



Merri-bek
City Council

Minutes of the Planning and Related Matters Meeting

Held in Bunjil (Council Chamber), Merri-bek Civic Centre,
90 Bell Street, Coburg
on Wednesday 28 May 2025

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The Mayor opened the meeting at 6.31 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Helen Davidson, Mayor	6.3 pm	6.51 pm
Cr Helen Politis, Deputy Mayor	6.31 pm	6.51 pm
Cr Nat Abboud	6.31 pm	6.51 pm
Cr Sue Bolton	Apology	
Cr Liz Irvin	6.31 pm	6.51 pm
Cr Dr Jay Iwasaki	6.31 pm	6.51 pm
Cr Chris Miles	6.31 pm	6.51 pm
Cr Adam Pulford	6.31 pm	6.51 pm
Cr Ella Svensson	6.31 pm	6.51 pm
Cr Katherine Theodosia	6.31 pm	6.51 pm
Cr Oscar Yildiz JP	6.31 pm	6.51 pm

OFFICERS

Director Place and Environment – Pene Winslade
 Acting Group Manager City Development – Mark Hughes
 Acting Planning Coordinator – Alex Osborne
 Unit Manager Governance – Troy Delia
 Team Leader Governance – Naomi Ellis

APOLOGIES/LEAVE OF ABSENCE

Cr Bolton was an apology to the meeting.

DISCLOSURES OF CONFLICTS OF INTEREST

Cr Politis disclosed a conflict of interest in report 5.2 463-465 Victoria Street, Brunswick West - Planning Permit Application MPS/2024/486 as she lives in the neighbourhood.

MINUTE CONFIRMATION

Resolution

Cr Yildiz moved, Cr Theodosia seconded -

The minutes of the Planning and Related Matters Meeting held on 26 March 2025 be confirmed.

Carried

COUNCIL REPORTS

5.1 CITY DEVELOPMENT ACTIVITY REPORT MARCH QUARTER

Executive Summary

The City Development Urban Planning Unit has continued to produce positive results with the overall application caseload remaining at manageable levels. Having addressed the higher caseloads that resulted from pandemic years the Unit has maintained average decision-making timeframes that continue to be better than the metropolitan average.

The 1,141 applications received in the past 12 months (April 2024 to March 2025) was a slight increase of 6.14 per cent compared to the previous 12 months, although notably lower when compared to the 2021 calendar year when 1,383 applications were received. The caseload of planning applications awaiting determination continues to be at an ideal level to enable timely decision-making and great customer service.

The focus for the Urban Planning Unit is to influence better quality planning and building design outcomes in Merri-bek, while maintaining the timeliness of planning permit decisions. The March quarter saw the continuation of decision-making above the current State average of 65 per cent, with 73 per cent of decisions being made within the 60 statutory days at Merri-bek. Pleasingly, Vic Smart timeframes, for minor matters, also remain above the State average of 83 per cent, with 90 per cent of decisions made within 10 statutory days at Merri-bek.

Victorian Civil and Administrative Tribunal (VCAT) activity remains at a lower level when compared to the pre-pandemic case numbers. Council continues to have good success at VCAT. When decisions including consent orders are included, Council won or its concerns were addressed, with agreement reached by revised plans, in 88 per cent of cases in the past 12 months (April 2024 to March 2025)

The Planning Enforcement Unit has had a productive quarter. The reactive enforcement team have continued to improve their overall performance this year, with 89 per cent of cases received, being closed out this quarter. The proactive enforcement program is on target for this second quarter in terms of the number of developments audited in 2024/2025. The team were able to close out more than half (57 per cent) of cases without the need to escalate to formal enforcement actions.

Officer Recommendation

That Council notes the City Development Activity Report – March Quarter 2025

Resolution

Cr Iwasaki moved, Cr Irvin seconded -

That Council notes the City Development Activity Report – March Quarter 2025

Carried

6.37 pm *Cr Politis left the meeting due to her previously disclosed conflict of interest in Item 5.2 463-465 Victoria Street, Brunswick West - Planning Permit Application MPS/2024/486.*

5.2 463-465 VICTORIA STREET, BRUNSWICK WEST - PLANNING PERMIT APPLICATION - MPS/2024/486



Property:	463-465 Victoria Street, Brunswick West		
Proposal:	Construction of five four-storey dwellings and a reduction of statutory car parking		
Zoning and Overlay/s:	<ul style="list-style-type: none"> Mixed Use Zone, Schedule 1 (MUZ1) Design and Development Overlay – Schedule 24 (DDO24) Parking Overlay – Schedule 1 (PO1) Development Contributions Plan Overlay (DCPO) 		
Strategic setting:	<div> <div>Minimal change</div> <div>Incremental change</div> <div>Significant change</div> </div>		
Objections:	<ul style="list-style-type: none"> Twelve (12) Objections received Key issues: <ul style="list-style-type: none"> Building height and setback to the north Amenity impacts Car parking and traffic concerns 		
Planning Information and Discussion (PID) Meeting:	<ul style="list-style-type: none"> Held on 31 March 2025 Attendees: Five (5) objectors, the applicant, two Council officers, and Cr Svensson Sketch plans were prepared after the PID meeting to address objector and Council officer concerns. This recommendation refers to sketch plans provided to officers on 7 April 2025. 		
ESD:	<ul style="list-style-type: none"> Minimum average NatHERS rating of 7.0 stars. 		
Accessibility:	<ul style="list-style-type: none"> No adaptable dwellings, noting the Planning Scheme only requires the dwelling entries to be accessible. 		
Key reasons for support:	<ul style="list-style-type: none"> High compliance with Clause 55 housing standards. Acceptable outcome for DDO24 objectives (subject to conditions). 		
Recommendation:	Notice of Decision to Grant a Planning Permit		

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No MPS/2024/486 be issued for the land at 463-465 Victoria Street, Brunswick West.

The Permit would allow:

Construction of four, four-storey dwellings, one three-storey dwelling and a reduction of statutory car parking.

Planning Scheme Clause	Matter for which a permit is required
32.04-7	Construct two or more dwellings on a lot

43.02-2	Construct a building or carry out works
52.06-3	Reduce the number of car parking space required

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. 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 plans advertised on 9 January 2025 but modified to show:
 - a) Modifications to the development plans to be consistent with the Sketch Plans, provided on 7 April 2025, including:
 - i. The deletion of the fourth storey for dwelling 5;
 - ii. The relocation of the bin store area to the rear of the site;
 - iii. The internal layout changes of the home office space for Dwelling 1;
 - iv. Modification of screening applied to the western elevation of the first-floor balconies of Dwellings 2-5, to allow downwards views to the western laneway while minimising unreasonable overlooking of the adjacent property at 467-469 Victoria Street.
 - b) A detailed section to show the screening required by Condition 1a)iv of this permit. The screening diagram must include:
 - i. Techniques to ensure reasonable outlook from impacted apartments is maintained.
 - ii. All dimensions, including the width of slats and the gap between slats.
 - iii. Use of the standard of Clause 55.04-6 (overlooking) of the Merri-bek Planning Scheme as a guide for assessment (pre amendment VC267).
 - c) The provision of two bike parking spaces for Dwelling 1.
 - d) Show the dimensions of each bicycle parking device to be 500mm wide and 1800mm long for horizontal spaces, and 1200mm long for vertical spaces, as required by the Australian Standard for Parking Facilities – Bicycle Parking (AS2890.3)
 - e) Include a notation to confirm that garage doors are not to be single panel tilt doors.
 - f) Label the public footpath with a prominent note stating, “Reinstate public footpath with a crossfall slope of 1 in 33 from top of roadside kerb to property boundary”.
 - g) Label each pedestrian entrance and garage with a prominent note stating, “Floor to be ramped down to match the level of the public footpath that will be reinstated at 1 in 33 from top of roadside kerb”.
 - h) The preparation of a revised materials and colours schedule that reduces the extent of ‘monument’ applied across the development, in accordance with the requirements of Condition 6c) of this permit.
 - i) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 6c) of this permit.
 - j) The amended Waste Management Plan, as required by Condition 9 of this permit.

Secondary Consent

2. The 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, a landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the site layout as shown on the Sketch Plans, provided on 7 April 2025 and include the following detail:
 - a) A schedule of all proposed plant species, 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.
 - b) Notes and diagrams detailing the establishment and maintenance of all proposed vegetation.
 - c) Details of the location and type of all paved and sealed areas. 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.
 - d) Details of all planter boxes, green walls, rooftop gardens and similar, including:
 - 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.

Once submitted to and approved by the Responsible Authority, the landscape plan will be endorsed to form part of the permit. The endorsed landscape plan must not be modified 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 Responsible Authority.
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 Responsible Authority.

Environmentally Sustainable Development

6. Prior to the endorsement of plans, an amended Sustainable Design Assessment (SDA) and plans must be submitted to the satisfaction by the Responsible Authority. The SDA must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SDA prepared by Melbourne Sustainability Consultants, advertised 9/1/2025 but modified to include the following changes:
 - a) Submit a preliminary NatHERS report achieving a minimum of 7 stars and a Whole of Home assessment achieving a minimum of 60 per cent for each dwelling. Demonstrate any energy efficiency initiatives within the plans and BESS assessment (e.g., solar panels, hot water systems, etc.) along with the following changes:
 - i. At 'Roof type' on page 6 of the NatHERS report, amend the solar

absorptance levels to ensure they are consistent with the amended colours in the Material Schedule.

- b) Amend BESS Report (and any other corresponding documentation) to:
 - i. At 'Dwelling Energy Profiles: Energy Performance', reflect the heating and cooling loads of the preliminary NatHERS ratings certificates.
- c) Show the following ESD initiatives on the development plans:
 - i. An amended ESD table to include: 'no gas connection'.
 - ii. A copy of the WSUD plan included within the plan set.
 - iii. One clothesline to each dwelling.
 - iv. Window operation on all elevation plans (e.g. arrows for a sliding window, a V for an awning...).
 - v. An eave, projection, or canopy to all dwelling sliding glazed doors at third floor.
 - vi. Double glazing 'DG' to all habitable room windows and glazed doors annotated on each individual glazing unit on the floor plans and elevations.
 - vii. On the first floor plan, ASD' annotated to the dwelling 5 north-facing living room window.
 - viii. External operable shading devices to the first floor west facing windows and glazed doors to habitable rooms drawn and labelled with ASD (Adjustable Shading Device) on the floor plan and elevations. The devices must be operable from within the dwelling. Include a product diagram or section of the proposed device (must not be roller shutters for any street facing glazing). Ensure windows that have external adjustable shading can open when using the blind. Amend head height of windows accordingly. Shading devices to balconies may instead be attached to the underside of the overhang of the floor above.
 - ix. Annotate '32A-40A electric vehicle charging infrastructure' in each garage.
 - x. A landscape plan. On the landscape plan, provide detail of irrigation to the balcony planter boxes.
 - xi. A tap and floor waste to each balcony.
 - xii. Specify the colour, Solar Absorptance (SA), and Light Reflectance Value (LRV) of all materials in the Material Schedule. Ensure that no more than 25 per cent of the building elevations are specified as a dark colour outside of the acceptable limits listed below. Ensure that roofs, bricks, and driveways have a Solar Absorptance (SA) value less than or equal to 0.60 or no darker than 'Medium', and that cladding colours have a Light Reflectance Value (LRV) at least 40 or no darker than 'Medium'.
- d) A STORM report and stormwater management response that achieves a minimum STORM score of 100 per cent and:
 - i. All rainwater tanks meet a minimum tank water supply reliability score of 80 per cent.
 - ii. All rainwater tanks are a minimum of 2000 litres.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority 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.

7. When submitted and approved to the satisfaction of the Responsible Authority, the amended SDA and associated notated plans will be endorsed to form part of this permit. No alterations to the SDA may occur without the written consent of the Responsible Authority.
8. 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 Design Assessment report to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

Waste Management

9. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The amended WMP must consider the layout of the development as required by this permit, including changes to the location of bin storage areas.
10. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

General Conditions

11. Any new dwelling 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.
12. Any ramp constructed to access the garage floor from the laneway must be contained entirely within the garage, and the level of the existing laneway must not be raised for the development.
13. The public footpath is to be reinstated with the standard crossfall slope of 1 in 33 from the top of the roadside kerb to the property boundary, with any level difference made up within the site using ramps or steps.
14. All external lighting, other than balcony 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 the Responsible Authority.
15. Lighting on each balcony must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
16. Any external lighting illuminating the rear laneway must be no higher than 1.2 metres above ground level.
17. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
18. 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 the Responsible Authority.
19. Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of the Responsible Authority.
20. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

21. 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 the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.
22. The Home Office Window of Dwelling 1 must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.

3D Model

23. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Merri-bek tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Merri-bek City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Merri-bek Project can be found at <https://www.Merri-bek.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Permit Expiry

24. This permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within two (2) years from the date of issue of this permit,
 - b) The development is not completed within four (4) 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: These notes are for information only and do not constitute part of this permit or conditions of this permit.

Note 1: It may be 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 Victorian Building Authority, Phone 1300 815 127 or www.vba.vic.gov.au. Council's building services branch can also assist you in the provision of this service and can be contacted on 9240 1111 or <http://www.merri-bek.vic.gov.au/planning-building/building-renovations-and-extensions/>.

Note 2: Unless no permit is required under the Merri-bek Planning Scheme, no sign must be constructed or displayed on the land without a further planning permit.

Note 3: 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:

<https://www.Merri-bek.vic.gov.au/living-in-Merri-bek/parking-and-roads/parking-permits-and-fines/residential-parking-permits/>

Note 4: The development of the site may require that the nearby bus stop located along Victoria Street is temporarily relocated. Any temporary relocation of the bus stop must be to the satisfaction of the Head, Transport for Victoria. Please contact maintenance@transport.vic.gov.au to obtain any required authorisation.

Resolution

Cr Svensson moved, Cr Iwasaki seconded -

That a Notice of Decision to Grant a Planning Permit No MPS/2024/486 be issued for the land at 463-465 Victoria Street, Brunswick West.

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 - viii. External operable shading devices to the first floor west facing windows and glazed doors to habitable rooms drawn and labelled with ASD (Adjustable Shading Device) on the floor plan and elevations. The devices must be operable from within the dwelling. Include a product diagram or section of the proposed device (must not be roller shutters for any street facing glazing). Ensure windows that have external adjustable shading can open when

using the blind. Amend head height of windows accordingly. Shading devices to balconies may instead be attached to the underside of the overhang of the floor above.

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- i. All rainwater tanks meet a minimum tank water supply reliability score of 80 per cent.
 - ii. All rainwater tanks are a minimum of 2000 litres.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority 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.

- 7. When submitted and approved to the satisfaction of the Responsible Authority, the amended SDA and associated notated plans will be endorsed to form part of this permit. No alterations to the SDA may occur without the written consent of the Responsible Authority.
- 8. 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 Design Assessment report to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

Waste Management

- 9. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The amended WMP must consider the layout of the development as required by this permit, including changes to the location of bin storage areas.
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15. Lighting on each balcony must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
16. Any external lighting illuminating the rear laneway must be no higher than 1.2 metres above ground level.
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20. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.
21. 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 the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.
22. The Home Office Window of Dwelling 1 must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.

3D Model

23. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Merri-bek tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Merri-bek City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Merri-bek Project can be found at <https://www.Merri-bek.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Permit Expiry

24. This permit will expire if one of the following circumstances applies:

- a) The development is not commenced within two (2) years from the date of issue of this permit,
- b) The development is not completed within four (4) 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: These notes are for information only and do not constitute part of this permit or conditions of this permit.

Note 1: It may be 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 Victorian Building Authority, Phone 1300 815 127 or www.vba.vic.gov.au. Council's building services branch can also assist you in the provision of this service and can be contacted on 9240 1111 or <http://www.merri-bek.vic.gov.au/planning-building/building-renovations-and-extensions/>.

Note 2: Unless no permit is required under the Merri-bek Planning Scheme, no sign must be constructed or displayed on the land without a further planning permit.

Note 3: 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:

<https://www.Merri-bek.vic.gov.au/living-in-Merri-bek/parking-and-roads/parking-permits-and-fines/residential-parking-permits/>

Note 4: The development of the site may require that the nearby bus stop located along Victoria Street is temporarily relocated. Any temporary relocation of the bus stop must be to the satisfaction of the Head, Transport for Victoria. Please contact maintenance@transport.vic.gov.au to obtain any required authorisation.

Carried

URGENT BUSINESS REPORTS

Nil.

The Council meeting closed at 6.51 pm.

Confirmed

Cr Helen Davidson
MAYOR