

22nd July 2024

Zoe Darnos
 Planner | Development Approvals and Design
 Department of Transport and Planning

zoe.darnos@delwp.vic.gov.au

Dear Zoe,

4 Schuss Street Falls Creek
Planning Permit Application: PA2402919
Request for Further Information Response

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#	RFI Item	Response
1.	<i>A copy of the liquor licence that is proposed to be modified, noting that there appear to be two active licences for the premises.</i>	Liquor licence attached. The second licence for the venue is for take-away beer and wine, and does not need to be altered
2.	<i>Confirmation of the current and proposed hours of both general business operation and the sale and consumption of liquor, noting that the two active liquor licences permit differing hours of liquor service.</i>	The hours of operation will not change and the hours listed on the current licence (attached) can remain the same – noting however, the outdoor area is unlikely to be utilised at night.
3	<i>Clarification as to the meaning of "the front of the building will be limited to only 32 patrons". In particular, what is meant by 'the front of the building'?</i>	The 'front of building' referred to is the proposed new redline area.
4.	<i>Clarification as to the number of patrons proposed to be permitted in the new licensed area.</i>	The proposed new licenced area is approximately 4.5m x 11m totally approximately 49.5 sqm. Liquor licencing allows for 1 person per 0.75 sqm. As such, we are applying for a maximum of 66 patrons in the new area.
5.	<i>Confirmation as to whether it is proposed to have any amplified music / speakers in the outdoor dining area, whether live or recorded, and how it is proposed to limit the impact of any noise on the amenity of the surrounding area, which includes residential uses.</i>	Yes. There are existing outdoor speakers in the proposed new redline area, as this is an area where food and non-alcoholic beverages are served to customers. These speakers are independently controlled from within the venue, and can be turned down or off completely in the evening.

I also attach a letter of support for the proposal from Frueauf Village Central Management.

We trust the Department now has sufficient information to determine the application.

Yours sincerely,



Nick Vlahandreas
 Town Planner

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Reply to this correspondence:

By e-mail:
Manager@fvfallscreen.com.au

By mail:
PO Box 133
Falls Creek 3699

03.01.2024

Dear VCGLR,

Please find this letter confirmation that:

FSCM Pty Ltd (Frueauf Village Central Management)
&
Frueauf Services (Body Corporate)

Are in full support of Orys Restaurant extending their liquor licencing redline to include the outdoor area in front of their restaurant facing a southeast direction.

If you need any more information, please don't hesitate to contact me.

Kind regards

Brett Williams

Brett Williams
FSCM Pty Ltd
General Manager

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Department of Infrastructure

R ✓
P ✓
PP ✓

Planning and Environment Regulations 1998 Form 4

Level 14 Nauru House
80 Collins Street
Melbourne Victoria 3000
GPO Box 2797Y
Melbourne Victoria 3001
Telephone (03) 9655 6666
Facsimile (03) 9655 6752

PLANNING PERMIT

Permit No.: 2000/183

Planning Scheme: Alpine Resorts Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

Lot 9, Frueauf Village, Falls Creek Alpine Resort.

THE PERMIT ALLOWS:

Land to be used as a Licensed Premises (On Premises Licence) in accordance in with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

CONDITIONS OF RESPONSIBLE AUTHORITY

1. The area within which liquor is sold, as indicated on the endorsed plans, must not be altered without the prior written consent of the Responsible Authority.
2. The Licensee must ensure that signage is provided and located appropriately to advise patrons that the premises is in close proximity to residential buildings and that when patrons leave the premises noise must be kept to a minimum.
3. The use of the land as licensed premises may only operate between the hours of:
 - 7.00 am and 1.00 am on Monday to Saturday (except for the roof deck which may operate only until 9.00 pm).
 - 10am and 11pm on Sunday (except for the roof deck which may operate only until 9.00 pm)
 - 12 noon to 11pm on Anzac Day and Good Friday (except for the roof deck which may operate only until 9.00 pm).
4. This permit will expire if the use is not commenced within two years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within three months afterwards.

END OF DOCUMENT

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Date Issued 13-6-2000

Signature for the Responsible Authority M. Croughan

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED

The Responsible Authority has issued a permit. (Note: This is not a permit granted under Division 5 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 a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; 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 in the case of a subdivision or consolidation within 5 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 of 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 of the issue of the permit; or
 - * the use is discontinued for a period of two years.
4. If a permit for the use of land or the development 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 APPLICATIONS FOR REVIEW?

- * 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 where, in such 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 an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the prescribed fee.
- * An application for review must state the grounds upon which it is based.
- * 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 7th Floor, 55 King Street, Melbourne. Phone 9623 9777.

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