PP235/2019-1
8 Main Street BIRREGURRA
C/A: PT. 7 SEC: B V/F: 9626/470


A F Badham

Officer - Ravi Ayyagari

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
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.

* Click for further information.

Application Type

Is this a VicSmart application?*

Pre-application Meeting

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

If 'Yes', with whom?  Ian Williams

Date: 27/9/19

The Land

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 details.
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.

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

Open a cafe/dining business

Using the site as is.

All utilities will be portable.

See attached floor plan.

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 the estimated costs of development. The Territorial Authority may require you to provide information to demonstrate that a reasonable estimate has been made. You may be required to provide further details of the cost estimate. The detailed costs must be kept up to date. The cost information will be used in the assessment of the proposal.

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.

Vacant building at present has been operating lawfully as a mechanics for over 15 yrs. Recently as a Secondhand Shop/Dealer.

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

Title Information

Encumbrances on title

Yes (If you contact Council for advice or outline how to proceed before continuing with your 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.

<table>
<thead>
<tr>
<th>Title</th>
<th>Ms</th>
<th>First Name</th>
<th>ANNE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname</td>
<td>BROADHAM</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Organisation (if applicable):

<table>
<thead>
<tr>
<th>Unit No.</th>
<th>St. No.</th>
<th>St. Name</th>
<th>SCULLER ST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suburb/Locality</td>
<td>BIRREGURRA</td>
<td>State</td>
<td>Vic</td>
</tr>
<tr>
<td>Postcode</td>
<td>3242</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please provide at least one contact phone number *

<table>
<thead>
<tr>
<th>Business phone</th>
<th>Email</th>
<th><a href="mailto:anne.1962@live.com.au">anne.1962@live.com.au</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile phone</td>
<td>0418 355 494</td>
<td>Fax</td>
</tr>
</tbody>
</table>

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

**Owner**

The person or organisation who owns the land.

<table>
<thead>
<tr>
<th>Title</th>
<th>Mr</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>JOSH</td>
</tr>
<tr>
<td>Surname</td>
<td>MCCOLDRICK</td>
</tr>
</tbody>
</table>

Organisation (if applicable):

<table>
<thead>
<tr>
<th>Unit No.</th>
<th>St. No.</th>
<th>St. Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suburb/Locality</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Postcode</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Owner's Signature (Optional): [Signature]

Date: 10-10-19

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**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? [No]

---

**Declaration**

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.

<table>
<thead>
<tr>
<th>Signature</th>
<th>ANNE BROADHAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>10-10-19</td>
</tr>
</tbody>
</table>
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?

Open a cafe.
Using the site as is.
All utilities will be portable.
See attached floor plan.
We will a reduction of car parks from 4 to 3.

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.

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 (indexed 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.smrt.vic.gov.au for information.

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.

Vacant building at present has been operating lawfully as a mechanics for over 15 yrs. Recently as a secondhand shop/dealer.

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

Title Information

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.
LAND DESCRIPTION

Crown Allotment 7 Section B Township of Birregurra Parish of Birregurra.
PARENT TITLE Volume 00043 Folio 570
Created by instrument L675168L 20/05/1985

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
JOSEPH MARCU MCGOLDRICK
SUZANNE CLAIRE HOWARD both of 40 WEMBLEY AVENUE YARRAVILLE VIC 3013
AL668019J 09/02/2015

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AL668020A 09/02/2015
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP579469A 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: 8 MAIN STREET BIRREGURRA VIC 3242

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A ANZ RETAIL AND SMALL BUSINESS
Effective from 22/10/2016

DOCUMENT END
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<th>Plan</th>
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LOCATION OF LAND
Parish: BIRREGURRA
Township: BIRREGURRA
Section: B
Crown Allotment: 7
Crown Portion:

Last Plan Reference:
Derived From: VOL 9626 FOL 470
Depth Limitation: NIL

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT
COMPILED: 25/07/2000
VERIFIED: AA

NOTES:

LENGTHS ARE IN METRES
Metres = 0.3048 x Feet
Metres = 0.201168 x Links
BUSINESS PLAN

BIRREGURRA

8 Main Street,
Birregurra, VIC, 3242

15 September 2019
Executive Summary

The Ownership
The Company will be structured as a partnership

The Management
Anne and Nicole will be sharing the roles within the business. Nicole will handle the bookkeeping aspects of the business

The Goals and Objectives
To create a niche market of Grazing platters and light meals
To provide a child / family friendly cafe venue in Birregurra
Obtain a Liquor Licence

The Product
Fresh homemade grazing platters
Fresh made light meals
Hot and cold beverages
Alcoholic Beverages
Homemade cakes and slices

Operating Hours
0800 – 1700 Wednesday to Monday
Closed Tuesday

(extended trading hours on a Friday and Saturday night over the Summer period)

Operating hours subject to change due to customer demand and seasons
## Target Market

<table>
<thead>
<tr>
<th>Weekday</th>
<th>Time of Day</th>
<th>Demographic</th>
<th>Consumer Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light breakfast, brunch, Morning coffee/ Morning Tea, School Lunches, Customers on their way to work</td>
<td>0800 - 1100</td>
<td>Parents, Elderly tourists</td>
<td>Child friendly, Relaxed Environment, Quick coffee takeaway</td>
</tr>
<tr>
<td>Lunch Trade</td>
<td>1100 - 1400</td>
<td>Trades, Local Businesses, Parents, Elderly tourists</td>
<td>Quality lunch options, Prompt service</td>
</tr>
<tr>
<td>Afternoon tea/ coffee Trades on way home After school trade</td>
<td>1400-1700</td>
<td>Trades, Parents, School Kids, Elderly Tourists</td>
<td>Quick light snack, Child Friendly</td>
</tr>
</tbody>
</table>

## Weekend

<table>
<thead>
<tr>
<th>Weekday</th>
<th>Time of Day</th>
<th>Demographic</th>
<th>Consumer Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekend Breakfast Brunch</td>
<td>0800 – 1100</td>
<td>All Ages</td>
<td>Atmosphere, Quality Breakfast Food</td>
</tr>
<tr>
<td>Lunch / Snack / Coffee and Cake</td>
<td>1100 – 1700</td>
<td>All Ages</td>
<td>Quality fresh light meals and snacks</td>
</tr>
</tbody>
</table>

## Pricing Strategy

To provide affordable fresh healthy food

## The Competitors

Birregurra General Store
Otway Gluten Free Bakery
Enchanted Tastes Cafe
Business Plan – Birregurra

The Company

Business Sector
The owners would like to start a business in the food service sector

Company Goals and Objectives
To create a niche market of homemade fresh and healthy light meals and grazing platters
To provide a child friendly cafe venue in Birregurra
Obtain a Liquor Licence

Company Ownership Structure
The company will be structured as a partnership

Ownership Background
Nicole Milne (Partner)
Certificate III in Small Business Management
Certificate III in Retail Operations

Nicole has an employment history in office and practice management over the past 16 years. Nicole has gained experience over many different industries including retail/ hospitality industry, property management, building industry and the health sector.

Anne Badham (Partner)

Anne has experience running her own small businesses
Managing a school canteen.
Experience developing and managing a successful dental practice.
Currently works in the health sector.

Company Management structure
Anne and Nicole will be sharing the roles within the business. Nicole will handle the bookkeeping aspects of the business

Organisational Timeline
To be open for business early 2020

The Product
Fresh homemade platters - seasonal food provided
Fresh made light meals
Hot and cold beverages
Light Alcoholic Beverages
Homemade cakes and slices

Marketing Plan

The Target Market
Family’s looking for a child friendly venue to be able to get together for a light meal.
Providing a safe environment for children to play off the street whilst parents relax.

Location Analysis
The location has a large open plan area inside and outdoor area.

Pricing
Family affordable healthy snacks

Advertising
Advertising on social media
Local Publications- Birregurra Mail, School/ Kindergarten Newsletter
Signage
Word of Mouth
Local radio

The Competitors
Birregurra General Store
Otway Gluten Free Bakery
Enchanted Tastes Cafe

Operations

Staffing
Initially staffing would consist of Anne and Nicole as sole staff. Additional staff will be hired once the business can support additional staff and the need arises

The following copied documents are 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.
Hi Anne,

To provide to council.

Please find attached decommission report for the petrol tanks.

These were removed, prior to settlement, by Len Bowan operator of the mechanics business workshop at 8 Main St.

The vintage of the bowser was certainly 1950’s / 1960’s when we purchased. Len was still operating a business when we purchased and had been doing so since he and his wife purchased the building (council can check rates) but was greater than 15 years. He took over the business when he purchased.

Since settlement, Bethune Colac Pty Ltd operating as Birregurra Automotive and subsequently Birregurra Emporium leased the building off us for 4 years + to run a business.

So in terms of continually operating a business I am confident it has been doing so for 15 plus years.

In addition, the council rates the workshop separately from then house and classifies it as Commercial/Industrial use and charges accordingly. I have had numerous conversations with council and the advice I have is that you can operate a business without a permit, however will need to apply for permits to operate certain businesses - food being one.

Barwon water can confirm the sewer is connected however our rates charge for sewerage.

I hope this helps.

Kind regards,
Josh McGoldrick
UPS DECOMMISSION REPORT

SITE: 8 MAIN ST. BIRREGURRA, VICTORIA

DEVELOPER: L & J BOWEN

REPORT NUMBER: ES14185

DATE: 27 OCT. 2014

REPORTING TO: AUSTRALIAN STANDARD 4976:2008 THE REMOVAL AND DISPOSAL OF UNDERGROUND PETROLEUM STORAGE TANKS
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      1.5.1 Personnel
   1.5.2 Equipment
   1.6 Test Procedures
      1.6.1 Desktop
      1.6.2 Site
   1.7 Test Methods
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      4.1 Scope
   5.0 Report
      5.1 Decommission Process
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   6.0 Conclusion.
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   8.0 Professional Compliance Statement

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Fig 3. Fittings exposed, Tank #2.
Fig 4. Filling Tank#2 with water
Fig 5. Tank #2 with some fittings removed and first opening cut.
Fig 6. Concrete slurry pored into tank via opening.
Fig 7. Overfilled tank, prior to backfilling with site derived soil.
Executive Summary
The project involved the decommission of two 5,300 l underground petroleum storage tanks, this was completed to AS4976-2008 The Removal and Disposal of Underground Petroleum Storage Tanks, Section 4 and Section 7.
1. Background
A number of properties in older, established townships contain underground tanks previously used to store petroleum products. Removing from use these tanks presents a problem for the owners and the broader community. Standards Australia has developed a set of requirements and procedures to safely rehabilitate the land containing tanks; this standard is known as AS4976-2008 The Removal and Disposal of Underground Petroleum Storage Tanks. Other documents controlling this project include hazard and risk analysis associated with toxic and explosive atmospheres. This report has been commissioned to report to AS4976-2008 with respect to the subject land and infrastructure.

1.1 Developer
L. & J. Bowen

1.2 Project Description
The Project is the abandonment of two 5,300l tanks in situ. The preferred course of action is the removal and off-site disposal of the tanks. This project departs from the preferred option because of the potential for major structural damage due to the undermining of footings by tank excavations.

1.3 Owner of Project
L. & J. Bowen

1.4 Regulatory Authorities
Colac Otway Shire

1.5 Consultant Company
2020 Engineering Solutions
1745 Colac Forrest Rd
Colac 3249
ACN 11 9460 865

Sub-Contractor(s):
Colac Mini Mix
Richardsons Liquid Waste

1.5.1 Personnel
Mr. Michael Delahunty BEng(Mining) MEAust

1.5.2 Equipment
Kobelco 007 Excavator
IHT Multi-Gas Monitor,
Water pump
Various hand and power tools
1.6 Test Procedures
1.6.1 Desktop
Review standard
Review hazard analysis and safe work methods

1.6.2 Site
Identify, locate services.
Identify tank site and breather/filler tubes
Check status of tank

Received
10/10/2019
Excavate to expose top of tank
Fill tank with water as per Appendix B3.3 AS4976:2008
Direct analysis of site atmosphere
Cold cutting methods to remove vent pipe/filler tubes
Cold cutting method to breach/s tank
Remove and dispose of water
Direct delivery of cement sand sully into tank via breach/s.
Over fill and vibrate sully material to ensure minimum void
Remove service pipes
Cold cut remaining pipes
Plug remaining pipes with concrete mix
Cover tank openings with premix concrete
Establish tank location with respect to temporary height benchmarks and surrounding infrastructure
Backfill excavation
Track roll fill material
Level site

1.7 Test Methods
Direct analysis of tank site atmosphere by exposure of meter to released gasses

2.0 Site
Large urban block with existing masonry walls close to tank location/s

2.1 Address
8 Main Street
Birregurra, Victoria.

2.2 Tank Locality Plan
See Section 6.2 for description.

2.3 Plan of Survey
Not applicable, however the site has a very slight northern aspect.

2.4 Site Owner
L. & J. Bowen

2.5 Title Details of Site
LGA Number 314
TPS79469

2.6 Site Access
Site access is directly from the sealed Main Road.

2.7 Underground Services
Power to redundant bowers

2.8 Pre-existing and Referenced Documents
AS4360-2005
AS4976-2008
AS1726:1993
2020ES JSA 01.20.10.14
www.dse.vic.gov.au
2.9 Adjoining Property/s
Adjoining properties are not anticipated to be impacted on or by works associated with the subject land.

2.10 Underground and Adjoining Assets
No underground services noted, however the adjoining dwelling presents as a substantial risk of structural damage if tanks excavated as footings would be close to tank excavation.

3. Site Parameters
3.1 Layout of Development
The location of the tanks is indicated in Attachment One.

3.2 Budget
N/A

3.3 Level and Orientation of Principal Structural Units
Geological maps of the area indicate the site is located in a region of quaternary sediment at shallow angle/s. There are no anticipated geotechnical issues associated with the project.

3.4 Footing Loads
N/A

3.5 Sensitivity to differential movement
Developers should be aware the fill material over the decommissioned tanks would be classified as 'rolled fill' and may be subject to settlement, however the tanks are extremely unlikely to move.

4. Objective of Project
The objective of the project is to render safe and stable the underground petroleum storage tanks.

4.1 Scope
The scope of the Project is limited to tanks and associated infrastructure located within the subject land.

Compliance to relevant Section 4 and Section 7 of AS4976:2008.

5.0 Report
Following an on site inspection which identified approximate locations and dimensions of two underground petroleum storage tanks, recommendations indicated in-situ disposal was the preferred option.

5.1 Decommission Process
Site Condition and Process photos by author.
Establish Safe Working Zone.

Fig 1 Signs and Barricades for Tank #1 as per AS4976-2008. (Source; Author).

Note: Process identical for each tank, condition photos may show either tank. Exposure of tank top.

Fig 2. Exposure of tank top and fittings
Fig. 3. Fittings exposed, Tank #2.

Fig 4. Filling Tank#2 with water.
Fig. 5. Tank #2 with some fittings removed and first opening cut. Note gas detector.
Once cutting was complete on tank #2 the contained water was pumped into tank #1 and the process
fitting removal and opening cutting repeated.

Following the cutting procedure on tank #1, the now contaminated water was removed for safe and legal
disposal.

Figure 6. Concrete slurry poured into tank via opening. Note concrete vibrated to ensure complete filling of
tank.
Fig. 7 Overfilled tank, prior to backfilling with site derived soil.

Fig. 8 Rehabilitation complete, Tank #2.
6.0 Conclusion.

The disposal process was completed without incident. No near misses were noted. The procedure delivered two 5,300t tanks filled with sand/cement slurry, removed or plugged service pipes and levelled site.


This is to certify that the works described herein substantially complied with the relevant sections of AS4976:2008.

6.2 Tank Location Record

Tank #1 western end is located 4.9m from the western property boundary and the centre line is 1.50m from the wall of the existing structure.

GPS 5038° 20.301' E143° 47.404' Elev ~97m.

TBM: Top of sewer lid on opposite side of Main Road at 10.000m
Top of tank, 9.536m   Top of non-return valve, 9.546m.

Tank #2 eastern end is located 3.6m from the eastern property boundary and the centre line is 1.90m from the wall of the existing structure.

GPS 5038° 20.301' E143° 47.405' Elev ~97m.

TBM: Top of sewer lid on opposite side of Main Road at 10.000m
Top of tank, 9.386m   Top of non-return valve, 9.486m.

Note: The process removed all fittings, pipework etc from above non-return valve height.

7.0 Report Limitations

Should the final proposal differ substantially from the assessed proposal, the testing and resultant recommendations, may not be valid. This report also assumes the 'as tested' conditions are consistent across the site. If this is not the case, the client would be advised to contact the author, should encountered conditions vary from those reported.

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8.0 Professional Compliance Statement

The author has valid professional indemnity insurance at the time of inspection and reporting. As part of a commitment to ongoing professional development the author is undertaking the process of accreditation and attainment of chartered status.

Michael Delahunty
BEng MIEAust
The following copied documents are 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.
Hi Ravi,
The outdoor area will not have seating only standing area.
The background of the sign will be white.
The lettering on the parapet will be 700mm high and length will be proportionate to the template sent through.
The lettering on the aluminium sign will be 300mm high.
All signage will be the same as the previous business.
Regards
Anne

Sent from my iPhone