

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 2019

Licensee	MINARDI PTY LTD (ACN:102 411 781)		
Address for service of notices	585 LONSDALE STREET MELBOURNE 3000	Licensed premises address	585 LONSDALE STREET MELBOURNE 3000
Trading as	COLONIAL HOTEL		

#### GENERAL INFORMATION

A liquor licence does not override local laws, planning schemes and conditions on planning permits. It is the licensee's responsibility to ensure they comply with these.

#### TYPE OF LICENCE

This licence is a late night (on-premises) licence and authorises the licensee to supply liquor on the licensed premises for consumption on the licensed premises during the trading hours specified below.

#### 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. The licensee shall ensure that the level of noise emitted from the licensed premises shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No.N-2.

When live or recorded amplified music other than background music is provided:

- The licensee shall install and maintain a surveillance recording system able to clearly identify individuals, which shows time and date and provides continuous images of all entrances and exits, bars and entertainment/dance floor areas. The surveillance recording system must operate from 30 minutes before the start of the entertainment being provided, until 30 minutes after closure. A copy of the recorded images must be available upon request for immediate viewing or removal by the Victoria Police, or a person authorised in writing by the Victorian Commission for Gambling and Liquor Regulation, or otherwise retained for at least one month.
- Crowd controllers, licensed under the Private Security Act 2004, are to be employed at the ratio of 2 crowd controllers for the first 100 patrons and 1 crowd controller for each additional 100 patrons or part thereof. One crowd controller is to be present outside the premises to monitor patrons arriving at and departing from the premises. Crowd controllers are to be present from 30 minutes before the start of the entertainment being provided, until 30 minutes after closure.

#### CONDITIONS IMPOSED BY ORDER OF THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (VCAT) DATED 26 APRIL 2005 AND 13 SEPTEMBER 2012

On each floor or area in which live or amplified music is provided;

- The Licensee shall install and maintain at the premises, noise limiting or sound attenuation equipment.
- The noise limiting or sound attenuation equipment must be set by an independent, qualified acoustic engineer to limits which result in compliance with SEPP N-2 at the nearest or most affected residence.
- Such equipment is to operate in a way that the SEPP N-2 compliant noise limits set by the independent, qualified acoustic engineer cannot be exceeded.
- Without limiting the generality of the preceding conditions, on Thursday, Friday and Saturday nights and the eve of public holidays (including the day following until 7 am) the noise limiting or sound attenuation equipment must prevent average maximum sound pressure levels from exceeding the levels described below, when measured as an L10 unweighted octave-band centre frequency at a distance of 4 metres from all major low frequency loudspeakers;

	63 Hz	125 Hz	250 Hz	500 Hz
Ground Floor	112 dB	111 dB	100 dB	
First Floor (mezzanine)	106 dB	106 dB	100 dB	
Second Floor (Any entirely enclosed area)	112 dB	112 dB	110 dB	

Second Floor 102 dB 102 dB 96 dB 94dB  
(Any area that is not entirely enclosed including the Garden Bar)

- (e) The Licensee must not alter, cause to be altered or allow others to alter the limits on the noise limiting or sound attenuation equipment.
- (f) Any sound or amplification equipment which is installed or used at the premises must be connected to the noise limiting or sound attenuation equipment which has been set according to the preceding conditions, and must only be installed or used in a way that is subject to the noise limits set according to the preceding conditions.
- (g) A Compliance Certificate indicating all settings of the noise limiter must be kept at the premises.
- (h) On Sunday, Monday Tuesday and Wednesday nights (including the day following to 7am) with the exception of the day preceding a public holiday, no amplified music other than background music as defined in s.9A of the Liquor Control Reform Act 1998, is permitted at the premises, unless the licensee first:
- (i) uses a qualified sound engineer to set the noise limiting or sound attenuation commitment at values 5dB lower at the 63 Hz frequency than that contained in the preceding table for the ground floor and second floor (enclosed) areas; and
  - (ii) who must make a corresponding entry in the venue's Acoustic Book that at a certain time and date the noise limiting and sound attenuation commitment has been adjusted.
- (i) The licensee shall arrange for a sign to be erected near all entrances/exits to the premises requesting patrons to leave the premises in a quiet and orderly manner so as not to disturb the peace and quiet of the neighbourhood.
- (j) Where the premises's entrance and exit to Brown Alley are open for use by members of the public and live or amplified music, other than background music, is being played, the Licensee shall employ two crowd controllers to patrol Brown Alley to ensure patrons entering and leaving the licensed premises do so in a quiet and orderly manner.

Whilst Minardi Pty Ltd remains the licensee, the following additional conditions are imposed on the licence. These conditions cease to have effect upon Minardi Pty Ltd ceasing to be the licensee.

(A) For a trial period of 12 months, effective from 16 January 2017, item (d) or order no. 12 of Deputy President C Aird [VCAT Reference B257/2009] (i.e crowd controller condition where patron numbers exceed 100) as it appears in the Operational Agreement to not have effect.

(B) For a trial period of 12 months, effective from 16 January 2017, the following condition to not have effect: No entry of new patrons is to be allowed into the premises from 2am on Friday mornings and 3am on Saturday and Sunday mornings and on public holidays.

That 12 months from 16 January 2017, the effectiveness of the trial [items (A) and (B)] be reviewed by the Commission. That the Commission consult with the relevant Licensing Inspector and the licensee when reviewing the effectiveness of the trial.

That if, in the opinion of the Commission, the trial has not resulted in further detriment being caused to the amenity of the area above items may be made permanent variations.

(C) The licensee must ensure that the licensed premises is operated in compliance with the terms of the Operational Agreement of 16 January 2017, a copy of which is to be kept on the licensed premises and available for inspection upon request by an authorised person (within the meaning of that term as defined under the Liquor Control Reform Act 1998)

#### MAXIMUM CAPACITIES

900 patrons

#### TRADING HOURS

Sunday	Between 10am and 7am the following day.
ANZAC Day (not being a Sunday)	Between 12 noon and 7am the following day.
Good Friday Eve	Between 7am and 5am the following day.
Good Friday	Between 12 noon and 1am the following day.
On any other day	Between 7am and 7am the following day.

#### APPROVALS/CONSENTS

Section 9(1)(b)/9A(1)(b)/11A(3)(b) Footpath/External area. The licensee is authorised to supply liquor on premises, other than the licensed premises, authorised by the Victorian Commission for Gambling and Liquor Regulation and shown on the approved plan during the hours specified below for consumption on those premises.

ANZAC Day & Good Friday	Between 12 noon and 11pm
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On any other day

Between 10am and 11pm

End of Conditions - Printed on 16/09/2019

Not for display