

# 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.

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

## The Land **i**

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

### Street Address \*

Unit No:	St. No.: 1	St. Name: Federal Street
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.

<b>A</b>	Vol.: 9361	Folio.: 165	Suburb.: Footscray
<b>OR</b>			
	Lot No.:	Type.: Title Plan	
<b>B</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? \*

Specialist consulting rooms (Medical centre)

**🔗** 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 \*


0.00	<b>⚠</b> You may be required to verify this estimate. Insert '0' if no development is proposed.
If the application is for land within <b>metropolitan Melbourne</b> (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 <b>must</b> be submitted with the application. Visit <a href="http://www.sro.vic.gov.au">www.sro.vic.gov.au</a> 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.

Residential dwelling


 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: DR First Name: Franklin Surname: Pond

Organization (if applicable):

Unit No: St. No: 25 St. Name: Kooyongkoot Road

Suburb: HAWTHORN State: VIC Postcode: 3122

Business phone: Email: fhkpond@wvd.com.au

Mobile phone: 0417325328 Home:

### Contact person's details\*

Name:

Same as applicant ☒

Title: DR First Name: Franklin Surname: Pond

Organization (if applicable):

Unit No: St. No: 25 St. Name: Kooyongkoot Road

Suburb: HAWTHORN State: VIC Postcode: 3122

Business phone: Email: fhkpond@wvd.com.au

Mobile phone: 0417325328 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: MS First Name: Sreba Surname: Nikon

Organization (if applicable):

Postal Address:

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

Unit No: St. No: 148 St. Name: Devonshire Road


Suburb: BRAYBROOK State: VIC Postcode: 3019

Business Phone: 0396894733 Email:

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:

*Franklin Pond*

Date

14 / 02 / 2025

day / month / year

## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://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: Simon Scott

29 / 01 / 2025

day / month / year

## Checklist

Have you:



Filled in the form completely?



Paid or included the application fee?



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



Provided all necessary supporting information and documents?



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



A plan of existing conditions.



Plans showing the layout and details of the proposal.



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



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



If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void



Completed the relevant council planning permit checklist?



Signed the declaration?

## Lodgement

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

Maribyrnong City Council  
PO Box 58  
Footscray VIC 3011  
Cnr Napier and Hyde Streets  
Footscray VIC 3011

### Contact information:

Phone: (03) 9688 0200  
Email: [email@maribyrnong.vic.gov.au](mailto:email@maribyrnong.vic.gov.au)  
DX: 81112

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

## The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

### How is land identified


Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

## The Proposal

### Why is it important to describe the proposal correctly?


The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

### How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at [planning-schemes.delwp.vic.gov.au](http://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](http://www.landata.vic.gov.au) Contact your local Council to obtain a planning certificate in Central Gippsland, 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](http://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](http://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.

**Maribyrnong City Council Urban Planning Department**

Cnr Hyde and Napier Streets, Footscray

Postal Address: PO Box 58, Footscray VIC 3011

T: 9688 0200 F: 9687 7793 e: [planningapplications@maribyrnong.vic.gov.au](mailto:planningapplications@maribyrnong.vic.gov.au)



**AMENDMENT TO AN APPLICATION FOR PLANNING PERMIT  
Request Form**

**Privacy Information**

Any material submitted with this application, including plans and personal information, will be available for public viewing, including electronically, and copies may be made to interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987.

**DETAILS OF APPLICATION TO BE AMENDED**

**Application Number:**

TP29/2025

**Address of Land :**

1 Federal Street Footscray

Under what section of the Planning and Environment Act 1987, is the amendment being sought:

☒ Section 50 – Amendment to the application prior to notice

☐ Section 57A – Amendment to the application after notice (*Note – A fee of 40% of the original application fee is required with this request*)

**THE APPLICANT**

**Name:**

Franklin Pond

**Organisation:**

**Address:**

25 Kooyongkoot Road Hawthorn VIC. 3122

**Contact Phone Number:**

0417325328

**Email:**

fhkpond@wvd.com.au

**Are you the applicant of the original planning permit application?** ☒ Yes ☐ No

(*Note: Only the applicant of the original planning permit application may ask Council to amend the application*)

**DETAILS OF THE PROPOSED CHANGES**

Is there a change to the description of the land?

☐ Yes ☒ No

Is there a change to the plans and/or other documents submitted with the application?

☒ Yes ☐ No

Is there a change to the use and/or development of the land?

☒ Yes ☐ No

**List in detail the proposed changes (This can be listed on a separate page)**

Inclusion of 1 x business identification sign

**DECLARATION TO BE COMPLETED FOR APPLICATIONS**

**I declare that all information I have given is true**

**Applicant Signature:** .....

**Date:** .....

## **HOW TO REQUEST FOR AMENDMENT TO AN APPLICATION FOR PLANNING PERMIT**

ALL OF THE INFORMATION OUTLINED BELOW MUST ACCOMPANY THIS APPLICATION.

### **ALL REQUESTS SUBMIT:**

1. Application form
2. A written statement detailing all alterations/amendment proposed
3. Application fee if required

### **If you are amending the description of the land, please submit:**

1. Provide the street number, street name, town, postcode, the lot number and lodged plan number or other title particulars
2. If you attach a plan, include:
  - The boundaries of the land and their measures;
  - The street it faces, the nearest intersecting street, the distance from this street and the name of all streets on the plan;
  - Reasons for the amendment

### **If you are amending the use and/or development of the land, please submit:**

1. Details of the changes to the use and development of the land;
2. Reasons for wishing to amend the use and/or development;

### **If you are amending the plans, please submit:**

1. An electronic copy of the plans (coloured to highlight the proposed amendments):
  - Site plan of the existing site and all amendments that are proposed;
  - Floor plans showing existing conditions, and all proposed amendments;
  - Elevation plans of the existing proposal, and all proposed amendments.

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CITY OF MARIBYRNONG  
ADVERTISED PLAN

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

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

VOLUME 02899 FOLIO 669

Security no : 124121677409A  
Produced 03/02/2025 10:58 AM

LAND DESCRIPTION

Lot 28 on Plan of Subdivision 002849.  
PARENT TITLE Volume 02379 Folio 690A  
Created by instrument F222132 04/03/1974

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
SREBRA SYLVIA NIKOLIN of 148 DEVONSHIRE ROAD BRAYBROOK VIC 3019 Executor(s)  
of SLAVOLJUB NIKOLIN deceased  
AY470846K 07/10/2024

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP659029L FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY470776E (E)	CONV PCT & NOM ECT TO LC	Completed	07/10/2024
AY470839G (E)	REMOVAL OF NOMINATION	Completed	07/10/2024
AY470844P (E)	NOMINATION OF ECT TO LC	Completed	07/10/2024
AY470846K (E)	TRANSMISSION APPLICATION	Registered	07/10/2024

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

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

Street Address: 1 FEDERAL STREET FOOTSCRAY VIC 3011

ADMINISTRATIVE NOTICES

NIL

eCT Control 21049X VERDUCI LAWYERS  
Effective from 07/10/2024

DOCUMENT END

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PLAN OF SUBDIVISION OF  
PART OF CROWN ALLOTMENT 17  
SECTION 15  
**PARISH OF CUT PAW PAW**

COUNTY OF BOURKE

**VOL.2229 FOL.635**

Measurements are in Feet & Inches

Conversion Factor

FEET x 0.3048 = METRES

**COLOUR CODE**

R1= BROWN

E-2 = HATCHED RED OVER BROWN

ROADS COLOURED BROWN

ROAD HATCHED RED OVER  
BROWN DISCONTINUED VIDE  
A.O. IN L.G.D.2843

**ENCUMBRANCES**

AS TO ROAD R1

ANY EASEMENTS AFFECTING  
THE SAME

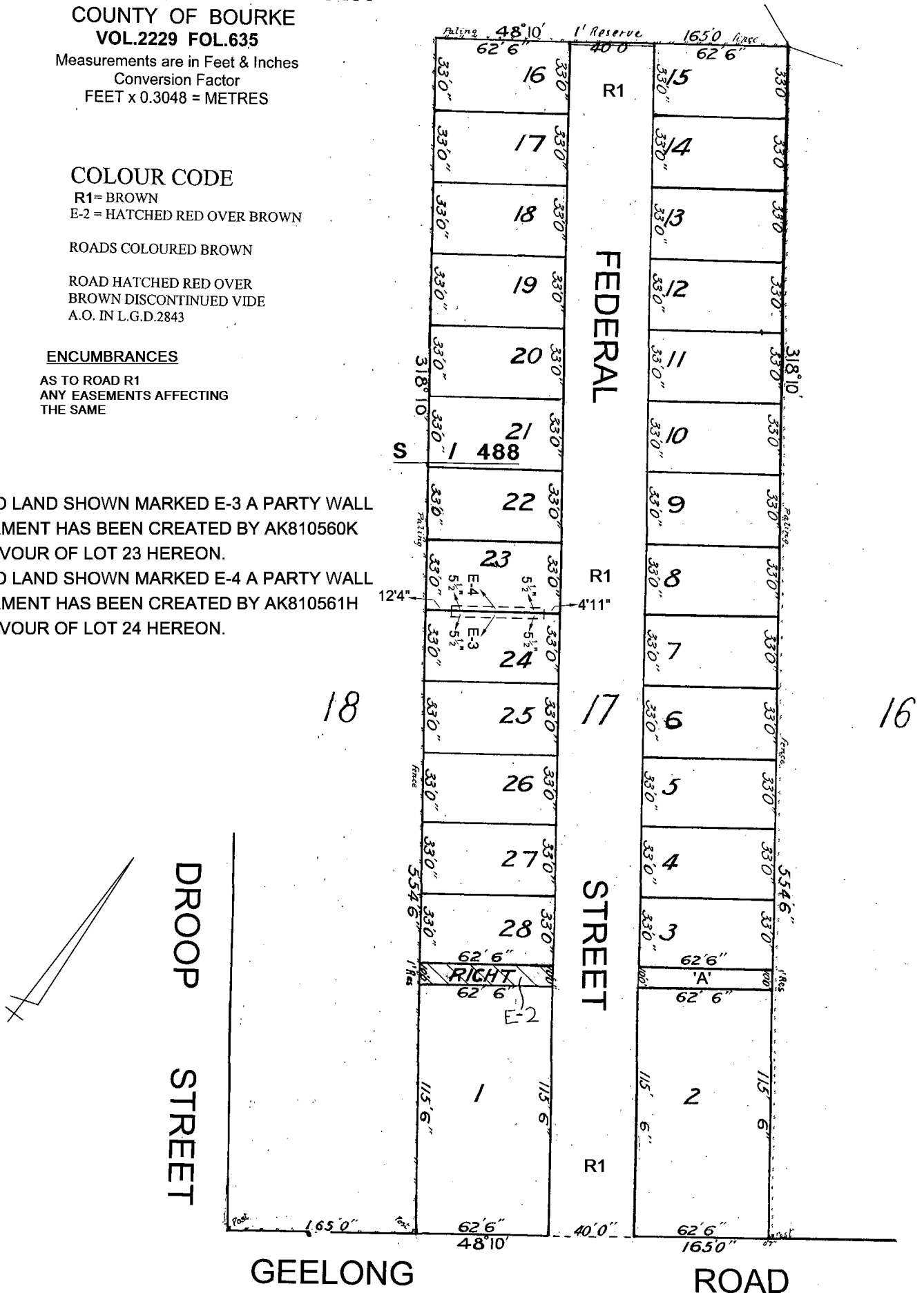
AS TO LAND SHOWN MARKED E-3 A PARTY WALL  
EASEMENT HAS BEEN CREATED BY AK810560K  
IN FAVOUR OF LOT 23 HEREON.

AS TO LAND SHOWN MARKED E-4 A PARTY WALL  
EASEMENT HAS BEEN CREATED BY AK810561H  
IN FAVOUR OF LOT 24 HEREON.

**LP 2849**

EDITION 4

PLAN MAY BE LODGED 7/2/90



## MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

# PLAN NUMBER

**LP 2849**

**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]

TITLE PLAN		EDITION 1	TP 659029L
<p>Location of Land</p> <p>Parish: CUT-PAW-PAW</p> <p>Township:</p> <p>Section:</p> <p>Crown Allotment:</p> <p>Crown Portion:</p> <p>Last Plan Reference: LP 2849</p> <p>Derived From: VOL 2899 FOL 669</p> <p>Depth Limitation: NIL</p>		<p>Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>	
<p>Description of Land / Easement Information</p> <p>ALL THAT piece of land delineated and coloured red on the map hereon - being Lot 28 on Plan of Subdivision No.2849 Parish of Cut-paw-paw - - County of Bourke - Together with a right of carriage way over the -- road &amp; coloured brown on the said map - - - - -</p>		<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 19/10/2000</p> <p>VERIFIED: BH</p> <p>COLOUR CODE</p> <p>R = RED</p> <p>BR = BROWN</p>	
<p>LENGTHS ARE IN FEET &amp; INCHES</p>		<p>Metres = 0.3048 x Feet</p> <p>Metres = 0.201168 x Links</p>	Sheet 1 of 1 sheets

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CITY OF MARIBYRNONG  
ADVERTISED PLAN

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

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

VOLUME 09361 FOLIO 165

Security no : 124121677410Y  
Produced 03/02/2025 10:58 AM

LAND DESCRIPTION

Lot 1 on Title Plan 659359N.  
PARENT TITLE Volume 03219 Folio 735  
Created by instrument H669238 04/09/1979

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
SREBRA SYLVIA NIKOLIN of 148 DEVONSHIRE ROAD BRAYBROOK VIC 3019 Executor(s)  
of SLAVOLJUB NIKOLIN deceased  
AY470846K 07/10/2024

ENCUMBRANCES, CAVEATS AND NOTICES

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DIAGRAM LOCATION

SEE TP659359N FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY470762R (E)	CONV PCT & NOM ECT TO LC	Completed	07/10/2024
AY470846K (E)	TRANSMISSION APPLICATION	Registered	07/10/2024

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

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

Street Address: 1 FEDERAL STREET FOOTSCRAY VIC 3011

ADMINISTRATIVE NOTICES

NIL

eCT Control 21049X VERDUCI LAWYERS  
Effective from 07/10/2024

DOCUMENT END

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TITLE PLAN		EDITION 1	TP 659359N
<b>Location of Land</b>  Parish: CUT-PAW-PAW Township: Section: 15 Crown Allotment: 17(PT) Crown Portion:  Last Plan Reference: Derived From: VOL 9361 FOL 165 Depth Limitation: NIL		<b>Notations</b>     ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
<b>Description of Land / Easement Information</b>  <b>ENCUMBRANCES REFERRED TO</b>  THE RIGHT Title Power Authority or - - - Interest of Melbourne and Metropolitan - Board of Works saved by Section 528(2)(e) of the Local Government Act 1958 - - - -		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 19/10/2000 VERIFIED: B.H.	
<b>TABLE OF PARCEL IDENTIFIERS</b> WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 PARCEL 1 = CA 17 (PT)		Certificate of Title Vol.3219 Fol.735 L.G.D. File No.2843 H669238	
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets	

PROPERTY REPORT

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 18 November 2024 10:59 PM

PROPERTY DETAILS

Address:

1 FEDERAL STREET FOOTSCRAY 3011

Lot and Plan Number:

This property has 2 parcels. See table below

Standard Parcel Identifier (SPI):

See table below

Local Government Area (Council):

MARIBYRNONG

Council Property Number:

114101

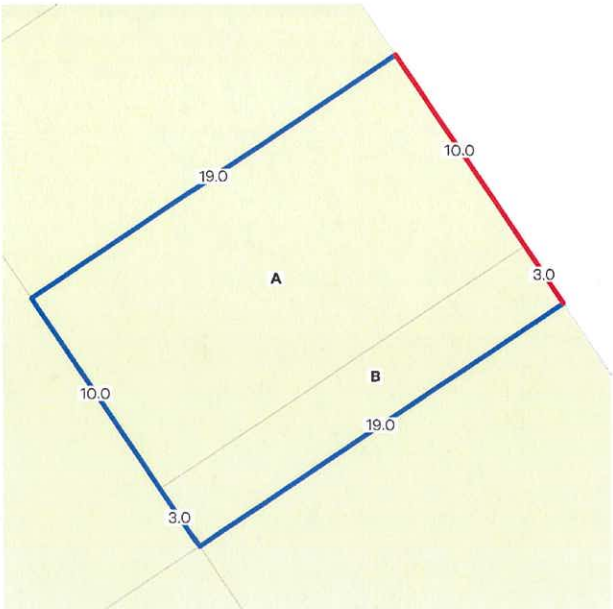
Directory Reference:

Melway 2S E5

[www.maribyrnong.vic.gov.au](http://www.maribyrnong.vic.gov.au)

SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



Area: 248 sq. m

Perimeter: 64 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

PARCEL DETAILS

The letter in the first column identifies the parcel in the diagram above

Lot/Plan or Crown Description	SPI
A Lot 28 LP2849	28\LP2849
B Lot 1 TP659359	1\TP659359

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



\*\*\*\* Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning \*\*\*\*

## ROADS PROPERTY CERTIFICATE

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

The search results are as follows:

Angelo Karamanis  
Suite 4 235 Camberwell Road  
HAWTHORN EAST 3123

Client Reference: Franklin Pond

NO PROPOSALS. As at the 3th February 2025, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

1 FEDERAL STREET, FOOTSCRAY 3011  
CITY OF MARIBYRNONG

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 3th February 2025

Telephone enquiries regarding content of certificate: 13 11 71

**[Vicroads Certificate] # 75704517 - 75704517105810 'Franklin Pond'**

# Urban Planning Advisory



## Planning Application Report

1 Federal Street, Footscray

14 February 2025

Prepared for Mr Franklin Pond

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# **1. Introduction**

This report has been prepared on behalf of Mr Franklin Pond (the Client) to support a planning permit application which seeks approval for use of the land as a medical centre at 1 Federal Street, Footscray (the site).

We highlight that the application triggers a planning permit for use of the land only under the General Residential Zone.

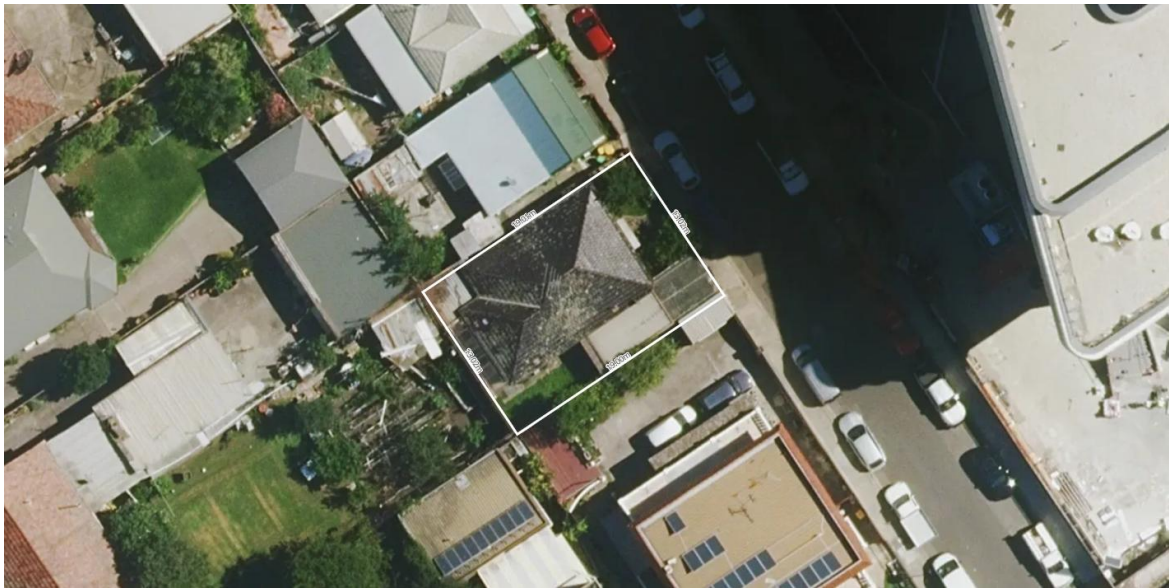
The relevant matters identified and considered in this report are those outlined in the table of contents on the previous page.

This report has been prepared for the Client for the purpose of lodging a planning application and seeking approval for the proposed use of land, and Jo Harrison Urban Planning Advisory takes no responsibility for any other use of this document.

## 2. Site Analysis

### 2.1 Subject Site

The subject site is known as 1 Federal Street, Footscray. The property is located on the south-western side of Federal Street, just north of the intersection of Geelong Road and directly opposite the new Footscray Hospital. The surrounding area is transforming into a major hospital and medical precinct, and part of the broader Victoria University education precinct.



*Figure 1 Aerial imagery of subject site dated 5 December 2025: Source Landchecker*

The site is approximately 247 square metres in size and made up of two title/land parcels (see certificate of titles). The property is currently occupied by a single storey brick dwelling with crossover and driveway to the south side of the property. The building is setback approximately 4.3m from the front property boundary.



*Figure 2 Photo of 1 Federal Street: Source, Realestate.com.au*

## 2.2 Surrounding Context

The site is located directly opposite the new Footscray Hospital which will be opened later in 2025. Federal Street is no longer a desirable residential street with high amenity due to this direct interface, and will likely transform into specialist medical suites in association with practitioners who operate at the hospital. A video link to the Victorian Health Building Authority website provides a visual understanding of the hospital and interface with the subject site: <https://vimeo.com/523654837>



Figure 3 View of the hospital (3D perspective) and Federal Street looking north: Source VHBA website

The general character of the area is mixed, with both residential and commercial buildings flanking Federal Street. An existing medical centre is located at 27 Federal Street in a former house.



Figure 4: Western Health Medical centre at 27 Federal Street Footscray, Source: Google Maps May 2022  
<https://www.westernhealthcentre.com.au/>

Building styles range between older brick dwellings, new contemporary houses and period homes. Footscray Hospital is a tall and large building built to Federal Street and spanning the entire block between Ballarat and Geelong Roads. Vehicle and public access to the hospital is directly available at the corner of Federal Street and Geelong Road. Car parking is available on Federal Street, and in front of the site.

The adjoining site to the south is the rear of a large two-storey dwelling fronting Geelong Road with hardstand car parking directly abutting the sites side boundary. Residential properties abut the site to the north (3 Federal Street) and west (62 Droop Street), including rear yards and a side setback with services / walkway to 3 Federal Street.

The south-west side of Federal Street is zoned General Residential 1, and Footscray Hospital is zoned Public Use Zone 3 and is within the Footscray Activity Centre boundary. The subject site directly interfaces with the Activity Centre, and Federal Street is accessed off Geelong Road and Transport 2 Zone.

## 2.3 Certificate of Title & Easements

The site is identified formally within two certificate of titles:

- Lot 28 on Plan of Subdivision 002849 (Volume 02899 Folio 669)
- Lot 1 on Title Plan 659359N (Volume 09361 Folio 165). This title lot was a former “road”, discontinued.

No Section 173 Agreements, Easements or Restrictive Covenants are registered on title.

## 3. Proposal

The proposal is best summarised as use of the land as a medical centre in planning terms. Key details of the proposal are:

- The dwelling will be internally fitted out as a consulting medical suite/rooms to a sole medical practitioner and local surgeon. An ultrasounographer will be present at times.
- The applicant is a Vascular Surgeon and Deputy Head of Unit at Western Health, where they have a Specialist Consultant appointment since 2008. They have served the residents of Melbourne’s western suburbs for over 15 years. The new location of Footscray Hospital has led to the need to relocate their private practice to facilitate patient access.
- The use will operate Monday to Friday 8:30am to 6:30pm.
- It is expected the use will have only 1 patient at any one time, and every 30 minutes.
- The internal leasable floor area equates to approximately 113 square metres.
- The existing garage and carport will be demolished (no permit required) to facilitate tandem car parking for three car spaces of at least 6.3m long X 3.2m wide via the existing crossover to Federal Street. The site is located within the Principal Public Transport Network (PPTN), and the required number of car spaces of 3.5 car spaces to each 100sqm of leasable floor area at Clause 52.06-5 is met.
- No external buildings and works are proposed and the floor area will not be increased. It is noted that a disabled access ramp is exempt from requiring a planning permit at Clause 62.02-2.

## 4. Planning Controls

### 4.1 Zone

#### 4.1.1 Clause 32.08 General Residential Zone Schedule 1 (GRZ1)

The site is located within the GRZ1 of the Maribyrnong Planning Scheme.

Clause 32.08-2 Table of uses includes ‘medical centre’ at Section 1- Permit not required, but the conditions are not met in the application given the site does not adjoin a road in a Transport Zone 2. Therefore, the use defaults to a Section 2 – **permit required use**.

No buildings and works are proposed.

### 4.2 Overlays

#### 4.2.1 Clause 45.06 Development Contributions Plan Overlay Schedule 2 (DCPO2)

The DCPO2 is not applicable to the application given no buildings and works are proposed.

### 4.3 Particular Provisions

#### 4.3.1 Clause 52.06 – Car Parking

Clause 52.06-2 states before a new use commences, the number of car spaces required under Clause 52.06-5 must be provided on the land.

The required number of car spaces at Clause 52.06-5 is 3.5 car spaces to each 100sqm of leasable floor (Column B). The land is identified as being within the Principal Public Transport Network Area (PPTN) as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018).

The proposal includes 3 tandem car spaces in accordance with Table 1 of Clause 52.06-5. An assessment against the requirements of Clause 52.06 is provided later.

## 5. Permit Triggers

The planning application and proposed medical centre attracts the following permit triggers:

- Clause 32.08-2 General Residential Zone – use of the land as a medical centre.

## 6. Relevant Planning Policy

The *Planning and Environment Act 1987* sets out the objectives for planning in Victoria. These objectives are to provide for the fair, orderly, economic and sustainable use, and development of land, to facilitate development and to balance the present and future interests of all Victorians.

The state, regional and local planning policy relevant to the assessment of the planning application is included at 6.1 below and is considered at Section 7 of this report.

### 6.1 Planning Policy Framework

Clause 02.03 Strategic Directions

Clause 02.03-6 Economic Development

Clause 02.03-8 Infrastructure

Clause 11.03 Planning for Places

Clause 11.03-1S Activity centres

Clause 11.03-1R Activity centres – Metropolitan Melbourne

Clause 11.03-1L-01 Activity centres

Clause 11.03-1L-02 Footscray metropolitan activity centre

Clause 13.07 Amenity, Human Health and Safety

Clause 13.07-1S Land use compatibility

Clause 13.07-1L-02 Land use compatibility

Clause 17.01 Employment

Clause 17.01-1R Diversified economy – Metropolitan Melbourne

Clause 19.02 Community Infrastructure

Clause 19.02-1S Health facilities

Clause 19.02-1R Health facilities – Metropolitan Melbourne

Clause 19.02-1L Health facilities

### 6.2 Clause 65 Decision Guidelines

Clause 65 sets out general decision guidelines for applications.

Clause 65.01 Approval of an Application states before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*

- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

### **6.3 S55 Referrals**

There are no Section 55 referrals triggered by the proposal.

### **6.4 Aboriginal Cultural Heritage**

No buildings and works are proposed and the site is not within an area of aboriginal cultural heritage sensitivity.

## **7. Planning Assessment**

The key considerations relevant to the application relate to land use and those provisions, policies and objectives of the Maribyrnong Planning Scheme. No planning permit is required to reduce the car parking requirement under Clause 52.06 Car Parking, however an assessment is provided below to demonstrate these provisions are met and are acceptable.

The proposal to use of the existing building as a medical centre triggers a permit for use only under the General Residential Zone.

The proposal is considered to have limited impact on the surrounding area given its interface with the new Footscray Hospital and Footscray Activity Centre location. An assessment of the following key considerations has been undertaken:

1. Is the land use acceptable to the site and its location?
2. Clause 52.06 Car Parking Assessment.

## 7.1 Is the land use acceptable to the site and its location?

Clause 02.03-8 Strategic directions for Infrastructure and Health facilities of the Maribyrnong Planning Scheme positions the significant role of Footscray as a regional centre for health services in Victoria. Council seeks to *ensure medical centres are developed in appropriate and accessible locations, including in activity centres and areas with good access to public transport*. The sites location and medical centre proposal directly aligns with this strategic direction by establishing itself adjacent to the Footscray Hospital and Footscray Metropolitan Activity Centre. Bus, tram and train services are all within walking distance, and car parking is also provided on site.

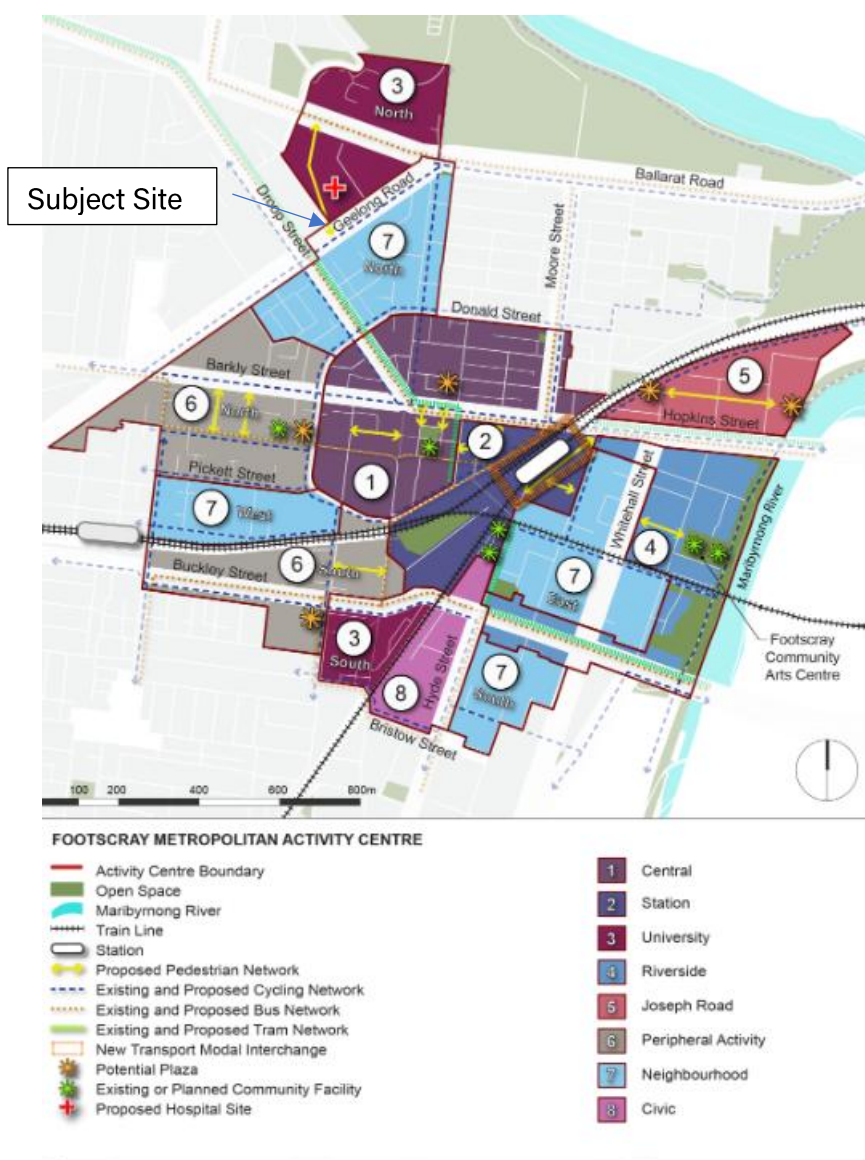


Figure 5: Footscray Metropolitan Activity Centre Framework Plan

Historically, the Western Hospital has had many ancillary and allied health care services around it, and is a key medical precinct. It is anticipated there will be a shift for some of these ancillary services and specialists to move closer to the new public Footscray Hospital where medical practitioners will be operating too. Clause 11.03-1L-02 Footscray metropolitan activity centre (MAC) policy encourages new services to locate in appropriate areas of Footscray, including health related services and

childcare. The proposed location of the medical centre meets the planning policy objectives for health, infrastructure and services at a state and local level. This is further supported by Clause 17.01-1R Diversified economy – Metropolitan Melbourne which is to support the employment and servicing role of Health and Education Precincts by:

- *Focussing on improving access, particularly public transport access.*
- *Encouraging co-location of facilities to better utilise existing infrastructure.*
- *Supporting and facilitating growth of associated businesses and industries.*
- *Reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.*

The proposal achieves a high level of compliance with state and regional strategies for health facilities including:

Clause 19.02-1S

*Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.*

*Plan public and private developments together, where possible, including some degree of flexibility in use.*

*Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.*

*Provide adequate car parking for staff and visitors of health facilities.*

Clause 19.02-1R

*Facilitate health and community wellbeing precincts through the co-location of:*

- *Hospitals, allied health services and not-for-profit health providers at the regional level.*
- *General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.*

*Create health precincts in new suburbs in or close to town centres.*

*Ensure health precincts are well serviced by community services.*

The site is located in the General Residential Zone which has a purpose to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations. In fact, no planning permit is required for new medical centres more than twice the scale of the one proposed where the site has direct access from a Transport Zone 2. The subject site is just one property in from Geelong Road which is a Transport Zone 2. This in itself demonstrates medical centres can be compatible with residential use, particular where they service the local community needs. The intensity of the use is small scale, with only one specialist operating within a former dwelling. The character of the area will have limited change given there are no buildings and works, maintaining a residential feel. The proposed internal layout shows only two medical rooms, the remainder is reception, waiting room, office and staff space. These considerations

are echoed at Clauses 13.07-1S and 13.07-1L-02 Land use compatibility of the Maribyrnong Planning Scheme.

It is a policy guideline at Clause 13.07-1L-02 to consider limiting hours of operation in the Elenor Street Hospital Precinct so the amenity of adjacent dwellings is not detrimentally impact. This policy guideline could be applied in the current application given the similar set of circumstances, albeit Footscray Hospital is a major public and regional health facility servicing the broader Melbourne community. The hours of operation reflect general business hours for a medical centre directly adjacent to a 24 hours 7 days a week major regional hospital. Residential amenity expectations in Federal Street should now be tempered given the establishment of Footscray Hospital. Notwithstanding, the hours proposed will ensure morning and evening hours maintain existing levels of residential amenity as a result of the proposed medical centre.

Waste bin storage will be to the rear or side of the existing building which can easily be facilitated within the setback areas, and waste collection will be private given the medical use type. A waste management plan is not considered necessary given the limited intensity of the use.

## **7.2 Clause 52.06 Car Parking Assessment**

The planning application does not trigger a planning permit under Clause 52.06 Car Parking given the required number of car spaces by Clause 52.06-5 is provided on the land. A car parking rate of 3.5 car spaces to each 100sqm of leasable floor area is required in the Principal Public Transport Network (PPTN) area. The floor area is 113sqm which requires 3 car spaces ( $1.13 \times 3.5 = 3.9$ ). If the number is not a whole number, it is rounded down to the next whole number.

Clause 52.06-8 Requirement of a car parking plan of the Maribyrnong Planning Scheme states plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme. Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise. Council has discretion in this instance, but an assessment against the relevant Design Standards for car parking has been undertaken to demonstrate the proposed tandem car parking arrangement meets the requirements of the planning scheme and that the proposed medical centre is an acceptable planning outcome.

### **Design Standard 2 – Car parking spaces**

The accessway is 3.2m wide and car spaces will be in tandem. The car spaces are ultimately in the accessway, or in line with it, therefore there is no applicable minimum dimensions of car parking space at Table 2 of Clause 52.06-9. A standard car space is 4.9m x 2.6m or 3.5m x 6m in a garage.

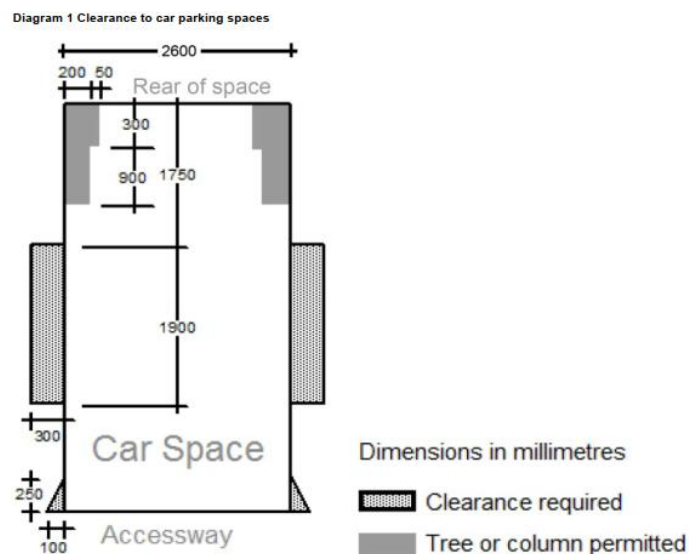
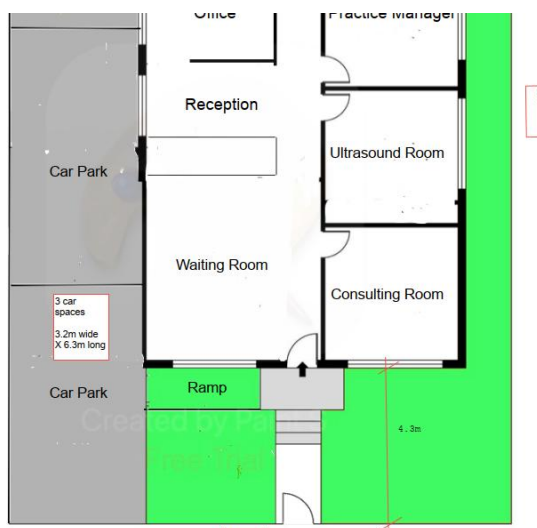
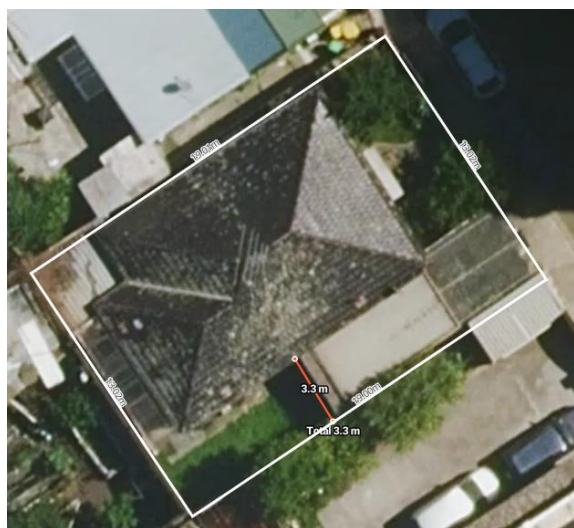


Figure 6: Extract from Clause 52.06-9 – Diagram 1 of Design Standard 2

Diagram 1 Clearance to car parking spaces requires 3.2m width for parking the car and door opening, which is facilitated between the existing side fence and wall of the building as demonstrated in the aerial image and floor plan extract below.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space. Three tandem car spaces are provided along a 19m length, allowing for 6.3m long car spaces which complies for a 4.9m typical car space i.e. 5.4m long car spaces.



Figures 7 & 8: Aerial image showing minimum side setback & extract from floor plan with car space width nominated

Having regard to the decision guidelines of Clause 52.06-10, the car parking arrangement is suitable having regard to the intensity of the use, with only one medical practitioner and one patient at any one time, and every 30 minutes. The accessway only serves 3 cars, not 4 or more, is less than 20m long and does not adjoin a Transport Zone having regard to Design Standard 1 of Clause 52.06-9.

The tandem arrangement is no different to the existing dwelling, where 2 vehicles are accommodated on site and can reverse out of the driveway. Given the short accessway, low fencing where it can be achieved with allowable sightlines, low speed and side street where vehicles will not have gained any speed from turning into Federal Street, the car parking arrangement is acceptable and facilitated by the planning scheme. Vehicles could easily reverse into the car parking spaces on site, rather than going in forwards, which would lend itself to exiting the site in a forwards direction. Furthermore, it is expected there will be a pedestrian crossing and traffic calming installed at the intersection of Federal Street given the hospital has a major pedestrian and visitor entry at this corner.



Figure 9 Google maps 2022

## 8. Conclusion

The application is limited to the consideration of use of the land as a medical centre under the General Residential Zone of the Maribyrnong Planning Scheme. The use achieves a high level of compliance with the Maribyrnong Planning Scheme, and is a good outcome by co-locating health services for the community. The required number of car spaces is proposed on site, and the site is accessible by sustainable transport modes being part of the Footscray Metropolitan Activity Centre.

We recommend that Council approve the application and issue a Planning Permit for a medical centre/ The use has low intensity with one practitioner and focused around a vascular specialist rather than general medicine and directly abuts the Footscray Hospital.