

Clear Form

Office Use Only

Application No.:

CITY OF MARIBYRNONG
ADVERTISED PLAN

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

Click for further information.

CITY OF MARIBYRNONG
RECEIVED
06/06/2025
URBAN PLANNING

The Land

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

Street Address *

| | | |
|------------------|----------|-----------|
| Unit No.: | St. No.: | St. Name: |
| Suburb/Locality: | | Postcode: |

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.: | <input type="radio"/> Lodged Plan | <input type="radio"/> Title Plan | <input type="radio"/> Plan of Subdivision | No.: |
| OR | | | | | |
| B | Crown Allotment No.: | | Section No.: | | |
| Parish/Township Name: | | | | | |

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application

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

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 \$

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.



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.

| | | |
|-------------------------------|-------------|----------------------------------------------|
| 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: |

Please provide at least one contact phone number *

| | |
|-----------------------------------------------------------|--------|
| Contact information for applicant OR contact person below | |
| Business phone: | Email: |
| Mobile phone: | Fax: |

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

| | | |
|-------------------------------|-------------|----------------------------------------------|
| Contact person's details* | | 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 *


The person or organisation who owns the land

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

| | | |
|-------------------------------|-------------|----------------------------------------------|
| | | 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:
Anthony Msonda-Johnson

Date: 06/06/2025

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?:

Date:

day / month / year

Checklist

Have you:

☐

Filled in the form completely?

☐

Paid or included the application fee?



Most applications require a fee to be paid. Contact Council to determine the appropriate fee.



Provided all necessary supporting information and documents?

☐

A full, current copy of title information for each individual parcel of land forming the subject site.

☐

A plan of existing conditions.

☐

Plans showing the layout and details of the proposal.

☐

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☐

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)

☐

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.

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 09136 FOLIO 288

Security no : 124123695577P
Produced 15/04/2025 09:14 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 117963.

PARENT TITLES :

Volume 02750 Folio 000 Volume 06504 Folio 714 Volume 06532 Folio 309
Created by instrument LP117963 23/04/1976

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

BOST PROPERTIES PTY LTD of LEVEL 14 350 QUEEN STREET MELBOURNE VIC 3000
AH042865S 17/02/2010

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 LP117963 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: 81-83 COWPER STREET FOOTSCRAY VIC 3011

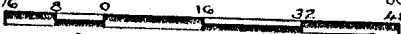
DOCUMENT END

Delivered from the LANDATA® System by Dye & Durham Solutions Pty Ltd

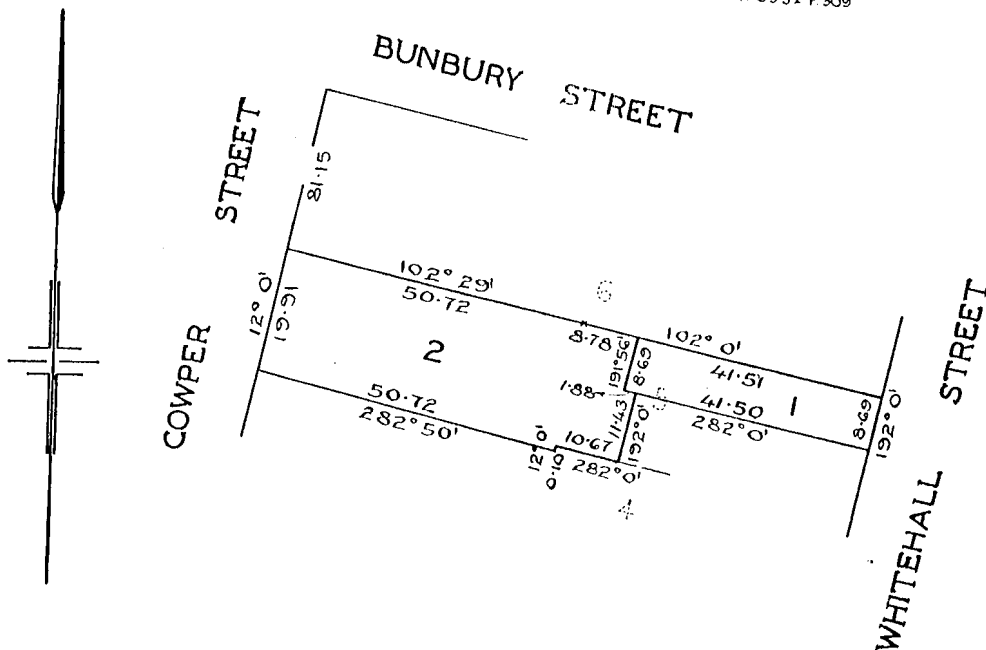
117963

A.

LP117963
EDITION 1
APPROVED 1/3/76

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| PLAN OF SUBDIVISION PART OF CROWN ALLOTMENT 5 : SECTION 6 CITY OF FOOTSCRAY PARISH OF CUT PAW PAW COUNTY OF BOURKE SCALE  METRES | APPROPRIATIONS |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|

V. 2750 F.000
V. 6504 F.714
V. 6532 F.309



| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CONSENT OF COUNCIL | SURVEYOR'S CERTIFICATION |
| <p>THE SEAL OF THE COUNCIL OF THE CITY OF FOOTSCRAY WAS AFFIXED HERETO THIS 20 MAY 1975 IN THE PRESENCE OF</p> <p><i>[Signature]</i> MAYOR <i>[Signature]</i> COUNCILLOR <i>[Signature]</i> TOWN CLERK</p> | <p>I Certify that this plan has been made by <u>Francis O'Halloran</u> and accords with title and is mathematically correct and <u>not</u> based on survey.</p> <p><i>Francis O'Halloran</i> Licensed Surveyor.</p> <p>Date <u>5th May 1975</u></p> |

HATCH

3 July, 2025

Mr Michael Lynch
Urban Planner
City Development
Maribyrnong Council
P. O. Box 58
WEST FOOTSCRAY VIC 3012

Dear Michael,

**RE: 81-83 COWPER STREET, FOOTSCRAY
PLANNING APPLICATION NO. TP179/2025(1)
RESPONSE TO FURTHER INFORMATION**

Hatch continues to act on behalf of Orthopaedic Appliances Pty Ltd (OAPL), the permit applicant, for the above-mentioned matter.

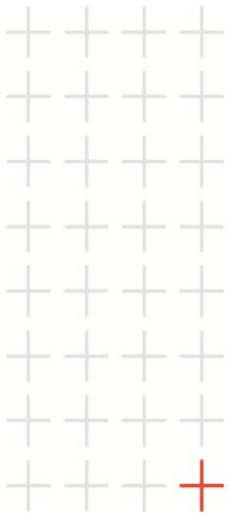
Further to Council's letter requesting further information of 25 June 2025, please find attached:

- An updated Proposed Floor Plan.
- An updated Proposed Advertising Sign Image.

In response to the matters set out in Council's letter of 25 June 2025, the following comments are provided:

Council's Request for Further Information

- The updated Proposed Advertising Sign Image incorporates additional information to assist Council in assessing the appropriateness of the business identification sign. The sign, which replaces an existing business identification sign in generally the same location,
 - Will be approximately 0.98m high, 2.2m wide and have a total advertising area of 2.15m².
 - The sign will be non-illuminated.
 - The underside and top of the sign will be approximately 4.4m and 5.4m above the footpath, respectively.
- As per the Planning Report forming part of the Planning Application, the car parking on the subject site is informal. To avoid confusion, an updated Proposed Floor Plan has been prepared that removes all information pertaining to these informal car spaces, which were previously identified within the warehouse at the rear of the site as well as the driveway.



Council's Preliminary Concerns

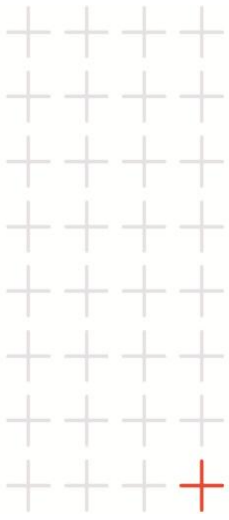
- As per the discussions with Council following receipt of their letter of 25 June 2025:
 - The previous reference to and depiction of the informal on-site car spaces was to highlight how the paved areas on-site could be utilised for car parking. The permit applicant does not wish to create unnecessary confusion and does not wish to modify the existing the building to create a compliant car parking area within the warehouse. Furthermore, the permit applicant does not wish to burden Council's Traffic Engineering Department by requiring them to assess a carpark layout that is unable to comply with current car parking and vehicle access requirements.
 - The Parking Overlay – Schedule 1 control requires the proposal to provide at least 5 on-site car spaces (1 space per practitioner). However, in this instance, Clause 52.06-3 of the Planning Scheme enables the proposal to provide no car parking because:
 - The building is on land zoned 'Activity Centre Zone'.
 - The gross floor area of the existing building is not being increased.
 - As the proposal is required to provide at least 5 spaces, it is less than the specified threshold of 10 car parking spaces referenced in this specific section of Clause 52.06 of the Planning Scheme which can be waived without triggering a permit.
 - The Parking Overlay – Schedule 1 control does not specify that a financial contribution is required to be paid in lieu of providing the 5 required car parking spaces for the proposed medical centre use.

Therefore, the proposal can provide no car parking and not trigger a permit for a reduction in car parking. As such, the description of the proposal for the advertising period can be limited to 'Use of land for the purpose of a medical centre and the display of business identification signage'.

Notwithstanding the above, the permit applicant may still seek to lease a modest number of existing car spaces from the Croation Club, as set out in the Planning Report forming part of the Planning Application. In this regard, it is understood from the discussions with Council that this potential lease arrangement has no bearing on the description of the proposal or Council's assessment of it.

- It is acknowledged that the attached updated Proposed Advertising Sign Image will be assessed by Council's Heritage advisor. When assessing the proposed signage, the heritage advisor is encouraged to consider the merits of it in the context of the existing business identification signage located on the building's front façade (refer to the below image, which is from page 7 of the Planning Report)





HATCH

We trust the above information and the attached documentation has appropriately addressed the matters set out in Council’s request for further information letter and enables Council to advance its assessment of the proposal. Should you have any queries, please contact the undersigned on 0412 294 500.

Yours faithfully,
HATCH

Anthony Msonda-Johnson
Senior Associate

**CITY OF MARIBYRNONG
ADVERTISED PLAN**