

Form 3

NOTICE OF AN APPLICATION FOR AN AMENDMENT TO A PLANNING PERMIT

The land affected by the application is located at:	64 Main Street BRUTHEN 3885 Lot: 3 LP: 87876
The application is to amend permit number 5.2022.180.1 by:	Extension to operating hours
The application reference number is:	5.2022.180.2
The applicant for the amendment to the permit is:	Development Solutions Victoria Pty Ltd

You may look at the application and any documents that support the application free of charge at <https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must

- ◆ **be made to the Responsible Authority in writing,**
- ◆ **include the reasons for the objection, and**
- ◆ **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

The Responsible Authority will not decide on the application before:	Subject to the applicant giving notice
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If you object, the Responsible Authority will tell you its decision.

East Gippsland Shire Council

273 Main Street (PO Box 1618)
Bairnsdale VIC 3875
Website www.eastgippsland.vic.gov.au
Email feedback@egipps.vic.gov.au
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Telephone: (03) 5153 9500
Fax: (03) 5153 9576
National Relay Service: 133 677
ABN: 81 957 967 765

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Application to Amend a Planning Permit

Applicant details:

Name:							
Business trading name (if applicable): DEVELOPMENT SOLUTIONS VICTORIA							
Email address: ADMIN@DEVSOLVIC.COM.AU							
Postal address: 48 BAILEY STREET, BAIRNSDALE VIC							
			Postcode	3	8	7	5
Phone number: Home:		Work: 03 5152 4858		Mobile:			

Owners details (if not the applicant):

Name:							
Business trading name (if applicable): TAMBO VALLEY HONEY							
Email address: ADMIN@DEVSOLVIC.COM.AU							
Postal address: 48 BAILEY STREET, BAIRNSDALE							
			Postcode	3	8	7	5
Phone number: Home:		Work: 03 5152 4858		Mobile:			

Property details:

Street number: 64		Street name: MAIN STREET									
Town: BRUTHEN					Postcode			3	8	7	5
Lot Number: 3		<input type="checkbox"/> Lodged plan <input type="checkbox"/> Title plan <input checked="" type="checkbox"/> Plan of Subdivision				Number: 087876					
Crown allotment number:						Section number:					
Parish/Township name:											
Planning permit number to be amended: 5.2022.180.1											

Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?								<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	
Will the proposal result in a breach of a registered covenant restriction or agreement?								<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No	

Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail feedback@egipps.vic.gov.au

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Page 2 of 7

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Description of amendment: Describe the amendment being applied for (i.e. change to conditions, change to development): _____

EXTENSION TO THE CURRENT HOURS FOR THE SALE AND CONSUMPTION OF LIQUOR

(CONDITION 2 ON THE EXISTING PLANNING PERMIT)

Original estimated cost of development (from parent permit application): _____ N/A

Revised estimated cost of development: _____ N/A

Note: You may be required to verify this estimate.

Existing conditions: Describe how the land is used and developed now: _____
EXISTING RESTAURANT/CAFE (TAMBO VALLEY HONEY)

If you need more space or have more information, please attach with this form.

Please make sure that:

- Form is filled in fully and signed
- The correct fee is paid or payment enclosed
- Attached any supporting information or documents
- **Needed** - Title (must have been generated within the past 30 days)
- Amended plans
- Supporting information/reports (e.g. – Land Capability Assessment, Bushfire Management Statement, Geotechnical report/waiver)

This application has associated costs that will be determined by a town planner

Who is the invoice to be made out to? DEVELOPMENT SOLUTIONS VICTORIA

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Declaration:

I/We agree that all information on this form is correct and the owner has seen and agrees with the changed plans. Any documents submitted with this application, including plans, will be made available for public viewing and copies can be made for interested parties as per the *Planning and Environment Act 1987*.

Applicant signature:		
Name:	DEVELOPMENT SOLUTIONS VICTORIA	Date: <u>23</u> / <u>09</u> / <u>2024</u>

Submitting your application:

Electronic	Fax to 03 5153 9576 Email to planning@egipps.vic.gov.au				
Mail	Post the signed, completed form together with any applicable fees or copies of any documentation to; PO Box 1618 BAIRNSDALE VIC 3875.				
In Person	Bring the completed form and supporting documents to any of the following locations; <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%; vertical-align: top;"> Service Centre Opening Hours: 9.00am to 5:00pm. Monday to Friday. </td> <td style="width: 50%; vertical-align: top;"> Bairnsdale Corporate Centre: 273 Main Street. Bairnsdale Service Centre: 24 Service Street. Bairnsdale Business Centre: 34 Pyke Street. Lakes Entrance Service Centre: 18 Mechanics Street. Omeo Service Centre: 179 Day Avenue. Orbost Service Centre: 1 Ruskin Street. Paynesville Service Centre: 55 The Esplanade. </td> </tr> <tr> <td style="vertical-align: top;"> Mallacoota Service Centre Opening Hours: Monday and Tuesday 10.00am to 2.00pm Wednesday, Thursday, Friday 2.00pm to 5.00pm </td> <td style="vertical-align: top;"> Mallacoota Service Centre: 70 Maurice Avenue </td> </tr> </table>	Service Centre Opening Hours: 9.00am to 5:00pm. Monday to Friday.	Bairnsdale Corporate Centre: 273 Main Street. Bairnsdale Service Centre: 24 Service Street. Bairnsdale Business Centre: 34 Pyke Street. Lakes Entrance Service Centre: 18 Mechanics Street. Omeo Service Centre: 179 Day Avenue. Orbost Service Centre: 1 Ruskin Street. Paynesville Service Centre: 55 The Esplanade.	Mallacoota Service Centre Opening Hours: Monday and Tuesday 10.00am to 2.00pm Wednesday, Thursday, Friday 2.00pm to 5.00pm	Mallacoota Service Centre: 70 Maurice Avenue
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Our Ref: 22055

20th September 2024

Andrew Bates
Acting Statutory Planning Coordinator
PO Box 1618
BAIRNSDALE VIC 3875

Dear Andrew,

**Re: Application to Amend Planning Permit No 5.2022.180.1
64 Main Street, Bruthen
Use of the land for sale and consumption of liquor pursuant to a general liquor licence in association with a restaurant/café**

Development Solutions Victoria, act on behalf of Ben Murphy, the applicant for the proposed amendment to planning permit No: 5.2022.180.1 at 64 Main Road, Bruthen.

We are requesting an amendment to Condition 2 of the above planning permit, which currently restricts the sale and consumption of liquor to the hours between 7am and 4pm.

We propose extending the current hours for the sale and consumption of liquor to 11pm daily. This change will allow the business owners to extend hours and offer dinner service.

A review of existing liquor licenses in the surrounding area reveals the following:

- **Bullant Brewery:**
 - Good Friday and Anzac Day: 12 noon – 10 pm
 - All other days: 10 am – 10 pm
- **Bruthen Inn:**
 - Sunday: 10 am – 11 pm
 - Good Friday: 12 noon – 11 pm
 - Anzac Day (not a Sunday): 12 noon – 1 am the following day
 - All other days: 7 am – 1 am the following day, except the morning of Good Friday
- **Le Café at Applespice Cottage:**
 - Sunday: 10 am – 11 pm
 - Good Friday and Anzac Day: 12 noon – 11 pm
 - All other days: 7 am – 11 pm

The proposal to extend the hours for the sale and consumption of liquor to 7am – 11pm daily appears reasonable and in line with local practices. It provides a moderate extension and aligns with the standard hours of others. This balance could help address business needs while aligning with community expectations and existing liquor licensing standards

Should you require any further information or supporting documentation, please do not hesitate to contact me on 03 5152 4858.

Regards



Courtney Campbell
Development Solutions Victoria

GENERAL LICENCE

Subject to the provisions of the Liquor Control Reform Act 1998 and any conditions specified in the licence, the licensee is authorised to supply liquor up to and including 31 December 2024

Licensee	MURPHY HONEY PTY LTD (ACN:626 706 545)		
Address for service of notices	64 MAIN ST BRUTHEN 3885	Licensed premises address	64 MAIN ST BRUTHEN 3885
Trading as	MURPHY HONEY PTY LTD		

GENERAL INFORMATION

A liquor licence does not override local laws, planning schemes and conditions on planning permits. It is the responsibility of the licensee to ensure they comply with these and all conditions of a planning permit above what is specified on the liquor licence. Where the trading hours on your planning permit are less than the trading hours on this liquor licence, you must comply with the hours on the planning permit.

TYPE OF LICENCE

This licence is a general licence and authorises the licensee to supply liquor on the licensed premises for consumption on and off the licensed premises during the trading hours specified below. This licence does not authorise the licensee to only supply liquor for consumption off the licensed premises.

AMENITY

The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence relates during or immediately after the trading hours authorised under this licence.

MAXIMUM CAPACITIES

40 patrons

TRADING HOURS

FOR CONSUMPTION OFF THE LICENSED PREMISES -

Sunday	Between 10am and 11pm
Good Friday & ANZAC Day	Between 12 noon and 11pm
On any other day	Between 7am and 11pm

FOR CONSUMPTION ON THE LICENSED PREMISES -

Sunday	Between 10am and 1am the following morning
Good Friday & ANZAC Day	Between 12 noon and 1am the following morning
On any other day	Between 7am and 1am the following morning

End of Conditions - Printed on 29/08/2024