

**PP97/2019-1**

**10 Miller Street COLAC**

**Lot: 1 TP: 244198 V/F: 8111/828**

**Use and Development of a Medical Centre and  
Reduction of Car Parking (Two Spaces)**

**Sincock Planning**

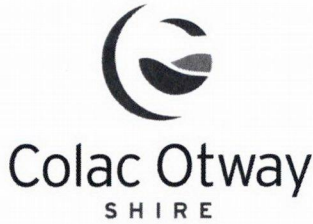
**Officer - Ian Williams**

# **EXHIBITION FILE**

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Submissions to this planning application will be accepted until a decision is made on the application.

If you would like to make a submission relating to a planning permit application, you must do so in writing to the Planning Department



Planning Enquiries  
 Phone: (03) 5232 9400  
 Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)  
 Web: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)

**Office Use Only**

VicSmart?  YES  NO

Specify class of VicSmart application: \_\_\_\_\_

Application No.: \_\_\_\_\_ Date Lodged: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_

SCANNED

# Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the back 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 concerns, 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.

**i** Click for further information.



Clear Form

## Application Type

Is this a VicSmart application?\*

No  Yes

If yes, please specify which

VicSmart class or classes: \_\_\_\_\_

**⚠** If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application.

## Pre-application Meeting

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

No  Yes

If 'Yes', with whom?: \_\_\_\_\_

Date: \_\_\_\_\_

day / month / year

## The Land **i**

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

**Street Address \***

Unit No.: \_\_\_\_\_ St. No.: 10 St. Name: MILLER STREET

Suburb/Locality: COLAC Postcode: 3250

**Formal Land Description \***

Complete either A or B.

**⚠** 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 details.

A Lot No.: 1  Lodged Plan  Title Plan  Plan of Subdivision No.: 244198A

OR

B Crown Allotment No.: \_\_\_\_\_ Section No.: \_\_\_\_\_

Parish/Township Name: \_\_\_\_\_

## The Proposal

**⚠** 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.

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

USE OF A MEDICAL CENTRE AND DEVELOPMENT (MINOR WORKS) AND PARTIAL REDUCTION IN CAR PARKING (2 SPACES)

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.

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

Cost \$3000

**⚠** You may be required to verify this estimate. 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](http://www.sro.vic.gov.au) for information.

## Existing Conditions **i**

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.

DWELLING

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 **i**

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

### Applicant \*

The person who wants the permit.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): SINCOCK PLANNING		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name: PO BOX 284
Suburb/Locality: GEELONG	State: VIC	Postcode: 3220

Please provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone: 52241467	Email: toni@sincockplanning.com.au
Mobile phone: 0407344369	Fax:

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

<b>Contact person's details*</b>		Same as applicant <input checked="" type="checkbox"/>
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
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 <input type="checkbox"/>
Title:	First Name:	Surname:
Organisation (if applicable): ATI PROPERTIESPTY LTD		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 12-14	St. Name: MILLER STREET
Suburb/Locality: COLAC	State: VIC	Postcode: 3250
Owner's Signature (Optional):	Date:	
	day / month / year	

## Information requirements

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist.

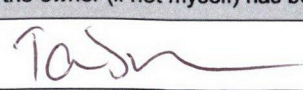
Is the required information provided?

Yes  No

## Declaration **i**

This form must be signed by the applicant \*


**⚠** 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: 07/05/2019
	day / month / year

## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?  Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

Completed the relevant council planning permit checklist?

Signed the declaration above?

## Need help with the Application?

If you need help to complete this form, read More Information at the end of this form.

For help with a VicSmart application see Applicant's Guide to Lodging a VicSmart Application at [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

General information about the planning process is available at [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

Assistance can also be obtained from Council's planning department.

## Lodgement

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

Colac Otway Shire  
PO Box 283  
Colac VIC 3250  
2-6 Rae Street  
Colac VIC 3250

### Contact information

Phone: (03) 5232 9400  
Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

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

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Page 1 of 1

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

VOLUME 08111 FOLIO 828

Security no : 124076958577C

Produced 10/04/2019 09:05 AM

### LAND DESCRIPTION

Lot 1 on Title Plan 244198A.

PARENT TITLES :

Volume 02813 Folio 477      Volume 06208 Folio 508

Created by instrument A155540 14/05/1956

### REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

ATI PROPERTIES PTY LTD of 12-14 MILLER STREET COLAC VIC 3250  
AL914088U 27/05/2015

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AL914089S 27/05/2015

COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

### DIAGRAM LOCATION

SEE TP244198A FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 10 MILLER STREET COLAC VIC 3250

### ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA  
Effective from 23/10/2016

DOCUMENT END



# Imaged Document Cover Sheet

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Document Identification	<b>TP244198A</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>10/04/2019 09:07</b>

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TITLE PLAN	EDITION 1	TP 244198A
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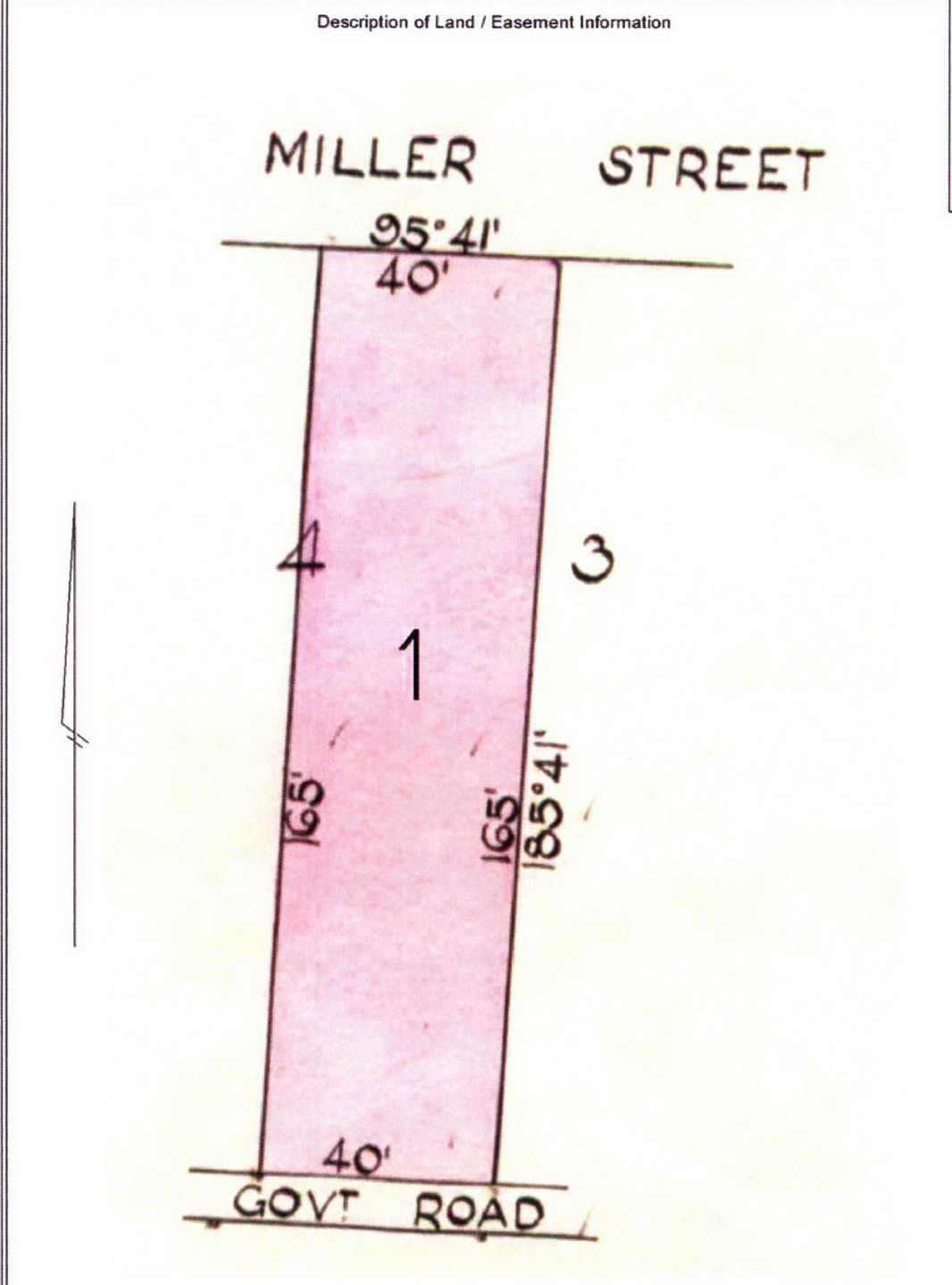
**Location of Land**

Parish: COLAC  
 Township: COLAC  
 Section: 47  
 Crown Allotment: 4 (PT)  
 Crown Portion:

Last Plan Reference:  
 Derived From: VOL 8111 FOL 828  
 Depth Limitation: 50 FEET

**Notations**

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



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

COMPILED: 13/12/1999  
 VERIFIED: C.L.

TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = CA 4 (PT)



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*"our direction your outcome"*

**SINCOCK**  
PLANNING

10 MILLER STREET, COLAC

USE & DEVELOPMENT AS A MEDICAL CENTRE & WAIVING OF TWO CAR PARKING SPACES



[sincockplanning.com.au](http://sincockplanning.com.au)

## 1. Introduction

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Sincock Planning has been engaged to prepare a planning report for the use of a medical centre, minor works and the waiving of two car parking spaces at 10 Miller Street Colac.

The land is currently developed with a single storey four bedroom dwelling. A shed is located at the rear of the property, where the only vehicular access is provided. The land is relatively unconstrained, being a regular shaped allotment with no restrictive covenants and is within the General Residential Zone One without any overlay controls.

The proposal is consistent with the zone, policy framework and particular provisions of the planning scheme as detailed in the report.

## 2. Proposal

---

The application proposes to use the land for a Medical Centre; a pathology collection service.

The use is proposed to operate with one practitioner and be open between the following times:

Monday to Thursday	8am to 9pm
Friday	8am to 6pm
Saturday	9am to 12pm
Sunday	10am to 11am

The existing dwelling on site will be reconfigured to provide:

- One consultation/collection room
- Waiting room
- Disabled toilet
- Kitchen
- Meeting room
- Storage area

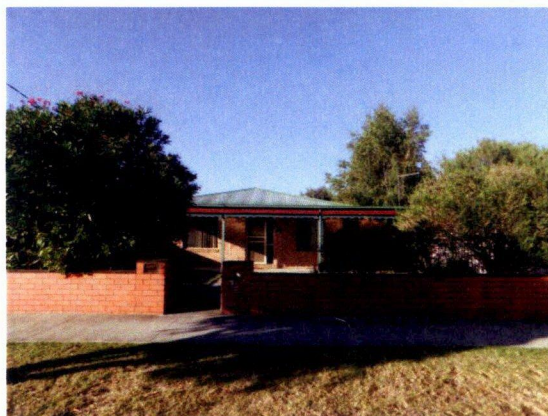
A new concrete path is to be installed within the front setback, linking this service with the existing medical clinic to the west, as this collection service is proposed to operate in association with this centre. A gate between the two properties will be installed and a new front door providing or disabled access is also proposed.

The existing garage is to be used to park 3 cars for staff working at the centre.

## 3. Existing site conditions

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The subject site is located to the south side of Miller Street and has an area of approximately 627m<sup>2</sup>. It is a large regular shaped lot that is currently developed with a single storey dwelling. The site is flat and fenced to three sides with a paling fence and a low brick fence at the front boundary.



10 Miller Street Colac as seen from the street

To the west at 12-14 Miller Street is a large medical centre which provides 19 car parks within its west and rear setbacks. Further west is a dental clinic with car parking to the rear and on the corner of Miller and Hart Street is a residence. To the south west is a further two medical centres, with car parking to the rear.

These car parks all have access to a right of way off Hart Street which effectively links each of the separate parking areas into one larger area.

The business at 12-14 Miller Street (Medical Centre), leases a total of 33 car parks on the sites to the south.



Corangamite Clinic as seen from Miller St (left) and the vehicle entry and car park (right)

To the east and south east are residential dwellings fronting Miller Street, Forbes Street and the right of way.

Directly to the north of the site is Colac Area Health (hospital), which provides a large variety of health services to the Colac region. This service spans the entire block between Miller and Connor Streets and Forbes and Hart Streets. Further to the north lies the main commercial zone of Colac.

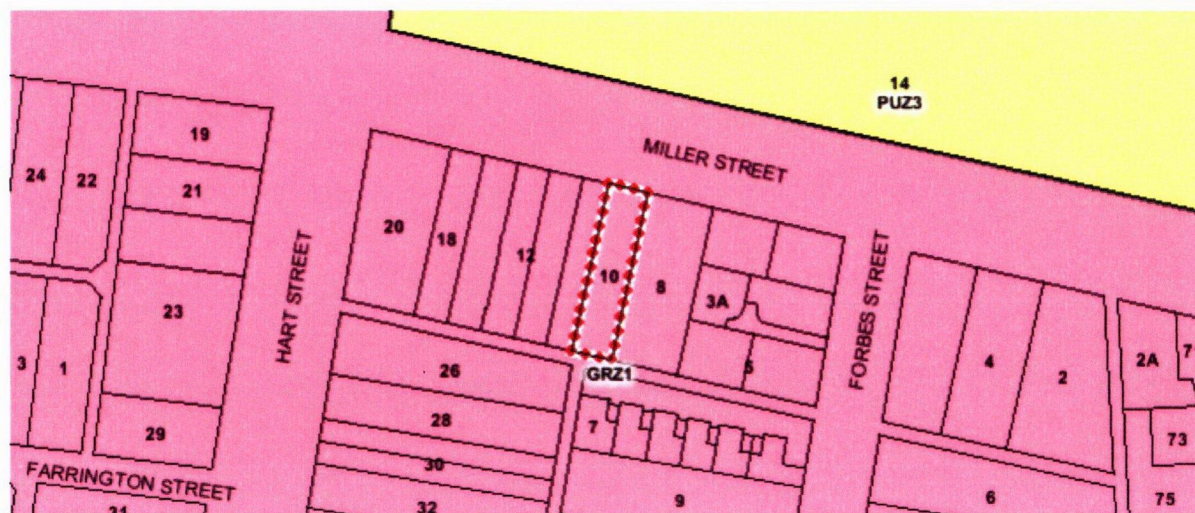
Angled short term parking is provided along Miller Street.



Car parking in Miller Street to the east of the site

## 4. Zoning Provisions

The property is within the General Residential Zone Schedule One, and adjoins land in the same zone to the south, east and west. To the north the hospital is in the Public Use Zone Schedule 3. The map below identifies the site and shows the zoning of the surrounding land.



The purpose of the general residential zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.08-2 and 32.08-9 of the General Residential Zone 1 a permit is required to use and develop the land for Medical Centre.

### Decision guidelines at Clause 32.08-13

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### **General**

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone..

#### **Non-residential use and development**

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.

- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

#### Comment

It is considered that the proposed use meets the objectives of the Policy Framework and the Zone.

The use is compatible with the residential character and scale of the area, particularly given the varied nature of the residential area. The site is located adjacent to a range of non-residential uses which are focused on the health services sector and sits opposite the region's hospital. Given these conditions and the use operating in conjunction with the adjoining medical centre, the residential amenity of nearby and adjacent dwellings will not be detrimentally impacted by the proposed use. Significantly, the scale of the use with only one practitioner operating at one time means that the impact of the proposal on the existing level of amenity will be minimal.

The pathology collection centre is to be directly linked to the medical premises to the west, to provide convenient access for patients and provide the wider community with a necessary service. The pathology collection centre is to operate during the same opening hours as the medical centre and is considered appropriate given the locality and the direct connection of the two services.

No external buildings and works are required to convert the existing building to the proposed use, other than the proposed connecting footpath and gate to the centre to the west, and a new front door. Given this, the building will retain its residential scale and appearance and not alter the streetscape. No landscaping changes are proposed and the front fence will be retained, as such the change of use will not be directly visible to any person.

The site is adjacent to the existing health services "hub" with parking available and good connections to the wider commercial area to the north. As such it is not expected that parking difficulties will result on the street and cause any inconvenience to the residential neighbours. Car parking is discussed further under the Particular Provisions section, however in summary, the use will not alter the likely parking demand as the users of the facility will generally be those affiliated with the adjoining medical centre who will visit the centre after a medical appointment next door.

The use clearly serves the local community, primarily being the patients of the adjoining medical centre who reside or work in the Colac area.

Given the nature of a medical centre, loading and unloading is limited to smaller items with equipment, supplies and pathology specimens delivered and collected generally via van or small vehicle. As occurs throughout the area, these deliveries are generally made from the car parking in Miller Street and this is appropriate in this instance.

Traffic directly generated by the use will be easily absorbed by the surrounding road network, specifically given that the use will operate in conjunction with the adjoining medical centre and therefore will not in itself generate significant traffic movements.

#### Conclusion

It is our submission that given all of the above, the use is entirely appropriate in the zone.

## 5. Particular Provisions

### Clause 52.06 Car Parking

Car Parking requirements are at Clause 52.06.

The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-3 states

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

Table 1 at Clause 52.06-5 states that parking is required at the following rate:

Use	Rate	Rate	Car Parking Measure
	Column A	Column B	
Medical centre	5		To the first person providing health services plus
	3		To every other person providing health services

Pursuant to the requirements at Table 1, 5 car spaces should be provided on site given one person providing health services is proposed.

### Comment

No patient car parking is proposed to be provided on site, specifically given that the use is to be operated in conjunction with the adjoining medical centre and patients visiting the clinic are expected to have already parked their vehicle to attend a medical appointment being referred to the proposed clinic for pathology tests.

Parking is located within the Corangamite Clinic Health precinct patient car park, comprising a large shared car park to the west and south of the Corangamite Clinic. The car park is conveniently located and comprises a total of 52 car parking spaces either owned or leased by the Corangamite Clinic.

As the patients for the proposed pathology clinic will already be in the medical precinct, having been to the adjacent medical clinic before being referred to the clinic for pathology testing, they will already have secured parking (if required) and will not create any substantial increase in parking demand. They will instead park on site or on the road for a slightly longer period whilst they obtain tests, however this is not expected to have a significant impact on the overall parking demand.

Furthermore we note that on-street parking in Miller Street has recently been changed from long term parking to 2 hour parking and as such a greater turnover of on-street parking is already occurring.

Given the nature of a pathology service, patients initially visit the GP for a referral. It is therefore anticipated that a significant proportion of people will be utilising the car park convenient to that centre. In addition the site is located in close proximity to the wider commercial area to the north, where further parking spaces are provided and there is access to public transport and good pedestrian paths enabling patients to walk to the centre.

The existing garage will be used to house three vehicles, all of which will be staff given there is no direct access into the building from the rear for patients. The reduction of two car parking spaces is in our view entirely reasonable given the nature of the use and its relationship with the Corangamite Clinic.

It is considered that the existing parking network can easily absorb the additional parking generated by the proposal given the nature of the use and its scale.



## 6. Conclusion

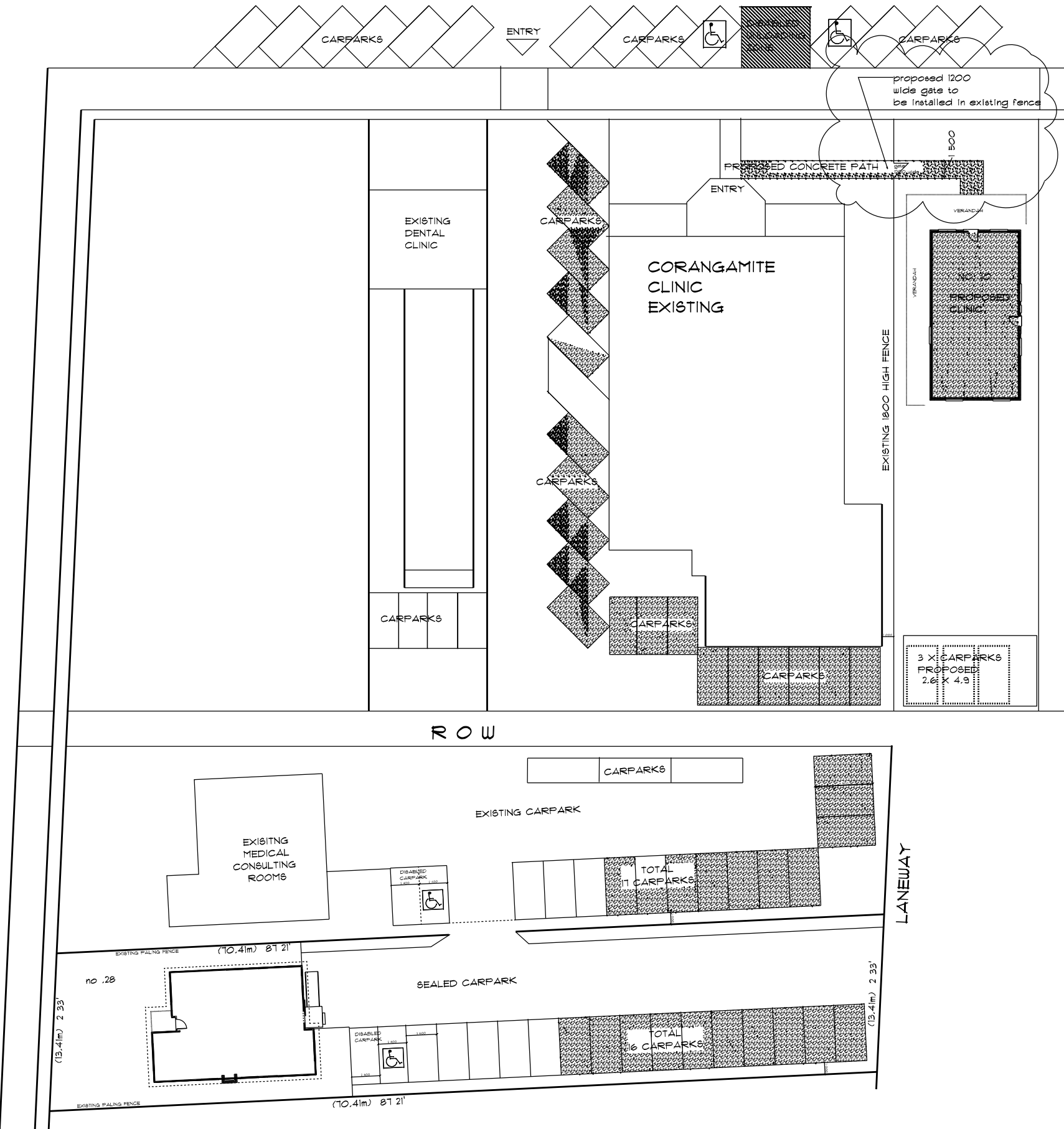
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Having regard to the assessment contained within this report we say that the proposal is consistent with the planning scheme, and introduces a use which is appropriate in the zone and consistent with the policy framework.

The proposal will not result in an unreasonable loss of amenity to any person, and as such, we look forward to Council's review of the proposal and subsequently the issue of a conditional planning permit.

# MILLER STREET

HART STREET

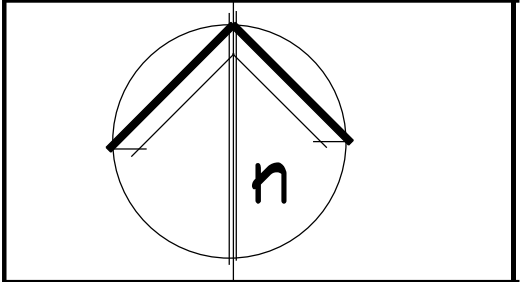


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AMENDMENTS:



PLANNING DRAWINGS

TORONGA & BAYVIEW  
 design & drafting  
 6 ROSE DRIVE  
 ELLIMINYT VIC 3250  
 tel. 03 52 316203  
 mobile: 0417 324 728  
 email: rhonda@torongadesign.com.au

Job name:  
 PROPOSED CLINIC FOR CORANGAMITE CLINIC AT 10 MILLER STREET COLAC

date: JUNE 2019	scale: 1:100
drawn by: Rhonda F Gard	rev no: AD DP 1717
sheet no: 001	drawing no: 019020A

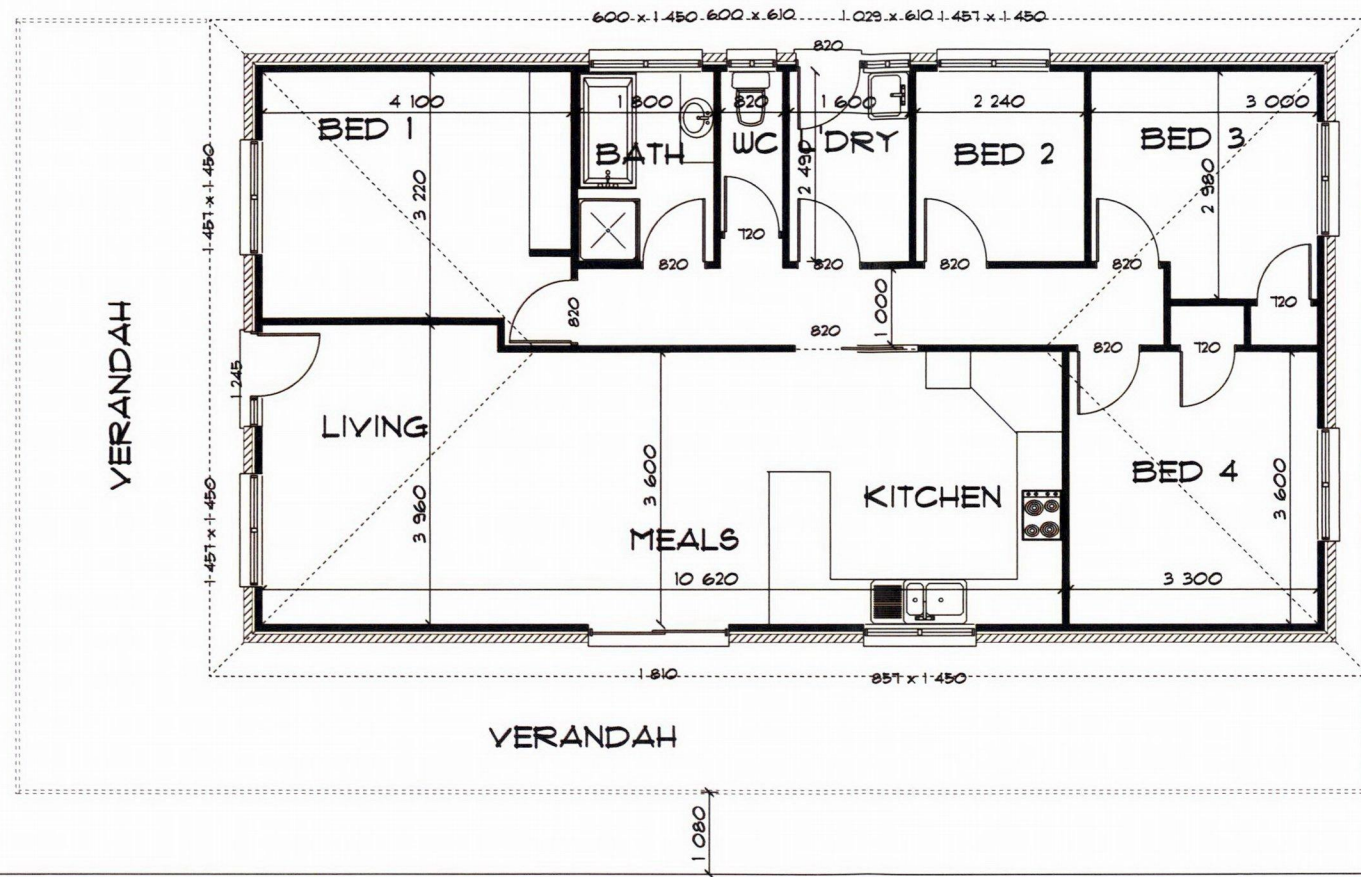
SITE PLAN 1:250

 CORANGAMITE CLINIC CARPARKS

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MILLER STREET

NO. 10



EXISTING PLAN 1:100

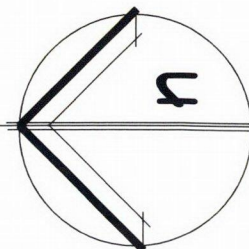
AREA SCHEDULE	
NAME	AREA
RESIDENCE	112.30 Sq m. (12.08 aqs.)
VERANDAHS	60.71 Sq m.

**TORONGA & BAYVIEW**  
 design & drafting  
 6 ROSE DRIVE  
 ELLIMINYT VIC 3250  
 Tel: 03 52 316203  
 mobile: 0417 324 728  
 email: rhonda@torongadesign.com.au



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PLANNING DRAWINGS

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amendments:

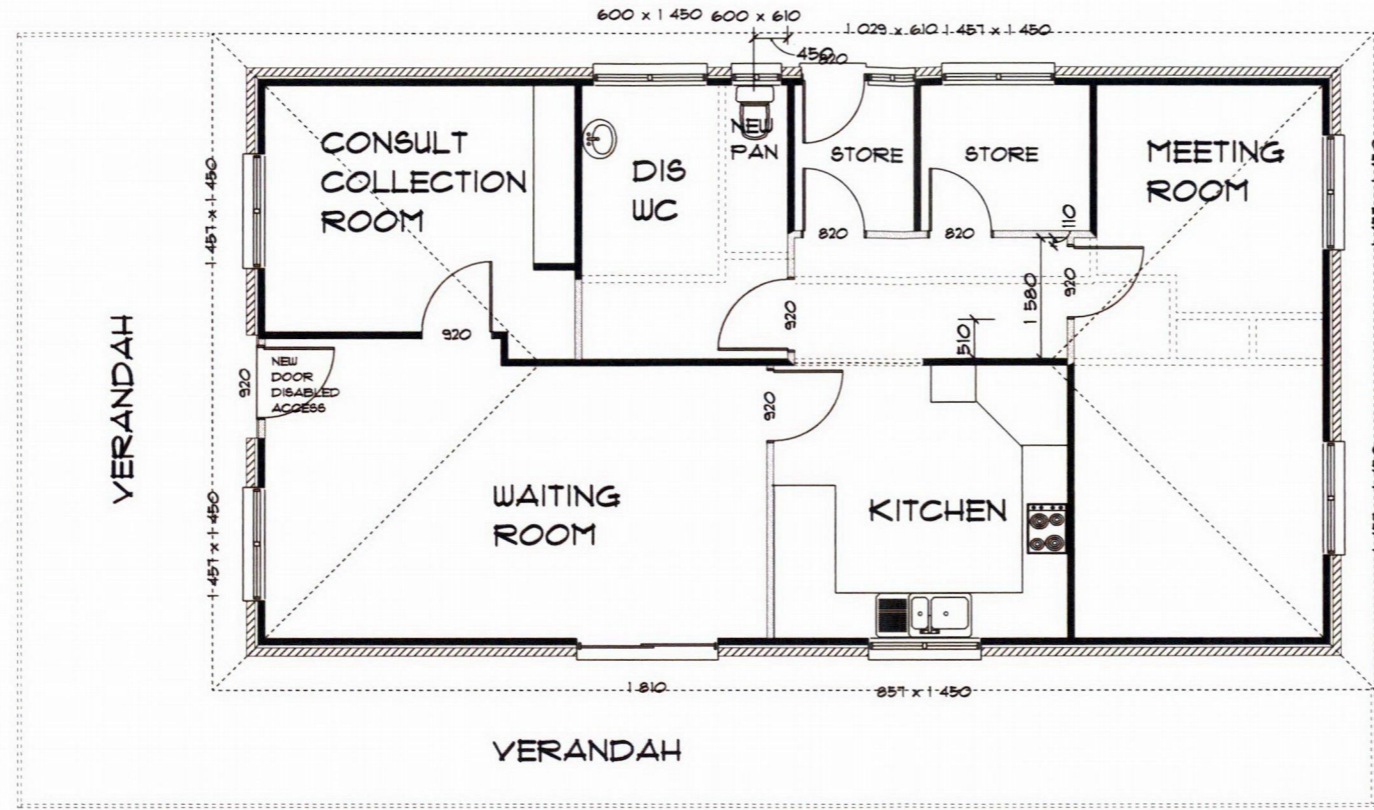
EXISTING CONDITONS  
 10 MILLER STREET  
 COLAC

date:	APRIL 2019	scale:	1:100
drawn by:	Rhonda F Gard	rbp no:	AD DP 1717
sheet no:	002	drawing no:	01920

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MILLER STREET

NO. 10



**PROPOSED PLAN 1:100**

AREA SCHEDULE	
NAME	AREA
RESIDENCE	112.30 Sq m. (12.08 aqs.)
VERANDAHS	60.71 Sq m.

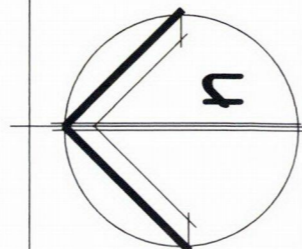
----- DEMOLISHED WALL  
 \_\_\_\_\_ PROPOSED STUD WALL

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amendments:

PROPOSED CLINIC FOR CORANGAMITE CLINIC AT 10 MILLER STREET COLAC

date:	APRIL 2019	scale:	1:100
drawn by:	Rhonda F Gard	ref no:	AD DP 1717
sheet no:	003	drawing no:	19020