

PLANNING PERMIT

Permit No.:	PA2504118
Planning scheme:	Stonnington Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	73, 75-83 High Street and 1B Charles Street, Prahran

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
37.08-2	Use the land for retail premises
37.08-2	Use the land for dwellings
37.08-5	Construct a building or construct or carry out works

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended plans

1. Before the use or development starts, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by Tristan Wong Architects, dated 23 January 2026, but amended to show the following details:
 - a) Planter beds of the north facing terraces of dwellings 2.08 and 2.09 increased in depth and/or height to avoid overlooking private open space of the adjoining lot.
 - b) Screening to the west-facing balconies of dwellings 1.08 and 1.09, to avoid overlooking private open space of the adjoining lot.
 - c) All windows clearly shown to building walls on floor plans.
 - d) Screening to the following windows:
 - i. West facing living window of dwelling 2.08 to avoid overlooking private open space of the adjoining lot.
 - ii. Habitable room windows facing the internal light court of Dwellings 1.01 and/or 1.09 to avoid internal views.
 - iii. West facing windows of dwellings 3.06 and 4.04.



- e) Part or continuous awning (including all dimensions and clearance height) along the High Street frontage of the site to provide weather protection.
- f) Any changes required by the Acoustic Report and Sustainability Management Plan.

Compliance with documents approved under this permit

- 2. 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.

Consolidation of titles

- 3. Before the use or occupation of the development starts, all of the land affected by the approved development must be owned by the one entity and consolidated into the one certificate of title to the satisfaction of the responsible authority.

Layout not to be altered

- 4. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

Landscape plan

- 5. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must be prepared to the satisfaction of the responsible authority in consultation with Stonnington City Council, be drawn to scale with dimensions, be generally in accordance with the Landscape Concept Plans prepared by Acre, dated 29 January 2026, and must include the following:
 - a) any changes required under condition 1 of this permit;
 - b) details of surface finishes of pathways and driveways;
 - c) a minimum 8.8% (158.2 square metres) of deep soil area within the site;
 - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant:
 - i. All species in the communal open space must be shade tolerant;
 - e) all canopy trees (minimum two metres tall when planted) to be shown, including a minimum 146 square metres canopy cover within the site;
 - f) details of how the landscape design responds to water sensitive urban design principles, including how stormwater will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation;
 - g) clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation;
 - h) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;
 - i) replacing the street trees to be removed with a suitable species in accordance with Stonnington City Council planting guidelines.

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



Completion of landscaping – site only

6. Before the use starts or development is occupied, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.

The responsible authority may consent in writing to vary this requirement.

Landscaping maintenance – site only

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

Façade strategy

8. Before the development starts, a façade strategy must be approved and endorsed by the responsible authority. The façade strategy must be prepared to the satisfaction of the responsible authority, be drawn to scale and be generally in accordance with the plans prepared by Tristan Wong Architects dated 23 January 2026, and must include:
- a) any changes required by Condition 1 of this permit;
 - b) a concise description by the architect of the building design concept and how the façade works to achieve this;
 - c) a schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of high quality, robust, and require low maintenance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear coding;
 - d) elevation details generally at a scale of 1:50, or other suitable scale agreed to by the responsible authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation;
 - e) cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material;
 - f) information about how the façade will be accessed, maintained and cleaned;
 - g) example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high-quality built form outcome in accordance with the design concept;
 - h) lighting details to all outdoor common areas.

The development must be in accordance with the façade strategy, to the satisfaction of the responsible authority.

Retention of architect and landscape architect

9. Except with the consent of the responsible authority, Tristan Wong Architects and Acre must be retained to complete and provide architectural and landscape oversight during construction of the detailed design as shown in the endorsed plans, to the satisfaction of responsible authority.



Noise attenuation

10. Before the use or development starts, an Acoustic Report must be approved and endorsed by the responsible authority. The Acoustic Report must be prepared to the satisfaction of the responsible authority, be generally in accordance with the Acoustic Report prepared by Acoustic Logic, dated 2 February 2026, and amended to include the following details:

- a) Demonstrate that habitable rooms of new dwellings with interfaces with the liftwell, pool plant rooms on the rooftop and communal areas have been designed to limit internal noise levels to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control.
- b) Specify any noise attenuation measures to mitigate amplified live entertainment noise from the adjacent 'Midnight in Paris' live music entertainment venue at 71 High Street, Prahran.

Acoustic measures for the development must be implemented in accordance with the acoustic report.

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

11. Noise emanating from the subject land must not exceed the prescribed limits of the Environment Protection Regulations 2021 (Vic) as measured in accordance with Environment Protection Authority Publication 1826 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.

Noise attenuation works

12. Before the use or occupation of the development starts, the noise attenuation works recommended in the endorsed Acoustic Report must be carried out to the satisfaction of the responsible authority.

Vegetation management plan

13. Before the development starts, a vegetation management plan for the street trees (Trees 4, 5 and 6 identified in the Arboricultural Report prepared by Ajarboriculture, dated 13 November 2025) must be approved and endorsed by Stonnington City Council. The vegetation management plan must be prepared to the satisfaction of Stonnington City Council, be generally in accordance with the Arboricultural Report prepared by Ajarboriculture, dated 13 November 2025, and must:

- a) be prepared by a suitably qualified person;
- b) include the following:
 - ii. measures that must be incorporated into the design and construction of the development to ensure the protection of any trees identified for retention, determined in accordance with Arboricultural Report.
 - iii. the location of tree protection zones (TPZ) and tree protection fencing for trees identified for retention on a plan that is drawn to scale with dimensions.

Vegetation management measures for the development must be implemented in accordance with the vegetation management plan.



Sustainability management plan

14. Before the use or development starts, a sustainability management plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the SMP prepared by GIW Environmental Solutions, dated 27 January 2026, and amended to include the following details:

- a) Ventilation of all internal common areas and corridors in accordance with Standard D19 of Clause 58.05-2 (Building entry and circulation objectives), Stonnington Planning Scheme.

The recommendations of the approved ESD report must be implemented to the satisfaction of the responsible authority.

Implementation of ESD Statement Initiatives

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

Water Sensitive Urban Design Response

16. Before the use or development starts a Water Sensitive Urban Design Response must be submitted to and be approved by Stonnington City Council. When approved, the Water Sensitive Urban Design Response will be endorsed and will form part of the permit. The Water Sensitive Urban Design Response must be generally in accordance with the SMP prepared by GIW Environmental Solutions, dated 27 January 2026.

17. The development must incorporate the Water Sensitive Urban initiatives detailed in the endorsed site plan and/or endorsed Water Sensitive Urban Design Response to the satisfaction of Stonnington City Council.

Waste management plan

18. Before the use or development starts, the Waste Management Plan (WMP) prepared by Traffix Group Pty Ltd, dated October 2025 must be approved and endorsed by the responsible authority.

Affordable housing contribution

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

- a. At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered



and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.

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

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

Section 173 Agreement – Works on public land

20. Before the development starts, the owner of the land must enter into an agreement with Stonnington City Council under Section 173 of the Planning and Environment Act 1987 to the effect that:

- a. Before the building is occupied, the owner must, with the written consent of the Stonnington City Council, undertake streetscape works in Charles Street, including but not limited to, cycling infrastructure, planting/landscaping, lighting, seating, waste bin and paving generally in accordance with the Landscape Concept Plans prepared by Acre, dated 29 January 2026, or such other plan that is to the satisfaction of Stonnington City Council. A plan showing the streetscape works to the satisfaction of Stonnington City Council must be submitted to, and be approved in writing by, Stonnington City Council before the streetscape works start.
- b. The streetscape works must be undertaken in accordance with the approved plan and must be completed before the building is occupied. The streetscape works must be undertaken under the supervision of Stonnington City Council and must be to the satisfaction of Stonnington City Council.
- c. The owner must incur all the costs associated with the streetscape works.
- d. The owner must pay a supervision fee where works are supervised by Stonnington City Council.
- e. The requirements of the agreement must form part of any lease of the premises which the owner may enter into with another party.
- f. For a period of six months following the completion of the streetscape works, the owner is responsible for maintaining the works and must repair any defects arising post -construction to the satisfaction of Stonnington City Council.

Pursuant to the provisions of Section 181 of the Planning and Environment Act 1987 this agreement must be registered with the Registrar of Titles and must run with the land.

The owner of the land under this permit must pay the legal costs and be responsible for the preparation and registration of the said agreement.

With the consent of Stonnington City Council, the agreement may be removed from any title once the requirements within the agreement are satisfied.

Car park construction

21. Before the use starts or development is occupied, the area(s) set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans 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-seal coat;
 - d) drained;
 - e) line marked to indicate each car space and all access lanes;
 - f) clearly marked to show the direction of traffic along access lanes and driveways; and
 - g) provided with lighting to all areas including basements and ramps, to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of Stonnington City Council.

Development contributions

22. Before a Building Permit is issued, a Development Infrastructure Levy must be paid to Stonnington City Council pursuant to Schedule 1 to the Development Contributions Plan Overlay of the Stonnington Planning Scheme and the approved Stonnington Municipal -Wide Development Contributions Plan (2020 -2040), January 2023. The levy amount payable will be annually adjusted on 1 August each year in accordance with the Consumer Price Index (CPI) and calculated at the time of payment.
23. Before a Building Permit is issued, a Community Infrastructure Levy must be paid to Stonnington City Council pursuant to Schedule 1 to the Development Contributions Plan Overlay of the Stonnington Planning Scheme and the approved Stonnington Municipal -Wide Development Contributions Plan (2020 -2040), January 2023. The levy amount payable will be annually adjusted on 1 August each year in accordance with the Consumer Price Index (CPI) and calculated at the time of payment.

Potentially contaminated land

24. Before the use or development starts, excluding demolition and removal of any underground storage tanks and associated infrastructure and any development which is required to be completed by an environmental auditor:
- a) A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 (Vic) must be issued stating that an environmental audit is not required for the use or proposed use; or
 - b) An environmental audit statement under Part 8.3 of the Environment Protection Act



2017 (Vic) must be issued stating that the land is suitable for the use or proposed use.

25. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the responsible authority before the use starts or development is occupied. Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the responsible authority. Compliance sign-off must be in accordance with any requirements in the environmental audit regarding verification of works.
26. Where an environmental audit statement is issued for the land and any recommendations of the environmental audit statement require any maintenance and/or monitoring of an ongoing nature, the owner must enter into an agreement with Stonnington City Council pursuant to section 173 of the Planning and Environment Act 1987 that provides for the undertaking of the ongoing maintenance and/or monitoring as required/ recommended by the environmental audit statement. The agreement must be executed before the use starts or development is occupied. The owner must meet all costs associated with drafting and execution of the agreement, including those incurred by Stonnington City Council.

Plant screening

27. All fixed plant and equipment (including air-conditioning units) must be located and screened to visually integrate with the development. The location and design of the screening, including the height, colour and material must be shown on the endorsed plans to the satisfaction of the responsible authority.

Privacy screens

28. Before the development is occupied, any fixed privacy screens (not adhesive film) designed to limit overlooking as shown on the endorsed plans must be installed and must then be maintained to the satisfaction of Stonnington City Council for the life of the building.

Walls on boundary

29. Before the development is occupied, the walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of Stonnington City Council.

Drainage

30. Stormwater must be discharged to a legal point to discharge to the satisfaction of the Stonnington City Council.
31. Before the development is occupied:
- a) a Registered Professional Civil Engineer (Vic), must carry out a detailed inspection of the completed stormwater drainage system and associated works including all water storage tanks and detention (if applicable) to ensure that all works have been constructed in accordance with the approved design and the relevant planning permit conditions; and
 - b) certification of the completed drainage from the Engineer must be provided to Stonnington City Council.



Utilities

32. Any poles, service pits or other structures/features on the footpath required to be relocated to facilitate the development must be done so at the cost of the owner and subject to the relevant authority's consent.
33. All utility services to the subject land and building must be provided underground to the satisfaction of Stonnington City Council by completion of the development.

Residential reticulated gas service connection

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

Head, Transport for Victoria

35. The permit holder must avoid disruption to tram operation along High Street during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.
36. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

Expiry – Development and use

37. This permit will expire if one of the following circumstances applies:
- The development is not commenced within 3 years from the date of permit issue.
 - The development is not completed within 5 years from the date of permit issue.
 - The use is not started within 2 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*.



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.

