

Application to AMEND a Planning Permit

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

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

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.

 This form cannot be used to:

- amend a permit or part of a permit if the Victorian Civil and Administrative Tribunal (VCAT) has directed under section 85 of the Act that the responsible authority must not amend that permit or that part of the permit (as the case requires); or
- amend a permit issued by the Minister under Division 6 of Part 4 of the Act (these applications must be made to the Minister under section 971 of the Act).

 **Questions marked with an asterisk (*) must be completed.**

 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.:	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 Lodged Plan Title Plan Plan of Subdivision

OR

B

Planning Permit Details

What permit is being amended?*

The Amended Proposal

 You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application.

What is the amendment being applied for?*

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet.

This application seeks to amend:

<input type="checkbox"/> What the permit allows	<input type="checkbox"/> Plans endorsed under the permit
<input type="checkbox"/> Current conditions of the permit	<input type="checkbox"/> Other documents endorsed under the permit

Details:

 Provide plans clearly identifying all proposed changes to the endorsed plans, together with: any information required by the planning scheme, requested by Council or outlined in a Council checklist; and if required, include a description of the likely effect of the proposal.

Development Cost

Estimate cost of development*

If the permit allows **development**, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit.

Cost of proposed amended development:	Cost of the permitted development:	Cost difference (+ or -):
\$ <input type="text"/>	– \$ <input type="text"/>	= \$ <input type="text"/>

Insert 'NA' if no development is proposed by the permit.

 You may be required to verify this estimate.

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.

Have the conditions of the land changed since the time of the original permit application? Yes No

If yes, please provide details of the existing conditions.

 Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. 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 i

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:	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:

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

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:

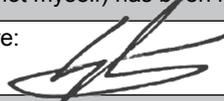
Name:		Same as applicant <input type="checkbox"/>
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:
Owner's Signature (Optional):	Date:	day / month / year

Declaration i

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; that all the information in this application is true and correct; that all changes to the permit and plan have been listed as part of the amended proposal and that the owner (if not myself) has been notified of the permit application.

Signature:	Date:
	day / month / year

Need help with the Application? i

If you need help to complete this form, read More Information at the end of this form or contact Council's planning department. 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 checklist. Insufficient or unclear information may delay your application.

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

<input type="radio"/> No	<input type="radio"/> Yes	If 'Yes', with whom?:
		Date: day / month / year

Checklist

Have you:

- Filled in the form completely?
- Paid or included the application fee?
- Attached all necessary supporting information and documents?
- Completed the relevant council planning permit checklist?
- Signed the declaration above?



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

Lodgement

Lodge the completed and signed form 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.

i MORE INFORMATION

The Land

It is important that your application to amend a planning permit includes details of the land, consistent with the Planning Permit. Refer to a copy of your Planning Permit, when completing the street address section of the form.

Also ensure you provide up-to-date details for the formal land description, using the current copy of the title.

Planning Permit Details

You must identify the permit being amended by specifying the permit number. This can be found at the beginning of the permit.

The Amended Proposal

First select the type of amendment being applied for. This may include an amendment to:

- the use and/or development allowed by the permit
- conditions of the permit.
- plans approved by the permit.
- any other document approved by the permit.

Then describe the changes proposed to the permit, including any changes to the plans or other documents included in the permit.

Development Cost

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 to be allowed by the amended permit and the difference between the development allowed by the permit.

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.

The cost difference is calculated as follows:

Development cost related to the Application to Amend a Planning Permit	–	Development cost related to the Application for Planning Permit	=	Cost Difference
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If the estimated cost of the proposed amended development is less than the estimated cost of the development allowed by the permit, show it as a negative number.

Example 1

Where the cost of the development to be allowed by the amended permit is lower than the cost of the development allowed by the permit:

$$\$180,000 - \$195,000 = -\$15,000$$

Example 2

Where the cost of the development to be allowed by the amended permit is higher than the cost of the development allowed by the permit:

$$\$250,000 - \$195,000 = \$55,000$$

▲ 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?

If the conditions of the land have changed since the time of the original permit application, you need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (for example, single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant land).

Please attach to your application a plan of the existing conditions of the land, if the conditions have changed since the time of the original permit application. 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.

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**.

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. This will help speed up the processing of your application.

Checklist

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 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.

Applicant and Owner Details i

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 PTY LTD		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
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 <input type="checkbox"/>
Name:		
Title: MR	First Name: ANDREW	Surname: HODGE
Organisation (if applicable): TOWN PLANNING CONSULTANTS		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name: PO BOX 111
Suburb/Locality: PARKDALE	State: VIC	Postcode: 3194

Name:		Same as applicant <input checked="" type="checkbox"/>
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:
Owner's Signature (Optional):	Date:	
	<small>day / month / year</small>	

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

VOLUME 11534 FOLIO 009

Security no : 124125226899J
Produced 11/06/2025 01:20 PM

LAND DESCRIPTION

Lot 12 on Plan of Subdivision 445241U.
PARENT TITLE Volume 11206 Folio 983
Created by instrument AL491044T 17/11/2014

REGISTERED PROPRIETOR

Estate Fee Simple
As to 1 of a total of 4 equal undivided shares
Sole Proprietor
GPT FUNDS MANAGEMENT LTD of MLC CENTRE LEVEL 51 19-29 MARTIN PLACE SYDNEY
NSW 2000
AQ511813W 04/12/2017

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 PS445241U FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY970352Y	CONVERT A PCT TO AN ECT	Completed	19/03/2025
AY994885B (E)	CAVEAT	Registered	26/03/2025
AZ119375D	WITHDRAWAL OF CAVEAT	Registered	13/05/2025

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

OTHER TITLES WITH INTERESTS AFFECTING THIS LAND
11206/982, 11534/011

ADMINISTRATIVE NOTICES

NIL

eCT Control 19436D KING & WOOD MALLESONS
Effective from 19/03/2025

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Plan
Document Identification	PS445241U
Number of Pages (excluding this cover sheet)	4
Document Assembled	11/06/2025 13:20

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PLAN OF SUBDIVISION

Stage No. /

LTO use only

Plan Number

EDITION **4**

PS 445241 U

Location of Land

Parish: CUT PAW PAW
 Township:
 Section: 21
 Crown Allotment: 4 (PART)
 Crown Portion:

LTO base record: CHART
 Title References VOL 4040 FOL 884

Last Plan Reference: LP 5900 (LOT 29)
 Postal Address: 51 BLOOMFIELD AVENUE
 MARIBYRNONG 3032
 AMG Co-ordinates E 313950
 N 5817400

Council Certification and Endorsement

Council Name: CITY OF MARIBYRNONG Ref: TP 01/0423

- ~~1. This Plan is certified under Section 6 of the Subdivision Act 1988.~~
 - 2. This plan is certified under section 11(7) of the Subdivision Act 1988
 Date of original certification under section 6 13/09/01
 - ~~3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~
- OPEN SPACE
 (i) A requirement for public open space under Section 18 Subdivision Act 1988 has / ~~has not~~ been made.
 (ii) ~~The requirement has been satisfied.~~
 (iii) ~~The requirement is to be satisfied in Stage - Council delegate - Council seal - Date / /~~

Re-certified under section 11(7) of the Subdivision Act 1988.

Council delegate
~~Council seal~~
 Date 09 / 10 / 01

Vesting of Roads or Reserves

Identifier	Council/Body/Person

Notations

Depth Limitations DOES NOT APPLY

Staging This is/is not a staged subdivision
 Planning permit No.

Location of boundaries defined by buildings:

Median: Boundaries shown M
 Exterior face: All other boundaries

LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS For details of Owner corporations including; purpose, responsibility, entitlement & liability see Owners Corporation search report, Owners Corporation Rules & Owner Corporation Additional Information

Survey This plan is / is not based on survey
 (To be completed where applicable)
 This survey has been connected to permanent marks nots.
 in Proclaimed Survey Area no.

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Section 12(2) of the Subdivision Act 1988 applies to all lots on this plan

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of

LTO use only

Statement of compliance/
 Exemption Statement

Received

Date: 21 / 11 / 2001

LTO use only

PLAN REGISTERED
 TIME 11:40AM
 DATE: 18 / 12 / 2001

[Signature]
 Assistant registrar of Titles.

Sheet 1 of 3 Sheets

NEIL A WEBSTER & ASSOCIATES
 662 MAIN ROAD ELTHAM 3095
 PHONE (03) 9439 4222 FAX (03) 9439 5288

LICENSED SURVEYOR (PRINT) OWEN MICHAEL DABELSTEIN

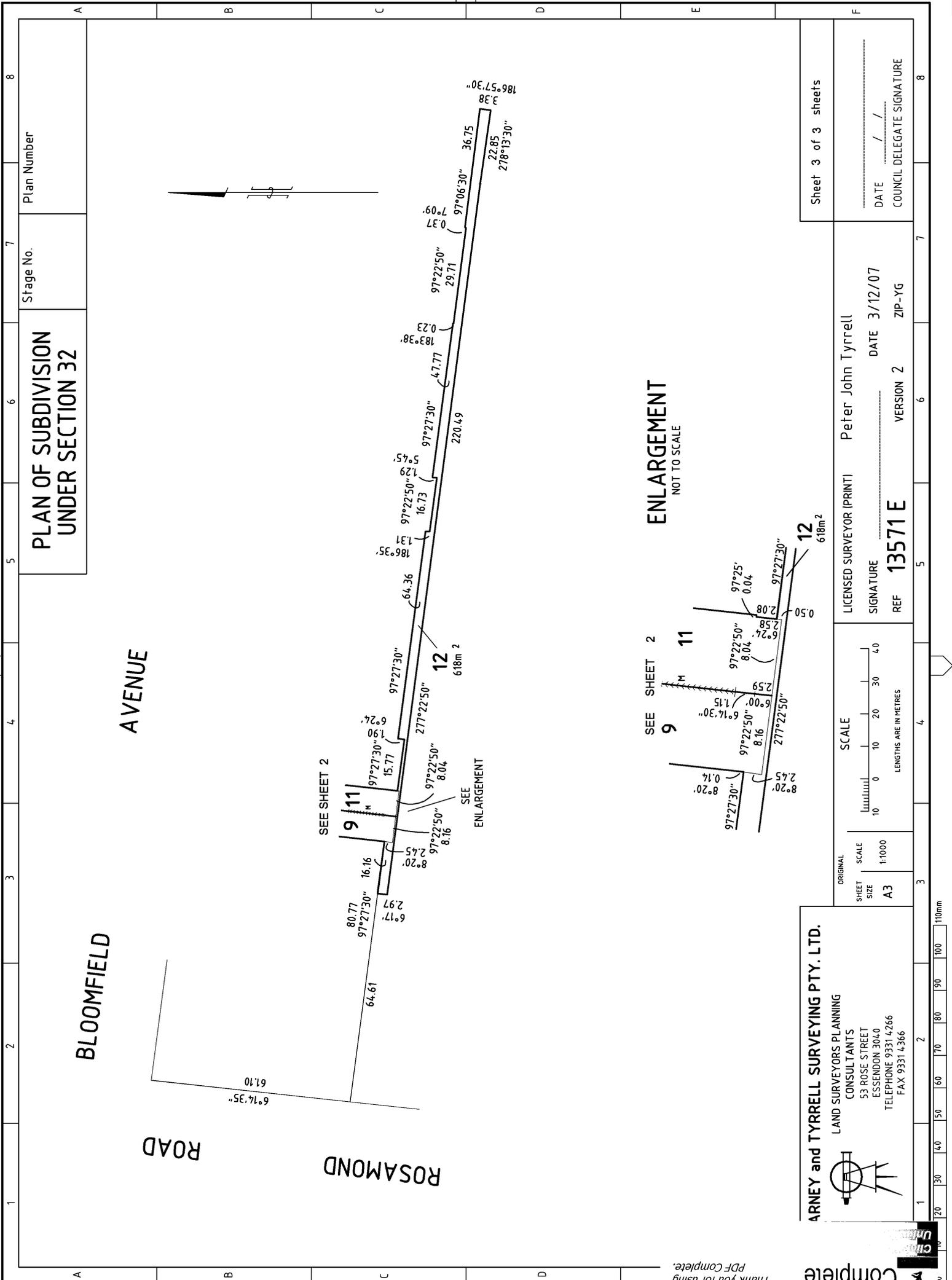
SIGNATURE _____ DATE 13/06/2001

REF. 9263 VERSION 02

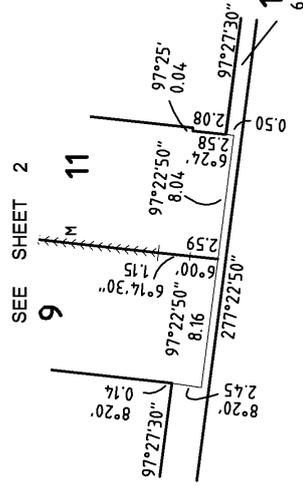
DATE 9 / 10 / 2001

COUNCIL DELEGATE SIGNATURE

Original sheet size A3



ENLARGEMENT
NOT TO SCALE



ORIGINAL SHEET SIZE A3

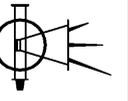
SCALE 1:1000

ARNEY and TYRELL SURVEYING PTY. LTD.

LAND SURVEYORS PLANNING CONSULTANTS

53 ROSE STREET
ESSENDON 3040

TELEPHONE 9331 4266
FAX 9331 4366



Sheet 3 of 3 sheets

DATE / /

COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) Peter John Tyrrell

SIGNATURE _____ DATE 3/12/07

REF 13571E VERSION 2 ZIP-YG

Your complimentary use period has ended. Thank you for using PDF Complete.



MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.

PLAN NUMBER

PS445241U

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
THIS PLAN		CHANGE OF ADDRESS	AB430697B	09/08/02		2	Greg Newman
THIS PLAN		CHANGE OF ADDRESS	AC697880K	5/03/04		3	ROBERT Mc BAIN
LOT 3 ON PS445241U & LOT 8 ON PS617177U	LOTS 9 & 10	AMENDMENT SECTION 32	PS445241U/D1	2/6/10		4	Bala
LOT 2 & 10	LOTS 11 & 12	AMENDMENT SECTION 32	PS445241U/D2	2/6/10		4	Bala

**CITY OF MARIBYRNONG
ADVERTISED PLAN**