

Clear Form

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.:

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.:

☐ Lodged Plan

☐ Title Plan

☐ 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

i 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.

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.

i Estimated cost of any development for which the permit is required *

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:

Date:

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

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.

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 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 Goulburn, 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.

EXAMPLES

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 2

VOLUME 10668 FOLIO 356

Security no : 124127692428L
Produced 02/09/2025 11:50 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 437675E.
PARENT TITLE Volume 10054 Folio 293
Created by instrument PS437675E 13/08/2002

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
RASFAM NOMINEES PTY LTD of WAREHOUSE 1, 77-79 ASHLEY STREET BRAYBROOK 3011
AB786915F 03/01/2003

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE572580D 29/08/2006
BANK OF CYPRUS AUSTRALIA PTY LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987
R680159D 10/12/1991

DIAGRAM LOCATION

SEE PS437675E 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: UNIT 1 75A ASHLEY STREET BRAYBROOK VIC 3019

ADMINISTRATIVE NOTICES

NIL

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

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS437675E

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

Page 2 of 2

DOCUMENT END

Imaged Document Cover Sheet

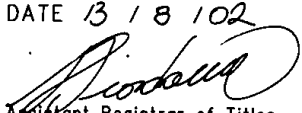

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Document Type	Plan
Document Identification	PS437675E
Number of Pages (excluding this cover sheet)	5
Document Assembled	02/09/2025 11:50

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The document is invalid if this cover sheet is removed or altered.

PLAN OF SUBDIVISION		STAGE No. <hr/>	LTO USE ONLY EDITION 2	PLAN NUMBER PS 437675 E
LOCATION OF LAND PARISH: CUT PAW PAW TOWNSHIP SECTION CROWN ALLOTMENT CROWN PORTION 17 (PART) LTO BASE RECORD: CHART 116B TITLE REFERENCES: VOL 10054 FOL 293 LAST PLAN REFERENCE/S: LOT 2 ON PS 301290 L POSTAL ADDRESS: 75A ASHLEY STREET (At time of subdivision) BRAYBROOK 3019 AMG Co-ordinates: (of approx centre of land in plan) E 311 680 ZONE: 55 N 5 815 010		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: MARIBYRNONG REF: TP01/0270 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. <u>16/07/01</u> 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 of the Subdivision Act 1988 has has not been made. (iii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date <u>20/03/02</u> Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
VESTING OF ROADS AND/OR RESERVES				
IDENTIFIER	COUNCIL/BODY/PERSON			
NIL	NIL			
NOTATIONS				
STAGING This is is not a staged subdivision. Planning permit No. TP 00/0450				
DEPTH LIMITATION DOES NOT APPLY				
PURPOSE OF THE PLAN: 1 TO SUBDIVIDE THE LAND INTO 12 LOTS AND COMMON PROPERTY 2 TO REMOVE THE CARRIAGEWAY EASEMENT CREATED IN FAVOUR OF THE LAND IN VOLUME 9850 FOLIO 462 BY INSTRUMENT N341563L AND SHOWN MARKED E-2 ON THE PLAN FOR CREATION OF EASEMENT ANNEXED THERETO 3 TO REMOVE THE CARRIAGE-WAY EASEMENT CREATED IN PS 301290L AND SHOWN MARKED E-8 AND E-10 ON PS 301290L		BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS. LOCATION OF BOUNDARIES DEFINED BY BUILDINGS: MEDIAN: ALL BOUNDARIES		
GROUND'S FOR REMOVAL OF EASEMENTS: BY DIRECTION OF PLANNING PERMIT No TP 00/0450		SURVEY. THIS PLAN IS IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) IN PROCLAIMED SURVEY AREA No.		
EASEMENT INFORMATION				
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		LTO USE ONLY		
SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL OF THE LAND IN THIS PLAN OF SUBDIVISION.		STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1 & E-3	CARRIAGEWAY	SEE DIAG	PS 301290L	LAND IN PS 301290L
E-1, E-3 E-4 & E-5	CARRIAGEWAY	SEE DIAG	TRF 334168 TRF 346133 TRF 349730	VOLUME 2476 FOLIO 129 VOLUME 2520 FOLIO 969 VOLUME 2538 FOLIO 442
E-2, E-3 & E-7	DRAINAGE AND SEWERAGE	SEE DIAG	PS 301290L	CITY OF SUNSHINE & MMBW
E-2, E-3	DRAINAGE AND SEWERAGE	SEE DIAG	LP 211012H	LAND IN LP 211012H
E-6 & E-7	ELECTRICITY SUPPLY	SEE DIAG	THIS PLAN - SECTION 88 ELECTRICITY INDUSTRY ACT 2000	AGL ELECTRICITY LIMITED
RECEIVED <input checked="" type="checkbox"/> DATE <u>24/7/02</u>				
LTO USE ONLY				
PLAN REGISTERED TIME <u>3:34 PM</u> DATE <u>13/8/02</u>				
 Assistant Registrar of Titles				
SHEET 1 OF 4 SHEETS				
 CULLIVER & SIM Pty Ltd LICENSED SURVEYORS 179 QUEEN STREET MELBOURNE 3000 Ph: (03) 9670 8255 Fax: (03) 9602 3481		LICENSED SURVEYOR (PRINT) PHILIP GERARD O'BRIEN SIGNATURE DATE <u>8/1/02</u> REF: <u>10727</u> VERSION <u>6</u>		10727SUB.G01 12 AUG 2002
DATE <u>20/03/02</u> COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3				

0	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150mm
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PS437675E

FOR CURRENT BODY CORPORATE DETAILS
SEE BODY CORPORATE SEARCH REPORT

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

PS437675E

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

[illegible]

**FREEMAN
MCDOWELL
ARCHITECTS**



**LANEWAY CHURCH
1/75A ASHLEY STREET, BRAYBROOK**

Faith Freeman +61 434 982 039
Simon McDowell +61 420 345 738

freemanmcdowell.com
fma@freemanmcdowell.com

459 Little Collins Street
Melbourne VIC 3000

6th November 2025

Att: STATUTORY PLANNER, MARIBYRNONG CITY COUNCIL
Town Planning Cover Letter

Dear Statutory Planner,

On behalf of the Laneway Church, we would like to submit this town planning application for a change of use and car parking reduction at 1/75a Ashley Street Braybrook.

In accordance with application requirements, please see the description below outlining the the proposed works for 1 / 75a Ashley Street Braybrook.

The Laneway Church, who are tenants of 1/75a Ashley Street Braybrook, plan to use the site as a place of worship for their church.

Purpose of the use and types of activities to be carried out:

Laneway Church will use the space at 1/75A Ashley Street as a welcoming space for worship, community, and connection.

On Sundays, the space will be set up for church gatherings with music, bible teaching, and kids programmes.

During the week, the space will be used flexibly for small groups, prayer meetings, teaching, training, and community gatherings.

The space will also host youth gatherings and events, playgroups, language groups, and other activities that serve the local community. It will function as a place of gathering to foster faith, friendship, and practical support.

Total patron capacity:

It is estimated that there will be a maximum of 120 patrons who will use will use the space on a Sunday between 10am - 12:30pm.

Total staff:

There will be a maximum of one full time staff member, one part time staff member and two apprentices.

Days and hours of operation:

Peak use for the space will be 10am-12:30pm Sundays with minimal use of the space will be held from Monday to Thursday, during both daytime and evening periods, typically involving 10-30 participants at a time.

The site may also accomodate the occasional weekday evening and weekend sessions, generally held between 7am and 10pm with attendance generally not exceeding 50 participants.

Site Context:

The subject site comprises a land parcel addressed as 1/75a Ashley Street Braybrook and was previously a second-hand store "Green Collect" which is considered a Restricted Place of Assembly under the Maribyrnong Planning Scheme. The site is located within a Commercial 2 Zone and is subject to a Development Contributions Plan Overlay. The neighbouring tenancies along Ashley Street are all commercial and retail businesses.

Use management details:

Responsibility for managing the property lies with the elected Laneway Church Administration Committee, and those they delegate to (e.g. a property manager, administration assistant).

Staff will have responsibility for managing keys and access.

Impact on adjoining land:

The main use of the space will be on a Sunday between 10am-12:30pm. Other events will normally be in the evenings or on weekends. From 9:00am-5:30pm Monday to Friday there will be staff use, meetings, classes, playgroups, typically under 30 people.

The church anticipates that their use will primarily be outside of the normal operating hours of most of the other nearby businesses.

For further details on the traffic and carparking impact, please refer to the Car Parking Demand Assessment conducted by Ratio:

Kind regards,



"Director Name"
Director | Freeman McDowell Architects

5 November 2025

Han Wu
Representative of Laneway Church
PO Box 2142,
Footscray 3011

**Car Parking Demand Assessment
1/75A Ashley Street, Braybrook**

Dear Han,

Ratio Consultants has been engaged by the Laneway Church to undertake a Car Parking Demand Assessment to support the planning permit application.

The application seeks to change the use of the land from a Restricted Place of Assembly to a Place of Worship in a Commercial 2 Zone.

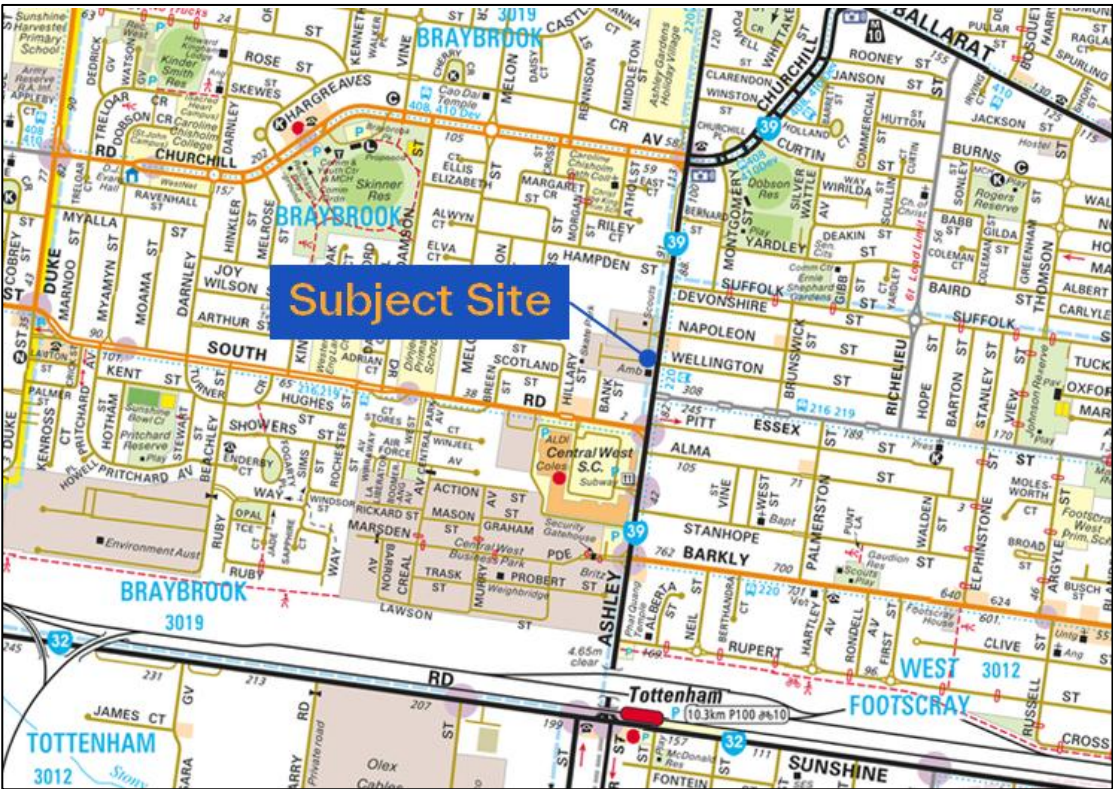
1. Existing Conditions

1.1 Site Location

The subject site comprises the land parcel addressed as 1/75A Ashely Street in Braybrook and was previously a second-hand store “Green Collect” which is considered a Restricted Place of Assembly under the Maribyrnong Planning Scheme.

Figure 1 illustrates the location of the site relative to the surrounding road network.

Figure 1: Site Locality



Source: Melway Online

The site is located within a Commercial 2 Zone (C2Z) and is subject to a Development Contributions Plan Overlay – Schedule 2 (DCPO2).

The subject site location and relevant planning zones are shown in Figure 2.

Figure 2: Site Location & Planning Zones



Source: Landchecker

A site visit was conducted on Tuesday, 10th October 2025 to obtain a conclusive understanding of the existing operations of the site and surrounding developments.

1.2 Existing Car Parking Conditions

In addition to a site visit, Ratio Consultants commissioned car parking occupancy surveys of the publicly available on-street and off-street parking supply within approximately a 200-metre walk of the subject site.

The surveys were conducted during the following periods:

- Thursday 16 October 2025 between 8:00am and 2:00pm; and
- Sunday 19 October 2025 between 8:30am and 1:30pm.

The extent of the survey area is shown in Figure 3 for context.

Figure 3: Car Parking Survey Area (Car Parking Provision)



A summary of the survey results is provided in Figure 4 and Figure 5, with detailed results appended to the end of this letter.

Figure 4: Car Parking Occupancy Results - Thursday 16 October 2025

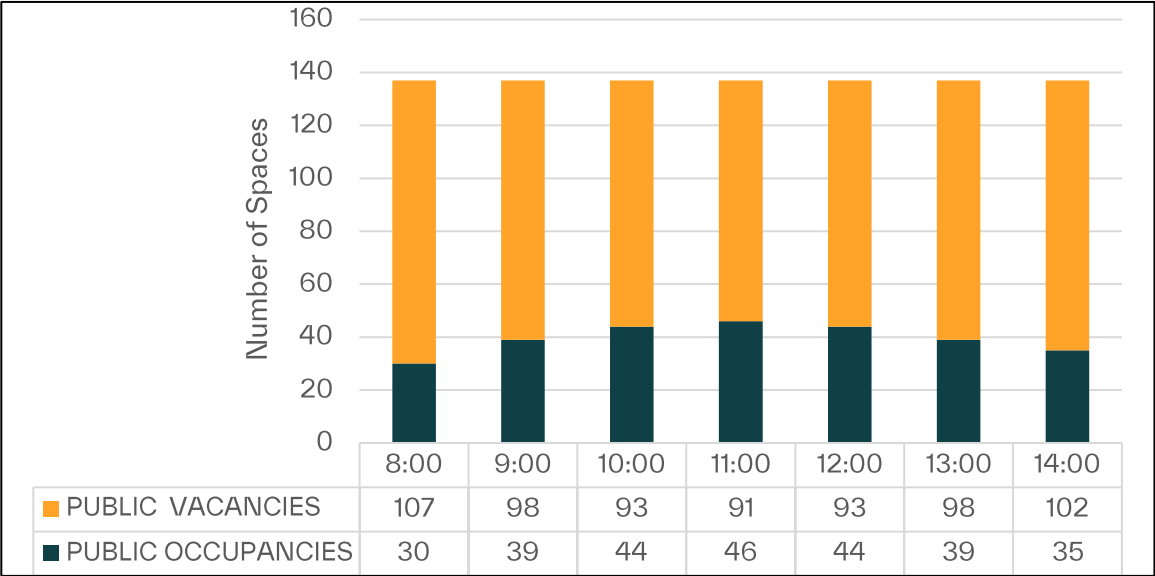
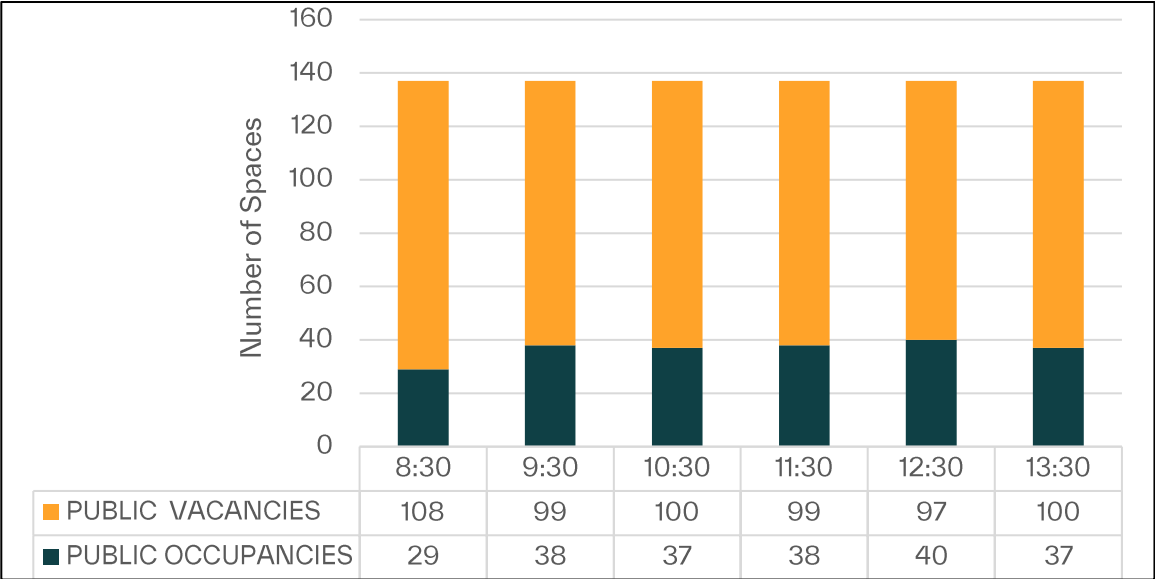


Figure 5: Car Parking Occupancy Results - Sunday 19 October 2025



The following is noted with regard to the survey results:

- Publicly available parking spaces within a 200-metre walk of the site location comprise mainly unrestricted parking, with some spaces that are subject to a ‘Visitor Parking Only Max 2 Hours’ parking restriction and a ‘Reserved Parking’ parking restriction. It is noted that these identified car parking spaces have not been included in the above results due to not being suitable for use;
- On this basis, a total of 137 publicly available car parking spaces were identified within the survey area;
- The survey results indicated a low utilisation of car parking within the survey area throughout both the Thursday and Sunday survey periods, when activities associated with the proposed use are likely to interact with neighbouring land uses.

- Peak car parking demand on the weekday occurred at 11:00am. At this time a total of 46 spaces were occupied, implying that 91 vacant spaces were available for public use.
- The peak car parking demand on the Sunday occurred at 12:30pm. At this time a total of 40 spaces were occupied, implying that 97 vacant spaces were available for public use.
- The shared car park that is associated with the subject site and other commercial tenancies has a capacity of 69 spaces including 7 disabled (DDA) spaces. It is noted that the max occupancy observed for both surveyed days was 19 spaces occupied, implying that at least 50 vacant spaces were available for public use within the immediate off-street shared car park.

1.3 Sustainable Transport

Public Transport

The subject site is located within the City of Maribyrnong Principal Public Transport Network (PPTN) area. As such, the site has access to high quality public transport services, as described in Table 1 and Figure 6. In particular, the site is within walking distance of Tottenham Railway Station and four bus routes.

Table 1: Public Transport Services in the Vicinity of the Site

Service	Route	Route Description	Nearest Stop	Walking Distance & Time
Bus	220	220 Sunshine Station - City via Footscray Rd	Wellington St/ Ashley St	30 metres ~1 minute
	216	216 Sunshine Station - City via Dynon Rd	Ashley St/ Essex St	290 metres ~4 minutes
	408	408 St Albans Station - Highpoint SC via Sunshine Station	Christ The King PS/Churchill Ave	800 metres ~11 minutes
	410	410 Sunshine Station - Footscray via Ballarat Road		
Train	Sunbury – Melbourne CBD (Sunbury Line)		Tottenham Station	950 metres ~13 minutes

Legend

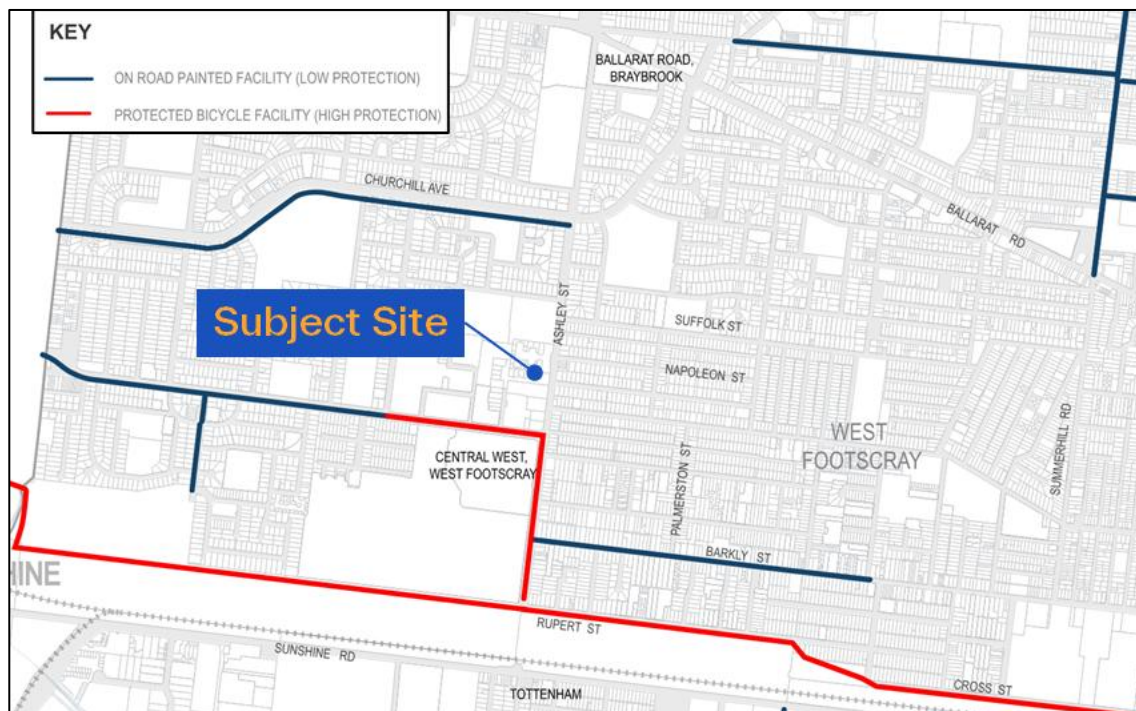
- Train
- Bus
- Bus Terminus
- Night Bus Terminus

The map shows the Sunshine area with various bus routes and the Subject Site highlighted in blue. The Subject Site is located near the intersection of the railway line and the Sunshine area. The map also shows the locations of Sunshine Plaza, Braybrook, Maidstone, Tottenham, and West Footscray. The map includes a legend for bus routes and terminus locations.

Cycling & Walking

ratio:

Figure 7: Cycling Infrastructure in the Vicinity of the Site



Source: Maribyrnong Bicycle Strategy 2020-2030

Figure 7 indicates that there are various bicycle routes in the vicinity of the site, including:

— Protected off-road bicycle/shared paths along:

- Ashley Street;
- South Road; and
- Along the Sunbury Train Line.

— Painted on-road bicycle lanes along:

- Barkley Street;
- South Road; and
- Churchill Avenue.

In particular the separated bicycle paths and pedestrian footpaths are provided on Ashley Street on the western side of the carriageway between Rupert Street and South Road.

2. Proposal Summary

2.1 Overview

The application proposes to change the permitted use of the site to a Place of Worship. The proposed Place of Worship is to consist of a main room, four partitioned meeting rooms, and ancillary uses, including a kitchen/servery and bathroom facilities.

The proposed site layout is appended to this letter for additional context.

The application proposes changes to the exterior façade; however, no changes are proposed to the existing floor area, with all works limited to internal alterations.

Based on information provided to our office by the permit applicant, the proposed operational details of the site are as follows:

– Primary Operating Period:

- The primary activity occurs on Sundays between approximately 10:00am and 12:30pm, accommodating the main weekly gathering of up to 120 patrons.

– Weekday Operations:

- Smaller group activities are held Monday to Thursday, during both daytime and evening periods, typically involving 10–30 participants at a time.

– Occasional Additional Activities:

- The site may also accommodate occasional weekday evening and weekend sessions, generally held between 7:00pm and 10:00pm, or on Sunday afternoons, with attendance generally not exceeding 50 participants.

Permit Requirements - Clause 52.06-3

Clause 52.06-3 pertains to permit requirements which states that:

“A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- *The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Activity Centre Zone or Precinct Zone.*
- *The gross floor area of the building is not increased.*
- *The reduction does not exceed 10 car parking spaces.*
- *The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.”*

As the subject site is located within a Commercial 2 Zone, no increase in gross floor area is proposed, and the site is not affected by a Parking Overlay, a permit is not required to reduce car parking if the reduction associated with the change of use is less than 10 spaces.

However, as the details of the previous permit are unknown, a car parking demand assessment has been undertaken to address the scenario where the reduction sought exceeds 10 spaces.

3. Car Parking Assessment

3.1 Clause 52.06 Requirements

Car parking requirements for a range of uses are set out under Clause 52.06 of the Maribyrnong Planning Scheme.

Table 1 within Clause 52.06 sets out the car parking requirement that applies to the use listed in the Table. The proposed use falls under a Place of Worship which is not specifically listed in Table 1. Instead, the proposed use falls under the parent land use, Place of Assembly other than listed in this table. As such the statutory car parking rates are summarised in Table 2.

Table 2: Statutory Car Parking Requirements

Land Use	Size/No.	Statutory Rate	Statutory Requirement
Place of Worship (Place of Assembly)	120 patrons	0.3 spaces to each patron permitted	36 spaces
Total			36 spaces

Accordingly, the proposed land use has a statutory requirement to provide 36 car parking spaces.

The site is already listed as a Restricted Place of Assembly, which requires a similar provision of parking per patron. As the subject site consists solely of the existing built form, no on-site car parking spaces are available. The site instead relies on 69 shared parking spaces at 81 Ashley Street, which serve the broader industrial estate.

A Car Parking Demand Assessment has been undertaken, with this consideration in mind, to confirm the likely parking demands of the intended use, in accordance with Clause 52.07 of the Maribyrnong Planning Scheme.

3.2 Car Parking Demand Assessment

A Car Parking Demand Assessment has been prepared to address each of the matters within Clause 52.06-7 of the Maribyrnong Planning Scheme.

The assessment must consider the various matters, including:

- *The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use;*
- *The variation of car parking demand likely to be generated by the proposed use over time;*
- *The short-stay and long-stay car parking demand likely to be generated by the proposed use;*
- *The availability of public transport in the locality of the land;*
- *The convenience of pedestrian and cyclist access to the land;*

- *The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land;*
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land; and
- Any empirical assessment or case study.

Each of the above factors are assessed below.

Likelihood of Multi-Purpose Trips

The proposed use of the subject site as a Place of Worship will generate car parking demands associated with both staff and visitors travelling to/from the site.

Noting the site's proximity to Central West Shopping Centre, there is the potential for some staff and visitors to attend the Place of Worship in conjunction with other trip purposes, with the subject site being the main purpose of a trip to/from the site.

Variation of Car Parking Demand

The car parking demand associated with the proposed Place of Worship will primarily occur on a Sunday morning, which is expected to attract up to 120 patrons. Additional smaller gatherings, accommodating approximately 10–30 patrons, are anticipated during weekdays in both daytime and evening periods.

This demand pattern differs from the surrounding commercial and industrial uses, which typically operate only during standard weekday business hours.

As a result, the peak parking demand on Sundays is expected to complement, rather than conflict with, the parking demands of neighbouring land uses.

Short-Stay and Long-Stay Car Parking Demand

Short-stay parking will primarily be associated with patrons attending services, events, and other community gatherings. These visits are generally of limited duration, concentrated around service times—particularly on Sunday mornings and weekday evenings for smaller group meetings. As such, short-stay demand is expected to occur intermittently and coincide with peak attendance periods.

Long-stay parking, on the other hand, will relate to staff and volunteers who are present for extended periods to facilitate services, administrative tasks, and building operations. This demand is expected to be relatively minor compared to short-stay requirements but will occur more regularly throughout the week.

Overall, the short-stay demand will form the majority of parking activity, while long-stay parking will remain modest and consistent, reflecting the operational nature of the facility.

Availability of Public Transport

As discussed previously, the subject site is located within the City of Maribyrnong PPTN area and is located in close proximity of multiple bus routes. The site is also accessible via bus connections or a 13-minute walk from Tottenham Railway Station.

Accordingly, public transport options are readily available at the site location, and this presents a viable option for staff and patrons to travel to/from the site.

Pedestrian and Cyclist Accessibility

Pedestrian footpaths are provided along the majority of the roads in the vicinity of the site and are generally in good condition, providing convenient access to/from the surrounding area.

The site also has convenient access to the surrounding bicycle network. In particular, there are off-road bicycle lanes and shared paths in close proximity to the site. These facilities are expected to provide a viable means of alternative active transport for staff and patrons of the site.

Provision of Bicycle Parking and End of Trip Facilities

While there is no on-site provision of bicycle parking, there are available bicycle hoops next door at the new GreenCollect located approximately 40 metres from the entrance to the building or another bicycle hoop located on the other side of Ashley St approximately 70 metres from the entrance to the building (refer Table 3).

Table 3: Bicycle Parking Facilities Nearby the Site

GreenCollect (~40m)	Outside 82B Ashley Street (~70m)
	

Anticipated Car Ownership Rates

Car ownership rates within the Maribyrnong municipality are not expected to have an impact on the car parking demand that is generated by the site.

Empirical Assessment or Case Study

Based on the statutory car parking requirements previously outlined in Table 2, the site is anticipated to generate a peak car parking demand of up to 36 spaces.

A first-principles assessment has also been undertaken, detailed in Table 4, using the patron breakdown provided by the applicant. Of the 120 expected patrons, approximately one-third are single adults, one-third are couples, and one-third are families with children.

Table 4: First-Principles Assessment of Car Parking Demand

Patron Type	Number	Occupancy	Car Parking Demand
Individual	30 adults	1.0 persons/vehicle	30 spaces
Couple	30 adults	2.0 persons/vehicle	15 spaces
Family	30 adults 30 children	4.0 persons/vehicle (2 adults + 2 kids)	15 spaces
Total	90 adults & 30 children 120 patrons		60 spaces

This estimate is highly conservative, as it assumes maximum patronage, low vehicle occupancy rates for individuals and that all patrons travel by private car, with no reliance on alternative transport modes.

3.3 Appropriateness of Allowing Fewer Spaces

Clause 52.06-7 of the Maribyrnong Planning Scheme specifies that before granting a permit to reduce (including to zero) the number of car parking spaces required under Clause 52.06-5. The relevant considerations have been outlined below.

Car Parking Demand Assessment

As outlined in the previous section, the site is expected to generate a peak car parking demand of 36 spaces; however, a more conservative first-principles assessment indicates that, in a worst-case scenario, demand could potentially reach up to 60 spaces.

Availability of Alternative Car Parking

The parking occupancy surveys conducted as part of this assessment indicate that peak car parking demand occurred at 12:30 pm on Sunday. At this time, a total of 97 publicly available on-street and off-street spaces were located within approximately 200 metres of the subject site, including at least 50 spaces within the off-street shared car park attributed to the site.

The statutory car parking requirement of 36 spaces can be fully accommodated within the off-street shared car park.

Under the highly conservative first-principles assessment, which estimates a peak demand of 60 spaces, up to 10 vehicles would seek to park on-street in the vicinity of the subject site. This overflow would be absorbed by the surrounding on-street parking network, which also falls within a 200-metre walking distance of the site and is only occurring on Sundays.

The surveys also identified a weekday peak at 11:00 am, when up to 30 patrons may be present. During this period, the off-street shared car park, with at least 50 vacant spaces, would adequately meet demand.

Overall, these findings demonstrate that ample parking is available within a short walk of the site to accommodate patrons under both typical and conservative demand scenarios.

Practicality of Providing On-Site Car Parking

The subject site comprises solely the existing built form and relies on a shared off-street car park adjacent to the site, which serves both the subject site and other commercial units at 75A Ashley Street, Braybrook. Providing additional on-site car parking would require substantial modifications to the existing building and is considered unnecessary given the availability of the shared car park.

Car Parking Deficiency Associated with Existing Land Use

Although the details of the existing permit are not available, it is understood that the previous approval included a reduction in car parking requirements for the development. The current application seeks to maintain the same level of car parking provision and similarly obtain a reduction in car parking requirements.

Availability of Alternative Transport Modes

As outlined earlier in this letter, the site benefits from convenient access to the public transport network, with multiple bus services available within a short walk and Tottenham Railway Station located approximately a 13-minute walk from the site.

The site is also well-served by off-road bicycle and shared paths, complemented by a comprehensive footpath network, providing safe and convenient options for active transport to and from the site.

Accordingly, future staff and patrons will have a range of travel options that reduce reliance on private vehicles.

4. Conclusion

The application seeks to change the permitted use of the land at 1/75A Ashley Street in Braybrook, to a Place of Worship. The proposed Place of Worship will comprise a main room, four partitioned meeting rooms, and ancillary uses including a kitchen/servery, and bathroom facilities.

The Place of Worship is expected to accommodate up to 120 patrons during the Sunday main service, and 10-30 patrons for weekday gatherings during both daytime and evening periods.

Based on the assessment above, the proposed car parking arrangements are considered acceptable for the following reasons:

- The site's existing car parking supply is within a shared car park has 69 car spaces (including 7 DDA spaces) for the subject site and other commercial units at 75A Ashley Street.
- Traffic surveys undertaken of the car park and within convenient walking distance of the site demonstrated at least 50 spaces observed to be vacant during both weekday and Sunday surveyed periods.
- The site is anticipated to generate a statutory peak car parking demand of up to 36 spaces, which is readily accommodated within the existing shared parking.
- A highly conservative first-principles assessment indicates a peak car parking demand of up to 60 spaces on a Sunday.
- As the neighbouring land uses are not open on a Sunday, peak parking demands will not occurring concurrently and there will be ample capacity within the nearby publicly

available on-street and off-street parking to accommodate the anticipated car parking demand;

Accordingly, the application is considered to be acceptable from a car parking demand perspective.

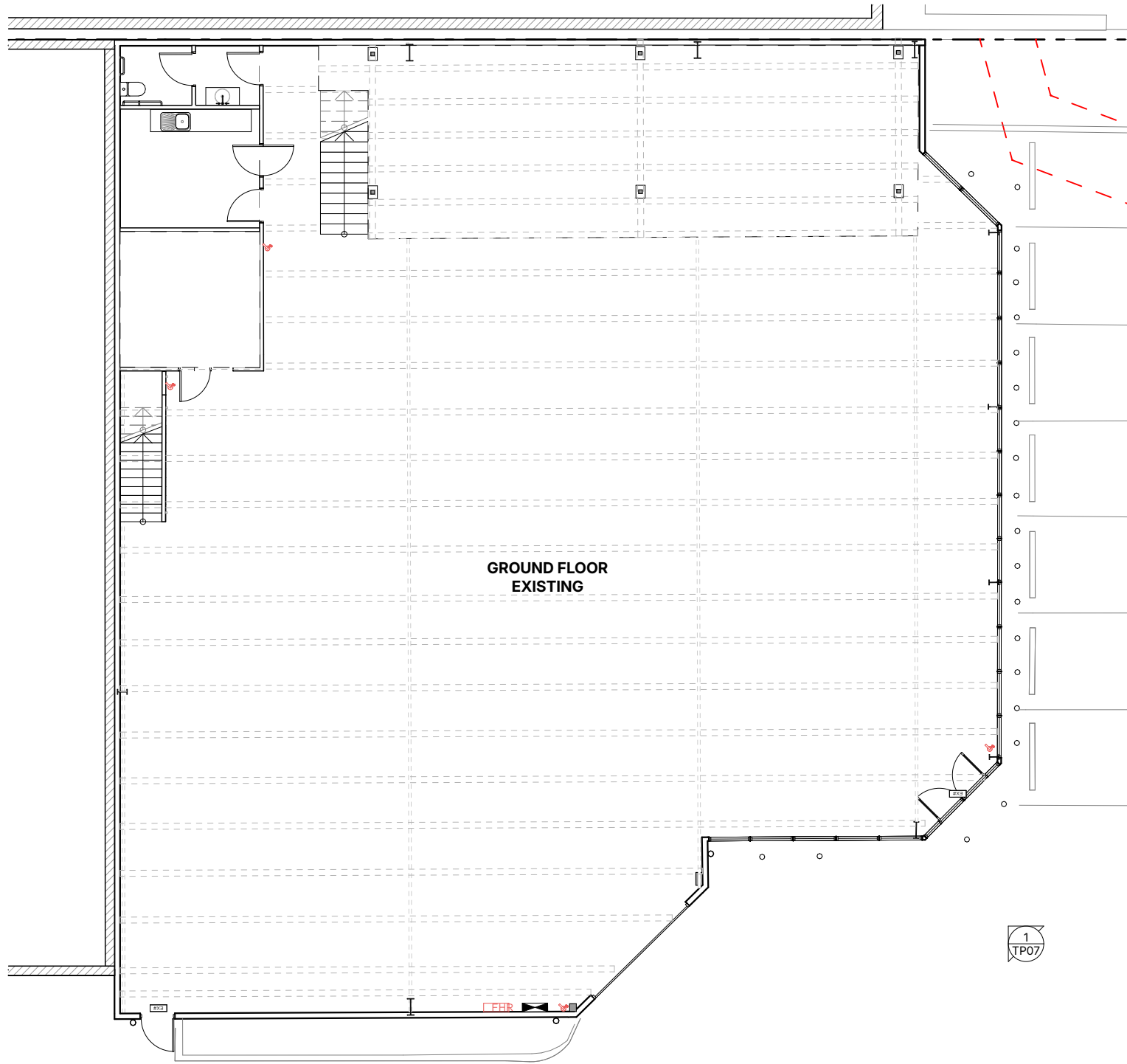
We trust this meets your current information requirements. Should you have any queries, please feel free to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Ben Thomson', with a long horizontal stroke extending to the right.

Ben Thomson
Associate Transport

Appendix A : Development Plan



1

GROUND FLOOR - EXISTING
1:150

Appendix B : Car Parking Occupancy Survey Results

Parking 75A Ashley St, Braybrook

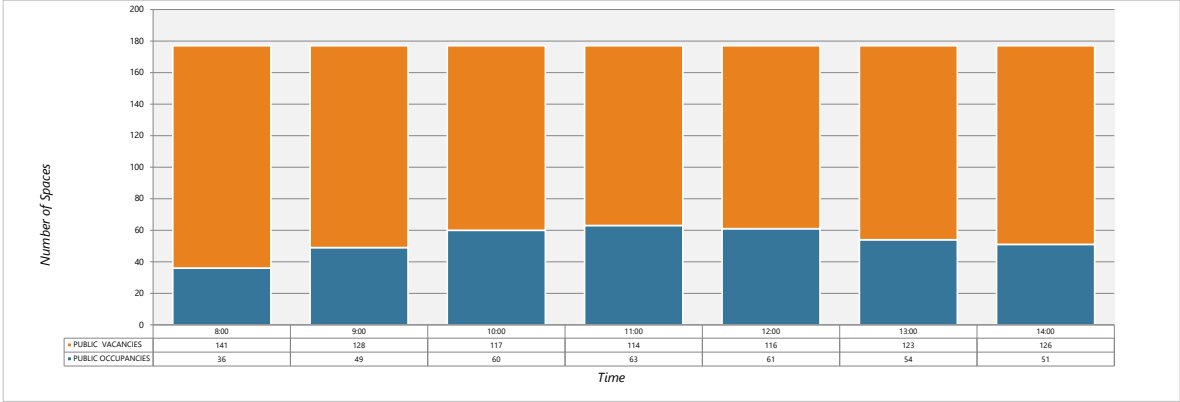


Parking Occupancy Survey

Date:	Thursday, 16 October 2025
Location:	75A Ashley St, Braybrook
GPS:	-37.791221, 144.862708
Weather:	Fine
Customer:	Ratio

Public Parking (1/0)	Map Ref	Street	Section	Side	Restriction	Clear Way	Capacity	Parking Occupancy							
								8:00	9:00	10:00	11:00	12:00	13:00	14:00	
1		Napoleon St	Ashley St to Unit 74	N	Unrestricted		13	4	3	2	4	3	3	2	
1				S	Unrestricted		9	4	4	4	4	3	2	1	
1		Wellington St	Ashley St to Unit 60	N	Unrestricted		17	7	7	7	8	7	5	6	
1				S	Unrestricted		15	5	2	4	3	4	1	2	
1		Essex St	Ashley St to Unit 290	N	Bus Zone		1	0	0	0	0	0	0	0	
1					Unrestricted		7	3	3	3	3	5	4	2	
1				S	Bus Zone		1	0	0	0	0	0	0	0	
1					Unrestricted		7	2	3	5	5	5	5	5	
1	CP1				Unrestricted		67	5	16	17	18	17	18	17	
1					P Disabled Only		6	0	1	2	1	0	1	0	
1	CP2				Reserved Parking		11	0	1	4	2	3	2	2	
1	CP3				Visitor Parking Only Max 2 hours		23	6	9	12	15	14	13	14	
	PUBLIC CAPACITY							177	177	177	177	177	177	177	
	PUBLIC OCCUPANCIES							36	49	60	63	61	54	51	
	PUBLIC VACANCIES							141	128	117	114	116	123	126	
	PUBLIC % OCCUPANCIES							20%	28%	34%	36%	34%	31%	29%	

not available for public parking

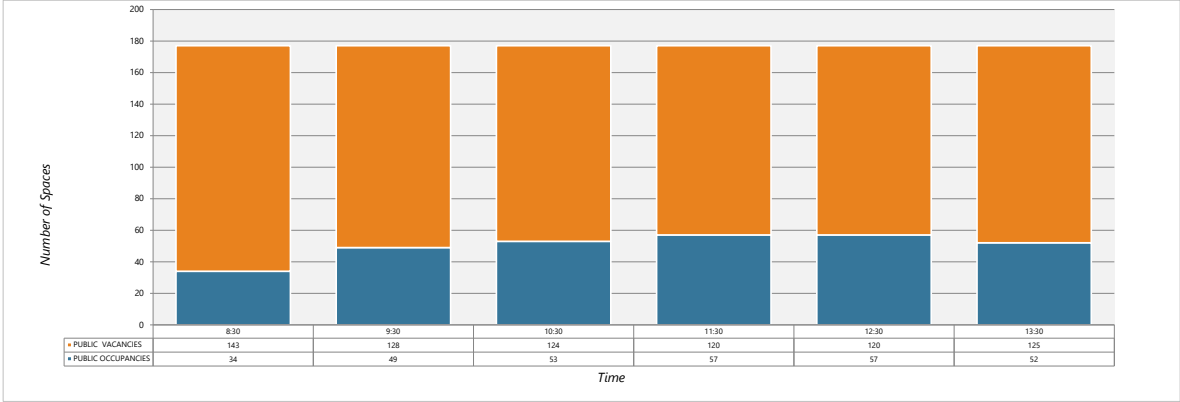


Parking Occupancy Survey

Date:	Sunday, 19 October 2025
Location:	75A Ashley St, Braybrook
GPS:	-37.791221, 144.862708
Weather:	Fine
Customer:	Ratio

Public Parking (1/0)	Map Ref	Street	Section	Side	Restriction	Clear Way	Capacity	Parking Occupancy					
								8:30	9:30	10:30	11:30	12:30	13:30
1		Napoleon St	Ashley St to Unit 74	N	Unrestricted		13	4	3	3	2	4	4
1				S	Unrestricted		9	2	2	2	1	1	1
1		Wellington St	Ashley St to Unit 60	N	Unrestricted		17	6	7	6	4	9	7
1				S	Unrestricted		15	3	5	3	5	6	4
1		Essex St	Ashley St to Unit 290	N	Bus Zone		1	0	0	0	0	0	0
1					Unrestricted		7	3	3	3	4	4	4
1				S	Bus Zone		1	0	0	0	0	0	0
1					Unrestricted		7	3	3	3	3	2	2
1	CP1				Unrestricted		67	8	15	16	18	14	15
1					P Disabled Only		6	0	0	1	1	0	0
1	CP2				Reserved Parking		11	0	1	2	3	3	3
1	CP3				Visitor Parking Only Max 2 hours		23	5	10	14	16	14	12
PUBLIC CAPACITY								177	177	177	177	177	177
PUBLIC OCCUPANCIES								34	49	53	57	57	52
PUBLIC VACANCIES								143	128	124	120	120	125
PUBLIC % OCCUPANCIES								19%	28%	30%	32%	32%	29%

not available for public parking



TRANS TRAFFIC SURVEY

Map and Surveyed Area

trafficsurvey.com.au

