



Amendment to a submitted application (after advertising)

What you need to do



Complete the form
Make sure all sections are complete.



Provide supporting documents
Make sure you have supplied all supporting documents.



Submit application
This form and supporting documents must be submitted via email to planhelp@portphillip.vic.gov.au



What comes next
Once your application is processed you will receive an invoice for payment.

Read before starting

Use this form to amend your planning permit application after notification of the original application has been given to affected properties.

Amendments may relate to:

- the use or development mentioned in the application
- the description of the land to which the application applies
- any plans and other documents forming part of or accompanying the application.

Full details of the amendments, including clearly highlighted changes to plans, are required to prevent delays caused by needing more information.

Fees information

Please refer to the **planning fee schedule** on our website or contact us for more information.

1 Declaration

I am the applicant; and that all the information in this application is true and correct.

The owner (if not myself) has been notified of the proposed amendments to the permit application.

I have provided all necessary supporting information, documents and detailed plans outlining amendments.

2 Applicant details

First and last name

Bruce Lowe

Organisation (if available)

PAS Liquor Licensing

Residential or postal address

[Redacted]

Best phone number to contact you on

[Redacted]

Email

[Redacted]

Privacy policy

The City of Port Phillip is committed to protecting personal information provided by you in accordance with the principles of the Victoria privacy laws. The information you provide will be used for the following purposes:

- correspond with you about your permit application
- if necessary, notify affected parties who may wish to inspect your application so that they can respond - this may be a notice onsite, in a newspaper and/or by post

- if necessary, forward your application to a referral authority who must also keep a register available for inspection by any person

The information you provide will be made available to:

- any person who may wish to inspect your application until the application process is concluded, including any review at VCAT
- relevant officers at Council, other Government agencies or Ministers directly involved in the planning process

- persons accessing information in accordance with the Public Records Act 1973 or the Freedom of Information Act 1982.

This information is being collected in accordance with the Planning and Environment Act 1987. If all requested information is not received, Council may not be able to process your application. You may access the information you have provided to Council by emailing planhelp@portphillip.vic.gov.au.

3 Land details

Unit number Number Street name

285-287 Coventry Street

Suburb / locality

South Melbourne

Postcode

4 Amendment details

Application number

647/2010/A

-  **Attachment/details required.** Please provide full details of the proposed amendments and attach any additional documents. Insufficient or unclear information will delay your application.

Amend the application to include The rear gate in Hotham St to be closed at 6pm

The rear external area will be closed at 9pm

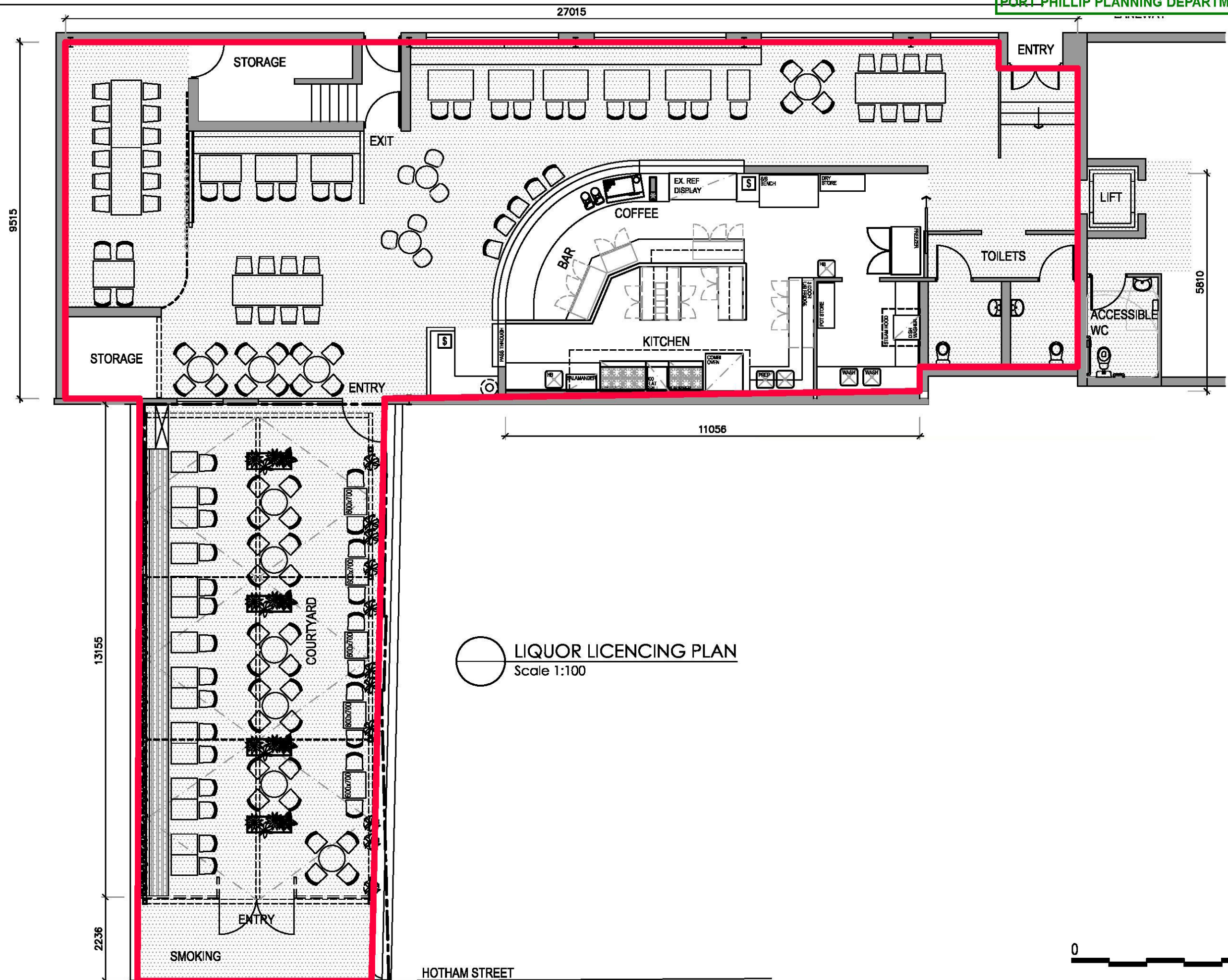
No music will be played outside in external area

Office use only

Application
numberDate
lodged

For further information or a large print version

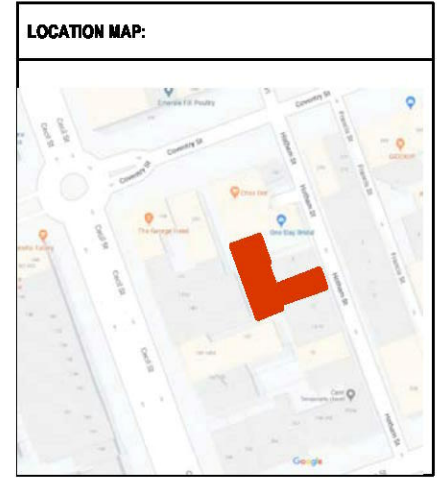
 ASSIST 03 9209 6777  portphillip.vic.gov.au/planning-and-building  planhelp@portphillip.vic.gov.au



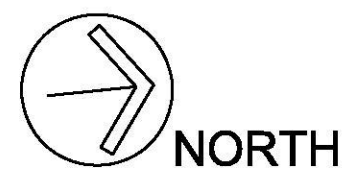
AREA BREAKDOWN	
AREA	SQM
INTERNAL AREA	230 M ²
EXTERNAL AREA	98 M ²
TOTAL AREA	328 M²
TOTAL PATRON AREA (SHADED)	270 M ²
TOTAL LIQUOR ZONE	328 M ²

SEATING CAPACITY	
LOCATION	QTY
INTERNAL	80
EXTERNAL	64
TOTAL SEATS	144

PROJECT ADDRESS:
 CHEZ DRE
 285-287 Coventry St,
 SOUTH MELBOURNE
 VIC 3205



LIQUOR LICENCING PLAN
 Scale 1:100



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Client:
 ANDREAS SKOULLOS
 Project Address:
 285-287 Coventry St,
 SOUTH MELBOURNE
 VIC 3205

Revisions:			
No.	Description	By	Date
-	-	-	-

Issue:
PERMIT

Project:
 CHEZ DRE
 Drawing Title:
 LIQUOR LICENCING PLAN

Project No.:
 2018
 Scale:
 1:100
 Drawn By:
 RA
 Date:
 04 06 2020
 Drawing No. & Revision:
000

SUBMISSION IN SUPPORT

Introduction

This report has been prepared in support of an application to allow the sale and consumption of liquor (Café & Restaurant Licence) at an existing food and drink premises at the subject site.

In preparing the report, consideration has been given to the various provisions of the City of Port Phillip Planning Scheme including any relevant, particular provisions.

It is submitted that on balance, the proposal will provide acceptable outcomes in planning terms and should be supported by Council for the following reasons;

1. The subject premises are an established business within a Commercial 1 zone and is surrounded by a range of commercial, retail and residential activities.
2. Although there are residential premises to the side of the property (Hotham Street), there is no proposal to include live at the venue. Background music will only be played within the internal area but will not be played in the external area.
3. The venue is currently operating as a food and drink premises although trading has temporarily ceased due to the Corona Virus epidemic.
4. The inclusion of a liquor license, as an ancillary part of the proposed food and drink premises use, will not adversely impact on surrounding uses and will enhance the current viability of the businesses within the area.

Subject Site & Surrounds

The subject site comprises the rear part of 285-287 Coventry Street and 10 Hotham Street. The site is an L shaped configuration on the southern side of Coventry Street and the western side of Hotham Street and comprises a total of approximately 221 square metres available to the public. The part of the leasable area available to the to this application is approximately 270 square metres.

Surrounding uses include a range of retail, residential and commercial including with a range of small cafes, businesses and commercial operations in the near vicinity with shops either side of the premises in Coventry Street. Hotham Street at this location is a mixture of business, commercial and residential uses.

The premises has operated in its' current form for many years with the front part of 285-287 Coventry Street, South Melbourne operating as a separate entity with its' own liquor licence. The site relating to this proposal comprises the rear of 285-287 Coventry Street and 10 Hotham Street, South Melbourne.

The uses as a food and drink premises is permitted 'as of right' within a Commercial 1 zone.

As such, this application only relates to the sale and consumption of liquor in response to Clause 52.27 of the City of Port Phillip Planning Scheme.

History

City of Port Phillip Planning Permit 931/2011 was issued in relation to the site on 11 November, 2011 '*To develop and use the land for the purpose of sale and consumption of liquor (restaurant/café liquor licence) generally in accordance with the endorsed plans and subject to the following conditions.*' (hereto attached)

It should be noted that this planning permit has lapsed and as such a new planning permit is required. Furthermore, since that 2011 application the venue has operated in it's current form which includes the external area abutting Hotham Street without detriment to the amenity of the area or impact on adjoining properties.

Proposal

With the substantive use of the premises as a food and drink permitted within the existing Planning Scheme, this proposal seeks to include the provision for sale and consumption of liquor (Café & Restaurant License) as an ancillary part of the permitted use.

The operating conditions of the business will be a boutique venue supplying foods for patrons for breakfast, lunch and dinner.

It is proposed that liquor will be offered as an ancillary service to patrons who choose to resort to the premises for a meal, light snack or other refreshment. Although take away food is available, a Restaurant & Café Licence does not allow the sale of liquor for off site consumption. To that extent, a full range of liquor will be offered for on-premises consumption only.

The venue will cater for a maximum of 144 patrons consisting of 80 patrons internally and 64 patrons within proposed external area with seating provided for all patrons.

A Venue Management Plan will be implemented to ensure there are no adverse effects of the amenity of the area.

Significant aspects of the proposal include;

- The issue of a Planning Permit to allow for the sale and consumption of liquor in accordance with Council conditions and VCGLR approval.
- Trading hours proposed are;

Internally	Sunday - Wednesday	10.00am – 11.00pm
	Thursday - Saturday	10.00am – 1.00am
	ANZAC Day & Good Friday	12 noon to 11.00pm
Externally	ANZAC Day & Good Friday	12 noon to 9.00pm
	On any other day	10.00am – 9.00pm

Zoning

The site is located within the Commercial 1 zone. Pursuant to Clause 34.01-1 the use of the land as a 'food and drink' premises is as-of-right.

Overlays

The site is located within Design & Development Overlay – Schedule 8 (DD08). The application relates to use and not development. This overlay is not triggered as no building works are proposed.

The site is located with a Heritage Overlay – Schedule 44 (HO44.) The application relates to use and not development. This overlay is not triggered as no building works are proposed.

State Planning Policy Framework

Plan Melbourne

Plan Melbourne (Department of Transport, Planning and Local Infrastructure 2014) is the new Metropolitan Planning Strategy developed to guide Melbourne's growth over the next 40 years. The plan provides strategic impetus for future planning decisions concerning housing, employment, infrastructure and the environment. The overarching vision is that "Melbourne will be a global city of opportunity and choice" which will be achieved by

- Protecting the suburbs

- Developing in defined areas near services and infrastructure
- Rebalancing growth between Melbourne and regional Victoria
- Identifying an investment and infrastructure pipeline

The key objectives of the plan include:

- Create a city structure that drives productivity, supports investment through certainty and creates more jobs
- Provide a diversity of housing in defined locations that cater for different household and are close to jobs and services
- Provide an integrated transport system connecting people to jobs and services, and goods to market
- Create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most livable cities.
- Protect our natural assets and better plan our water, energy and waste management systems to create a sustainable city
- Maximise the growth potential of Victoria by developing a state of cities which delivers choice, opportunity and global competitiveness.
- Achieve clear results and deliver outcomes through better governance, planning, regulation and funding mechanisms.

It is submitted that Plan Melbourne (Metropolitan Planning Schedule) supports a proposal such as this.

Clause 17.02-1S – Business

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services;

It is submitted Clause 17.02-1S (Business) supports a proposal such as this.

Clause 52.06-3 – Parking

In accordance with this clause of the Planning Scheme, a permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in a Commercial 1 zone
- The gross floor area of the building is not increased
- The reduction does not exceed 10 car parking spaces
- The building is not in a Parking Overlay with a schedule that allows a financial contribution in lieu of the provisions of the required car parking spaces for the use.

Clause 52.27 – Licensed Premises

These specific provisions which form part of the City of Port Phillip Planning Scheme provide a range of Decision Guidelines that are required to be considered as part of the assessment of any application. In general terms they seek to consider the likely impact of the sale and consumption of liquor on the amenity of an area.

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The Municipal Planning Strategy and the Planning Policy Framework.

The Municipal Planning Strategy and Planning Policy Framework support a proposal such as this.

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

The venue has operated in its' current form for a number of years. To enable patrons to have a glass of beer or wine with their meal will not impact on the amenity of the area. The service of liquor is an ancillary activity to the primary function of the venue which is the preparation and sale of meals.

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

As the venue has operated in it's current form for a number of years without negative impact on the amenity of the surrounding area, there should be no additional impact as a result of the granting of a Restaurant & Café Liquor Licence.

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

The number of patrons is appropriate for the location, size and amenities provided by the venue.

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

See Cumulative Impact Statement

Summary of Proposal

This application seeks the ability to include the provision of liquor for on-premises consumption as a component of an established business. The supply of liquor will be a minor part of the business and to provide patrons with a choice to enhance the dining experience.

The focus of the business will not change, the business is not a formal restaurant but a more casual dining style operation providing a variety of snacks and main course meals.

With regard to this application, it is submitted that the proposal will have no adverse impact on the amenity of the area.

1. With the substantive use 'as of right', the inclusion of liquor as an ancillary addition to the use is consistent with various zone objectives and provisions within the Planning Scheme.
2. Given the nature of the proposal, location of the premises and surrounding uses, the amenity of the area is well established and the inclusion of liquor in this use would not impact on surrounding areas.
3. The hours of operation proposed are less than 'Ordinary Trading Hours' as defined and are less than other more intense Licensed Premises in the area.
4. The hours of trade for the sale and consumption of liquor are a maximum and will only be utilized if and when demand warrants and will not adversely impact on the amenity of the area.
5. Maximum patron numbers 144.
6. The issuing of a planning permit to allow the sale and consumption of liquor will enhance the viability of a business in very difficult economic times and to meet a growing demand within increasing vital activity precinct.

Conclusion

It is submitted that given the context of the site, surrounding areas, established amenity and the nature and limitations of the business and this proposal, this application should be supported by Council with appropriate conditions, if required.

PAJ LIQUOR LICENSING

LIQUOR LICENSING & PLANNING CONSULTANTS

21 October, 2020

Ms. Kate Wooler
Urban Planner
Port Phillip City Council



RE: Planning App: - Amendment of P/P 647/2010
Address: Rear 285-287 Coventry Street and 10 Hotham Street, South Melbourne

RE: Licensed premises: Cumulative Impact Assessment

I acknowledge receipt of your letter dated 8th October, 2020.

Please find detailed below, responses in relation to issues detailed in Practice Note 61

(PPN61: Licensed premises: Cumulative Impact Assessment)

What is the ratio of seating to standing?
Seating will be provided for all patrons.

Are meals served or is food available?
Yes, a varied menu including snacks and complete meals will be offered.

How will the venue manage patrons entering and leaving the venue, including security and queuing?
No queuing is expected and security will not be provided.

Music will the proposal feature background, live or recorded music?
No live or amplified music will be played.

What is the proposed capacity and what are the operating hours?
The venue has sufficient facilities to accommodate proposed patrons within the premises. This will comprise of 80 patrons internally and 64 patrons within the external area.

What type of transport and car parking is provided?
No parking is provided

Does the subject land adjoin sensitive uses?
There are residential premises in the vicinity but as there is no live or amplified music, these premises will not be negatively impacted.

What is the relationship between licensed premises and other uses in the area?
None.

What are the local crime statistics related to licensed premises?
South Melbourne Police stated they did not have crime statistics specifically for the Clarendon and Coventry Street areas.

Are there other premises open after 11pm?
Yes – see below.

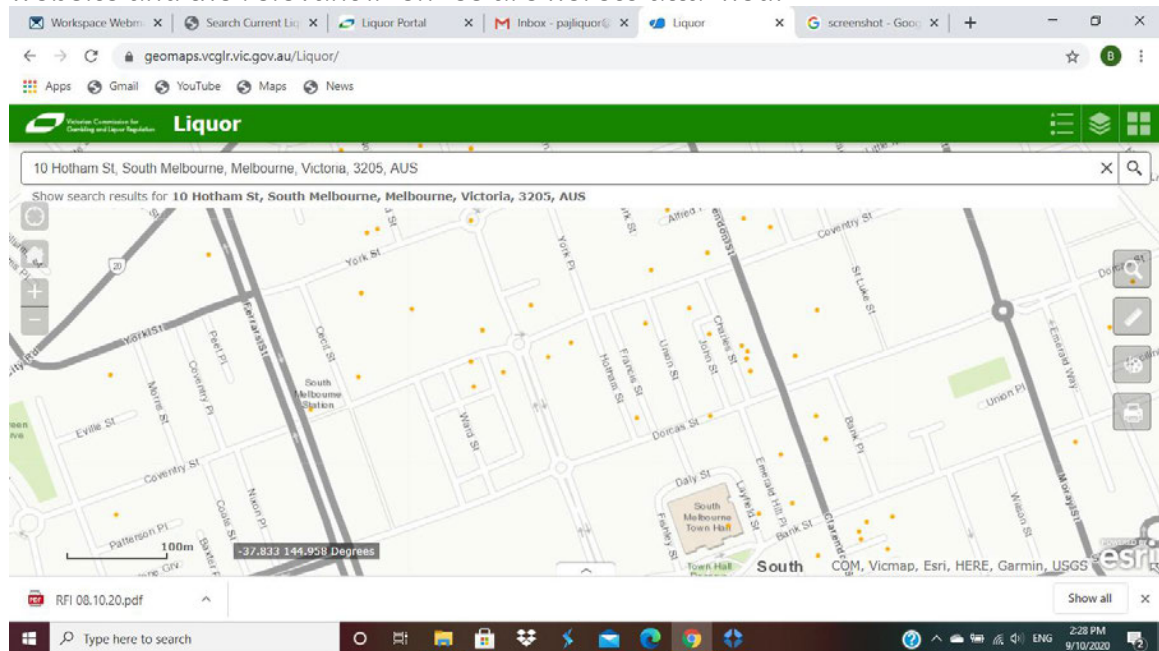
What is the existing level of amenity in the area?
Good.

What are the reasonable amenity expectations in the area?
Good.

What is the mix of licensed premises in the area?
Within 300 metre radius there are a number of licences issued by the VCGLR and approved by Council.

- | | |
|----------------------------|----|
| 1. Rest & Café Licence | 17 |
| 2. On Premises Licence | 2 |
| 3. Limited Licence | 4 |
| 4. Packaged Liquor Licence | 2 |
| 5. General Licence | 4 |
| 6. Late Night General | 2 |
| 7. BYO Permit | 1 |

A printout from the Interactive Map of Victorian Liquor Licences from the VCGLR website and the relevant licences are hereto attached.



Two of the venue holding General Liquor Licences are actually small boutique bars that operate under a General Liquor Licence to enable the venue to sell liquor for off site consumption. This is new trend in Melbourne whereby what is commonly referred to as 'bottleshops' amend their liquor licence to a General Liquor Licence.

The Limited Liquor Licences are Take Away and Delivery licences and do not permit the venue to sell liquor for on site consumption. One On Premises Liquor Licence is at an Art Gallery and is not considered 'high risk'.

Surprisingly, there are only three venues that could be considered high risk;

1. Hodgson & Co. 180-184 York St South Melbourne
General Liquor Licence trading until 1.00am 330 patrons
2. The Albion Melbourne 172 York St, South Melbourne
Late Night General Liquor Licence trading until 5.00am 674 patrons
3. Golden Gate Hotel 238 Clarendon St, South Melbourne
Late Night General Liquor Licence trading until 1.00 am 372 patrons

Do any licensed premises cater for more than 200 patrons?

Yes – see above.

How many and what type of licensed premises (especially high capacity venues and packaged liquor outlets) operate after 11pm?

See above.

Do licensed premises commonly operate at capacity and is queuing outside common?

No.

Do many licensed premises in the area show a high ratio of standing to seating?

No.

Are there any local laws regulating consumption of liquor in public spaces?

Not specific to this area.

Is there any evidence of problems apparent in the area, such as property damage or littering, that may be attributed to alcohol related incidences?
Police refused to comment in relation to this aspect of community amenity.

Are complaints (for example, to council or Victoria Police) about licensed premises already being generated in the area?

No.

Are there any known enforcement proceedings against licensed premises in the surrounding area?

No.

Does the proposal contribute to the diversity of activities and vibrancy in the area?

Yes.

Will the proposal reinforce any existing or create any new impacts arising from the mix of uses in the area?

No.

Do closing hours between venues coincide closely or is there a spread of closing hours?

No.

Is there a high number of patrons on the streets after 11pm?

No.

What public transport is available to patrons leaving the licensed premises at closing time?

Bus, Train, Tram, Taxi and Uber

Are taxi ranks conveniently available to patrons leaving the licensed premises at closing time?

Yes.

Is there car parking available and where is it located?

Yes. Directly outside the retail venue and in nearby streets, including South Melbourne Market.

How do people disperse from the area after leaving a licensed premises?

Customers will not congregate at the site.

Is the movement of patrons through the area known to be an existing problem?

No.

Are there any identified issues with accessing public transport such as frequency or capacity of services?

No.

Is the proposed licensed premises' location or characteristics such as operating hours likely to contribute to any problems for patron dispersal?

No.

Will the proposal reinforce any existing or create any new impacts arising from licensed premises closing times and patron dispersal within the area?

No.

Are there sufficient public amenities available for patron use, including toilets and rubbish disposal?

Yes.

Are there any relevant public safety or enforcement initiatives in the area?

No.

Has the area been developed according to principles of good urban design and safe design?

Yes.

Will the proposal provide mitigation measures to address any negative cumulative impacts?

None required.

Can any identified negative cumulative impact be satisfactorily reduced by changes to the?
No negative impacts identified.

Should you require any additional information or assistance, do not hesitate to call me on

██████████

Kind regards

Bruce Lowe

Peter – ██████████
Office – 03 9510 4410

PO Box 297, Prahran, VIC, 3181
Email: pajliquor@gmail.com

Buce – ██████████
Fax – ██████████