

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.: 13	St. Name: Darnley Street
Suburb/Locality: BRAYBROOK		Post Code: 3019

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

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

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

The Proposal

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

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

Proposed Dual Occupancy - demolition of existing single dwelling

i 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 *

900000.00

⚠ 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 i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single Dwelling on a lot


 Provide a plan of the existing conditions. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'sregister search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:		
Title:	First Name: Brigid	Surname: Tram
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No:	St. Name:
Title:	State:	Postcode:

Please provide at least one contact phone number *

Contact information for applicant OR contact person below	
Business phone:	Email: brigid@residential-space.com.au
Mobile phone:	Fax:

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

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

Owner *


The person or organisation who owns the land

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

Name:		Same as applicant <input type="checkbox"/>
Title: MS	First Name: Van	Surname: Tran
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No: 13	St. No: Darnley Street
Suburb/Locality: BRAYBROOK	State: VIC	Postcode: 3019
Postcode: 3019	Date : 18 04 2024 day / month / year	

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Brigid Tram

Date:

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

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

No Yes

If 'Yes', with whom?:

Date:


day / month / year

Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

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

 Provided all necessary supporting information and documents?

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

A plan of existing conditions.

Plans showing the layout and details of the proposal.

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

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

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

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

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

Maribyrnong City Council
PO Box 58
Footscray VIC 3011
Cnr Napier 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 1

VOLUME 05639 FOLIO 682

Security no : 124116583823G
Produced 12/07/2024 03:21 PM

LAND DESCRIPTION

Lot 162 on Plan of Subdivision 010667.
PARENT TITLE Volume 05492 Folio 306
Created by instrument 1448185 26/02/1930

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
VAN THI THU TRAN of 13 DARNLEY STREET BRAYBROOK VIC 3019
AC718925D 05/03/2004

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM978025B 29/07/2016
WESTPAC BANKING CORPORATION

MORTGAGE AN999019T 30/06/2017
WESTPAC BANKING CORPORATION

COVENANT 1448185 26/02/1930

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 LP010667 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: 13 DARNLEY STREET BRAYBROOK VIC 3019

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 30/06/2017

DOCUMENT END



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PLAN OF SUBDIVISION OF
PART OF CROWN PORTION 17
PARISH OF CUT PAW PAW
COUNTY OF BOURKE
VOL-1615 FOL-829
MEASUREMENTS ARE IN
FEET AND INCHES

COLOUR CODE
E-1=BLUE
E-2=BROWN
E-3=BLACK HATCHED
OVER BLUE

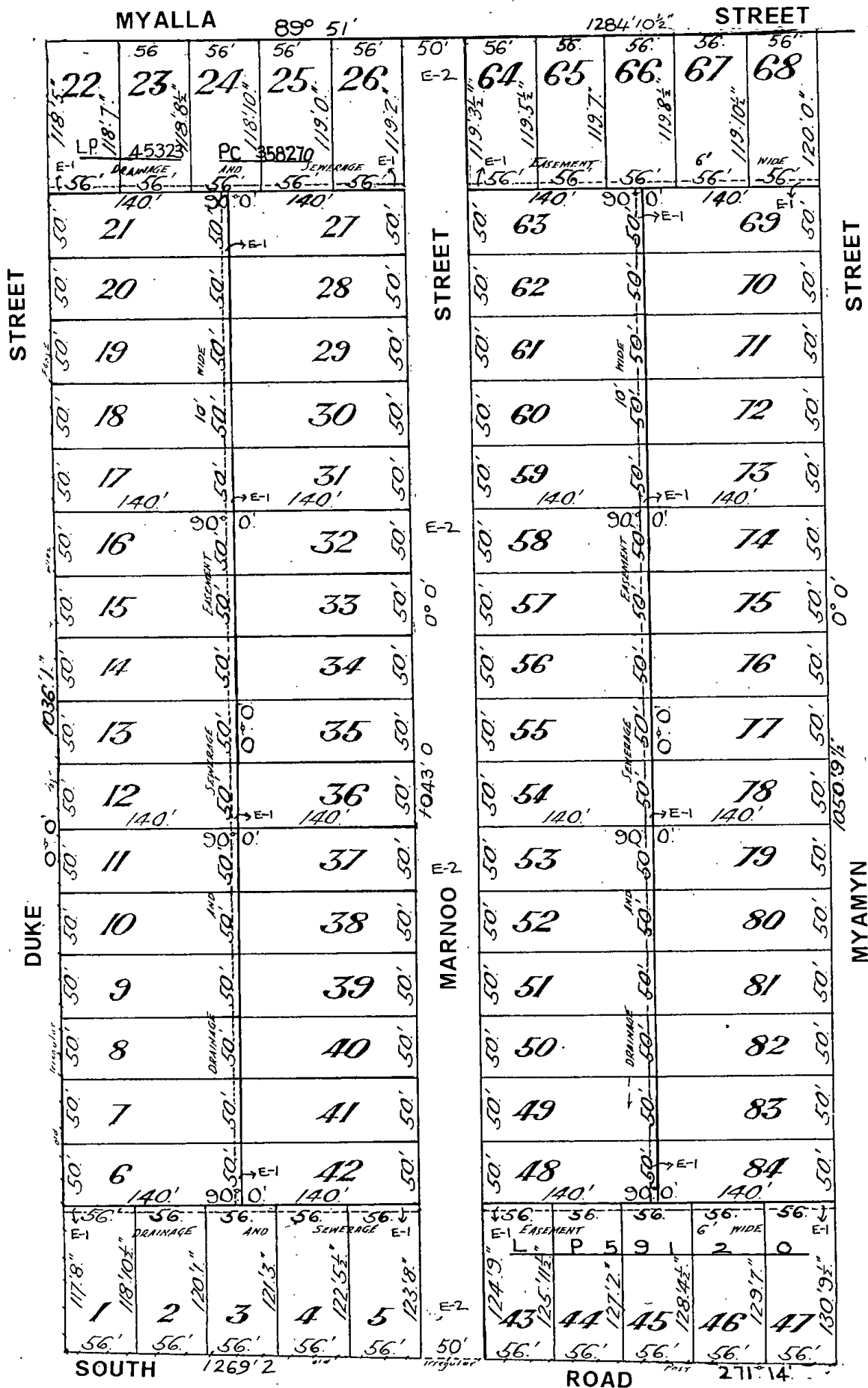
LP 10667

EDITION 1
PLAN MAY BE LODGED
9/4/25

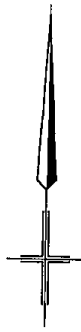
THE EASEMENT SHOWN
BLACK HATCHED OVER BLUE
HAS BEEN EXCISED
VIDE.T.423480C SEC 106E

ROADS COLOURED BROWN

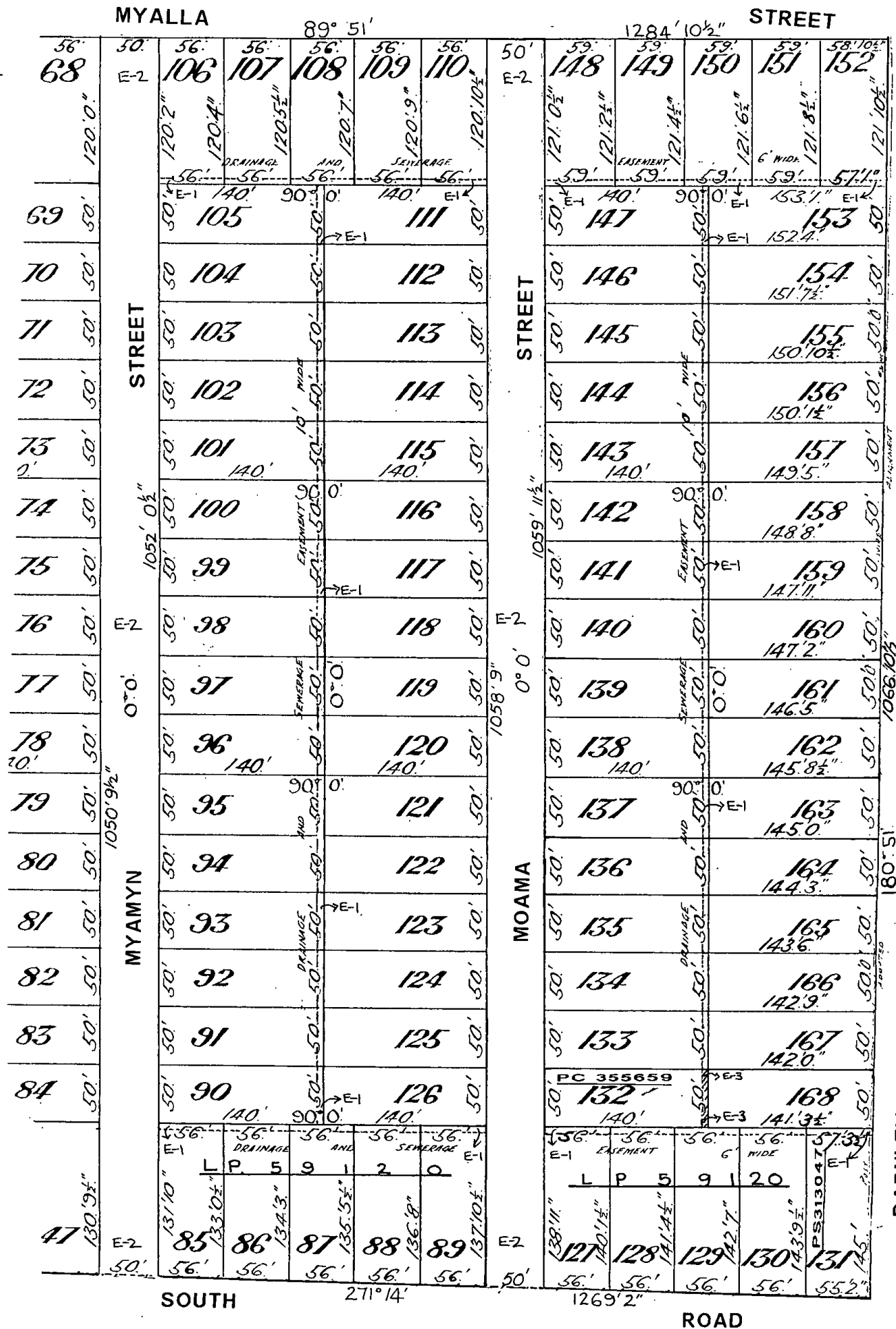
2 SHEETS
SHEET 1.



SEE SHEET 2



SEE SHEET 1



STREET

DARNLEY

SOUTH

ROAD



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T. Backhouse, 339 Collins Street.

1448185

3110548



Handwritten initials
VICTORIA
Spaid



TRANSFER OF LAND...
3108323

MICROFILMED



I, CECIL PERCY THOMSON of 423 Little Collins Street Melbourne Valuer -
being registered as the proprietor of an estate in fee simple in the
land hereinafter described subject to the encumbrances notified ---
hereunder in consideration of the sum of ONE HUNDRED AND NINETY-SIX ---
POUNDS paid to me by GORDON JAMES DRIPPS of Durham Road Sunshine ---
Carpenter - - - - -

DO HEREBY TRANSFER to the said Gordon James Dripps ALL my estate and
interest in ALL THAT piece of land being Lots 161 and 162 on Plan of -
Subdivision No. 10667 lodged in the Office of Titles being part of - -
Crown Portion Seventeen at Braybrook Parish of Cut Paw Paw County of -
Bourke and being part of the land more particularly described in - - -
Certificate of Title Volume 5492 Folio 1098306 - - - - -

AND I the said Gordon James Dripps DO HEREBY for myself my heirs - - -
executors administrators and transferees registered proprietor or - - -
proprietors for the time being of the said land hereby transferred - - -

COVENANT with the said Cecil Percy Thomson and his heirs executors - - -
administrators and transferees registered proprietor or proprietors for
the time being of the land comprised in Certificate of Title Volume 5492
Folio 1098306 that I the said Gordon James Dripps and my heirs executors
administrators and transferees registered proprietor or proprietors for
the time being of the said land hereby transferred will not at any time
quarry for stone or carry on any noxious trade or business upon the said
land hereby transferred or any part thereof or allow any stone to be - -

excavated therefrom below a depth of two feet from the surface thereof or
allow any noxious trade or business to be carried on upon the said land -
hereby transferred or any part thereof or in any building erected thereon
And the said Gordon James Dripps hereby consents to the foregoing - - -
covenant appearing as an encumbrance on the Certificate of Title to be
issued for the said land hereby transferred pursuant to this transfer -
and to run with such land.

DATED the 26th day of February 1930.

*5492-306 pt
Under an acre
Enc. "The Book herein"*

Handwritten initials and date: 27-3-30

*Dear Edna
Phil
1/4/30*

*Wm
27-2-30*

4/6/31

SIGNED in Victoria by the said CECIL

PERCY THOMSON in the presence of:-

Cecil Thomson
Cecil Thomson

L. B. Thomson
Per Mr
McLennan

SIGNED in Victoria by the said - -

GORDON JAMES DRIPPS in the presence

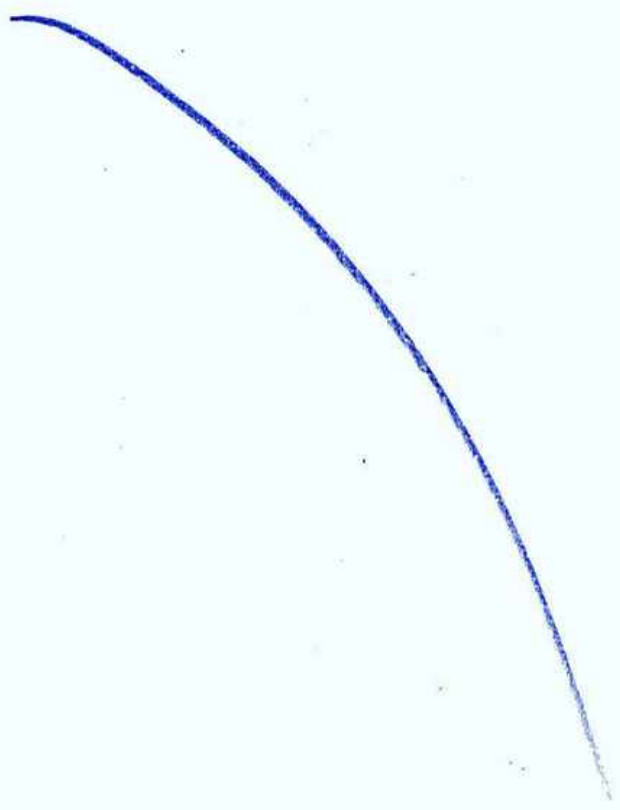
of:-

G. J. Driggs

McKinstry J. P.

ENCUMBRANCES REFERRED TO.

Nil.



DAILED

19

N. BACHTOUSE, LL.B.,
339 Collins Street,
MEMPHIS.

FRANK R.

MR. C. P. WILSON

TO

MR. G. J. DRIPPS.

MEMORIAL OF INSTRUMENT

NATURE OF INSTRUMENT	DATE OF PRODUCTION FOR REGISTRATION	TO WHOM GIVEN	NUMBER OR SYMBOL THEREON
• TRANSFER AS TO PART	26 th February 1930	TO Gordon James Driggs	1448185

Handwritten initials

Thos Gleeson

ASSISTANT REGISTRAR OF TITLES

3 Months THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED, AT THE TIME
LAST ABOVE MENTIONED IN THE REGISTER BOOK VOL 5492 FOL 1098306

Thos Gleeson

ASSISTANT REGISTRAR OF TITLES



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TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by:

Name: CBA
 Phone: _____
 Address: _____
 Ref: 367659709
 Customer Code: 205



MADE AVAILABLE/CHANGE CONTROL
 Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land:
Certificate of Title Volume 05639 Folio 682

Estate and Interest:
All Our Estate-In-Fee Simple

Consideration:
\$250,000.00



Transferor:
THIEN TU LOI AND NHUT HUONG LOI

Transferee:
VAN THI THU TRAN
 of 13 Darnley Street, Braybrook Vic. 3019 as Sole Proprietor

Directing Party:
NIL

Dated: 20/2/04
 Execution and Attestation

Signed by the Transferor in the presence of:

TTL
NHL
 X [Signature] X [Signature] X

SL
 X [Signature]witness

Signed by the Transferee in

[Signature]witness

Approval No. 22210311A

ORDER TO REGISTER

Please register and issue title to

T1
 Page 1 of 1
 5 MAR 2004
Ran

Signed

Cust. Code:



STAMP DUTY USE ONLY	
This stamp is	ABN 48 123 123 124
SRO	Victorian Duty \$ <u>10,660</u> AP 184
Property	Consideration / Advance \$ <u>250,000</u>
NOT TO BE USED	Victorian Assets % Section
	Original / Counterpart / Collateral / Lost
	Transaction No: <u>367659709</u>
	Endersing Date: <u>27 2 04</u>
	No 11

THE BACK OF THIS FORM MUST NOT BE USED.



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AN999019T

Mortgage

Section 74 Transfer of Land Act 1958

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1. Land/s

Land Title

Volume 5639 Folio 682

2. Estate and Interest

FEE SIMPLE

3. Memorandum of common provisions

MCP Number AA3110

4. Mortgagor/s

Mortgagor

Given Name/s VAN THI THU

Family Name TRAN

5. Mortgagee/s

Mortgagee

Name WESTPAC BANKING CORPORATION

ABN 3 3 0 0 7 4 5 7 1 4 1


Australian Credit Licence 233714

6. Signing

The mortgagor mortgages to the mortgagee the estate and interest specified in the land described subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this mortgage. The mortgagor covenants with the mortgagee that the provisions of the Memorandum of Common Provisions (MCP) referred to in this mortgage and retained by the Registrar of Titles form part of this mortgage.

Mortgagor

VAN THI THU TRAN



Signature of Mortgagor

Mortgagor Witness



Signature of witness

7. Date

12/12/2016
Date: (DD/MM/YYYY)

8. Lodging Party

Customer Code 15232S

Reference

9. Additional Terms/Covenants

Enter additional information below

You may lodge this form in two ways:

1. In person

Land Registration Services
Land Victoria
Level 9, 570 Bourke Street
Melbourne Vic 3000

2. By mail (extra fee applies)

Land Registration Services
Land Victoria
PO Box 500
East Melbourne Vic 8002
Or DX 250639 Melbourne

WESTPAC
15232S

Mortgage

Section 74 Transfer of Land Act 1958

Privacy Collection Statement

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Enter additional Terms/Covenants below (all relevant parties to sign this page/s):

COVENANTS

YOU (THE MORTGAGOR) AGREE WITH US (THE MORTGAGEE) AS FOLLOWS:

- 1 EACH REFERENCE TO "LAND" ON THE FIRST PAGE OF THIS COVER SHEET INCLUDES A REFERENCE TO ANY FIXTURE, STRUCTURE OR IMPROVEMENT ON IT OR AFFIXED TO IT.
- 2 A REFERENCE TO "THIS MORTGAGE" IN THIS COVER SHEET, IN ANY ANNEXURE TO THIS COVER SHEET OR IN THE MEMORANDUM OF COMMON PROVISIONS SPECIFIED ON THE FIRST PAGE OF THIS COVER SHEET IS A REFERENCE TO THE MORTGAGE CONSTITUTED BY THIS COVER SHEET, EACH ANNEXURE TO THIS COVER SHEET AND THAT MEMORANDUM. YOU ACKNOWLEDGE THAT YOU RECEIVED, READ AND UNDERSTOOD A COPY OF THE MEMORANDUM BEFORE SIGNING THIS MORTGAGE:
- 3 ADDRESS FOR NOTICES AND OTHER COMMUNICATIONS, IF DIFFERENT TO THAT SHOWN ON THE FIRST PAGE OF THIS COVER SHEET:

YOU (MORTGAGOR)

NAME, ADDRESS & FAX NO (IF ANY)

* VAN THI THU TRAN OF 2/52 LILY STREET BRAYBROOK VIC 3019.

*
*

US (MORTGAGEE)

ADDRESS: 150 COLLINS ST, MELBOURNE VIC 3000

FAX NO:

4 THIS MORTGAGE SECURES THE SAME MONEY AS OTHER ENCUMBRANCES INCLUDING THE FOLLOWING COLLATERAL SECURITIES:

- NONE

THERE MAY ALSO BE OTHER ENCUMBRANCES THAT SECURE THE SAME MONEY.

5 IF THERE IS AN INCONSISTENCY BETWEEN THIS COVER SHEET AND THE MEMORANDUM, THIS COVER SHEET PREVAILS.

6 THE MEMORANDUM IS VARIED AS FOLLOWS: NOT APPLICABLE

EXECUTION AND ATTESTATION (MORTGAGOR ONLY - THIS MORTGAGE IS NOT REQUIRED TO BE EXECUTED BY THE MORTGAGEE):


 VAN THI THU TRAN