



Merri-bek
City Council

COUNCIL AGENDA

PLANNING AND RELATED MATTERS

Wednesday 22 April 2026

Commencing 6.30 pm

Bunjil (Council Chamber), Merri-bek Civic Centre,
90 Bell Street, Coburg

Language Link

This is the Agenda for the Council meeting.
For assistance with any of the agenda items,
please telephone 9240 1111.

這是市政會會議的議程。您若在理解議程中有需要協助的地方，請打電話給“語言連接 (Language Link)”翻譯服務，號碼9280 1910。

Questo è l'ordine del giorno per la Riunione del consiglio Comunale. Se hai bisogno di aiuto sugli argomenti in discussione, sei pregato di telefonare al Language Link al numero 9280 1911.

Αυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση του Συμβουλίου (Council Meeting). Για βοήθεια με οποιοδήποτε από τα θέματα της ημερήσιας διάταξης, παρακαλείστε να τηλεφωνήσετε στο Γλωσσικό Σύμβουλο (Language Link), στο 9280 1912.

هذا هو جدول أعمال اجتماع المجلس البلدي. للمساعدة بأي بند من بنود جدول الأعمال الرجاء الاتصال بخط Language Link على الرقم 9280 1913.

Belediye Meclisi Toplantısının gündem maddeleri burada verilmiştir. Bu gündem maddeleri ile ilgili yardıma ihtiyacınız olursa, 9280 1914 numaralı telefondan Language Link tercüme hattını arayınız.

Đây là Nghị Trình cuộc họp của Ủy Ban Quy Hoạch Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo luận, xin gọi điện thoại cho Language Link qua số 9280 1915.

यह काँसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी भी विषय के बारे में सहायता के लिए कृपया 9280 1918 पर फोन कीजिए।

这是市政府例会的议题安排，如果需要协助了解任何议题内容，请拨打9280 0750。

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀ ਕਿਸੇ ਆਈਟਮ ਬਾਰੇ ਮਦਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ 9280 0751 ਤੇ ਟੈਲੀਫੋਨ ਕਰੋ।

Acknowledgement of the traditional custodians of the City of Merri-bek

Merri-bek City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek, and pays respect to their elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

- 1. WELCOME**
- 2. APOLOGIES**
- 3. DISCLOSURES OF CONFLICTS OF INTEREST**
- 4. MINUTE CONFIRMATION**

The minutes of the Planning and Related Matters Meeting held on 25 March 2026 be confirmed.

- 5. COUNCIL REPORTS**

5.1 MIN/2025/7 - PA2504091 - 50-52 BREESE STREET AND 655-661
SYDNEY ROAD BRUNSWICK

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- 6. URGENT BUSINESS**

5. COUNCIL REPORTS

5.1 MIN/2025/7 - PA2504091 - 50-52 BREESE STREET AND 655-661 SYDNEY ROAD BRUNSWICK

Director Place and Environment, Pene Winslade
City Development

Executive Summary



Property:	50-52 Breese Street and 655-661 Sydney Road BRUNSWICK		
Proposal:	Use and development of the site for 43 townhouse dwellings in a two to three storey townhouse configuration, including 5 dwellings designated as affordable housing.		
Zoning and Overlay/s:	<ul style="list-style-type: none"> Commercial 1 Zone (C1Z) Design and Development Overlay – Schedule 18 (DDO18) Heritage Overlay – Schedule 149 (HO149) Special Building Overlay – Schedule 1 (SBO1) Environmental Audit Overlay (EAO) Parking Overlay – Schedule 1 (PO1) Development Contributions Plan Overlay (DCPO) 		
Strategic setting:	Minimal change	Incremental change	Significant change
Objections:	Notification of the application has been given by the Minister for Planning and any objections to the application are submitted to the Department of Transport and Planning (DTP). At the time of finalising this report the Minister has received five (5) objections to the application.		
ESD:	<ul style="list-style-type: none"> Average NatHERS rating of 7.2 stars 56 per cent BESS Score 2kW solar panels per dwelling 		
Affordable Housing:	<ul style="list-style-type: none"> Five one-bedroom dwellings provided at an 18 per cent discount to market rate 		
Key reasons for refusal:	<ul style="list-style-type: none"> An under development of the site which is nominated for buildings up to 12 storeys under the State Governments Activity Centre program. The new homes are poorly designed and would not provide good living conditions for residents. The affordable housing offer is inadequate in design, integration, certainty and discount. 		
Recommendation:	Council's submission to the Minister for Planning be to not support for the development.		

Officer Recommendation

PART A:

That Council's submission to the Department of Transport and Planning (DTP) be to not support the use and development of the site for 43 townhouse dwellings at 50-52 Breese Street and 655-661 Sydney Road, Brunswick, on the following grounds:

1. The proposal fails to align with Clause 02.03 (strategic visions), Clause 11.02-2S (structure planning) and Clause 16.01-1L (Homes in Merri-bek) of the Merri-bek Planning Scheme by failing to:
 - a) Accommodate substantial residential and mixed-use growth in the Brunswick Activity Centre, identified as a Major Activity Centre within Merri-bek.
 - b) Facilitate substantial growth and change in accordance with the Housing Framework contained within the Merri-bek Planning Scheme.
 - c) Support the economic viability and growth of activity centres.
2. The under development of this site will reduce housing capacity which adversely impacts the State Government's housing targets which is contrary to Clause 11.02-1S (Development capacity), Clause 16.01-1S (Housing supply) and Clause 16.01-1R (Housing supply - Metropolitan Melbourne) of the Merri-bek Planning Scheme. In particular:
 - a) The proposal does not contribute in an appropriately meaningful way to increasing the proportion of housing in urban areas with good access to opportunities and services (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
 - b) The proposal fails to provide higher density housing development on a large land parcel within an Activity Centre that is well located in relation to jobs, services and public transport.
 - c) The proposal at three storeys is significantly lower in scale than the discretionary height guidance provided within the Design and Development Overlay Schedule 18 and the State Governments Activity Centre program which nominates a minimum height of 13 metre.
3. The wholly residential proposal fails to provide employment generating uses, which is contrary to the purpose of the Commercial 1 Zone, the objectives of Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business), which seek to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
4. The proposal fails to comply with the design objectives, built form requirements and decision guidelines of the Design and Development Overlay (Schedule 18) of the Merri-bek Planning Scheme and will not adequately respond to the preferred future character of the area, including that:
 - a) The proposal fails to achieve preferred building heights that deliver on a new mid-rise built form character.
 - b) The proposal fails to achieve the preferred building edge conditions that contemplate a commercial frontage for Florence Street.
 - c) The proposal fails to deliver on improvements to pedestrian amenity on Florence Street, which is nominated as a key pedestrian street.
5. The proposal does not satisfy the following objectives and standards of Clause 55 of the Merri-bek Planning Scheme:
 - a) The provision of private open space areas is contrary to Clause 55.03-5 (Private Open Space) and fails to meet the recreation and service needs of residents.

- b) The provision of living rooms and bedrooms is contrary to Clause 55.03-7 (Functional Layout), which fails to meet the functional needs of residents, through inadequate sizing and poor design.
6. The proposal fails to provide an appropriate affordable housing offering that is adequately integrated into the proposal and provides an equitable housing offering within the development, which is contrary to Clause 16.01-2S (Housing affordability), Clause 16.01-2L (Housing affordability Merri-bek) and Clause 53.23 (Significant Residential Development with Affordable Housing) of the Merri-bek Planning Scheme. In particular:
- a) The proposed affordable housing fails to demonstrate good housing and urban design.
 - b) The proposal fails to offer choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
 - c) The proposal fails to provide opportunities for non-residential use and development in association with residential development.
 - d) The proposal fails to demonstrate that the affordable housing is owned and managed by a registered housing association.

PART B:

If the Department of Transport and Planning are inclined to grant approval at 50-52 Breese Street and 655-661 Sydney Road, Brunswick, the following *without prejudice* conditions should form part of the permit:

The Permit would allow:

Use and development of the site for 43 townhouse dwellings in a two to three storey townhouse configuration, including 5 dwellings designated as affordable housing

Planning Scheme Clause	Matters for which permit is required
34.01-1	Use of the land for accommodation
34.01-4	Construct a building or construct or carry out works
43.01-1	Construct a building or construct or carry out works
43.02-2	Construct a building or construct or carry out works
44.05-2	Construct a building or construct or carry out works
52.06	Reduce the number of car parking spaces

The following conditions would apply to this permit:

Amended Plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with Merri-bek City Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the advertised plans prepared by Molonglo Architects, project no. 1850.23, Revision C, dated 21 January 2026, but modified to show:
 - a) Private open space areas that comply with standard B3-5 in Clause 55.03-5 of the Merri-bek Planning Scheme. This may include:
 - i. Replacement of each north facing room on Level 2 for Units 11 to 43 (except Units 16, 27 and 38) with a balcony space.

- ii. Replacement of each west facing room on Level 2 for Units 1 to 4 and 7 to 10 with a balcony space.
 - iii. Relocating living areas to the first or second floors.
 - iv. Creating roof top terraces.
- a) The location of at least 20 additional on-site resident bike parking spaces.
 - b) Dimensions of bicycle parking devices shown to be 500mm wide, the horizontal bike spaces 1800mm long and the vertical bicycle spaces 1200mm long, with every space accessed from a 1500mm wide access aisle as required by the Australian Standard for Parking Facilities – Bicycle Parking (AS2890.3).
 - c) Label bike racks as “Cora E3DT-GP” consistent with the submitted traffic report.
 - d) Dimension the garage within the development at least 6 metres long by 3.5 metres wide internally, in accordance with Clause 52.06-9 of the Planning Scheme.
 - e) Dimension the garage door of the development at least 3 metres wide in accordance with Figure 5.4 of the Australian Standard AS2890.1.
 - f) A cross section of the proposed vehicle crossing in Florence Street, stating the levels of the road, channel invert, vehicle crossing, accessway and garage floor, showing that the design level of the garage floor will allow each vehicle crossing to be constructed with a slope of 1 in 40 over a lateral distance of one metre for pedestrians on the public footpath and allow the B85 template in Figure C1 of the Australian Standard for Off-Street Parking (AS2890.1) to access the property without ‘grounding’.
 - g) The location of any substation required by the power company for this development. Any substation must be incorporated within the building (i.e. not free standing or pole mounted in the street) to ensure minimal impact on the visual amenity of the public realm.
 - h) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 6b) of this permit.
 - i) Any changes to the plans arising from the:
 - i. Landscape Plan in accordance with Condition 3 of this permit.
 - ii. Waste Management Plan in accordance with Condition 10 of this permit.
 - iii. Public Works Plan in accordance with Condition 12 of this permit.

Compliance with Endorsed Plans

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Merri-bek Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans under Condition 1, an amended landscape plan must be submitted to the Responsible Authority, in consultation with Merri-bek City Council. The landscape plan must be generally in accordance with the plan prepared by Tim Pilgrim Gardens, dated 9 April 2025, amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) Strategies for retaining vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.

- c) A schedule of all proposed trees, shrubs and ground covers, including numbers, size at planting, size at maturity, botanical names and common names. The flora selection and landscape design should be drought tolerant and based on species selection recommended in the Merri-bek Landscape Guidelines 2009.
- d) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers.
- e) Details of the location and type of all paved and sealed areas. Extensive hard surfaces are not supported. Porous/permeable paving, rain gardens and other water sensitive urban design features must be in accordance with any endorsed Sustainability Design Assessment or Sustainability Management Plan.
- f) Details of all planter boxes, above basement planting areas, green walls, rooftop gardens and similar, including: (use for large scale developments)
 - i. Soil volume sufficient for the proposed vegetation
 - ii. Soil mix
 - iii. Drainage design
 - iv. Details of an automatic irrigation system, including maintenance program and responsibility for maintenance.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works must be completed in accordance with the endorsed landscape plan to the satisfaction of the Merri-bek City Council.
- 5. All landscaping must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Merri-bek City Council.

Environmentally Sustainable Design (ESD)

- 6. Prior to the endorsement of plans under Condition 1, an amended Sustainability Management Plan (SMP) and plans must be submitted to the satisfaction by the Responsible Authority, in consultation with Merri-bek City Council. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by WRAP Engineering Pty Ltd, project no. 25101, revision 2 dated 16 April 2025, modified to include the following changes:
 - a) Amended NatHERS modelling that:
 - i. Models all dwellings or explains how all dwellings are thermally represented (e.g. a plan showing all dwellings are modelled or thermally represented). The ratings must include a preview certificate / preview of the Whole of Home assessment (not just a table summary).
 - ii. Ensures all dwellings meet a minimum average rating of 7.5 stars
 - iii. Ensures all dwellings meets the maximum cooling load requirements of Clause 55.05-7.
 - b) Show the following ESD initiatives on the development plans:
 - i. An ESD table on the plans for items that cannot be drawn within the SMP and BESS report, such as water efficiency of taps.
 - ii. The minimum 2kW solar PV system (as per the SMP)
 - iii. Electric vehicle charging, as per the BESS report within the SMP.

- iv. External shading for exposed north, east and west facing habitable room glazing. Details of the shading, including if the shading is fixed (north-facing), adjustable (east and west) and the dimensions of the shading, is required.
 - v. Plans to clarify how all habitable room areas will have direct access to an operable habitable room window (clarified on floor plans and elevations and to be consistent with all plans, including the dwelling typology and development plans).
- c) An amended stormwater management response, including:
- i. Rainwater tank catchments explained, including indicative location of downpipes confirming that no charged stormwater pipes for rainwater harvesting tanks will be located underneath building footings.
 - ii. Adequate space for on-site detention tanks to be considered.
 - iii. A stormwater management catchment plan, which includes all pervious and impervious areas, consistent with the floor plans and landscape plans.
- d) An amended BESS report that:
- i. Includes details of the amended NatHERS modelling
 - ii. Includes details of the amended stormwater management response.

Where alternative ESD initiatives are proposed to those specified in the conditions above, Merri-bek City Council may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

7. Prior to the issue of a Statement of Compliance or Certificate(s) of Occupancy whichever occurs first, all works must be undertaken in accordance with the endorsed Sustainable Management Plan report to the satisfaction of the Merri-bek City Council. No alterations to these plans may occur without the written consent of the Responsible Authority.
8. Prior to the issue of Certificate of Occupancy or Statement of Compliance, whichever comes first, of any dwelling approved under this permit, a report from the author of the Sustainability Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority, in consultation with Merri-bek City Council, and must confirm (and include evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.
9. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of Merri-bek City Council to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Waste Management

10. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority, in consultation with Merri-bek City Council. The WMP be generally in accordance with the report prepared by OneMileGrid and dated 2 April 2025, modified to:
 - a) Align with the architectural plans submitted for endorsement;

- b) Include calculations of the four main waste streams (recycled glass, general recycling; organics and garbage), size and number of bins;
- c) Provide best practice food disposal by providing no incinerators or bio-digesters;
- d) Provide equal access to all 4 separate waste streams;
- e) Show the bins stored out of sight and any enclosed room manually ventilated;
- f) Include a dimensioned plan, to scale, showing the waste bin room or area large enough to provide a 1-metre-wide path for persons of all abilities to access every bin without moving bins (ie no bin placed behind another bin);
- g) Show the bins in the plan, to scale, colour coded to each waste stream;
- h) Show a dimensioned area for Hard Waste;
- i) Provide a collection frequency of no more than twice per week;
- j) Include discussion of the other waste streams;
- k) Confirm the maximum size of the waste vehicle; and
- l) Provide swept paths showing the waste vehicle able to exit and enter the development in a forward direction.

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

11. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Merri-bek City Council unless with the further written approval of the Merri-bek City Council.

Public Works Plan

12. Prior to the endorsement of plans, a Public Works Plan for the road reserve on Florence Street, Breese Street and William Street directly in front of the site must be submitted to the satisfaction of Merri-bek City Council. The Plan must be generally in accordance with the 'Site Plan – Public Works', drawing no. A106, revision A, description 'DTP RFI' dated 21 January 2026, and the *Merri-bek City Council Technical Notes October 2022*, or any updated version and include:
 - a) The public realm upgrades within the Breese Street Public Realm Masterplan '*Breese Street Streetscape Improvements Option Two – Central Shared Zone*' for the Breese Street footpath, kerb and channel adjacent to the subject site.
 - b) The provision of new street tree planting and landscaping along Florence Street and William Street adjacent to the site, where feasible, including through variations to on-street parking arrangements, to the satisfaction of the Merri-bek City Council. Any required tree pits are to be constructed by the developer in accordance with the relevant Technical Notes with temporary capping if required. Public realm tree planting will be undertaken by Merri-bek City Council at the expense of the developer.
 - c) Increase width of the footpath on the south side of William Street adjacent to the site, to a minimum of 1.2 metres from the back of kerb within the road reserve, where feasible. The carriageway width of William Street must achieve a minimum width of 3.5 metres.
 - d) The location of a new 'One-Way' sign, to be installed directly opposite the garage door to confirm the one-way traffic direction within Florence Street.
 - e) The location of 'No Stopping' and 'One Way' Street signs installed around the subject site.
 - f) A detailed feature survey of the footpaths and roads.

- g) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5 per cent).
- h) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the 1 metre splays on the crossings, relocated or modified.
- i) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
- j) The relocation or replacement of existing and installation of new street furniture and infrastructure (in a graffiti-proof finish), such as parking and traffic signs, public seating, bicycle parking and similar.
- k) Provision of public lighting, including in association with the proposed undergrounding of powerlines indicated on the plan.
- l) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of the Merri-bek City Council, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Merri-bek City Council.

- 13. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all public works shown on the endorsed public works plan must be implemented to the satisfaction of the Merri-bek City Council at the expense of the owner of the land, unless otherwise agreed with prior written consent of the Merri-bek City Council.
- 14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner must pay Council's costs and fees associated with street tree planting.

Environmental Audit

- 15. Before the construction or carrying out of buildings and works, or where no buildings and works are proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the *Subdivision Act 1988* (whichever is earlier), the owner(s) must provide:
 - a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or,
 - b) An environmental audit statement under Part 8.3 of the *Environment Protection Act* stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or
 - c) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied.
- 16. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, Merri-bek City Council may require the Owner(s) to enter into an Agreement with Merri-bek City Council pursuant to Section 173 of the *Planning and Environment Act 1987* that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit statement.

Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first). All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by Merri-bek City Council, must be met by the Owner(s).

17. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.
18. No works to construct the development hereby approved shall be carried out on the land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as Conditions 15, 16 and 17 are satisfied.
19. Prior to commencement of the use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first), written confirmation of compliance with all the recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the *Environment Protection Act 2017*, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.
20. Where a preliminary risk screen assessment has satisfied Condition 15 (that an environmental audit is not required), the development and use must not deviate from the assumptions or limitations contained in the preliminary risk screen assessment, including but not limited to the layout and design of the development and use of the land without the written consent of the Responsible Authority. The development and use must accord with any requirements and recommendations of the preliminary risk screen assessment to the satisfaction of the Responsible Authority.

Affordable Housing

21. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the Responsible Authority and Merri-bek City Council, that provides for a contribution towards affordable housing (affordable dwellings) by way of:
 - a) At least 10 per cent (rounded up) of all dwellings to be sold to a registered housing provider as affordable dwellings at a discount of 30 per cent of the market price.
 - b) The market price for the affordable dwellings is to be set by an independent valuation by a suitably qualified valuer.
 - c) All affordable dwellings must contain at least two bedrooms and be tenure blind, meaning there are no visible or physical differences that indicate ownership and tenure status.

Residential reticulated gas service connection

22. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the Merri-bek Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Engineering Matters

23. Prior to any works outside the title boundary, engineering construction plans to implement the public works plan, showing cross-sections, longitudinal sections and levels, must be submitted to the Merri-bek City Council (Council's Engineering Services Unit) for approval and the works implemented in accordance with the approved Engineering plans and under the supervision of the Merri-bek City Council.
24. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the bicycle storage room must have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
25. The ramp from the footpath to the higher garage floor must be contained entirely within the garage to ensure that the footpath level remains as constructed by Responsible Road Authority.
26. The garage door must not be single-panel tilt door that will open outwards onto the public footpath.
27. At all times the single car space within the mobility hub is to be reserved for carshare operation at no charge to the carshare operator to use them and:
 - a) The space must be available to all members of the carshare scheme 24 hours, 7 days per week, with safe, well-lit pedestrian access;
 - b) Prior to occupancy of the development, the space must be contracted to an operator (a car-share provider that has been approved by the Responsible Authority) with evidence of agreement submitted to Council;
 - c) The agreement must ensure appropriate insurance and vehicle maintenance is in place including public liability;
 - d) The carshare must be in place and operating within 4 weeks of issue of the Occupation Certificate; and
 - e) The carshare operator must report utilisation of the space to Merri-bek Council every twelve months.
28. The garage / car park is to be constructed at a level and in a manner that ensures the vehicle crossing will have a slope of 1 in 40 over a one metre width along the public footpath and allow the B85 template in Figure C1 of the Australian Standard for Off-Street Parking (AS2890.1) to access from the road.
29. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a vehicle crossing must be constructed in every location shown on the endorsed plans to a standard satisfactory Merri-bek City Council.
30. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of Merri-bek City Council.
31. The public footpath is to be reinstated with the standard crossfall slope of 1 in 40 for concrete footpaths and 1 in 33 for asphalt footpaths from the top of the roadside kerb to the property boundary, with any level difference made up within the site using ramps or steps.

32. All external lighting must be no higher than 1.2 metres above ground level with automatic or sensor-controlled lighting installed and maintained on the land to illuminate pedestrian access between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of Merri-bek City Council.
33. Before the occupation of the development, shields are to be placed on each street light that exists within 5 metres of a dwelling window, at the cost of the development, to lower the glare to lighting no higher than permitted by the Australian Standard for Obtrusive Effects of Outdoor Lighting – Roads and Public Places (AS4282) to the satisfaction of Merri-bek City Council.
34. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (whereby means of a cable) and associated infrastructure to the land must be underground to the satisfaction of Merri-bek City Council.

Stormwater

35. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of Merri-bek City Council.
36. Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of Merri-bek City Council.

General Amenity

37. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
38. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of Merri-bek City Council. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of Merri-bek City Council. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of Merri-bek City Council.

Permit Expiry

39. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within three (3) years from the date of issue of this permit;
 - b) the development is not completed within five (5) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

NOTES

Note 1: It is necessary to obtain a building permit prior to the commencement of any demolition, building works or occupation of the building. It is strongly recommended that you consult with a registered building surveyor to advise on any requirements under the Building Act, the Building Regulations and any other subordinate legislation. Further information can be sought from the Building and Plumbing Commission. Council's building services branch can also assist you in the provision of this service and can be contacted on 9240 1111.

Note 2: Further approvals are required from Council's City Infrastructure Department who can be contacted on 9240 1111 for any works beyond the boundaries of the property. Planting and other vegetative works proposed on road reserves can be discussed with Council's Open Space Unit on 9240 1111.

Note 3: Council's Engineering Services Unit charges plan checking fees on laneway and drainage construction plans.

Note 4: The permit holder is advised to contact Council's Property Unit on 9240 2208 for allocation of street numbers associated with the development.

Note 5: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would generally not be eligible for residential or visitor parking permits to allow for on street parking. See Council's website for more information.

Note 6: Merri-bek City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for those in need, visit the Homes for Homes website and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

Note 7: The planting of street trees will only occur between April and September each year. Developers must ensure that all their tree-related civil work components are completed prior to 30 March and provide Council with at least 8 months' notice to ensure Council can secure high quality tree stock for their development. To facilitate this, the developer is to request an invoice for the tree planting works 8 months prior to the scheduled completion date of the public realm works associated with the development.

Note 8: Environmental Audit Notes

- A copy of the Environmental Audit Statement, including the Environmental Audit Report, must be submitted to the responsible authority within 5 business days of issue, as set out in s 210 of the *Environment Protection Act 2017*.
- The person in management or control of the site must also provide a copy of any statement to any person who proposes to become the person in management or control of the site, such as a potential occupier or potential purchaser.
- The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the *Sale of Land Act 1962*, a copy of the Environmental Statement including a copy of any cover letter.

Note 9: As per Council's General Local Law 2018, it is noted:

- 10.1 A *person* must not commence to carry out *building works* (other than *minor building works*) unless he or she gives at least 48 hours written notice to the *Council* of his or her intention to do so.
- 10.2 A notice under clause 10.1 must be in the form *prescribed* by the *Council* and if requested, include a **Construction Management Plan** which must be approved by the *Council* prior to commencement of *building works*.

1. Background

Subject site

The site is located on the eastern side of Breese Street, with street frontages to William Street (north) and Florence Street (south). There is an existing building on the site that has a Sydney Road frontage, but this is not included in the land that is included in this application. The site is made up of several parcels of land with an area of around 2300 square metres and is therefore a key site for redevelopment within the Activity centre.

The area where the development is proposed has been cleared but was previously used as the Brunswick Market site, which included shops.

There are no restrictive covenants indicated on the Certificate of Title.

Surrounds

The surrounding area is changing to a midrise character, with buildings generally between six and nine storeys. These are mixed with some single storey houses, industrial buildings and heritage shopfronts, mainly along Sydney Road. Newer developments in the area includes apartments above ground floor shops.

The site is close to public transport with Anstey train station located less than 100 metres away, as well as Sydney Road trams. Shops and community services on Sydney Road are within easy walking distance.

A location plan forms **Attachment 1**.

The proposal

The proposal is for a two to three storey townhouse development and is summarised as follows:

- A building height of 10.39 metres.
- Forty-three (43) dwellings in 4 buildings comprising:
 - 38 triple-storey x 4 bedroom
 - 5 double-storey x 1 bedroom
- No residential car parking.
- Provision of one car share vehicle with access from Florence Street.
- Provision of 54 bike parking spaces, comprising 66 resident spaces and 12 visitor spaces.
- Affordable housing of 5 x 1 bedroom dwellings.

The development plans form **Attachment 2**.

Application Process and Responsible Authority

The application currently under consideration has been lodged with the Minister for Planning under Category 3 of Clause 53.23 (Significant Residential Development with Affordable Housing) of the Merri-bek Planning Scheme. Category 3 allows the Minister to consider projects of significance, compared to the 10 per cent affordable housing requirement set by categories 1 and 2. Clause 72.01 of the Scheme sets out that the Minister for Planning, not Council, is the Responsible Authority in relation to the use and development of land to which Clause 53.23 applies.

Council planning officers were informed by the Department of Transport and Planning (DTP) of the application, in a letter dated 9 December 2025.

DTP commenced public notice for the proposal on 13 March 2026.

Planning Permit and Site History

The site was formerly the Brunswick Market.

In 2022, a section of Council Road in the north-western part of the site was discontinued and purchased by the landowner, enabling it to be incorporated into the development area.

Council issued a planning permit MPS/2025/248 for the partial demolition to the rear of the site (which has been completed, leaving the development area vacant.

Planning permit application SP/2024/220) has been submitted to Council to subdivide the land into two lots, (one retaining the existing Sydney Road building and the other forming the subject site.

Statutory Controls – why is a planning permit required?

Control	Permit Requirement
Commercial 1 Zone	A permit is required for a 'Dwelling' as the street frontage exceeds 2 metres. A permit is required to construct a building or construct or carry out works.
Design and Development Overlay 18	A permit is required to construct a building or construct or carry out works.
Special Building Overlay	A permit is required to construct a building or construct or carry out works.
Car Parking	A permit is required to reduce the car parking requirement from 81 spaces to 0 spaces.

The following Particular Provisions of the Merri-bek Planning Scheme are also relevant to the consideration of the proposal:

- Clause 45.03: Environment Audit Overlay. Part B of the recommendation includes Environment Audit conditions to manage potentially contaminated land.
- Clause 45.06: Development Contributions Plan Overlay. The Development Contributions Plan has expired and is therefore not relevant to applications determined on or after 1 July 2023.
- Clause 45.09: Parking Overlay. Under the transitional rules in Clause 52.06 (Car Parking), sites affected by a Parking Overlay must use the previous Column B rates from the former Clause 52.06 when calculating car parking requirements.
- Clause 52.34: Bicycle Facilities. The requirements of this Clause have been met.
- Clause 53.18: Stormwater Management in Urban Development.
- Clause 53.23: Significant Residential Development with Affordable Housing.
- Clause 55: Two or More Dwellings on a Lot and Residential Buildings.

2. Internal/External Consultation

Public notification

The Minister for Planning is the Responsible Authority for determining the application, and for carrying out notification of the application under Section 52 of the *Planning and Environment Act 1987* (the Act). The public notice of this application commenced on 13 March 2026 and included public notices on the site and letters to nearby owners/occupiers.

Any objections must be lodged with the Minister for Planning who is responsible for deciding the application.

At the time of finalising this report, Council has been advised that five (5) objections were lodged with the Minister. The key issues raised in the objections are:

- Insufficient footpath widths next to the site.
- Limited canopy tree planting.
- Noise and traffic impacts from waste collection.
- Traffic impacts and car parking reduction.
- Amenity impacts from the development including wind tunnel effects, overlooking and sunlight glare.

While Council and any other person may lodge an objection to this planning permit application, Clause 53.23-5 provides that the application is exempt from a right of review at the Victorian Civil and Administrative Tribunal (VCAT) by Council or any other objector.

The process for considering objections, including the submission from Council and deciding the application, can include the following:

- A decision is made by officers at Department of Transport and Planning (DTP) under delegation from the Minister for Planning
- A decision is made by the Minister for Planning.
- The Minister for Planning appoints a Standing Advisory Committee (SAC) to consider the application and objections, including the submission from Council, before making a recommendation to the Minister for Planning.

Council's comments and position will assist the Minister for Planning in making a decision.

Internal/external referrals

Referrals to external agencies will be carried out by the Minister for Planning as the Responsible Authority. The application requires referral to the following external referral authorities:

- Melbourne Water

The proposal was referred to the following internal branches/business units:

Internal Branch/Business Unit	Comments
Urban Design Unit	<p>Object to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • The proposal does meet preferred outcomes for the site in delivering a high-density mixed-use development. • Inadequate communal and private open space areas. • Poor pedestrian amenity on Florence and William Streets. • Poor internal amenity of dwellings. <p>These are considered further in Section 4 of this report.</p>

Internal Branch/Business Unit	Comments
Transport - Development Engineering	<p>Supports the proposal, subject to conditions requiring:</p> <ul style="list-style-type: none"> • Footpath widening adjacent to the site. • Relocation of existing power poles and street signs and undergrounding of power lines on William Street. • 20 additional bike parks for residents to offset car parking reduction. <p>Recommended changes could be addressed by conditions were a permit to issue.</p>
Principal Advisor, Social and Affordable Housing	<p>Objects to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • A lack of evidence that an affordable housing offering is accepted by a Community Housing Provider. • The affordable dwellings have poor internal amenity. • The affordable dwellings are not an equitable offering and are not tenure-blind. • The affordable housing discount is not sufficient and should be at least 30 per cent, compared to the proposed discount of 18 per cent.
Sustainable Built Environment - ESD Team	<p>Recommends the inclusion of conditions on any approval to ensure that best practice ESD outcomes are demonstrated</p>

3. Policy Implications

Planning Policy Framework (PPF):

The following policies are of most relevance to this application:

- Municipal Planning Strategy (Clause 2), including:
 - Vision (Clause 2.02)
 - Settlement (Clause 2.03-1)
 - Environmental Risks and Amenity (Clause 2.03-3)
 - Built Environment and Heritage (Clause 2.03-4)
 - Housing (Clause 2.03-5)
 - Economic Development (Clause 2.03-6)
 - Transport (Clause 2.03-7)
- Settlement (Clause 11), including:
 - Clause 11.02-1S (Development Capacity)
 - Clause 11.02-2S (Structure Planning)
- Environmental Risks and Amenity (Clause 13):
 - Contaminated and Potentially Contaminated Land (Clause 13.04-1S)
 - Noise Abatement (Clause 13.05-1S and 13.05-1L)

- Built Environment (Clause 15.01), including:
 - Urban Design (Clause 15.01-1S, 15.01-1R and 15.01-1L)
 - Vehicle Access Design in Merri-bek (Clause 15.01-1L)
 - Building Design (Clause 15.01-2S and 15.01-2L)
 - Healthy Neighbourhoods (Clause 15.01-4S and 15.01-4R)
 - Neighbourhood Character (Clause 15.01-5S)
 - Environmentally Sustainable Development (Clause 15.01-2L-05)
 - Energy efficiency in Merri-bek (Clause 15.01-2L-04)
- Residential Development (Clause 16.01), including:
 - Housing Supply (Clause 16.01-1S and 16.01-1R)
 - Housing for People with Limited Mobility (Clause 16.01-1L)
 - Homes in Merri-bek (Clause 16.01-1L)
 - Housing Affordability (Clause 16.01-2S and 16.01-2L)
- Economic Development (Clause 17), including:
 - Diversified economy (Clause 17.01-1S and 17.01-1R)
 - Employment Areas (Clause 17.01-1L-02)
 - Business (Clause 17.02-1S)
- Transport (Clause 18), including:
 - Walking (Clause 18.02-1S and 18.02-1L)
 - Cycling (Clause 18.02-2S and 18.02-2L)
 - Public Transport (Clause 18.02-3S and 18.02-3L)
 - Car parking (Clause 18.02-4S and 18.02-4L)

Planning Scheme Amendments

Car parking changes:

Amendment VC277 commenced on 18 December 2025 and amended Clause 52.06 (Car Parking) by reducing or removing minimum car parking requirements and introducing maximum rates for certain uses in specified locations. As the site is within Parking Overlay Schedule 1, the applicable car parking rates are not affected by this amendment.

Activity Centre changes:

Amendment GC270 commenced on 31 March 2026. It includes new built form controls for Brunswick and Coburg activity centres. These new rules remove the old overlay (DDO18) and replace it with a new Built Form Overlay – Schedule 1 (BFO1). Under these new controls, this site is planned for buildings of up to 40 metres (about 12 storeys).

Because this planning application was lodged before 31 March 2026, the old rules still apply. For this reason, the proposal has been assessed using DDO18, not the new BFO1 rules. If a new application was lodged today, it would need to meet the BFO1 controls. Under the new BFO1 controls:

- Most of the site allows buildings between 4 and 9 storeys (area 1).
- The northwest corner of the site allows taller buildings, between 6 and 12 storeys (area 3).

- Along Breese Street, buildings are limited to a 3 storey street wall (street wall 1).
- Florence Street is no longer nominated as a key pedestrian street.

Human Rights Consideration

This application has been processed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Merri-bek Planning Scheme) reviewed by the State Government, and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006, including Section 18 (Taking part in public life)*. In addition, the assessment of the application has had particular regard to:

- Section 12: Freedom of movement
- Section 13: Privacy and Reputation
- Section 20: Property rights

The proposed redevelopment of private land does not present any physical barrier preventing freedom of movement. The right of the landowner to develop and use their land has been considered in accordance with the Merri-bek Planning Scheme. The privacy of nearby residents has also been considered as part of the application process.

4. Issues

In considering this application, regard has been given to the Planning Policy Framework (PPF), the provisions of the Merri-bek Planning Scheme, and the merits of the application.

Does the proposal have strategic policy support?

The site is located within the Brunswick Activity Centre. This is an area where planning policy seeks to accommodate substantial growth and create a new character of increased density and building heights. Key planning policy includes:

- Provide for residential uses at densities complementary to the role and scale of the commercial centre (Purpose of the Commercial 1 Zone).
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport (Clause 16.01-1S).
- Intensify development in activity centres and accommodate substantial mixed-use growth (Clause 16.01-1L).
- Encourage a built form character of increased density and scale (DDO18).
- Achieve a cohesive built form character with a preferred building height of 17 metres (around 6 storeys) (DDO18).

The Victorian State Government has recently announced planning controls for Brunswick Activity Centre will increase the preferred building height to 12 storeys for this site. These controls are intended to support significant housing growth in Brunswick and are not designed to facilitate low-scale townhouse development in major activity centres.

The site has excellent access to transport and services and is a larger key site for redevelopment with the Brunswick Activity Centre. The site is well suited to a multi-storey mixed-use development under both current planning controls and the new State Government Activity Centre controls.

Strategic policy does not support the proposal. It fails to meet the expectations of existing planning controls, does not contribute meaningfully to a vibrant activity centre, with a new cohesive built form character and underutilises the site's capacity to deliver housing within Merri-bek. With new planning controls further increasing expectations for the delivery of significantly increased density housing, the proposal will be even less aligned with the strategic objectives for the Brunswick Activity Centre.

The proposal is an under development which will compromise the strategic objectives for the area.

Does the built form respond to the preferred character of the area?

The Design and Development Overlay (DDO18 - Brunswick Activity Centre – Sydney Road and Upfield Corridor) provides guidance on preferred built form outcomes within the Brunswick Activity Centre.

Key built form outcomes of the DDO18 applying to the site are:

- A preferred building height of 17 metres (around 6 storeys).
- Street wall heights between 7 and 12 metres.
- A preference for commercial frontages to Florence Street.
- Improve pedestrian amenity on Florence Street, which is nominated as a key pedestrian street that connects Sydney Road to Anstey train station.
- Avoid shadow impacts on Florence Street (a key pedestrian street).
- Minimal impacts of car parking features on the public realm.

Shadow diagrams show the proposal avoids overshadowing the southern portion of the Florence Street footpath during key daytime hours, in-line with the objectives of the DDO18.

The proposal fails to deliver the desired frontage treatments and public realm improvements along Florence Street. A taller multi-level apartment building could comfortably accommodate more homes and include ground-floor shops, helping to activate Florence Street and improve the pedestrian experience between Sydney Road and Anstey Station. Greater height and density would also create opportunities for shared ground-floor spaces, landscaping, and communal areas that enhance public amenity. Sensitive design could ensure that shadowing to the Florence Street footpath is managed.

The existing footpaths beside the site are narrow, and the presence of power poles further reduces walkability. Footpath widening cannot occur within the public realm without removing on-street parking, and ideally these improvements could be delivered within the site. Redevelopment of the land is expected to contribute to and improve the public realm, consistent with the objectives of DDO18.

The proposed development fails to meet the objectives of the DDO18. It prioritises an inappropriate housing type, at the expense of meeting preferred built form outcomes and public realm improvements.

Should this site be used only for housing?

The purpose of the Commercial 1 Zone is to '*create vibrant mixed use commercial centres*'. Housing offerings contribute to meeting this objective, when provided alongside commercial opportunities. This is the typical approach to a large site in the Brunswick Activity Centre.

A wholly residential development is not an appropriate outcome for the large and well-located site. By only providing dwellings, the proposal misses the opportunity to deliver active streets and new retail offerings. The desire to provide for some commercial opportunity is replicated by the DDO18, which identifies Florence Street as being preferred for having a commercial frontage. A failure to provide commercial opportunities reduces the overall quality of the Brunswick Activity Centre and limits employment opportunities for a growing population in Merri-bek.

Does the proposal provide good living conditions for residents?

The decision guidelines for the Commercial 1 Zone allows consideration against the objectives of Clause 55 (Townhouse and low-density code) of the Merri-bek Planning Scheme.

Although some Clause 55 standards can be varied in an Activity Centre location, providing well designed and liveable homes is still important. Clause 55 provides the most relevant guidance for assessing the liveability of the dwellings up to three storeys.

Those liveability objectives and standards that are not met are summarised below:

Objective	Response
<p><u>Private Open Space</u> <i>“To provide adequate private open space for the reasonable recreation and service needs of residents”</i></p>	<p>No secluded private open space is provided within the site. Small garden areas are provided along communal walkways, with bench seats for 30 per cent of the dwellings. The spaces are not private and are unlikely to see much use. Planter boxes are shown to be included in Private Open Space areas, alongside canopy tree planting which hinders these areas’ practical use for service or recreation needs.</p>
<p><u>Functional Layout</u> <i>“To ensure dwellings provide functional areas that meet the needs of residents”</i></p>	<p>Ground-floor living and dining areas lack appropriate dimensions and do not provide a reasonable level of functionality. Living rooms do not achieve minimum areas of 12 square metres. Bedrooms do not have a minimum width of 3 metres. Layouts are further compromised by the placement of entry doors, storage access, and wall-mounted bike racks within living spaces.</p>

Addressing these issues would require a complete redesign of the proposal. In activity centres, developments are typically expected to provide outdoor balcony spaces, rooftop gardens, and communal areas to meet resident’s needs. The plans show areas intended for common use such as a work bench and a ‘village square’. These areas are too small for the number of dwellings proposed and fail to provide any useable outdoor areas for residents.

The living rooms in the townhouses are small and not well designed. Falling short of the requirement for 12 square metres will create cramped, uncomfortable living spaces in dwellings that can accommodate families.

Overall, the townhouse proposal has poor liveability on a site that is best suited for higher density apartment developments. While it is recommended that Council object to the proposal, recommended ‘without prejudice’ conditions seek compliance with Private Open Space requirements of Clause 55, so dwellings have adequate outdoor areas for recreation and service needs.

Has adequate car and bicycle parking been provided?

A total of 81 car parking spaces are required for the proposal. The development seeks a complete reduction of car parking. Without the parking overlay, the new parking rates would apply, allowing up to two car spaces per dwelling (i.e. maximum parking rate), with no parking reduction needed if no spaces are provided.

The dwellings will not be eligible for parking permits if parking restrictions are imposed by Council on the street.

Council’s car parking policy supports less car parking in developments that are in activity centres, well served by public transport and provide extra bicycle parking.

The proposal is located within the Brunswick Activity Centre and has excellent access to public transport including trams along Sydney Road, the Upfield Train Line and buses along Albion Street. The proposal also provides 78 bicycle parking spaces, exceeding the planning scheme requirement of 54 bike parking spaces. One car-share space is included to balance the proposed reduction.

To support the proposed reduction in car parking, Council's Development Engineers have requested an additional 20 on-site bicycle parking spaces to better meet residents' needs. While the site is well-served by public transport, it remains important to discourage car dependency by ensuring high-quality, convenient bicycle parking is available on-site. Given the size of the land providing additional bike parking should not be difficult, however the layout of the proposal may force deletion of a dwelling to fit in the bike spaces. The need for significant changes highlights the poor design response for a key site in the Brunswick Activity Centre.

Council's Development Engineers are satisfied that a reduction in car parking can be supported for this application, provided the additional bicycle parking is incorporated into the proposal. Conditions are also recommended to manage the operation of the car-share space.

Does the proposal include appropriate affordable housing offerings?

The proposed development is being considered by the Planning Minister under Clause 53.23 (Significant Residential Development with Affordable Housing). The purpose of this clause is to '*facilitate residential development that contributes to the provision of affordable housing to meet existing and future needs*'.

The Affordable Housing Framework provided with the application lists 'Women's Property Initiatives' as '*a potential Community Housing Provider*'. The framework also states that '*the [affordable houses] are designed to be indistinguishable from private townhouses*' and be tenure-blind.

Provision of affordable housing is encouraged in principle and aligns with Council's strategic objectives for housing in Merri-bek. The proposed offering however, is insufficient.

The proposal refers to possible partnerships with community housing providers, and specifically to Womens Property Initiatives (WPI) as a preferred provider, but there is no evidence that any provider has agreed to take on the affordable housing offering.

The affordable dwellings are also not 'tenure-blind' dwellings and are clearly identifiable in the layout of the site as being a different kind of dwelling from the rest of the proposal. The affordable dwellings are smaller, have less services and are only offered as one-bedroom dwellings, instead of the four-bedroom layout used for other dwellings.

The affordable dwellings also appear to have been provided in spaces that 'fills in the gaps' between the other townhouses, located above common walkways in the site and not wholly integrated into the development.

Including affordable housing is encouraged and should be supported where it has been seamlessly integrated. In the current format however, the affordable housing offerings are clearly intended to be a 'lesser' offering.

Does the proposal incorporate adequate Environmental Sustainable Design (ESD) features?

Clause 15.01-2L requires new developments to be sustainably designed and to provide reasonable living conditions. Clause 55 also sets out specific ESD objectives for townhouse developments. This proposal satisfies the minimum applicable ESD requirements.

However, the ESD documentation submitted is incomplete and should be provided to verify that ESD measures are properly implemented as part of the development. Conditions will therefore be included in the recommendation to ensure the missing information is provided.

5. Response to Objector Concerns

The following issues raised by objectors are addressed in section 4 of this report:

- Public realm improvements
- Car parking and traffic considerations

Other issues raised by objectors are addressed below.

Limited Landscaping Offerings

Additional landscaping is encouraged noting the townhouse design limits the ability to provide landscaping within the development. A higher density development i.e. Apartments would allow for more landscaping through the inclusion of rooftop gardens, planter boxes and balcony plantings and would be better suited to the site's location within the Brunswick Activity Centre.

Waste Collection Impacts

Impacts from waste collection will be minimal, as they are expected to occur once a week, especially in comparison to the former market use. Collection is also to occur on William Street, so normal movement of vehicles can continue to occur while collection is being undertaken. Some noise from collection may be heard by adjoining properties, however this is not unreasonable in an activity centre location.

Amenity impacts from the development including solar glare, wind tunnel effects, overlooking.

The development will not result in unreasonable amenity impacts for its location in an activity centre. The low-scale nature of the proposal will not create wind tunnel effects.

6. Officer Declaration of Conflict of Interest

Council Officers involved in the preparation of this report do not have a conflict of interest in this matter.

7. Financial and Resources Implications

There are no financial or resource implications.

8. Conclusion

The proposal provides a type of housing that is commonly delivered in areas outside activity centres. On a large, well-located site within a Major Activity Centre, with policy and planning controls encouraging more intensive mixed use development townhouses are an under development. By limiting the number of homes that could be delivered, the proposal reduces housing capacity and works against the State Government's housing supply objectives for this area. The preferred built form outcomes of the DDO18 and State Governments Activity Centre program directs building scales up to 12 storeys for this site.

The low-scale townhouse form has poor liveability, does not improve pedestrian amenity from Sydney Road to the train station and lacks meaningful public benefit.

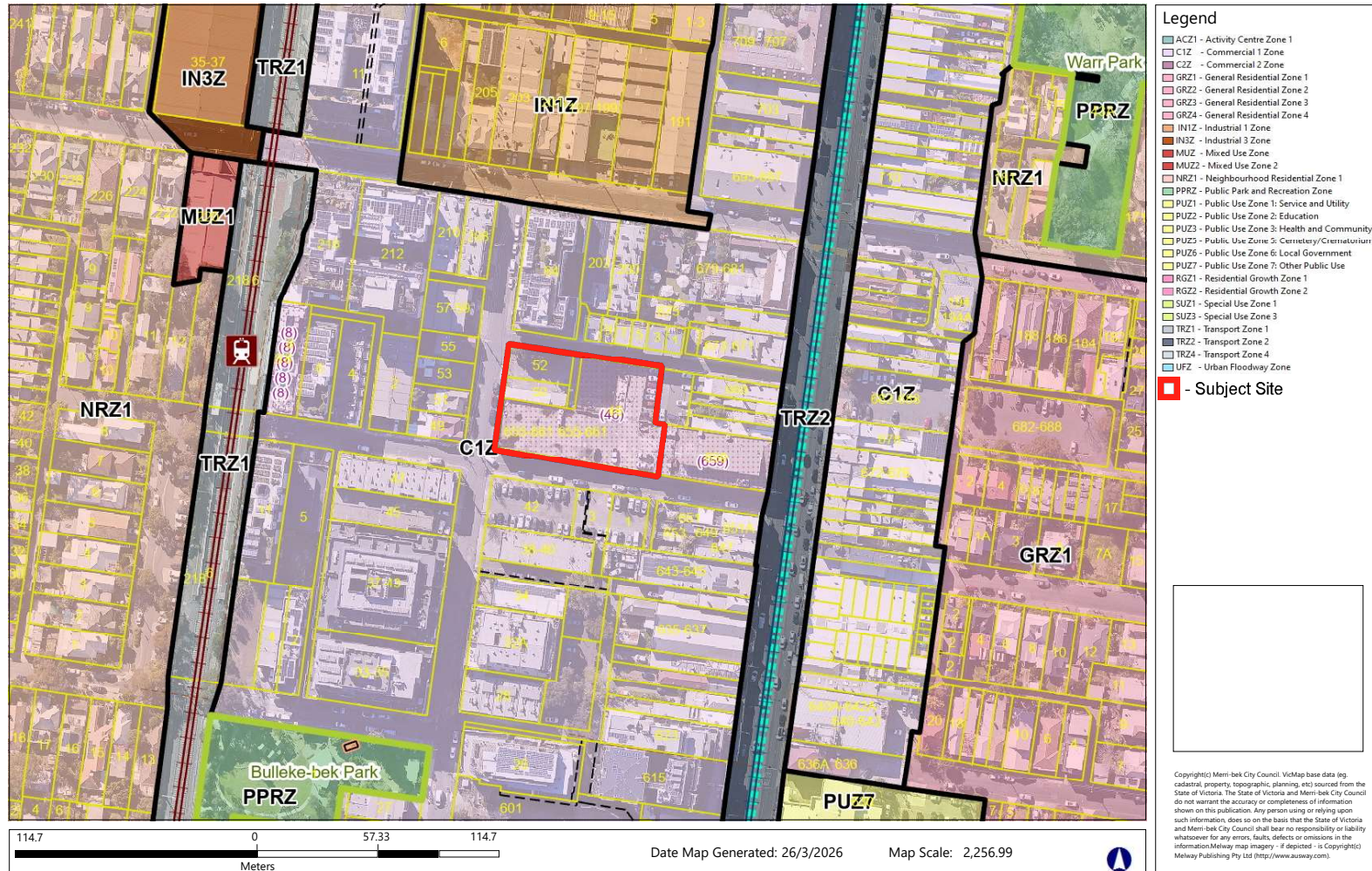
Additionally, the affordable housing offerings are of lower quality compared to the rest of the proposal and are not tenure-blind. Their placement and design leave them poorly integrated within the overall built form.

Therefore, on the balance of policies and controls within the Merri-bek Planning Scheme, it is recommended that Council's submission to the Department of Transport and Planning be one of no support for the proposal.

Attachment/s

- 1 [Location and Zoning Plan](#) D26/138539
- 2 [Development Plans](#) D26/138543

50-52 Breese Street and 655-661 Sydney Road, Brunswick
Location and Zoning Plan





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1 SITE PLAN - GF
1 : 100

CURRENT REVISION C	DESCRIPTION DTP #01	DATE 21/12/20	OWNER	CLIENT BRUNSWICK MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 BREEZE ST, BRUNSWICK PROJECT NUMBER 160131	DRAWING NO. A100	SCALE 1:100	DATE 18/12/24
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ADVERTISED
PLAN



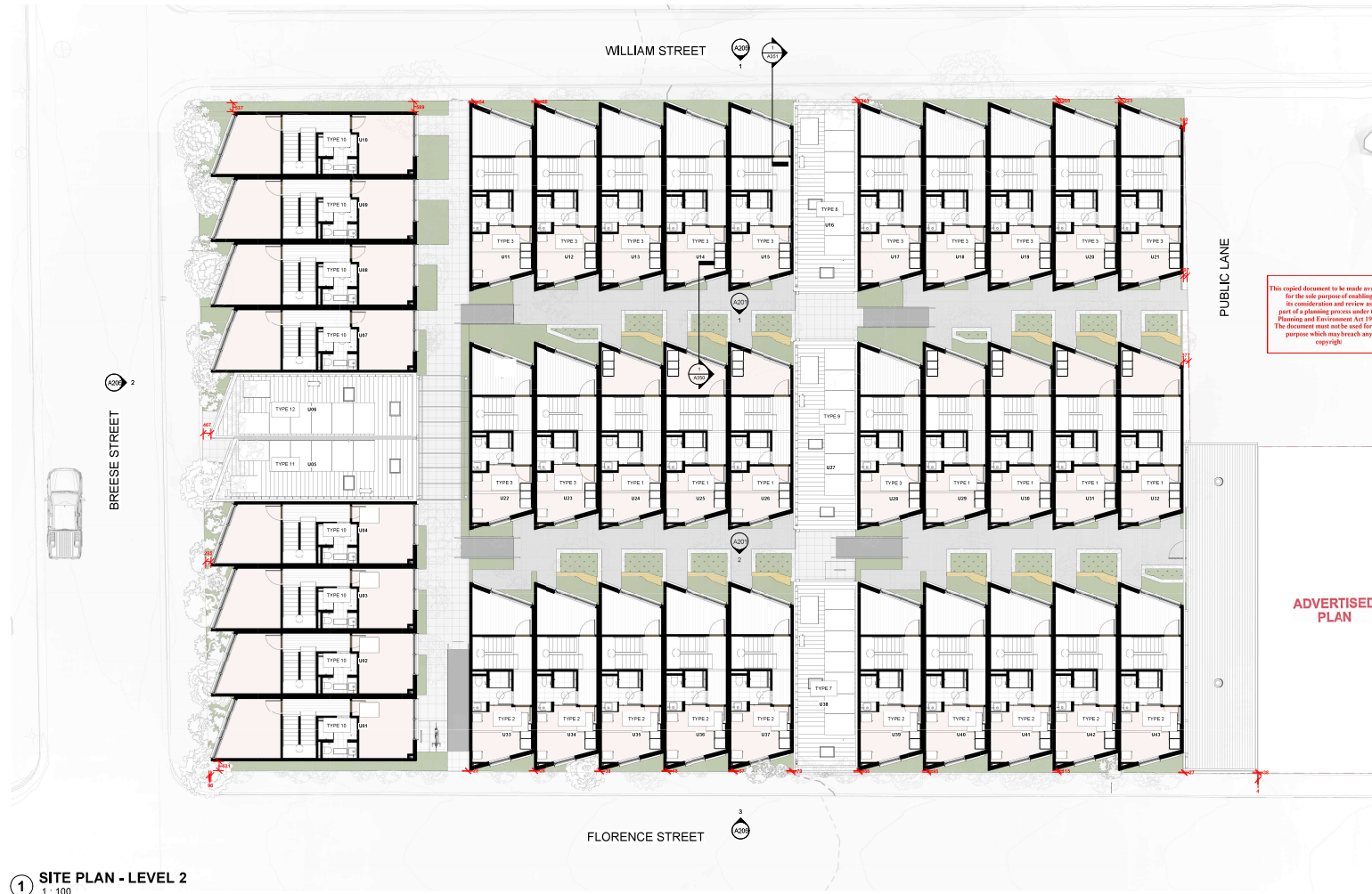


1 SITE PLAN - LEVEL 1
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ADVERTISED PLAN

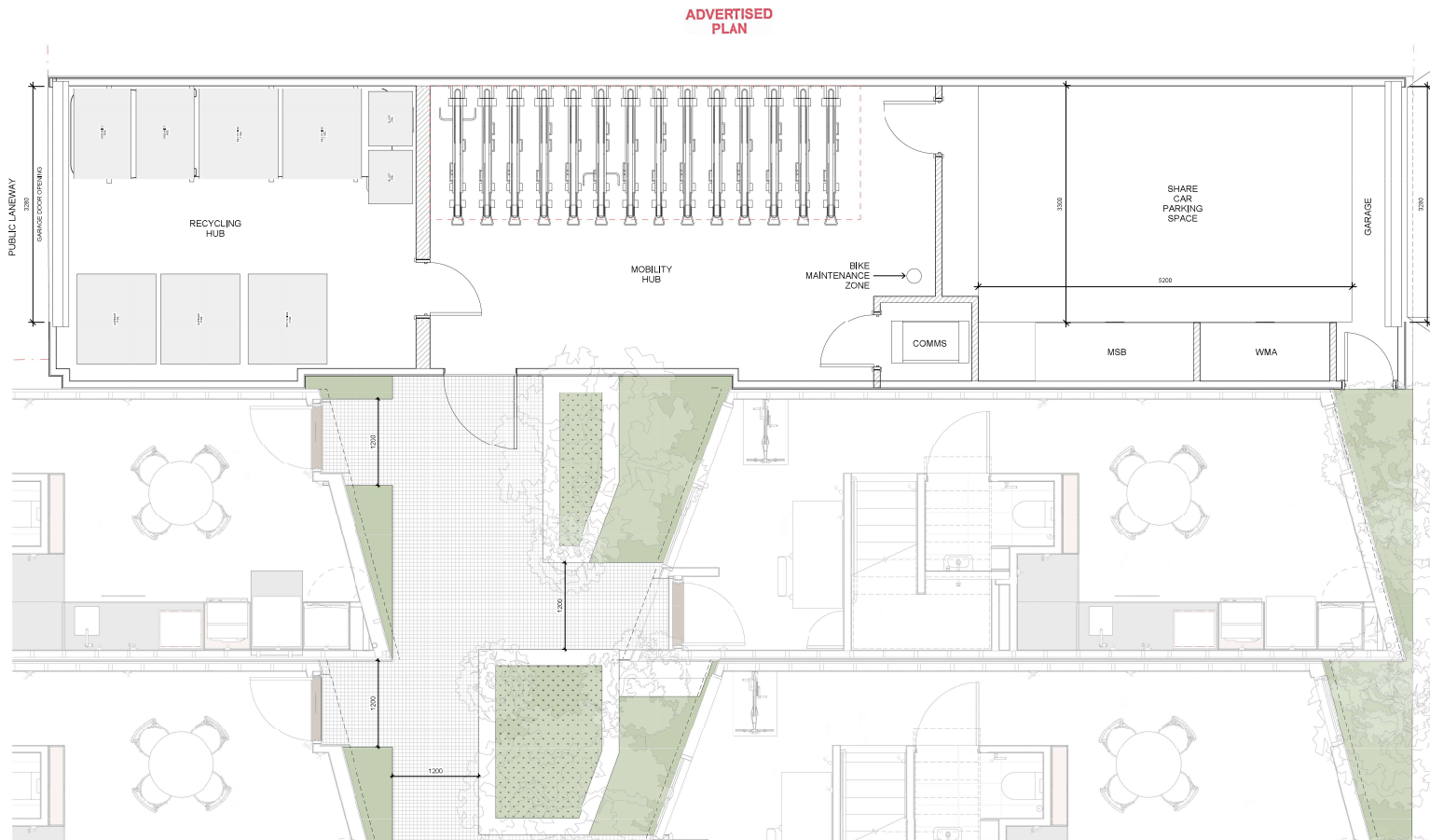
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CURRENT REVISION C	DESCRIPTION DTP #01	DATE 24/12/20	OWNER	CLIENT BRANDHOEK MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 BREESE ST, BRUNSWICK PROJECT NUMBER 160131	DRAWING NO. A101	DATE 18/12/24
						SCALE 1:100	DATE 18/12/24
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1 SITE PLAN - LEVEL 2
1 : 100

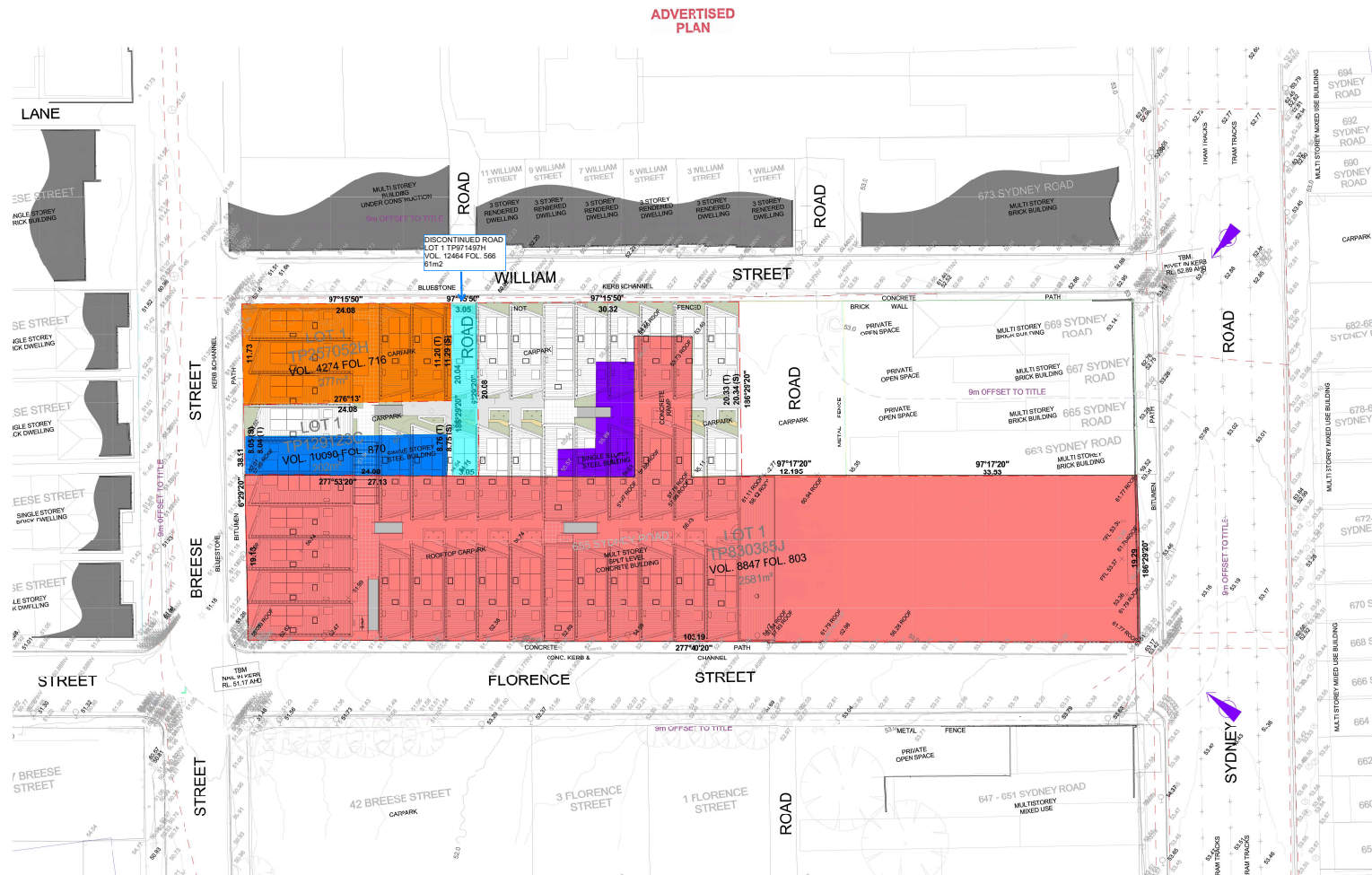
CURRENT REVISION C	DESCRIPTION DTP #01	DATE 21/12/20	OWNER	CLIENT BRUNSWICK MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 BREESE ST, BRUNSWICK PROJECT NUMBER 160131	DRAWING NO. A102	DATE 18/11/24
						SCALE 1 : 100	DATE 18/11/24
							DATE 18/11/24



1 **DETAIL PLAN - RECYCLING HUB**
1:25

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CURRENT REVISION 8	DESCRIPTION FOR LOGGEMENT 26/12/23	DATE 26/12/23	Owner	CLIENT BRUNSWICK MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 PREECE ST, BRUNSWICK	PROJECT NUMBER 165031	DRAWING NO. A109	DRAWING TITLE DETAIL PLAN - RECYCLING & MOBILITY HUB	SCALE 1:25	DATE 18/12/24	
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1 SITE PLAN - SURVEY
1:200

CURRENT REVISION	DESCRIPTION FOR LOGGEMENT	DATE	OWNER	CLIENT	PROJECT	PROJECT NUMBER	DRAWING NO.	SCALE	DATE
A		26/10/23		BRANDKICK MARKET DEVELOPMENTS PTY LTD	TOWNHOUSE DEVELOPMENT 4642 BREESSE ST BRUNSWICK	160131	A110	1:200	26/10/23

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ADVERTISED PLAN

BREESE STREET

WILLIAM STREET

PUBLIC LANE

FLORENCE STREET

REFER TO:
1159.BRU - EXTERNAL - FINISHES SCHEDULE_MOL

CURRENT REVISION 0	DESCRIPTION FOR LEGENDRY	DATE 26/10/21	OWNER	CLIENT BRANDHOX MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 BREESE ST, BRUNSWICK PROJECT NUMBER 1159/21	DRAWING NO. A115	DRAWING TITLE CEB/10 PLAN - GROUND FLOOR	SCALE 1:100	DATE 26/10/21
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9AM ON 22 SEP
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

<1M²



10AM ON 22 SEPTEMBER
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

0M²



11AM ON 22 SEPTEMBER
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

0M²



12PM ON 22 SEPTEMBER
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

0M²

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PLAN

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CURRENT NUMBER	DESCRIPTION FOR LOGGEMENT	DATE	Owner
B		26.10.23	

CLIENT	BRUNNEN MARKET DEVELOPMENTS PTY LTD	PROJECT	TOWNHOUSE DEVELOPMENT 4642 PREECE ST, BRUNNEN
PROJECT NUMBER	160131		

DRAWING NO.	A120		
DRAWING TITLE	SHADOW STUDIES 11 - SEPTEMBER 22 9AM - 12PM		
SCALE	1 : 350		
DATE	18.11.24		





1PM ON 22 SEPTEMBER
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

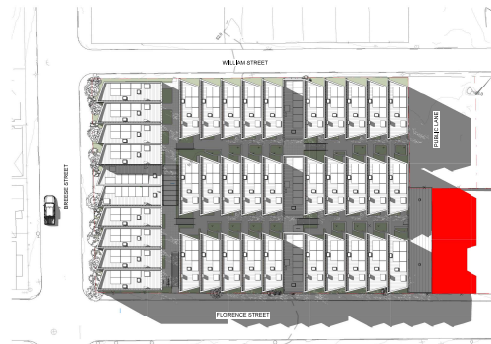
31.25M²



2PM ON 22 SEPTEMBER
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

65.72M²



3PM ON 22 SEPTEMBER
1 : 350

IMPACT ON
NEIGHBOURING LOTS:

143.67M²

ADVERTISED
PLAN

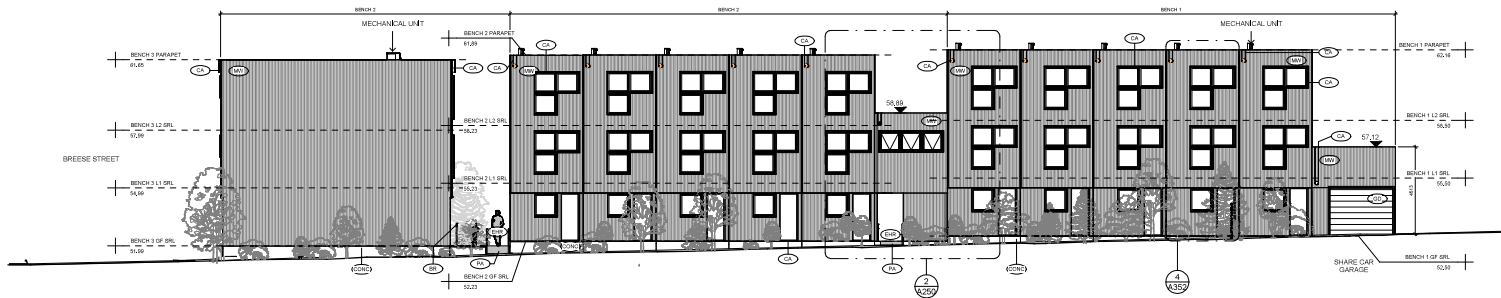
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CURRENT NUMBER	DESCRIPTION FOR LOGGEMENT	DATE	Owner
B		26.10.23	

CLIENT BRUNNEN MARKET DEVELOPMENTS PTY LTD

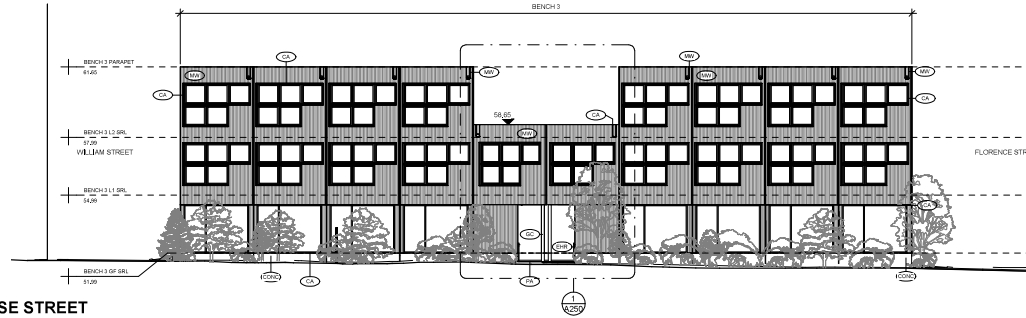
PROJECT TOWNHOUSE DEVELOPMENT
4642 BRUNNEN ST. BRUNNEN
PROJECT NUMBER 160131

DRAWING NO. A121
DRAWING TITLE SHADOW STUDIES 2 - SEPTEMBER 22 - 1PM - 4PM
SCALE 1 : 350
DATE 18.11.24



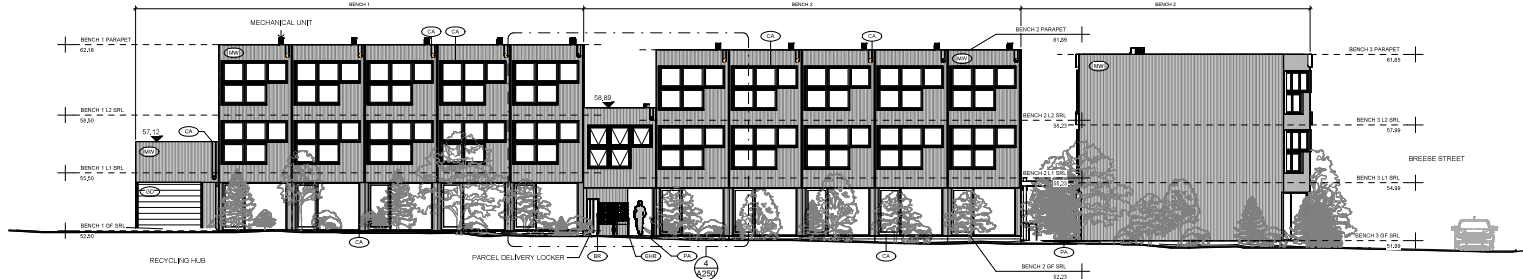
3 ELEVATION - FLORENCE STREET
1 : 100

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2 ELEVATION - BREESE STREET
1 : 100

ADVERTISED PLAN

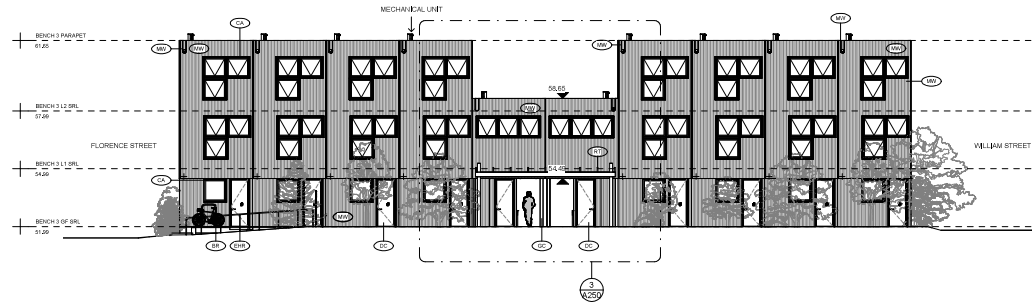


1 ELEVATION - WILLIAM STREET
1 : 100

REFER TO:
1159.BRU - EXTERNAL - FINISHES SCHEDULE_MOL

CURRENT REVISION	DESCRIPTION FOR LOGGEMENT	DATE	OWNER	CLIENT	BRUNSWICK MARKET DEVELOPMENTS PTY LTD	PROJECT	TOWNHOUSE DEVELOPMENT 4642 BREESE ST BRUNSWICK	PROJECT NUMBER	160131	DRAWING NO.	A200	DRAWING TITLE	ELEVATIONS - STREETS	SCALE	1 : 100	DATE	6/2/23
0		26/10/23															

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③ WEST ALLEY
1:100



② ELEVATION - SOUTH ALLEY
1:100



① ELEVATION - NORTH ALLEY
1:100

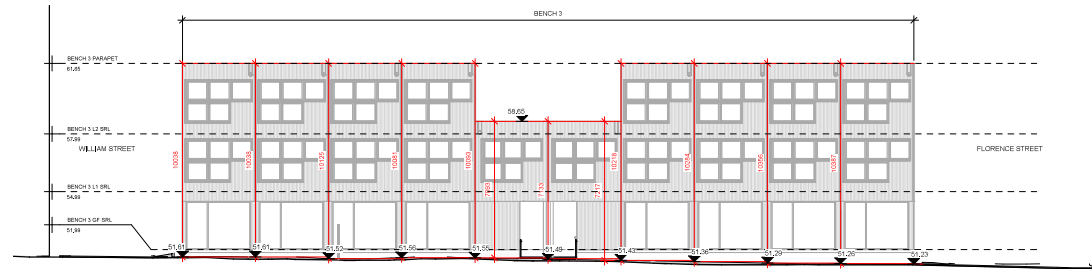
REFER TO:
1159.BRU - EXTERNAL - FINISHES SCHEDULE_MOL

CURRENT NUMBER B	DESCRIPTION FOR LODGEMENT	DATE 26.10.23	OWNER	CLIENT BRANDKOV MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 BREESE ST. BRUNSWICK	PROJECT NUMBER 160131	DRAWING NO. A201	DATE 6.2.23
							DRAWING TITLE ELEVATIONS - ALLEYS	SCALE 1:100
							DATE	6.2.23



3 ELEVATION - FLORENCE STREET HEIGHTS
1:100

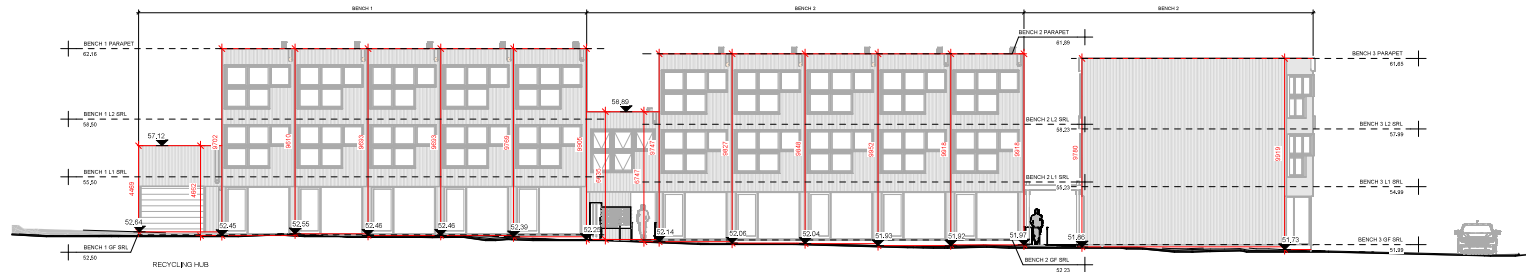
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DIMENSION SHOWN ARE NATURAL GROUND LEVEL TO PARAPETS
PLANTINGS HIDDEN FOR CLARITY

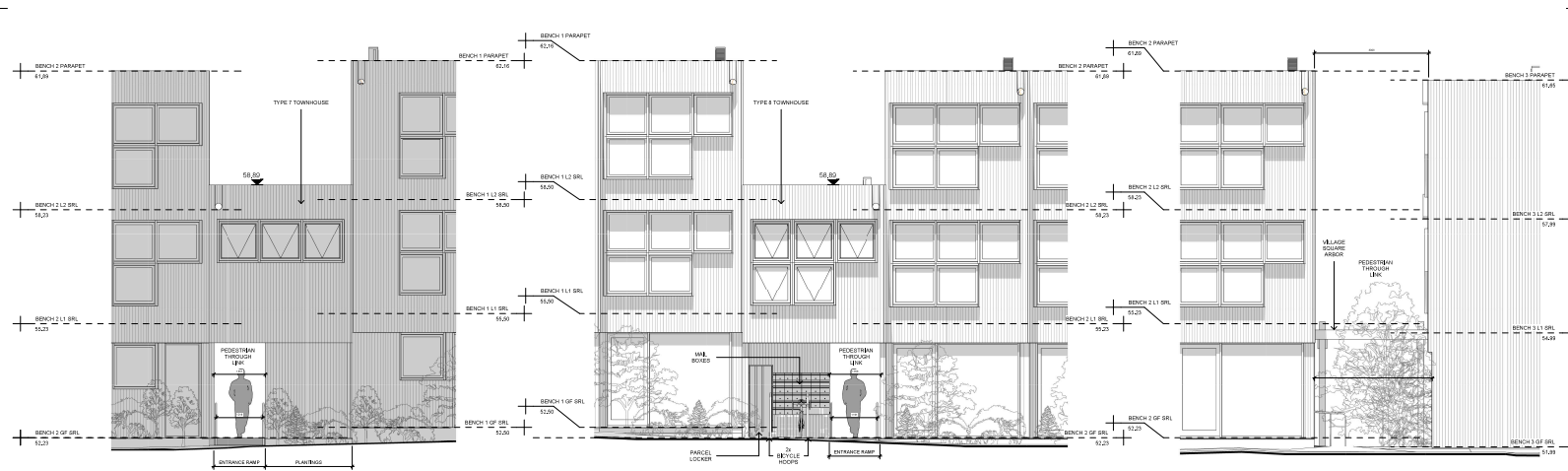
2 ELEVATION - BREESE STREET HEIGHTS
1:100

ADVERTISED PLAN



1 ELEVATION - WILLIAM STREET HEIGHTS
1:100

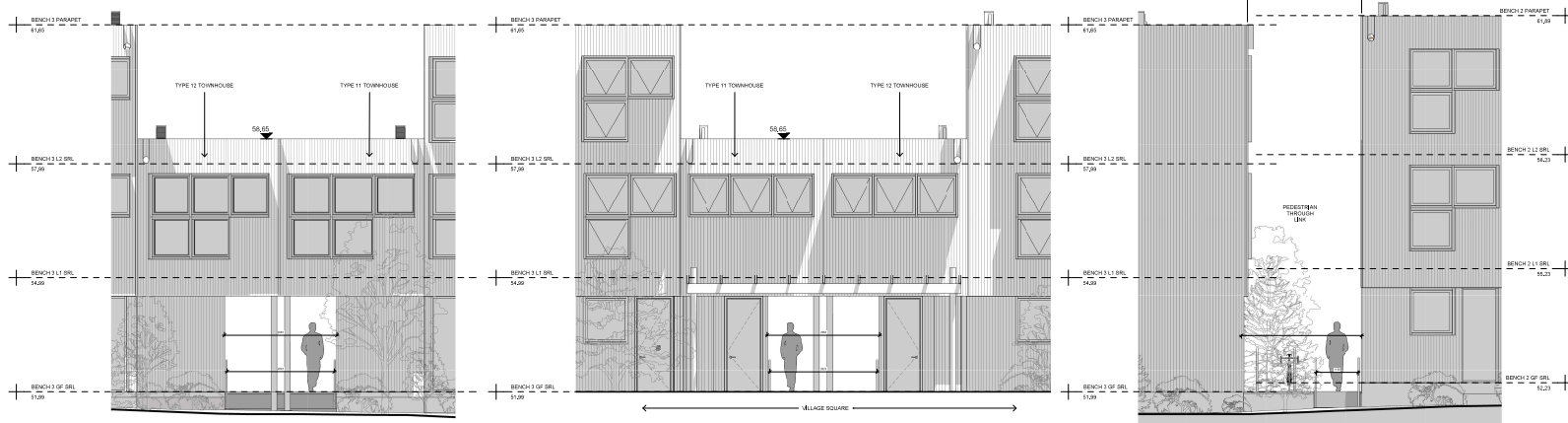
CURRENT REVISION A	DESCRIPTION FOR LOGGEMENT	DATE 26/10/23	OWNER	CLIENT BRANDHOX MARKET DEVELOPMENTS PTY LTD	PROJECT TOWNHOUSE DEVELOPMENT 4642 BREESE ST BRUNSWICK PROJECT NUMBER 160131	DRAWING NO. A255	DRAWING TITLE ELEVATIONS - TOWNHOUSE HEIGHTS
						SCALE 1:100	DATE 26/10/23



② ELEVATION - FLORENCE STREET COVERED ENTRANCE
1: 50

④ ELEVATION - WILLIAM STREET COVERED ENTRANCE
1: 50

⑥ ELEVATION - WILLIAM STREET ENTRANCE
1: 50



① ELEVATION - BREESE STREET ENTRANCE
1: 50

③ ELEVATION - VILLAGE SQUARE (INTERNAL TO BREESE STREET ENTRANCE)
1: 50

⑤ ELEVATION - FLORENCE STREET ENTRANCE
1: 50

CURRENT REVISION	DESCRIPTION FOR LOGGEMENT	DATE	OWNER
A		26/10/23	

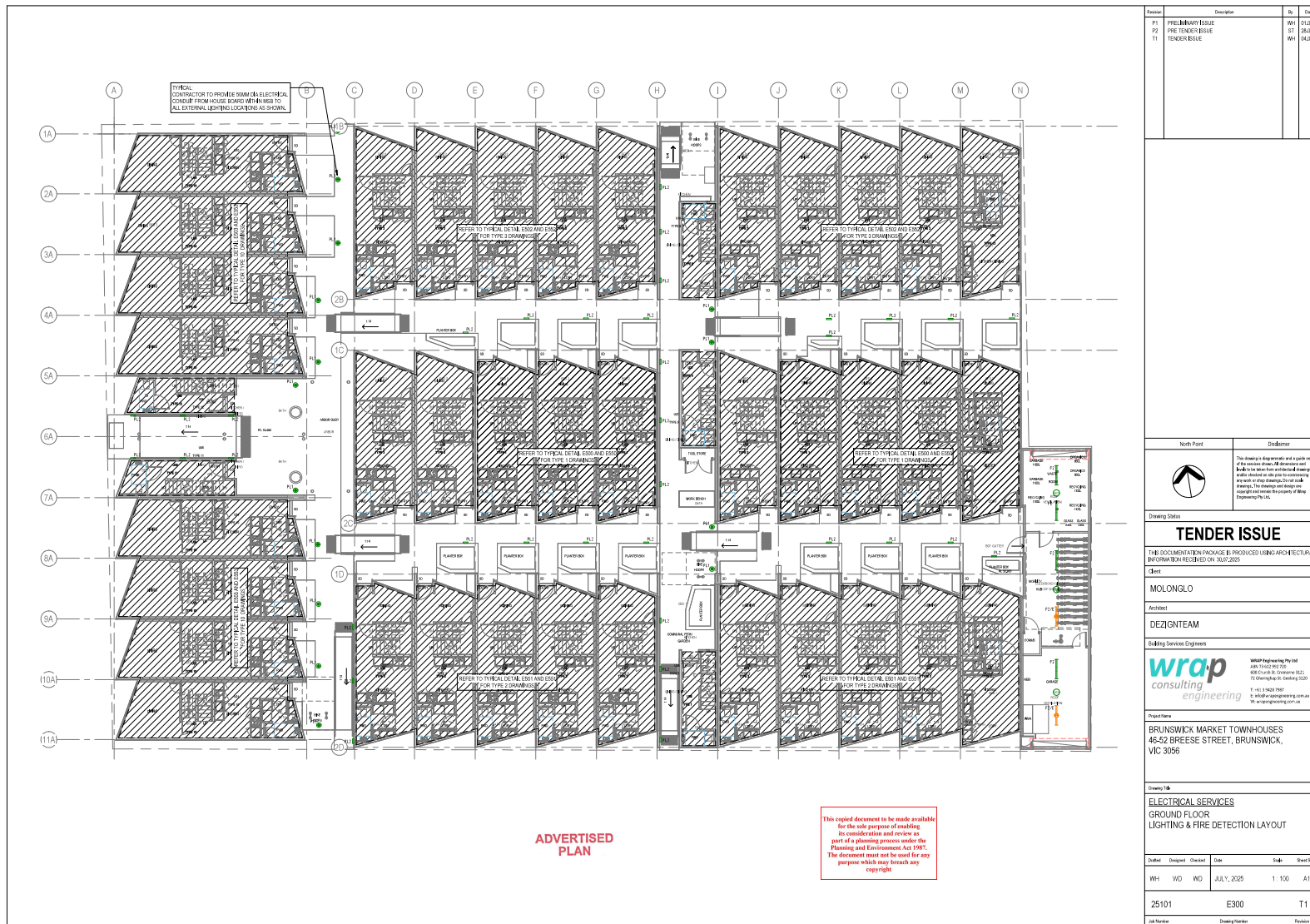
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CLIENT	BRUNSWICK MARKET DEVELOPMENTS PTY LTD
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PROJECT	TOWNHOUSE DEVELOPMENT 4642 BREESE ST. BRUNSWICK
PROJECT NUMBER	160121

DRAWING NO.	A250
DRAWING TITLE	02747- ELEVATIONS - GATE ENTRANCES
SCALE	1: 50
DATE	26/10/23

ADVERTISED PLAN



Revision	Description	By	Date
P1	PRELIMINARY ISSUE	WH	21.07.25
P2	FIRE TENDER ISSUE	WH	21.07.25
T1	TENDER ISSUE	WH	04.08.25

North Point	Disclaimer
	The owner is responsible and a guarantor of the accuracy of all information and is not to be taken for any electrical drawings which are not to be used for any purpose other than the intended use. The drawings are not to be used for any other purpose without the written consent of the Engineer/Plumber.

Drawing Title

TENDER ISSUE

THIS DOCUMENT IS IN PACKAGE B, PRODUCED USING ARCHITECTURAL INFORMATION PROVIDED ON 02/07/2025

Client

MOLONGLO

Architect

DEZIGNTEAM

Building Services Engineers

wrap consulting engineering

Project Name
BRUNSWICK MARKET TOWNHOUSES
45-52 BREESE STREET, BRUNSWICK,
VIC 3056

Drawing Title

**ELECTRICAL SERVICES
GROUND FLOOR
LIGHTING & FIRE DETECTION LAYOUT**

Drawing	Checked	Date	Scale	Sheet No.
WH	WD	JULY, 2025	1:100	A1
25101		E300		T1
Job Number	Drawing Number	Revision		

FIXTURES & FINISHES SCHEDULE
655 SYDNEY ROAD - BRUNSWICK






EXTERNAL FIXTURES AND FINISHES SCHEDULE
ISSUE 04 – PLANNING – 29/10/2025

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FIXTURES & FINISHES SCHEDULE
655 SYDNEY ROAD - BRUNSWICK

FIXTURES - KITCHEN						
MW	METAL WALLING	FAÇADES	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- CORRUGATED WALLING SHEET - LYSAGHT - CUSTOM ORB WALLING - ZINCALUME - Refer to Architectural drawings - TBC		
ES	EXTERNAL SOFFIT	CROSS BLOCK LINKS	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- ACOUSTIC CEILING PANEL - Troldekt - Troldekt Acoustic - Natural Grey - Refer to Architectural drawings - 600W x 2400mm L x 25mm H		
CA	CLEAR POWDER COATED ALUMINIUM	SHROUDS, EAVES AND FASCIAS	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- ALUMINIUM DOOR & WINDOW FRAMES, SHEET METAL SHROUDS, EAVES, FASCIAS AND SCUPPER DRAINS - Refer to Architectural drawings - https://dulupowders.com.au/products/armourspray/ - Gloss level TBC - Refer to Architectural drawings		
FRP	FRP DECK	PATHS AND RAMPS	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- GRP REINFORCED PLASTIC GRATING SHEET - GRP AUSTRALIA https://www.grpaustralia.com.au/ - FRP Moulded Grating Heel Guard 13x13 / 40x40 MG1330 - RAL 9006 Light Grey - Refer to Architectural drawings for setout - 30mm thick		
PA	PAVING	CROSS BLOCK LINKS	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- APC Exclusive Black Limestone - AUSTRALIAN PAVING CENTRE https://australianpaving.com/ - APC Black Limestone Pavers - Black Limestone - Refer to Architectural drawings - 600 x 300 x 30mm		

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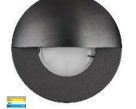
**FIXTURES & FINISHES SCHEDULE
655 SYDNEY ROAD - BRUNSWICK**

GC	GALVANIZED STEEL COLUMN	BREEZE STREET SITE ENTRANCE	DESCRIPTION: - CHS STEEL COLUMN Manufacturer: - TBC Product: - Finish: - Galvanized Extent: - Refer to Structural drawings Dimensions: - Refer to Structural drawings		
EHR	EXTERIOR HAND RAILS	RAMPS AND EXTERNAL STAIRS	DESCRIPTION: - CHS STEEL HANDRAILS Manufacturer: - TBC Product: - Finish: - Galvanized Extent: - Refer to Architectural drawings Dimensions: - 30mm DIA CHS		
BR	BICYCLE RACK	GENERAL EXTERIOR	DESCRIPTION: - "FLAT TOP" BIKE RAIL Manufacturer: - TSS Product: - BIKE RAIL ROUNDED 850 X 800MM BELOW GROUND - GALVANISED Finish: - GALVANISED Extent: - Refer to Architectural drawings Dimensions: - 850 x 800 mm		
MB	MAIL BOXES	MAIL BOXES AND SHELF	DESCRIPTION: - Multibank Mailbox (44 mailboxes, 1 Shelf) Manufacturer: - Heald Letterboxes Pty Ltd / healdletterboxes.com.au/products/multibank Product: - Heald Letterboxes (96 x 194 x 188 mm) Finish: - Refer to Architectural drawings Extent: - Refer to Architectural drawings Dimensions: - 210 mm (W) x 185 mm (H) x 360 mm (D) Per box - 1110 mm (Total Length) x 920 mm (Total Width)		
RB	BRICK	PLANTERS	DESCRIPTION: - Planter Wall Bricks Manufacturer: - Bowral Bricks Product: - Bowral 76 Bowral Blue Finish: - TBC Extent: - Planter Bed Walls - Refer to Architectural drawings Dimensions: - 230 x 110 x 76 Note: - Assume additive oxide (colour TBC) to mortar		
RT	RECLAIMED TIMBER	TOWN SQUARE	DESCRIPTION: - LOCALLY SOURCED RECLAIMED TIMBER Manufacturer: - CERES Product: - Hesperocyparis macrocarpa (Monterrey Cypress) Finish: - Rough Sawn, unsealed Extent: - Refer to Architectural drawings Dimensions: - Varied dimensional timber		

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**FIXTURES & FINISHES SCHEDULE
655 SYDNEY ROAD - BRUNSWICK**

DC	DOOR CLADDING, EXTERIOR	ENTRY DOORS, EXTERNAL FACE ONLY	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- DOOR CLADDING – FLAT SHEET METAL FIXED TO SOLID CORE DOOR - TBC by builder - TBC by builder - Zincalume to match facade - Entry doors, external faces only - full dimension of door face		
GD	GARAGE DOOR	MOBILITY HUB, RECYCLING HUB	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- GALVANIZED STEEL ROLLER DOOR - TBC by builder - TBC by builder - Zincalume to match facade - Entry doors, external faces only - full dimension of door face		
TB	TIMBER BENCH	TOWNHOUSE GARDENS	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- RECLAIMED WEATHERED TIMBER BENCH - TBC by builder - TBC by builder Weathered - Refer to Architectural drawings - Refer to Architectural drawings		
DL2	DOWNLIGHT	GENERAL EXTERIOR	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- RECESSED DOWNLIGHT - HAVIT - HV19012T-GPH - Olio Brass TRI Colour LED - White - Refer to Architectural drawings - 92mm Dia x 125mm D (with canister)		
PL1	PATH LIGHT, GROUND INSTALL	LIMESTONE PAVING	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- RECESSED SINGLE WAY DRIVEWAY LIGHT - HAVIT - HV19062T-GPH - Viale Brass TRI Colour LED Single Driveway Light, 3000K - Graphite - Refer to Architectural drawings - 92mm Dia x 125mm D (with canister)		
PL2	PATH LIGHT, WALL INSTALL	PATH-FACING WALL OF RECYCLING BRICK PLANTERS	DESCRIPTION: Manufacturer: Product: Finish: Extent: Dimensions:	- RECESSED WALL LIGHT WITH EYELID - HAVIT - HV19012T-GPH - Olio Brass TRI Colour LED Step Light With Eyelid, 3000K - Graphite - Refer to Architectural drawings - 92mm Dia x 125mm D (with canister)		

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