

**PLANNING**

Permit No.:

**TPA/40027 Extended**

**PERMIT**

Planning Scheme:

**Monash Planning Scheme**

Responsible Authority:

**Monash City Council**

**ADDRESS OF THE LAND**

1,2,3&4/317-319 Clayton Road CLAYTON VIC 3168

**THE PERMIT ALLOWS**

- Buildings and works (including works within a Special Building Overlay) to the existing Hotel (licensed premises comprising cafe/lounge bar, bistro, restaurant, function rooms, TAB and gaming lounge);
- An increase in patron numbers;
- An increase in the area within which liquor is allowed to be consumed or supplied under a licence;
- Reduction (to zero) of applicable car parking;
- Waiver of bicycle facilities requirement.
- in accordance with the endorsed plans.

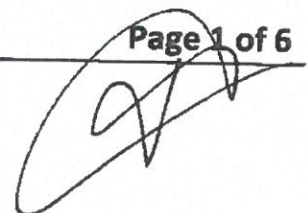
**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT**

1. Before the use and development starts, three (3) copies of plans generally in accordance with the application plans and drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must show to the satisfaction of the Responsible Authority:
  - a) The inclusion of a lift to the first floor of the premises.
2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

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**15 February 2013**  
**Extension of time:**  
**11 May 2015**

**Signature for the**  
**Responsible Authority:**

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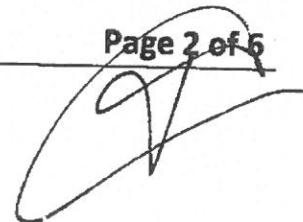
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3. Once the development (and use) has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. From the commencement of trade until 6.00pm on each day, no more than 200 persons, excluding staff, are permitted within the premises at any one time; and from 6.00pm on each day until the conclusion of trade, no more than 250 patrons are permitted within the premises at any one time.
5. The use (excluding gaming room) hereby permitted may operate only between the hours of:
  - Monday to Saturday – 7.00am to 3.00am the following day; and
  - Sunday (not being Anzac Day) – 12 noon to 11:00pmunless the Responsible Authority gives consent in writing.
6. The gaming room hereby permitted as delineated on the endorsed plans may operate may operate 24 hours, 7 days a week.
7. Prior to the commencement of the use of the refurbished premises, a patron management plan must be submitted to and endorsed by the Responsible Authority. When endorsed, the plan will form part of this permit. The plan will include the following:
  - a) Measures designed to ensure the orderly arrival and departure of patrons;
  - b) Signage to encourage responsible off-site patron behaviour;
  - c) Staff training in the management of patron behaviour; and
  - d) The keeping of a complaints register and procedures for dealing with complaints.
8. All deliveries to the premises must take place from the rear laneway and must only occur between 7:00am and 5:00pm, Monday to Saturday.
9. At all times that the premises are being used for the purpose hereby permitted there shall be present on the premises a person over the age of 18 years responsible for the good conduct of persons resorting to the premises (referred to in this permit as the Manager).
10. The owner, the occupier and the manager of the premises shall at all times make reasonable endeavours to ensure that the persons resorting to the premises do not

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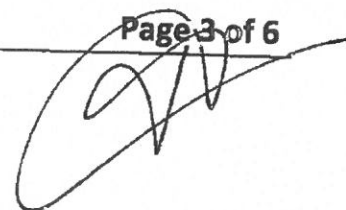
create nuisance or annoyance to neighbours or otherwise disturb the amenity of the locality.

11. The occupier and manager of the premises shall maintain the premises in good condition and make reasonable endeavours to ensure that the entrance foyer and adjacent footpath area are kept free of litter to the satisfaction of the Responsible Authority.
12. The live entertainment hereby permitted must only be carried out within the building and is not permitted to be carried out in the covered outdoor seating area.
13. The only live entertainment permitted in non-amplified piano and/or non-electric guitar with a maximum of two (2) musicians.
14. The occupier of the premises must ensure that any noise emanating from the premises must not exceed the standards of State Environment Protection Policies No. N1 and N2 and must when requested by the Responsible Authority provide evidence to Council of compliance with the Policies.
15. The amenity of the area must not be detrimentally affected by the use or development, 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;
16. No form of public address system may be installed so as to be audible from outside the building/site.
17. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
18. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

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19. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:
- a) The method of collection of garbage and recyclables for uses;
  - b) Designation of methods of collection including the need to provide for private services or utilisation of council services;
  - c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
  - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
  - e) Litter management.

A copy of this plan must be submitted to Council.

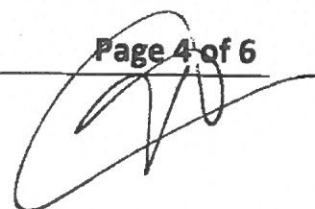
20. Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
- a) measures to control noise, dust and water runoff;
  - b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
  - c) the location of where building materials are to be kept during construction;
  - d) site security;
  - e) maintenance of safe movements of vehicles to and from the site during the construction phase;
  - f) on-site parking of vehicles associated with construction of the development;
  - g) wash down areas for trucks and vehicles associated with construction activities;
  - h) cleaning and maintaining surrounding road surfaces;
  - i) a requirement that construction works must only be carried out during the following hours:
    - Monday to Friday (inclusive) – 7.00am to 6.00pm;
    - Saturday – 9.00am to 1.00pm;
    - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)

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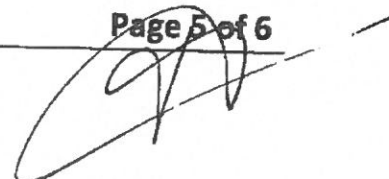
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21. The construction works associated with the use/development hereby permitted must only be carried out during the following hours:
- Monday to Friday (inclusive) – 7:00am to 6pm;
  - Saturday – 9am to 1pm;
  - Saturday – 1pm to 5pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery);
- unless otherwise approved in writing by the Responsible Authority.
22. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
23. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.
24. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
25. Any extended ground floor level must be no lower than the existing ground floor level.
26. Any new fences must be of an open style of construction to allow for the passage of floodwaters/overland flows.
27. **Expiry of permit**  
In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
- The development and use are not started before 15 February 2017.
  - The development is not completed before 15 February 2019.
- In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the use or development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the use or development has lawfully

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started before the permit expires.

### NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
3. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.

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