Notice of Application for a Planning Permit



The land affected by the application is located at:	L4B V3572 F280 SEC A Parish of Gembrook 19 Kilvington Drive, Emerald VIC 3782
The application is for a permit to:	Sale and consumption of liquor

APPLICATION DETAILS				
The applicant for the permit is: Gemco Players Community Theatre Inc				
Application number: T240442				

You may look at the application and any documents that support the application at the office of the Responsible Authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website: cardinia.vic.gov.au/advertisedplans or by scanning the QR code.



HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:

17 December 2024

WHAT ARE MY OPTIONS?

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.

If you object, the Responsible Authority will notify you of the decision when it is issued.

Application is here

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.



lodged

2

Council initial assessment

3

4

Consideration of submissions



Assessment



Decision



Planning Enquiries Phone: 1300 787 624 Web: www.cardinia.vic.gov.au

Office Use Only			
Application No.:	Date Lodged:	/	/

Application for a **Planning Permit**

If you need help to complete this form, read MORE INFORMATION at the end of this form.

📤 Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any questions, please contact Council's planning department.

Questions marked with an asterisk (*) must be completed.

If the space provided on the form is insufficient, attach a separate sheet.

Click for further information

The Land I

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Formal Land Description * Complete either A or B.

A This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property

Un	it No.: St. No.: 19 St. Name: Kilvington dr						
Su	Suburb/Locality: Emerald Postcode: 3782						
Α	Lot No.: OLodged Plan O Title Plan Plan of Subdivision No.:						
OR							
В	Crown Allotment No.: 4U Section No.: A						
	Parish/Township Name: Township of Emerald Parish of Gembrook.						

The Proposal

A You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit? *

application for a restricted club liquor licence to LCV in order to sell and supply liquor on the premises during performing arts related activites

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Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal

Estimated cost of any development for which the permit is required *

You may be required to verify this estimate. Cost \$ 0 Insert '0' if no development is proposed.

If the application is for land within metropolitan Melbourne (as defined in section 3 of the Planning and Environment Act 1987) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.



Existing Conditions III

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

THE GEM COMMUNITY ARTS CENTRE OWNED AND OPERATED BY GEMCO PLAYERS COMMUNITY THEATRE INC. ON BEHALF OF THE COMMUNITY FOR PERFORMING ARTS RELATED ACTIVITES.

Provide a plan of the existing conditions. Photos are also helpful.

Title Information I



Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- ✓ No
- Not applicable (no such encumbrance applies).
- Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details 1



Provide details of the applicant and the owner of the land.

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Applicant *

The person who wants the permit.

Name: Title: Mr First Name Organisation (if applicable): GEMCO PLAYERS COMMUNITY THEATRE INC. Postal Address: If it is a P.O. Box, enter the details here: St. Name: BELGRAVE-GEMBROOK RD. St. No.: 209 Unit No.: Suburb/Locality: MENZIES CREEK, State: VIC. Postcode: 3159

Please provide at least one contact phone number

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact information for applicant OR contact person below

Business phone: Email: MIGHTYMAT@GMAIL.COM

Fax:

If it is a P.O. Box, enter the details here:

Title: First Name: Organisation (if applicable):

Mobile phone: 0405148663

Contact person's details*

Name:

Postal Address:

Surname:

Same as applicant

Unit No.: St. No.: St. Name:

Suburb/Locality:

State: Postcode:

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:			Same as applicant		
Title:	First Name:		Surname:		
Organisation (if	applicable): CARDINIA SI	HIRE COUN	CIL		
Postal Address:		If it is a P.O. E	Box, enter the details here:		
Unit No.:	St. No.: 20	St. Name:	Siding Avenue,		
Suburb/Locality: Officer			State: VIC Postcode: 3809		
Owner's Signature (Optional):			Date: 30/08/2024		
			day / month / year		



Declaration I

This form must be signed by the applicant *

A Remember it is against

the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.					
Signature Date: 30/08/2024					
day / month / year					

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

Checklist I

Have you:

Ø.	lo Yes	If 'Voo' with whom?		
V I	vo tes	If 'Yes', with whom?:		
		Date:		day / month / year
V	Filled in the for	m completely?		
	Paid or include	d the application fee?		eations require a fee to be paid. Contact Council le the appropriate fee.
Ø	Provided all ne	cessary supporting inforr	mation and do	cuments?
	A full, current c	opy of title information for each indiv	vidual parcel of land	forming the subject site.
	A plan of existing	ng conditions.		
	Plans showing	the layout and details of the proposa	al.	
	Any information	required by the planning scheme, r	requested by counci	l or outlined in a council planning permit checklist.
	If required, a de	escription of the likely effect of the pr	roposal (for example	, traffic, noise, environmental impacts).
				rtificate expires 90 days after the day on which it is to comply means the application is void.
	Completed the	relevant council planning	permit checkl	ist?

Lodgement I



Lodge the completed and signed form, the fee and all documents with:

Cardinia Shire Council

PO Box 7

Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Signed the declaration?

Contact information:

Telephone: 1300 787 624 Email: mail@cardinia.vic.gov.au

DX: 81006

Deliver application in person, by post or by electronic lodgement.



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 03572 FOLIO 280

Security no : 124120213406H Produced 28/11/2024 09:24 AM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 4B Section A Township of Emerald Parish of Gembrook.

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CARDINIA SHIRE COUNCIL of 20 SIDING AVENUE OFFICER VIC 3809
AR278928Q 25/07/2018

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP450633J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

------ SEARCH STATEMENT-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 19 KILVINGTON DRIVE EMERALD VIC 3782

ADMINISTRATIVE NOTICES

NIL

eCT Control 09857J CARDINIA SHIRE COUNCIL Effective from 25/07/2018

DOCUMENT END

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Title 3572/280 Page 1 of 1



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Document Type	Plan
Document Identification	TP450633J
Number of Pages	2
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Document Assembled	28/11/2024 09:24

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TITLE PLAN EDITION 1 TP 450633J

Location of Land

Parish: GEMBROOK Township: EMERALD Section: A

Crown Allotment: Crown Portion:

Last Plan Reference:

Derived From: VOL 3572 FOL 280

4B

Depth Limitation: 50 FEET

Notations

SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 3572 FOL. 280 AND NOTED ON SHEET 2 OF THIS PLAN

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

VERIFIED:

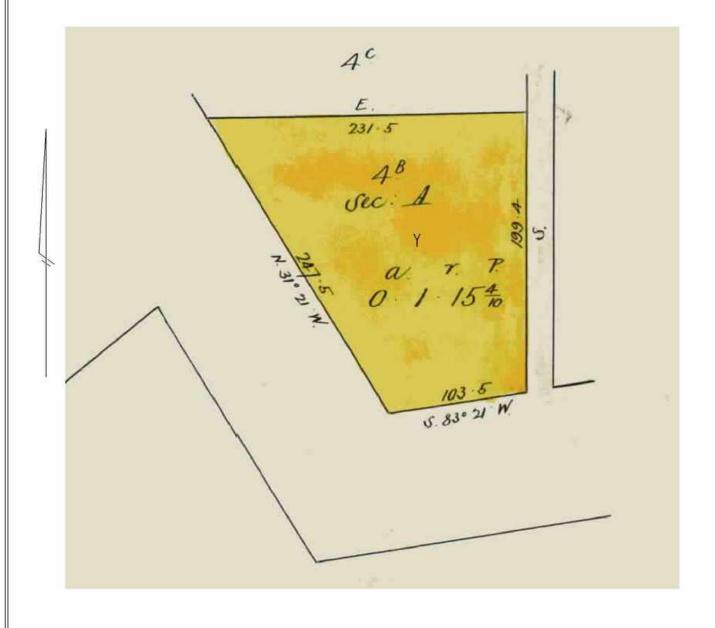
Description of Land / Easement Information

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THIS PLAN HAS BEEN PREPARED
FOR THE LAND REGISTRY, LAND
VICTORIA, FOR TITLE DIAGRAM
PURPOSES AS PART OF THE LAND
TITLES AUTOMATION PROJECT
COMPILED: 24/05/2000

COLOUR CODE

M.P



LENGTHS ARE IN LINKS

Metres = 0.3048 x Feet Metres = 0.201168 x Links

Sheet 1 of 2 sheets

TITLE PLAN

TP 450633J

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT

containing one rood liften perches and four lenths of a perch more or less being allotment four B of Lection A in the Sounship of Emerald

delineated with the measurements and abuttals thereof in the map drawn in the margin of these presents and therein coloured yellow. Provided nevertheless that the grantee shall be entitled to shall be for water and to the use and enjoyment of any spring or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held at land without limitation as to depth. Excerting nowertheless unto so our heirs and successors all gold and silver and surferous and argentiferous earth and stone and all mines seems as and deposits containing gold silver copper tin antimony coal and other metals and minerals are in upon and under and within the boundaries of the land hereby granted from the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral and minerals and mineral and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal and other metals and minerals and mineral ores and to search for and work dispose of and carry away the gold silver copper tin antimony coal metals minerals and their ores and the mines metals and minerals in the land lying in upon and under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon or under the land hereby granted

I'ROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 180 of the Land are 1901. AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a licence to search for metals or minerals or of a mining or mineral lease to enter therein and to mine for gold silver copper the antimony coal and other metals and mineral ores and to except and to occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those on which the holder of a miner's right or of a mining or mineral lease had at the date of these presents the right to mine for gold and silver in and upon Crown lands. Provided that compensation shall be

paid to the said_ GRANTEE

he beins executors administrators assigns and transferees by such person for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as provided for the time being by law for the case of land resumed for mining purposes and the payment thereof to be a condition precedent to such right of entry.

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Metres = 0.201168 x Links

Sheet 2 of 2 sheets



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 10684 FOLIO 278

Security no : 124117379320L Produced 12/08/2024 10:27 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 4U Section A Township of Emerald Parish of Gembrook.

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CARDINIA SHIRE COUNCIL of 20 SIDING AVENUE OFFICER VIC 3809
AR277886K 24/07/2018

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP817132Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

------ SEARCH STATEMENT-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: KILVINGTON DRIVE EMERALD VIC 3782

ADMINISTRATIVE NOTICES

NIL

eCT Control 09857J CARDINIA SHIRE COUNCIL Effective from 24/07/2018

DOCUMENT END

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Title 10684/278 Page 1 of 1



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Document Type	Plan
Document Identification	TP817132Q
Number of Pages	2
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EDITION

TITLE PLAN

TP817132Q

Location of Land

Parish:

GEMBROOK

1

Township:

EMERALD

Crown allotment: 4U

: 4U

Section : Crown portion

LTO base record Last Plan Reference : -Title References : -

Depth Limitation: 15 METRES

Notations

SUBJECT TO RESERVATIONS, EXCEPTIONS, CONDITIONS AND POWERS NOTED ON SHEET 2 OF THIS PLAN.

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM

SHOWN ON THIS TITLE PLAN.

Easement Information

E - Encumbering Easement

R - Encumbering Easement (ROAD)

A - Appurtenant Easement

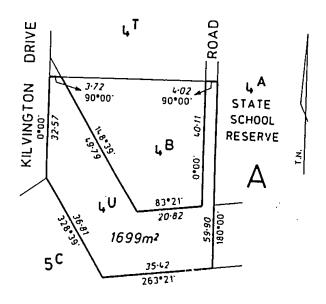
THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT.

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefitted / In favour of
NIL				
Ì				

29 OCT 2002

Assistant Registrar of Titles

VERIFIED:



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LENGTHS ARE IN METRES

NOT TO SCALE SHEET

SIZE

A3

DEALING No:

AB644041N

Sheet 1 of 2 Sheets

EDITION 1

TITLE PLAN

TP817132Q

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT

all that piece of land in the said State being Allotment 4^U of Section A Township of EMERALD Parish of GEMBROOK and being the land shown enclosed by continuous lines in

PROVIDED that this Grant is made subject to -

the reservation to Us Our heirs and successors of -

the map hereon and identified by that allotment number

- any minerals within the meaning of the Mineral Resources Development Act 1990 and petroleum within the meaning of the Petroleum Act 1958 (hereinafter called "the reserved minerals");
- rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;
- rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;
- the right to resume the said land for mining purposes pursuant to section 205 of the Land Act 1958; (b)
- the right of any person being a licensee under the Mineral Resources Development Act 1990 or any corresponding previous enactment to enter on the said land and to do work within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to do such work in and upon Crown lands provided that compensation as prescribed by Part 8 of that Act is paid for surface damage to be done to the said land by reason of doing such work on it.

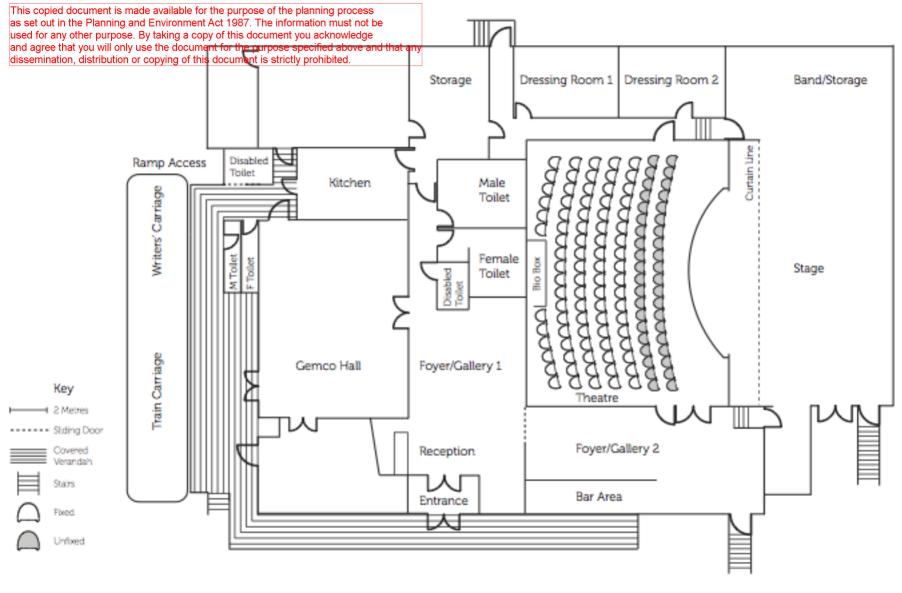
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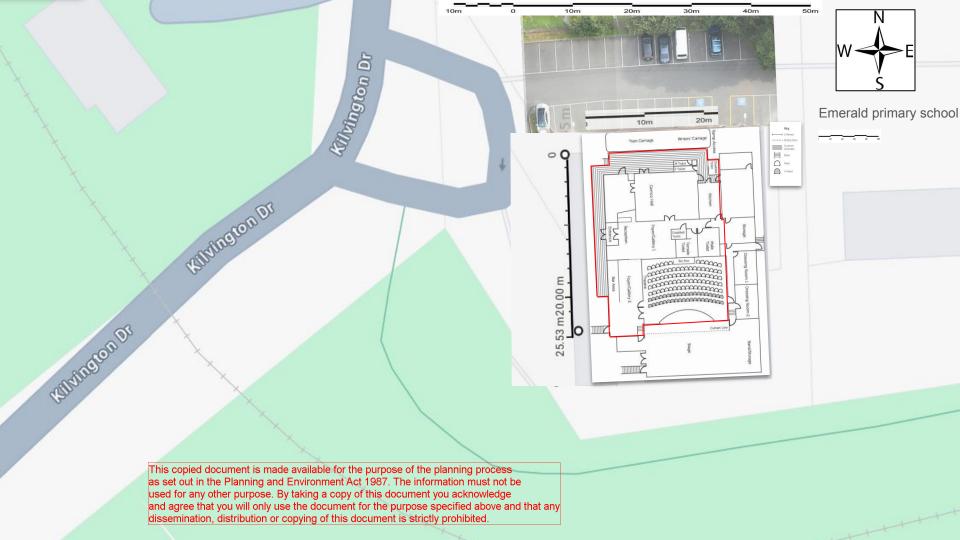
SEE SHEET 1 FOR DIAGRAM.

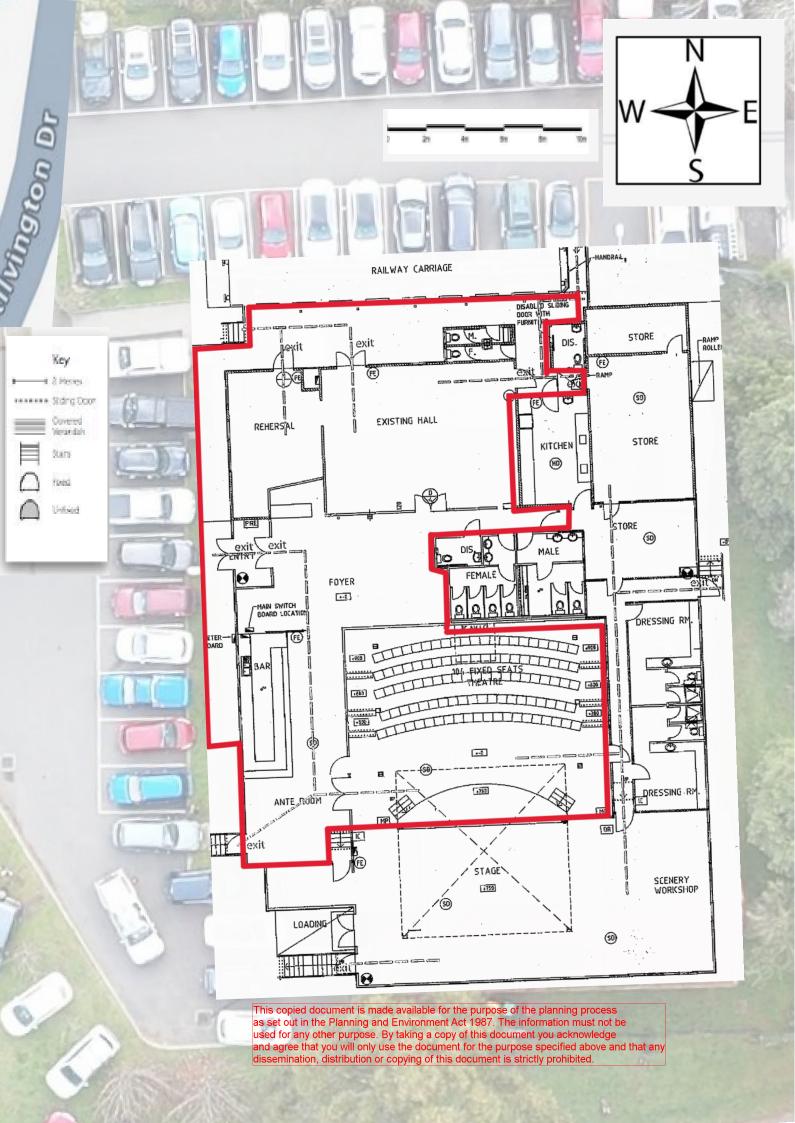
SHEET SIZE АЗ

DEALING No:

AB644041N







Application No.: T240442 PA

Property No.: 2451851700

Address: L4B V3572 F280 SEC A Parish of Gembrook, 19 Kilvington Drive, Emerald

VIC 3782

Proposal: Liquor Licence (Restricted)

Submission Request

- a) **Proposed Use and Types of Activities** The primary purpose of the venue is to provide a community space focused on theatrical performances, and creative arts. The activities offered include:
 - Theatrical performances and events: Hosting a variety of theatrical performances and events, such as monthly open stage nights, stage performances and entertainment. Featuring live acoustic music, trivia nights and other arts related activities.

The space aims to create a welcoming environment for a diverse clientele, fostering community engagement and creative arts.

b) Operational and Alcohol Serving Hours

Maximum Operating Hours:

- Monday to Thursday, 10:00 am to 11:00 pm;
- Friday to Saturday, 10:00 am to 11:30pm;
- Sunday, 11:00 am to 10:00 pm.

Alcohol Serving Hours: Align with maximum operating hours, except for last-call adjustments 30 minutes before closing.

- c) Assessment against Clause 52.27 (Licensed Premises) Per Clause 52.27, the venue will be designed to balance licensed activity with the amenity of surrounding areas:
 - **Minimizing Noise Impact**: sufficient soundproofing provides that noise levels are contained within the building.
 - **Managing Patron Conduct**: Staff will monitor guest behaviour closely to prevent disorderly conduct that could disrupt the surrounding area.
 - **Compliance with Regulations**: Adherence to all liquor license conditions, including patron capacity and responsible service of alcohol, will be maintained.

d) Current and Proposed Maximum Patron and Staff Capacity

- Current Capacity: The current capacity is 150 patrons including staff members.
- **Proposed Capacity**: as above

e) Hours of Operation

Monday to Thursday: 10:00 am – 11:00 pm
 Friday to Saturday: 10:00 am – 11:30 pm

• Sunday: 11:00 am – 10:00 pm

f) Management of Patron Entry and Exit

- Signage: patrons are guided by clear signage and safe passage to enter and exit the venue.
- **Queue Management**: Clearly marked queuing areas will be established, with staff to manage lines and minimise disruption.
- **Exit Protocols**: At closing time, patrons will be encouraged to leave quietly, and any disturbances will be promptly addressed.
- **g**) **Cumulative Impact Assessment** The venue has conducted an impact assessment using Planning Practice Note 61 as a guideline. In summary:
 - Balance with Existing Licensed Premises: The area currently has few late-night licensed venues, so the proposed hours and activities will complement rather than overcrowd the local entertainment offering. The area also has no licenced venues specific to providing community theatre and arts related activities.
 - **Mitigation of Amenity Impacts**: Noise management, responsible service, and staff protocols will help maintain the area's amenity.
 - **Support for Local Economy**: The venue aims to add value to the area by attracting visitors and creating local community engagement and belonging, which aligns with community and economic development goals.

This assessment intends to illustrate the venue's commitment to a positive integration within the local community, promoting a responsible, enjoyable, and secure environment for patrons and residents alike.

	there are 6 licensed premises within a radius of 500 metres from the subject land (19 Kilvington Dr, Emerald. Vic 3782.)						
Licence #	Licensee	Trading As	Category	trading hours	Address	distance from subject land	access from subject land to other licenced
31424045	EMERALD SUB- BRANCH RSL OF AUSTRALIA (VIC BRANCH) INC	EMERALD SUB- BRANCH RSL OF AUSTRALIA	Restricted Club Licence	Tuesdays and Thursdays 5.00pm- 10.30pm	3 MEMORIAL AVENUE	400m	1 min drive, 6 min walk
32020519	RITCHIES STORES PTY LTD	RITCHIES IGA PLUS LIQUOR (EMERALD)	Packaged Liquor Licence	Monday -Wednesday 9:00am - 8:00pm Thursday - Saturday 9:00 am - 9:00 pm Sunday 10:00 am - 7:00 pm	LOT 7 BELGRAVE- GEMBROOK ROAD	300m	2 min drive, 2 min walk
32056049	MOLONEY ENTERPRISES PTY LTD	CELLARBRATIONS OF EMERALD	Packaged Liquor Licence	Monday -Wednesday 9:00am- 9:00pm Thursday - Saturday 9:00am-10:00pm Sunday 10:00am-9:00pm	10 KILVINGTON DRIVE	200m	1min drive, 2min walk
32313776	CHUSAKSAKULW IBOON CHAKHRIT	EMERALD THAI RESTAURANT	Restaurant and cafe Licence	Monday - Saturday 4.30pm - 9.00pm. Sunday 5.30pm-8.30pm	12B KILVINGTON DRIVE	190m	1 min drive, 2 min walk
32356910	MCCROHAN TIMOTHY JOHN	THE RAILWAY DOG	On-Premises Licence	Thursday - Saturday	SHOP 5 329 - 331 BELGRAVE - GEMBROOK ROAD	450m	2min drive, 6 min walk

				Tuesday			
32376635	3 LITTLE REASONS PTY LTD			11.00pm-8.00pm.			
				Wednesday			
				10.00pm-8.00pm.	SHOP 4 329		
		FLAVOUR BOMB	Restaurant and cafe	Thursday-Saturday	BELGRAVE -		
		CAFE	Licence	12.00pm-8.00pm	GEMBROOK ROAD	400m	4 min drive, 6 min walk