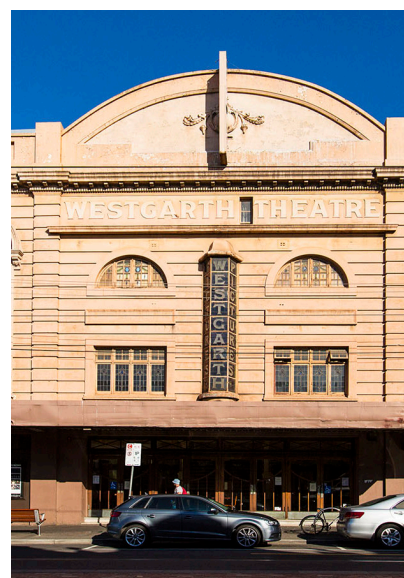
- Main hall - up to 250 banquet style
- Two fully equipped performance studios
- Smaller rooms for private functions/ meetings
- Kitchen and catering facilities
- Audio visual/ theatre equipment for hire



Uniting Church

Significant spiritual landmark to Northcote.

Another heritage listed building in close proximity.



Westgarth Theatre

Significant cultural landmark to Westgarth.

Along the same High Street, down the hill, Westgarth Theatre proudly stands as a renovated gem within Westgarth. The building is well loved by the community and is a precedent for maximising roof frontage for solar panels.

An example of a theatre retrofitted of its time.

NEIGHBOURHOOD

High Street

212-220 High Street sits on the corner of High Street and Basting's street, with street frontage and primary entry from High Street. The site sits within the Northcote Activity Centre zone as an area identified as a neighbourhood hub providing good amenity and is significant for community development as a place to support a diversity of use and development; particularly the arts. High Street has significant historic, architectural and cultural heritage.

It is a thoroughfare through Northcote designed as a grand boulevard with a tram line. It is characterised by two-storey edwardian and victorian era rendered brick facades with ornate parapets that conceal the roof behind and ground storey shop fronts to High Street.

Shopfronts are characterised by a diverse range of external paint colours and finishes, large clear glass windows, shop signage and corrugated roof awnings over the footpath that provide good access and coverage for pedestrians.

The buildings along High Street in close proximity to Former Northcote Theatre currently have a mixed use of tenancies such as restaurants, retail and community. The preferred neighbourhood character for these buildings is based on these existing characteristics.

Key Architectural objectives

- Maintain integrity of High Street street facade
- Develop material considerations to contribute to the vibrancy and diversity of the street
- Create street activation and engage public interface
- Reinforce parapet and historic features
- Appreciate intricacy and layers of history through existing environment



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SITE



High street

Shopfronts:

- Ornate facades
- Maintain verticality

Fine grain:

Variation of the street interface and facade

Awning:

Character of cover structures with signage



Bastings Street

Bricks

Textures of bricks to reinforce character of Northcote High Street



Windows:
Window features are articulated with contrasting framing and large openings

Parapet:
Significance of parapet for historic reading of street



Ornament
Numerous patterns exist within context of immediate site:

- tiling
- architraves

Heritage
Variety of architectural styles

CULTURAL CONTEXT

Lost cultural community assets



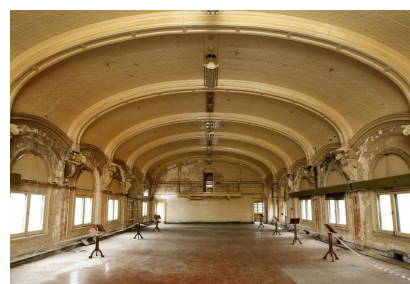
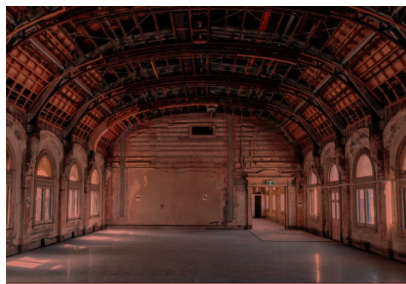
Built 1910



Built 1914



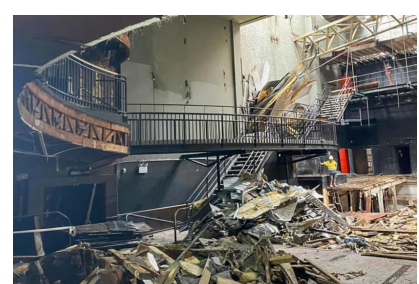
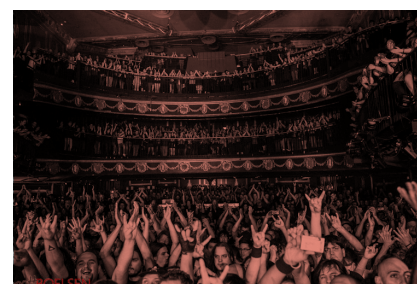
Built 1912



Now (2020): To be refurbished



2001 - Now (2020): Apartments



Now (2020): Demolished for Apartments

Flinders Street Ballroom

Impressive cultural space in heart of Melbourne that is disintegrating due to lack of use. Planned to be refurbished.

Barkly street theatre, Footscray

Built similar style and time period to Northcote Theatre. Interior destroyed and converted to apartments.

Palace theatre - Bourke Street

Well loved and brought 108 years of memories to the City of Melbourne in various forms including Metro nightclub. Demolished for apartments.

The buildings selected here have undergone a series of decisions that have changed the nature of its heritage and value for its community. The majority of theatre buildings built in the 20th century have unfortunately been demolished. A common approach is the transformation of the buildings into apartment towers or complete restoration to its historic era. Rarely, have existing theatres been adapted for contemporary use to remain relevant for its time.



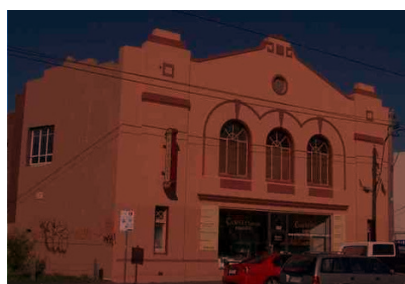
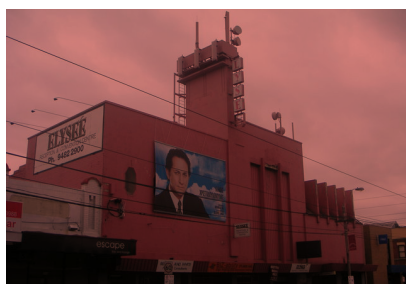
Built 1934



Built 1926



Built 1926



Now (2020): Apartments

Now (2020): Apartments

Now (2020): Function centre

Former Plaza theatre, Northcote

Competing venue in the thirties that is now site of apartments. Lost to development and no longer contributes to cultural life of Darebin

Merri theatre, North Fitzroy

Managed by Hoyts, same original operators for Northcote Theatre. Interior destroyed and converted to apartments. Entrance used as car park entrance.

Thornbury theatre, Thornbury

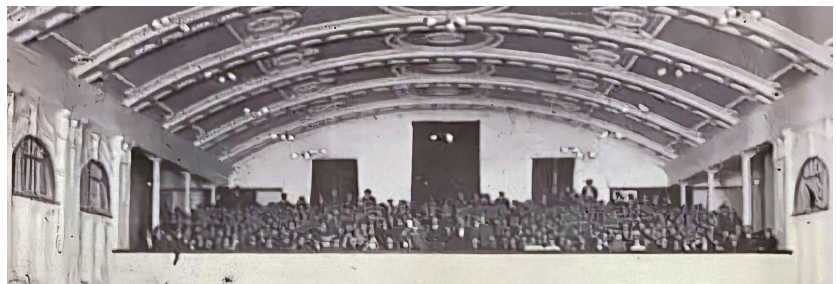
Existing building with potential but currently does not contribute to life of the street throughout the day or week.

NORTHCOTE THEATRE

History of the building

As the building is state listed on the Victorian Heritage register, Northcote Theatre redevelopment will be subject to a separate heritage process with Heritage Victoria.

These pages refer to the analysis conducted when considering the Architectural approach and how maintaining the integrity of the building contributes to the existing collection of Heritage projects in Northcote.



Significance

The significance of the building is with both the interior and exterior components of the building.

The timeline shows the use of the building in a century and the main changes to the building over time.



1910

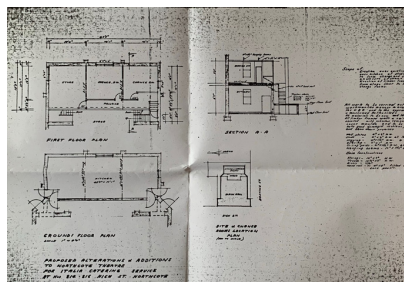
Built
Used as a theatre



1950

Used as cinemas

NORTHCOTE THEATRE
 Opposite Town Hall.
THE PALACE OF PICTURES!
 Opening Night, **Thursday, 27th June.**
PERFECT, PEERLESS PICTURES
 EXCELLING THE MOST EXCELLENT.
 THE WORLD IN MOTION.
 PROJECTED BY OUR SUPERB ELECTRICAL PLANT.
 A SPECIAL FEATURE:
THE FULL OPERATIC ORCHESTRA
 PRICES:—Circle, 1/6; Stalls, 1/-; Back Seats, 6d.
 Matinees Saturdays and Holidays at Special Rates



1968

Proposed bar
 Mezzanine closed
 1960 - disused as cinema closure
 Fly tower renovated

1980

Venue

2000

Ballroom

EXISTING BUILDING

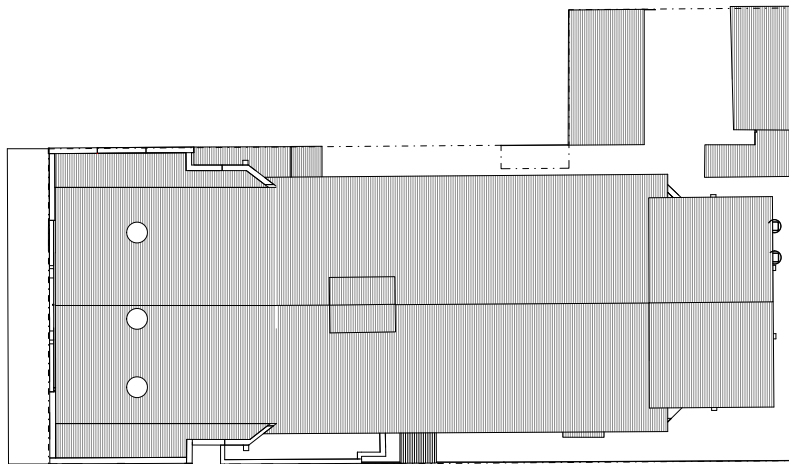
Existing site conditions

The subject site is the former Northcote Theatre, it has street frontage to High Street with a painted rendered brick facade and brick boundary wall along Bastings Street. On street parking is accessible from High St, Bastings St and Wimble St. A carpark is positioned to the rear, north east corner of the site accessed via Wimble St. The double storey building with edwardian double storey facade and ground storey shop fronts is consistent with the edwardian and victorian character of the surrounding buildings and neighbourhood.

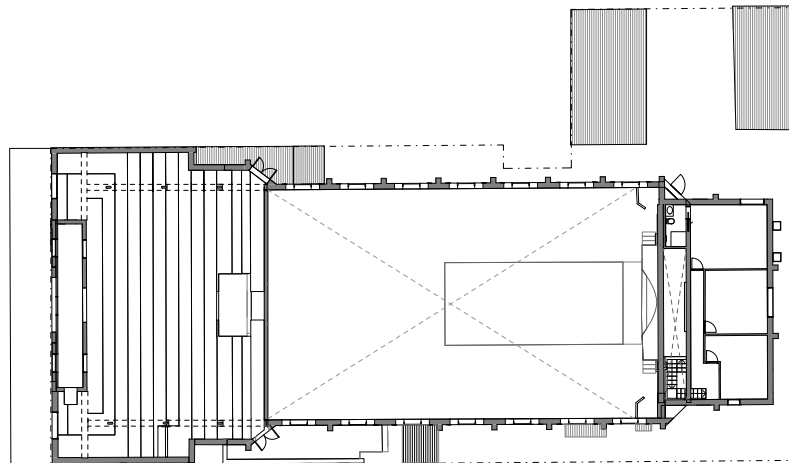
The existing theatre is a substantial venue that can play an important role in the cultural life of Darebin and attract visitors to the area.



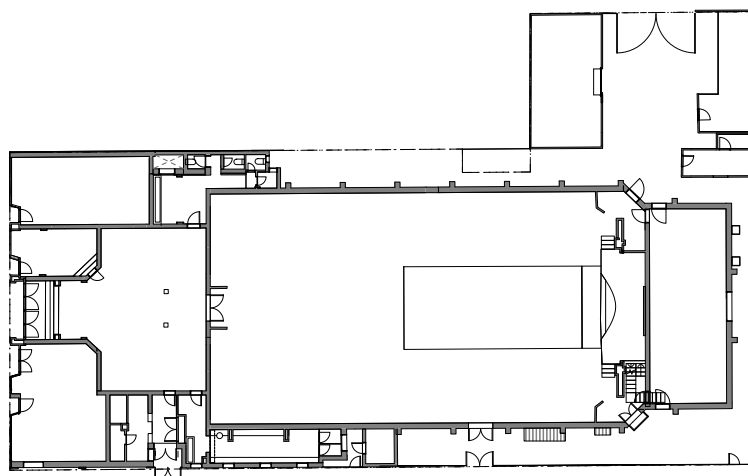
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Roof



Level 1

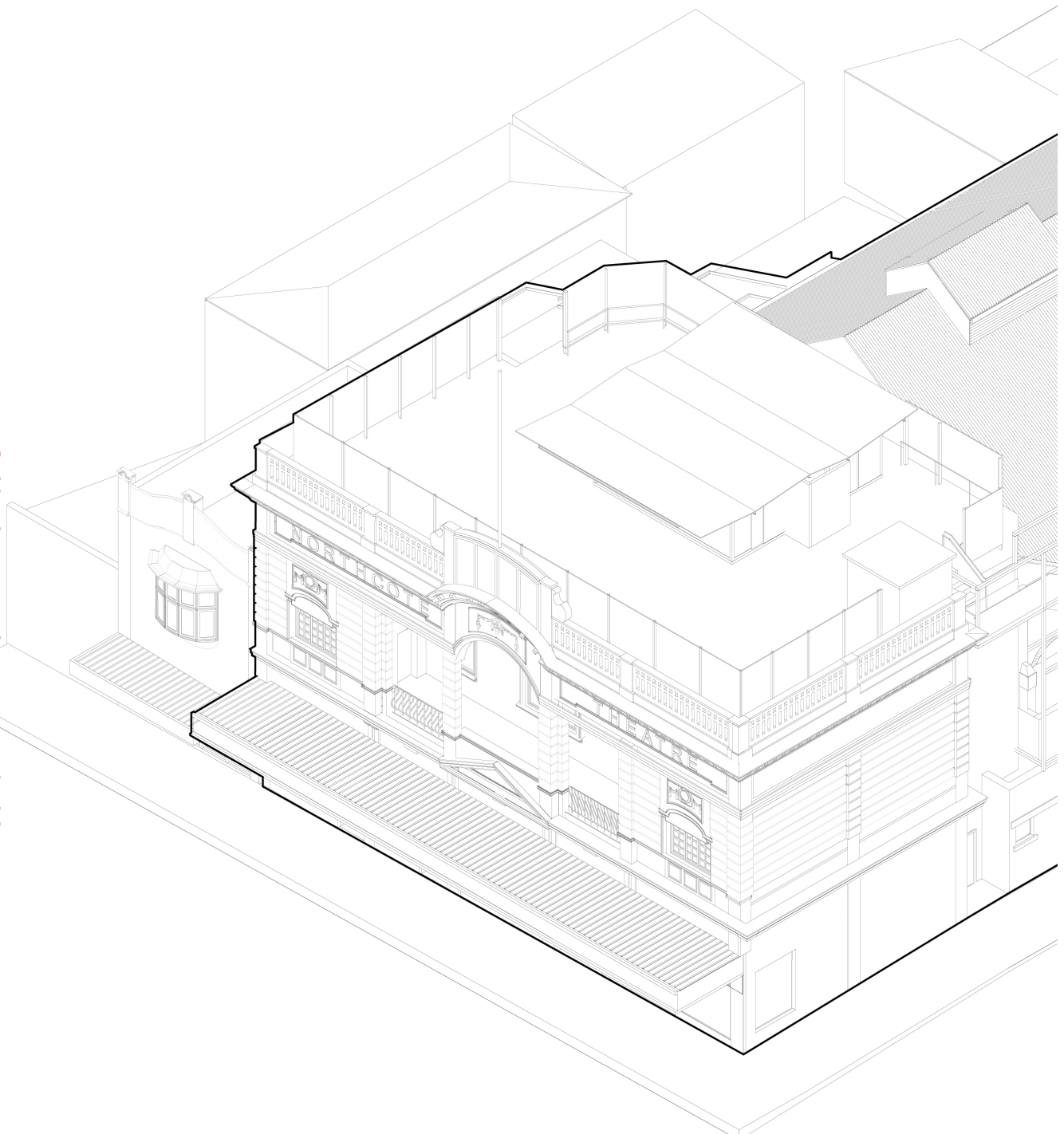


Ground level

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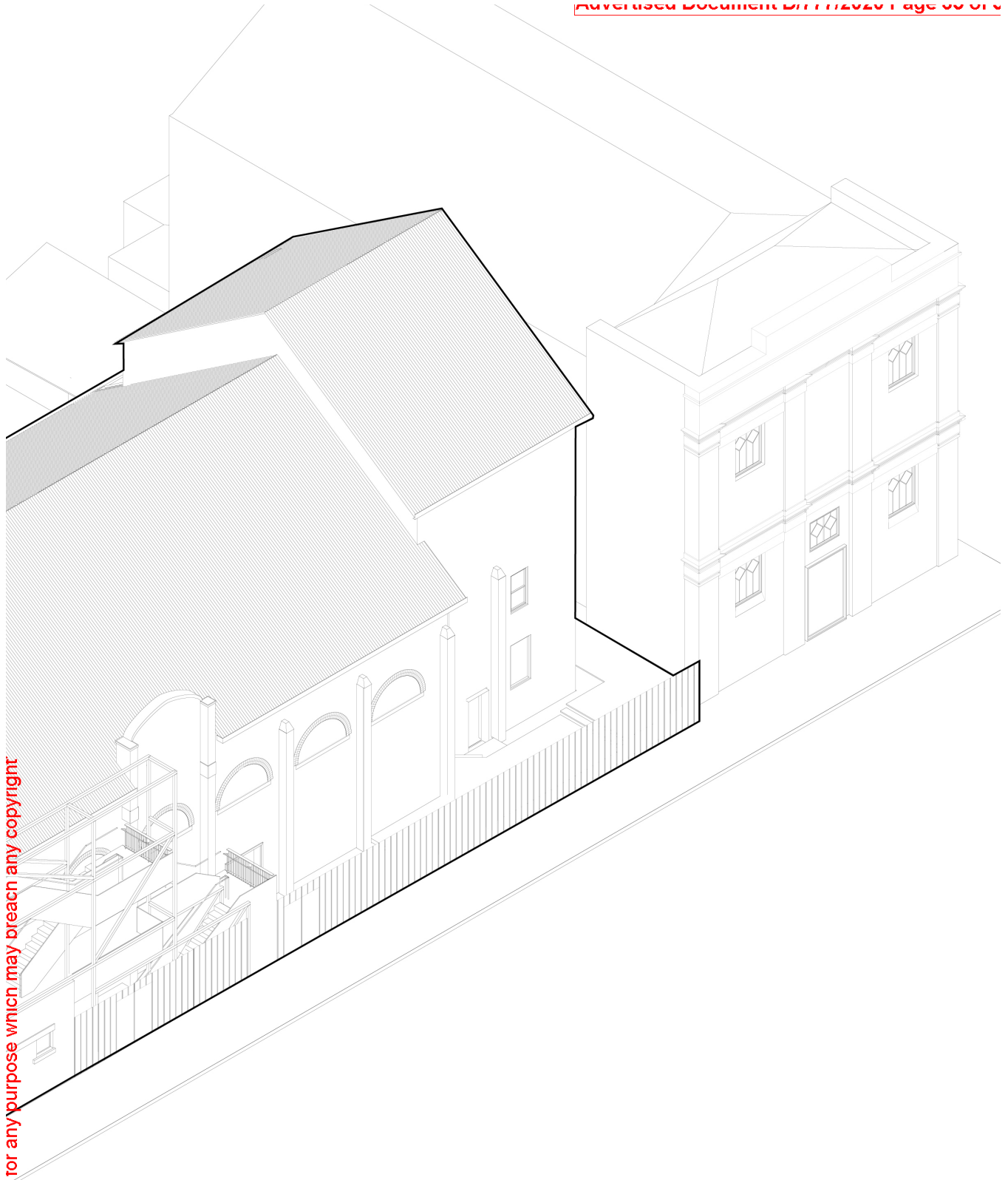
DESIGN RESPONSE

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NARRATIVE

Concept



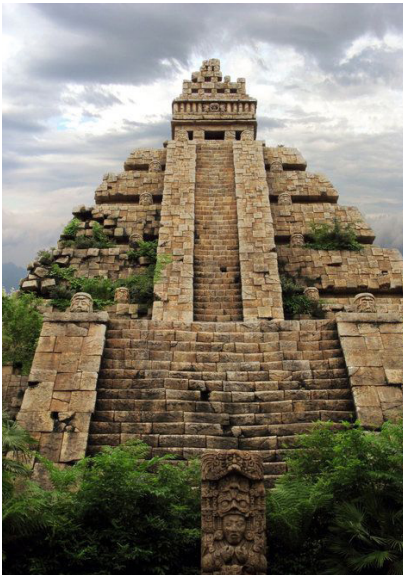
Communal gathering

Connecting to collective action and celebration through communal gathering and the creation of culture and identity.



Collective connection

The collective connection to ideas and identities greater than individuals creates moments of the extraordinary enriching the experience of life through culture, belief and artistry.



Ceremony & Architecture

Places of ritual are monuments for connection to the world and celestial bodies. Places for gathering create connection between humankind and the patterns of the universe.

The Mayan temple connects us to the pattern of the sun; the mosque connects us to the celestial bodies which make up our universe.

There are repeating architectural typologies and ideas that create communal gathering spaces that create a place for live events that create an immense connection and experience.

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Adaptive Re use

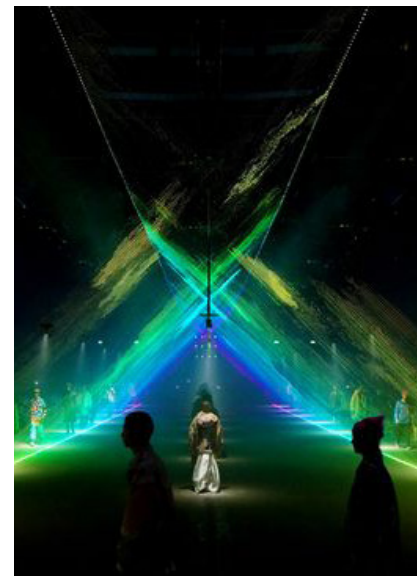
Layers of memory and history are contained in the fabric of the Northcote Theatre's heritage.

The glory of the theatre is palpable with the promise of restoration and the expression of the future as a live entertainment and cultural venue. This transformation is expressed through beautiful sculptural interventions and moments of occupation such as stairs, bars and seating. Interventions that reflect contemporary cultural identities and create layers of time.



Installation & illusion

Sculptural, sophisticated installations that enliven the existing heritage fabric of the theatre and bring it into a surreal, transformative, and unique space for the cultural life of the future of Darebin and the community.



Atmosphere & imagination

Existing heritage is transformed by light into a techni- colour dream of light, space, and atmosphere transporting patrons into a temporary alternate reality.

PRECEDENTS



Local - Curtin House

Cultural institution
Classic Melbourne icon
Multitudes of mutually supportive programs
Quality venues and design
Destination venue
Supports local and international artists



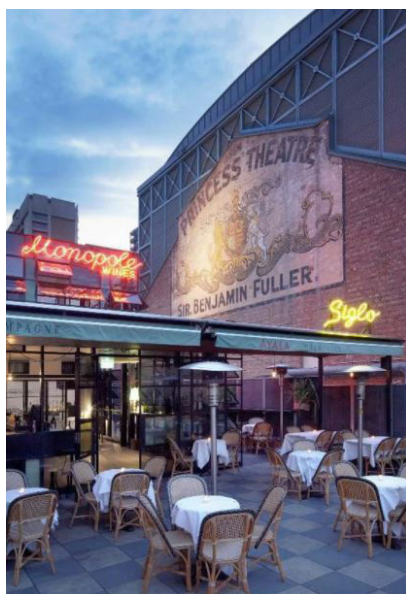
Local - Naked for Satan

Cultural - international destination
One of the first buildings to open rooftop in suburbs of Melbourne



Local - Madame Brussels

Roof top venue and cocktails - Mix of interior and exterior spaces above street level.



Local - Siglo, supper club & wine bar

One building, cultural destination for food & drink venue. Contributes to quality hospitality offering of Melbourne's food and wine scene. Mix of tenancies activates building from morning to night. Adds to value of location and place. Hospitality complimenting each other and offering diverse experiences for residents and visitors.



Local - Capitol theatre

The original theatre was designed by Australian architects Walter Burley Griffin and Marion Mahony Griffin in 1924. Their legacy is the capital city of Canberra. By the early 60s the theatre faced demolition. A public outcry resulted in a campaign to 'Save The Capitol' which was organised by the Royal Victorian Institute of Architects and The National Trust of Australia (Victoria). RMIT University purchased the building in 1999 and restored it from 2014-2019.



International - Flores Sala Beckett

Adaptive Reuse - Successful transformation of a heritage theatre in Barcelona. The renovation into a new venue brings the community together again for a new era and supports another generation of artists and the creative life of the city.

CULTURAL DESTINATION

USES





Land use

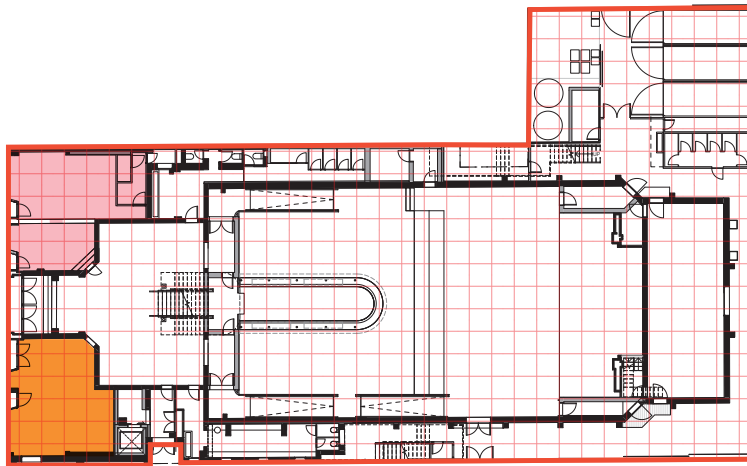
As is common for contemporary multi-purpose creative spaces, the Northcote Theatre will take advantage of the unique heritage fabric of the building to accommodate a range of functions and activities across the venue throughout the day and night.

These functions will operate as part of a fully integrated business operation, sharing staff, facilities, common areas and back of house facilities including storage and waste disposal.

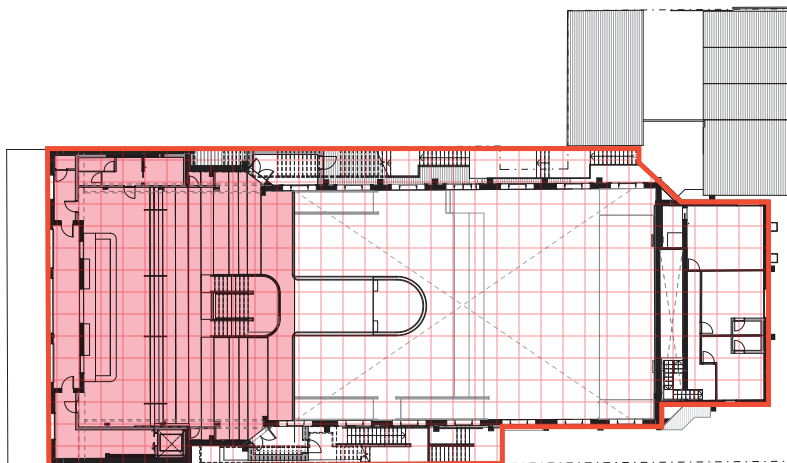
While the spaces will at times operate independently of one another – on a Tuesday morning the wine bar and café will be serving coffee and pastries, while the main performance space will be closed, for example – at other points the entire premises will operate for single events with patrons free to move between spaces at their leisure

Change of use

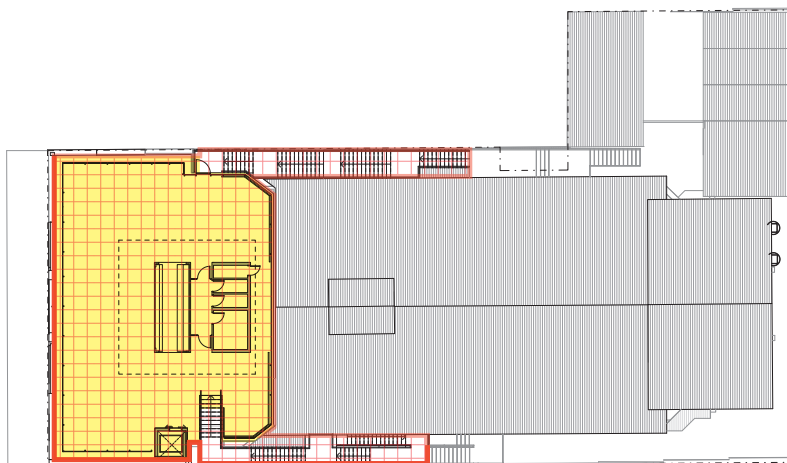
-  Place of assembly
-  Food and drinks premises
-  Bar
-  Ancillary bar



Ground level



Level 1



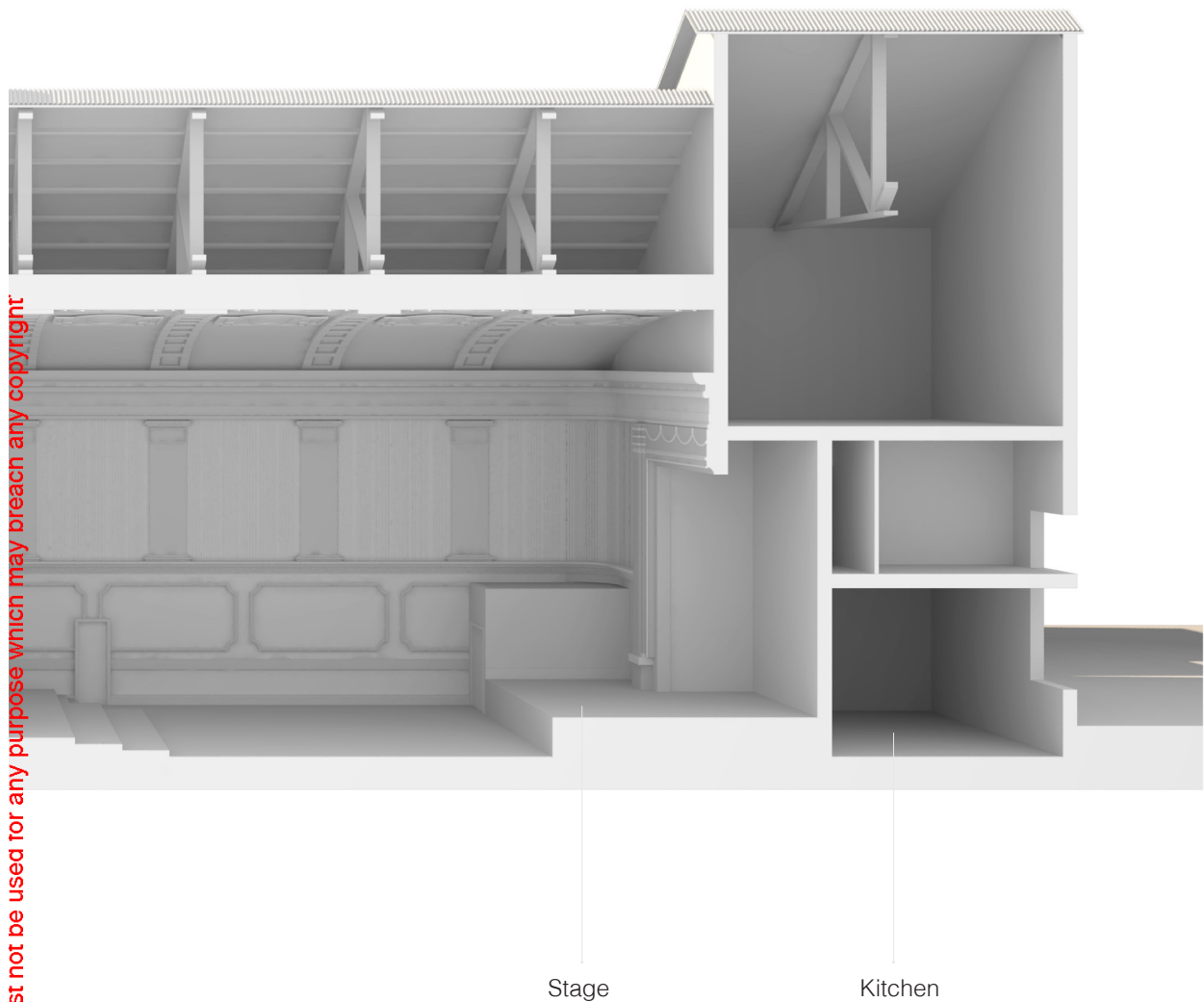
Roof

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PROGRAMS



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RESTORATION

HIGH STREET

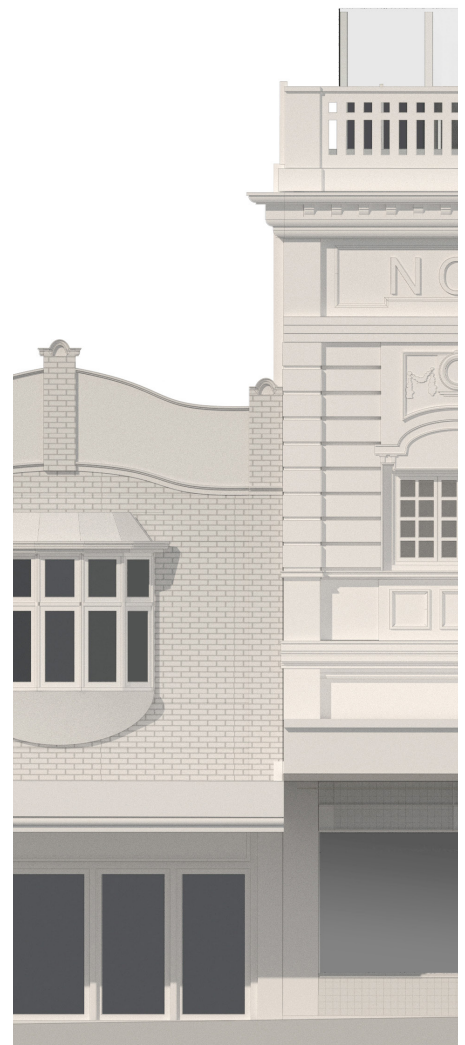
In keeping the language of the contextual analysis, the restorative design objectives is to highlight the importance of the building through:

- Shopfront
 - Fine grain
 - Awning
 - Windows
 - Parapet
 - Bricks
 - Ornament
 - Heritage
- Rooftop
 - Revealing original facade
 - Restoration of facade
 - Street frontage activation
 - Signage opportunity
 - Architectural features/ elements

ROOFTOP

The rooftop will be an open, vibrant space with adequate amenities to function for various events. The opportunity is to open views out towards Mt Dandenong given the unique position on Ruckers Hill.

Access is via two separate staircases north and south of the building.





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MOMENTS



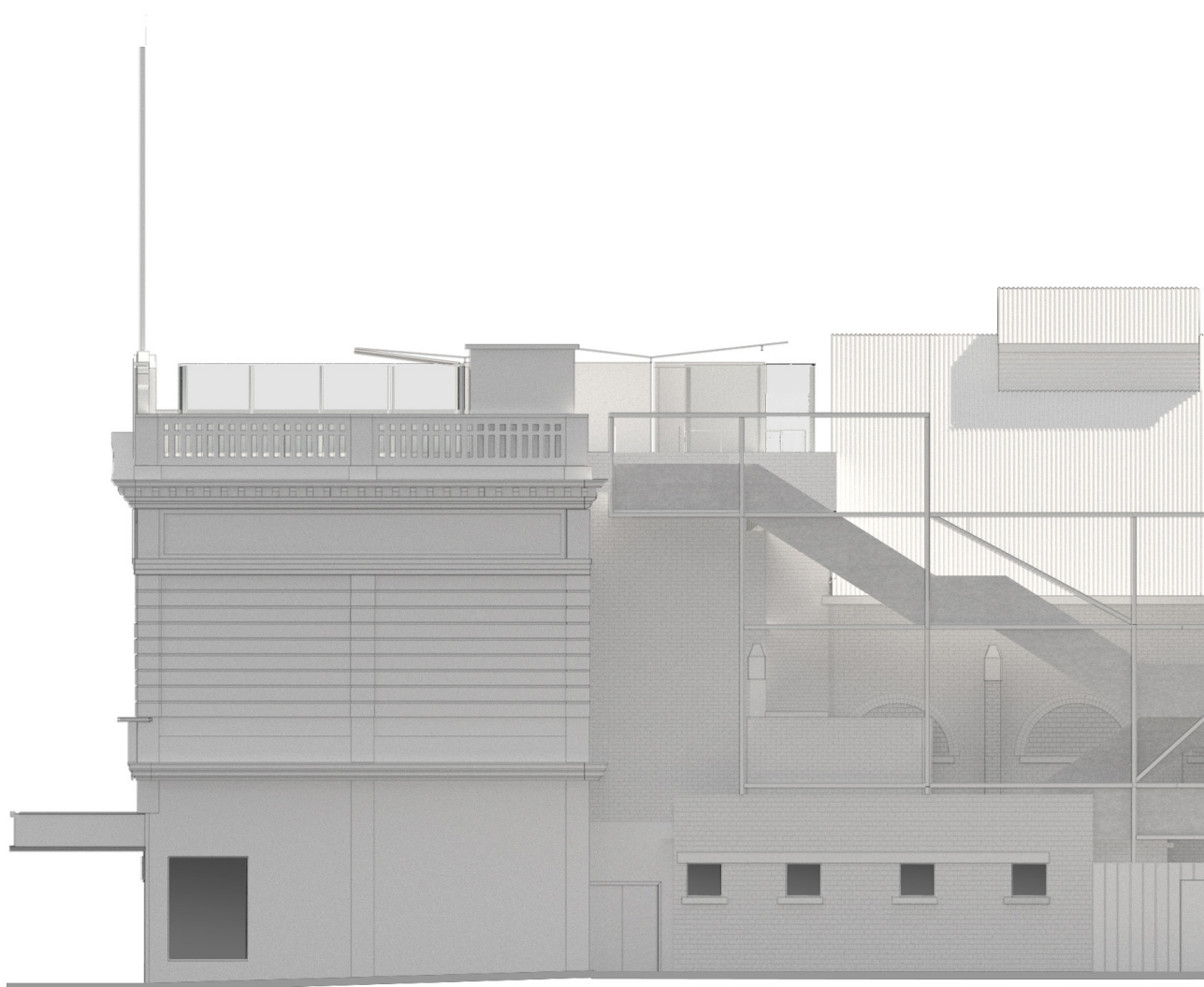
- Balustrades
- Tiling
- Restoration maintenance

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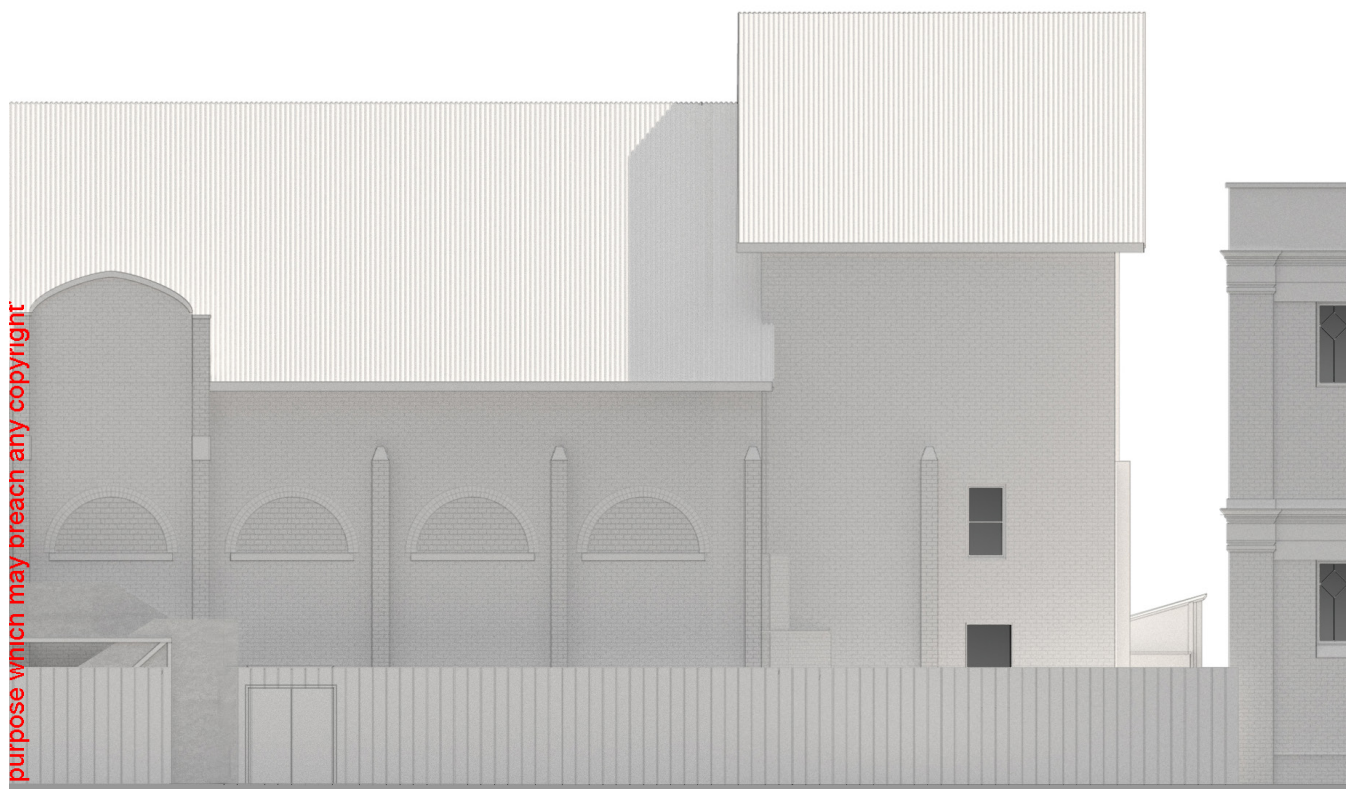
CULTURAL LANDMARK

BASTINGS STREET



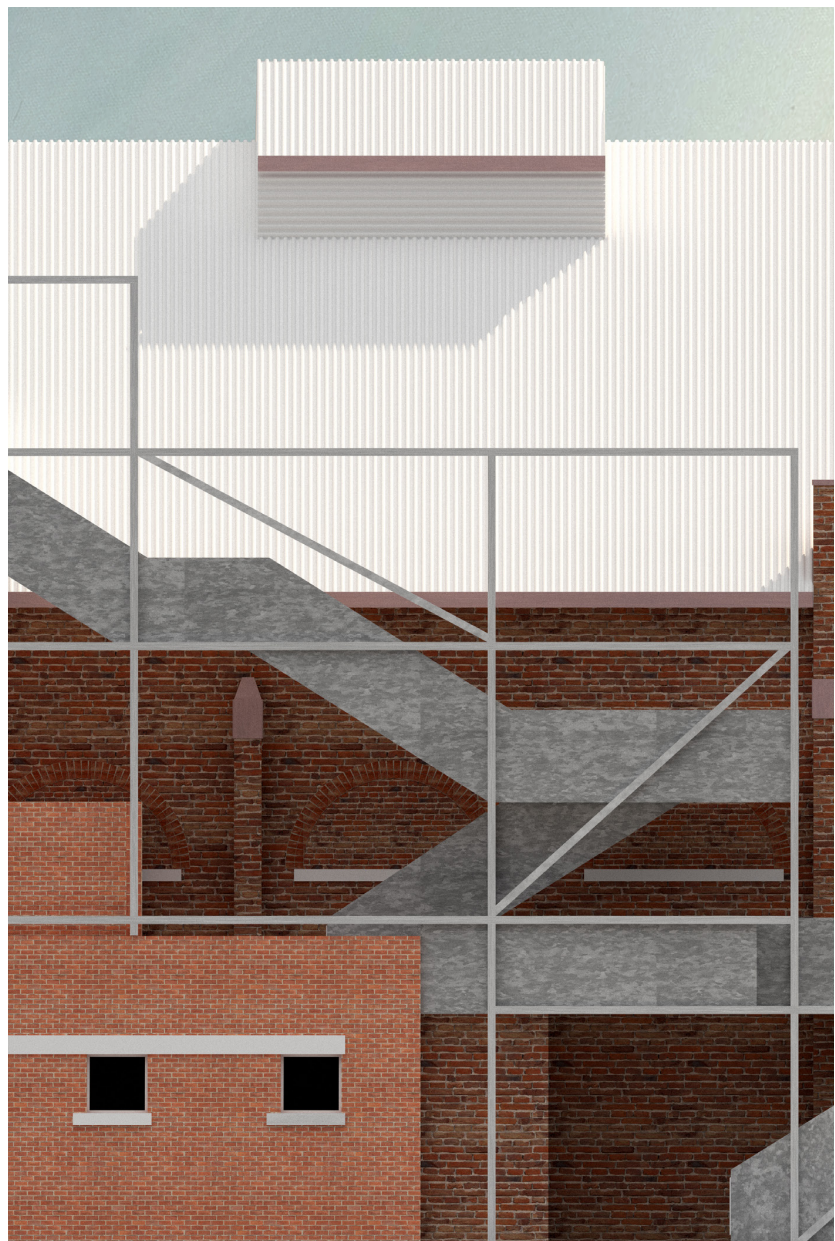
The cultural objective for Bastings Street is to be a contemporary marker encouraging street activation and open vibrancy.

- Staircases
- Signage
- Lighting
- Rooftop
- Adaptive heritage
- Street activation



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MOMENTS



The staircase is an opportunity to identify the theatre whilst providing safety, egress and varied experiences throughout the performing arts space.

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DESIGN ELEMENTS

FOYER

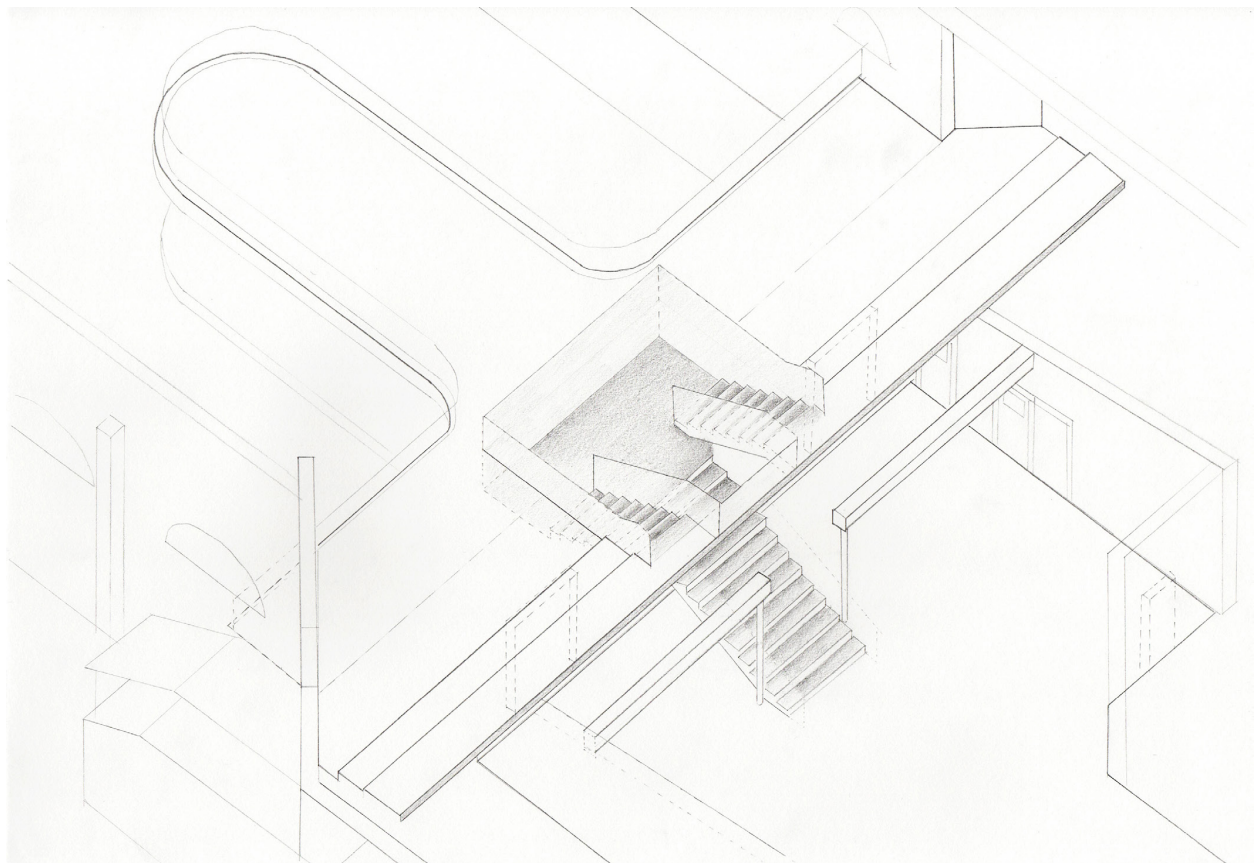
The new inserted elements will not change the integrity of the building but will be adapted to modernise for occupation of the venue.

Upgrades will include improvements to circulation, amenities and entrances from the foyer and secondary entrances.

New additions to the venue include a lift, various bars and a band stage among a series of staircases, internally and externally to promote circulation and flow.

Other technological additions such as quality sound, audio visual and projector screens will also be implemented into the design.





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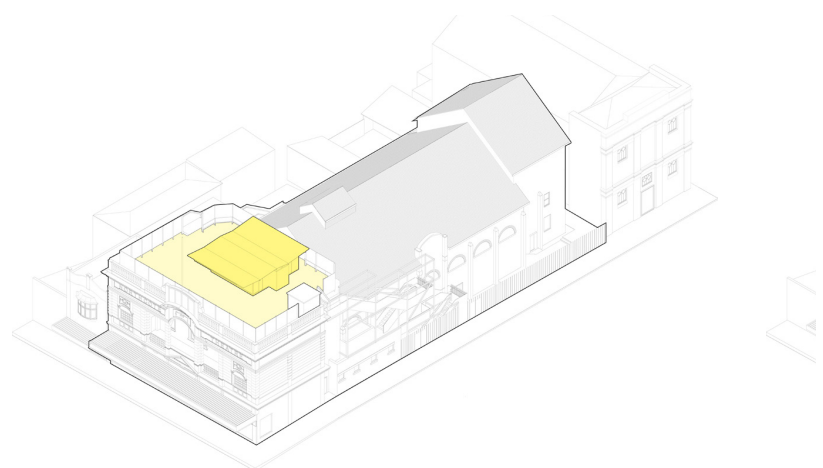
INTEGRATION

ACOUSTICS

Acoustic treatment will be throughout the building. Windows and doors will be upgraded with proper acoustic insulation to help with sound barriers.

Airlocks are designed at key thresholds, front facade towards High Street, at the mezzanine level and on Ground at the main exit points.

Limit meters will be installed on the roof and 2.4m glass sound barrier will border the perimeter of the rooftop.



Rooftop

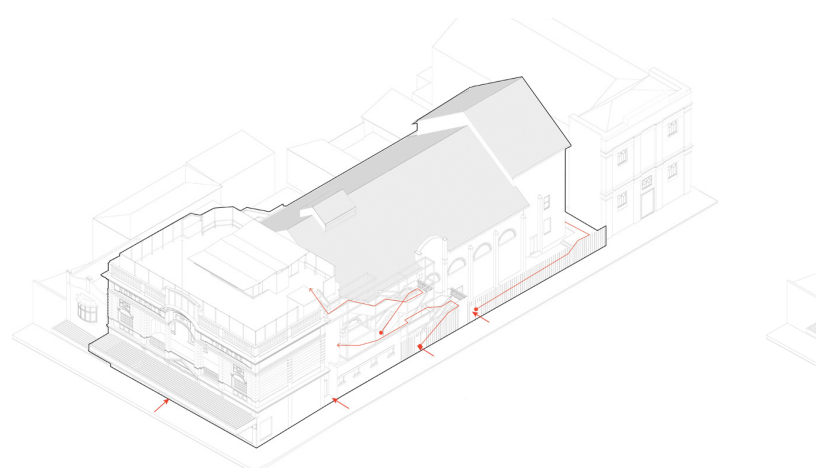
SUSTAINABILITY

Overview

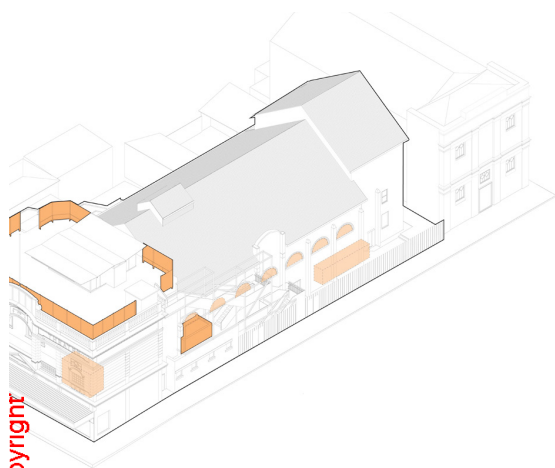
- Rainwater tanks
- A solar program is introduced to maximise the roof orientation

Objective

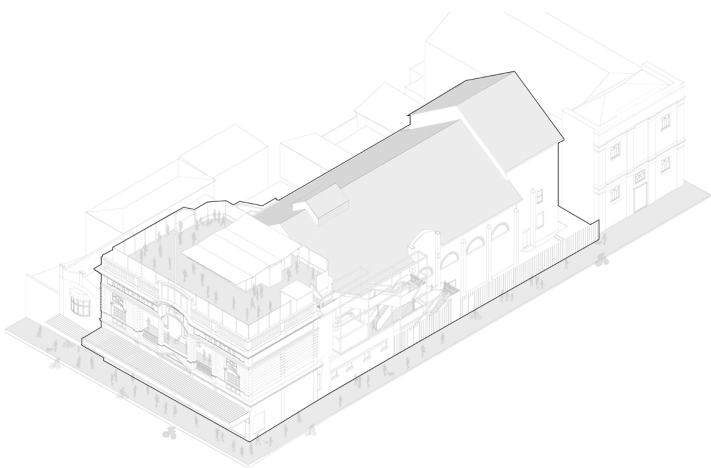
- Environmentally friendly
- Selection of products
- Selection of materials
- Waste management



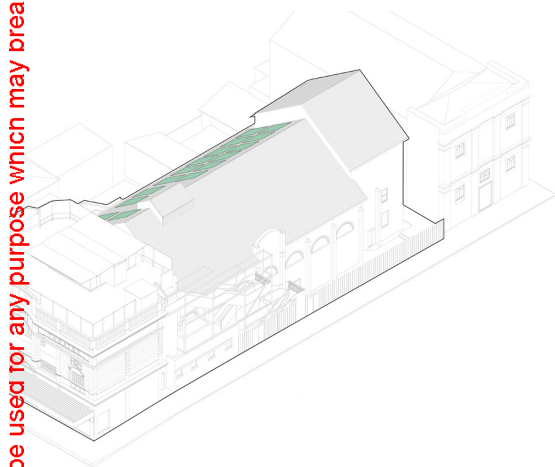
Circulation



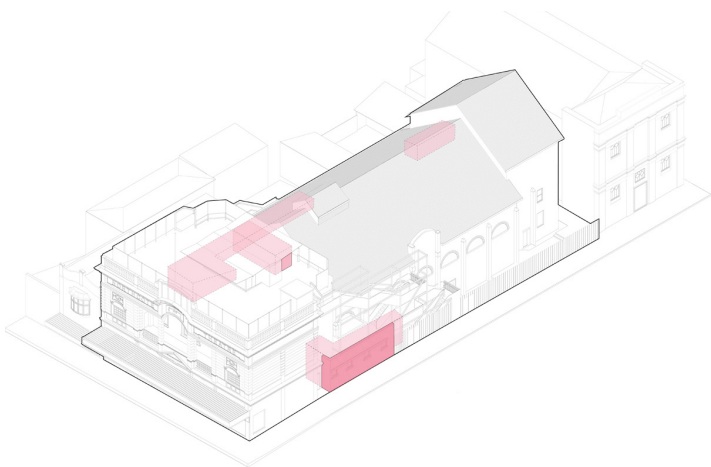
Roof Treatment



Activation



Greenery



Amenities

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AMENITIES

These tables show the distribution of the amenities for both genders and how the total number exceeds the required compliant numbers.

On each level, a DDA toilet has been allocated for, as well as an ambulant toilet at each bank of toilets.

Requirements

Gender	Design occupancy	User Group	Closet pans (WC)	Urinals	Wash basins
Male	880	Patrons/ Staff	5	12	6
Female	880	Patrons/ Staff	13	-	6
DDA			(3)	-	(3)
Total	1760		18 (21)		13 (15)

Amenities distribution

Location	Female - wash basins (b)	Female - closet pans (wc)	Male - wash basins (b)	Male - closet pans (wc)	Male - urinals	DDA - wash basins (b)	DDA - water closet (wc)
Foyer (Ground)	6	8	4	2	14	-	-
Food and drink premises	-	-	-	-	-	-	-
Courtyard/ Kitchen (Staff)	1	3	-	3	-	-	-
Wine bar	1	1	1	1	-	-	-
Main venue	-	-	-	-	-	1	1
Cocktail bar (Mezzanine)	2	2	-	-	-	1	1
Cocktail bar (Staff)	-	-	1	1	-	-	-
Band room (BOH)	1	1	2	2	-	-	-
Rooftop (Roof)	-	-	2	2	-	1	1
Total	11	15	10	11	14	3	3

Table shows how the quantities required are being met across the various spaces.

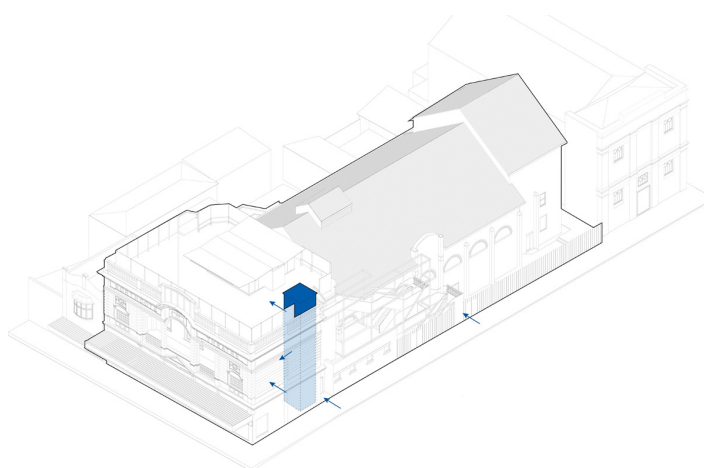
ACCESSIBILITY

The venue will be upgraded for equitable access.

A DDA lift will access Ground, Level 1 (mezzanine) and Roof.

Ramps are provided within the main venue to connect both foyer and towards the stage.

A DDA toilet is provided per floor.



Lift location

6. OTHER BUSINESS

Nil

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

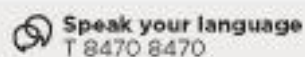
8. CLOSE OF MEETING

CITY OF DAREBIN

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au



If you are deaf, or have
a hearing or speech
impairment, contact
us through the
National Relay Service.



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