

Planning Enquiries  
Phone: (03) 5348 1577  
Web: [www.hepburnshire.vic.gov.au](http://www.hepburnshire.vic.gov.au)

# Application for a **Planning Permit**

If you need help to complete this form, read **MORE INFORMATION** at the end 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 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.

Clear Form

## The Land

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

### Street Address \*

Unit No.:	St. No.: 113	St. Name: Main Rd
Suburb/Locality: Hepburn Springs		Postcode: 3461

### 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.: 2	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.: PS 531447T
<b>OR</b>					
B	Crown Allotment No.: 1		Section No.: 7		
Parish/Township Name: Wombat					

## 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? \***

Refer The Proposal as attached

 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 \$ 120,000	 You may be required to verify this estimate. Insert '0' if no development is proposed.
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**refer further 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.

Refer existing conditions as attached

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: Miss	First Name: Lilian	Surname: Andrew
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name: PO Box 385
Suburb/Locality: Daylesford		State: VIC Postcode: 3460

Please provide at least one contact phone number \*

<b>Contact information for applicant OR contact person below</b>	
Business phone: [REDACTED]	[REDACTED]
Mobile phone: [REDACTED]	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 type="checkbox"/>
Name:		
Title: Mr	First Name: Tony	Surname: Robinson
Organisation (if applicable): Architect Reg #12132		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 9	St. Name: Fifth St
Suburb/Locality: Hepburn Springs		State: VIC Postcode: 3460

### 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.

<b>Owner *</b>		Same as applicant <input 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's Signature (Optional):		Date: day / month / year

## 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.

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: *Lily Andrew*

Date: 30 September 2020

day / month / year

If completing this form electronically, please tick the box to the right, include a date and type your name above to serve as a declaration that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.



## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://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?: Phone chat with a James from council

Date: 07/09/2020

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:**

Planning Department  
Hepburn Shire Council  
PO Box 21  
Daylesford VIC 3460

Customer Service Centre  
Cnr Duke & Albert Streets  
Daylesford VIC 3460

**Contact information:**

Phone: (03) 5348 1577

Email: [shire@hepburn.vic.gov.au](mailto:shire@hepburn.vic.gov.au)

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

### Privacy Statement

Your application and the personal information on this form is collected by council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, council will not be able to consider your application. Your application will be available at the council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. You can request access to your personal information by contacting Councils Governance Department.

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

VOLUME 10889 FOLIO 141

Security no : 124085600999P  
Produced 19/09/2020 08:16 AM

**LAND DESCRIPTION**

Lot 2 on Plan of Subdivision 531447T.  
PARENT TITLE Volume 04935 Folio 875  
Created by instrument PS531447T 21/07/2005

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
LILIAN MARY ANDREW of 109 FOXS LANE MUSK VALE VIC 3461  
AM058882K 25/07/2015

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AM058883H 25/07/2015  
BENDIGO AND ADELAIDE BANK LTD

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 PS531447T 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: 113 MAIN ROAD HEPBURN SPRINGS VIC 3461

**ADMINISTRATIVE NOTICES**

NIL

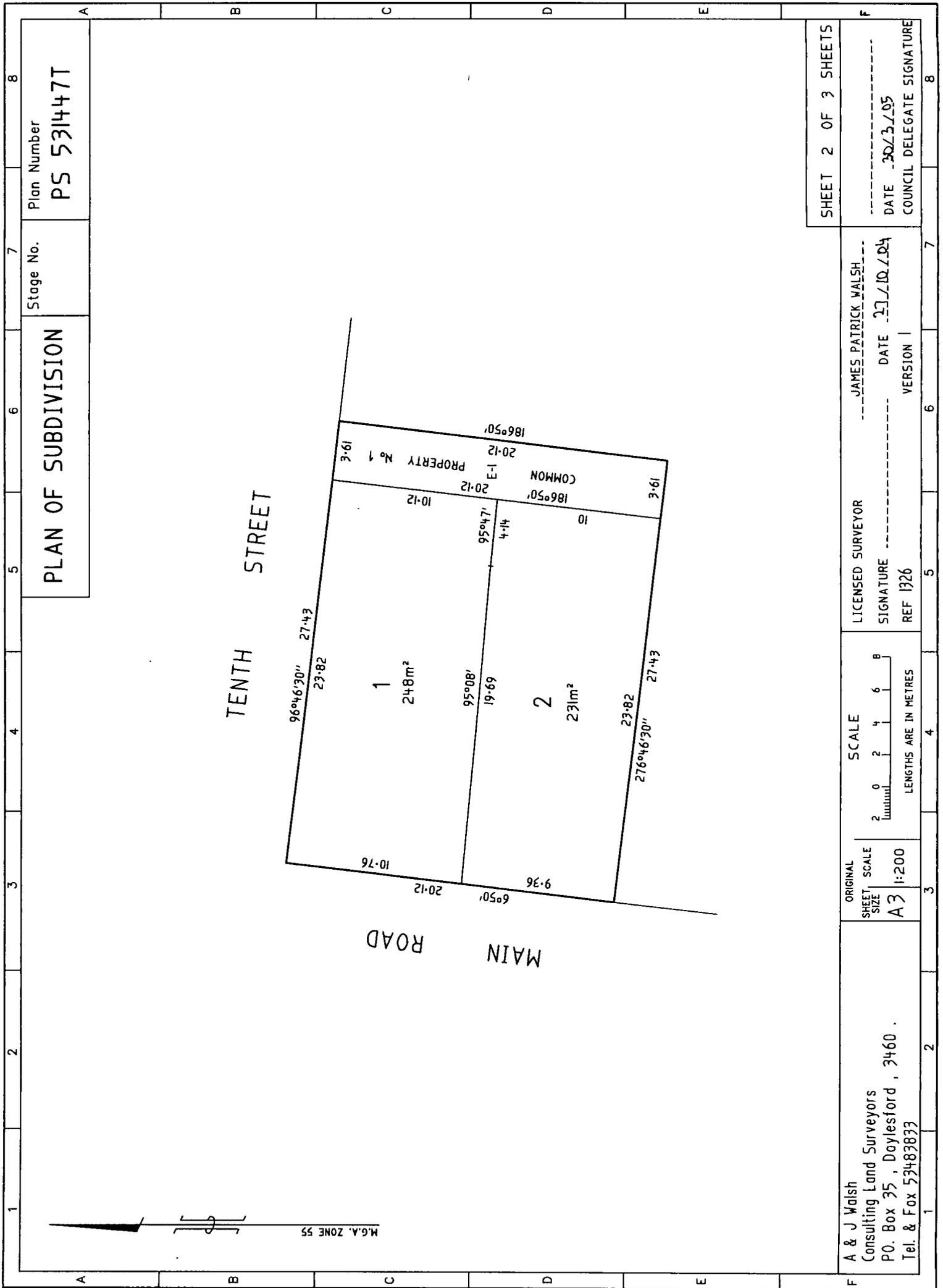
eCT Control 03500L BENDIGO AND ADELAIDE BANK LTD - SAFE CUSTODY  
Effective from 21/07/2017

**OWNERS CORPORATIONS**

The land in this folio is affected by  
OWNERS CORPORATION 1 PLAN NO. PS531447T

DOCUMENT END

<b>PLAN OF SUBDIVISION</b>		Stage No.	LTO use only	Plan Number <b>PS 531447T</b>
		EDITION		
Location of Land Parish: WOMBAT Township: HEPBURN Section: 7 Crown Allotment: 1 (PART) Crown Portion: -----  LTO base record: DCMB (RURAL) Title References: Vol 4935 Fol 875  Last Plan Reference: Postal Address: III MAIN ROAD, HEPBURN SPRINGS  MGA Co-ordinates: E 246450 (Of approx. centre of plan) N 5866650 Zone 55		Council Certification and Endorsement 5/4300/9900/2004/8300 Council Name: Hepburn Shire Council Ref:  1. This plan is certified under section 6 of the Subdivision Act 1988. 2. <del>This plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>Date of original certification under section 6 / /</del> 3. <del>This is a statement of compliance issued under section 21 of the</del> <del>Subdivision Act 1988.</del>  Open Space  (i) A requirement for public open space under section 18 Subdivision Act 1988 <del>has</del> / has not been made.  (ii) <del>The requirement has been satisfied.</del>  (iii) <del>The requirement is to be satisfied in Stage</del>  Council Delegate Council seal  Date 30 / 5 / 05		
<b>Vesting of Roads or Reserves</b>				
Identifier	Council/Body/Person			
NIL	NIL			
<b>Notations</b>				
Depth Limitation: NIL		Staging This <del>is</del> /is not a staged subdivision Planning Permit No.		
Other Purpose of Plan: To Create the Easement E-1 on this Plan. Grounds for Easement Creation: Hepburn Shire Planning Permit No. 2004/		Survey:- This plan is based on survey.  This survey has been connected to permanent marks no(s). 275 & 276 In proclaimed Survey Area no. 50		
<b>Easement Information</b>				LTO use only _____
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road) Rights & Easements Implied by Section 12(2) of the Subdivision Act 1988 applies to the Common Property and Lots 1 & 2				Statement of Compliance / Exemption Statement
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	CARRIAGEWAY	3.61	THIS PLAN (SEC. 9B T.L.A.)	CT. VOL 4511 FOL 190
				Received <input checked="" type="checkbox"/>  Date 19 / 7 / 05
				LTO use only _____ PLAN REGISTERED TIME 11:56 DATE 21 / 7 / 05  Assistant Registrar of Titles
				Sheet 1 of 3 Sheets
A & J WALSH Consulting Land Surveyors PO Box 35, Daylesford, 3460. Tel. & Fax 53483833		LICENSED SURVEYOR <u>JAMES PATRICK WALSH</u>  SIGNATURE _____ DATE 27/10/04  REF 1326 VERSION 1		_____ DATE 30/3/05 COUNCIL DELEGATE SIGNATURE  Original sheet size A3



**PLAN OF SUBDIVISION**

Stage No.

Plan Number  
**PS 531447T**

SHEET 2 OF 3 SHEETS  
DATE **20/3/05**  
COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR  
**JAMES PATRICK WALSH**  
SIGNATURE  
REF 1326  
DATE **27/10/04**  
VERSION 1

ORIGINAL SHEET SCALE SIZE  
**A3 1:200**  
SCALE  
LENGTHS ARE IN METRES

**A & J Walsh**  
Consulting Land Surveyors  
P.O. Box 35, Daylesford, 3460.  
Tel. & Fax 53483833



**TENTH STREET**

**MAIN ROAD**

**1**  
248m<sup>2</sup>

**2**  
231m<sup>2</sup>

186°50' 20-12  
COMMON  
PROPERTY No 1  
E-1  
186°50' 19-12  
10-12  
95°08' 19-69  
4-14  
10-12  
3-61  
186°50' 20-12  
3-61

96°46'30" 27-43  
23-82  
276°46'30" 27-43  
23-82  
27-43  
10-76  
20-12  
6°50' 9-36  
20-12

## THE PROPOSAL

Change of use from Commercial 1 Zone (C1Z) to residential accommodation.

Reasons for request to change of use:

1. Existing accounting practice has one Partner / Director and 3 – 4 qualified chartered accountants as contractors working from the premises from time to time. Due to Covid-19, all contractors are now working remotely from home (namely Melbourne homes). Due to volatility of lockdowns, the contractors will not return to this office for next 12 - 15 months (more likely December 2021). They have all indicated they prefer to work from home (save commuting time) which will be the new norm
2. The space is far too large for the Director only to work in.
3. Commercial properties this end of town do not have the day trade / foot traffic as Vincent St Daylesford does. The owner has been working from these premises since July 2015 and has noted the minimal weekday foot traffic. Weekend foot traffic is inconsistent and minimal foot traffic compared to Vincent St Daylesford.
4. Past history has demonstrated many businesses have failed in light of no foot traffic, consequently there will be no affect in loss of this commercial property in Hepburn Springs
5. Due to Covid-19, commercial property is no longer in demand with vacant shops becoming the norm for uncertain period of time.
6. Due to Covid-19 and uncertainty of future lockdowns, business owners have lost confidence of trading from bricks and mortar compared to on-line sales. The moratorium of evictions by commercial landlords has been extended to 31 December 2020, however this does not provide any confidence to a business if there are further lockdowns in 2021. Consequently, Covid-19 has dramatically affected the rentability **and** the saleability of commercial property in Hepburn Springs.
7. The owner is considering downsizing from acreage, and may live in the property or sell the property which will now only appeal to residential market once the permit of change of use has been issued.
8. The change of use would provide housing diversity and proximity to the town centre of Hepburn as the General Store / post office, is only 150 metres away.
9. The property will be attractive to the small households (one or two people), which is a large and growing proportion of households in Hepburn Shire with 2016 Census stating average people per household was 2.
10. The accounting practice will relocate to a smaller space to operate business from in the Hepburn Shire region.
11. Several drawings have been attached to provide an overview of various internal designs that can be managed within the space

## **EXISTING CONDITIONS:**

The land is a near rectangular shaped block on the eastern side of Main Street with frontage of 9.36m, depth 23.82m (irregular) and area of 231 m<sup>2</sup> with all services connected including NBN and gas. Net lettable area is approximately 115.2m<sup>2</sup>.

The surrounding properties comprise of a variety of commercial developments including a café adjoining to the north and Palais adjoining to the south, Peppers diagonally across the road and short term and residential properties across the road.

Current zoning purpose:

1. Mixed use commercial centre for retail office, entertainment and community uses; and
2. To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Accommodation consists of a front entry/waiting room, a side office with a smaller office/IT room adjacent and includes a large rear office/gallery with polished floorboards. At the rear of the building is a lunchroom with built in cupboards with laminated bench tops and a single bowl stainless steel sink and a separate toilet.

Other improvements include a front verandah of approximately 21.0 m<sup>2</sup>, a rear metal deck with glazed safety panels of approximately 16.8 m<sup>2</sup>, timber paling fencing, crushed rock paving and landscaping to the rear yard (many trees planted), and wrought iron gates at both the rear and front northern end of the block. There is vehicle access / off street parking to the rear of the site via a crushed rock common driveway off Tenth Street.

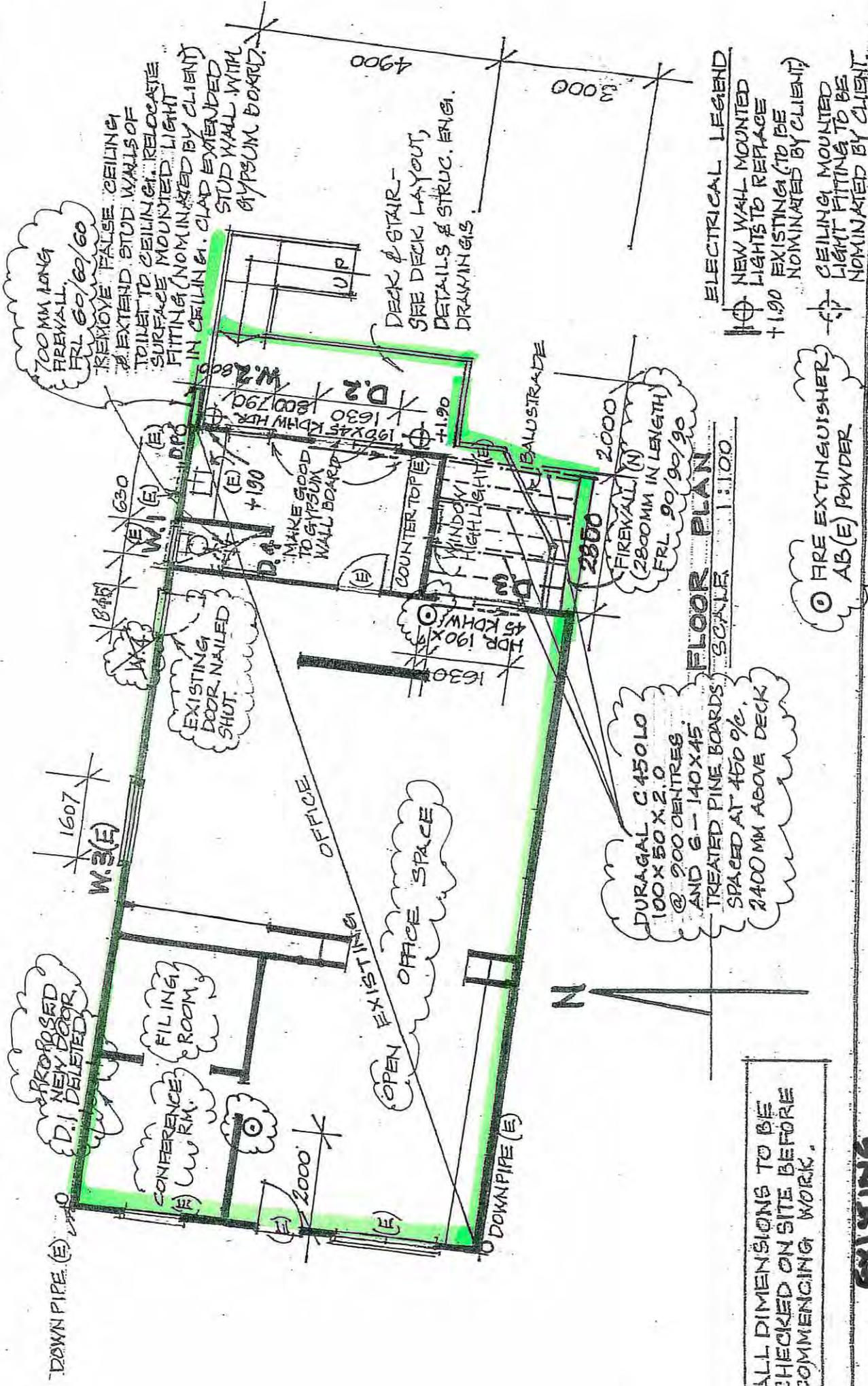
The property is currently owner occupied by a Chartered Accountant 1 Partner / Director and 3 - 4 contractors who are all now working from home due Covid-19 and will continue to do so as the new norm.

## **ESTIMATED COST**

Cost of \$120,000 is reasonable considering

1. Most of the ceiling will remain open following the rake of the roof;
2. External walls will remain as is;
3. Possibly only one new window ; and
4. Floors remain as is and are already insulated

Cost may vary depending on which version is adopted



- ELECTRICAL LEGEND**
- ⊕ NEW WALL MOUNTED LIGHTS TO REPLACE +190 EXISTING (TO BE NOMINATED BY CLIENT)
  - ⊕ CEILING MOUNTED LIGHT FITTING TO BE NOMINATED BY CLIENT.

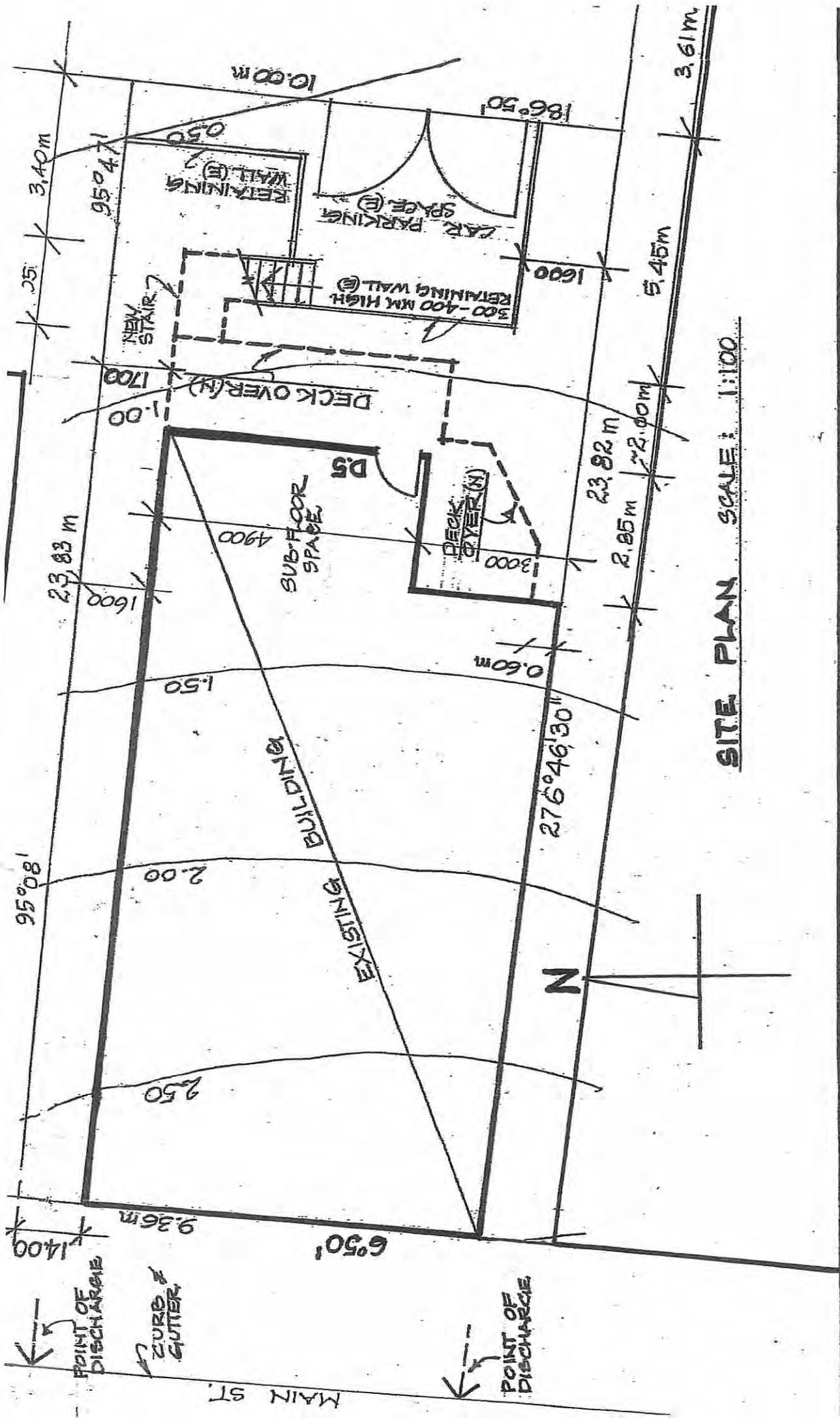
**FLOOR PLAN**  
SCALE 1:100

ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE COMMENCING WORK.

**EXISTING** FLOOR PLAN OF OFFICE BUILDING AT 113 MAIN ST.  
HEPBURN SPRINGS, VIC. 3461, FOR LILY ANDREW.

ARCHITECT — G.A. ROBINSON REG # 12132

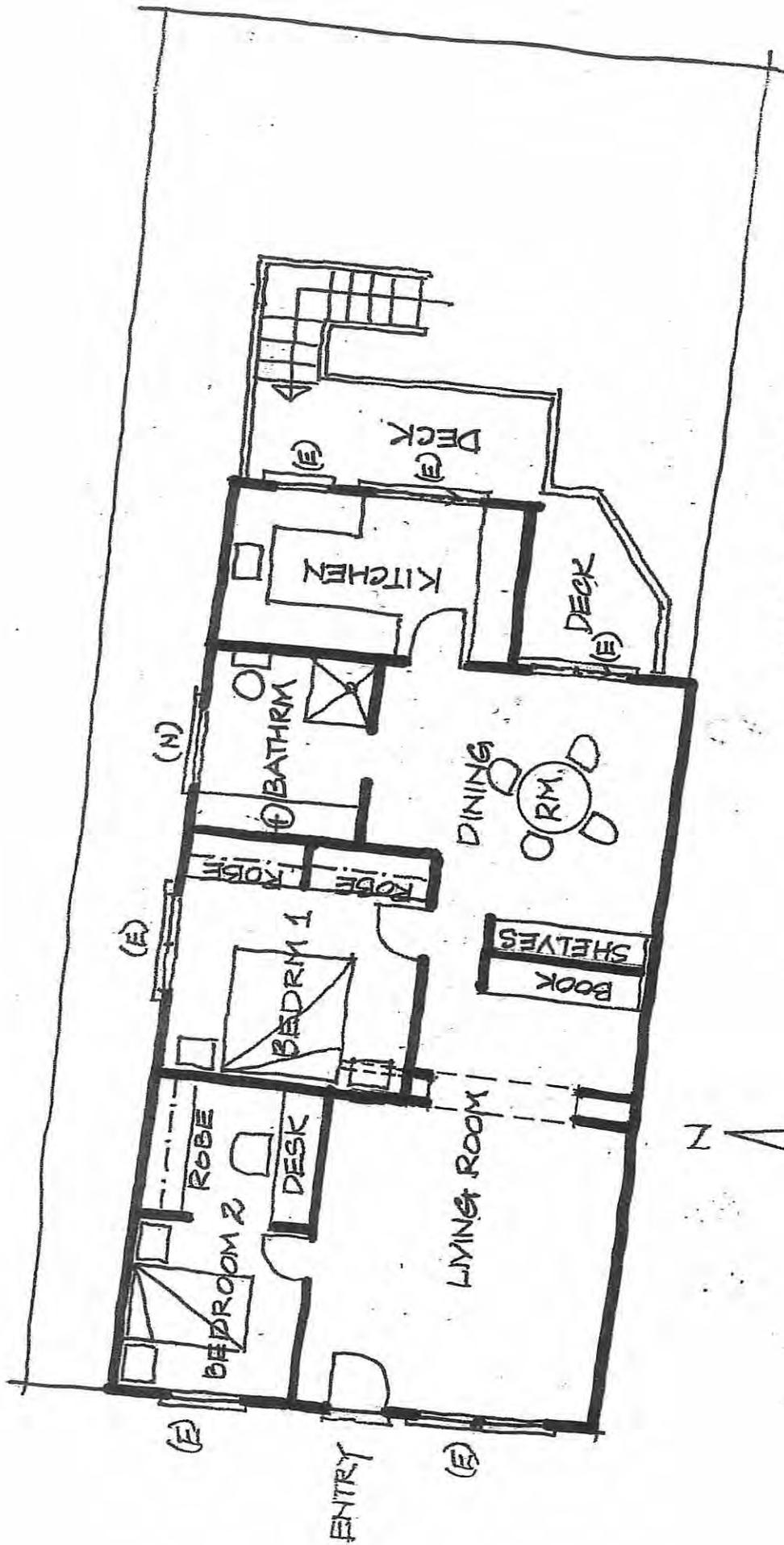
*G.A. Robinson* 30/08/16  
AMENDED 16/3/17



SITE PLAN SCALE: 1:100

EXISTING SITE PLAN OF OFFICE BUILDING AT 113 MAIN ST.  
 HEPBURN SPRINGS, VIC 3461, FOR LILY ANDREW.  
 ARCHITECT - G.A. ROBINSON REG: 12132

*Handwritten signature: G.A. Robinson 27/09/20*



SCALE 1:100

FLOOR PLAN - ALTERNATIVE 3.

FLOOR PLAN ALTERNATIVE FOR BUILDING AT 113 MAIN ST., HERBYRN SPRINGS

Vic. 3461 for LILY ANDREW

ARCHITECT - G. A. ROBINSON REG. # 12132

*G. A. Robinson* 27/09/20



