



Planning Enquiries
 Phone: (03) 5662 9203
 Web: www.southgippsland.vic.gov.au

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.

⚠ 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.

ℹ Click for further information.

The Land **ℹ**

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

Street Address *

Unit No.:	St. No.: 70-78	St. Name: COMMERCIAL ST
Suburb/Locality: KORUMBURRA		Postcode: 3950

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.: Lodged Plan Title Plan Plan of Subdivision No.: TP72982N

OR

B Crown Allotment No.: 1F Section No.: 2

Parish/Township Name: KORUMBURRA

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 the property for the sale of packaged liquor during the following hours.

MON SAT 10AM - 9PM

SUN 11AM - 7PM

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 \$ 100,000 **⚠** You may be required to verify this estimate. Insert '0' if no development is proposed.

Existing Conditions 1

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 decommissioned fuel station.

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

Title Information 1

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 1

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

Applicant

The person who wants the permit.

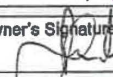
Please provide at least one contact phone number

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

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		
Title: MRS	First Name: JULIE	Surname: MONACELLA
Organisation (if applicable): LUCIZA PTY LTD		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name: PO Box 609
Suburb/Locality: MORWELL		State: VIC Postcode: 3840
Contact information for applicant OR contact person below		
Business phone: 0351342906	Email: juliem@monacellas.com.au	
Mobile phone: 0408171358	Fax:	
Contact person's details* Same as applicant <input type="checkbox"/>		
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:
Name: Same as applicant <input type="checkbox"/>		
Title:	First Name:	Surname:
Organisation (if applicable): J & V F MURDICA Pty Ltd		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.: 68	St. Name: Commercial St
Suburb/Locality: KORUMBURRA		State: VIC Postcode: 3950
Owner's Signature (Optional): 		Date: 17/9/2020 <small>day / month / year</small>

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: 

Date: 16/09/2020
day / month / year

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

Filed in the form completely?

Have you:

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:

South Gippsland Shire Council
Private Bag
4 Leongatha VIC 3953
9 Smith Street
Leongatha VIC 3953

Contact information:

Phone: (03) 5662 9200

Email: council@southgippsland.vic.gov.au

DX: 94026

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

MORE INFORMATION

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified?


Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description – the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See Example 1.

The Proposal

Why is it important to describe the proposal correctly?


The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting the Planning Schemes Online section of the department's website <http://planning-schemes.dewp.vic.gov.au>

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au. Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See Example 2.


Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

 Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See Example 3.

Title Information

What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?


A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

 You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.



South Gippsland
Shire Council

Application Check List Licenced Premises

Applicants are requested to fill in this checklist and lodge it with their application.

A correctly completed application will result in faster processing times in most instances.

When you have completed your checklist, sign below to verify you have included all the information necessary to determine your application. If you are lodging this application over the counter, staff from our Planning Department are available to assist at our Council Office at 9 Smith Street, Leongatha.

Required Information:

- An application form completed and signed
- A current copy of title for the land, no more than 60 days old
 - A title can be ordered via the Internet on www.landata.vic.gov.au, or by visiting the Titles Office at Level 10, 570, Bourke St, Melbourne Victoria.
 - For more information call (03) 8636 2456.
 - NOTE: Both the Registered Search Certificate and the Title Diagram need to be submitted.**
 - NOTE: If the land is burdened by a registered restrictive covenant or Section 173 Agreement the application must be accompanied by a copy of the document.**
- * The application fee
- Three copies of all plans drawn at preferred scales of 1:100 or 1:200 (A4 or A3 in size), which includes the red line area for the liquor licence.
- Type of licence being sought
- A copy of any existing licence and existing 'red line' area
- Proposed patron numbers and security arrangements for a licensed premises
- Proposed days/hours of operation
 - The likely effects on adjoining land, including:
 - Noise levels, whether live or broadcast music is proposed
 - Traffic, including hours of delivery and dispatch

Thank you for completing this checklist to ensure that your application is processed as quickly as possible.

Applicant's signature: _____

Applicant's name: Julie Monacella

Date submitted: 17/09/2020

APPLICATION FOR PLANNING PERMIT TO SELL PRE-PACKAGED LIQUOR

ADDRESS: 70 – 78 Commercial street Korumburra

APPLICANT: Luciza Pty Ltd Trading as MONACELLARS



1. INTRODUCTION

Luciza Pty Ltd is applying with the consent of the Land owner J&VF Murdica Pty Ltd to change the use of premises situated at 70 – 78 Commercial Street Korumburra to enable the sale of pre-packaged liquor.

2. SUBJECT LAND

The subject site is commonly known as 70 – 78 Commercial Street Korumburra and is more particularly described as Volume 10183 Folio 481, Parish of Korumburra.

A copy of the Certificate of Title and Title Plan are attached.

The site is presently a vacant decommissioned fuel station. The allotment is rectangular in shape with frontage to Commercial Street which is a double lane sealed street with kerb and channel.

The site has a total area of 1135m².

The subject land is zoned Commercial 1 zone.

**3. SURROUNDING LAND**

The land to the left of the site consist of two retail premises. To the right is an office building (currently occupied by the land owner of subject site) and a food premises. Across the double lane Commercial Street is situated a number of food premises and assorted retailing and further along the Middle Hotel. All buildings are a mix of old and new designs and constructed in a variety of styles.

We estimate that both noise levels and traffic will be substantially less than when the site operated as a fuel station. The proposed hours of operation are within normal business hours: MON – SAT: 10AM – 9PM, SUN: 11AM – 7PM

As there is adequate area onsite for delivery vehicles there will have be no impact on adjoining businesses.

The licence is for the sale of pre-packaged liquor via a Drive-Thru, to be consumed off the premises. There will be no impact to adjoining businesses as there is adequate area for vehicles on site and specific entry and exit points from the one-way Commercial Street.

4. THE PROPOSAL

The application seeks approval to change the use of the site to enable the sale of pre-packaged liquor for consumption off the premises.

There will be no change to the size of the existing premises.

Internal renovations will include the addition of a cool room, flooring, cabinetry and roller shutters. External improvements will include painting and banner signage.

5. CARPARKING

There are 10 on site car spaces. As the proposed use is a drive-thru bottle shop it is not anticipated that customers will be on site for long periods of time.

6. ADVERTISING SIGNS

It is proposed to re-banner on the existing building and use the existing sign tower.





7. CUMULATIVE IMPACT ASSESSMENT

Attached please find a list of all liquor outlets within the Korumburra CBD.

There is one other packaged liquor licence in the town which is situated 500m from the proposed site. There are two hotels with general licences that enable the sale of liquor for consumption off the licenced premises situated 100m and 350m from the proposed site.

There are four BYO permits in the town.

The remaining licences consist of limited renewable and restricted club licences. There are three restaurant and café licences and one on-premise licence.

It is envisaged that most of the trade will come from passing traffic hopefully encouraging travellers to stop in the town. Given that the shop will not be operating outside normal business hours the cumulative impact assessment will negligible.

It is not uncommon to have licensed premises in commercially zoned areas. There are not any other sensitive land uses which would, in any way, be affected by the proposed application or would have land use conflicts as a result of the proposed use being supported by the Council. It is considered that the site is appropriately zoned and located for the proposed use and the planned investment to the presently fenced off vacant site would be welcomed by fellow traders.

9/17/2020

Search Current Liquor Licences and Applications Online: Victorian Commission for Gambling and Liquor Regulation

[View Licence](#) [Google Map](#)

32102620 KORUMBURRA GOLF CLUB, KORUMBURRA 3950
Licence Type: Full Club
Licensee: KORUMBURRA GOLF CLUB INC
Nominee: GLASSBY BRIAN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

36086915 KORUMBURRA GOLF CLUB, KORUMBURRA 3950
Licence Type: Renewable Limited
Licensee: KORUMBURRA GOLF CLUB INC
Nominee: GLASSBY BRIAN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

36126553 KORUMBURRA GOLF CLUB, KORUMBURRA 3950
Licence Type: Renewable Limited
Licensee: KORUMBURRA GOLF CLUB INC
Nominee: HISLOP, DONALD
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31907792 KORUMBURRA HOTEL, KORUMBURRA 3950
Licence Type: General
Licensee: THE MIDDLE PTY LTD
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31150387 KORUMBURRA ITALIAN SOCIAL CLUB, KORUMBURRA 3950
Licence Type: BYO Permit
Licensee: KORUMBURRA ITALIAN SOCIAL CLUB INC
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

32050750 MICHAEL'S IGA SUPERMARKET, KORUMBURRA 3950
Licence Type: Packaged liquor
Licensee: AEROTEN PTY LTD
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31271084 RAINBOW PALACE CHINESE RESTAURANT, KORUMBURRA 3950
Licence Type: BYO Permit
Licensee: LIU, TOM WING KIN
Licensee: YE, WYLIE HIU
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

32272831 RAINBOW PALACE CHINESE RESTAURANT, KORUMBURRA 3950
Licence Type: On-premises
Licensee: LIU, TOM WING KIN
Licensee: YE, WYLIE HIU
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31957894 THE BOROUGH WINE STORE, KORUMBURRA 3950
Licence Type: General
Release from obligations: LUNA WINE MERCHANTS PTY LTD
Star Rating: Not Applicable
Demerit Points: Not Applicable
Status: SUSPENDED 564
Suspend Date: 02/01/2020

[View Licence](#) [Google Map](#)

32314722 THE CORNER GARDEN CAFE & BAR, KORUMBURRA 3950
Licence Type: Restaurant and cafe
Licensee: WHITEFORD, ROSEMARY KAREN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

32334285 THE TINY TEAPOT CAFE, KORUMBURRA 3950
Licence Type: Restaurant and cafe
Licensee: VINCENT, DEBRA ANN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

- END OF LIST -
[Return to Top](#)

Search Search Licences and Applications Online Victorian Commission for Gambling and Liquor Regulation

[View Licence](#) [Google Map](#)

32102620 KORUMBURRA GOLF CLUB, KORUMBURRA 3950
Licence Type: Full Club
Licensee: KORUMBURRA GOLF CLUB INC
Nominee: GLASEY, BRIAN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

36086915 KORUMBURRA GOLF CLUB, KORUMBURRA 3950
Licence Type: Renewable Limited
Licensee: KORUMBURRA GOLF CLUB INC
Nominee: GLASEY, BRIAN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

36126553 KORUMBURRA GOLF CLUB, KORUMBURRA 3950
Licence Type: Renewable Limited
Licensee: KORUMBURRA GOLF CLUB INC
Nominee: HISLOP, DONALD
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31907792 KORUMBURRA HOTEL, KORUMBURRA 3950
Licence Type: General
Licensee: THE MIDDLE PTY LTD
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31150387 KORUMBURRA ITALIAN SOCIAL CLUB, KORUMBURRA 3950
Licence Type: BYO Permit
Licensee: KORUMBURRA ITALIAN SOCIAL CLUB INC
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

32050750 MICHAEL'S IGA SUPERMARKET, KORUMBURRA 3950
Licence Type: Packaged liquor
Licensee: AEROTEN PTY LTD
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31271094 RAINBOW PALACE CHINESE RESTAURANT, KORUMBURRA 3950
Licence Type: BYO Permit
Licensee: LIU, TOM WING KIN
Licensee: YE, WYLIE HIU
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

32272831 RAINBOW PALACE CHINESE RESTAURANT, KORUMBURRA 3950
Licence Type: On-premises
Licensee: LIU, TOM WING KIN
Licensee: YE, WYLIE HIU
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

31957884 THE BOROUGH WINE STORE, KORUMBURRA 3950
Licence Type: General
Release from obligations: LUNA WINE MERCHANTS PTY LTD
Star Rating: Not Applicable
Demerit Points: Not Applicable
Status: SUSPENDED S84
Status Date: 02/01/2020

[View Licence](#) [Google Map](#)

32314722 THE CORNER GARDEN CAFE & BAR, KORUMBURRA 3950
Licence Type: Restaurant and cafe
Licensee: WHITEFORD, ROSEMARY KAREN
Star Rating: ☆☆☆☆☆ (5 Stars)
Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

32334285 THE TINY TEAPOT CAFE, KORUMBURRA 3950
Licence Type: Restaurant and cafe
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