



Merri-bek
City Council

PROPOSED
Minutes of the Planning and Related Matters Meeting

Held in Bunjil (Council Chamber), Merri-bek Civic
Centre, 90 Bell Street, Coburg
on Wednesday 26 November 2025

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The Mayor opened the meeting at 6.30 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 Nat Abboud, Mayor	6.30 pm	7.40 pm
Cr Jay Iwasaki, Deputy Mayor	6.31 pm	7.40 pm
Cr Sue Bolton	6.31 pm	7.40 pm
Cr Helen Davidson	Apology	
Cr Liz Irvin	6.30 pm	7.40 pm
Cr Dr Jay Iwasaki	6.30 pm	7.40 pm
Cr Chris Miles	6.30 pm	7.40 pm
Cr Helen Politis	Apology	
Cr Adam Pulford	6.30 pm	7.40 pm
Cr Ella Svensson	6.30 pm	7.40 pm
Cr Katerine Theodosis	6.30 pm	7.40 pm
Cr Oscar Yildiz JP	6.30 pm	7.40 pm

OFFICERS

Director Place and Environment – Pene Winslade
 Group Manager City Development – Phil Priest
 Unit Manager Urban Planning – Mark Hughes
 Planning Coordinator - Aileen Chin
 Senior Urban Planner – Dee Erdogan
 Manager Governance and Strategy – Yvonne Callanan
 Team Leader Governance – Naomi Ellis

APOLOGIES/LEAVE OF ABSENCE

Cr Helen Davidson and Cr Helen Politis were apologies to the meeting.

DISCLOSURES OF CONFLICTS OF INTEREST

Nil

MINUTE CONFIRMATION

Resolution

Cr Theodosis moved, Cr Irvin seconded -

The minutes of the Planning and Related Matters Meeting held on 22 October 2025 be confirmed.

Carried

COUNCIL REPORTS

5.1 CITY DEVELOPMENT ACTIVITY REPORT - SEPTEMBER QUARTER 2025-26 FY

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 decision-making timeframes that continue to be better than the metropolitan average.

The caseload of planning applications awaiting determination continues to be at an ideal level to enable timely decision-making and great customer service, acknowledging the total caseload has grown by 38 applications since the June Quarter.

The focus for the Urban Planning Unit is to influence high quality planning outcomes, while maintaining the timeliness of planning permit decisions. The September quarter saw the continuation of decision-making above the current State average of 66 per cent, with 74 per cent of decisions being made within the 60 statutory days. Pleasingly, VicSmart timeframes, for minor matters, also remain above the State average of 83 per cent, with 92 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. When decisions including consent orders are included, Council won or its concerns were addressed, with agreement reached by revised plans, in 75 per cent of cases in the past 12 months.

Of the planning decisions made at the Planning and Related Matters Council meeting that were appealed to VCAT and determined in the last quarter, 4 were either won, withdrawn or ultimately resolved via consent of all parties, often based on revised plans to address Council's concerns. This results in a success rate of 80 per cent.

The Planning Enforcement Unit has had a productive quarter. The reactive enforcement team have continued to improve their overall performance this year, with the number of cases closed this quarter (130), exceeding the number of cases received (98), helping to reduce the overall backlog of cases. The proactive enforcement team has allocated 22 new proactive audits to date in 2025/26, and the team were able to close out more than half (57 per cent) of cases this quarter without the need to escalate to formal enforcement actions.

Officer Recommendation

That Council notes the City Development Activity Report – September Quarter 2025.

Resolution

Cr Bolton moved, Cr Miles seconded -

That Council notes the City Development Activity Report – September Quarter 2025.

Carried

5.2 139 LOONGANA AVENUE, GLENROY - PLANNING PERMIT APPLICATION - MPS/2025/364



Property:	139 Loongana Avenue, GLENROY
Proposal:	To construct five dwellings and a reduction in the statutory car parking requirements
Zoning and Overlay/s:	- Neighbourhood Residential Zone – Schedule 1 - Development Contributions Plan Overlay
Objections:	- Twelve (12) objections received Key issues raised: - Overdevelopment - Car-parking reduction - On street congestion
Planning Information and Discussion (PID) Meeting:	- Held on 5 November 2025 - Attended by 6 objectors, the applicant and 2 Council officers - Revised plans were prepared prior to the meeting to address objector and Council officer concerns. This recommendation refers to the 'Discussions Plans' provided to officers on 9 October 2025.
ESD:	Sustainability objectives and standards of Clause 55 met, noting Council's Environmentally Sustainable Design Policy is no longer a relevant consideration for this application.
Key reasons for support	- Conditions to ensure car parking requirements are satisfied. - No unreasonable overshadowing or building visual bulk impacts to adjoining properties. - Conditions to ensure there is no unreasonable overlooking.
Recommendation:	Notice of Decision to Grant a Planning Permit be issued

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2025/364 be issued for the land at 139 Loongana Avenue, Glenroy.

The Permit would allow:

Buildings and works to construct dwellings and a reduction in statutory car parking requirements.

Planning Scheme Clause	Matters for which permit is required
Clause 32.09-7	Construct two or more dwellings on a lot
Clause 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 prepared by Beyond Design Group referenced as TP1-TP6, Revision A dated 11 July 2025 but modified to show:
 - a) Design changes shown generally in accordance with the discussion plans by Beyond Design Group referenced as TP1-TP6, Revision B, dated 9 October 2025 which show the following changes:
 - i. Screening measures on the first-floor retreat associated with Dwelling 3 to comply with standard B4-4.
 - ii. The external car parking space for Dwelling 3 converted into a visitor car parking space.
 - iii. The first floor of Dwelling 3 rearranged to replace 'Bed 3' with an open retreat thereby resulting in a two bedroom dwelling.
 - iv. The visitor car parking space to be 3.2 metres wide.
 - b) The first floor study spaces associated with Dwelling 4 and 5 to be screened to comply with standard B4-4 (Overlooking).
 - c) The staircase for Dwelling 3 reversed, so that the entry and exit at the upper level is located on the north-east side to support the use of the open retreat rather than an additional bedroom.
 - d) The front setback increased to a minimum of 7.0 metres.
 - e) The elevation labelling to be corrected against the orientation (e.g. east elevation replaced with north-east elevation).
 - f) Wall heights all taken from the natural ground level.
 - g) The building wall heights, being the vertical distance between the top of the eaves at the wall line or parapet height and the natural ground level in the following locations:
 - i. North-east elevation from the top of the party wall between Dwellings 3 and 4.
 - ii. South-west elevation showing the wall height of bed 2 associated with Dwelling 2.
 - iii. South-west elevation from the top of the party wall between Dwellings 3 and 4.
 - iv. South-west elevation parapets of Dwellings 5 garage boundary wall.
 - v. North-west elevation showing first floor wall height associated with Dwelling 5.
 - h) Plans to dimension Dwelling 2 garage door at least 5.2 metres wide.
 - i) Tree protection zone in accordance with Condition 5 of this permit.

Compliance with Endorsed Plans

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 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.
4. 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.

Tree Protection

5. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the following trees must have a Tree Protection Zone (TPZ) in accordance with AS4970-2025 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority:
 - i. All Council trees located within 3 metres of the site boundary or a vehicle crossing;
 - ii. the trees marked on the endorsed plans as being retained and protected.

The TPZ must meet the following requirements:

a) Tree Protection Fencing

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Standard Height (DSH) as defined by the Australian Standard AS 4970.2025). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste." The TPF signage must be complied with at all times.

c) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

d) Provision of Services

All services (including water, electricity, and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970-2025.

e) Access to TPF

The TPF once erected, must be maintained and not altered, tampered or moved. If any works are proposed within the TPZ or require the TPF to be moved or altered, then such works must only be carried out with the prior written approval of, and under the direction of, a suitably qualified Arborist (minimum Level 5 Diploma of Arboriculture). A copy of the approval must be provided to Council upon request.

Environmentally Sustainable Design (ESD)

6. When submitted and approved to the satisfaction of the Responsible Authority, the amended sustainable design response and associated notated plans will be endorsed to form part of this permit. No alterations to the sustainable design response 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 design response to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

Residential reticulated gas service connection

8. 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.

Car Parking and Vehicle Access

9. 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 to the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
10. 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 the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
11. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any Council or service authority pole or pit within 1 metre of a proposed vehicle crossing must be relocated or modified at the expense of the permit holder to the satisfaction of the Responsible Authority and the relevant service authority.
12. The number of bedrooms allowed by this permit must not be increased. This condition continues to have force and effect after the development authorised by this permit has been completed.

Undergrounding cables

13. 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.

Stormwater

14. 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 (Note: Please contact Merri-bek City Council, City Infrastructure Department).

General Amenity

15. 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.

16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
17. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bollard lighting standing no higher than 1.2 metres above ground level is to be installed and maintained on the land to automatically illuminate pedestrian access to the dwelling(s) between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.

Permit Expiry

18. 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: 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/residential-parking-permits>

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 4: Prior to commencement of the development hereby approved, a Construction Management Plan must be submitted to, and approved, in accordance with Merri-bek City Council's General Local Law.

6.52 pm Cr Yildiz left the meeting.

6.53 pm Cr Yildiz returned to the meeting.

Resolution

Cr Irvin moved, Cr Abboud seconded -

That a Notice of Decision to Grant a Planning Permit No. MPS/2025/364 be issued for the land at 139 Loongana Avenue, Glenroy.

The Permit would allow:

Buildings and works to construct dwellings and a reduction in statutory car parking requirements.

Planning Scheme Clause	Matters for which permit is required
Clause 32.09-7	Construct two or more dwellings on a lot
Clause 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 prepared by Beyond Design Group referenced as TP1-TP6, Revision A dated 11 July 2025 but modified to show:
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 - iv. The visitor car parking space to be 3.2 metres wide.
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 - c) The staircase for Dwelling 3 reversed, so that the entry and exit at the upper level is located on the north-east side to support the use of the open retreat rather than an additional bedroom.
 - d) The front setback increased to a minimum of 7.0 metres.
 - e) The elevation labelling to be corrected against the orientation (e.g. east elevation replaced with north-east elevation).
 - f) Wall heights all taken from the natural ground level.
 - g) The building wall heights, being the vertical distance between the top of the eaves at the wall line or parapet height and the natural ground level in the following locations:
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 - iv. South-west elevation parapets of Dwellings 5 garage boundary wall.
 - v. North-west elevation showing first floor wall height associated with Dwelling 5.
 - h) Plans to dimension Dwelling 2 garage door at least 5.2 metres wide.
 - i) Tree protection zone in accordance with Condition 5 of this permit.

Compliance with Endorsed Plans

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 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.**
- 4. 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.**

Tree Protection

- 5. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the following trees must have a Tree Protection Zone (TPZ) in accordance with AS4970-2025 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority:**
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The TPZ must meet the following requirements:

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The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste." The TPF signage must be complied with at all times.

c) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

d) Provision of Services

All services (including water, electricity, and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970-2025.

e) Access to TPF

The TPF once erected, must be maintained and not altered, tampered or moved. If any works are proposed within the TPZ or require the TPF to be moved or altered, then such works must only be carried out with the prior written approval of, and under the direction of, a suitably qualified Arborist (minimum Level 5 Diploma of Arboriculture). A copy of the approval must be provided to Council upon request.

Environmentally Sustainable Design (ESD)

- 6. When submitted and approved to the satisfaction of the Responsible Authority, the amended sustainable design response and associated notated plans will be endorsed to form part of this permit. No alterations to the sustainable design response 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 design response to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.**

Residential reticulated gas service connection

- 8. 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.**

Car Parking and Vehicle Access

- 9. 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 to the Responsible Authority (Merri-bek City Council, City Infrastructure Department).**
- 10. 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 the Responsible Authority (Merri-bek City Council, City Infrastructure Department).**
- 11. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any Council or service authority pole or pit within 1 metre of a proposed vehicle crossing must be relocated or modified at the expense of the permit holder to the satisfaction of the Responsible Authority and the relevant service authority.**
- 12. The number of bedrooms allowed by this permit must not be increased. This condition continues to have force and effect after the development authorised by this permit has been completed.**

Undergrounding cables

- 13. 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.**

Stormwater

- 14. 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 (Note: Please contact Merri-bek City Council, City Infrastructure Department).**

General Amenity

- 15. 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.**

- 16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
- 17. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bollard lighting standing no higher than 1.2 metres above ground level is to be installed and maintained on the land to automatically illuminate pedestrian access to the dwelling(s) between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.**

Permit Expiry

- 18. 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: 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/residential-parking-permits>

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 4: Prior to commencement of the development hereby approved, a Construction Management Plan must be submitted to, and approved, in accordance with Merri-bek City Council's General Local Law.

Carried unanimously

5.3 2-4 MCCOLL COURT, BRUNSWICK WEST - PLANNING PERMIT APPLICATION - MPS/2025/289



Property:	2-4 McColl Court, BRUNSWICK WEST
Proposal:	Construction of six double dwellings and a reduction in the statutory car parking requirements.
Zoning and Overlay/s:	Neighbourhood Residential Zone – Schedule 1 Development Contributions Plan Overlay
Objections:	• Sixteen (16) objections received from 12 properties • Key issues: • Visitor car parking reduction • Amenity impacts (overlooking, overshadowing, visual bulk, noise) • Overdevelopment
Planning Information and Discussion (PID) Meeting:	• Held on 2 October 2025 • Attendees: Three (3) objectors, the applicant, two Council officers, Deputy Mayor Cr Politis and Cr Svensson • Following the discussions at the PID meeting, the applicant has made voluntary commitments to address some of the concerns raised by objectors, related to protecting neighbouring trees, overlooking and location of air conditioning units. The recommendation includes conditions to give effect to these voluntary commitments.
ESD:	• Sustainability objectives and standards of Clause 55 will be met by the proposal, subject to conditions in the recommendation. The application is committed to achieving best practice ESD through 60 per cent BESS Score and an average of 7.1-star rating for all six dwellings.
Key reasons for support	• Conditions are needed to ensure that the proposal complies with key standards, related to: • Side and rear setbacks; • Appropriate canopy tree species; • Front fence height; and • Overlooking screening. • The provision of no visitor car parking is acceptable, due to availability of on-street car parking and provision of 3 bicycle parking spaces on-site.
Recommendation:	A Notice of Decision to Grant a Planning Permit be issued for the proposal.

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2025/289 be issued for the land at 2-4 McColl Court, BRUNSWICK WEST.

The Permit would allow:

Construction of six double dwellings and a reduction in statutory car parking requirements (visitor parking).

Planning Scheme Clause	Matters for which permit is required
Clause 32.09-7	Construct two or more dwellings on a lot
Clause 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 prepared by Ben and Ben, Sheet No.'s T01 – T17, advertised on 7 August 2025 but modified to show:
 - a) A front fence with a height of not more than 1.5 metres above ground level.
 - b) The removal of the 500mm setback of the front fence resulting in the front fence being constructed to the front boundary.
 - c) The balconies associated with Dwellings 2 and 3, modified to achieve compliance with Standard B2-3 (side and rear setbacks) and Standard B4-4 (overlooking) by:
 - i. Deleting the planters.
 - ii. Increasing the west boundary setback to a minimum of 1.42 metres.
 - iii. Incorporating overlooking screening to a height of 1.7 metre above the finished floor levels of the balcony.
 - d) Privacy Screen diagrams drawn at a scale of 1:50 which details the west (condition 1(c)) and south facing screens associated with balconies of Dwellings 2 and 3. This diagram must include:
 - i. All dimensions, including the width of slats and the gap between slats.
 - ii. All side screens.
 - iii. How compliance is achieved with standard B4-4 of Clause 55.04-4 (Overlooking) of the Merri-bek Planning Scheme.
 - e) Mechanical plant such as air-conditioning condenser units for all dwellings located on rooftops including any solid barriers to minimise the transmission of noise in accordance with Standard B5-6 (noise impacts).
 - f) The building wall heights, being the vertical distance between the top of the eaves at the wall line or parapet height or balustrade height and the natural ground level fully dimensioned in the following locations:
 - i. The west elevation showing the height to top of balustrade associated with the first-floor balconies of Dwellings 2 and 3.
 - ii. The east elevation overall height measured from natural ground level.
 - iii. The east elevation staircase for Dwellings 4 and 5.

- g) Dimensions for the frontage of 2 and 4 McColl Court consistent with the title boundary included on all relevant plans.
- h) The retaining wall on or near the common boundary with 14 Hopetoun Avenue.
- i) Garage doors to be at least 5.2 metres wide in accordance with Figure 5.4 of the Australian Standard AS2890.1.
- j) Vehicle turning swept paths demonstrating safe egress and ingress to garages having regard to any permanent landscaping obstructions (e.g. light bollards).
- k) Any garden bed subject to vehicle overhang as shown by the swept paths must be designed with a maximum kerb height of 150 mm and a minimum clearance of at least 300 mm behind the kerb in accordance with Figure 5.4 of the Australian Standard for Off-Street Car Parking (AS2890.1).
- l) The vehicle crossing modified to show 1 metre straight splays, commencing where the footpath meets the nature strip and finishing at the kerb in accordance with Council's Standard Vehicle Crossing design.
- m) Relocation of the power pole in front of the development to a minimum of 1 metre from the proposed vehicle crossing, inclusive of vehicle crossing splays.
- n) The bicycle facilities to meet the requirements of the Australian Standard for Bicycle Parking (AS2890.3), through:
 - i. the provision of undercover and secure bike parking; and
 - ii. nominate bike parking spaces of least 1800mm long, 500mm wide, and allow for a height of 1200mm for vertical parking.
- o) Updated material schedule and details, including finishes for overlooking screens, equal angled screens and 'OG' as 'obscured glazing'.
- p) Provision of a shared bin enclosure with a minimum width of 0.75m, length of 2.32m and screened to a height of 1.28m within either the common landscaped area outside of a revised private open space area of Dwelling 3 or an alternate location at the end of the driveway, to the satisfaction of the Responsible Authority.
- q) Any changes to the plans arising from the Landscape Plan in accordance with Condition 3 of this permit.
- r) Any changes to the plans arising from the Non-Destructive Root Investigation report in accordance with Condition 6 of this permit.
- s) Tree protection zone(s) in accordance with Condition 6 of this permit, to the street tree outside 4 McColl Court and trees on adjoining sites that are to be retained and require a Tree Protection Zone (TPZ).
- t) The sustainability initiatives that are required to be shown on plans, as contained within Condition 9 of this permit.

Compliance with Endorsed Plans

- 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. Concurrent with the submission of plans for endorsement under Condition 1, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Peninsula Landscape Architects advertised on 7 August 2025 but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) A new Type A tree to replace species 'Acacia implexa' (Lightwood). The replacement species must achieve the requisite canopy coverage requirement while also having regard to the specific planting location and Merri-bek's growing conditions.
 - c) An amended 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 tree finder tool.
 - d) Proposed location and quantities of the canopy tree Types A and B to be consistent with the development plan Drawing No. T15.
 - e) Identification of any existing tree(s) and vegetation on site and adjoining land proposed to be removed and retained, including the tree protection zone(s) of trees to be retained and protected.
 - f) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.
 - g) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers.
 - h) 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 the Sustainability Design Assessment.

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 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.

Non-Destructive Root Investigation

6. Concurrent with the submission of plans for endorsement under Condition 1, a Non-Destructive Root Investigation (NDRI) report must be submitted to and approved by the Responsible Authority. The NDRI must be prepared by a suitably qualified Arborist and make specific recommendations in accordance with the Australian Standard AS4970-2025 - *Protection of Trees on Development Sites* to ensure that Tree 2 on adjoining property at 12 Hopetoun Avenue remains healthy and viable both during construction and after the development is completed. The results of any exploratory trenching where there is encroachment (construction or excavation) into the Nominal Root Zone (NRZ) of Tree 2 on adjoining property at 12 Hopetoun Avenue to be retained must include photographic evidence of any trenching/ excavation undertaken and any recommendations required to ensure Tree 2's retention.

Tree Protection

7. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the following trees must have a Tree Protection Zone (TPZ) in accordance with AS4970-2025 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority:

- i. All Council trees located within 3 metres of the site boundary or a vehicle crossing;
- ii. the trees marked on the endorsed plans as being retained and protected

The TPZ must meet the following requirements:

a) Tree Protection Fencing

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Standard Height (DSH) as defined by the Australian Standard AS 4970.2025). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.". The TPF signage must be complied with at all times.

c) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

d) Provision of Services

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970-2025.

e) Access to TPF

The TPF once erected, must be maintained and not altered, tampered or moved. If any works are proposed within the TPZ or require the TPF to be moved or altered, then such works must only be carried out with the prior written approval of, and under the direction of, a suitably qualified Arborist (minimum Level 5 Diploma of Arboriculture). A copy of the approval must be provided to Council upon request.

Tree Removal

8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner must pay Council the amenity value, removal, replacement and establishment costs in accordance with the Merri-bek Urban Forest Strategy 2017 for each street tree removed or damaged through the building works, to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

9. Concurrent with the submission of plans for endorsement under Condition 1, an amended sustainable design response must be submitted to the satisfaction of the Responsible Authority. The sustainable design response must be generally in accordance with the sustainable design response prepared by Eco Results and development plans prepared by Ben and Ben, advertised 7/8/2025 but modified to include the following changes:
 - a) Plans modified to show compliance with Standard B5-1 Clause 55.05-1 (permeability and stormwater objective) by:
 - i. Providing an amended WSUD (Water Sensitive Urban Design) catchment plan that is consistent with the STORM report, clearly showing, roof details including location of parapet walls, box gutters or roof fall direction, downpipes (either charged, gravity or internal) to demonstrate how stormwater catchments drain to the rainwater tanks without charged pipes running under building slabs.
 - ii. Providing a STORM report or Bluefactor report and stormwater management response that maintains a minimum STORM score of 100 per cent (or Bluefactor equivalent) but is modified so that Dwelling 3's roof area is 77sqm, to match the WSUD plan.
 - iii. Including the Dwelling 4 rainwater tank on the ground floor plan. Ensure all rainwater tank capacities match the STORM Report (or Bluefactor equivalent) capacities.
 - iv. Draw all rainwater tanks on the landscape plan.
 - b) The plans to show horizontal, fixed, external shading devices to all north facing habitable room windows and glazed doors including:
 - i. Labelling of all shading on the plans and elevations.
 - ii. Dimensioned section diagram or photograph of the shading.
 - iii. The depth of the device must be equal to 25 per cent of the distance from sill height to the base of the device. The depth must be annotated on the plans. The device must also extend horizontally to both sides of the window or glazed door by a distance equal to the depth of the device.

Where an alternative response is 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) sustainability design response outcomes in association with the development.

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

10. 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 response to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.
11. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained, to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainable Design Assessment.

Residential reticulated gas service connection

12. 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.

Car Parking and Vehicle Access

13. 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 to the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
14. 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 the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
15. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any Council or service authority pole or pit within 1 metre of a proposed vehicle crossing must be relocated or modified at the expense of the permit holder to the satisfaction of the Responsible Authority and the relevant service authority.
16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the garage roller doors must be automatic and remote controlled.

Undergrounding cables

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.

Stormwater

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 (Note: Please contact Merri-bek City Council, City Infrastructure Department).

General Amenity

19. 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.
20. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished 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, bollard lighting standing no higher than 1.2 metres above ground level is to be installed and maintained on the land to automatically illuminate pedestrian access to the dwelling(s) between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.
22. 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.

Permit Expiry

23. 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: 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/residential-parking-permits>.

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 may not issue individual bins to new Owners Corporation developments. In the event that shared bins are provided for this development, an amendment to the plans may be required to show the location of a storage area for the shared bins on common land. Please contact Council's City Infrastructure department on 9240 1111 for more information.

Note 4: Prior to commencement of the development hereby approved, a Construction Management Plan must be submitted to, and approved, in accordance with Merri-bek City Council's General Local Law.

7.31 pm Cr Miles left the meeting.

7.33 pm Cr Miles returned to the meeting.

Resolution

Cr Svensson moved, Cr Miles seconded -

That a Notice of Decision to Grant a Planning Permit No. MPS/2025/289 be issued for the land at 2-4 McColl Court, BRUNSWICK WEST.

The Permit would allow:

Construction of six double dwellings and a reduction in statutory car parking requirements (visitor parking).

Planning Scheme Clause	Matters for which permit is required
Clause 32.09-7	Construct two or more dwellings on a lot
Clause 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 prepared by Ben and Ben, Sheet No.'s T01 – T17, advertised on 7 August 2025 but modified to show:
 - a) A front fence with a height of not more than 1.5 metres above ground level.
 - b) The removal of the 500mm setback of the front fence resulting in the front fence being constructed to the front boundary.
 - c) The balconies associated with Dwellings 2 and 3, modified to achieve compliance with Standard B2-3 (side and rear setbacks) and Standard B4-4 (overlooking) by:
 - i. Deleting the planters.
 - ii. Increasing the west boundary setback to a minimum of 1.42 metres.
 - iii. Incorporating overlooking screening to a height of 1.7 metre above the finished floor levels of the balcony.
 - d) Privacy Screen diagrams drawn at a scale of 1:50 which details the west (condition 1(c)) and south facing screens associated with balconies of Dwellings 2 and 3. This diagram must include:
 - i. All dimensions, including the width of slats and the gap between slats.
 - ii. All side screens.
 - iii. How compliance is achieved with standard B4-4 of Clause 55.04-4 (Overlooking) of the Merri-bek Planning Scheme.
 - e) Mechanical plant such as air-conditioning condenser units for all dwellings located on rooftops including any solid barriers to minimise the transmission of noise in accordance with Standard B5-6 (noise impacts).
 - f) The building wall heights, being the vertical distance between the top of the eaves at the wall line or parapet height or balustrade height and the natural ground level fully dimensioned in the following locations:
 - i. The west elevation showing the height to top of balustrade associated with the first-floor balconies of Dwellings 2 and 3.
 - ii. The east elevation overall height measured from natural ground level.
 - iii. The east elevation staircase for Dwellings 4 and 5.
 - g) Dimensions for the frontage of 2 and 4 McColl Court consistent with the title boundary included on all relevant plans.
 - h) The retaining wall on or near the common boundary with 14 Hopetoun Avenue.
 - i) Garage doors to be at least 5.2 metres wide in accordance with Figure 5.4 of the Australian Standard AS2890.1.

- j) Vehicle turning swept paths demonstrating safe egress and ingress to garages having regard to any permanent landscaping obstructions (e.g. light bollards).
- k) Any garden bed subject to vehicle overhang as shown by the swept paths must be designed with a maximum kerb height of 150 mm and a minimum clearance of at least 300 mm behind the kerb in accordance with Figure 5.4 of the Australian Standard for Off-Street Car Parking (AS2890.1).
- l) The vehicle crossing modified to show 1 metre straight splays, commencing where the footpath meets the nature strip and finishing at the kerb in accordance with Council's Standard Vehicle Crossing design.
- m) Relocation of the power pole in front of the development to a minimum of 1 metre from the proposed vehicle crossing, inclusive of vehicle crossing splays.
- n) The bicycle facilities to meet the requirements of the Australian Standard for Bicycle Parking (AS2890.3), through:
 - i. the provision of undercover and secure bike parking; and
 - ii. nominate bike parking spaces of least 1800mm long, 500mm wide, and allow for a height of 1200mm for vertical parking.
- o) Updated material schedule and details, including finishes for overlooking screens, equal angled screens and 'OG' as 'obscured glazing'.
- p) Provision of a shared bin enclosure with a minimum width of 0.75m, length of 2.32m and screened to a height of 1.28m within either the common landscaped area outside of a revised private open space area of Dwelling 3 or an alternate location at the end of the driveway, to the satisfaction of the Responsible Authority.
- q) Any changes to the plans arising from the Landscape Plan in accordance with Condition 3 of this permit.
- r) Any changes to the plans arising from the Non-Destructive Root Investigation report in accordance with Condition 6 of this permit.
- s) Tree protection zone(s) in accordance with Condition 6 of this permit, to the street tree outside 4 McColl Court and trees on adjoining sites that are to be retained and require a Tree Protection Zone (TPZ).
- t) The sustainability initiatives that are required to be shown on plans, as contained within Condition 9 of this permit.

Compliance with Endorsed Plans

- 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. Concurrent with the submission of plans for endorsement under Condition 1, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Peninsula Landscape Architects advertised on 7 August 2025 but amended to show:
 - a) Any changes required to align with the plans for endorsement.

- b) A new Type A tree to replace species 'Acacia implexa' (Lightwood). The replacement species must achieve the requisite canopy coverage requirement while also having regard to the specific planting location and Merri-bek's growing conditions.
- c) An amended 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 tree finder tool.
- d) Proposed location and quantities of the canopy tree Types A and B to be consistent with the development plan Drawing No. T15.
- e) Identification of any existing tree(s) and vegetation on site and adjoining land proposed to be removed and retained, including the tree protection zone(s) of trees to be retained and protected.
- f) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.
- g) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers.
- h) 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 the Sustainability Design Assessment.

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 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.

Non-Destructive Root Investigation

- 6. Concurrent with the submission of plans for endorsement under Condition 1, a Non-Destructive Root Investigation (NDRI) report must be submitted to and approved by the Responsible Authority. The NDRI must be prepared by a suitably qualified Arborist and make specific recommendations in accordance with the Australian Standard AS4970-2025 - Protection of Trees on Development Sites to ensure that Tree 2 on adjoining property at 12 Hopetoun Avenue remains healthy and viable both during construction and after the development is completed. The results of any exploratory trenching where there is encroachment (construction or excavation) into the Nominal Root Zone (NRZ) of Tree 2 on adjoining property at 12 Hopetoun Avenue to be retained must include photographic evidence of any trenching/ excavation undertaken and any recommendations required to ensure Tree 2's retention.

Tree Protection

7. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the following trees must have a Tree Protection Zone (TPZ) in accordance with AS4970-2025 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority:

- i. All Council trees located within 3 metres of the site boundary or a vehicle crossing;
- ii. the trees marked on the endorsed plans as being retained and protected

The TPZ must meet the following requirements:

a) **Tree Protection Fencing**

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Standard Height (DSH) as defined by the Australian Standard AS 4970.2025). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) **Signage**

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.". The TPF signage must be complied with at all times.

c) **Irrigation**

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

d) **Provision of Services**

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970-2025.

e) **Access to TPF**

The TPF once erected, must be maintained and not altered, tampered or moved. If any works are proposed within the TPZ or require the TPF to be moved or altered, then such works must only be carried out with the prior written approval of, and under the direction of, a suitably qualified Arborist (minimum Level 5 Diploma of Arboriculture). A copy of the approval must be provided to Council upon request.

Tree Removal

8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner must pay Council the amenity value, removal, replacement and establishment costs in accordance with the Merri-bek Urban Forest Strategy 2017 for each street tree removed or damaged through the building works, to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

9. Concurrent with the submission of plans for endorsement under Condition 1, an amended sustainable design response must be submitted to the satisfaction of the Responsible Authority. The sustainable design response must be generally in accordance with the sustainable design response prepared by Eco Results and development plans prepared by Ben and Ben, advertised 7/8/2025 but modified to include the following changes:
- a) Plans modified to show compliance with Standard B5-1 Clause 55.05-1 (permeability and stormwater objective) by:
 - i. Providing an amended WSUD (Water Sensitive Urban Design) catchment plan that is consistent with the STORM report, clearly showing, roof details including location of parapet walls, box gutters or roof fall direction, downpipes (either charged, gravity or internal) to demonstrate how stormwater catchments drain to the rainwater tanks without charged pipes running under building slabs.
 - ii. Providing a STORM report or Bluefactor report and stormwater management response that maintains a minimum STORM score of 100 per cent (or Bluefactor equivalent) but is modified so that Dwelling 3's roof area is 77sqm, to match the WSUD plan.
 - iii. Including the Dwelling 4 rainwater tank on the ground floor plan. Ensure all rainwater tank capacities match the STORM Report (or Bluefactor equivalent) capacities.
 - iv. Draw all rainwater tanks on the landscape plan.
 - b) The plans to show horizontal, fixed, external shading devices to all north facing habitable room windows and glazed doors including:
 - i. Labelling of all shading on the plans and elevations.
 - ii. Dimensioned section diagram or photograph of the shading.
 - iii. The depth of the device must be equal to 25 per cent of the distance from sill height to the base of the device. The depth must be annotated on the plans. The device must also extend horizontally to both sides of the window or glazed door by a distance equal to the depth of the device.

Where an alternative response is 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) sustainability design response outcomes in association with the development.

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

10. 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 response to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

11. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained, to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainable Design Assessment.

Residential reticulated gas service connection

12. 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.

Car Parking and Vehicle Access

13. 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 to the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
14. 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 the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
15. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any Council or service authority pole or pit within 1 metre of a proposed vehicle crossing must be relocated or modified at the expense of the permit holder to the satisfaction of the Responsible Authority and the relevant service authority.
16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the garage roller doors must be automatic and remote controlled.

Undergrounding cables

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.

Stormwater

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 (Note: Please contact Merri-bek City Council, City Infrastructure Department).

General Amenity

19. 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.
20. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished 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, bollard lighting standing no higher than 1.2 metres above ground level is to be installed and maintained on the land to automatically illuminate pedestrian access to the dwelling(s) between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.
22. 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.

Permit Expiry

23. 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: 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/residential-parking-permits>.

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 may not issue individual bins to new Owners Corporation developments. In the event that shared bins are provided for this development, an amendment to the plans may be required to show the location of a storage area for the shared bins on common land. Please contact Council's City Infrastructure department on 9240 1111 for more information.

Note 4: Prior to commencement of the development hereby approved, a Construction Management Plan must be submitted to, and approved, in accordance with Merri-bek City Council's General Local Law.

Carried unanimously

URGENT BUSINESS

Nil

The Council meeting closed at 7.40 pm.

Confirmed

Cr Nat Abboud
MAYOR