

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2604264
Planning scheme:	Stonnington Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	518-522 Chapel Street, South Yarra (Lot 1 TP346209)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
37.08	Use the land for a hotel Construct a building or construct or carry out works
52.05-11	Display internally illuminated business identification signage
52.34-2	Reduce the number of bicycle parking spaces

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

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

Commencement

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

Approved and endorsed plans

3. Before the development starts, excluding demolition, bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, and be generally in accordance with the plans prepared by Red. and dated 2 June 2026.

Layout not altered

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

Date of issue: 10 July 2026 **Signature for the responsible authority:**



General amenity provision

5. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of vermin
 - e) recommendations of the endorsed Venue and Patron Management Plan
- to the satisfaction of the responsible authority.

Hours of operation

6. The use must only operate between the following times:
- a) 8am and 12am Monday to Friday
 - b) 8am and 12am Saturday
 - c) 8am and 12pm Sunday or public holiday.
- The responsible authority may consent in writing to vary these requirements.

Limit on number of persons

7. At any time no more than 1200 persons may be present on the land.
- The responsible authority may consent in writing to vary this requirement.

Noise attenuation

8. Before the use and development starts, excluding demolition, bulk excavation and site preparation works, the acoustic report prepared by Enfield Acoustics, dated 11 June 2026 must be approved and endorsed by the responsible authority. The recommendations of the approved acoustic report must be implemented to the satisfaction of the responsible authority.
- The responsible authority may consent in writing to alter the requirements.

Noise control

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

Noise monitor and report

10. Before the use starts, the permit holder and/or operator must install and maintain to the satisfaction of the responsible authority a Noise Monitor and Limiter ("the Device"). The Device must be set at a level by a qualified acoustic engineer to ensure the escape of amplified music noise from the land does not exceed the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol.



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Within 3 months of the use starting, a report must be submitted to the responsible authority. The report must:

- a) be prepared to the satisfaction of the responsible authority;
- b) be prepared by a suitably qualified acoustic engineer;
- c) confirm that the Device is operating and has the following characteristics which are also operating:
 - i. the Device limits internal noise levels so as to ensure compliance with the music noise limits according to the *Environment Protection Regulations 2021*
 - ii. the Device has a limiter suitable for interfacing with a Permanently Installed Sound System which will include any amplification equipment and loudspeakers
 - iii. the Device monitors noise levels at frequencies between 50Hz and 100Hz and is wired so as to ensure that the limiter governs all power points potentially accessible for amplification
 - iv. the Device controls are in a locked metal case that is not accessible by personnel other than a qualified acoustic engineer or technician nominated by the owner of the land and notified to the responsible authority
 - v. the Device is installed to control all amplification equipment and associated loudspeakers
 - vi. the Device is set in such a way that the power to the amplification equipment is disconnected for 15 seconds if the sound level generated by the amplification equipment exceeds for one second the maximum sound level for which the monitor is set
 - vii. the monitor level component of the Device includes a calibratable frequency discriminating sound analyser with an internal microphone incorporated in its own tamper-proof enclosure (beyond the normal reach of a person)
 - viii. the Device must prevent a relevant noise level referred to in these conditions being exceeded
 - ix. the Device demonstrates compliance with noise limits in the *Environment Protection Regulations 2021*.

Noise testing

- 11. Within 3 months of the use starting, an acoustic review must be approved and endorsed by the responsible authority. The acoustic review must be conducted to ensure noise emissions from the development do not exceed the levels specified in the endorsed acoustic report. If any non-compliances are identified, recommendations must be made and implemented within the building to ensure the noise levels are met.
- 12. Further reviews may be required pending the findings of the review, to the satisfaction of the responsible authority.

Venue and Patron Management Plan

- 13. Before the use starts, a Venue and Patron Management Plan must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible

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authority and be generally in accordance with the Venue and Patron Management Plan prepared by Australian Venue Co. and dated 5 March 2026.

14. The recommendations of the approved Venue and Patron Management Plan must be implemented to the satisfaction of the responsible authority.

Traffic Impact Assessment

15. Before the development starts, excluding demolition, bulk excavation and site preparation works, the Traffic Impact Assessment prepared by One Mile Grid and dated 9 July 2026 must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the endorsed plans.

Waste Management Plan

16. Before the development starts, excluding demolition, bulk excavation and site preparation works, a Waste Management Plan must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with Waste Management Plan prepared by One Mile Grid and dated 9 July 2026.

Sustainability Management Plan

17. Before the development starts, excluding demolition, bulk excavation and site preparation works, a Sustainability Management Plan must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Sustainability Management Plan prepared by Frater Consulting and dated 24 June 2026.

Signs not to be altered

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

Light emissions

19. All sign lighting must be designed, baffled and located to prevent any adverse effect of light spill on adjoining land to the satisfaction of the responsible authority.

Expiry – Signs

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

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

Street tree removal (Palermo Street)

21. Before the removal of the Japanese zelkova located on Palermo Street, the permit holder must make a one-off contribution to Stonnington City Council of \$17,496.89 for the planting of 3 replacement canopy trees, to the satisfaction of Stonnington City Council and in accordance with the following requirements:

- a) Removal of the Japanese zelkova to be undertaken by a qualified arborist and at the cost of the permit holder, and include stump and root removal from the tree pit. No damage is to occur to council assets such as footpath, and kerb and channel.



- b) Stonnington City Council is to be notified before the tree removal works start.
- c) Stonnington City Council will supply and install the 3 replacement trees after the development is completed.

Street tree protection (Chapel Street)

- 22. Before the development starts, including demolition, bulk excavation and site preparation works, Tree Protection Fencing must be installed and maintained around the Chapel Street street tree until works are completed to the satisfaction of Stonnington City Council.
- 23. All works within the nominated Tree Protection Zones must be:
 - a) carried out in accordance with Australian Standard 4373–2007 *Pruning of amenity trees* and Australian Standard 4970–2009 *Protection of trees on development sites*
 - b) overseen by a suitably qualified, level-5 arborist
 - c) carried out to the satisfaction of the responsible authority by suitably trained and qualified arboricultural staff.

Stormwater Management System

- 24. Before the development starts, excluding demolition, bulk excavation and site preparation works, a stormwater management system must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Sustainability Management Plan prepared by Frater Consulting and dated 24 June 2026.

Stormwater management system – implementation and management

- 25. The stormwater management system approved by the responsible authority and included in the endorsed Sustainability Management Plan must be constructed, managed and maintained to the satisfaction of Stonnington City Council.

Drainage point and method of discharge

- 26. Before the development starts, excluding demolition, bulk excavation and site preparation works, engineering construction plans for drainage and discharge of stormwater from the site must be approved and endorsed by Stonnington City Council. The plans must be prepared to the satisfaction of Stonnington City Council.
- 27. Before the development is occupied, stormwater management system must be installed and the legal point of stormwater discharge established to the satisfaction of Stonnington City Council.

Development Contributions

- 28. Unless otherwise agreed in writing by Stonnington City Council, a Development Infrastructure Levy in accordance with the approved Development Contributions Plan which applies to the land must be paid to Stonnington City Council as the Collecting Agency not more than 21 days prior to the grant of a building permit under the *Building Act 1993* or the commencement of development of any buildings and works associated with the permitted development, whichever occurs first; or the owner must enter into an agreement with Stonnington City Council as the Collecting Agency to pay the Development Infrastructure Levy within a time specified in the agreement.



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29. Unless otherwise agreed in writing by Stonnington City Council, a Retail Development Levy must be paid to Stonnington City Council as the Collecting Agency in accordance with the approved Development Contribution Plan which applies to the land prior to the issue of a building permit under the *Building Act 1993*; or the owner must enter into an agreement with Stonnington City Council as the Collecting Agency to pay the Retail Development Infrastructure Levy within a time specified in the agreement.

Civil works

30. Before the development is occupied:

- a) All new vehicle crossings must be constructed in accordance with the endorsed plans.
 - b) Any redundant vehicular crossing must be demolished and reinstated as standard footpath, verge (if applicable), and kerb and channel.
 - c) Any damage to Council infrastructure resulting from the development must be reinstated.
 - d) Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly.
 - e) Any on-street parking reinstated as a result of development works must be approved.
- to the satisfaction of Stonnington City Council.

Expiry

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

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

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

USEFUL INFORMATION:

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

- The permitted use or development may need to comply with, or obtain the following further approvals:
 - A building permit under the *Building Act 1993*.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

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

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