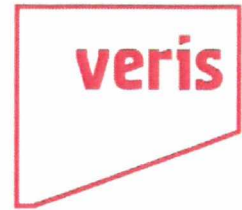


17/05/2017

Our Ref: 15508-12A

Your Ref: 5.2014.4.1



Manager Statutory Planning Services  
City of Vincent  
PO Box 82  
LEEDERVILLE WA 6902

Dear Sir/Madam,

**AMENDMENT OF PLANNING APPROVAL 5.2014.4.1 – FOR APPROVED RECREATION FACILITY AT LOT 7 STRATA PLAN 21608, 565-567 BEAUFORT STREET, MOUNT LAWLEY**

This application is to seek amendment of the City of Vincent conditional planning approval number 5.2014.4.1 dated the 12<sup>th</sup> March 2014 by deletion of condition number 4. Veris act on behalf of the Landowner being Silverleaf Investments Pty Ltd and RGO Enterprises Pty Ltd of lot 7 Strata Plan 21608, at 565-567 Beaufort Street, Mount Lawley.

The approved use of Lot 7 is for a 'Recreation Facility' with ancillary uses of 'Medical Consulting Rooms' and 'Office'. The business operating from the premises since March 2016 is a 24 hour gym known as 'Snap Fitness'. A copy of the original conditional planning approval and approved plans have been attached to this application.

The condition in question is number 4 which states:

*'4. This approval for Recreational Facility is for a period of thirty six (36) months only and should the applicant wish to continue the use after this period, it shall be necessary to re-apply to obtain approval from the City prior to the continuation of the use;'*

Our understanding for the inclusion of this condition, on the original planning approval, was to allow a 'test period' where by the operation of a 24 gym could be assessed against its impact on amenity in the local area. The Landowner advised that there were no significant negative impacts on the amenity of the local area caused by the 24 hour operation of the facility.

As such, we request as part of this reconsideration, that condition 4 be removed from the use over the subject site and that the business be permitted to operate unencumbered by any further timeframes that will affect the ongoing use on site. We make this application in accordance with the *Deemed Provisions for Local Planning Schemes*, in particular clause 77 (1) which states:

*'77. Amending or cancelling development approval*

*(1) An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following-*

*b) To amend or delete any condition to which the approval is subject;'*

We advise that in all other areas of use of the site the Landowners have, and will continue to, comply with all other conditions imposed by the previous planning approval. No other alterations to previous conditions are requested with this application.



**Perth**

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40 Hasler Rd  
Osborne Park WA 6017  
PO Box 99, Mount Hawthorn  
WA 6915 Australia

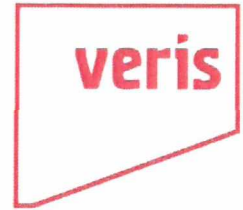
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We look forward to the City's favourable response to this application. Please find attached the relevant plans and application fee as required. If you have any queries or require any further information, please do not hesitate to contact me on 6241 3306.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Steven Fernandez", written in a cursive style.

Steven Fernandez | Town Planner  
**Veris**