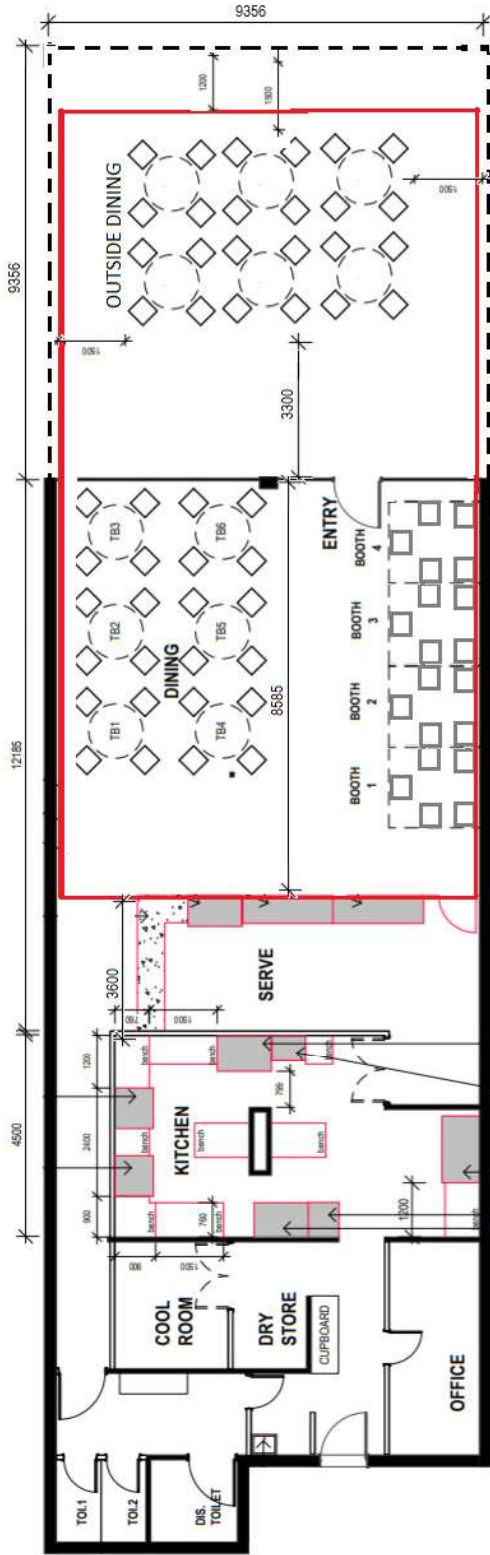


Appendix A – Proposed Site Plan



Scale 1:100  
 Building 190m<sup>2</sup>  
 Indoor dining area 80.3m<sup>2</sup>  
 Outdoor dining area 87.5m<sup>2</sup>  
 Total Dining area 167.8m<sup>2</sup>  
 Building + Outdoor dining area 277.5m<sup>2</sup>



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PO Box 239, OFFICER VIC 3809  
Christina Fennell  
26 February 2021  
Christina.fennell@outlook.com

Att: Natalie O'Shea  
Senior Statutory Planner  
**Baw Baw Shire Council**  
supplied via email (natalie.oshea@bawbawshire.vic.gov.au)

Dear Ms O'Shea,

**RE: Request for Further Information Response:**

**Application No: PLA0328/20**  
**Proposal           General Licence**  
**Location           1/34-36 Princes Way DROUIN**  
**CA 28 Section 11 Vol 10043 Fol 258**

Thank you for your request for further information on Carvery King. Please find our responses to your letter below.

**Proposed site plan**

Please see a copy of the amended site plan in Appendix A, including the layout of the entire site, existing building and red line mark-up. Dimensions of setbacks from the outdoor seating and red line area are also included, as well as total floor area of existing building and outdoor dining area.

**Clause 52.27 Licensed Premises**

Our response to the decision guidelines of Clause 52.27, are as follows:

*The Municipal Planning Strategy and the Planning Policy Framework*

Response is not required for this decision guideline as per pre-application meeting on the 28<sup>th</sup> Jan 2021.

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

As there are already three other licensed premises operating within 100m of the proposed subject land, and as Carvery King has lesser trading hours than these, any negative impact from the sale or consumption of liquor at the proposed venue is unlikely. Carvery King aims to enhance the overall

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amenity of the area by increasing consumer choice, providing an exciting and unique dining experience to customers with the novelty of matching alcoholic refreshments to healthy meal options, and bringing a new and aesthetically pleasing venue to the main street of Drouin.

In order to mitigate any litter caused from the packaged beverages sold, the proposed Carvery King will ensure adequate recycle rubbish facilities for patrons consuming on site. Toilets and Accessible toilet facilities are provided on site for patrons.

All staff of Carvery King will be equipped with their Responsible Service of Alcohol Training to ensure that any negative cumulative impacts such as intoxicated persons are mitigated.

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

In order to mitigate any negative impact to the amenity of the surrounding area due to the sale of alcohol under liquor licensing, the hours of trading for the proposed Carvery King are set as ordinary hours (between 11am start of lunch service - until 8pm end of dinner service) and will not be open past 11pm. As trading ceases by 8pm this venue does not encourage the loitering around of customers after this time. The hours of trading of the proposed venue are less than other hospitality venues in the 100m radius. Although there is a dine-in option, this venue provides a take-away style cuisine so it is expected that the majority of customers will purchase their meal option and then take it offsite.

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

It can be observed that the township of Drouin is currently undergoing a stage of growth, with a considerable influx of people relocating to this area for residency. As the main street of Drouin is already bustling with people accessing the surrounding amenities, we do not envisage the people frequenting the Carvery to add or subtract from the overall busyness of the area as the take away style cuisine promotes fast service and then off site consumption for the majority of customers.

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

A cumulative impact assessment has been provided as Appendix B in order to address this decision guideline.

## Car Parking

In accordance with Clause 52.06-5- Car Parking, the required number of car parking spaces for a food and drink premises is 4 to each 100 square meters to each leasable floor area. The total leasable floor area of the proposed Carvery King venue is 190m<sup>3</sup> which equates to 7.5 car parking spaces. As per Clause 52.06-5, If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number, therefore 7.

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As per Clause 52.06-3 Permit requirement, 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 the **Commercial 1 Zone**, Commercial 2 Zone, Commercial 3 Zone or Activity Centre 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 to be paid in lieu of the provision of the required car parking spaces for the use.

As the proposed Carvery King venue meets the above criteria, we ascertain from Clause 52.06-3 that a permit is not required in this circumstance, however in this response we would like to put forward a request that the number of car park spaces be reduced to 0 in order for this venue to successfully meet the car parking requirements.

## **Business Identification Signs**

We acknowledge the permit requirements as outline in your letter. If our business identifications signed requires a permit, we will apply for them in due course.

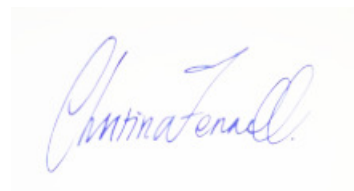
## **Other notes**

We acknowledge that an acoustic report may be required subject to your assessment of Appendix B; however feel this will not be required as we do not intend to have live music at this venue.

We acknowledge that there will be advertisement and referral to relevant authorities once a satisfactory response has been achieved.

If there are any other queries, please do not hesitate to contact me on 0432279705 or by reply email.

Yours Sincerely,



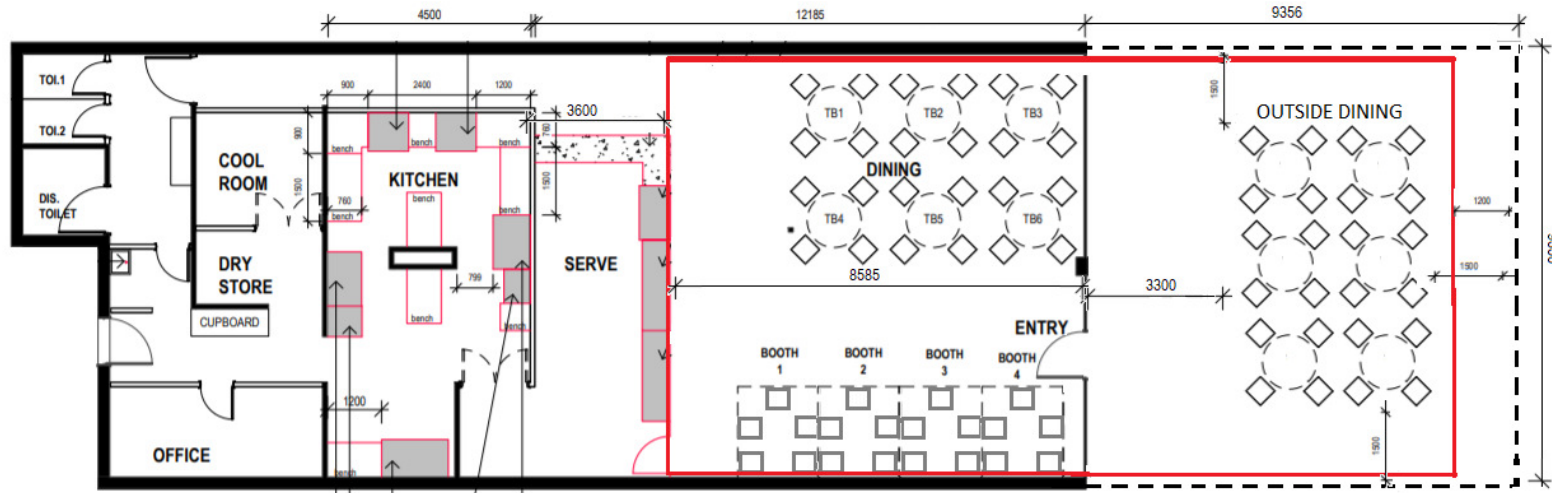
**Christina Fennell**

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Appendix A – Proposed Site Plan



Scale 1:100  
 Building 190m<sup>2</sup>  
 Indoor dining area 80.3m<sup>2</sup>  
 Outdoor dining area 87.5m<sup>2</sup>  
 Total Dining area 167.8m<sup>2</sup>  
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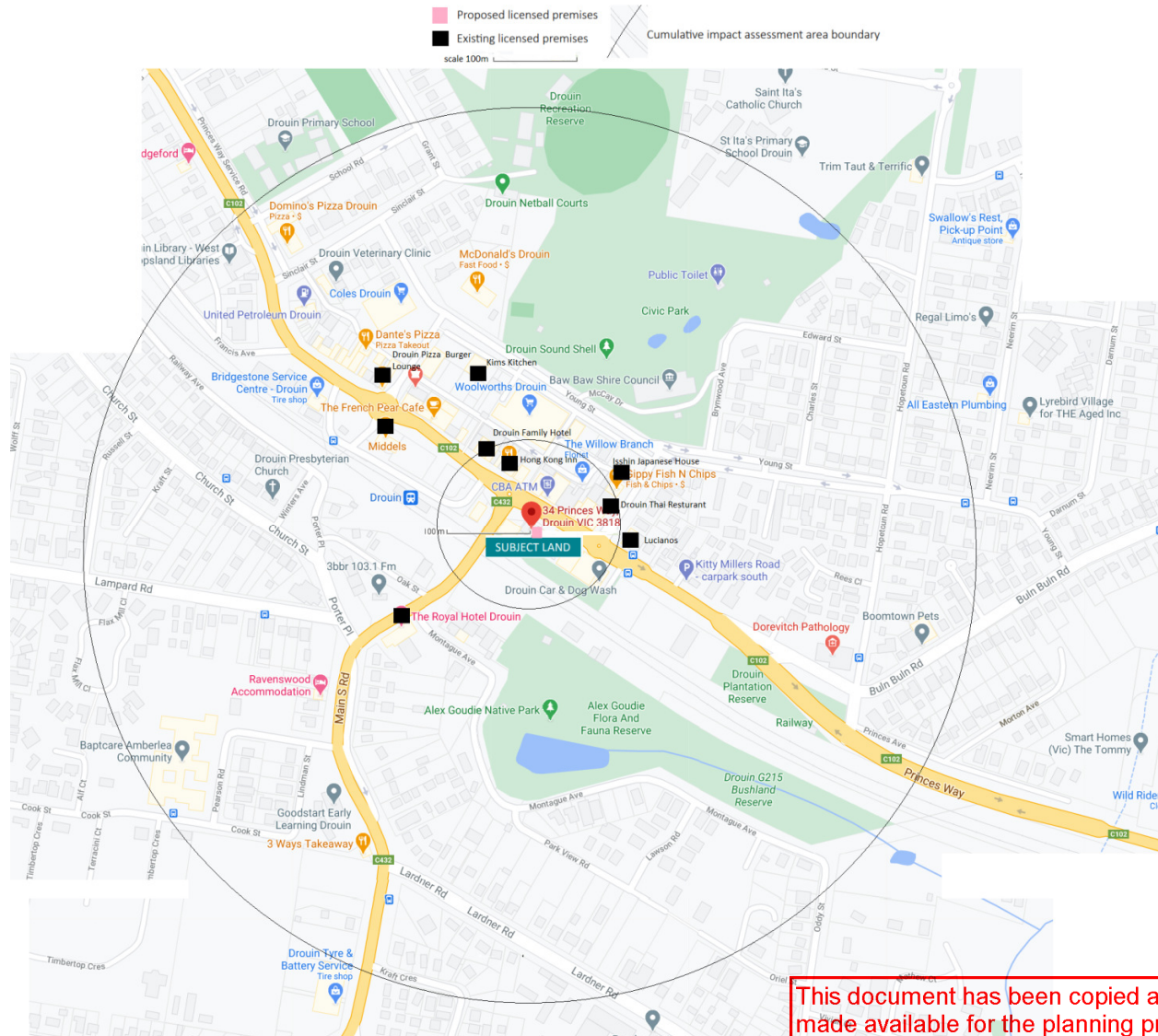
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### Appendix B – Cumulative Impact Assessment

In order to ensure that the licensed premises has been proposed in the appropriate location and to ensure that there is minimal negative impact of this premises on the amenity of the surrounding area, a cumulative impact report has been conducted on area of land within the 500 meter radius of the proposed venue. Existing Licensed Premises have been identified on the map below, relative to the subject land (proposed Carvery King).



#### About Carvery King

Carvery King offers a boutique takeaway and dine in menu to the Drouin community that specializes in chef cooked roasted meats and poultry carved to the diners request.

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Carvery King is designed to provide a fun and friendly atmosphere and is guaranteed to enhance the culture and vibrancy of Drouin by providing a safe and friendly gathering spot for customers to come and enjoy a relaxed atmosphere, as well as obtain a healthy take-away meal option suited to all members of the local demographic. Being a licensed venue enables Carvery King to serve alcoholic refreshments for customer enjoyment both on site and through Take-Away. Carvery King will trade ordinary hours (open to public between 11am start of lunch service - until 8pm end of dinner service) and will not be open to public past 11pm.

In order to satisfy the Responsible Authority in accordance with Section 54 of the Planning and Environment Act 1987, this document has been prepared to respond to the request for further information.

**1. CUMULATIVE IMPACT REPORT**

Please see a summary and the information checklist below.

1. There are no impassable barriers from the subject land.
2. The land included in the cumulative impact assessment is a 500m radius of the subject land.
3. There is a minor cluster evident as 3 licensed premises within a 100m radius of the subject land, however there are only 10 licensed premises (including the proposed premises) in the cumulative impact assessment area.

**Table 1. Cumulative impact report information checklist**

CRITERIA	RESPONSE
<b>SEATING RATIOS</b>	Carvery King will provide tables and booth seating that can cater up to 50 patrons inside the venue. As our liquor licence requests 50 people inside at one time, each person would have access to a chair if needed. In the outside footpath trading area, there is a request for up to 24 people to be seated and covered under the liquor licence. The proposed seating arrangement for carvery king is 1:1.
<b>MEALS</b>	As a takeaway and dine in venue we serve a variety of full meals and no 'snack' items.
<b>MANAGEMENT</b>	The venue will have a manager on at all times that will be able to monitor the entrance and exit of patrons to the building. The fast service nature of a takeaway shop limits the time a patron will be in the shop purchasing their meal. Not all patrons will choose to eat in as it is primarily a take away venue. As only packaged drinks are served, a recycle bin facility will be placed within the venue and within the footpath trading area to prevent the occurrence of litter.
<b>MUSIC</b>	The proposed venue will only have background music.
<b>CAPACITY AND HOURS</b>	The proposed capacity- It is unlikely that there should be more than 50 patrons at any one time, as most customers will order their meal and 'take-away'. As we have allowed for a 1:1 ratio of patron to seating under the liquor licence, we have allowed for 50 seats within the venue and 24 seats in the footpath trading area.

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CRITERIA	RESPONSE
<b>TRANSPORT AND CAR PARKING</b>	<p>Opening hours- the shop will be open to the public between 11am to 8pm on ordinary trading days. The liquor licence will cover Carvery King from the hours of 7am to 11pm in case there is any variation of trading hours however normal trading will occur from 11am for lunch service to 8pm for dinner service.</p> <p>The Drouin public train station is approximately 1.1km walk from the venue (10mins) and there are 9 public bus stops within the 500m radius of the subject land. Customers have access to Taxi services and 7 public parking spaces are available directly in front of the venue. As the venue is located on a the main street it is approximately 150m from the public car park containing up to 60-80 car parks (2min walk).</p>

Based on these results substantiated below, we feel that Carvery King will have a positive cumulative impact in the subject area.

**1.1 Planning policy context**

Please find below our itemized responses to the existing context and assessment.

**1.1.1 Existing context**

***What are the policy, zoning and other planning controls that are relevant to the surrounding area?***

The property is in Commercial zone 1 overlay which includes the intended use of Carvery King (Shop). The Carvery restaurant has been classified as a class 2 food classification by Council. As there is no permit for the consumption of liquor currently at the premises, the purpose of this application is to obtain a liquor licence.

Please refer to Appendix D for a full list of policy, zoning and other planning controls that are relevant to the surrounding area (planning property report).

***What amenity, land use and other planning outcomes do these controls encourage?***

Commercial 1 zone encourages businesses to operate in the area, the design and development overlay protects from unwanted construction and the parking overlay prevents congestion and ensures that there is adequate parking. As the parking overlay is a relatively new overlay, previously established businesses may not have needed to meet this requirement.

Subject to achieving appropriate amenity protection outcomes (eg being in suitable locations and meeting relevant noise limits), there is strong support for (retail) licensed premises. Commercial Zone 1 encourages entertainment uses in appropriate locations (such as in activity centers), it also requires (via relevant policy) that any such uses be appropriately operated so as to be respectful of the amenity of adjoining sensitive land uses.

**1.1.2 Assessment**

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***Is the proposal consistent with the planning outcomes encouraged in the policy, zoning and other planning controls for the area?***

Yes this proposal is for a food shop in an area that is not saturated with hospitality venues, there are no Carvery shops in Drouin and it will significantly enhance the vitality of the area.

**1.2 Surrounding land use mix and amenity**

Please find below our itemized responses to the existing context and assessment.

**1.2.1 Existing context**

***Does the subject land adjoin sensitive uses?***

The subject land does not adjoin sensitive areas. The proposed Carvery King is situated in a commercial zone 1 with the nearest residential properties being 150m+ away.

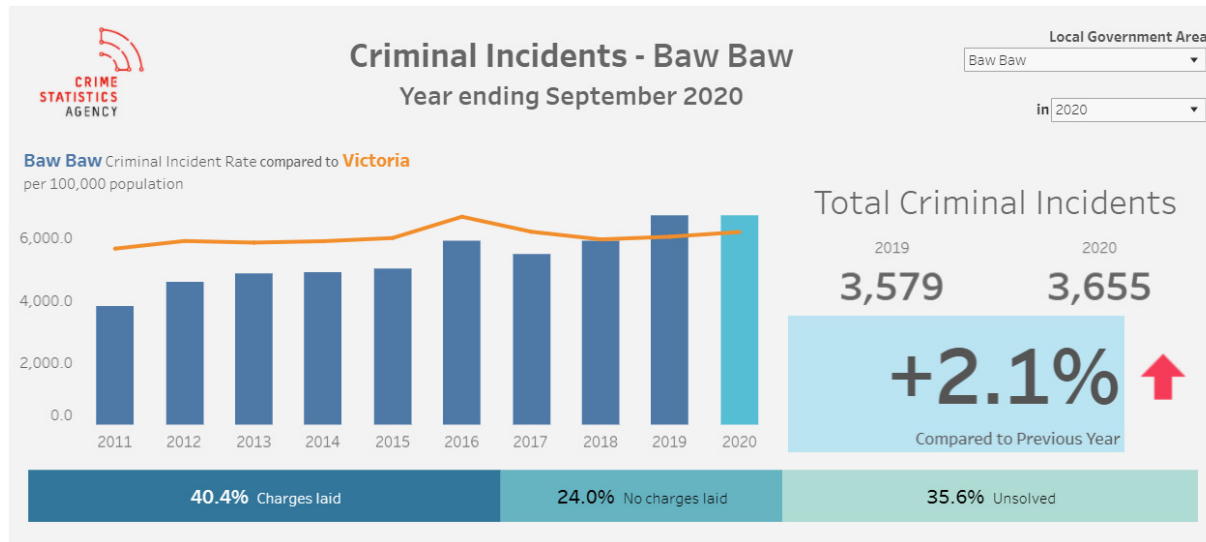
***What is the relationship between licensed premises and other uses in the area?***

There is a diverse mix of land uses within this main street area of Drouin. The location of Carvery King is near to the post office, two bakeries and opposite to another licensed restaurant and a chemist. The main street of Drouin (Princes Way) is the main location for residence seeking a variety of amenities such as banks, hair dressers, grocery shopping, post office, gift and clothing shops, medical and dental centers, real estate services and many other small businesses. This main area of Drouin is the only area in which residents can access hospitality venues providing a variety of food options, some of which are licensed however the licensed venues have no direct link to any other venues dispersed within the main street itself. There is nothing to indicate that licensed premises in the Study Area have been the subject of major objections and/or planning disputes at VCAT, indicating that there is mainly harmonious co-existence between licensed premises and residential uses.

***What are the local crime statistics related to licensed premises?***

After contacting the Drouin Police station and also liaising with the state wide Liquor Unit, data specific to licensed premises could not be located and certain information is restricted due to confidentiality. Both sources have recommended to refer to the crime statistics website which suggests that in the shire of Baw Baw, There were **3,655** criminal incidents in the year ending **September 2020**. This is **+2.1%** compared with the previous year, with **3,579** incidents. In terms of criminal incidents related to licensed premises, the Study Area is NOT in a "Designated Area" (an entertainment precinct where significant alcohol-related violence or anti-social behavior occurs) declared by the Director of Liquor Licensing under Section 147 of the Liquor Control Reform Act.

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<https://www.crimestatistics.vic.gov.au/crime-statistics/latest-crime-data-by-area>

**Are there other premises open after 11pm?**

Yes, Middles and The Drouin Family Hotel licensed venues that are open after 11pm. All other venues within 500m of the subject land are opened no later than 10:30pm.

**What is the existing level of amenity in the area?**

The level of amenity in the area in which Carvery King is proposed is that of a typical regional commercial town center, so it is expected that there is a moderate level of noise and traffic in this area. The Study Area is dominated by commercial (mainly hospitality, retail or office) uses, with few limited residential uses.

**What are the reasonable amenity expectations in the area?**

It is a general planning principle that for land in or near commercial areas it is reasonable to expect a commensurate level of peace and quiet (a level unlike that applicable to a more remote, residential location). Reasonable amenity expectations should take into account that the Study Area is dominated by commercial and other non-residential uses including hospitality uses.

**1.2.2 Assessment**

**Will the proposal significantly increase the number of patrons near sensitive uses at any time?**

No. The proposed Carvery King is situated in a commercial zone 1 with the nearest residential properties being 150m+ away and due to the nature of the proposed business it is not noted that there will be an impact of any significance to sensitive use areas.

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***Given the location and planning policy context, will the proposal generate amenity impacts beyond what is reasonable?***

No. The proposed location for Carvery King is in the Councils preferred area for hospitality venues in Drouin. There are many other positive aspects of this proposal such as use of mitigation measures, and this venues aim to enhance the overall amenity of the area by increasing consumer choice, providing an exciting and unique dining experience to customers with healthy meal options, and bringing a new and aesthetically pleasing venue to the township of Drouin. The proposal will not generate amenity impacts beyond what is reasonable (including under both state and local planning policy) for the Study Area’s Commercial 1 Zone/Town Centre location.

**1.3 Mix of Licensed Premises**

Please find below our itemized responses to the existing context and assessment.

**1.3.1 Existing context**

***What is the mix of licensed premises in the area?***

Within the 500m radius of the subject land there are 9 Licensed premises:

VENUE	LICENCE TYPE
<b>MIDDELS TAPAS BAR &amp; RESTAURANT</b>	Fully Licensed (Beer, Wine and Spirits)
<b>DROUIN PIZZA BURGER LOUNGE</b>	Fully Licensed (Beer, Wine and Spirits)
<b>HONG KONG INN RESTAURANT</b>	Fully Licensed (Beer, Wine and Spirits)
<b>KIM’S KITCHEN</b>	Fully Licensed (Beer, Wine and Spirits)
<b>THE DROUIN FAMILY HOTEL</b>	Fully Licensed (Beer, Wine and Spirits)
<b>THE ROYAL HOTEL DROUIN</b>	Fully Licensed (Beer, Wine and Spirits)
<b>LUCIANO’S BAR &amp; RESTAURANT</b>	Fully Licensed (Beer, Wine and Spirits)
<b>DROUIN THAI RESTAURANT</b>	Fully Licensed (Beer, Wine and Spirits) + BYO Wine
<b>ISSHIN JAPANESE HOUSE</b>	Fully Licensed (Beer, Wine and Spirits)

***Do any licensed premises cater for more than 200 patrons?***

The following three licensed premises cater for more than 200 patrons:

- The Drouin Family Hotel - 65 Princes Way, **Drouin**, VIC 3818
- The Royal Hotel Drouin- 2/4 Main S Rd, Drouin VIC 3818
- Middels Tapas Bar & Restaurant - 3/94 Princes Way, Drouin VIC 3818

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

There are two licensed premises that operate after 11pm, Middels Tapas Bar & Restaurant and The Drouin Family Hotel which is a public bar and restaurant with a Thirsty Camel bottle shop attached.

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

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From observation capacity at these venues is rarely reached and if it is reached there has been no evidence of queuing outside the venues.

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

No. From observation it is evident that they have 1:1 ratio of seating.

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

Yes. According to the Community Local Law 2016, in particular Part 4.12 Consumption of Liquor – page 21, it is stated:

4.12 Consumption of liquor (1) A person must not, without a permit:

- (a) on a road;
- (b) in or at a public place;
- (c) in or on a stationary vehicle on a road or in or at a public place; or
- (d) on vacant private land:
- (e) consume any liquor or have in his or her possession or control any liquor other than liquor in a sealed container.

(2) Sub-clause (1)(d) does not apply to a person who is the owner of the vacant private land or who is upon such vacant private land at the invitation or with the permission of its owner or occupier.

(3) If a person is in contravention of or has contravened sub-clause (1), an Authorised Officer may direct the person to dispose of the contents of any container containing liquor which is unsealed.

(4) If a person fails to comply with a direction under this sub-clause (3) within a reasonable time, an Authorised Officer may seize the container and dispose of its contents.

(5) Notwithstanding sub-clause (1), Council may prescribe sites or areas where consumption is permitted between nominated hours.

(6) Notwithstanding sub-clause (1), Council may declare an event or part thereof alcohol free within an area designated by the Council.

(7) Despite sub-clause (1), Council may grant a permit for the consumption of any liquor for the possession of liquor in unsealed containers in or on any road or public place at any time.

***Is there any evidence of problems apparent in the area, such as property damage or littering, that may be attributed to alcohol related incidences?***

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Based on our observations and local knowledge there is no evidence of problems in the area directly linked to alcohol related incidences or licensed premises in the area.

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

Please refer to the response of the next criterion.

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

After contacting the Drouin Police station and also liaising with the state wide Liquor Unit, data specific to current complaints or enforcement proceedings involving licensed premises in Drouin could not be located and certain information is restricted due to confidentiality. It is important to note however that from further research via <http://www.austlii.edu.au/>, the lack of public VCAT decisions involving planning applications for licensed premises in Drouin (0 cases over the last twenty years ) including no cases involving enforcement proceedings, suggests that there would not be a significant number of complaints about licensed premises in the Study Area.

The screenshot shows a search interface with the following elements:

- Top navigation: About, Contact, Copyright & Usage, Privacy, Disclaimers, Feedback, Help
- Search bar: "Drouin and licenced premises" with a search icon and a close button.
- Results: "0 documents found for (Drouin and licenced premises)"
- Database categories: All Databases, Cases & Legislation, Journals & Scholarship, Treaties, Libraries, LawCite
- Sort options: By Relevance, By Citation Frequency, By Database, By Date, By Title
- Buttons: Collapse multi-sections, Show all sections, Show Excerpt
- Results per page: 10 results per page
- Selected databases: DATABASES SELECTED: Victorian Civil and Administrative Tribunal
- Repeat search options: REPEAT SEARCH OVER: All Databases, WorldLI Databases, Catalog & Websearch, Law on Google

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5 documents found for (Drouin and 52.27)

▼ Drouin and 52.27

- All Databases
- Cases & Legislation
- Journals & Scholarship
- Treaties
- Libraries
- LawCite

By Relevance By Citation Frequency By Database By Date By Title  Show Excerpt

Collapse multi-sections Show all sections

Pisana v Baw Baw SC [2006] VCAT 1589 (7 August 2006)	Victorian Civil and Administrative Tribunal (AustLII) · 7 August 2006 · 21 KB · LawCite *****	Relevance: 100%
Trio Taverns Pty Ltd v Port Phillip CC decision [2012] VCAT 1430 (17 September 2012)	Victorian Civil and Administrative Tribunal (AustLII) · 17 September 2012 · 60.1 KB · LawCite *****	Relevance: 50%
Morphett v Baw Baw SC [2016] VCAT 2158 (19 December 2016)	Victorian Civil and Administrative Tribunal (AustLII) · 19 December 2016 · 57.2 KB · LawCite *****	Relevance: 44%
Prizac Investments Pty Ltd & Ors v Maribyrnong CC & Ors (includes Summary) (Red Dot) [2009] VCAT 2616 (15 December 2009)	Victorian Civil and Administrative Tribunal (AustLII) · 15 December 2009 · 219 KB · LawCite *****	Relevance: 33%
ALH Group Property Holdings Pty Ltd v Whittlesea CC (Corrected) [2017] VCAT 2164 (21 December 2017)	Victorian Civil and Administrative Tribunal (AustLII) · 21 December 2017 · 212 KB · LawCite *****	Relevance: 11%

DATABASES SELECTED

Victorian Civil and Administrative Tribunal

REPEAT SEARCH OVER

- All Databases
- WorldLII Databases
- Catalog & Websearch
- Law on Google

SUGGESTED GUIDES

- User Guide
- Advanced Search

PRINT

Print (web view)

1.3.2 Assessment

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

The introduction of Carvery King into the main street of Drouin is a placemaking process that strongly contributes to the economic development and aesthetics of the township. The process of placemaking with an inclusive and fun take away venue such as Carvery King can be extraordinarily effective in making people feel attached to the places where they live. That, in turn, makes people more likely to get involved and build shared wealth in their communities. There is a significant correlation between community attachment and economic growth. It has also been found that there is an empirical relationship between higher levels of attachment and cities' GDP growth. The proposal of Carvery King obtaining a permit to become a licensed venue and establishing within the township of Drouin adds to the vibrancy of the area by providing a versatile hospitality venue that can be enjoyed by all in the community. Additionally, studies have found that having good quality cafes and restaurants nearby adds to the property values of those surrounding the subject land.

While licensed premises may have a cost to the community, they also produce employment and economic activity that is beneficial both to directly the community and to councils which rely on rate revenue. Licensed premises also provide a popular form of recreation that is of social benefit to the community, with people coming to enjoy themselves after a hard day of work, making new friends whilst getting a healthy meal for the family when there is not enough time in the day to cook.

Reference: <https://www.smartcitiesdive.com/ex/sustainablecitiescollective/placemaking-shared-focus-place-builds-vibrant-destination/127951/>

<https://www.struttandparker.com/knowledge-and-research/which-local-amenities-add-most-value>

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

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As there is already a licensed restaurant 100m from the proposed Carvery King, minimal additional impacts are predicted. Also due to the fact that Carvery King will be operating from 11am for lunch service to 8pm for dinner service, it is not likely that more impact will be created as our trading hours are less and earlier than those from nearby licensed venues. As the carvery is only regularly open until 8pm, the risk of late night consumption of alcohol is mitigated.

**1.4 Transport and dispersal**

Please find below our itemized responses to the existing context and assessment.

**1.4.1 Existing context**

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

There is a spread of closing hours between the venues in the cumulative assessment area:

<b>VENUE</b>	<b>LATEST CLOSING TIME</b>
<b>MIDDELS TAPAS BAR &amp; RESTAURANT</b>	12:00am
<b>DROUIN PIZZA BURGER LOUNGE</b>	10:00pm
<b>HONG KONG INN RESTAURANT</b>	9:00pm
<b>KIM'S KITCHEN</b>	9:00pm
<b>THE DROUIN FAMILY HOTEL</b>	12:00am
<b>THE ROYAL HOTEL DROUIN</b>	10:30pm
<b>LUCIANO'S BAR &amp; RESTAURANT</b>	10:00pm
<b>DROUIN THAI RESTAURANT</b>	9:00pm
<b>ISSHIN JAPANESE HOUSE</b>	10:00pm

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

No. Based on our observations and local knowledge there is not a high number of patrons on the streets after 11pm.

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

Customers also have access to Taxi services. In addition, the Drouin public train station is approximately 1.1km walk from the venue (10mins) and there are 9 public bus stops within the 500m radius of the subject. Which appear to have varying operating times that will help disperse patrons as needed.

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

As this is a rural town there are no ranks dedicated to Taxis however as the proposed venue is located on the main street of the township, Taxis are frequently available.

***Is there car parking available and where is it located?***

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Yes. Customers have access to 7 public parking spaces that are available directly in front of the venue. As the venue is located on a the main street it is approximately 150m from the public car park containing up to 60-80 car parks (2min walk).

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

There is a paved footpath area directly in front of the shop that is wheelchair accessible. People will walk across to access the car parks in front or other methods of transportation.

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

No, There are no apparent patron movement problems. Based on our observations and local knowledge there is no existing problem related to movement of patrons through the area. The neighborhood has a dispersed street pattern with wide footpaths, good pedestrian connectivity and no significant bottle-necks such as narrow bridges.

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

No. Based on our observations and local knowledge there are no identified issues with accessing public transport in this area.

**1.4.2 Assessment**

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

As the carvery is only regularly open until 8pm, the risk of late night consumption of alcohol is mitigated. Due to the nature of this take away venue, patron dispersal is not noted to be a significant issue as they will be served quickly and are not predicted to stay at the venue for a long duration of time or in a large group setting.

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

No, it is not likely that more or any impact will be created as our trading hours are less and earlier than those from nearby licensed venues. There are currently no impacts in the location where Carvery King will be situated in relation to licensed premises and closing times or dispersals.

**1.5 Impact Mitigation**

Please find below our itemized responses to the existing context and assessment.

**1.5.1 Existing context**

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

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Yes. As only packaged drinks are served, a recycle bin facility will be placed within the venue and within the footpath trading area to prevent the occurrence of litter. The proposed Carvery King venue also provides a drinking water station and a accessible toilet facilities for patrons on site.

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

No, we are unaware of any relevant public safety or enforcement initiatives in the area.

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

According to the Warragul/Drouin Framework plan (See attachment) Drouin has been described as a secondary center to Warragul. According to the 2018 Census however, Warragul has a population of 20,000 and is closely followed by Drouin at almost 18,000. This would imply that there has been an exponential growth with both towns almost matching in scale of population. As this town was originally defined as a small rural town, the Study Area was not specifically developed with (contemporary) “principles of good urban design and safe design” in mind. Many of the dwellings and shop buildings in the Study Area have a direct interface with “the street”, with most such buildings fronting a street. According to objective 1.1.4 of the Victorian Governments Urban Structure principals, it must be ensured that the urban structure provides good amenity and safe interfaces between infrastructure corridors and adjacent land uses. Based on the current on-ground observations, we understand there is an incremental development approach being adopted by Council for meeting some of the newer planning principles. Carvery King will work with Council as-needed on this journey however as we are leasing the tenancy and the area around our premises already has existing thoroughfares cannot see ways of contributing to these principles under this application.

The main street of Drouin (at the Carvery King proposed site) meets the criteria of objective 3.1.4 -To ensure safety and amenity in public spaces. This is because it is easy to Locate public toilets, play and recreation facilities in accessible and active areas.

**1.5.2 Assessment**

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

Yes. Summary of mitigation measures to address any negative cumulative impacts

- A recycle bin facility will be placed within the venue and within the footpath trading area to prevent the occurrence of litter.
- Drinking water station provided.
- Disabled toilet facility for patrons on site.
- All staff of Carvery King will be equipped with their Responsible Service of Alcohol Training to ensure that any negative cumulative impacts such as intoxicated persons are mitigated.
- The venue will have a manager on at all times that will be able to monitor the entrance and exit of patrons to the building.
- Formal Standard Operating Procedures (SPOs) will apply to patron management.

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- Trading hours- Carvery King is only regularly open until 8pm, the risk of late night consumption of alcohol is mitigated.

***Can any identified negative cumulative impact be satisfactorily reduced by changes to the proposal?***

No. At this stage all aspects of possible negative cumulative impact have been assessed prior to the development of this proposal to ensure a comprehensive series of measures will be in place once trading commences.

If there is any further evidence required to complete the final impact assessment or other planning considerations, we welcome the opportunity to provide you with further information at your convenience

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### **Appendix C – Car Parking**

Based on the feedback from Council, Carvery King are open to formally amending our application to "0" carpark space reduction based on our findings in Appendix B.

Please inform us at your convenience if this is required.

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## Appendix D – Planning Property Report

Please refer to our attachment "Appendix D - Planning Property Report (Carvery King)" extracted on 27th January 2021".

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