

Planning Enquiries
Phone: (03) 9688 0200
Web: www.maribyrnong.vic.gov.au

Clear Form

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.

The Land

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

Street Address *

Unit No.: 1	St. No.: 4-8	St. Name: Parker St
Suburb/Locality: Footscray		Postcode: 3011

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	<input type="radio"/> Lodged Plan	<input checked="" type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.: 881623G
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? *

To use the site as a yoga/Pilates studio (indoor recreation facility) in the Industrial 3 Zone.

There are no external buildings and works that will require a planning permit.

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 \$50,000

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 \$1.093 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 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 Office building

**CITY OF MARIBYRNONG
ADVERTISED PLAN**


 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 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

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: Ms

First Name: Lisa

Surname: Minett

Organisation (if applicable): My Mama Said P/L

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name: PO BOX 442

Suburb/Locality: Williamstown

State: Vic

Postcode: 3016

Contact information for applicant OR contact person below

Business phone:

Email: lisa@mymamasaid.com.au

Mobile phone: 0407054604

Fax:

Contact person's details*

Same as applicant ☒

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:

Name:

Same as applicant ☐

Title:

First Name:

Surname:

Organisation (if applicable): Parker St Pty Ltd

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.: 32

St. Name: The Esplanade

Suburb/Locality: Torquay

State: Vic

Postcode: 3228


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:

Lisa Minott

Date: 26/02/2025

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 his 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?: **Jessy Pesavento**

Date: 7/2/2025


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?

Lodgement

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

Maribyrnong City Council
PO Box 58
Footscray VIC 3011

Cnr Napier & Hyde Streets
Footscray VIC 3011

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

DX: 81112

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



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 Planning Schemes Online at planning-schemes.delwp.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 Gol fields, 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.

Metropolitan Planning Levy refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void.

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.

Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

⚠ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

⚠ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates"

Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration

⚠ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit

Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

⚠ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

⚠ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

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Example 1

The Land

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

Street Address

Unit No.: 4 St. No.: 26 St. Name: Planmore Avenue

Suburb/Locality: HAWTHORN Postcode: 3122

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 ☐ Lodged Plan ☐ Title Plan ☒ Plan of Subdivision No.: LP93562

OR

B

Crown Allotment No.: Section No.: Parish/Township Name:

Example 2

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

Construction of two, double-storey dwellings and construction of two new crossovers.

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.

Example 3

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.

Single dwelling.

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

Example 4

Applicant and Owner Details

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: Mr First Name: Len Surname: Browning

Organisation (if applicable): Responsible Developers P/L

Postal Address:

Unit No.: 4 St. No.: 12 St. Name: Ardour Lane

Suburb/Locality: Wycheproof State: Vic Postcode: 3527

Contact information for applicant OR contact person below

Business phone: 9123 4567 Email: tcpl@bigpond.net.au

Mobile phone: 0412 345 678 Fax: 9123 4567

Contact person's details*

Same as applicant

Name:

Title: Mr First Name: Andrew Surname: Hodge

Organisation (if applicable): Town Planning Consultants

Postal Address:

Unit No.: St. No.: St. Name: PO Box 111

Suburb/Locality: Parkdale State: Vic Postcode: 3194

Same as applicant

Name:

Title: First Name: Surname:

Organisation (if applicable):

Postal Address:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner's Signature (Optional): Date: day / month / year

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

Page 1 of 1

VOLUME 11173 FOLIO 420

Security no : 124123446193J
Produced 04/04/2025 01:49 PM

LAND DESCRIPTION

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

Land in Plan of Consolidation 167135V.
PARENT TITLE Volume 09799 Folio 129
Created by instrument AG890386G 26/11/2009

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PARKER STREET PTY LTD of 32 THE ESPLANADE TORQUAY VIC 3228
AJ521792G 29/02/2012

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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE CP167135V 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: 2-8 PARKER STREET FOOTSCRAY VIC 3011

DOCUMENT END

Imaged Document Cover Sheet

**CITY OF MARIBYRNONG
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Document Identification	CP167135V
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OFFICE USE ONLY CP167135V		NOTATIONS		C		D		E		F	
CERTIFICATION BY SURVEYOR I certify that this plan has been made by me or under my immediate supervision and accords with title. <i>Deborah A. Suban</i> LICENSED SURVEYOR DATED: 14.10.87		PLAN APPROVED 11-3-88 <i>[Signature]</i> 4.10 11.3.88 (ASSISTANT) REGISTRAR OF TITLES THE LAND TO BE CONSOLIDATED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES TITLE REF: VOL 9387 FOL 816 & VOL 8616 FOL 650 LAST PLAN REF: CP 150392 AND LP 32475.		PLAN OF CONSOLIDATION		COUNTY BOURKE		PARISH CUT - PAW - PAW (CHART NO.3)		CITY OF FOOTSCRAY	
				CROWN ALLOTMENTS 1,2,3 & 26		CROWN ALLOTMENTS 4,22,23 & 25 (PART)		SECTION 10		ORIGINAL SCALE SHEET SIZE 1:500 A3	
LENGTHS ARE IN METRES		OFFICE USE ONLY		VICTORIA		8		7		6	

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

STREET
WHITEHALL STREET
PARKER STREET

4392 m²

TRUE NORTH
APPROX

10° 55' 27.43
11° 10' 35.64
10° 19' 10.19
10° 28' 10.13
17° 13' 15.20
10° 57' 8.97
101° 19' 6.25
190° 44' 190.44
11° 89' 5.51
100° 54' 101° 46' 101° 23' 101° 08' 17° 57' 192.01
4.16 4.16 5.36 281° 26' 10° 14' 4.16 5.49 6.03

N.I.T.

SEAL AND ENDORSEMENT OF MUNICIPALITY
MUNICIPALITY CITY OF FOOTSCRAY COUNCIL REF.
Sealed Pursuant to the provisions of Sec. 569 A B of the Local Gov. Act

ATTEST OF THE
CITY CLERK
CITY OF FOOTSCRAY
1768

FISHER CLELAND TURNER & DWYER P/L
SURVEYORS & ENGINEERS
17 QUEEN STREET, MELBOURNE 3000.
G.P.O. BOX 5175AA. TELEPHONE 614 4322

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

Page 1 of 1

VOLUME 10938 FOLIO 831

Security no : 124123446192K
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LAND DESCRIPTION

Lot 1 on Title Plan 881623G.
PARENT TITLE Volume 06296 Folio 167
Created by Application No. 123612E 27/04/2006

CITY OF MARIBYRNONG
ADVERTISED PLAN

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PARKER STREET PTY LTD of 32 THE ESPLANADE TORQUAY VIC 3228
AJ521792G 29/02/2012

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 TP881623G 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: 2-8 PARKER STREET FOOTSCRAY VIC 3011

DOCUMENT END

Imaged Document Cover Sheet

**CITY OF MARIBYRNONG
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TITLE PLAN			EDITION 1		TP881623G	
LOCATION OF LAND PARISH: CUT PAW PAW TOWNSHIP: - SECTION: 10 CROWN ALLOTMENT: 4 (Part) CROWN PORTION: - LAST PLAN REFERENCE: - DERIVED FROM: VOL.6296 FOL.167 DEPTH LIMITATION: NIL				NOTATIONS <div style="border: 2px solid red; padding: 5px; text-align: center; color: red; font-weight: bold; margin: 10px auto; width: 80%;"> CITY OF MARIBYRNONG ADVERTISED PLAN </div>		
EASEMENT INFORMATION					THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES Checked by: M.M.C. Date: 27/04/2006 Assistant Registrar of Titles	
E - ENCUMBERING EASEMENT. R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.						
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of		

LENGTHS ARE IN METRES	SCALE —	DEALING / FILE No: AP123612E		DEALING CODE: 60	
		GOVERNMENT GAZETTE No:		SHEET 1 OF 1	



Department of Environment, Land, Water & Planning

CITY OF MARIBYRNONG
ADVERTISED PLAN

Owners Corporation Search Report

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Produced: 26/03/2025 11:31:52 AM

OWNERS CORPORATION 1
PLAN NO. PS612229E

The land in PS612229E is affected by 2 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Properties 1, 2, Lots 1 - 20.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

CVA PROPERTY CONSULTANTS PTY LTD 18-20 RUSSELL STREET MELBOURNE VIC 3000

AJ771524L 02/07/2012

Owners Corporation Manager:

NIL

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC003144J 06/01/2009

Notations:

NIL

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Common Property 2	0	0
Lot 1	127	127
Lot 2	132	132
Lot 3	135	135
Lot 4	135	135
Lot 5	123	123



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS612229E

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Lot 6	130	130
Lot 7	125	125
Lot 8	125	125
Lot 9	43	43
Lot 10	43	43
Lot 11	43	43
Lot 12	43	43
Lot 13	43	43
Lot 14	43	43
Lot 15	43	43
Lot 16	44	44
Lot 17	46	46
Lot 18	43	43
Lot 19	256	256
Lot 20	278	278
Total	2000.00	2000.00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

CITY OF MARIBYRNONG
ADVERTISED PLAN



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 2
PLAN NO. PS612229E

The land in PS612229E is affected by 2 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 2, Lots 19, 20.

CITY OF MARIBYRNONG
ADVERTISED PLAN

Limitations on Owners Corporation:

Limited

Postal Address for Services of Notices:

CVA PROPERTY CONSULTANTS PTY LTD 18-20 RUSSELL STREET MELBOURNE VIC 3000

AJ771524L 02/07/2012

Owners Corporation Manager:

NIL

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC003145G 06/01/2009

Notations:

NIL

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 2	0	0
Lot 19	100	100
Lot 20	100	100
Total	200.00	200.00

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Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 26/03/2025 11:31:52 AM

OWNERS CORPORATION 2
PLAN NO. PS612229E

Statement End.

CITY OF MARIBYRNONG
ADVERTISED PLAN

04 April 2025

Kylie Lee
Senior Urban Planner
Maribyrnong City Council

Via email: planningapplications@maribyrnong.vic.gov.au

Dear Ms Lee,

Re: Planning Permit No. TP44/2025(1)
Address: 4-8 Parker Street, Footscray

Glossop Town Planning continues to act on behalf of My Mama Said Pty Ltd, the permit applicant in relation to this matter.

Reference is made to Council's letter dated 26 March 2025 requesting further information under Section 54 of the Planning and Environment Act 1987 and providing preliminary comments.

In response to Council's letter, please find enclosed the following:

- A full copy of title;
- A site plan;
- A revised existing conditions plan; and
- A revised proposed plan.

In addition, a response to Council's further information request is provided below:

Further information

- Item 1: A full copy of title has been provided with this response.
- Item 2: Details of the proposed use have been provided below.
- Item 3: A site plan has been submitted with this response. The existing conditions plan has also been amended to including a notation confirming that the proposed use relates to the first floor level only. A revised proposed plan has also been included to replace the previous concept plans.

Preliminary Concerns

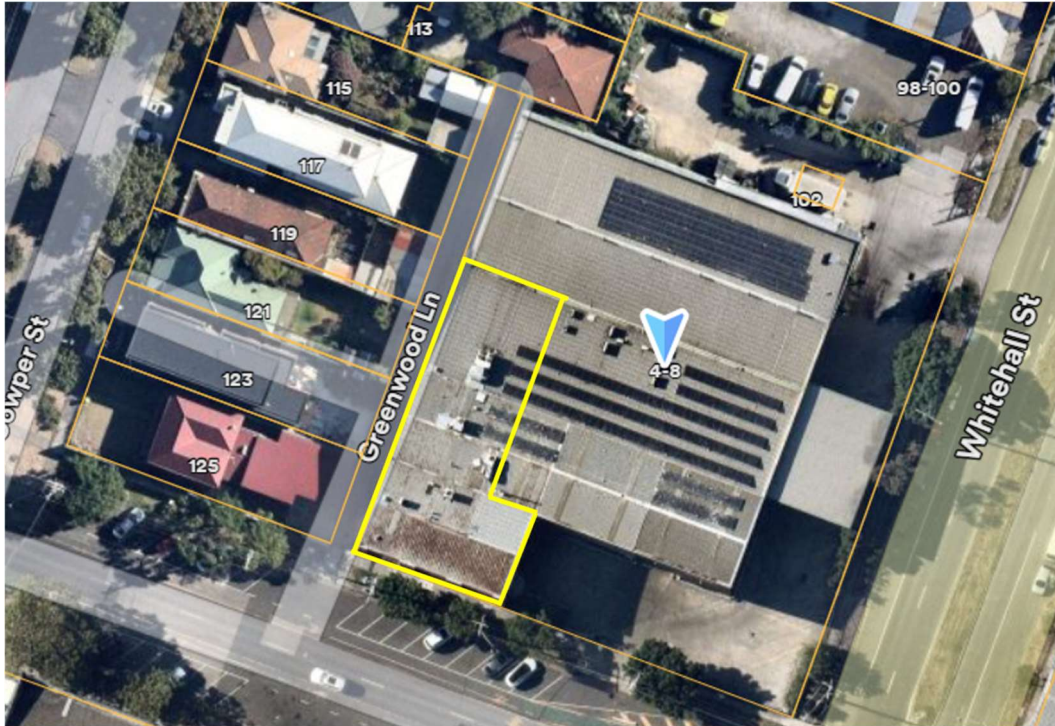
Concept plans

An updated concept plan has been provided with this response.

Details of the Proposed Use



It is proposed to use part of the first floor level of the subject site as a pilates studio (Indoor recreation facility). Specifically, the use occupies 494sqm of the first floor of the building as outlined in yellow below.



Aerial image of subject site showing approximate location of proposed first floor use (source: nearmap.com.au, date: 7 March 2025)

The proposed use includes:

- An office/ film room.
- A lounge area.
- A Pilates studio;
- A reformer pilates studio;
- A Yoga/matt room;
- Two treatment rooms; and
- Changing and bathroom facilities.

We note that the 'treatment rooms' are a space for one-on-one clinical pilates sessions or complementary treatments such as Kinesiology and Reike. These complementary treatments are ancillary to the proposed use.

The proposal does not provide any on-site car parking¹. We acknowledge that there is a high level of on-street parking available on Parker Street.

The studio will accommodate a maximum number of 50 patrons at any one time including three staff members (comprising one staff member at reception and two staff members moving between classes).

The proposed hours of operation are as follows:

- Monday - Thursday : 6am – 8pm.
- Friday: 6am – 6pm.
- Saturday: 7am – 2 pm.
- Sunday: 8am – 6pm.

Potential Amenity Impacts

Pursuant to Clause 33.03-2 of the Industrial 3 Zone, a use must not adversely affect the amenity of the neighbourhood, including through the:

- *Transport of materials, goods or commodities to or from the land.*
- *Appearance of any stored goods or materials.*
- *Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

We note that there is no regular transport of materials, goods or commodities to or from the land in association with the proposed use and that all goods or materials associated with the use will be stored within the first floor level tenancy.

The proposed use will not result in the emission of artificial light, vibration, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil to surrounding areas.

The application will also not result in any unreasonable noise impacts on the surrounding area for the following reasons:

- The proposed use is located at the first floor level of the building and a 3 metre wide laneway separates the building from the nearest adjoining properties to the west.
- The windows on the western elevation of the building are not operable, limiting noise emissions.

¹ Table 1 to Clause 52.06 does not list a car parking rate for an indoor recreation facility and therefore parking is to be provided to the satisfaction of the responsible authority.

- The proposed use generates a low level of noise by nature with low level music playing in pilates and yoga classes. The level of music played in Pilates Barre and Ballet Barre classes is also kept to a minimum so as not to disturb co-occurring yoga and pilates classes.
- The Internal walls of each studio space comprise acoustic panels to reduce possible sound disturbance and all studios are separated from the western windows by a hallway. No studios abut the windows on the western elevation.
- The tenant currently operates their studio at 67 Austin Street, Seddon. This land also has an immediate abuttal to dwellings and no complaints have been made relating to noise.

It follows that an acoustic report is not necessary particularly as acoustic panels have already been incorporated into the interior layout of the space.

In terms of traffic and parking, we note that there is a high level of on-street parking in the vicinity of the subject site, both unrestricted and 4 hour time restricted parking. We also note that an estimated 70% of the patrons of the business are locally based and utilize alternative sustainable transport options including walking to access the studio.

Surrounding businesses typically operate during standard business hours meaning that there is limited conflict during peak class times which are in the evening and on weekends.

The proposed use provides a more sensitive interface between adjoining residential land to the west than alternative industrial uses. Off-site amenity impacts have been minimized through the use of internal acoustic panels and existing overlooking screens on windows which limit views into habitable windows and adjoining areas of SPOS. Day time operating hours and reduced weekend operating hours also further limit the potential amenity impacts of the proposed use.

Major Hazard facility

We acknowledge that the application will be referred to WorkSafe due to the land being within the Major Hazard Facility Outer Planning Advisory Area for Coode Island.

Conclusion

We trust that this response satisfies Council's request for further information and that this application can now proceed to public notification. If this is not the case, we respectfully request an extension to the lapse date.

If you have any queries, please do not hesitate to contact our office on 9329 2288.



Charlotte Glossop
Associate
Glossop Town Planning
Cc. Permit Applicant
Encl. as stated.

