

Date Lodged:	14-Apr-2025
Application No:	MPS/2025/221

Online planning application form

Pre-application meeting

Has there been a pre-application meeting with a Council planning officer?		No
➤ If yes , please provide the following details of the meeting	Name of the Council planning officer you met with	
	Date of meeting	

The land

Street address	487 Albert Street, BRUNSWICK WEST VIC 3055
----------------	--

Describe how the land is used and developed now

Single dwelling on a lot with associated outbuilding in a HO.

The proposal

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

Partial demolition, alterations and rear additions to the existing dwelling. Including the addition of a small second dwelling to the rear.

Encumbrances on title

Is the land affected by an encumbrance such as restrictive covenant, section 173 agreement or other obligations on title such as an easement or building envelope? Yes
Encumbrances are identified on the certificate of title.

Where there is an encumbrance on the title, does the proposal breach it in any way? No



Note Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the *Planning and Environment Act 1987*).

Contact Council and/or an appropriately qualified person for advice.

Cost of building and work/permit fees



Most applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact Council to determine the appropriate fee.

Estimated cost of development for which the permit is required (including GST). You may be required to verify this estimate.

Cost \$ 1000000

Applicant details

Name	Ratio Consultants Pty Ltd		
Postal address	8 Gwynne Street CREMORNE VIC 3121		
Email	mail@ratio.com.au	Phone	0451 655 056 03 9429 3111

Owner details

Name	M G Benson and Ms H M Cook		
Postal address	Not required		
Email	Not required	Phone	Not required

Signature and declaration

I declare that I am the Applicant

Applicant/Owner

I declare that I am the applicant and owner of the land and all the information in this application is true and correct.

Applicant

I declare that I am the applicant and:

- I have notified the owner about this application;
- And all the information in this application is true and correct.

Merri-bek Language Link

Italiano	Italian	9280 1911	Türkçe	Turkish	9280 1914	普通话	Chinese (Simplified)	9280 0750
Ελληνικά	Greek	9280 1912	Tiếng Việt	Vietnamese	9280 1915	National Relay Service: 13 36 77 or relayservice.com.au		
عربي	Arabic	9280 1913	पंजाबी	Nepali	9280 0751			

For more information & lodgement



Online visit www.merri-bek.vic.gov.au/building-and-business/planning-and-building/planning/apply-planning-permit to lodge your application.



Mail your application and payment to Merri-bek City Council, Locked Bag 10, Brunswick, Vic 3056.



Visit the Merri-bek Civic Centre at 90 Bell Street, Coburg, Vic 3058.



Call Merri-bek City Council on 9240 1111.

Privacy notice

Merri-bek City Council is committed to protecting your privacy in accordance with the *Privacy and Data Protection Act 2014 (Vic)* and the *Health Records Act 2001 (Vic)*. The personal information requested on this form is being collected by Merri-bek City Council to consider and determine this application and may also be used to update your personal information otherwise held by Council (for example, contact details including email address, phone number). Personal information disclosed in this application may be made available for public inspection including on Council's public website whilst the application is being determined, in accordance with the *Planning & Environment Act 1987*. If a planning permit is granted, the permit and any endorsed plans or documents under the permit continue to be available for public inspection including on Council's website permanently and may also be used by Council for related purposes. It will not be disclosed to any other external party without your consent, unless required or authorised by law. If the personal information is not provided in your application, this may result in the application not being accepted, lapsing or being refused.

You can gain access to your personal information you have provided to Merri-bek City Council and if you wish to alter it, please contact Council's Privacy Officer via telephone on 9240 1111 or e-mail at Privacyofficer@merri-bek.vic.gov.au.

PLEASE NOTE: Information associated with application might be provided electronically and unless otherwise stated, Further Council may use your electronic details for other Council communication.

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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 03480 FOLIO 986

Security no : 124121691740X

Produced 03/02/2025 02:52 PM

LAND DESCRIPTION

Lots 1 and 2 on Title Plan 430636Q.
PARENT TITLE Volume 02213 Folio 545
Created by instrument 0641709 27/01/1911

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
MICHAEL GIAMBATTISTA BENSON
HELEN MARY COOK both of 487 ALBERT STREET BRUNSWICK WEST VIC 3055
AW038565Y 07/09/2022

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AW038566W 07/09/2022
WESTPAC BANKING CORPORATION

COVENANT 0641709

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

DIAGRAM LOCATION

SEE TP430636Q 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)

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 07/09/2022

DOCUMENT END

HISTORICAL SEARCH STATEMENT

Land Use Victoria

Page 1 of 4

Produced 03/02/2025 02:53 PM

Volume 3480 Folio 986

Folio Creation: Created as paper folio continued as computer folio

Parent title Volume 02213 Folio 545

THE IMAGE OF THE FOLIO CEASED TO BE THE DIAGRAM LOCATION ON 07/09/2002 05:01:29 AM

RECORD OF HISTORICAL DEALINGS

Date Lodged for Registration	Date Recorded on Register	Dealing	Imaged	Dealing Type and Details
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RECORD OF VOTS DEALINGS

Date Lodged for Registration	Date Recorded on Register	Dealing	Imaged
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31/05/2022	31/05/2022	AV689668N (E)	N
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CONVERT PCT AND NOMINATE ECT TO LODGEMENT CASE

LC Id: 504469364

Removed by Dealing AV689672X

31/05/2022	31/05/2022	AV689672X (E)	N
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SURVIVORSHIP APPLICATION

FROM:

JOAN FITZPATRICK

MARIA VAN DE MEULENGRAAF

TO:

RESULTING PROPRIETORSHIP:

Estate Fee Simple

Sole Proprietor

MARIA VAN DE MEULENGRAAF of 487 ALBERT STREET BRUNSWICK WEST VIC 3055

AV689672X 31/05/2022

07/09/2022	07/09/2022	AW038565Y (E)	N
------------	------------	---------------	---

TRANSFER OF LAND BY ENDORSEMENT

FROM:

MARIA VAN DE MEULENGRAAF

TO:

MICHAEL GIAMBATTISTA BENSON

HELEN MARY COOK

RESULTING PROPRIETORSHIP:

Estate Fee Simple

Joint Proprietors

MICHAEL GIAMBATTISTA BENSON

HELEN MARY COOK both of 487 ALBERT STREET BRUNSWICK WEST VIC 3055

AW038565Y 07/09/2022

07/09/2022	07/09/2022	AW038566W (E)	N
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MORTGAGE OF LAND

MORTGAGE AW038566W 07/09/2022

WESTPAC BANKING CORPORATION

HISTORICAL SEARCH STATEMENT

Land Use Victoria

Page 2 of 4

STATEMENT END

VOTS Snapshot

VOLUME 03480 FOLIO 986
124097992712L
Produced 31/05/2022 03:39 PM

LAND DESCRIPTION

Lots 1 and 2 on Title Plan 430636Q (formerly known as Lot 19 on Plan of Subdivision 002708, part of Lot 20 on Plan of Subdivision 002708).
PARENT TITLE Volume 02213 Folio 545
Created by instrument 0641709 27/01/1911

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
JOAN FITZPATRICK
MARIA VAN DE MEULENGRAAF both of 487 ALBERT ST WEST BRUNSWICK
L668823U 15/05/1985

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT 0641709

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

DIAGRAM LOCATION

SEE TP430636Q FOR FURTHER DETAILS AND BOUNDARIES

Paper Title Images

3480/986 - Version 0, Date 31/01/2000

Entered in the Register Book,



Vol. 3480 Fol. 695986

VICTORIA.



Certificate of Title,

UNDER THE "TRANSFER OF LAND ACT 1890."

W.R.H. John Tehan of 512 Ross Street Port Melbourne

formerly Dairyman but now of no occupation is—
now the proprietor of an Estate in Fee-simple, subject to the Encumbrances
notified hereunder in All that piece of Land, delineated and coloured
red on the map in the margin being lot 19 and part of
lot 20 on plan of Subdivision No. 2708 lodged in the
Office of Titles and being part of Crown portion one
hundred and three at Brunswick parish of Jeka Jeka
County of Bourke Together with a right of carriage
way over Albert Street colored brown on said plan of
Subdivision and also over the roads colored brown on
the said map.

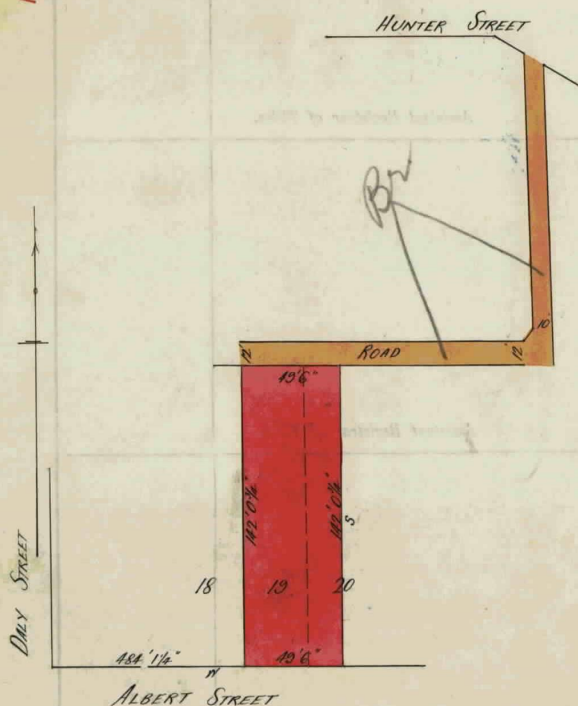
Dated the twenty seventh day of January One
thousand nine hundred and eleven —

M. de M.
Assistant Registrar of Titles.



ENCUMBRANCES REFERRED TO:

The covenant contained in Instrument of
Transfer Mbd. 641709 in the Register Book
that the registered proprietor or proprietors
for the time being of the above land will not at
any time hereafter use or permit to be used the
said land or any part thereof for the
manufacture of bricks tiles pipes pottery
or other kindred manufactures of all
descriptions.



T03480-986-1-1

E.H.




The Measurements are in feet and inches

ORIGINAL CERTIFICATE.
Not to be dealt with outside the Titles Office.

Vol. 2213 Fol. 442545

Transfer. 641709

Application

Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it.	Number or Symbol thereon.
<p><i>Arthur Thompson Hammett of 18 Eades Place West Melbourne Carriage Builder is now the proprietor of the within described estate by transfer from John Jehan registered on 11th March 1926 and numbered 1256471</i></p> <p><i>25-3-26 Assistant Registrar of Titles.</i></p>		<p>PROPRIETOR JOAN FITZPATRICK OF 487 ALBERT ST. WEST BRUNSWICK REGISTERED 6/3/85 L547065U</p> <p><i>Assistant Registrar of Titles.</i></p>	<p></p>
<p><i>The Trustees of the Hibernian Catholic Benefit Society, District No. 1 registered on 11th March 1926 and numbered 535481</i></p> <p><i>24th Dec 26 Assistant Registrar of Titles</i></p>		<p>JOINT PROPRIETORS JOAN FITZPATRICK & MARIA VAN DE MEULENGRAAF OF 487 ALBERT ST. WEST BRUNSWICK REGISTERED 15/5/85 L668823U</p> <p><i>Assistant Registrar of Titles.</i></p>	<p></p>
<p><i>William Patrick Fitzpatrick of 207 Albert Street West Brunswick Storeman is now the proprietor of the within described estate by transfer registered on 15th April 1942 and numbered 2069474</i></p> <p><i>24th April 42 Assistant Registrar of Titles</i></p>		<p><i>Assistant Registrar of Titles.</i></p>	
<p><i>MORTGAGE to Peter John McCracken David William May and Joseph Patrick Waller registered on 30th January 1951 numbered 891701</i></p> <p><i>15th February 51 Assistant Registrar of Titles</i></p>		<p><i>Assistant Registrar of Titles.</i></p>	
<p>PROPRIETOR JOAN FITZPATRICK OF 487 ALBERT ST. WEST BRUNSWICK REGISTERED 6/3/85 L547065U</p>	<p><i>Endorsement Made in Error</i> <i>9-8-85</i></p>	<p><i>Assistant Registrar of Titles.</i></p>	
<p>WILLIAM PATRICK FITZPATRICK DIED ON 18/9/84 PROBATE OF HIS WILL HAS BEEN GRANTED TO JOAN FITZPATRICK REGISTERED 6/3/85 L547064X</p>	<p></p>	<p><i>Assistant Registrar of Titles.</i></p>	

Imaged Document Cover Sheet

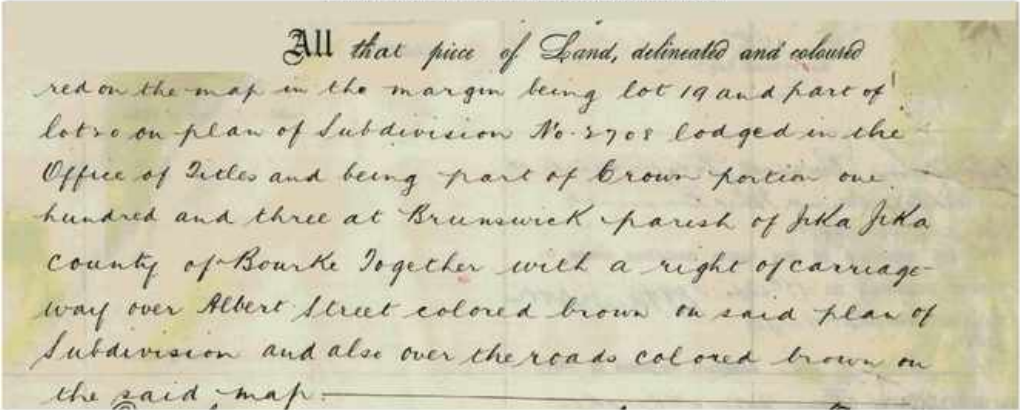
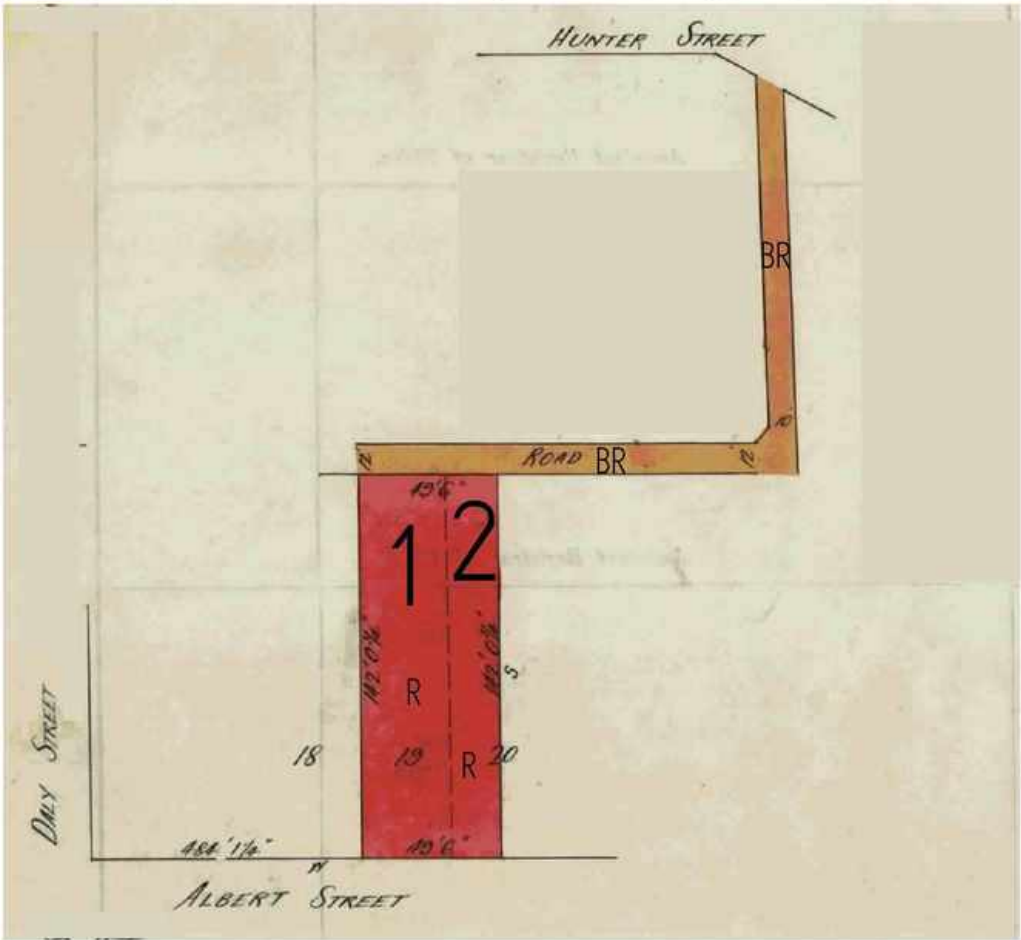
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Document Type	Plan
Document Identification	TP430636Q
Number of Pages (excluding this cover sheet)	1
Document Assembled	03/02/2025 14:53

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TITLE PLAN		EDITION 1	TP 430636Q								
Location of Land Parish: AT BRUNSWICK PARISH OF JIKA JIKA Township: Section: Crown Allotment: Crown Portion: 103 (PT) Last Plan Reference: LP 2708 Derived From: VOL 3480 FOL 986 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN									
Description of Land / Easement Information 			<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: 09/05/2000 VERIFIED: EWA</p> <p>COLOUR CODE R = RED BR = BROWN</p>								
											
<table border="1"><thead><tr><th colspan="2">TABLE OF PARCEL IDENTIFIERS</th></tr></thead><tbody><tr><td colspan="2">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</td></tr><tr><td colspan="2">PARCEL 1 = LOT 19 ON LP 2708</td></tr><tr><td colspan="2">PARCEL 2 = LOT 20 (PT) ON LP 2708</td></tr></tbody></table>				TABLE OF PARCEL IDENTIFIERS		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 = LOT 19 ON LP 2708		PARCEL 2 = LOT 20 (PT) ON LP 2708	
TABLE OF PARCEL IDENTIFIERS											
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 = LOT 19 ON LP 2708											
PARCEL 2 = LOT 20 (PT) ON LP 2708											
LENGTHS ARE IN FEET & INCHES		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets								

Imaged Document Cover Sheet

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Document Type	Instrument
Document Identification	0641709
Number of Pages (excluding this cover sheet)	2
Document Assembled	03/02/2025 14:53

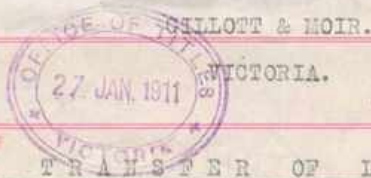
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1434758

FREEHOLD



641709

TRANSFER OF LAND.

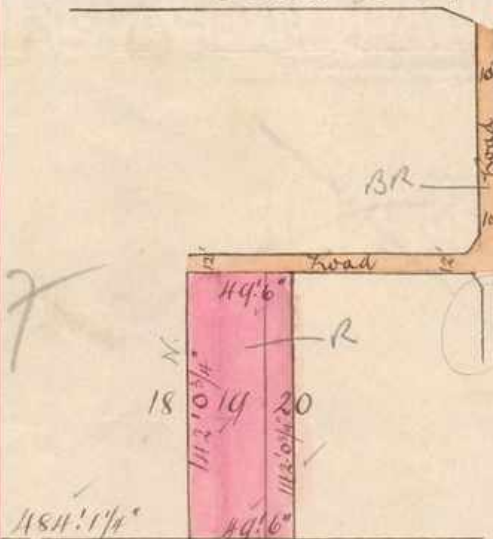
MICROFILMED



Lulu Street

THE HOFFMAN LAND and INVESTMENT COMPANY LIMITED of 123 Queen Street Melbourne 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 Seventy-four pounds five shillings paid to it by John Tehan of 312 Ross Street Port Melbourne formerly Dairyman now of no occupation DOETH HEREBY TRANSFER to the said JOHN TEHAN All its estate and interest in

Kunder Street



Albert Street

ALL THAT piece of land delineated and colored Red on the Map drawn hereon being Lot Nineteen and part of Lot Twenty on Plan of Subdivision Number 2708 lodged in the Office of Titles and being part of Crown Portion One hundred and three at Brunswick Parish of Jika Jika County of Bourke and being part of the land comprised in the Certificate of Title entered in the Register Book Vol. 2213 Fol. 442545 Together with a right of carriage-way over Albert Street and the road colored brown on the said Map drawn hereon which said Street and road are reserved out of and colored Brown on the said Plan of Subdivision AND the said John Tehan doth hereby for himself and his transferees registered proprietor or proprietors for the time being of the land hereby transferred

The measurements are in feet and inches

2213 345

Under an acre
Lulu Street & Albert Street
in said L.P. & L.P.
brown
Lulu Street
L.P. 641709
11/3/11

and every or any part or parts thereof covenant with the said The Hoffman Land and Investment Company Limited and its assigns That the said John Tehan or his transferees will not at any time hereafter use or permit to be used the said land or any part thereof for the manufacture of bricks tiles pipes pottery or other kindred manufactures of all descriptions and this covenant shall be noted on and appear on the Certificate of Title to issue to the said John Tehan under this transfer and on every future Certificate of Title for the said land and every or any part or parts thereof as an encumbrance affecting the same.

DATED the 26th day of January One thousand nine hundred and eleven.

THE COMMON SEAL of THE HOFFMAN LAND AND INVESTMENT COMPANY LIMITED was hereunto affixed in the presence of

Albert Collier Director

McKewson Secretary

SIGNED by the said JOHN TEHAN in the presence of

John Tehan

Witnessed by
Blair to Cielom & Co
Secy Melbourne

ENCUMBRANCES REFERRED TO.

N41.

COLOUR CODE

Y=Yellow BR=Brown G=Green
R=Red BL=Blue P=Purple
H=Hatched CH=Cross Hatched



D641709-1-5

X

John

MEMORIAL OF INSTRUMENT.

NATURE OF INSTRUMENT	TIME OF ITS PRODUCTION FOR REGISTRATION	NAMES OF THE PARTIES THERETO	NUMBER SYMBOL THEREON
Transfer as to Part and Creation of Easement.	THE 27th DAY OF January 1911 AT 3.28 O'CLOCK IN THE afternoon.	The Hoffman Land and Winocment company Limited to John Tehan	641709

W.S.

W.S. Deacy

ASSISTANT REGISTRAR OF TITLES

I CERTIFY THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED AT THE TIME ABOVE MENTIONED IN THE REGISTER BOOK VOL 2213 FOL 442545

W.S. Deacy

ASSISTANT REGISTRAR OF TITLES



0641709-1-5

14 April 2025

Statutory Planning Department
Merri-Bek City Council
90 Bell Street
COBURG VIC 3058

Planning Permit Application Cover Letter
487 Albert Street, Brunswick West

Dear Sir/ Madam,

We act on behalf of Kate Vernon Architects, the permit applicant in relation to the above-mentioned matter.

To assist Council in its consideration of the application, the following documents have been enclosed for your assessment:

- A copy of the planning report prepared by Ratio Consultants, dated 14 April 2025.
- A recent copy of title.
- Town Planning drawings prepared by Kate Vernon Architects, dated 9 April 2025.
- An Arboricultural Impacts Assessment prepared by Ryder Arboriculture & Environment, dated 21 March 2025.

We trust that the enclosed information is sufficient, and we look forward to receiving a planning permit and endorsed plans at your earliest convenience.

If you have any further queries, please do not hesitate to contact me on (03) 9429 3111 or by email at Bethany.roggero@ratio.com.au.

Yours sincerely,



Beth Roggero
Planner
Ratio Consultants

30 May 2025

Anna Fraser
Urban Planner
Merri-bek City Council
Locked Bay 10
Brunswick Victoria 3056

RFI Response
Permit Application No. MPS/2025/221
487 Albert Stret, Brunswick West VIC 3055

Dear Anna,

We act for Kate Vernon Architects, the permit applicant in this matter.

Reference is made to Council's correspondence dated 6 May 2025 requesting further information for the planning application at 487 Albert Street, Brunswick West VIC 3055. We also note the extension of time granted for our response to the letter, with the due date being Tuesday 3 June 2025.

In response to this request, please note the following:

1. We note the feedback from Council's Heritage Advisor in relation to the setback of the proposed garage. In our view, the proposed setback of the garage is acceptable as proposed for the following reasons:
 - The setback to the proposed garage is consistent with the 'Heritage guideline 2' Council document, which states that the preferred location for carports and garages is either at the rear or setback on the side at least 1.5m behind the building line of the front wall of the house. The proposed garage is setback 1.5m from the building line of the front wall of the house and accordingly is consistent with this Council guideline. This 1.5 metre set back is from the greater setback of the staggered façade, meaning that it is recessed further from the closest part of the façade to the street. The proposed garage is not only set back from the dwelling on the site, but also behind the façade of the dwelling to the east of the site. Therefore, when viewed on oblique angles, the garage will present as a recessive built form element.
 - The parapet of the garage has also been lowered by ~100mm, and the drain will be relocated, reducing the bulk and scale of the garage as viewed from the street. This provides additional breathing space between the parapet of the garage and the existing gutter line of the dwelling, providing a clear distinction between the two components of built form.
 - It is also worth noting that Albert Street does not present a highly intact streetscape and there are a range of car parking structure built within the site frontage or closer to the building façade. While these may predate heritage policy, they form part of the character, and the proposed garage will not present as a discordance streetscape element when view in the streetscape or adversely impact the heritage character of the local area.

Please refer to the amended Architectural Plans accompanying this response.

2. It is confirmed that the Small second dwelling does not form part of the application, given it is exempt from requiring a permit. An annotation to the same effect has been added to the amended Architectural Plans accompanying this response.

We now trust the information as provided reasonably responds to your comments and look forward to advertising of the application at your earliest convenience. However, should Council require additional details, we hereby request an extension to the lapse date by which information must be provided and ask for this to be confirmed in writing.

If you have any further queries, please do not hesitate to contact me either by telephone or by email at blanchem@ratio.com.au.



Blanche Manuel
Director

Appendix A Amended Architectural Plans