

**12.4 LICENCE TO LOCATE A PERMANENT ALFRESCO STRUCTURE IN THE GROSVENOR ROAD ROAD RESERVE ADJACENT TO 639-643 (LOT 1) BEAUFORT STREET, MOUNT LAWLEY**

- Attachments:**
1. Plan of Licence Area
  2. Design Review Panel 29 July Minutes
  3. Plans of proposed alfresco deck structure

**RECOMMENDATION:**

That Council

1. APPROVES the City granting a licence to Bonnie Brew Pty Ltd (ACN 642 782 081), tenant of Lot 1 on Deposited Plan 1237, Certificate of Title Volume 2111 Folio 336, known as 639-643 Beaufort Street, Mount Lawley (639-643 Beaufort Street), for part of the road reserve adjacent to 639-643 Beaufort Street and Grosvenor Road, as shown in Attachment 1, on the following key terms:
  - 1.1 Term: 5 years with a 5 year option term;
  - 1.2 Licence Area: 118m<sup>2</sup> (37.6m x 3.15m) of Grosvenor Road road reserve (verge area);
  - 1.3 Licence fee: \$3,500 per annum plus GST, indexed by CPI annually on 1 July;
  - 1.4 Permitted use: alfresco structure with balustrade and decking for casual outdoor dining and liquor consumption, as shown in the plan at Attachment 3;
  - 1.5 Non-Exclusive use: Applicant is granted **non**-exclusive use of the Licence Area ~~during business hours only~~;
  - 1.6 Removal of furniture: all furniture used within the Licence Area must be temporary and removed by the Applicant at the close of each business day;
  - 1.7 Cleaning: Applicant must, at its cost, keep the Licence Area clean and tidy at all times;
  - 1.8 Insurance: Applicant must effect and maintain public liability insurance to a minimum value of \$20,000,000 (per claim);
  - 1.9 Indemnity: Applicant will indemnify the City and the Minister for Lands against loss or damage to property or persons occurring as a result of the Applicant's fixtures, fittings and use of the Licence Area;
  - 1.10 Maintenance: Applicant must, at its cost, keep the Licence Area in good repair including repairing damage to structures, fittings or fixtures on the Licence Area;
  - 1.11 Outdoor Eating Area Permit: Applicant must (for the duration of the Licence) maintain a valid Outdoor Eating Permit for the Licence Area;
  - 1.12 Assignment: Applicant must ensure the licence is assigned to the new business owner or registered proprietor on the transfer/sale of the business or 639-643 Beaufort Street;