

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 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.: 101-103	St. Name: Geelong Road
Suburb/Locality: FOOTSCRAY		Post Code: 3011

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Vol.: 11152	Folio.: 108	Suburb.: Footscray
OR	Lot No.:	Type.: Strata Plan	
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? *

Use of the land for motor vehicle hire and sales and to display signs

🔗 Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

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


15000.00	⚠ 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.

Former Home Timber and Hardware and more recently by Tait Mitre 10 Trade Centre.


 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).
- ☐ Not Sure

 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: CO First Name: Squareback Surname: CO

Organization (if applicable):

Unit No: 3376 St. No: PO BOX St. Name:

Suburb: EAST MELBOURNE State: VIC Postcode: 8002

Business phone: Email: jason@squareback.com.au

Mobile phone: 9965 1930 Home:

Contact person's details*

Name:

Same as applicant ☒

Title: CO First Name: Squareback Surname: CO

Organization (if applicable):

Unit No: 3376 St. No: PO BOX St. Name:

Suburb: EAST MELBOURNE State: VIC Postcode: 8002

Business phone: Email: jason@squareback.com.au

Mobile phone: 9965 1930 Home:

Owner *

The person or organisation who owns the land

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

Name:

Same as applicant ☐

Title: CO First Name: Surname:

Organization (if applicable): VU QUAN DEVELOPMENT GROUP II PTY LTD

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

Unit No: St. No: 3 St. Name: Casuarina Close


Suburb: MARIBYRNONG State: VIC Postcode: 3032

Business Phone: 0399651930 Email: jason@squareback.com.au

Mobile phone: Home:

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:

Squareback CO

Date

21 / 07 / 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

Officer Name:

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 and 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 Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.


Estimated cost of development

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

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

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

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

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

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.
- signed the declaration on the last page of the application form

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.

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

Page 1 of 2

VOLUME 11152 FOLIO 107

Security no : 124126184284X
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LAND DESCRIPTION

Lot 2 on Registered Plan of Strata Subdivision 017988.
REGISTRATION OF DEALINGS WITH THIS LOT IS RESTRICTED
PARENT TITLE Volume 09477 Folio 617
Created by instrument AG686637W 12/08/2009

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
VU QUAN DEVELOPMENT GROUP II PTY LTD of 3 CASUARINA CLOSE MARIBYRNONG VIC
3032
AR632845X 08/11/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR632846V 08/11/2018
NATIONAL AUSTRALIA BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 or Section 12 Strata Titles Act 1967 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE RP017988 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: 101-103 GEELONG ROAD FOOTSCRAY VIC 3011

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 PLAN NO. RP017988

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

Page 2 of 2

DOCUMENT END

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

Page 1 of 2

VOLUME 11152 FOLIO 108

Security no : 124126184285W
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LAND DESCRIPTION

Lot 4 on Registered Plan of Strata Subdivision 017988.
CAR PARK
PARENT TITLE Volume 09477 Folio 619
Created by instrument AG686637W 12/08/2009

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
VU QUAN DEVELOPMENT GROUP II PTY LTD of 3 CASUARINA CLOSE MARIBYRNONG VIC
3032
AR632845X 08/11/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR632846V 08/11/2018
NATIONAL AUSTRALIA BANK LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 or Section 12 Strata Titles Act 1967 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE RP017988 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: 101-103 GEELONG ROAD FOOTSCRAY VIC 3011

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 PLAN NO. RP017988

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

Page 2 of 2

DOCUMENT END

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

Page 1 of 1

VOLUME 12120 FOLIO 600
No Coft exists

Security no : 124126182706N
Produced 14/07/2025 12:42 PM

LAND DESCRIPTION

Common Property on Registered Plan of Strata Subdivision 017988.
Created by instrument RP017988 27/08/1982

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
OWNERS CORPORATION PLAN NO. RP017988 of 97-133 GEELONG ROAD FOOTSCRAY VIC
3011
AS349481F 12/07/2019

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances affecting Common Property that are derived from an
encumbrance shown on titles to lots affected by the Owners Corporation.

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
12 Strata Titles Act 1967 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 RP017988 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: 101-103 GEELONG ROAD FOOTSCRAY VIC 3011

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION PLAN NO. RP017988

DOCUMENT END

Imaged Document Cover Sheet

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Document Identification	RP017988
Number of Pages (excluding this cover sheet)	2
Document Assembled	14/07/2025 12:42

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PLAN OF STRATA SUBDIVISION		EDITION 1	RP017988
LOCATION OF LAND		FOR CURRENT OWNERS CORPORATION DETAILS AND ADDRESS FOR SERVICE OF NOTICE SEE OWNERS CORPORATION SEARCH REPORT	
PARISH:	CUT PAW PAW	SURVEYOR'S CERTIFICATE Surveyor: JOHN BIENIAS Certification Date: 13/08/1981	
TOWNSHIP:	-		
SECTION:	14	SEAL OF MUNICIPALITY AND ENDORSEMENT Sealed pursuant to Section 6 (1) of the Strata Titles Act 1967 by CITY OF FOOTSCRAY on 14/10/1981	
CROWN ALLOTMENT:	F (PART) & J (PART)		
CROWN PORTION:	-	REGISTERED DATE: 27/08/1982	
TITLE REFERENCE:	V. 8314 F. 583, V. 9223 F. 024 & V. 9366 F. 187		
LAST PLAN REFERENCE:	LOT 1 ON LP 47421, LP135016 & CP105826	PLAN UPDATED BY REGISTRAR IN AN661031Q 17/03/2023	
DEPTH LIMITATION:	DOES NOT APPLY		
POSTAL ADDRESS:	97 - 103 GEELONG ROAD, FOOTSCRAY 3011		

LEGEND

THE BUILDING IN THE PARCEL CONTAINED IN LOTS 1 AND 2 IS A TWO STOREY BUILDING.

NO BUILDING OR PART OF A BUILDING IS CONTAINED IN LOTS 3 AND 4.

THE LOWER BOUNDARY OF LOTS 1 TO 4 IS ONE METRE BELOW THAT PART OF THE SITE OF THE RELEVANT LOT, EXCEPT AS TO THAT PART OF LOT 1 SHOWN HATCHED WHERE THE LOWER BOUNDARY LIES WITHIN THE FLOOR OF THE TOPMOST STOREY.

THE UPPER BOUNDARY OF THESE LOTS IS TWELVE METRES ABOVE ITS LOWER BOUNDARY, EXCEPT AS TO:

- THAT PART OF LOT 1 SHOWN HATCHED WHERE THE UPPER BOUNDARY IS SIX METRES ABOVE ITS LOWER BOUNDARY.
- THAT PART OF LOT 2 SHOWN HATCHED WHERE THE UPPER BOUNDARY LIES WITHIN THE CEILING OF THE GROUND STOREY.

LOTS 3 AND 4 ARE ACCESSORY LOTS.

COMMON PROPERTY IS ALL OF THE LAND IN THE PLAN EXCEPT THE LOTS AND MAY INCLUDE LAND ABOVE AND BELOW THE LOTS. COMMON PROPERTY MAY BE SHOWN AS "CP" ON DIAGRAMS.

BOUNDARIES DEFINED BY STRUCTURE OR BUILDING ARE SHOWN AS THICK CONTINUOUS LINES.

LOCATION OF BOUNDARIES DEFINED BY STRUCTURE OR BUILDING:

MEDIAN: ALL BOUNDARIES

NOTICE OF RESTRICTION

THE LOTS SPECIFIED IN COLUMN 1 HEREUNDER ARE RESTRICTED LOTS.

THE LOTS SPECIFIED IN COLUMN 2 HEREUNDER ARE CAR PARK LOTS

COLUMN 1

LOTS 1 & 2

COLUMN 2

LOTS 3 & 4

REGISTRATION OF DEALINGS WITH THE LOTS SPECIFIED IN COLUMN 1 IS RESTRICTED.

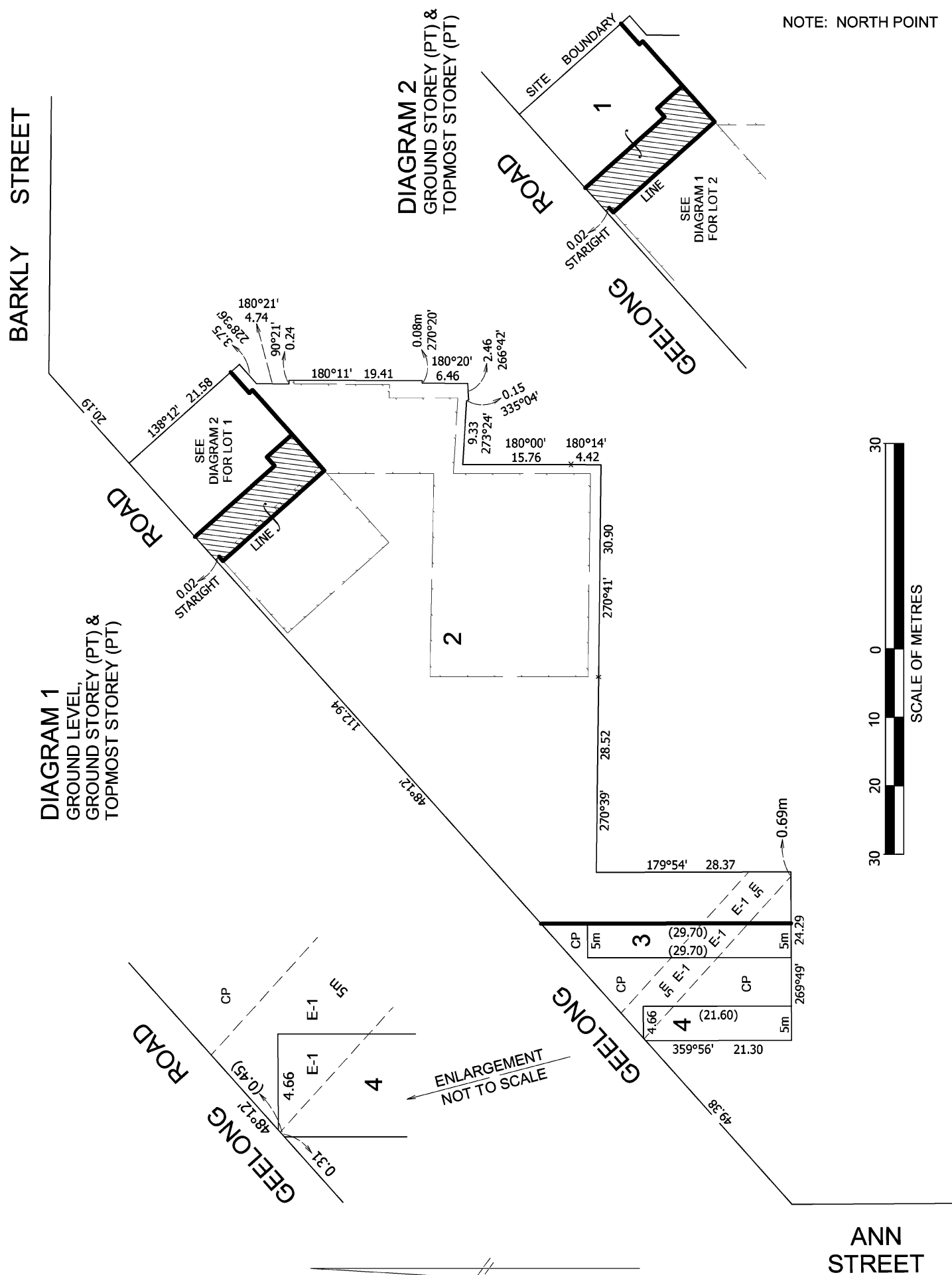
EASEMENT INFORMATION

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

ENCUMBRANCES REFERRED TO IN SECTION 12 (2) OF THE SUBDIVISION ACT 1988 APPLY TO ALL THE LAND IN THIS PLAN

Easement Reference	Purpose	Width	Origin	Land Benefitted /In Favour Of	Plan Parcel Affected
E-1	DRAINAGE	5m	LP135016	LOTS ON LP135016	LOTS 2, 3, 4 & CP

NOTE: NORTH POINT



MEASUREMENTS ARE IN METRES



squareback

PLANNING REPORT

101 – 103 GEELONG ROAD, FOOTSCRAY

USE OF THE LAND FOR

MOTOR VEHICLE HIRE AND SALES

AND BUSINESS IDENTIFICATION SIGNAGE

JULY 2025





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1 INTRODUCTION

This planning report has been prepared to support the planning permit application to use the land at 101 – 103 Geelong Road, Footscray for motor vehicle hire and sales and to display business identification signage (including internally illuminated signage).

The site is developed with buildings, including a main administrative building and secondary buildings/structure. This application seeks the use of the land which was previously used by Home Timber and Hardware and more recently by Tait Mitre 10 Trade Centre for motor vehicle hire and sales.

The motor vehicle hire use will be carried out by Sixt Car and Truck Rental and the motor vehicle sale use will be carried out by Direct Vehicle Warehouse.

The area proposed to be used is shown in purple below and includes the administrative building shown in white and forms Lot 2 on Registered Plan of Strata Subdivision 017988.

The area shown in pink below is used by others and is not part of the proposal. This is Lot 1 on Registered Plan of Strata Subdivision 017988 and does not form part of the application.

Car parking is provided at the south-west end of the site in an existing car park which is fenced off, has separate access and accommodates 19 cars. The 7 car parking spaces on the west side of the car parking area are associated with the subject site and these spaces are noted as car parking on Lot 4 on Registered Plan of Strata Subdivision 017988. The balance of the car parking spaces (12 spaces) forms Lot 3 on Registered Plan of Strata Subdivision 017988 and does not form part of the application.





The use of the land for motor vehicle hire and sales falls within the definition of a retail premises under Clause 73.03 (Land Use Terms) and within Precinct 6 is a Section 2 use in Clause 37.08 (Activity Centre Zone).

The proposal does not include buildings and works, however it does include the display of business identification signage with a planning permit required under the requirements of Clause 52.05 (Category 2).

The use for motor vehicle hire or sales or retail premises is not specified in Clause 52.06, so no planning permit is specifically required for the provision of parking, however parking is to be provided to the satisfaction of the Responsible Authority as outlined in Clause 52.06-6.

Sixt Car and Truck Rental will be the primary use of the land and operate 7 days per week and between the hours of 8am and 4:30pm Monday to Friday, between 8am and 12pm Saturday and between 8am and 11am Sunday. The proposed fleet size for the rental cars is 30 cars and 10 rental trucks with the fleet managed by staff and an online booking system.

Direct Vehicle Warehouse is a smaller component of the use of the land and this use will be contained within the days and hours proposed for Sixt Car and Truck Rental. A maximum of 15 vehicles will be on display and for sale at any one time. Whilst the site will open for walk in customers, the nature of the business with leads generated via online marketing, means most customers arrive following making an appointment directly with the operator.

Vehicle access to the site will be via the existing crossovers which are accessible from the site frontage and given the existing site conditions, all vehicles will be able to enter and exit the site in a forward direction.

This report considers the relevant Planning Scheme Provisions applicable to the site, along with any known amendments to the Planning Scheme at the time of writing this report.

The application is accompanied by the following documentation:

- Planning permit application form.
- Certificate of Title and Plan of Subdivision.
- Site master plan.
- Site layout and signage plans.



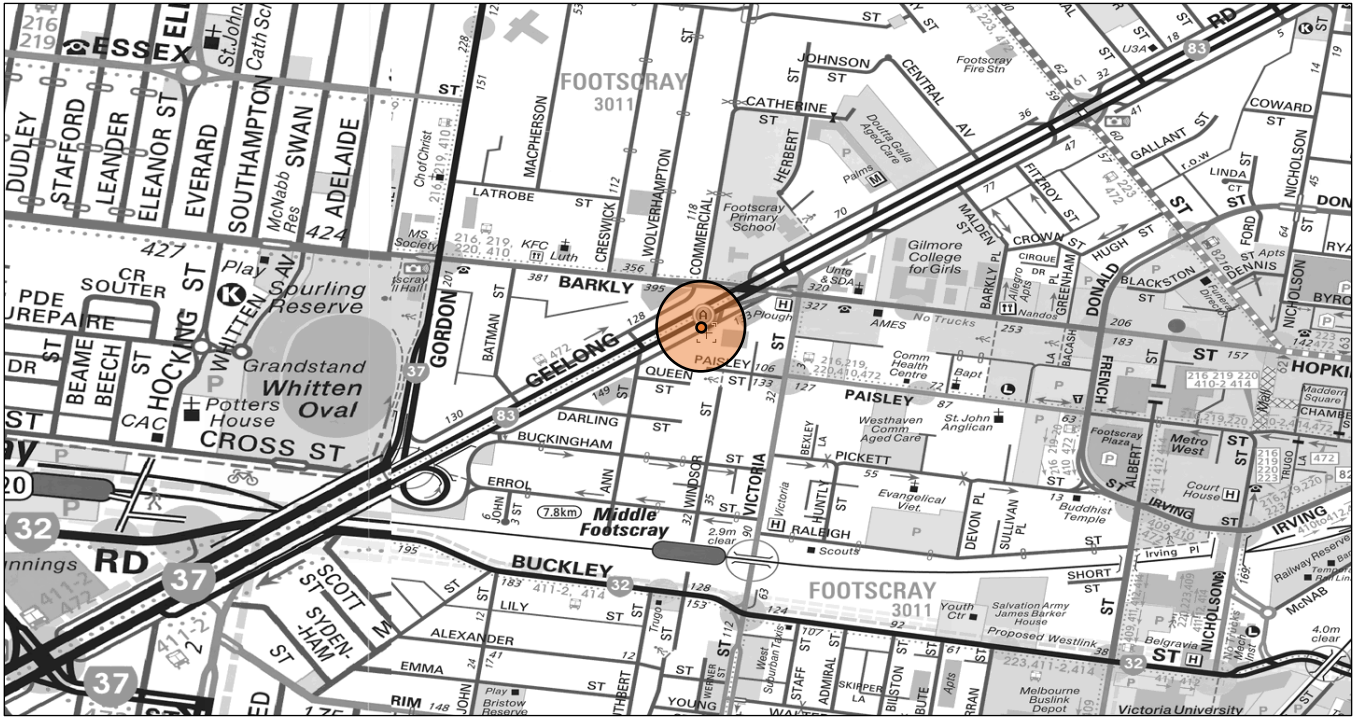
2 PERMIT APPLICATION SUMMARY

Address	101 – 103 Geelong Road, Footscray.
Land Description	Lot 2 on Registered Plan of Strata Subdivision 017988. Lot 4 on Registered Plan of Strata Subdivision 017988. Common Property on Registered Plan of Strata Subdivision 017988.
Municipality	Maribyrnong.
Site Area	3781 square metres including Lots 1 – 4 on Registered Plan of Strata Subdivision 017988.
Site Shape	Irregular.
Existing Conditions	Former Home Timber and Hardware and more recently by Tait Mitre 10 Trade Centre.
Proposal	Use of the land for motor vehicle hire and sales and to display business identification signage (including internally illuminated signage).
Hours of Operation	Monday – Friday: 8:00am – 4:40pm. Saturday: 8:00am – 12:00pm. Sundays: 8:00am – 11:00am.
Staff	Sixt - 5 Staff. Direct Vehicle Warehouse – 1 Staff.
Zone	Clause 37.08 – Activity Centre Zone – Schedule 1
Overlays	Clause 44.05 – Special Building Overlay. Clause 45.09 – Parking Overlay. Clause 45.06 – Development Contributions Plan Overlay – Schedule 2.
Permit Trigger(s)	A permit is required for the use of the land for motor vehicle hire and sales under the requirements of Clause 37.08 (Activity Centre Zone).* A permit is required to display business identification signage (including internally illuminated signage) under the requirements of Clause 52.05. *motor vehicle hire and sales falls within the broader definition of retail premises which is a Section 2 use.
Applicable Planning Scheme Provisions	Planning Policy Framework – Clauses 02.02, 11.03-1S, 11.03-1L-02, 11.07-1L-02 and 17.02-1L. Zone – Clause 37.08 Particular Provisions – Clauses 52.05 and 52.06. General Provisions – Clause 65. Operational Provisions – Clauses 73.01, 73.02, 73.03 and 73.04.
Encumbrances on Title	E-1 – 5m wide drainage easement. Common Property provisions apply.
CHMP Area	No.



squareback

3 LOCATION



Source: <http://www.street-directory.com.au/>

4 AERIAL OF SITE AND SURROUNDS



Source: <http://maps.au.nearmap.com/>

6 PLANNING ASSESSMENT

The subject site will be occupied and used by Sixt Car and Truck Rental and Direct Vehicle Warehouse for motor vehicle hire and sales.

The motor vehicle hire use will be carried out by Sixt Car and Truck Rental and the motor vehicle sale use will be carried out by Direct Vehicle Warehouse.

The use of the land for motor vehicle hire and sales falls within the definition of a retail premises under Clause 73.03 (Land Use Terms) and within Precinct 6 is a Section 2 use in Clause 37.08 (Activity Centre Zone).

The proposal does not include buildings and works, however it does include the display of business identification signage with a planning permit required under the requirements of Clause 52.05 (Category 2).

The use for motor vehicle hire or sales or retail premises is not specified in Clause 52.06, so no planning permit is specifically required for the provision of parking, however parking is to be provided to the satisfaction of the Responsible Authority as outlined in Clause 52.06-6. It is noted that there is a Parking Overlay on the land that references Retail Premises, however this is then further limited to a shop use which is not what is proposed, so Clause 52.06 takes precedence.

Sixt Car and Truck Rental will be the primary use of the land and operate 7 days per week and between the hours of 8am and 4:30pm Monday to Friday, between 8am and 12pm Saturday and between 8am and 11am Sunday. The proposed fleet size for the rental cars is 30 cars and 10 rental trucks with the fleet managed by staff and an online booking system.

Direct Vehicle Warehouse is a smaller component of the use of the land and this use will be contained within the days and hours proposed for Sixt Car and Truck Rental. A maximum of 15 vehicles will be on display and for sale at any one time. Whilst the site will open for walk in customers, the nature of the business with leads generated via online marketing, means most customers arrive following making an appointment directly with the operator.

Vehicle access to the site will be via the existing crossovers which are accessible from the site frontage and given the existing site conditions, all vehicles will be able to enter and exit the site in a forward direction.

The proposal specifically requires a planning permit under the following clauses of the Planning Scheme.

- A permit is required for the use of the land for motor vehicle hire and sales under the requirements of Clause 37.08.
- A permit is required to display business identification signage under the requirements of Clause 52.05.

The proposal has been assessed against the objectives and standards of the applicable clauses of the Planning Scheme and it is considered that the proposal is appropriate for the following reasons:

- The use of the land makes for an efficient use of the site which is currently underutilised and this is consistent with the purpose and objectives of the Zone which seek *'to attract a broad mix of employment uses that will improve the centre's economic diversity, vitality and sustainability consistent with the role of Footscray as a MAC.'*
- The use of the land is consistent with the land use vision for Maribyrnong in Clause 02.02 which seeks to ensure *'a broad economic base will strengthen local employment through a strong retail sector, new offices and business services, a growing arts base and the renewal of the City's industrial areas.'*
- The site forms part of the Footscray Metropolitan Activity Centre whereby uses such as the proposed use are encouraged to locate as policy, such as at Clause 11.03-1S, seek *'to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.'*
- Further to the above point, the use is specifically encouraged for the Footscray Metropolitan Activity Centre as outlined in Clause 11.03-1L-02 which seek *'to support and generate local opportunities for employment and business' and 'in Precinct 6, support the diversification of uses including health, retail, hospitality, aged care, office and other services',* noting the proposed use is a subset of the retail use term in the planning scheme.



- The use of the land will not cause any unreasonable offsite amenity impacts which is consistent with the purpose and considerations of the Zone and other policies such as Clause 11.07-1L-02 and Clause 52.06. This is substantiated as follows:
 - The use will operate standard business hours, noting the latest closing time is 4:30pm, with hire component operating the full days/hours proposed and the vehicle sales contained within this. Practically the vehicle sales component with up to 15 cars for sale is ancillary to the main use of the land for vehicle hire, however both require a planning permit.
 - The uses do not generate any significant noise given it is for effectively the storage and display of vehicles for hire and sale, along with the administrative side of the business which is located internally.
 - There will be some vehicle movements to and from the existing access points along the service road, however given main activity on site will occur in the administration building and on the hardstand area between the northernmost crossovers as vehicles come and go, there is not expected to be any significant vehicle noise transfer to surrounding residential properties due to the separation and existing buildings acting as a buffer.
 - Most customers for the vehicle hire are expected to arrive by public transport or by taxi/uber service as most of the car hire is associated with insurance replacement vehicles where customers don't have their own vehicle. This results in the need for some short term car parking by taxi/uber service to drop off a customer to obtain the hire vehicle and collection post return of the vehicles and this will occur on site in the existing hardstand area or in front of the site where there is plenty of 2 hour parking available given the service lane and frontage width.
 - Based on a comparable example of the Sixt operation on Bridge Road, Richmond which has a similar fleet size, it is expected that there will be around 20 customers per day on average. There will be cars and small trucks entering and exiting the site during the day with peak periods in early morning and later in the afternoon as customers collect and return vehicles. This is considered to be a very small number of customers, compared to many other possible uses for the land and customers don't arrive all at once (like say at a school with a set starting time) and therefore vehicle movements are spread throughout the peaks and balance of the day, ensuring there is no unreasonable impact on the operation of Geelong Road, including the service road.
 - All staff car parking for both uses will be provided on site and within existing car parking bays and there is space to accommodate some customers as not all staff drive to the site, albeit it is important to note that customer parking for the rental business is not promoted and uncommon given the clientele as outlined above.
 - Most customer visits will be via appointment/booking and therefore the number of people attending the site at any one time can be reasonably managed by the operators.
 - The car sales component is only expected to generate customers on a sporadic basis and this is unlikely to exceed one customer at a time given there are only 15 vehicles proposed for sale and given most people arrange a time to inspect a vehicle post making contact with the operator to ensure it is available for inspection.
- The use is consistent with the strategies for retail uses in Clause 17.02-1L which support this type of use in Activity Centres as it will add to the vitality of the centre.
- The proposed business identification signage is face mounted, small in size compared to the façades and internal illumination is limited to one sign facing Geelong Road and one facing the hardstand area. This is considered to be consistent with the requirements and decision guidelines of Clause 52.05 as it provides reasonable identification for the business without causing detriment, such as light spill on surrounding residential properties. The signage is also well separated from other signage and does not result in visual clutter or dominate either façade.
- The proposal is considered to be consistent with the orderly planning of the area and will not unreasonably impact on the amenity of the area or adjoining properties consistent with the requirements of Clause 65 (Decision Guidelines) as demonstrated throughout this report.

In addition to the above submissions about the Activity Centre, the site falls within Precinct 6 (and more specifically 6C and 6D) of Schedule 1 to Clause 37.08 Activity Centre Zone which includes the following objectives:

- *To support the growing mixed-use character of the precinct with an emphasis on employment uses, commercial services and small businesses which support the regional role of the MAC.*
- *To support development along main street frontages that provides for a variety of activity on ground floor that can accommodate a range of uses that will activate the street.*



- *To encourage shops along Barkly Street that complement the retail core of the MAC.*
- *To encourage medical, community and health services in Paisley Street.*
- *To encourage employment related uses including offices and small businesses.*
- *To encourage residential development which appropriately responds to surrounding land uses and provides good amenity for future residents.*
- *To preserve identified heritage buildings and incorporate into new developments.*
- *To ensure that new business activity is compatible with nearby dwellings.*
- *To provide additional open space to serve the southern part of the activity centre as part of any redevelopment of the bus depot.*
- *To ensure development in areas identified as Transition Areas is designed to make an appropriate transition in height, scale and built form to adjoining residential areas.*
- *To increase pedestrian permeability between Barkly and Paisley Street and investigate related crossings over Paisley Street.*
- *To facilitate provision of car parking thus minimising the need within the central precinct whilst ensuring parking provision minimises the impact on pedestrians caused by blank walls and accessways.*

In addition to the objectives, there are precinct requirements for built form, such as maximum building height and setbacks, however as this application is for the use of the land, these are not relevant to this application. There are also precinct guidelines and these are:

- *Require noise attenuation measures for dwellings along Barkly and Buckley Streets and Geelong Road, or where there is adjacent commercial activity that operates late at night.*
- *Buildings within the Transition Area should provide appropriate reductions in building height and mass toward the existing lower scale buildings at the interface and should not exceed 3 storeys within the transition area.*
- *Maintain a low-scale residential interface to Walter Street in future development of the Bus Depot site.*
- *Emphasise the Barkly Street urban corridor through appropriate built form by building to boundaries, providing for passive surveillance, and providing pedestrian protection, including continuous weather protection and activation along frontages to designated Pedestrian Priority Routes.*
- *Maintain a distinction between lower order streets and the Barkly Street corridor.*
- *Use solid building massing and height in conjunction with other sound barrier treatments, to help reduce the impact of traffic noise from Geelong Road.*
- *New built form on the north side of main walking routes should ensure that reasonable sunlight access is maintained on the south side of the street, especially along key streets in the MAC, such as Barkly and Paisley Streets (between 9am and 3pm at the equinox, September 22).*
- *Prohibit the use of roller shutters for retail premises.*
- *Maintain the fine grain and heritage streetscape within the Barkly and Hopkins Street corridor.*
- *Retain prominent landmark buildings such as places of worship and civic buildings.*
- *Provide improved pedestrian connections between Barkly and Paisley Streets.*
- *Street wall heights should respect adjoining heritage buildings and streetscapes where applicable, in particular on Barkly Street.*
- *Side setbacks should reflect the existing context within the MAC and should maintain a continuous street wall frontage, where appropriate along key streets such as Barkly Street and Buckley Street.*
- *Larger sites should accommodate medium density development to maximise land use, whilst maintaining the existing fine grain, active streetscape presentation.*



- *New built form should respect and respond to the heritage context of the retail core on Barkly Street, allowing for heritage prominence to be maintained and sensitively managed – with the careful consideration of built form massing, articulation, distribution, and architectural style.*
- *When new development adjoins heritage buildings, the design should take into consideration the height, scale, rhythm and proportions of the heritage buildings including characteristic, fine-grain frontage widths.*
- *New development should seek to reflect the minor setback condition of residential streetscapes, such as Paisley Street and Buckley Street through landscape treatments or gardens, providing a point of difference between the retail core and peripheral activity precincts.*
- *Tower forms at upper levels should be set back from the streetscape at least 5 metres, to reduce visual bulk and the effect of wind downdrafts.*

Schedule 1 to Clause 37.08 Activity Centre Zone also includes requirements for signs directing consideration to Clause 52.05, however the Schedule nominates Precinct 6 (Peripheral Activity) as Signage Category 2 – Low Limitation and outlines that the following requirements should be met to the satisfaction of the responsible authority: Signage should:

- *Be coordinated across the centre;*
- *Not dominate the streetscape or increase visual clutter; and*
- *Respect the scale, architecture and character of the building or public space.*

Having considered the relevant objectives, precinct guidelines and requirements, including those for signage, it is submitted that the proposed use and display of signage is consistent with these considerations for the following key reasons:

- *The uses will add to the mixed use character and deliver on the precinct objectives which have ‘an emphasis on employment uses, commercial services and small businesses which support the regional role of the MAC.’*
- *The use provides employment opportunities.*
- *The use will not cause any unreasonable amenity impacts on surrounding residential properties (as outlined above in this submission).*
- *The hours of operation are quite limited and respectful of the interface, given there are no early opening times or late closing times for the uses.*
- *The use is considered to be compatible with nearby dwellings as vehicle hire and sales premises are often in locations like this on a main road with residential properties to the rear. In fact, it is arguably a more respectful use than the previous use which would have had a lot of activity throughout the day and possibly noise from forklifts and the like extending down into the back corner with timber being dropped off and moved around.*
- *The signage is modest and appropriate to the scale of the built form, whilst providing reasonable business identification.*

7 CONCLUSION

It is submitted that the proposed uses and business identification signage are appropriate for the site and are consistent with the strategic directions of the Planning Scheme which promotes retail use on land within the Footscray Metropolitan Activity Centre. As demonstrated in this report the uses and signage will not cause any unreasonable detriment to the surrounding area and therefore a planning permit should be granted.

Jason Barnfather
Director
Squareback Planning

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 14 July 2025 12:37 PM

PROPERTY DETAILS

Address: **101-103 GEELONG ROAD FOOTSCRAY 3011**

Lot and Plan Number: **Lot CM RP17988**

Standard Parcel Identifier (SPI): **CM\RP17988**

Local Government Area (Council): **MARIBYRNONG**

Council Property Number: **NCPR**

Planning Scheme: **Maribyrnong**

Directory Reference: **Melway 2S C8**

CITY OF MARIBYRNONG
RECEIVED
21/07/2025
URBAN PLANNING

www.maribyrnong.vic.gov.au

[Planning Scheme - Maribyrnong](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**

Melbourne Water Retailer: **Greater Western Water**

Melbourne Water: **Inside drainage boundary**

Power Distributor: **JEMENA**

STATE ELECTORATES

Legislative Council: **WESTERN METROPOLITAN**

Legislative Assembly: **FOOTSCRAY**

OTHER

Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**

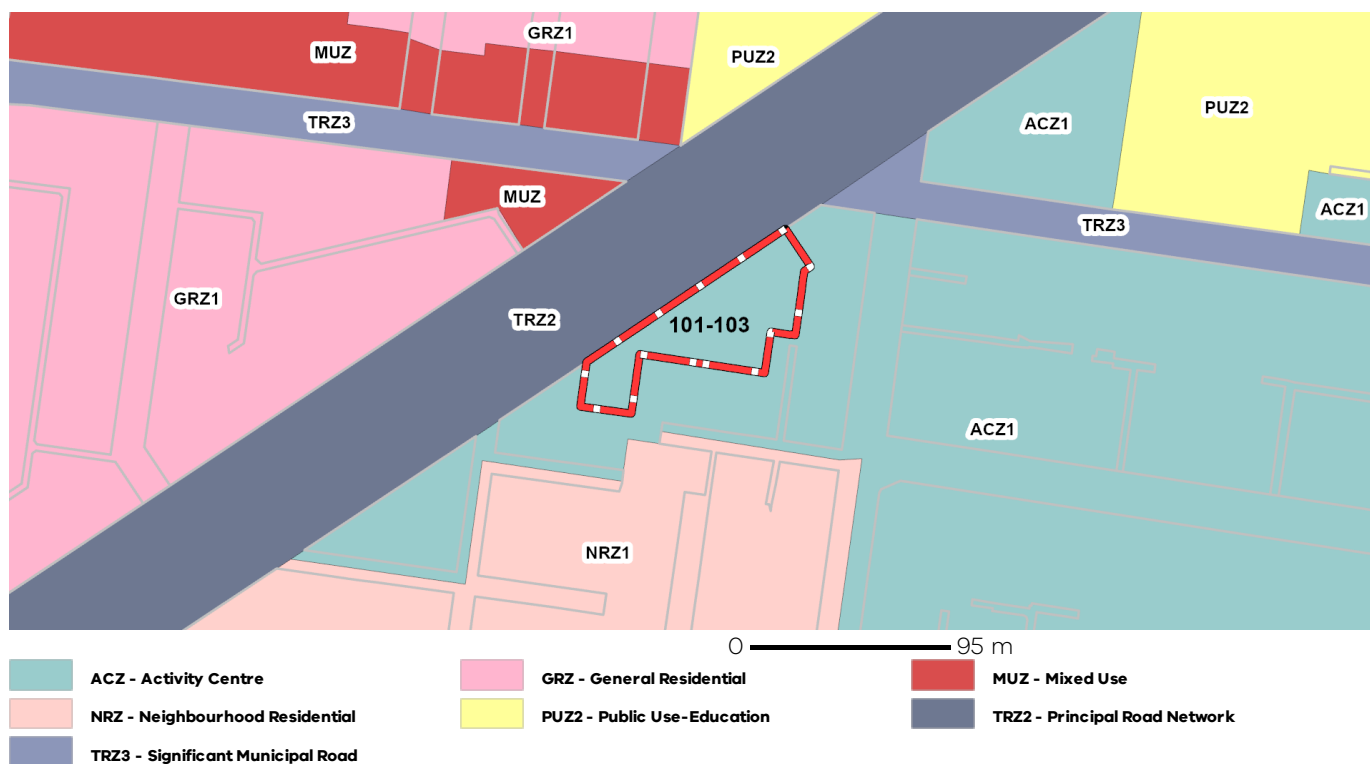
Fire Authority: **Fire Rescue Victoria**

[View location in VicPlan](#)

Planning Zones

[ACTIVITY CENTRE ZONE \(ACZ\)](#)

[ACTIVITY CENTRE ZONE - SCHEDULE 1 \(ACZ1\)](#)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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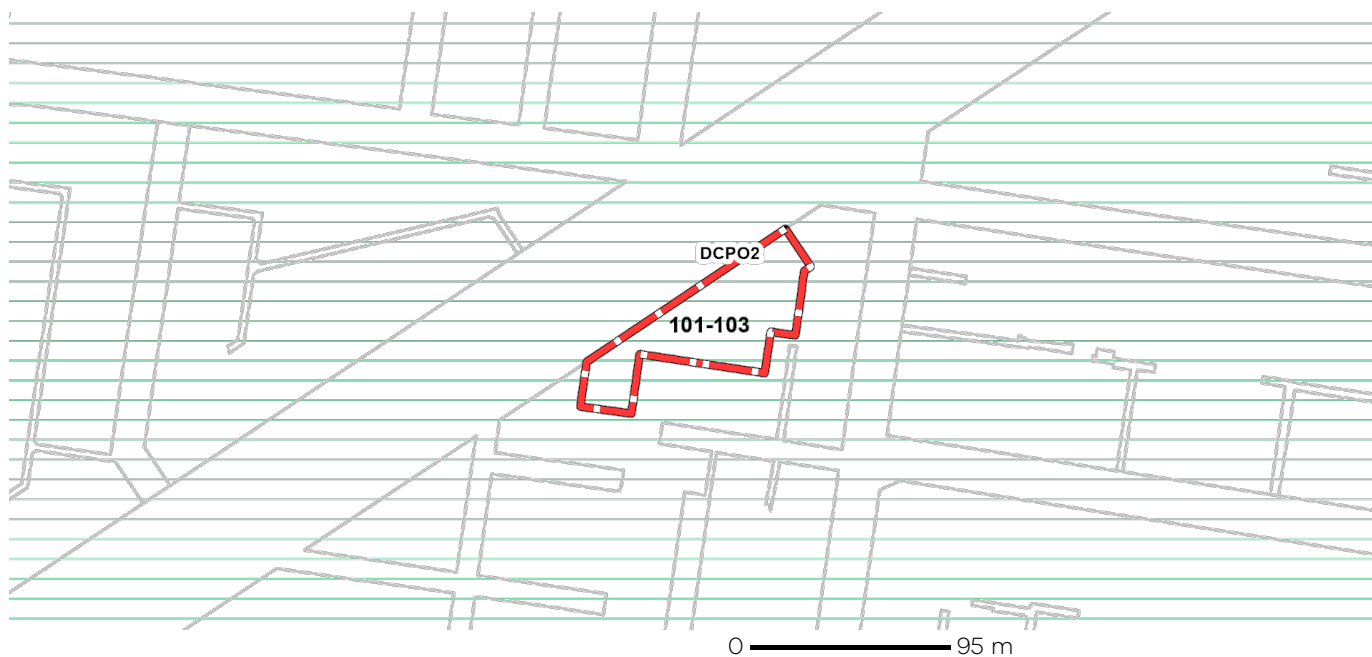
Read the full disclaimer at <https://www.vic.gov.au/disclaimer>

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlays

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2 (DCPO2)



 **DCPO - Development Contributions Plan Overlay**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

PARKING OVERLAY (PO)

PARKING OVERLAY - PRECINCT 2 SCHEDULE (PO2)



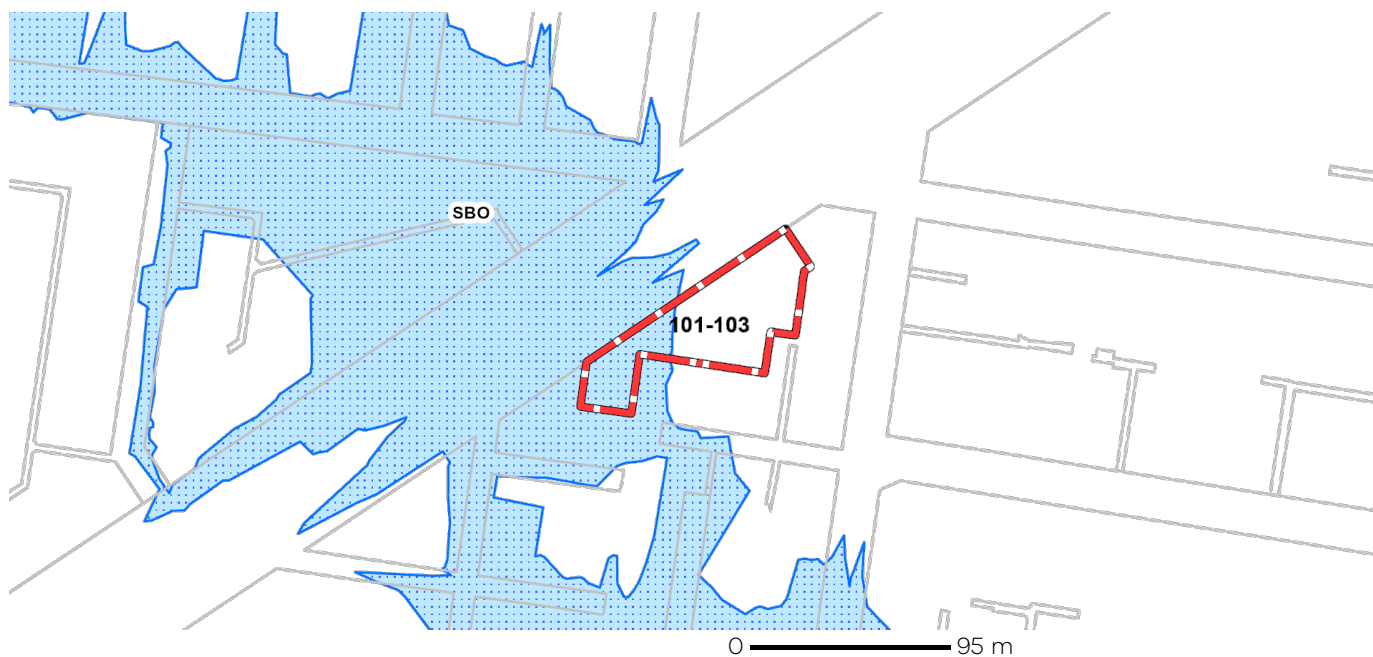
 **PO - Parking Overlay**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Planning Overlays

SPECIAL BUILDING OVERLAY (SBO)

SPECIAL BUILDING OVERLAY SCHEDULE (SBO)



SBO - Special Building Overlay

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

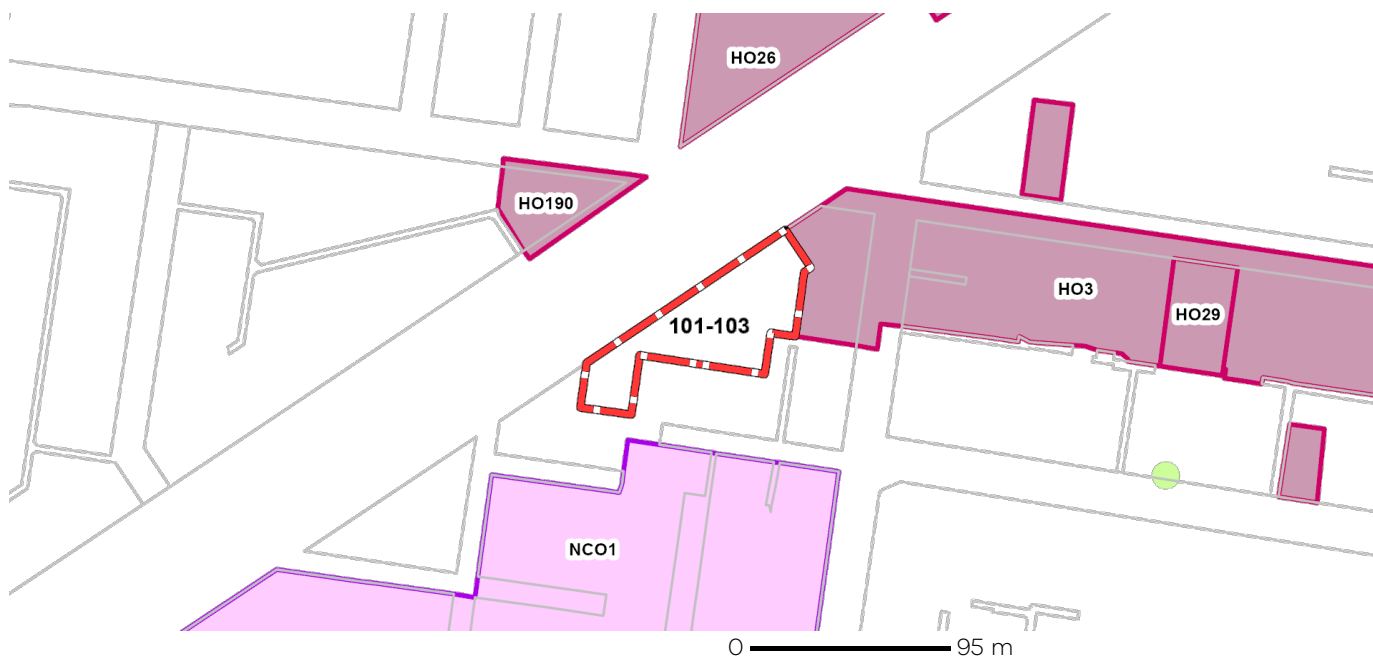
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

HERITAGE OVERLAY (HO)

NEIGHBOURHOOD CHARACTER OVERLAY (NCO)



ESO - Environmental Significance Overlay

HO - Heritage Overlay

NCO - Neighbourhood Character Overlay

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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Further Planning Information

Planning scheme data last updated on 11 July 2025.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit

<https://mapshare.maps.vic.gov.au/vicplan>

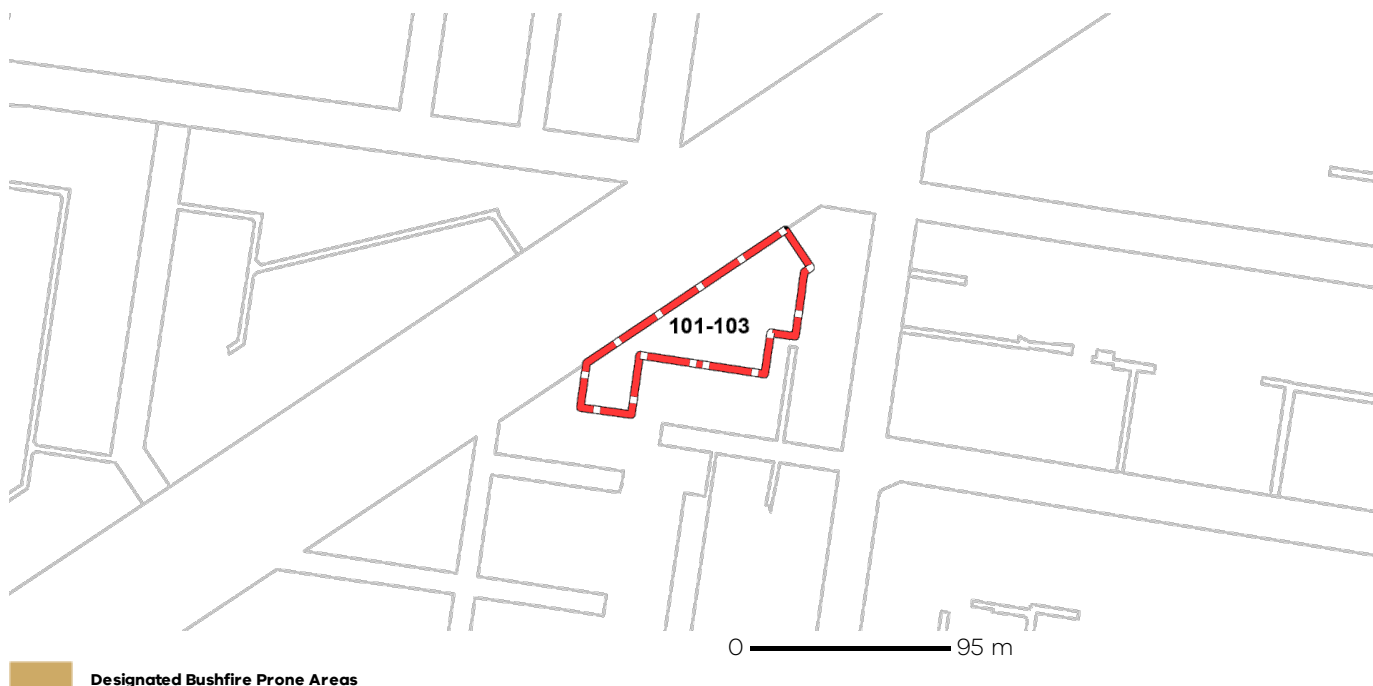
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

**This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.**

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://nativevegetation.environment.vic.gov.au/) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://naturekit.environment.vic.gov.au/)