

Notice of an application for a planning permit

Land affected by the application

3 Waverley Avenue IVANHOE

Application reference

P1157/2024

Applicant

The Trustee for 3 Waverley Developer Trust

Responsible Authority

Banyule City Council

Application is for a permit to

Development of apartment building containing ten (10) dwellings in the Design and Development Overlay (Schedule 12) and removal of vegetation

Planning Scheme Clause

Clause 32.08-7 (General Residential Zone – Schedule 1 (GRZ1)

Clause 43.02-2 (Design and Development Overlay – Schedule 12 (DDO12)

Clause 42.02-2 (Vegetation Protection Overlay - Schedule 3 (VPO3)

Matter for which a permit is required

Construct two or more dwellings on a lot.

Construct a building (including a front fence) or carry out works.

Remove, destroy or lop any vegetation specified in a schedule to this overlay.

Review the application for free

Scan or visit banyule.vic.gov.au/PlanningNotices

alternatively

Visit during business hours:

Banyule Council offices Level 3, 1 Flintoff Street, Greensborough VIC 3088

To discuss this application, call our Planning Department on 9490 4222

The Responsible Authority will not decide on the application before: 4 February 2025

Submissions lodged after this date will only be considered if received by Council before a decision is made.

**What are my options?**

You may object or make other submissions in writing if you are affected by the granting of a permit for this application. If you object, we will tell you our decision and options available.

An objection must be:

- made in writing
- include the reasons for the objection
- state how the objector would be affected.

We must make a copy of every objection available at our office for any person to inspect during office hours. You can view the objections for free until the opportunity to seek a review of the decision for this application passes.

Planning application



Submitted on	26 November 2024, 4:59PM
Receipt number	61
Related form version	6

Privacy

The *Planning and Environment Act 1987* (Act) requires a range of information to be made available in accordance with the 'public availability requirements' outlined in Section 197(a-h) of the Act.

By using this form, we are collecting your personal information to enable your application to be lodged and assessed as per the planning process and the *Planning and Environment Act 1987*. If you do not provide your name, address and contact details, your application cannot be assessed.

A copy of your application and relevant information must be made available for any person to inspect at our offices, and/or on our website in accordance with Section 51 of the Act. A copy of the application may be provided to other parties for the purpose of consideration as part of the planning process.

Your application, including your name and address, is a public record and will be made available consistent with the inspection requirements outlined in Section 197(a-h) of the Act.

Personal information you provide by completing this form is managed in line with our [privacy policy](#).

Details

Do you consent to making your personal details available on your application? Yes

The land address for this application will be available through our website.

Personal details available on your application include names, addresses, phone numbers and emails.

Call our Privacy Officer on [9490 4222](tel:94904222) or email enquiries@banyule.vic.gov.au if you need access to your personal information or need to amend it.

Background

Have you had a formal meeting with one of our planning officers about this application? Yes

If known, tell us the name of the planning officer you communicated with. Ms Shi Yang

Property

The land

ADVERTISED PLAN
Application No. P1157/2024

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Property 1	Address 1/3 WAVERLEY AVENUE IVANHOE
Formal property description	
What is the identifier of the property on title? This distinction can be found on your certificate of title. Lot number	
Lot number 8	
LP, TP or PS number LP (lodged plan) TP (title plan) PS (plan of subdivision) 005841	

Existing conditions

Existing conditions of the land

Describe how the land is used now, for instance, vacant, 3 dwellings, medical center with 2 practitioners, licensed restaurant with 80 seats.

The site is currently occupied by a single storey, brick dwelling, with hipped tiled roof. The dwelling appears to be of 1970s construction. A more recent pool house has been constructed beyond the rear of the dwelling.

Application type

Zones	GRZ1
Overlays	DCPO1 VPO3 DDO12
This application is seeking a permit: Selections influence the application fee payable	to develop the land for multi-dwelling developments (class various)

Proposal

For what use, development or other matter is a permit needed?	<ul style="list-style-type: none">- To construct two or more dwellings on a lot pursuant to Clause 32.08-2- To remove vegetation pursuant to Clause 42.02- To construct a building or construct or carry out works pursuant to Clause 43.02-2.
Total number of dwellings in the development? Provide a whole number. Include all new dwellings and any existing dwellings being retained.	10
Are any protected trees proposed for removal?	Yes
Are trees on adjoining properties to be impacted?	No

Cost of proposal

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Estimate the cost of the project. You may need to verify this estimate and the difference may influence the application fee payable.

Cost of proposed works What is the estimated cost of the development for which the permit is required?	8000000
Difference in cost:	\$8000000.00

Upload plans and documentation

Upload title Provide a current title, not older than 90 days from today's date for each parcel of land associated with this application. Each title is to include a registered search statement and plan of subdivision.	unit-1-3-waverley-avenue-ivanhoe-3079-register-search-statement-title-plan-lp005841.pdf 2-3-waverley-avenue-ivanhoe-vic-3079-copy-of-plan-plan-lp005841.pdf
Does the proposal breach, in any way, a restriction or encumbrance on the title?	Not applicable, no restrictions apply
Upload metropolitan planning levy certificate A MPL certificate is needed for all applications that have a cost of proposed works of more than \$1,207,000. More information is published by the State Revenue Office .	MPL000080.pdf
Upload planning report This report explains how the development responds to the relevant planning policies. It also includes: a neighbourhood character assessment, a response to our Liveable Housing Guidelines and where applicable a Clause 55 (ResCode) assessment.	21983P_3 WaverleyAve_Report.pdf
Upload feature survey Outline the existing conditions of the site. The feature survey is prepared by a qualified land surveyor.	19734P_3 Waverley Ave_Survey.pdf
Upload landscape plan Plans showing how the development will be landscaped, including the size and location of canopy trees and other vegetation. The plan is typically prepared by a qualified landscape architect.	3 Waverley Avenue, Ivanhoe - Landscape Plans for Repeat Application (Rev I and J).pdf

Upload architectural plans Architectural drawings are essential to this application and typically include neighbourhood and site description, materials schedule, floor plans, elevations and shadow diagrams. Drawings must be drawn to scale showing the location and dimensions of all existing and proposed buildings, including car parking areas.	3 Waverley Avenu, Ivanhoe_TP Submission Plans.pdf
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Other documents

Documentation based on the project details

The plans and reports for uploading in this section are important based on the details about this project.

By uploading the plans and reports itemised, it's likely your application will benefit from a streamlined review, without the delay of us asking for further information.

Upload sustainable management plan	241030-GIW22227-3 Waverley Avenue, Ivanhoe-SMP-H.pdf 241011-GIW22227-3 Waverly Ave, Ivanhoe-ESDMemo.pdf
Upload waste management plan Documentation explaining how waste from the development is managed	3 Waverley Ave - Waste Management Plan - 1.pdf

ADVERTISED PLAN
Application No. P1157/2024

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where Council is unable to provide a waste collection service. This is typically required for single site developments with four or more dwellings.

Upload traffic and swept path diagrams

These diagrams and report indicate if vehicles can safely enter and exit the property in a forward direction and are typically prepared by a qualified traffic engineer.

[3 Waverley Ave - Traffic Report.pdf](#)

Vegetation protection

Upload arborist report

An arborist report, more specifically an Arboricultural Impact Assessment is required if trees may be impacted by the development or if trees are proposed for removal. This report must be prepared by an arborist with an Australian Qualified Framework (AQF) Level 5 qualification and must be prepared within 12 months of your application.

[Arborist Report - 3 Waverley DI V3.pdf](#)

Upload acoustic report

This may be requested for development and use in sensitive areas or with a potentially adverse impact to surrounding land.

Upload any other documentation

[19734P_3WaverleyAve_Lodgement - Cover Letter.pdf](#)

Fees

Fee unit value	16.33	
As set by the Victorian Government Department of Treasury and Finance .		
Subtotal for change of use	\$0.00	
Subtotal for a dwelling and assoc. buildings and works	\$0.00	
Subtotal for other developments	\$9593.90	
Subtotal for SubDiv Class 17	\$0.00	
Subtotal for SubDiv Class 18	\$0.00	
Subtotal for SubDiv Class 19	\$0.00	
Subtotal for SubDiv Class 20	\$0.00	
Subtotal for SubDiv Class 21	\$0.00	
Subtotal for types of permits not in regs	\$0.00	
Combined fee test subdivision	1	
0 = single subdivision fee class applies 1 = multiple subdivision fee classes apply		
Combined fee test overall	0	
0 = single application fee only 1 = combined fees apply		
Multiple fee classes apply to this application. The primary fee is applied in full. In addition, only 50% of all other applicable fees apply. The total is referred to as the Application fee.		

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Application No. P1157/2024

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Application fee

\$9593.90

Total fee payable in full when you submit this application.

Organisation

Is the applicant an organisation?

Yes

ABN

80604121755

Applicant details

Organisation name

The Trustee for 3 Waverley Developer Trust

Email address

michael.ryan@ryancorp.com.au

Phone number

+61 400 676 403

Postal address

35 Market Street South Melbourne VIC 3205

Full postal address including suburb and postcode

Is the contact the same as the applicant?

Yes

Is the owner the same as the applicant?

Yes

Declaration

I understand and accept:

information provided in this form, including plans and personal information will be publicly available, including online, as part of the planning process in accordance with the Planning and Environment Act 1987

copies may be made for interested parties as part of the planning process in accordance with the Planning and Environment Act 1987

I declare that:

all information provided in this application is true and correct

the owner has been notified of this application.

Payment

Confirm who will pay the \$9593.90 application fee?

Applicant or consultant

Name to feature on receipt

3 Waverley Developer Pty Ltd

Total amount due

In case a refund is processed, funds will only be returned to the original card charged for payment.

Amount: \$9,593.90

Transaction ID: 48916745620

Payment gateway: BPoint General Ledgers - BPoint

GST exempt

ADVERTISED PLAN

Application No. P1157/2024

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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 06310 FOLIO 925 Security no : 124119084824B
Produced 16/10/2024 04:11 PM

LAND DESCRIPTION

Lot 8 on Plan of Subdivision 005841.
PARENT TITLE Volume 01525 Folio 895
Created by instrument 1737919 14/07/1939

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
3 WAVERLEY PTY LTD of 35 MARKET STREET SOUTH MELBOURNE VIC 3205
AY020673D 21/05/2024

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AY020674B 21/05/2024
ZAGGA INVESTMENTS PTY LTD

MORTGAGE AY129536H 24/06/2024
RYANCORP FUND PTY LTD

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

DIAGRAM LOCATION

SEE LP005841 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY129036E (E)	NOMINATION OF ECT TO LC	Completed	24/06/2024
AY129536H (E)	MORTGAGE	Registered	24/06/2024

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

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

ADMINISTRATIVE NOTICES

NIL

eCT Control 16667Y GADENS LAWYERS
Effective from 24/06/2024

DOCUMENT END

Delivered from the LANDATA® System by Landchecker Pty Ltd

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Application No. P1157/2024

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Document Identification	LP005841
Number of Pages (excluding this cover sheet)	4
Document Assembled	15/06/2023 12:22

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Application No. P1157/2024

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PLAN OF SUBDIVISION OF
PART OF CROWN PORTION 1
PARISH OF KEELBUNDORA
COUNTY OF BOURKE
VOL.1302 FOL.369
VOL.1525 FOL.895

Measurements are in Feet & Inches
Conversion Factor
FEET x 0.3048 = METRES

LP 5841

EDITION 4

PLAN MAY BE LODGED 28/08/12

COLOUR CODE

E-1, E-3 & E-4 = BLUE
R1 & A-1 = BROWN

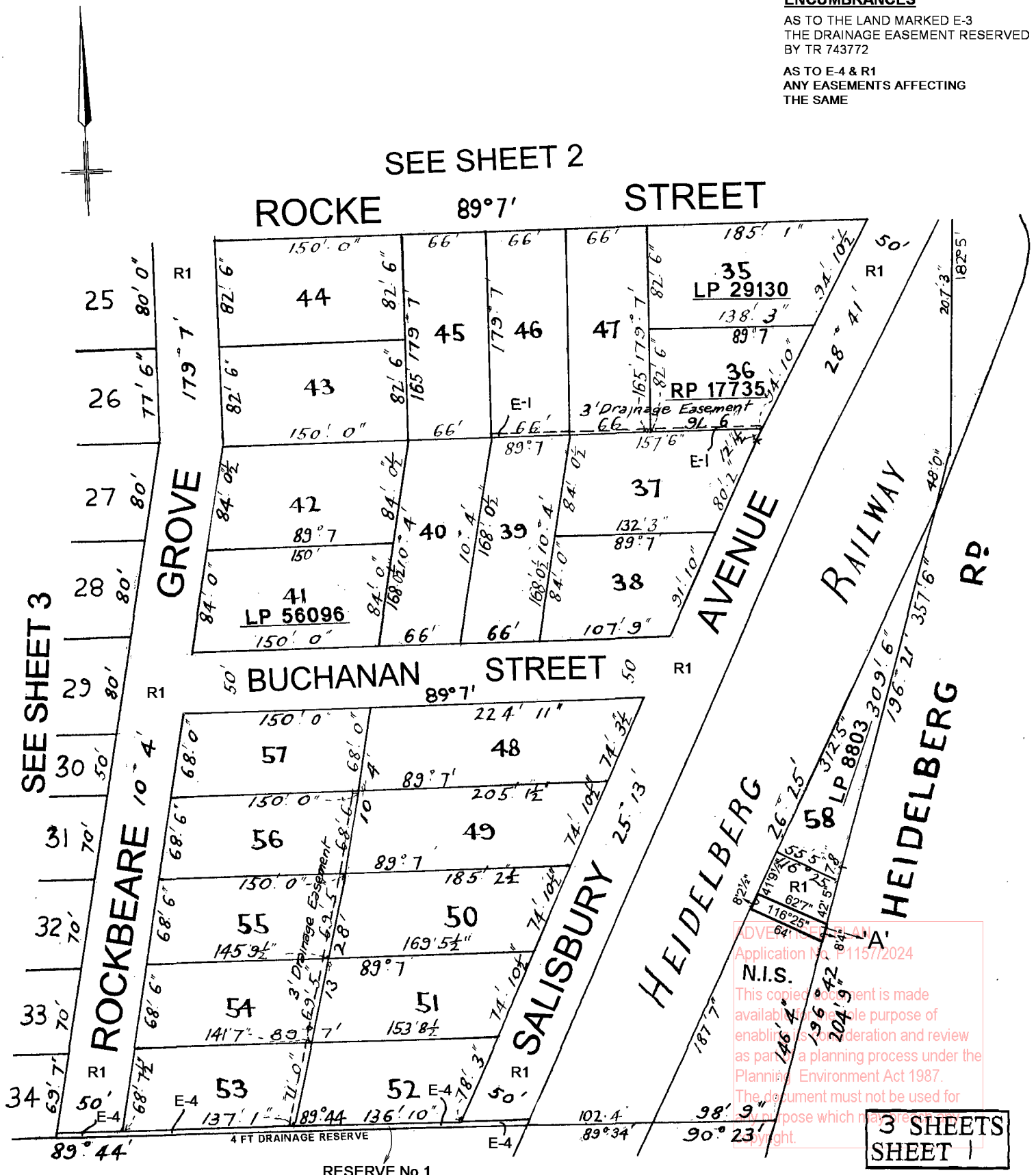
APPROPRIATIONS

THE LAND COLOURED BROWN IS
APPROPRIATED OR SET APART
FOR ROADS

ENCUMBRANCES

AS TO THE LAND MARKED E-3
THE DRAINAGE EASEMENT RESERVED
BY TR 743772

AS TO E-4 & R1
ANY EASEMENTS AFFECTING
THE SAME

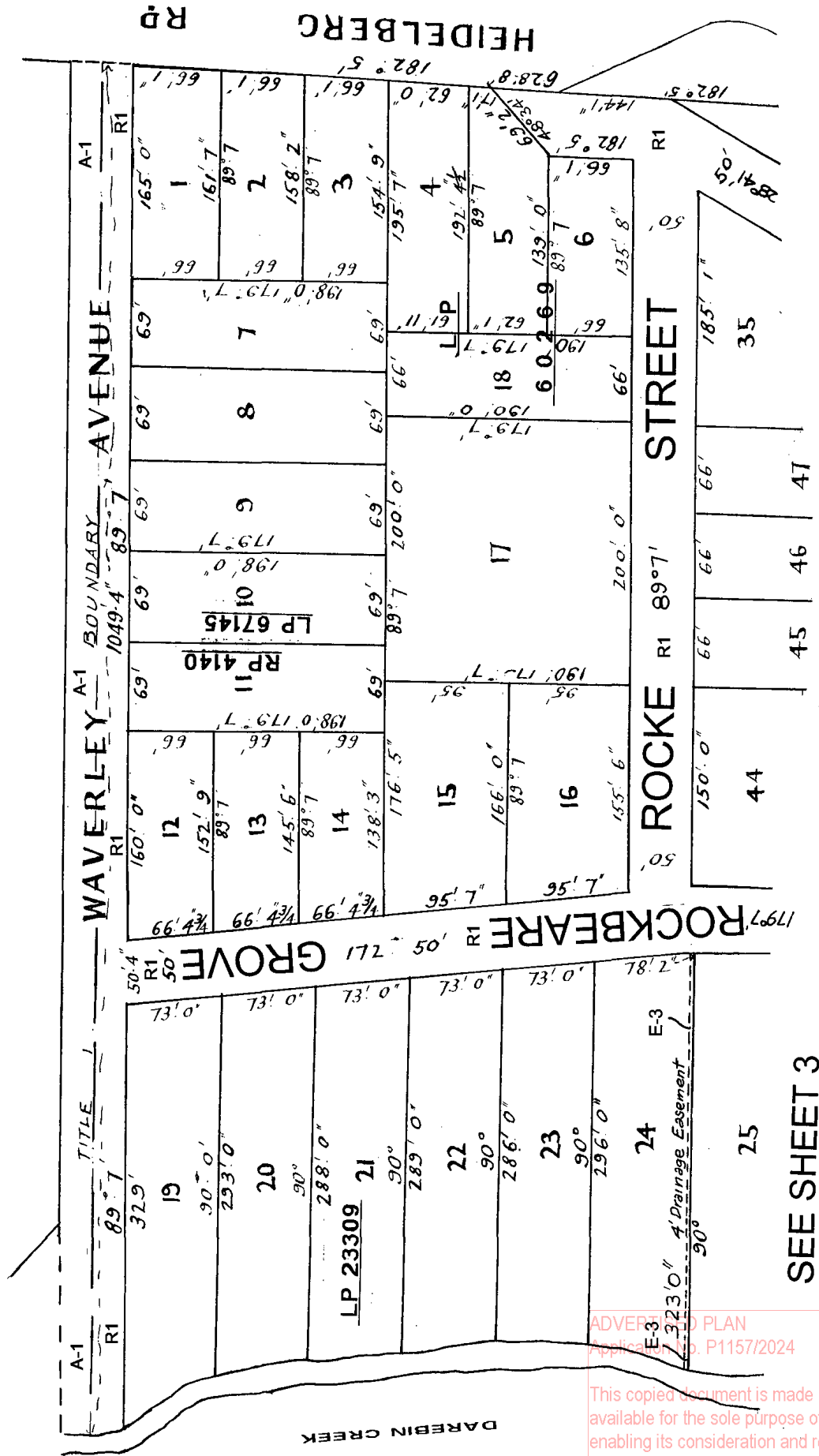


ADVANCE PLAN
Application No. P1157/2024
N.I.S.
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3 SHEETS
SHEET 1

LP 5841

3 SHEETS
SHEET 2



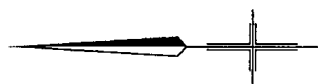
SEE SHEET 1

SEE SHEET 3

ADVERTISED PLAN
Applied for under P1157/2024

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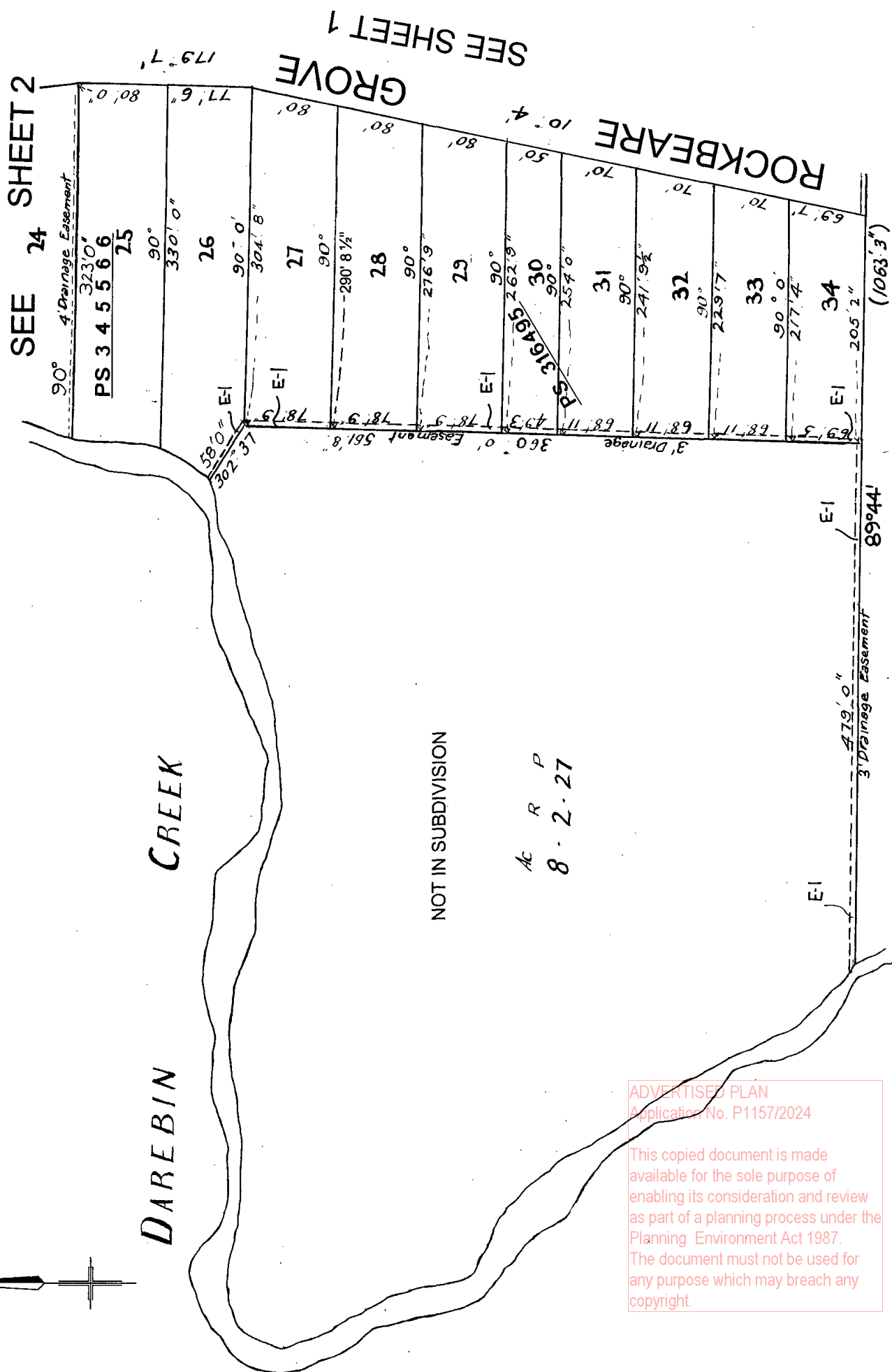
3 SHEETS
SHEET 3



DAREBIN CREEK

NOT IN SUBDIVISION

AC R P
8-2-27



ADVERTISED PLAN
Application No. P1157/2024

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MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

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

PLAN NUMBER

LP 5841

[illegible]

1 November 2024

Banyule City Council
PO Box 94
GREENSBOROUGH VIC 3088

Planning Permit Application
3 Waverley Avenue, Ivanhoe

Dear Sir / Madam,

Ratio Consultants acts on behalf of 3 Waverley Developer P/L the permit applicant, who seeks planning approval for the construction of a multi-dwelling development, over a shared basement and for the removal of vegetation at 3 Waverley Avenue, Ivanhoe.

In support of the planning application, please find enclosed the following:


- The MPL Certificate.
- A copy of the Certificate of Title (contained within the Planning Report).
- Town planning drawings, prepared by KUD Architecture.
- A Traffic Impact Assessment, prepared by Ratio Consultants.
- A Waste Management Plan, prepared by Ratio Consultants.
- A Landscape Plan, prepared by Jack Merlo Design and Landscape.
- A Sustainable Management Plan prepared by GIW Environmental Solutions.
- An Arboricultural Assessment and Report prepared by Melbourne Arborist Reports.
- A Town Planning Report prepared by Ratio Consultants.

We look forward to Council's prompt consideration of the application.

The requisite planning application fee will be paid at the time of lodgement.

Should you have any queries relating to the town planning submission please contact me on (03) 9429 3111 or by email at lewis.moore@ratio.com.au.

Yours faithfully,



Lewis Moore
Senior Planner / Urban Designer
Ratio Consultants Pty Ltd

ratio:

ADVERTISED PLAN
Application No. P1157/2024

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21983P_3WaverleyAve_Lodgement P2

ratio.com.au

Metropolitan Planning Levy (MPL)

Certificate

The Trustee for 3 Waverley Developer Trust	Certificate Number: MPLCERT000080
3 Waverley AVE Ivanhoe VIC	Issue Date: 16 October 2024
	Expiry Date: 14 April 2025

PART 1 - APPLICANT DETAILS

Details of person who applied for this Certificate:

Name: The Trustee for 3 Waverley Developer Trust

Address: 3 Waverley AVE Ivanhoe VIC

Ivanhoe

Australia

PART 2 - LEVIABLE LAND DETAILS

Address of land to which the Metropolitan Planning Levy applies:

Street Address: 3 Waverley AVE

Ivanhoe VIC 3079

Formal Land Description:

Vol/Folio: 6310 / 925 Lot/Plan: Block/Subdivision:

Crown Reference:

Other:

Municipality: Banyule City Council

Estimated Cost of Development: \$8,000,000

PART 3 - MPL PAYMENT DETAILS

MPL Application ID: MPL000080

MPL Paid: \$10,400.00

MPL Payment Date: 9 October 2024

ADVERTISED PLAN
Application No. P1157/2024

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PART 4 - CERTIFICATION

The Commissioner of State Revenue confirms that the whole of the amount of the MPL has been paid in respect of the estimated cost of development.

Paul Broderick
Commissioner of State Revenue

PART 5 – EXPLANATORY NOTES

General

- The Metropolitan Planning Levy (MPL) is imposed for the privilege of making a leviable planning permit application.
- A leviable planning permit application is an application made to a responsible authority or planning authority under sections 47 and 96A of the *Planning and Environment Act 1987* (PEA) for a permit required for the development of land in metropolitan Melbourne, where the estimated cost of the development for which the permit is required exceeds the threshold amount (see MPL threshold amount).
- As a statutory requirement of making a leviable planning permit application, the applicant must give the responsible authority or planning authority a current MPL Certificate. The estimated cost of development stated in the MPL Certificate must be equal to or greater than the estimated cost of the development stated in the leviable planning permit application. If an applicant fails to comply with this requirement, the application for the leviable planning permit is void.
- The applicant for the leviable planning permit application is liable for the MPL.
- The Commissioner of State Revenue (Commissioner) has the general administration of the MPL.

MPL threshold amount

- The threshold amount is \$1 million for the 2015-2016 financial year.
- For the financial year beginning on 1 July 2016 and each subsequent financial year, the Consumer Price Indexed (CPI) adjusted threshold amount will be calculated in accordance with section 96R of the PEA.
- On or before 31 May each year, the Commissioner must publish the CPI adjusted threshold amount for the following financial year on the SRO website.

How MPL is calculated

- The amount of MPL is \$1.30 for every \$1000 of the estimated cost of the development for which the leviable planning permit is required.
- If the estimated cost of the development for which the leviable planning permit is required is not a multiple of \$1000, the estimated cost is to be rounded up or down to the nearest \$1000 (and, if the amount by which it is to be rounded is \$500, it is to be rounded up).

Notification and Payment of MPL to the Commissioner

- Before making a leviable planning permit application, the applicant must submit a completed Application for Metropolitan Planning Levy (MPL) Certificate and pay the whole MPL amount to the Commissioner. This Application must state the estimated cost of the development and any other information required by the Commissioner.
- If, after the Commissioner has issued a MPL Certificate which has not expired (see MPL Certificate), and the estimated cost of the development increases before the leviable planning permit application is made, the applicant must submit an Application for Metropolitan Planning Levy (MPL) Certificate (*Revised*) and pay the whole additional MPL amount to the Commissioner. This revised Application must state the increased estimated cost of the development and any other information required by the Commissioner.

MPL Certificate

- The Commissioner must issue a MPL Certificate if he is satisfied that the whole amount of the MPL has been paid in respect of the estimated cost of the development.
- Subject to section 96U(3) of the PEA, a MPL Certificate expires 180 days after the day on which it is issued.

Revised MPL Certificate

The Commissioner must issue a revised MPL Certificate if:

- the Commissioner has issued a MPL Certificate, which has not expired;
- the estimated cost of the development increases before the application for a leviable planning permit is made; and
- he is satisfied that the whole amount of the MPL has been paid in respect to the increased cost of the development.

The Commissioner may also issue a revised MPL Certificate to:

- correct any error in the information listed in the MPL Certificate (except the estimated cost of development as explained below), or
- the estimated cost of the development stated in the MPL Certificate is different from the estimated cost of the development stated in the Application for Metropolitan Planning Levy (MPL) Certificate lodged by the applicant.

A revised MPL Certificate expires on the later of 90 days after its issue date or the date on which the original MPL Certificate issued expires.

The Commissioner cannot issue a revised certificate applied for after the expiration of the 180-day validity period of the original MPL Certificate.

Refund of MPL

The Commissioner can only provide a refund of the levy if:

- the request is made no later than 30 days after the expiry of the levy certificate or revised certificate if there is one; and
- the leviable planning permit application in respect of which the levy was paid has not been made; and;

The Commissioner is satisfied of one or more of the following grounds:

- there has been a mathematical error in calculating the amount of the levy in relation to the estimated cost of the development stated in the notice given to the Commissioner when applying for the MPL Certificate.
- the applicant for the leviable planning permit application died before the application was made, and no other person is proceeding with the application.
- the relevant planning scheme was amended before the leviable planning permit application was made and because of the amendment, the authority must refuse to grant the permit.

Certificate number

- The Certificate number is on the top right corner on the front of this Certificate.
- Quoting this Certificate number will give you access to information about this Certificate and enable you to enquire about your application by phone.
- You should quote this number in any correspondence.

For more Metropolitan Planning Levy information please contact the State Revenue Office:

Mail

State Revenue Office, GPO Box 4376, MELBOURNE VIC 3001 or DX260090 Melbourne

ADVERTISED PLAN
Application for a revised MPL Certificate

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