

PLANNING COMMITTEE REPORT

Agenda Item 5.5

4 December 2007

**PLANNING APPLICATION: TP-2007-387, 243-251
FLEMINGTON ROAD, NORTH MELBOURNE**

Division Sustainability and Regulatory Services

Presenter Martin Williams, Acting Executive Officer Planning

Purpose

1. To advise of an application for planning approval for Demolition of existing buildings and the construction of a three storey building for the purpose of a childcare centre facility, child play centre (indoor recreation facility) and five residential dwellings.
2. This report is presented to the Committee at the request of Councillor Shanahan.

Summary

Application Number: TP-2007-387

Proposal: Demolition of existing buildings and the construction of a three storey building for the purpose of a childcare centre facility, child play centre (indoor recreation facility) and five residential dwellings.

Applicant: Aheron Investments Pty Ltd
c/o Contour Consultants Aust Pty Ltd

Zoning: Residential 1 Zone

Overlay: Heritage Overlay

Existing Use: Vacant dwelling and warehouse

Number of Objections: 16

Recommendation from Management

3. That the Planning Committee determine to issue a Notice of Decision to Grant a Planning Permit, subject to the conditions stipulated at Attachment 1 to this report.

Proposal

4. The subject site is located at the three way junction of Abbotsford Street, Brougham Street and Flemington Road and backs onto St. Michael's School (see Attachment 2).
5. The existing buildings on site are currently vacant and are ungraded by Council's Conservation Study.

6. The proposal involves the demolition of the existing building and the construction of a three storey building to be used for the purpose of childcare, child play (indoor recreation) and 5 dwellings.
7. The child care centre can accommodate up to 76 children and 12 staff with operating hours 7am to 7pm Monday to Friday.
8. The child play centre can accommodate up to 2 children and 4-6 staff with operating hours 10am to 6pm Sunday to Thursday and 10am to 10pm Friday and Saturday.
9. The 5 single storey apartments at the 2nd floor will have 3, 3 bedroom apartments, a 1 bedroom apartment and a 2 bedroom apartment.
10. 39 car spaces are proposed on site (22 for the dwellings and staff parking and 17 for the child care and play patrons).

Key Issues

11. The key issues to be considered include:
 - 11.1. consistency with policy, in particular policy relating to land use in the residential 1 zone;
 - 11.2. design response; and
 - 11.3. traffic and car parking.

Consistency with policy in particular the Residential 1 Zone

12. Child care and play centres are accepted as compatible uses within the Residential 1 Zone, given they are relatively passive land uses they are of little dis-benefit to the community.
13. With regard to the intensity of the land use, the hours are required by permit condition to be scaled back from closing at 10pm to 7pm Friday and Saturday (6pm Sunday to Thursday). This will minimise the off site amenity impacts such as late night noise of patrons coming and going.
14. It is noted that the subject site sits on the edge of the Residential 1 Zone, has a history of non-residential land use and abuts an arterial road.

Design Response

15. The proposal is generally consistent with Local Policy as identified at Clause 22.05 (Heritage Places Outside the Capital City Zone) and 22.17 (Urban Design Outside the Capital City Zone). There is no policy support for the retention of ungraded buildings, accordingly the demolition is acceptable.
16. The height of the building has been reduced to 3 stories. The height is compatible with the surrounding lower scaled buildings of 1-2 stories and does not compete with the Municipal buildings.
17. The building's presentation to the three way junction enhances the prominent corner site.
18. The dwellings generally apply with clause 55 (Rescode – 2 or more dwellings on a lot).

Traffic and Car Parking

19. 39 car parks are provided on site. A dispensation for 15 short term spaces is required. The residential and staff parking is provided at the level 2 basement (22 spaces). 17 spaces are provided at level 1 of the basement which will accommodate the child care and play centre customers. It is considered that the child care and play centres can operate with 17 visitor spaces as the development:
 - 19.1. has excellent proximity to public transport and will accommodate customers walking or riding to the site;
 - 19.2. will accommodate persons with more than one child;
 - 19.3. will accommodate only short term visitors staying 10-15 minutes for child care drop off and pick up; and 1-2 hours for child play; and
 - 19.4. has an alternative peak time for child care and child play. The child care facility is closed during the weekend, the peak time for child play.
20. A management plan is required to prevent the use of the upper level by persons not related to the site and to ensure the lower level is only used by staff and residents.
21. The management plan is to also make provision for cars entering the site to turn around and exit if the car park is full and for safe pedestrian movement.
22. 8 bicycle spaces are provided, which exceeds the statutory requirement.
23. Headlight glare to the dwellings south of the subject site on Brougham Street will be reduced to a minimum with the reduced hours of operation. Any headlight glare from the child care and play customers leaving the site is considered negligible given it will only occur in the early evening. Headlight glare from the 5 dwellings is acceptable given the residential context.

Consultation

24. Notice was given by signs on site and a mail out to the owners and occupiers of adjoining lots. 16 objections have been received.
25. A public consultation meeting was held with the applicant and available objectors in attendance.
26. Amended plans were lodged to include a reduction in height by one level. No objections were withdrawn.
27. The matters raised through objections are as follows:
 - 27.1. inappropriate Scale. Inconsistent with the softer more traditional styles of the area;
 - 27.2. operating hours of the child play centre is more like a function centre;
 - 27.3. increased traffic;
 - 27.4. light spill from traffic in Brougham St, headlight glare, traffic from U turning vehicles in Brougham St;
 - 27.5. safety hazard for school children;
 - 27.6. lack of on site car parking;

- 27.7. land use: Additional childcare is *not a necessary land use* and doesn't 'serve local community needs';
- 27.8. noise from patrons and cars;
- 27.9. overlooking; and
- 27.10. loss of sunlight/ Overshadowing of the play area of the school.

Time Frame

- 28. Section 79 of the *Planning and Environment Act* ("the Act") provides that an applicant for permit may appeal to the Victorian Civil and Administrative Tribunal (VCAT) against failure of the Responsible Authority to grant a planning permit within 60 days, commencing from the date the application was lodged excluding the notification period. At the time this application is considered by Planning Committee, the 60 statutory day period will not have lapsed.

Finance

- 29. No financial implications for council arise from this report.

Legal

- 30. Division 1 of Part 4 of the Act sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.

Background

- 31. A previous application was lodged for this site in 2004 to "construct a building for use as a medical centre, child care centre, function hall and dwellings." Council refused the application and the decision was upheld at VCAT largely on the basis of the intensity of the land use and urban design matters.
-

Attachments:

- 1. Proposed Conditions
- 2. Location Plan
- 3. Area Maps

*TP-2007-387 - 243-251 FLEMINGTON ROAD, NORTH MELBOURNE VIC 3051
DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF A THREE STOREY BUILDING TO BE USED
FOR A CHILD CARE CENTRE, CHILD PLAY CENTRE (INDOOR RECREATION FACILITY), AND FIVE DWELLINGS*

1. The development as shown on the endorsed plan(s) must not be altered or modified without the prior written consent of the Responsible Authority.
2. The operating hours for the child play centre are to be 10AM to 6PM Sunday to Thursday and 10AM to 7PM on Friday and Saturday.
3. The number of childcare spaces is to be 76 and must at no time exceed 76 unless with the written consent of the Responsible Authority.
4. The number of child play spaces is to be 60 and must at no time exceed 60 unless with written consent of the Responsible Authority.
5. No advertising signs shall be erected, painted or displayed on the land without the permission of the Responsible Authority unless in accordance with the exemption provisions of the Melbourne Planning Scheme.
6. The hiring of the facilities to the general public must not be permitted.
7. Prior to the commencement of the use and development hereby permitted, a Car and Bicycle Parking Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit. Management of the car and bicycle parking provided in association with the use must be in accordance with the plan or any approved amendment, to the satisfaction of the Responsible Authority. The Plan must detail the means by which the on-site car parking and bicycle parking spaces approved under this permit will be allocated and managed, and address the prevention of use of the car park by persons unrelated to the use and to keep non residents and employees out of the lower level car park. The plan is to also address how short term parking vehicles can exit the site if the short term car park is full and the safe movement of pedestrians throughout the site.
8. All pedestrian paths and access lanes shown on the endorsed plans must be constructed and maintained to the satisfaction of the Responsible Authority.
9. No architectural features and services other than those shown on the endorsed plans shall be permitted above the roof level unless otherwise approved in writing by the Responsible Authority.
10. Prior to the commencement of the development a detailed waste management plan must be submitted to and be approved by the Responsible Authority.
11. Prior to the commencement of the development, including demolition or bulk excavation, a detailed construction and demolition management plan must be submitted to and be approved by the Responsible Authority. This construction management plan is to be prepared in accordance with the *City of Melbourne* -

*TP-2007-387 - 243-251 FLEMINGTON ROAD, NORTH MELBOURNE VIC 3051
DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF A THREE STOREY BUILDING TO BE USED
FOR A CHILD CARE CENTRE, CHILD PLAY CENTRE (INDOOR RECREATION FACILITY), AND FIVE DWELLINGS*

Construction Management Plan Guidelines and is to consider the following:

- a). public safety, amenity and site security;
 - b). operating hours, noise and vibration controls;
 - c). waste and materials reuse; and
 - d). traffic management.
-
12. Prior to the commencement of the use hereby permitted, an acoustic report, prepared by a suitably qualified acoustic consultant, must be submitted to the satisfaction of the Responsible Authority. The report must ensure that the noise levels generated on site do not exceed the levels specified in the State Environment Protection Policy (Control of Noise from Commercial, Industrial or Trade Premises within the Melbourne Metropolitan Area) No. N-1. The report must identify all potential noise sources and sound attenuation work required to the new dwellings. The recommendations of the report must be implemented by the applicant at no cost to Council prior to commencement of the use.
 13. No loudspeaker, amplifier, relay or other audio equipment must be installed or used outside the premises at any time.
 14. The area set aside for the parking of vehicles and access-ways as shown on the endorsed plans must be constructed, surfaced, sealed, drained, delineated and maintained at all times to the satisfaction of the Responsible Authority and such works must be completed prior to the commencement of the use or development allowed by this permit.
 15. The parking area and loading and unloading area must be kept available for that use at all times and the car-parking spaces and access-ways must not be obstructed or otherwise rendered inaccessible.
 16. The loading and unloading of vehicles and delivery of goods to and from the premises must at all times take place within the boundaries of the site.
 17. The areas set aside for parking on the endorsed plans must not be operated as a public car parking facility.
 18. Ramp grades and head clearances within the car-park must be built in accordance with the requirements of Australian Standard AS 2890.1-1993, Parking Facilities, Part 1: Off-Street Car-Parking to the satisfaction of the Responsible Authority.
 19. The minimum clearance to the underside of the proposed canopies projecting beyond the street alignment from the finished footpath surface should be 3.0m. The minimum setback from the adjacent face kerb should be 2.5m. The canopies should be drained to legal points of discharge in accordance with plans and specifications first approved by the Responsible Authority – Council’s Group Manager Engineering Services.

*TP-2007-387 - 243-251 FLEMINGTON ROAD, NORTH MELBOURNE VIC 3051
DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF A THREE STOREY BUILDING TO BE USED
FOR A CHILD CARE CENTRE, CHILD PLAY CENTRE (INDOOR RECREATION FACILITY), AND FIVE DWELLINGS*

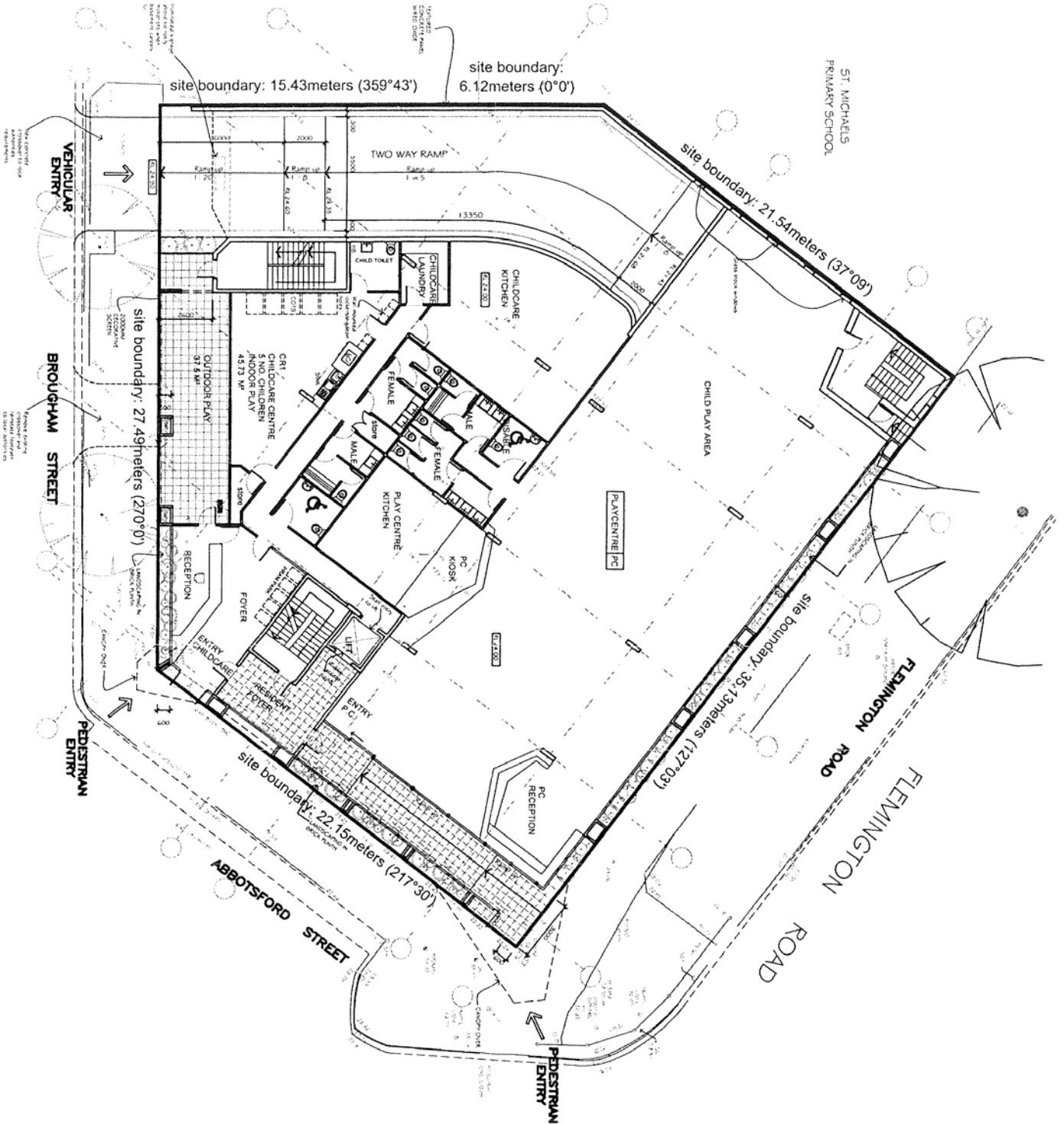
20. The owner of the subject land should construct a drainage system incorporating water sensitive urban design, within the development and make provision to connect this system to Council's underground stormwater drainage system in accordance with plans and specifications first approved by the Responsible Authority, Council's Group Manager – Engineering Services.
21. The owner of the subject land should construct all necessary vehicle crossings and demolish all unnecessary vehicle crossings adjacent the subject land in accordance with the plans and specifications first approved by the Responsible Authority; Council's Group Manager – Engineering Services.
22. The Owner of the subject land will not be permitted to alter the existing footpaths or road levels in Brougham Street, Abbotsford Street or Flemington Road for the purpose of constructing new vehicle or pedestrian entrances without first obtaining the written approval from the Responsible Authority; Council's Group Manager Engineering Services.
23. The Owner of the subject land should reconstruct the footway in Brougham Street, Abbotsford Street and Flemington Road adjacent to the subject land in accordance with the plans and specifications first approved by the Responsible Authority; Council's Group Manager – Engineering Services.
24. All necessary approvals and permits are to be first obtained from Council and the works performed to the satisfaction of Council's Group Manager – Engineering Services.
25. This permit will expire if one or more of the following circumstances apply:
 - The development is not started within two years of the date of this permit;
 - The development is not completed within four years of the date of this permit; and/or
 - The use is not commenced within four years of the date of this permit.

The Responsible Authority may extend the date upon which this permit expires only if it receives a request in writing before the permit expires, or within three months afterwards.

243 -251 Flemington Road, North Melbourne



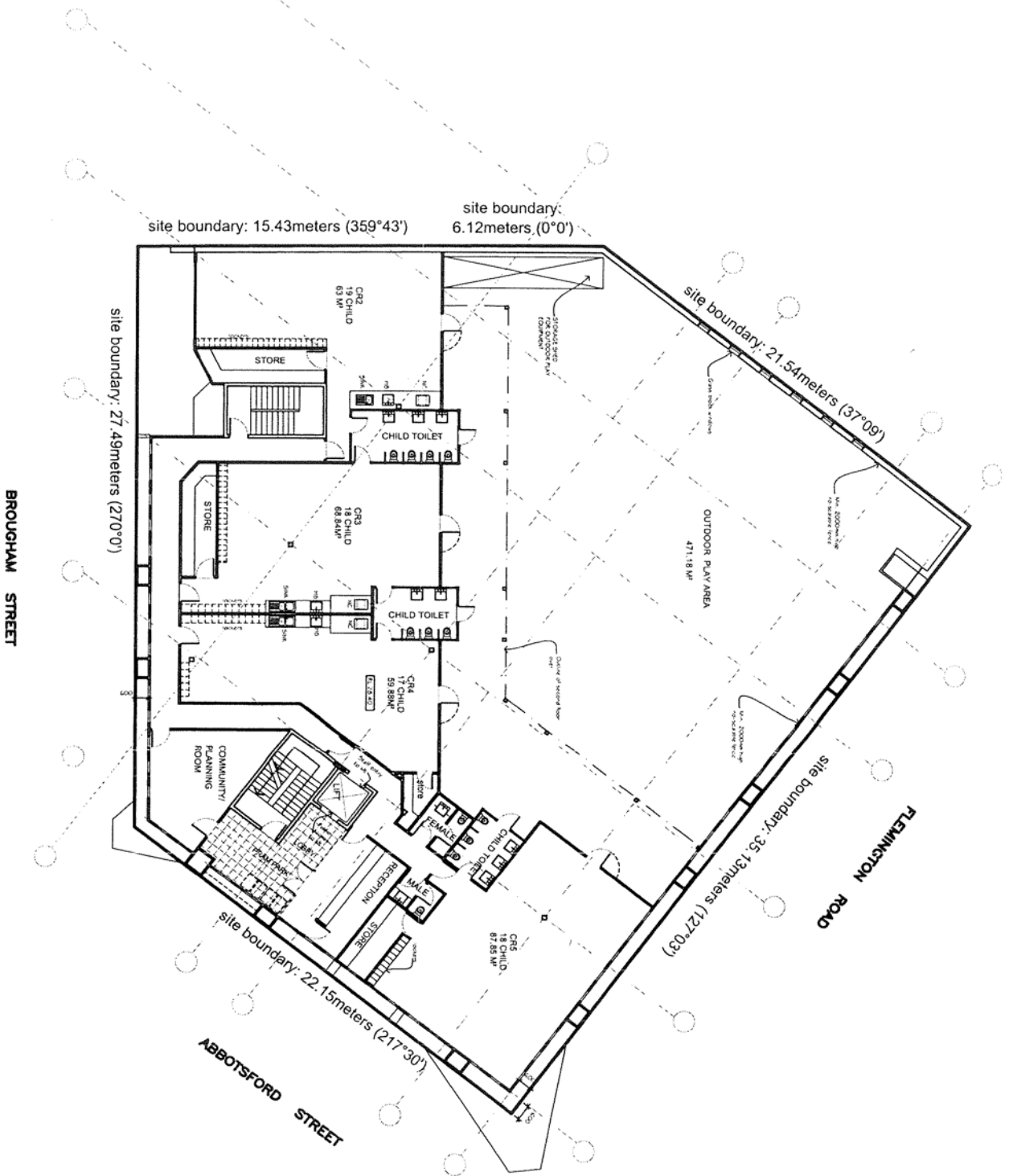
GROUND FLOOR PLAN
 SCALE 1:100



RECEIVED
 27 NOV 2007
 DOORS OPEN
 PAYMENT

DATE: NOV, 2006		SCALE: GENERAL AT 1:100	NO
DESIGNER: NZ	CHECKED BY: TP	DATE: 0524	NO: TP03
PROJECT TITLE: PROPOSED DEVELOPMENT A 243-251 FLEMINGTON ROAD NORTH MELBOURNE			
DRAWING TITLE: GROUND FLOOR PLAN			
DWG No: TP03 REVISION:			
3. STATES THAT PLANNING PERMISSION IS REQUIRED FOR THIS DEVELOPMENT. THE DATE AMENDMENTS:			
BROWN & CALVERT ARCHITECTS 181 CARLTON STREET CARLTON 3053 VIC TEL: (03) 9477 5011 FAX: (03) 9477 5012 ALL DEVELOPMENTS MUST BE APPROVED BY THE LOCAL COUNCIL. THIS DRAWING IS THE PROPERTY OF BROWN & CALVERT ARCHITECTS.			

FIRST FLOOR PLAN
SCALE 1:100



RECEIVED
2 11 2006
DOCS OPEN
PAVEMENT

NO.	DATE	REVISIONS
1	24/11/2006	FINAL PLAN FOR SUBMISSION
2	17/11/2006	REVISED PLAN



REGISTERED MEMBER
QUEENSLAND SURVEYORS BOARD

Double Baygate, Andrew Walker, Frank Conroy
181 Colquhoun Street, Brisbane, QLD 4000, Australia
Telephone: (08) 5401 9471 / Facsimile: (08) 5401 9472

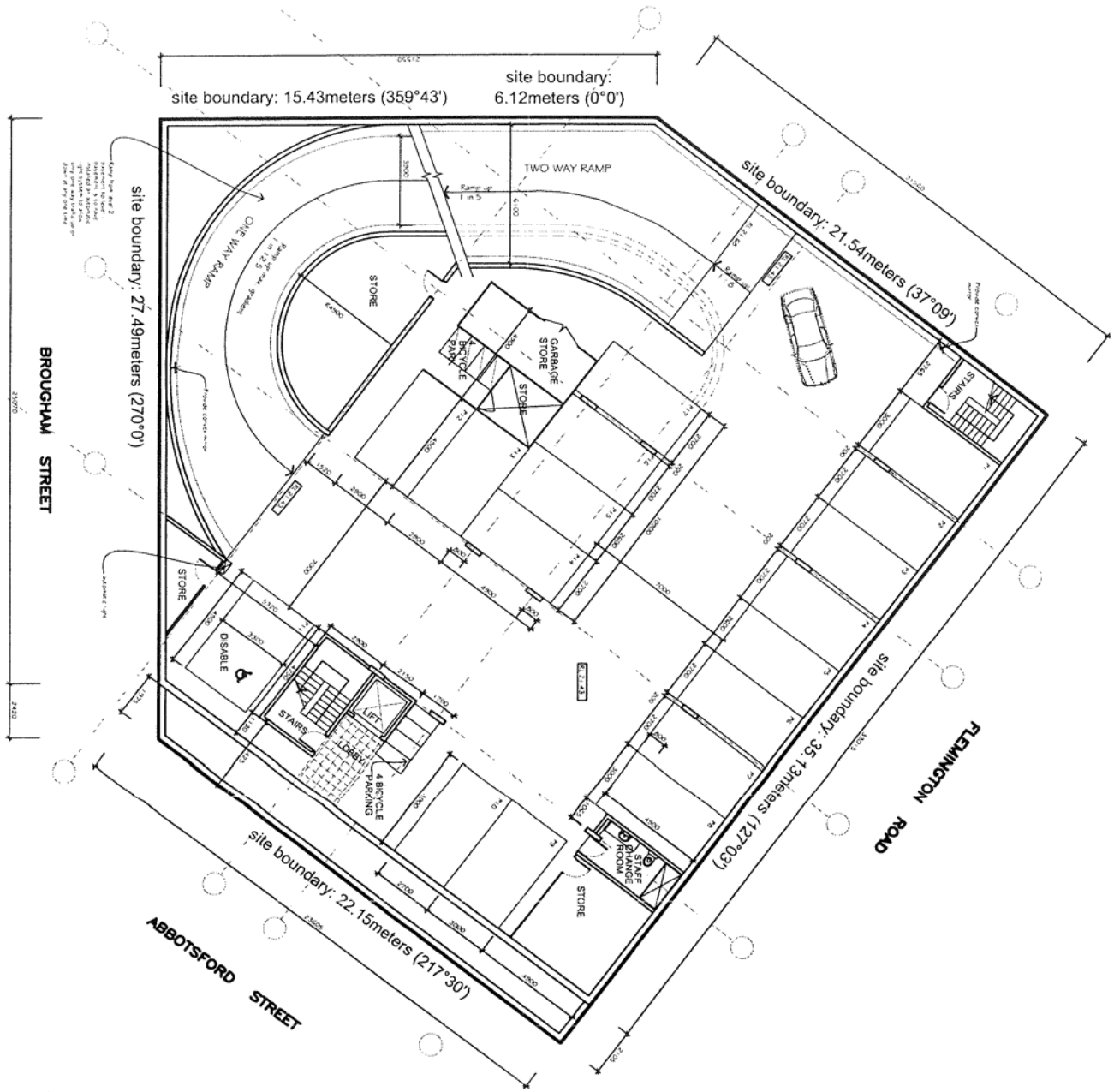
All Drawings & Designs remain the property of Andrew Walker Conroy Architects Pty Ltd & are subject to the terms & conditions of CONTRACT

PROPOSED DEVELOPMENT AT
243-251 FLEMINGTON ROAD
NORTH MELBOURNE

FIRST FLOOR PLAN

DATE	SCALE	DATE	SCALE
NOV, 2006	1:100	NORT	
DRAWN	CHEKED		
KZ	FB		
206 No.	0524		
ORIG. NO.	TP04	REVISION	B

BASEMENT LEVEL ONE PLAN
SCALE 1:100



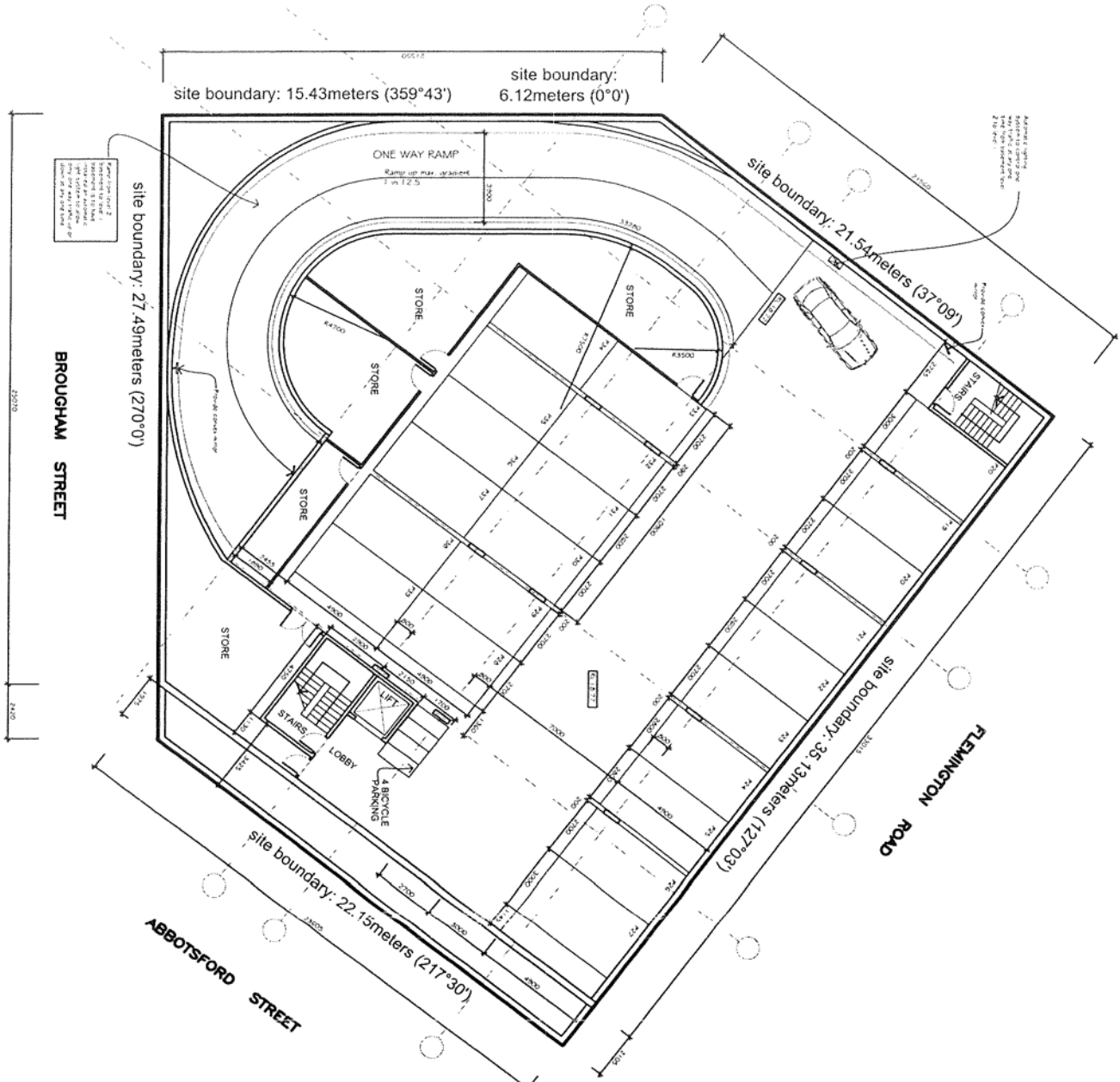
RECEIVED

2 5 2008

DUOS OPEN
PAYMENT 1

<p>PROPOSED DEVELOPMENT AT 243-251 FLEMINGTON ROAD NORTH MELBOURNE</p>		<p>BRUNNITZ ARCHITECTS GUY ARNOLD</p>	
<p>BASEMENT LEVEL ONE PLAN</p>		<p>BRUNNITZ ARCHITECTS 188 Carrington Street Carlton 3053 Victoria Australia Telephone: (03) 9477 9071 Facsimile: (03) 9477 9072 All drawings & designs remain the property of Brunnitz Architects Pty Ltd & are subject to the terms & conditions of contract.</p>	
DATE: NOV, 2008	SCALE: 1:100	PROJECT: TP02	REVISION: B
DRAWN: NZ	CHECKED: PJ	NO. 0524	
<p>SCOTT-CORREIA, L.T. 11/100</p>		<p>NOR</p>	

BASEMENT LEVEL TWO PLAN
SCALE 1:100



Notes:
1. All dimensions are in meters unless otherwise stated.
2. All dimensions are to the center of the wall unless otherwise stated.
3. All dimensions are to the center of the door unless otherwise stated.
4. All dimensions are to the center of the window unless otherwise stated.
5. All dimensions are to the center of the ramp unless otherwise stated.

AREA ANALYSIS

BASEMENT LEVEL TWO		AREA (M ²)
AREA NAME	NO OF CAR SPACES	1021.44
CARPARK/RAMP		40.06
LIFTS/STAIRS		1062.3
TOTAL BASEMENT TWO AREA		

BASEMENT LEVEL ONE		AREA (M ²)
AREA NAME	NO OF CAR SPACES	1021.44
CARPARK/RAMP		40.06
LIFTS/STAIRS		1062.3
TOTAL BASEMENT ONE AREA		

GROUND FLOOR		AREA (M ²)
AREA NAME	AREA (M ²)	470.19
TOTAL CHILDREN'S PLAY CENTRE		1.69 29
TOTAL CHILDREN'S CENTRE		60.90
CR1 18 CHILDREN (18 x 0.94)		75.67
LIFTS/STAIRS		1.67 34
CARPARK/RAMP		935.0
TOTAL GROUND FLOOR AREA		24.30
NAIP		35.0
CHILDREN'S OUTDOOR PLAY		15.39
ENTRANCE PLAYING AREA		15.39
GARDEN BED		45.40

FIRST FLOOR		AREA (M ²)
AREA NAME	AREA (M ²)	48.29
LIFTS/STAIRS		436.21
CHILDREN'S CENTRE		
CR2 19 CHILDREN		
CR3 18 CHILDREN		
CR4 15 CHILDREN		
CR5 19 CHILDREN		
TOTAL FIRST FLOOR AREA		504.47
OUTDOOR PLAY AREA		471.10

SECOND FLOOR				AREA (M ²)	TOTAL
NO OF UNITS	NO OF BEDROOMS	TOTAL LIVING	RENTAGE		
UNIT 1	1	67.24	3.30	771.4	
UNIT 2	2	93.41	15.20	108.61	
UNIT 3	3	105.16	16.45	121.61	
UNIT 4	3	94.82	13.29	108.11	
UNIT 5	3	89.30	6.53	98.43	
LIFTS/STAIRS					
ENTRANCE					
TOTAL SECOND FLOOR AREA					531.2

RECOGNISED BUILDING REGULATIONS

DOCS OPEN

AIR

PAYMENT

PROPOSED DEVELOPMENT AT 243-251 FLEMINGSTON ROAD NORTH MELBOURNE

BASEMENT LEVEL TWO PLAN

SCALE: 1:100

DATE: NOV 2008

DRAWN BY: NZ

CHECKED BY: PJ

PROJECT NO: TP01

REGION: B

CLIENT: GUYA FINNO

DESIGNED BY: GUYA FINNO

180 Dandenong Street, Dandenong, VIC 3175

Telephone: (03) 9472 5471 Fax: (03) 9472 5472

All Drawings & Designs remain the property of Guya Finno & are not to be used for any other project without the written permission of Guya Finno.

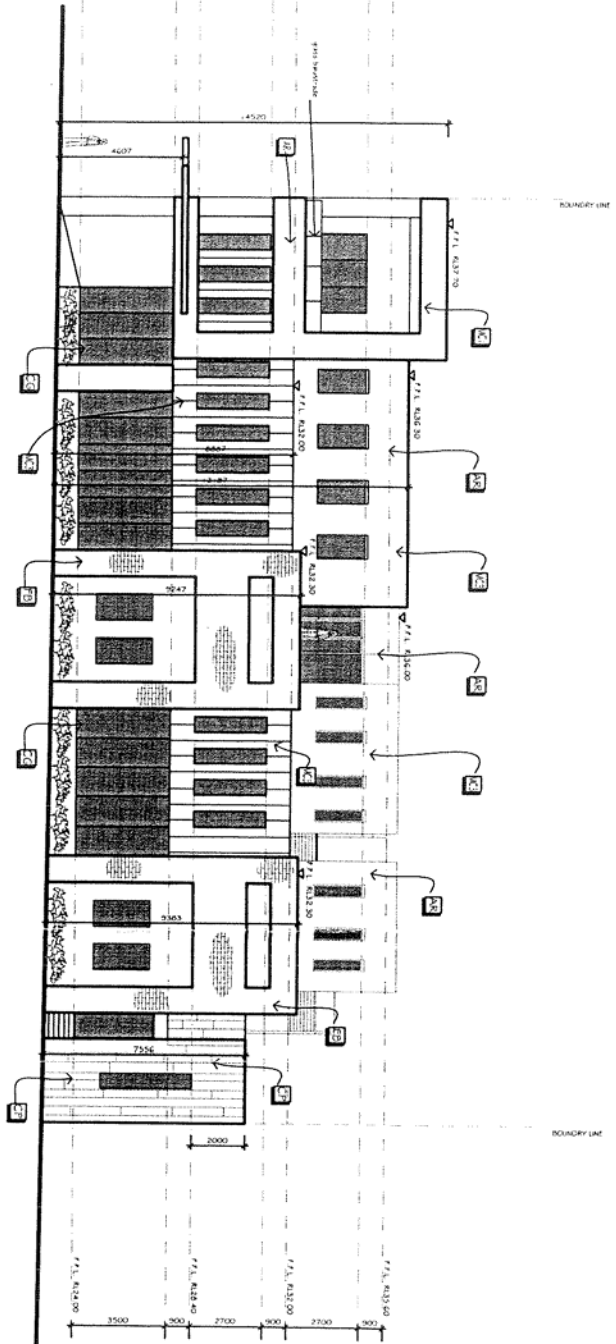
PROJECT TITLE

DATE

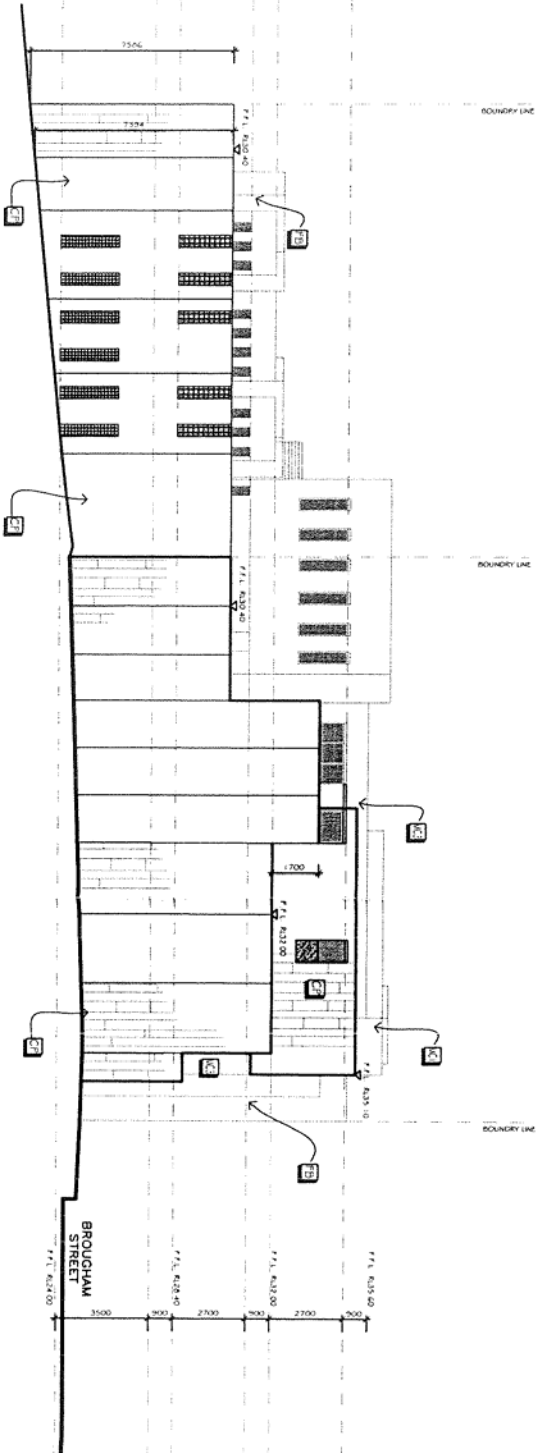
SCALE

REGION

1 NORTH (FLEMINGTON ROAD) ELEVATION
SCALE 1:100



2 WEST ELEVATION
SCALE 1:100



- EXTERNAL FINISHES MATERIAL**
- 1 METAL CLADDING TYPE 1
- COPPER
 - 2 METAL CLADDING TYPE 2
VIREPANEL - COLOUR: RICH YELLOW
CODE: 1079
 - 3 METAL CLADDING TYPE 3
SMOULTE - PROF FINISH
COLOUR: MATT GREY METALLIC
 - 4 ASPEN RENDER PAINT FINISH
COLOUR: WHITE
CODE: 1164-1W
 - 5 COMMERCIAL GLAZING SYSTEM
COMALCO 400 SERIES NATURAL
ANODISED ALUMINIUM WITH
FLEMINGTON COMFORT PLUS GL-95
FACE PRESSED RED BRICKWORK
 - 6 CONCRETE PANEL WITH RAISED PROFILE
AND RED COLOURED OXIDE FINISH
FROM MAIRAW AUSTRALIA
 - 7 DECORATIVE SCREENER WITH ANTIQUE
BRONZE POWDERCOAT FINISH

NO	DATE	REVISIONS
1	11/09/07	ISSUE FOR PERMIT
2	11/09/07	REVISED PER PERMIT
3	11/09/07	REVISED PER PERMIT
4	11/09/07	REVISED PER PERMIT
5	11/09/07	REVISED PER PERMIT
6	11/09/07	REVISED PER PERMIT
7	11/09/07	REVISED PER PERMIT
8	11/09/07	REVISED PER PERMIT
9	11/09/07	REVISED PER PERMIT
10	11/09/07	REVISED PER PERMIT
11	11/09/07	REVISED PER PERMIT
12	11/09/07	REVISED PER PERMIT
13	11/09/07	REVISED PER PERMIT
14	11/09/07	REVISED PER PERMIT
15	11/09/07	REVISED PER PERMIT
16	11/09/07	REVISED PER PERMIT
17	11/09/07	REVISED PER PERMIT
18	11/09/07	REVISED PER PERMIT
19	11/09/07	REVISED PER PERMIT
20	11/09/07	REVISED PER PERMIT

GIACOMO MARIANI
ARCHITECTS
G-M-A-R-I-A-N-I

Domestic Region: Ashburton North
188 Otago Street, Dunedin 9013, New Zealand
Telephone: (03) 547 5471 Fax: (03) 547 5471

All drawings & designs remain the property of Giacomo Mariani Architects. No part of this document may be reproduced or transmitted in any form or by any means electronic, mechanical, photocopying, recording, or by any information storage and retrieval system without the prior written permission of Giacomo Mariani Architects.

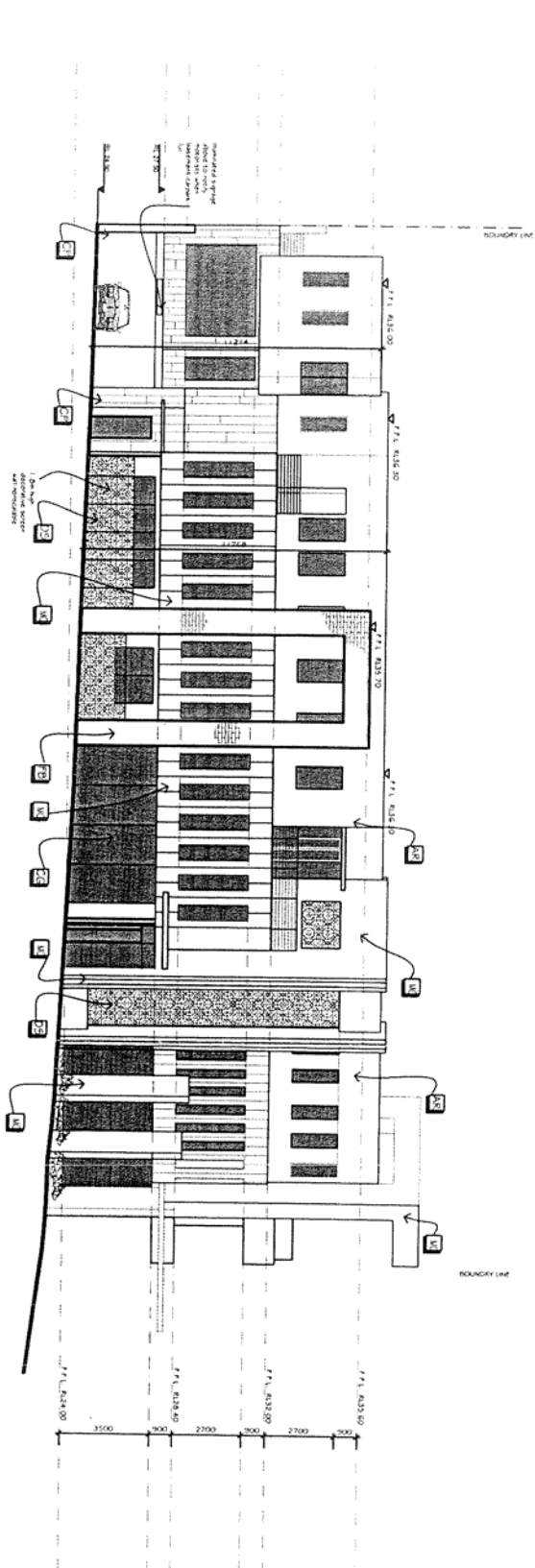
PROPOSED DEVELOPMENT AT 243-251 FLEMINGTON ROAD NORTH MELBOURNE

ELEVATIONS-2

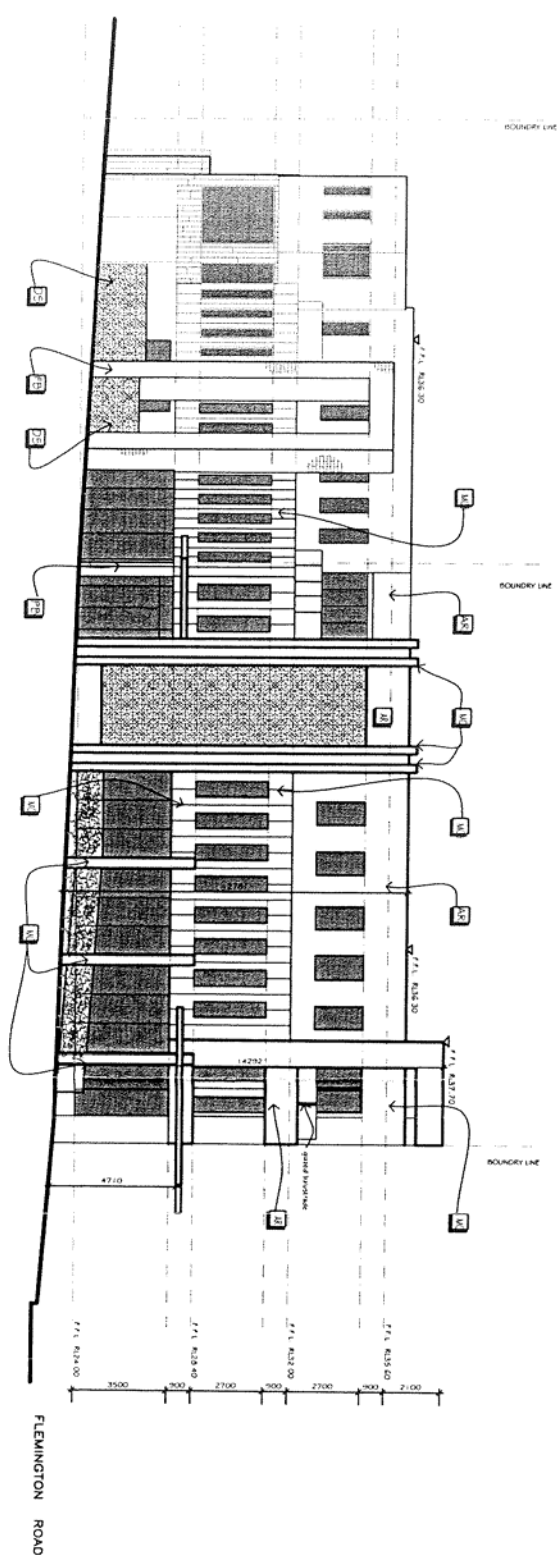
DOORS OPEN

PAYMENT

DATE	SCALE	NORTH
NOV 2008	1:100	
DRAWN	CHK BY	EXTENSION
NZ	PD	
JOB NO	0524	B
PROJ NO	TP09	



1 SOUTH (BROUGHAM ST.) ELEVATION
SCALE 1:100



2 SOUTH EAST (ABBOTSFORD ST.) ELEVATION
SCALE 1:100

EXTERNAL FINISHES MATERIAL

- 12 METAL CLADDING TYPE 1
- COPPER
- 13 METAL CLADDING TYPE 2
- METAL PANEL - COLOUR: RICH YELLOW
CODE: 10793
- 14 METAL CLADDING TYPE 3
- SNOWWITE - PVDF FINISH
COLOUR: MATT GREY METALLIC
ACRYLIC SANDER PAINT FINISH
COLOUR: TADMANN'S WHITE SANDER
CODE: T164-11W
- 15 COMMERCIAL GLAZING SYSTEM
- CONCALO 400 SERIES NATURAL
- ANODISED ALUMINIUM WITH
FILTRON COATON FLDS 84A55
FACE PRESERVD RED BRICKWORK
- 16 CONCRETE PANEL WITH RAISED PROFILE
AND RED COLOURED OXIDE FINISH
FROM HANSON AUSTRALIA
DECORATIVE SCREENING WITH ANTOUR
BRONZE POWDERCOAT FINISH

NO	REVISIONS	DATE	BY	CHK	APP
1	ISSUED FOR TENDERS	11/10/08	MM	MM	MM
2	REVISED TO REFLECT CHANGES	11/10/08	MM	MM	MM



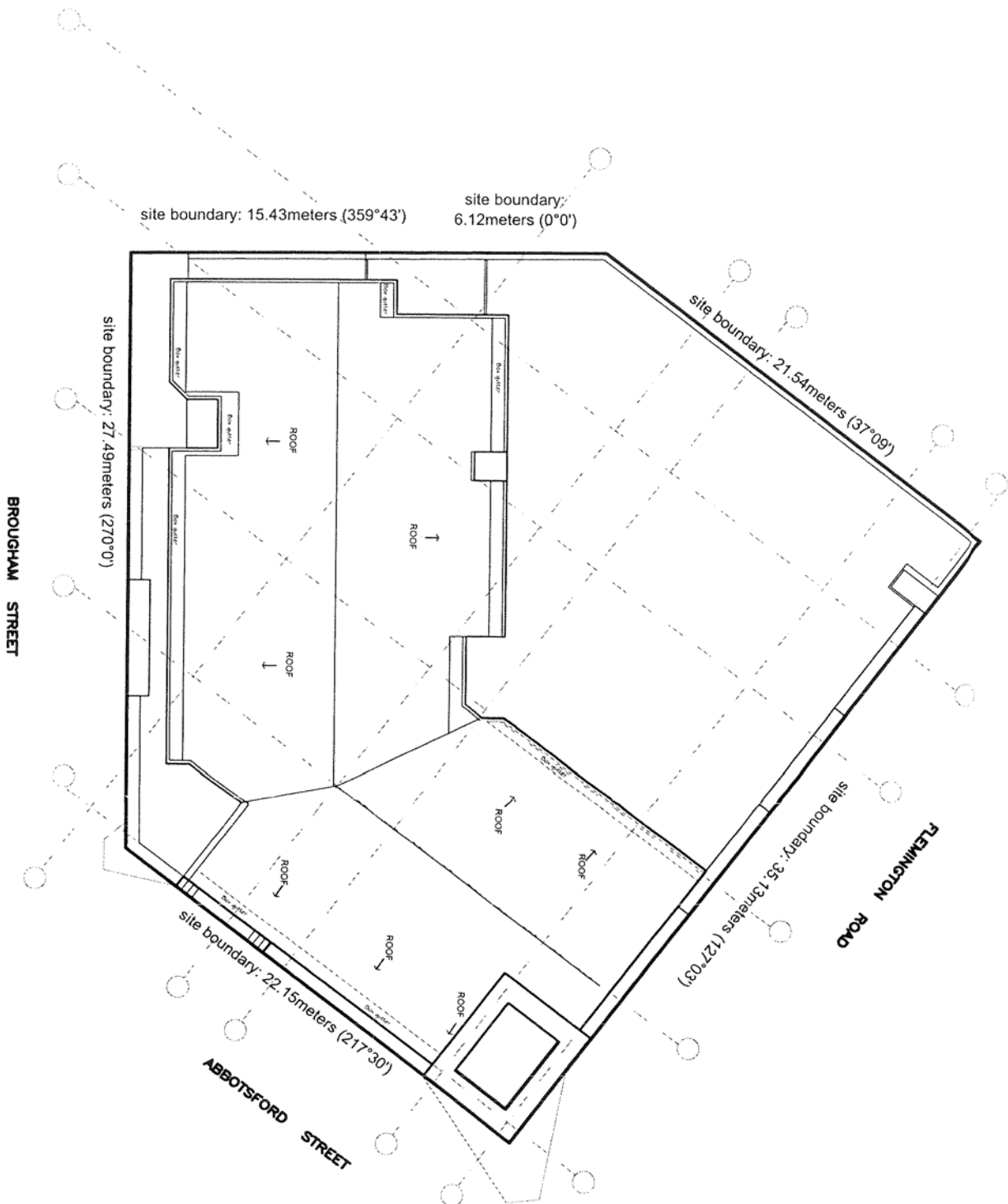
REGGIO MARINA QUARANTO
 Double Baygate, Abbotsford, Frankston
 188 Cardigan Street, Frankston, VIC 3162
 Telephone: (03) 9477 9471 Fax: (03) 9477 9472
 Email: info@reggiomarina.com.au

PROPOSED DEVELOPMENT AT 243-251 FLEMINGTON ROAD NORTH MELBOURNE

RECEIVED
 DOCS OPEN
 AIR
 PAYMENT

DATE	SCALE	NO	DESCRIPTION
NOV, 2008	1:100	0524	NORTH
DRAWN	CHK BY	APP BY	
KZ	PD		
CONTR NO	REV	DESCRIPTION	
TP08	B		

ROOF PLAN
SCALE 1:100



RECEIVED
2006 NOV 11 11:00
DOCUMENTS
PAYMENT

DATE: NOV, 2006		SCALE: -CONFORM A1	
DRAWN: HZ		CHK: PH	
JOB No: 0524		JOB Title: TP07	
<p>PROPOSED DEVELOPMENT 243-251 FLEMINGTON ROAD NORTH MELBOURNE</p>			
<p>181 Collins Street, Carlton, VIC 3053 Telephone: (03) 9417 9471 Fax: (03) 9417 9472 All drawings & designs remain the property of the architect & are subject to the terms & conditions of the contract.</p>			
<p>REGISTERED ARCHITECT GUY RENNOLD ARCHITECTS</p>			
<p>PROJECT TITLE: ROOF PLAN</p>			

FINANCE ATTACHMENT

**PLANNING APPLICATION : TP-2007-387, 243-251 FLEMINGTON ROAD, NORTH
MELBOURNE**

There are no direct financial implications for council arise from the recommendations of the report.

Joe Groher
Manager Financial Services

LEGAL ATTACHMENT

PLANNING APPLICATION : TP-2007-387, 243-251 FLEMINGTON ROAD, NORTH MELBOURNE

Division 1 of Part 4 of the *Planning and Environment Act* 1987 (“the Act”) sets out the requirements in relation to applications for permits pursuant to the relevant planning scheme.

In making its decision section 60(1)(c) of the Act requires the Responsible Authority to consider, amongst other things, all objections and other submissions which it has received.

Section 61(b) provides that the Responsible Authority may decide to grant a permit subject to conditions.

Objections to this planning permit application have been received. Section 64 of the Act sets out the procedure to be followed by the Responsible Authority in these circumstances. The section provides that the Responsible Authority must give the applicant and each objector a notice in the prescribed form of its decision to grant a permit. The Responsible Authority must not issue a permit to the applicant until the end of the period in which an objector may apply to the Tribunal for a review of the decision or, if an application for review is made, until the application is determined by the Tribunal or withdrawn.

Kim Wood
Manager Legal Services