PP184/2018-1

12-14 Station Street FORREST

Lot: 2 TP: 853456 V/F: 11657/445

Change of Use of existing building from dwelling to Shop, display of business identification signage and the reduction of three carparking spaces

M M Luglio

Officer - **Helen Evans**

EXHIBITION FILE

This document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

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

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Colac Otway SHIRE

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.

Planning Enquiries
Phone: (03) 5232 9400
Web: www.colacotway.vic.gov.au

Clear 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

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

Street Address *

Unit No.: St. No.: 12-14 St. Name: Station St

Suburb/Locality: Forrest Postcode: 3236

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.: 853456 ◯ Lodged Plan ◯ Title Plan ◯ Plan of Subdivision No.:

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.

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

Retail shop selling second-hand goods.
Six rooms used with different themes

☑ 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 *

Cost $ 0

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

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Existing Conditions

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.

Shop front with dwelling ~~two~~ bedroom
no kitchen
no bathroom

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

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictrive 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

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

Applicant *

The person who wants the permit.

Name:
Title: Miss | First Name: Mara | Surname: Luglio
Organisation (if applicable):
Postal Address: | If it is a P.O. Box, enter the details here:
Unit No.: | St. No.: 6 | St. Name: Hennigan Crescent
Suburb/Locality: Forrest | State: VIC | Postcode: 3236

Please provide at least one contact phone number *

Contact information for applicant OR contact person below
Business phone: | Email: maraluglio@hotmail.com
Mobile phone: 0428502323 | Fax:

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

Contact person's details*
Name: | Same as applicant ☐
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 ☐
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's Signature (Optional): | Date: day / month / year

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: 19/7/2018 day / month / year

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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?

☑ No ☐ Yes

If 'Yes', with whom?:

Date: 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).
- ☐ Completed the relevant council planning permit checklist?
- ☐ Signed the declaration above?

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

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

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CERTIFICATE OF TITLE – VICTORIA

Under the Transfer of Land Act 1958

I certify that the registered proprietor is the proprietor of the estate and interest in the land subject to the encumbrances, caveats and notices described

REGISTRAR OF TITLES

LAND DESCRIPTION

Lots 1 and 2 on Title Plan 853456H.
PARENT TITLES :
Volume 09982 Folio 136 Volume 09982 Folio 138
Created by instrument AM791343B 20/05/2016

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MARA MARIA LUGLIO of 6 HENNIGAN CRESCENT FORREST VIC 3236
AM791343B 20/05/2016

ENCUMBRANCES, CAVEATS AND NOTICES

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 TP853456H FOR FURTHER DETAILS AND BOUNDARIES

END OF CERTIFICATE

THIS CERTIFICATE CONTAINS INFORMATION CORRECT AT THE TIME OF PRINTING.
CURRENT INFORMATION SHOULD BE OBTAINED BY A SEARCH OF THE REGISTER.

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TITLE PLAN

EDITION 1 | TP 853456H

LOCATION OF LAND

Parish: YAUGHER
Township: FORREST
Section: A
Crown Allotment: 5E (PT)
Crown Portion: -

Last Plan Reference: LP 3174
Derived From: VOL.9982 FOL.136 & VOL.9982 FOL.138
Depth Limitation: NIL

Notations

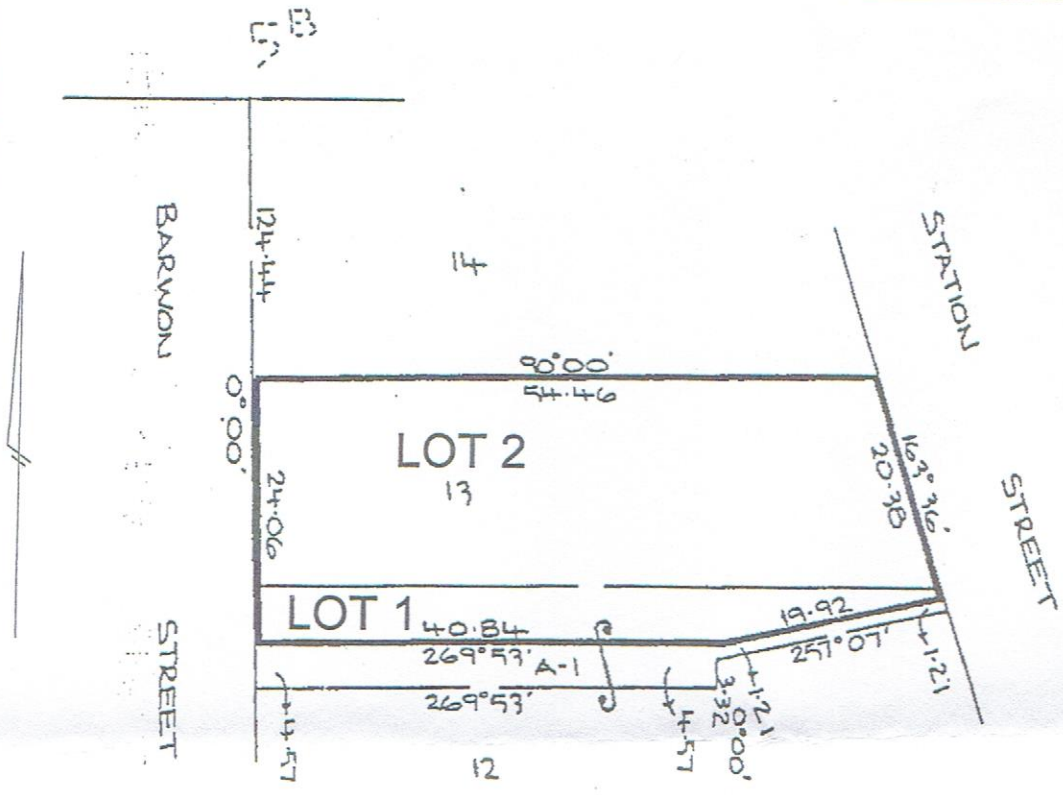
ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land/Easement Information

TOGETHER WITH A RIGHT OF CARRIAGE WAY OVER THE ROAD SHOWN MARKED "A-1" AND OVER BARWON AND STATION STREETS COLOURED BROWN ON PLAN OF SUBDIVISION No.3174 - - - ----

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date:17/10/2005
VERIFIED: A. DALLAS
Assistant Registar of Titles



TOTAL AREA = 1348m²

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*
LOT 1 = LOT 12 (PT) ON LP 3174 LOT 2 = LOT 13 ON LP 3174

LENGTHS ARE IN METRES	Metres = 0.3048 Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets

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CERTIFICATE OF TITLE – VICTORIA

Under the Transfer of Land Act 1958

I certify that the registered proprietor is the proprietor of the estate and interest in the land subject to the encumbrances, caveats and notices described

REGISTRAR OF TITLES

LAND DESCRIPTION

Lot 1 on Title Plan 853452R.
PARENT TITLES :
Volume 09982 Folio 135 Volume 09982 Folio 137
Created by instrument AM791343B 20/05/2016

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MARA MARIA LUGLIO of 6 HENNIGAN CRESCENT FORREST VIC 3236
AM791343B 20/05/2016

ENCUMBRANCES, CAVEATS AND NOTICES

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 TP853452R FOR FURTHER DETAILS AND BOUNDARIES

END OF CERTIFICATE

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TITLE PLAN

EDITION 1

TP 853452R

LOCATION OF LAND

Parish: YAUGHER
Township: FORREST
Section: A
Crown Allotment: 5E (PT)
Crown Portion: -

Last Plan Reference: LP 3174
Derived From: VOL.9982 FOL.135 & VOL.9982 FOL.137
Depth Limitation: NIL

Notations

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

Description of Land/Easement Information

TOGETHER WITH A RIGHT OF CARRIAGE WAY OVER BARWON AND STATION STREETS COLOURED BROWN ON PLAN OF SUBDIVISION No.3174 -

ENCUMBRANCES

AS TO THE LAND SHOWN MARKED "E-1"

THE CARRIAGE WAY EASEMENT
RESERVED BY TRANSFER A206058

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date:17/10/2005
VERIFIED: A. DALLAS
Assistant Registar of Titles

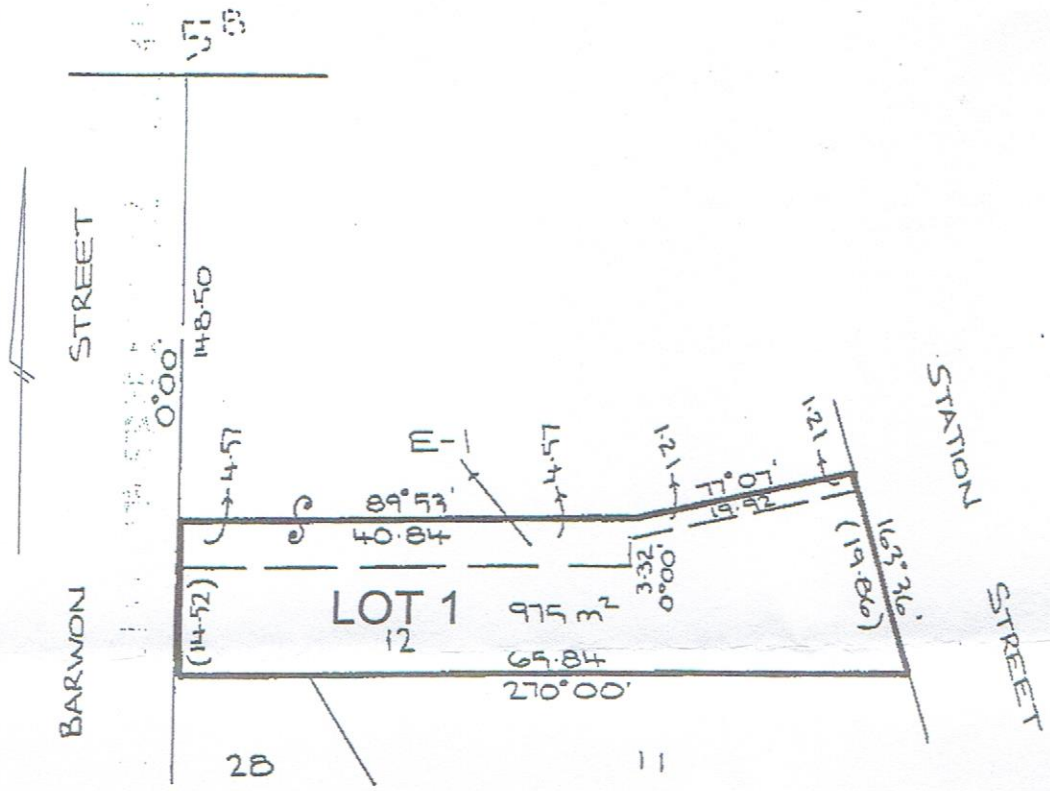

TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
LOT 1 = LOT 12 (PT) ON LP 3174

LENGTHS ARE IN METRES	Metres = 0.3048 Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets

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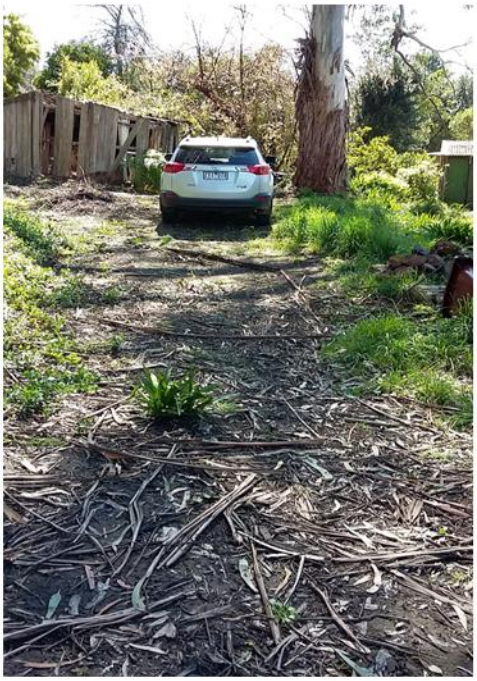
Car parking 12-14 Station St Forrest



Above; behind the shed
Right; behind the shed
Below; two spaces up the back

Far Right;
Behind the shed
Space for two

Right;
The driveway
Looking up from
Station Street and
shop on the left

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- *The Fire Danger Rating triggers for the closure of the facility.* Not applicable unless the CFA orders all traffic to cease to and from the area on days of Catastrophic Rating.
- *Monitoring and notifying staff and visitors of forecast fire Danger Rating and actions.* If the CFA orders all traffic to Forrest to stop then the shop will be closed otherwise all visitors to the area will be notified of the fire danger they are putting themselves in if they stay.
- *Details of the location for emergency assembly and evacuation.* In the event of an emergency in town all persons will be escorted to the public school which is designated as a point of assembly. If the path is cut off assembly will be at the Forrest Common.
- *Transport arrangement for staff and visitors.* All visitors will be shown to the main road where the CFA will arrange for them to leave town. This will include myself.
- *The need for any additional arrangements for persons with special needs.* People with special needs will be taken to the CFA who will know how to help them leave town.
- *Training of staff, visitors on emergency procedures.* There will be no staff but visitors will be shown the way out of town or the assembly areas in the township of Forrest while they are here visiting the local area.
- *The nature and frequency of emergency procedures exercises.* In an emergency I will notify any visitors to the shop to leave by either of the three exists in the shop and show them to the assembly area or the way out of town. In an emergency event I will leave the shop by any of the three exits and head to the assembly area designated.
- *Emergency procedures and role assignment and responsibilities.* As I am the only one working in the shop I will immediately check for any people in the shop. There are six areas I have to check. There are six rooms in the shop that need attention. Each one will be checked and any people in the shop will be asked to evacuate to the assembly area or to leave town. All exits to be clear of obstacles at all times. All exits to be unlocked during business hours. In the event of any fire a fire blanket and a fire extinguisher will be used if it is possible.

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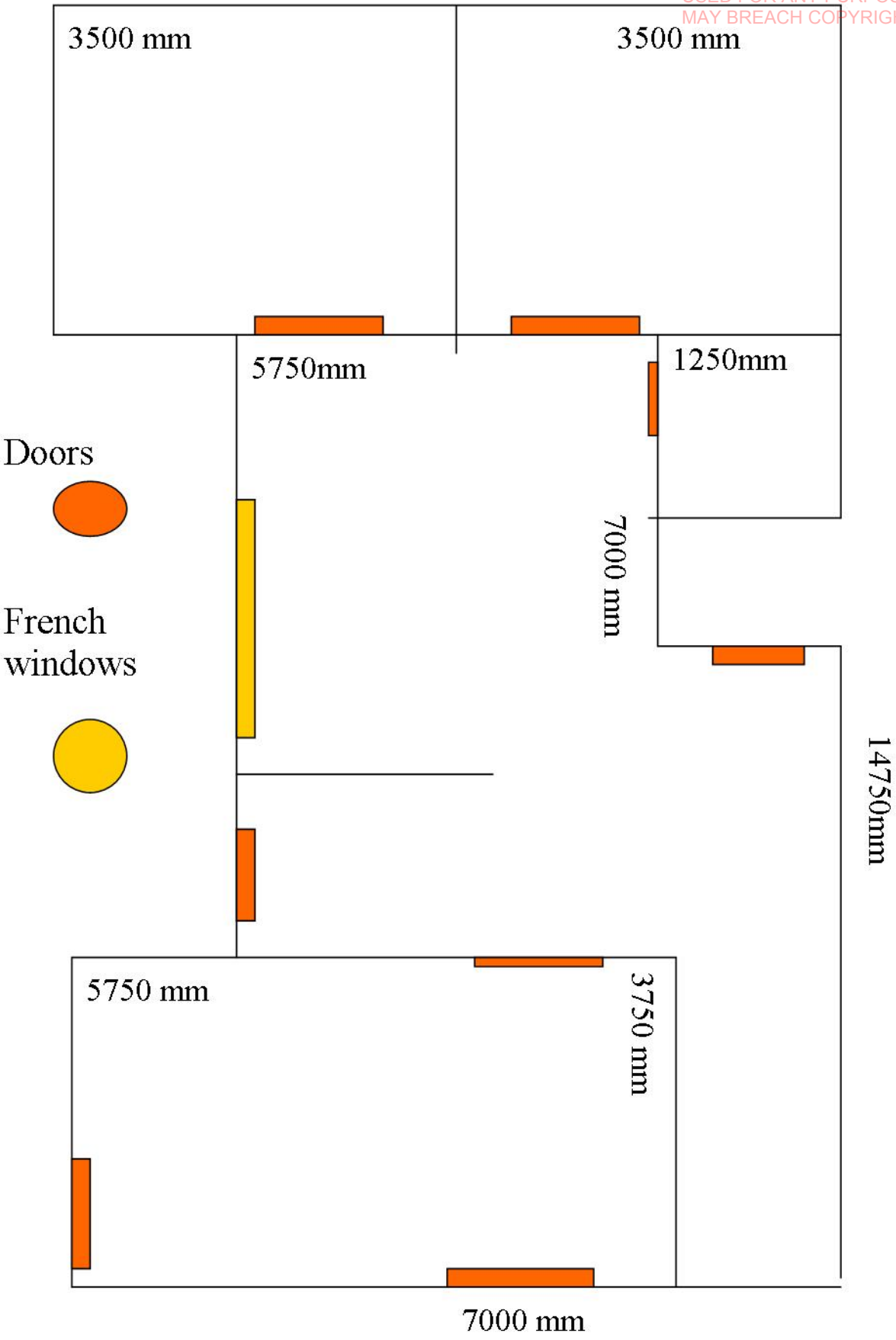

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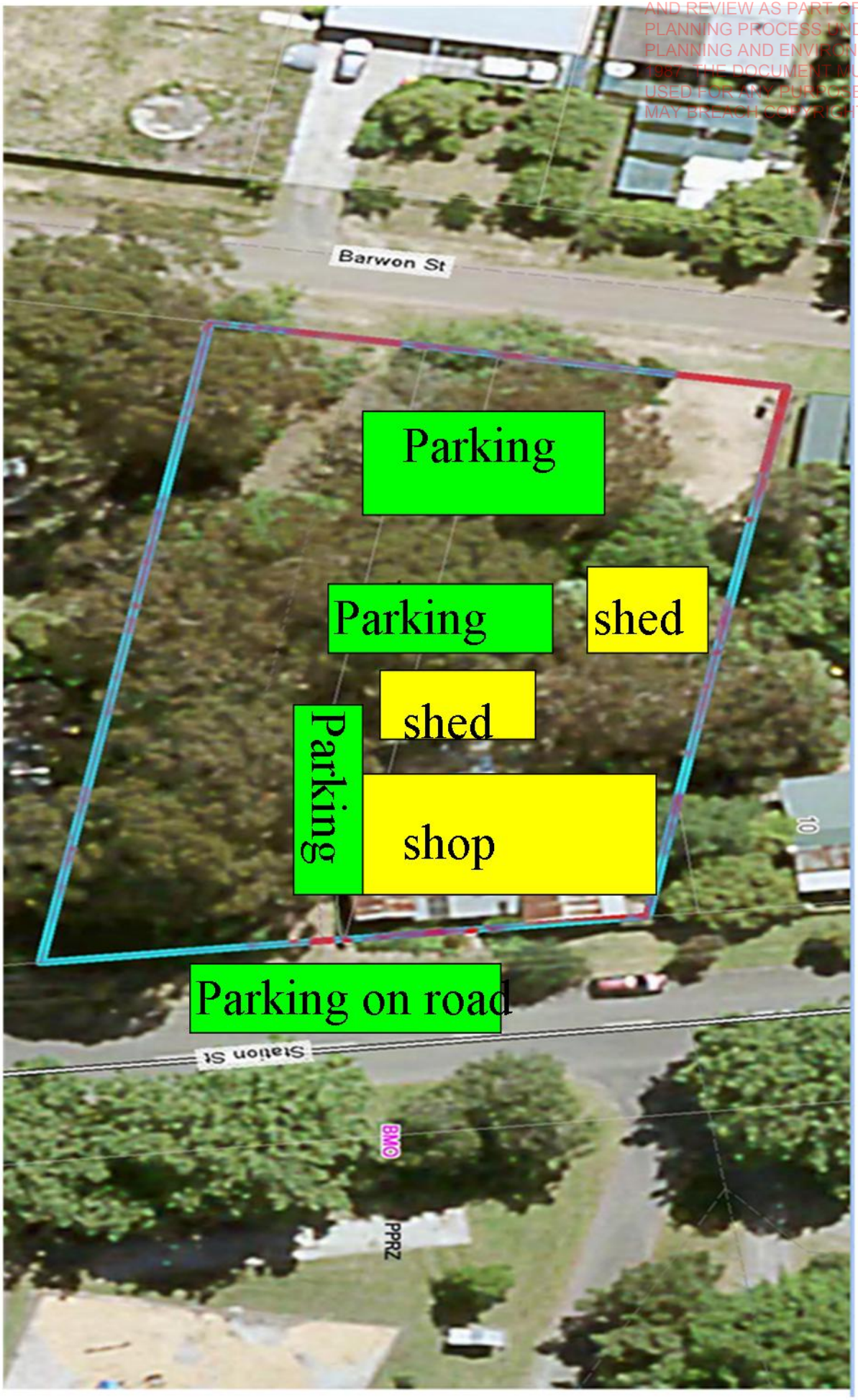

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Question 5.

Clarification as to whether or not the proposed change of use involves any alternations or new buildings and works.

Answer

There will be no alterations to the existing building. The building will stay the same as per purchase date. It will have a paint job and any OHS concerns will be addressed.

Question 6.

Details of the goods to be sold, hours of trading and number of staff.

Goods sold will be second hand. I have a second hand licence. No automobiles or white goods or goods on consignment.

The hours will be shop hours Saturday to Sunday, Public holidays and School Holidays.

There will be no staff except myself.

Question 7.

Details of all loading and unloading of goods to/from the proposed retail shop.

All unloading from the car will go through the shop door from the road directly out the front of the shop or the car will be parked in the easement temporarily to unload. Same with the loading reverse.

Question 8.

Information of availability of on-street parking in close proximity to the site and the likely demand for car parking. How many spaces would be reasonably required for the proposed retail activity?

Most of Station St is empty most of the time so therefore there is room for many cars. But in the event of an event six spaces would be required.

Question 9.

Details of signage being displayed or proposed to be displayed in association with the proposed shop use.

I would need one sign above the door measuring 600mm across and 600mm down. The shape will be round and all the details will be enclosed. It will swing from a shop sign support over the door and extend out 800mm from the shop. It will be made of wood and painted with waterproof paint. It will be viewed from the pavement as you walk towards it.

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Miss Mara Luglio
12-14 Station St
Forrest
3236

25/3/2019

To Helen Evans
Colac Council

Re: car park consent question 1

(It appears that the floor area of the proposed retail shop use would not exceed 117sqm (roughly 15.8m x 7.4m) and therefore car parking required to be provided onsite would be 4 spaces. After inspecting the site, it is considered appropriate that you provide one car space onsite adjacent the southern side of existing building and seek planning approval for the reduction of three car spaces.)*

1. Consent to alter your application proposal to include 'the reduction of 3 car spaces to be provided onsite'

Dear Helen,

I seek consent to reduce three car spaces to one due to the recommendation of yourself. I hope I just have to write a letter as I cannot find an area to fill out on the actual planning permit.

Yours

Mara Luglio

*PP184/2018 1 letter 16/1/2019

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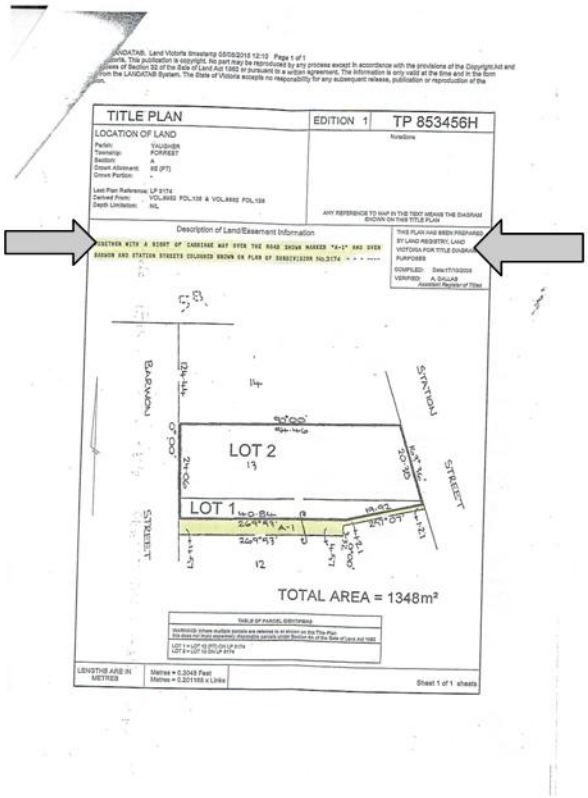
Carriageway (Easement)



(Together with the right of carriage way over the road marked "A—1" and over Barwon and Stations Streets coloured brown on plan of subdivision number 3174)

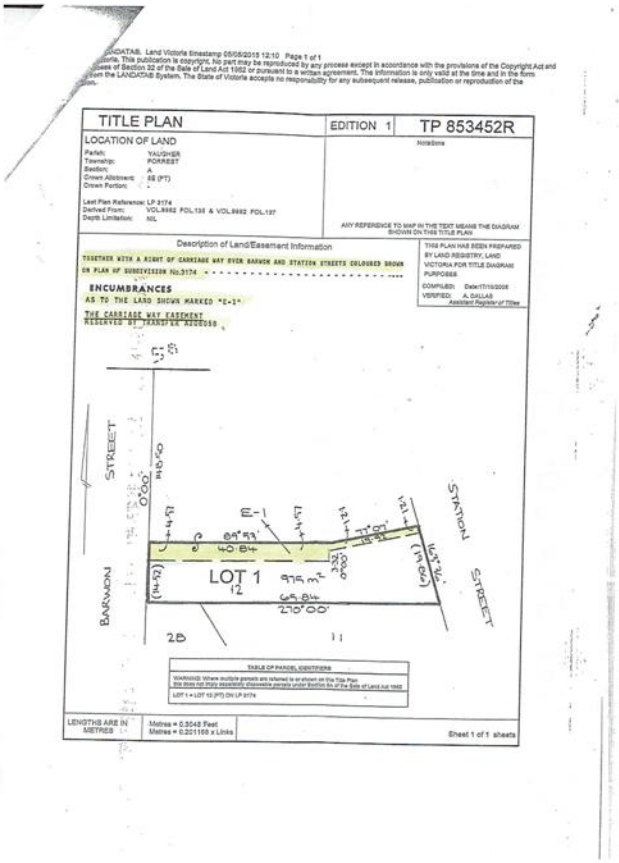
This is what the plan says on the top of the document. This makes it a carriageway ie and eg like a road, lane, and avenue.

My property lawyer says this is not available on Landata. Which is true as I have been trying to find it for a while now.

These are your words that I have copied and pasted so that you don't have to go back to the page on the permit.

2. Details of the carriageway easement E-1 shown on TP853452R (please provide a copy of document – Transfer A206058. This should be able to be obtained through https://www.landata.vic.gov.au/)

If you believe it exists please do me the honour of showing me where it is and show me a copy that you have found so that I may prove my property lawyer wrong.



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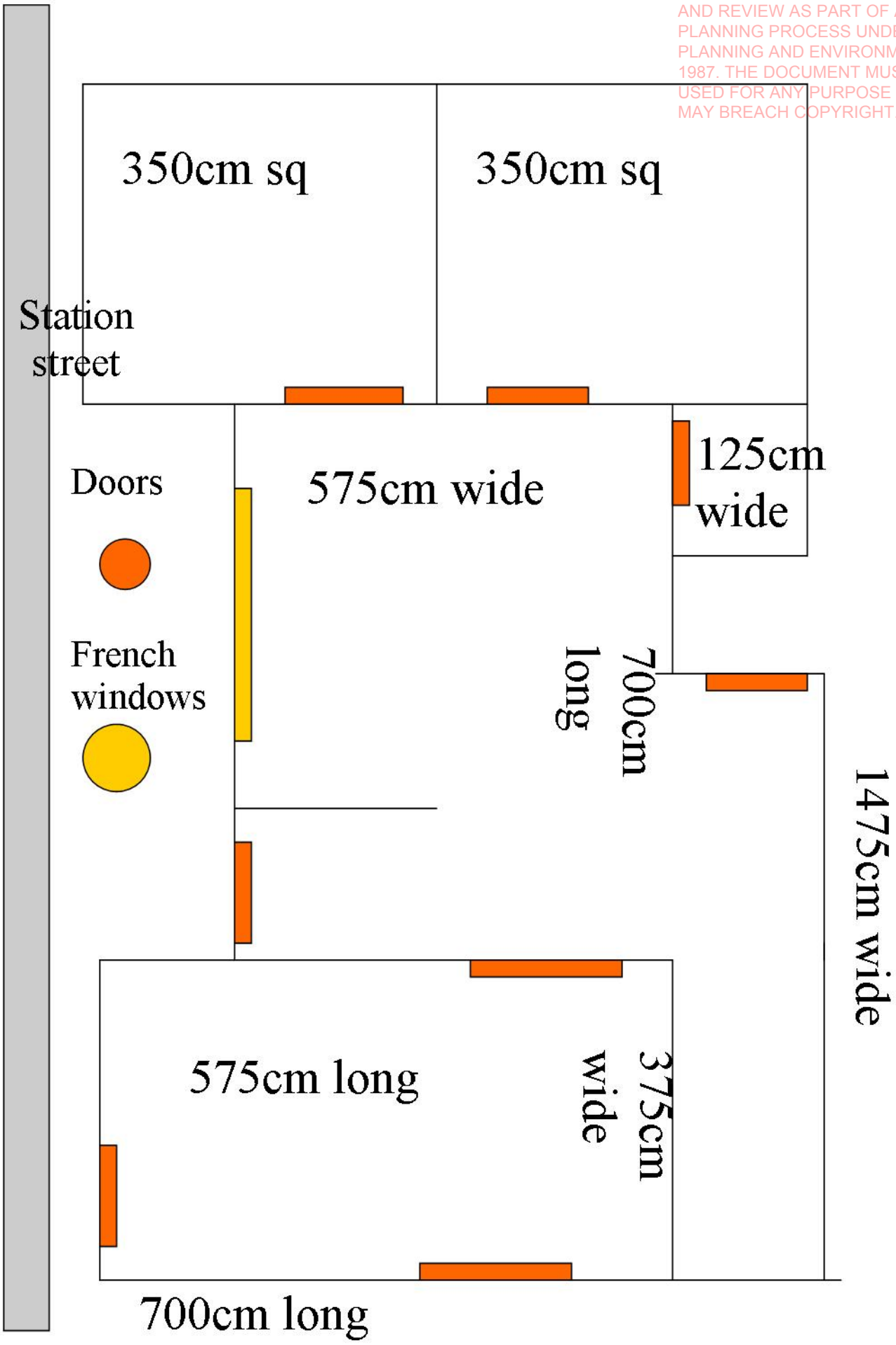

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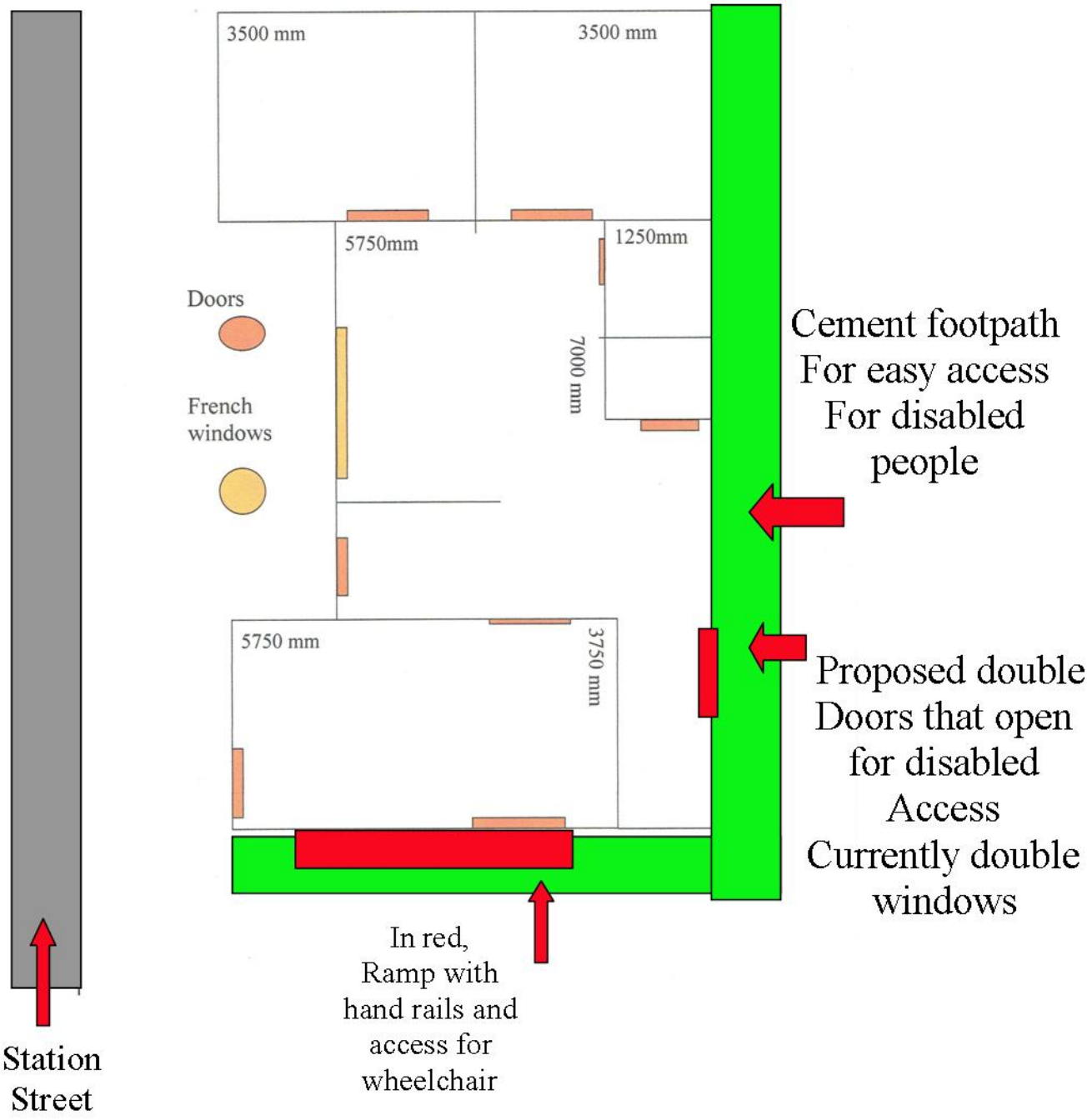
Proposed disable ramps and entries



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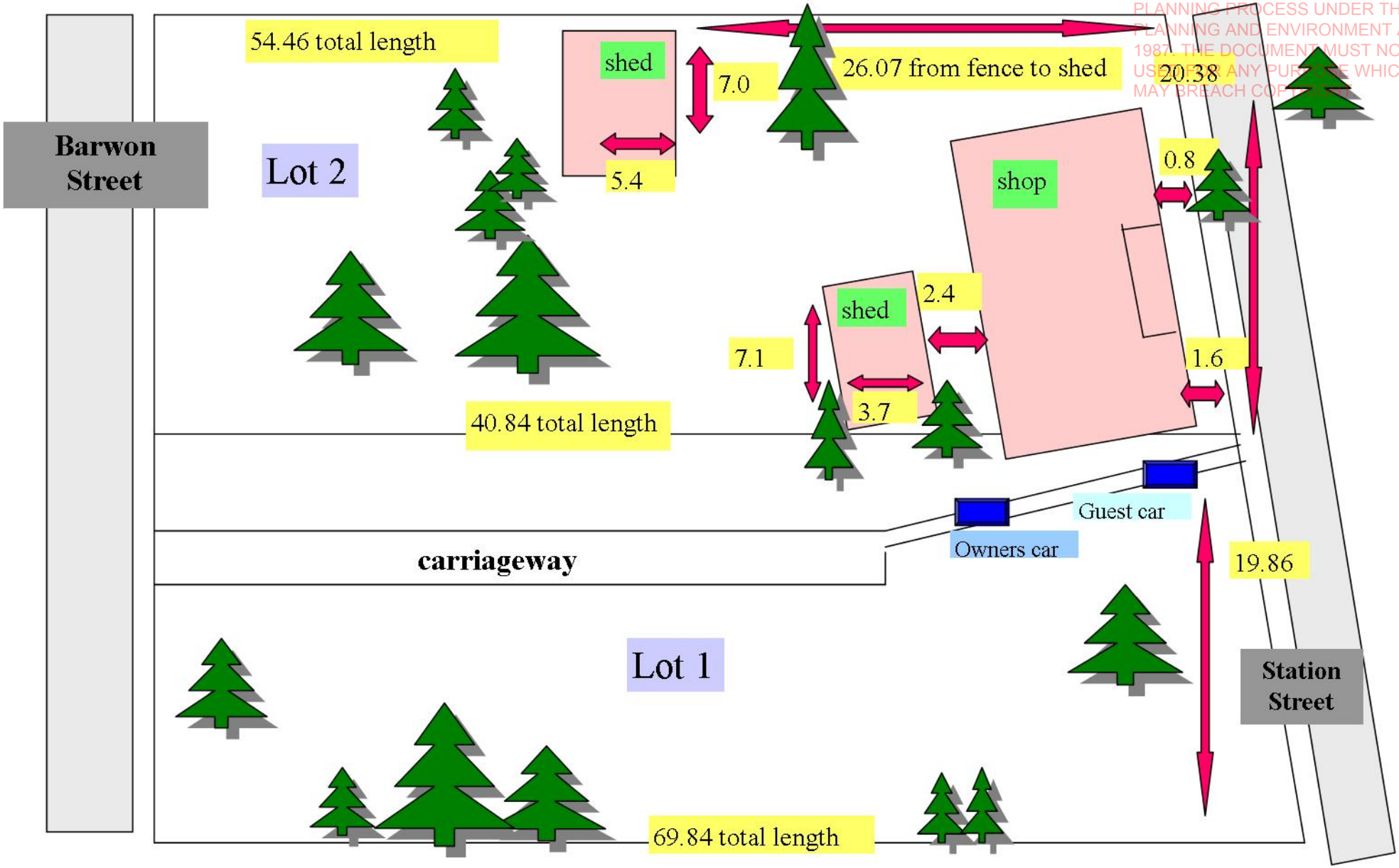

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Shop sign

The shop sign is made of wood and is 57cm across. It will hang over the doorway of the shop. See below

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Uses of Site

No 4.

No changes will be made to the building in question. Structural fortification and a lick of paint and replacement of rotting wood or plaster is the only change that will be made to make the place presentable.

The building surveyor has not yet got back to me but I have a fire blanket, will buy an extinguisher and put in smoke detectors in all the rooms that are lacking it before I open it. I will put up exit signs that I can access on the internet. The shop is already an existing shop that has not been used since the 1960s. New supports have been and are being made now to hold a larger load of people. When the surveyor gets back to me he will let me know if there are any other things that I need to do.