9.1.1 Nos. 33 – 35 (Lots 53 & 350; D/P: 672 & 302361) Mary Street, Highgate – Proposed Additions and Alterations of an Existing Eight Multiple Dwelling Development to a Seven Multiple Dwelling Development and Construction of Two Grouped Dwellings

Ward:	South	**Date:**	12 June 2015
Precinct:	Precinct 12 – Hyde Park	**File Ref:**	PR23873; 5.2014.716.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Applicant Submission 4 – Applicant Justification 5 – Heritage Impact Statement 6 – Heritage Assessment from Applicant 7 – Marked up plans showing proposed versus required setbacks 8 – 3D Perspectives 9 – Design Advisory Committee Comments		
Tabled Items:	Nil		
Reporting Officer:	A Dyson – Planning Officer (Statutory)		
Responsible Officer:	G Poezyn – Director Planning Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by John Kestel Architect on behalf of the owner L & P Squire, for the proposed additions and alterations of an existing eight Multiple Dwelling development to a seven Multiple Dwelling development and construction of Two Grouped Dwellings at Nos. 33 & 35 (Lots 53 & 350) Mary Street, Highgate as shown on plans date stamped 24 December 2014 (site survey and existing floor plan) and amended plans date stamped 27 February 2015 (Shadow Plan) and 2 June 2015 (undercroft floor plan, ground and upper floor plans, elevation plans, Strata Plans), included as Attachment 2, subject to the following conditions:

1. **Amalgamation**

   Nos. 33-35 (Lots 53, and 350) Mary Street, Highgate shall be amalgamated into one lot on a Certificate of Title to the satisfaction of the City;

2. **Legal Agreement**

   The owners shall enter into a legal agreement secured by a caveat on the Certificate of Title of the amalgamated lot, for the conservation of the existing multiple dwellings to the satisfaction of the City;

3. **Boundary Walls**

   The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 31 (Lot 51) and 37 (Lot 54) Mary Street, Highgate, in a good and clean condition. The finish of the walls is to be to the satisfaction of the City and can either be fully rendered or face brickwork;

4. Building Appearance

All external fixtures shall be designed integrally with the development and shall not be visually obtrusive from Mary Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

5. Street Trees

No street verge tree on Mary Street shall be removed. The street verge trees are to be retained and protected from any damage including unauthorised pruning;

6. On-Site Parking Provision

The following minimum number of car bays shall be provided

6.1 Five car bays for the residents of the multiple dwelling component;

6.2 Two visitor car bays for the multiple dwelling component; and

6.3 Two car bays for the grouped dwelling component;

7. Car Parking and Accessways

7.1 The car parking and access areas are to comply with the requirements of AS2890.1;

7.2 The car park areas for visitors shall be shown as common property on any strata plan; and

7.3 Vehicle and pedestrian access points are required to match into existing right-of-way levels;

8. Car Parking Permits

A notice being placed on the Sales Contract to advise prospective purchasers that the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling;

9. **Within 28 days of the issue date of this approval to commence development, the owner or the applicant on behalf of the owner shall comply with the following requirements:**

9.1 Section 70A Notification under the *Transfer of Land Act 1893*

The owner shall agree in writing to a notification being lodged under section 70A of the *Transfer of Land Act 1893* notifying proprietors and/or (prospective) purchasers of the property that:

a. The use or enjoyment of the property may be affected by traffic, car parking and other impacts associated with nearby commercial and non-residential activities;

10. Prior to the submission of a Building Permit application, the following shall be submitted to and approved by the City:

10.1 Revised Plans

The applicant to provide revised plans denoting the following:

10.1.1 Visual Privacy

The southern façade of the balconies to units 8 & 9 shall comply with the requirements of the 2013 Residential Design Codes in relation to privacy provisions to the satisfaction of the City to prevent overlooking of Nos. 31 (Lot 51) and 37 (Lot 54) Mary Street, Highgate;

10.1.2 Bicycle Bays

Three residential and one visitor bicycle bays respectively for the residents and visitors of the development, shall be provided. Bicycle bays for visitors must be provided at a location convenient to the entrance, publically accessible and within the development and bicycle bays for the residents and employees must be located within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

10.1.3 Bin Store

A bin store is required to be provided, of a sufficient size to accommodate the City's maximum bin requirement, as assessed by the City;

10.2 Landscaping

A detailed landscape plan for the development site drawn to a scale of 1:100 shall show the following:

10.2.1 The location and type of existing and proposed trees and plants;
10.2.2 All vegetation including lawns;
10.2.3 Areas to be irrigated or reticulated and such method;
10.2.4 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
10.2.5 Separate soft and hard landscaping plants (indicating details of materials to be used);

10.3 Vehicle Entry Gate – Management Plan

The proposed vehicular entry gate to the car parking area shall have a minimum 50% visual permeability or a plan detailing management measures for the operation of the vehicular entry gate, to ensure access is readily available for owners/visitors to the units at all times;

10.4 Acoustic Report

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation shall be prepared, submitted and approved by the City. The recommended measures of the report shall be implemented; and

10.5 Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, in accordance with the requirements of the City's Policy No. 7.5.23 – Construction Management Plans. Construction and management of the site shall thereafter comply with the approved Construction Management Plan; and

11. Prior to the submission of an Occupancy Permit, the following shall be completed to the satisfaction of the City;

11.1 Car Parking

The car parking bays shall be line marked in accordance with the approved plans and maintained thereafter by the owners/occupiers to the satisfaction of the City;

11.2 Clothes Drying Facility

Each multiple dwelling shall be provided with a clothes drying facility in accordance with the 2013 Residential Design Codes;

11.3 Acoustic Report

With reference to Condition 10.4, certification from an acoustic consultant, that the recommended measures have been undertaken shall be provided to the City;

11.4 Section 70 A notification under the *Transfer of Land Act 1893*

With reference to Condition 8.1, this notification shall be lodged and registered in accordance with the *Transfer of Land Act 1893*;

11.5 Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the satisfaction of the City; and

11.6 Landscaping

With reference to Condition 10.2 all such works shown shall be undertaken in accordance with the approved plan and maintained thereafter, to the satisfaction of the City, by the owners/occupiers.

ADVICE NOTES:

1. With regard to Condition 1 the owners shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the City, which is secured by a caveat on the Certificates of Title of the subject land, prepared by the City's solicitors or other solicitors agreed upon by the City, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Permit. All costs associated with this condition shall be borne by the applicant/owner(s). Amalgamation of the lots is not required if it can be demonstrated that the proposed development complies with the relevant requirements of the National Construction Code Series;

2. With regard to Condition 2, all costs associated with this condition shall be borne by the applicant/owners;

3. With regard to Condition 3, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;

4. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;

5. With regard to Condition 11.5, no further consideration shall be given to the disposal of stormwater 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;

6. A Road and Verge security bond for the sum of $3,000, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

7. With regard to Condition 7.3, the portion of the existing footpath traversing the proposed crossover must be retained. The proposed crossover levels shall match into the existing footpath levels. Should the footpath not be deemed to be in satisfactory condition, it must be replaced with in-situ concrete panels in accordance with the City's specification for reinstatement of concrete paths;

8. With regard to Condition 10.2, Council encourages landscaping methods and species selection which do not rely on reticulation;

9. With regard to Condition 10.1.3, the bins access pathway is to be ramped or a mechanical lift to be fitted to allow waste and recycle bins to be taken to Mary Street for collection.

10. With regard to Condition 10.1.2, the bicycle bays are to be incorporated into the development.

11. Please note that any additional property numbering to the abovementioned address which results from this application will be allocated by the City of Vincent. Please liaise with the City in this regard during the building permit process;

12. With regard to Condition 10.2, Council encourages landscaping methods and species selection which do not rely on reticulation. All such works shall be undertaken in accordance with the approved plans prior to the first occupation of the development, and maintained thereafter by the owners/occupiers; and

13. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City's Ranger Services Section. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.

Moved Cr Cole, Seconded Cr Peart

That the recommendation be adopted.

Debate ensued.

Cr Cole departed the Chamber at 7.10pm.

Cr Cole returned to the Chamber at 7.13pm.

Debate ensued.

AMENDMENT

Moved Cr Harley, Seconded Cr McDonald

That a new Advice Note be inserted as follows:

14. The applicant shall pay a laneway security bond in the amount determined by the Director of Technical Services, prior to the issue of a building permit.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Buckels was on approved leave of absence.)
(Cr Pintabona was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.1

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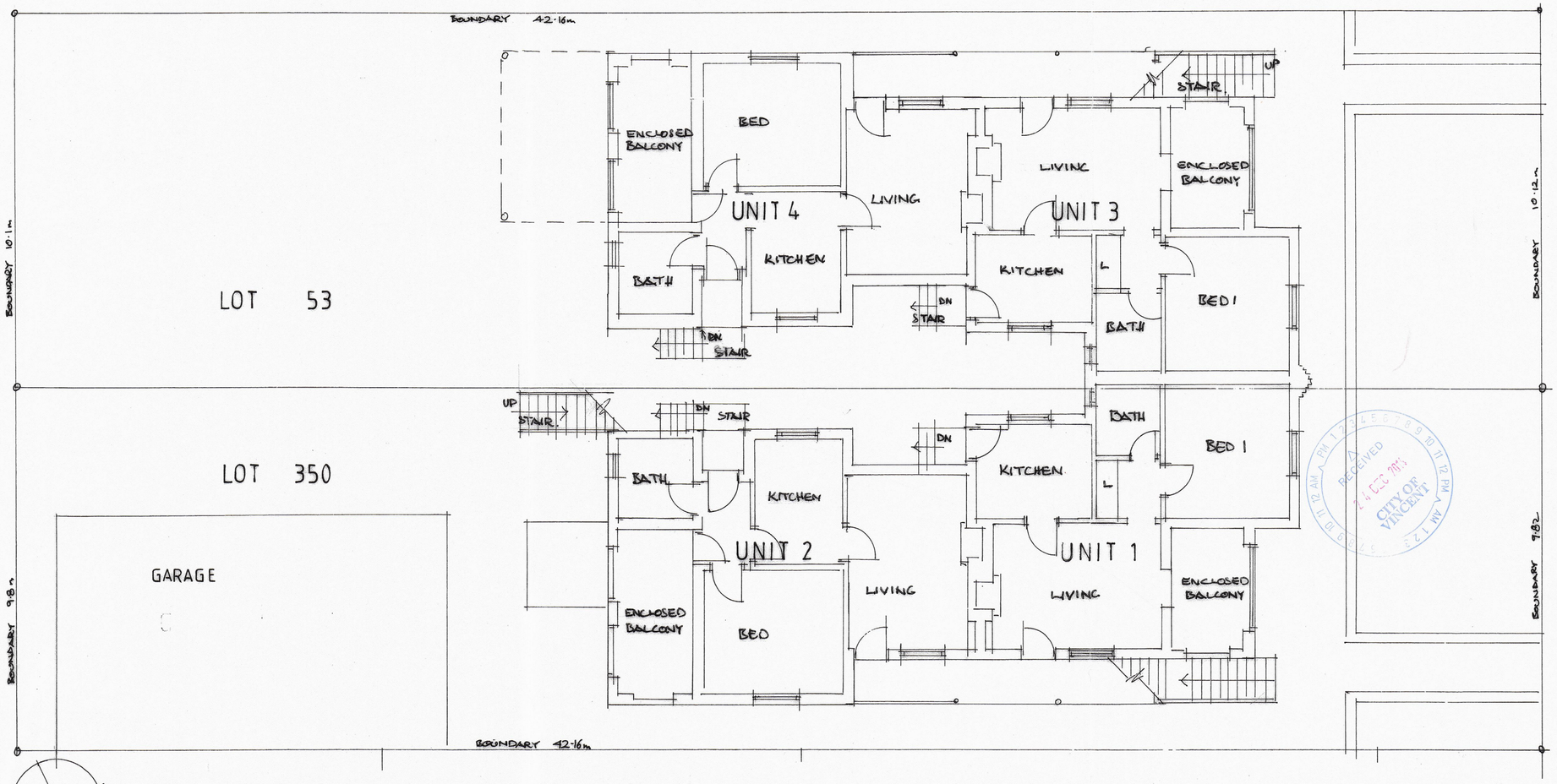
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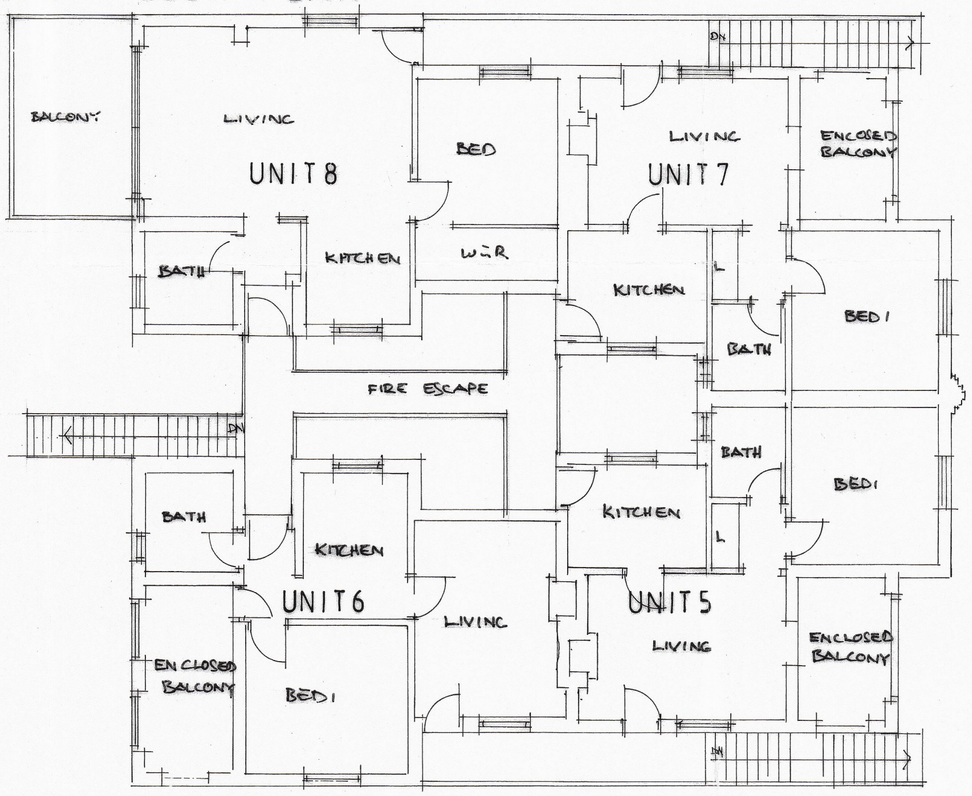
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EXIST. SITE & GROUND FLOOR PLAN

SCALE 1:100



EXIST. UPPER FLOOR PLAN

SCALE 1:100

RECEIVED
24 DEC 2015
CITY OF VINCENT

CITY OF VINCENT
PLANNING & BUILDING SERVICES
APPROVED/REFUSED
IN ACCORDANCE WITH 21 JUL 2016
FORM M.R.S 2 ISSUED OMC 30.6.15
AND AMENDMENTS SHOWN IN RED
Manager, Planning & Building Services

MARY STREET

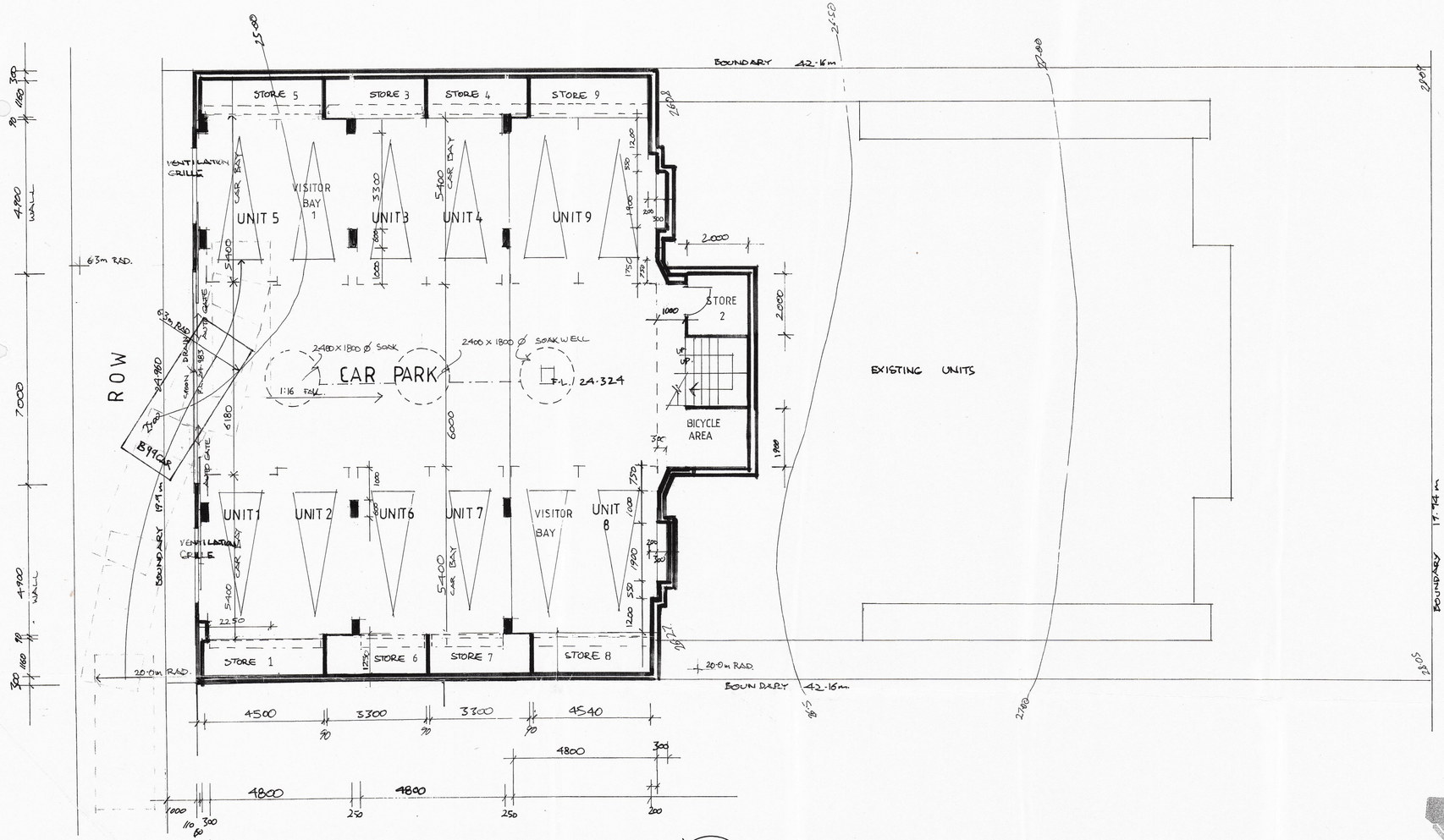
JOHN KESTEL ARCHITECT PTY. LTD.
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Fx: (08) 9221 3266
Mob: 0414 470 466
johnkestelarchitect@iinet.net.au

A1

Proposed Renovation Of Existing Multiple Dwelling units &
New Under Croft Carpark With 2 Group Dwellings Over

33 MARY STREET HIGHGATE

Existing Floor Plans of Multiple Dwelling Units



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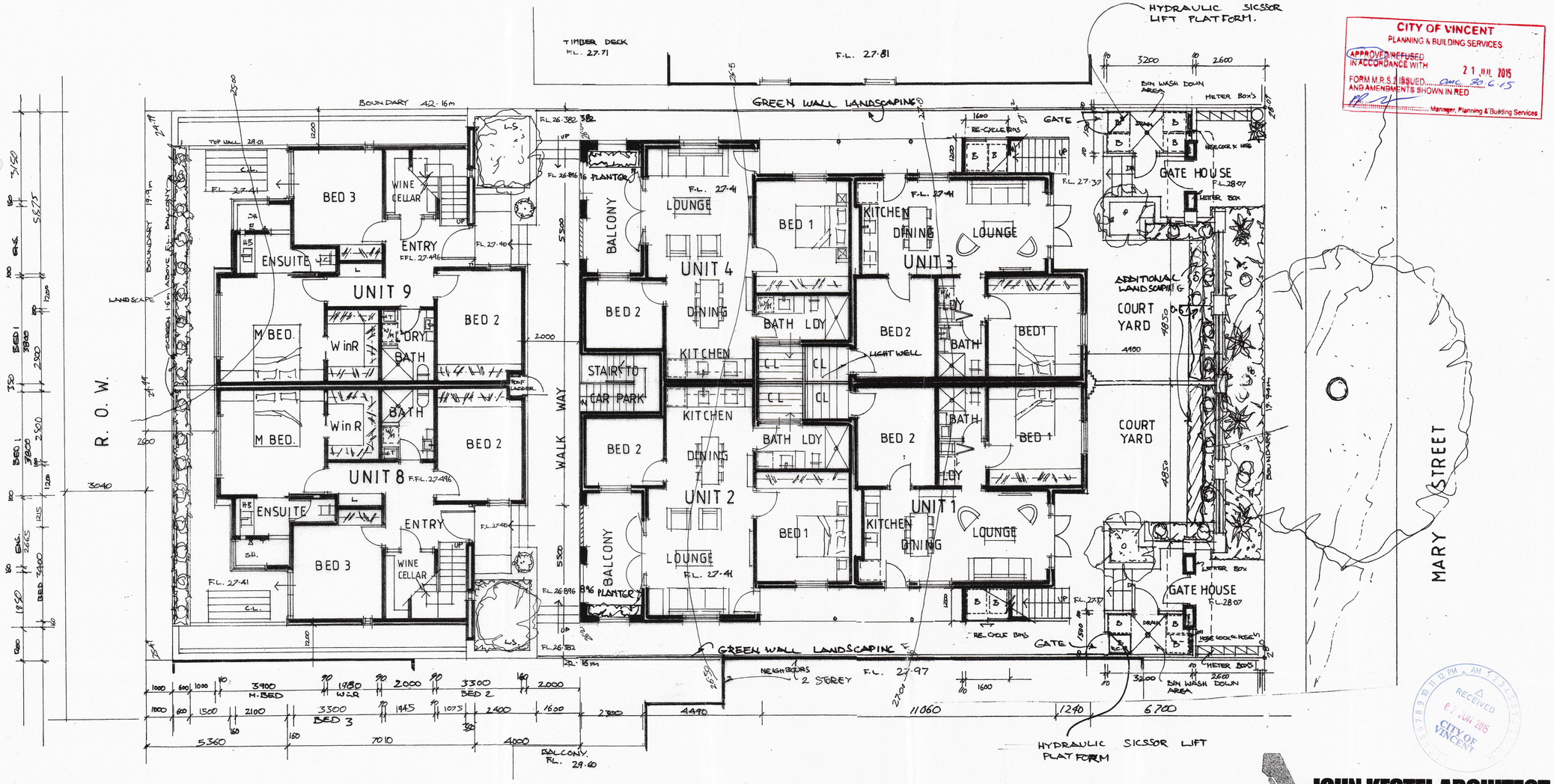
Proposed Renovation Of Existing Multiple Dwelling units &
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33 MARY STREET HIGHGATE

REVISED 3·3·15 GATE SIZE 22·5·15 STORES BICYCLE STORE

Proposed 12 Bay Under Croft Carp Park With Store Rooms

A2



PROPOSED GROUND FLOOR PLAN SCALE 1:100

CITY OF VINCENT
PLANNING & BUILDING SERVICES
APPROVED / REFUSED IN ACCORDANCE WITH FORM M.R.S.A. ISSUED AND AMENDMENTS SHOWN IN RED
21 JUL 2015
DMC 20 6 15
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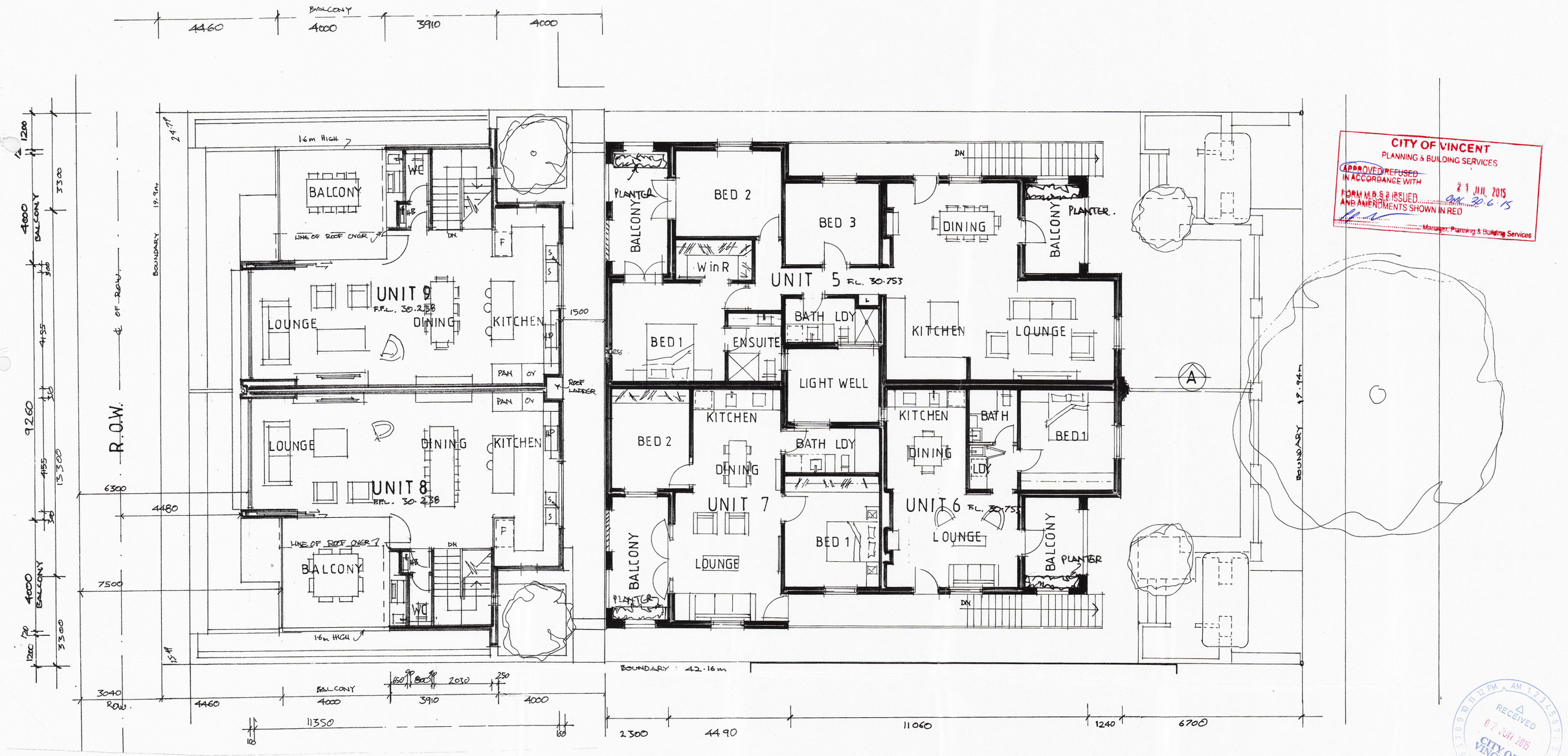
Proposed Renovation Of Existing Multiple Dwelling units & New Under Croft Carpark With 2 Group Dwellings Over

33 MARY STREET HIGHGATE

REVISED 3-3-15 UNIT 8,9 & BIN AREAS
REVISED 10-3-15 HYDRAULIC SICSSOR LIFT PLATFORM FOR BINS.
REVISED 2-04-15 ADDITIONAL LANDSCAPING.
REVISED 31-5-15 PLANTER. BALCONY

Proposed Ground Floor Plan

A3



CITY OF VINCENT
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UPPER FLOOR PLAN

SCALE 1:100

Proposed Renovation Of Existing Multiple Dwelling Units &
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33 MARY STREET HIGHGATE

REVISED 3·3·15 UNIT 8 & 9
REVISED 2·4·15 OBSCURE GLASS KITCHEN WINDOW UNITS 8 & 9.
REVISED 31·5·15 PLANTERS TO BALCONY & REVISED REAR UNIT LAYOUT.

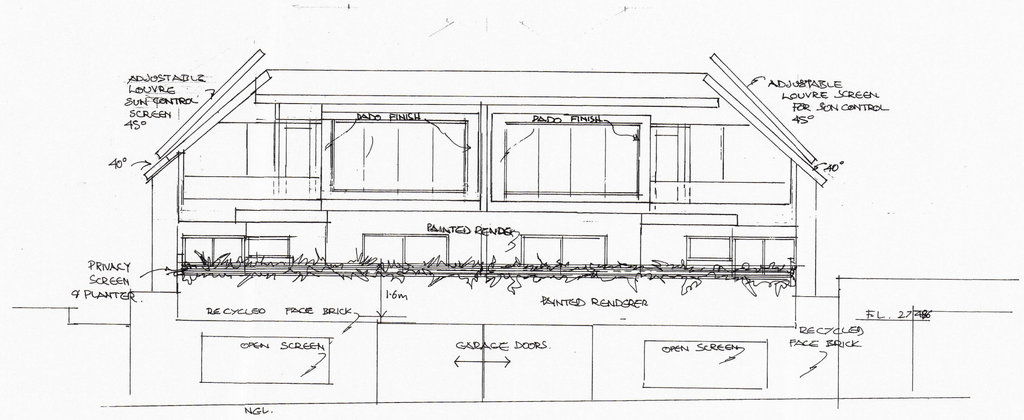
Proposed Upper Floor Plan

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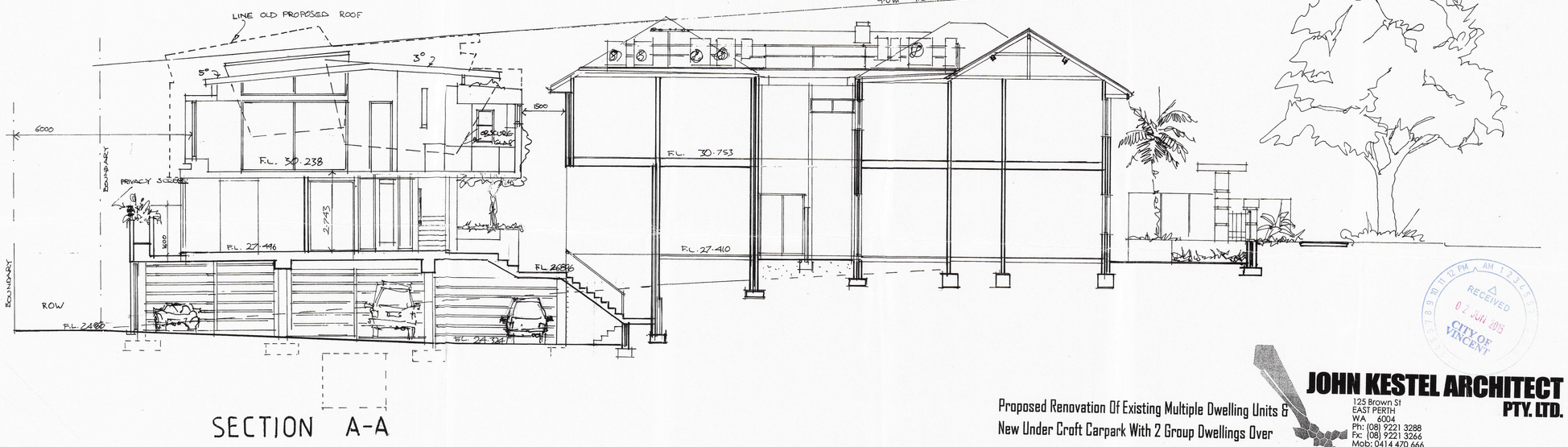
A4



NORTH EAST ELEVATION SCALE 1:100



SOUTH WEST ELEVATION



SECTION A-A

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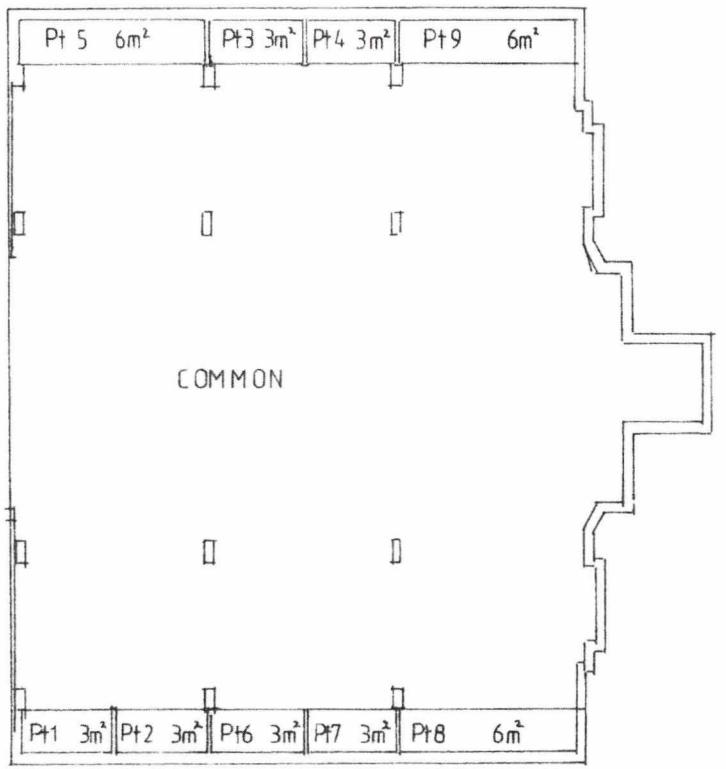
Proposed Renovation Of Existing Multiple Dwelling Units &
New Under Croft Carpark With 2 Group Dwellings Over

33 MARY STREET HIGHGATE

REVISED 3.3.15 REAR UNIT REVISED ROOF LINE REAR UNITS. 31.5.15

Proposed North East, South West Elevations & Section A-A

A6



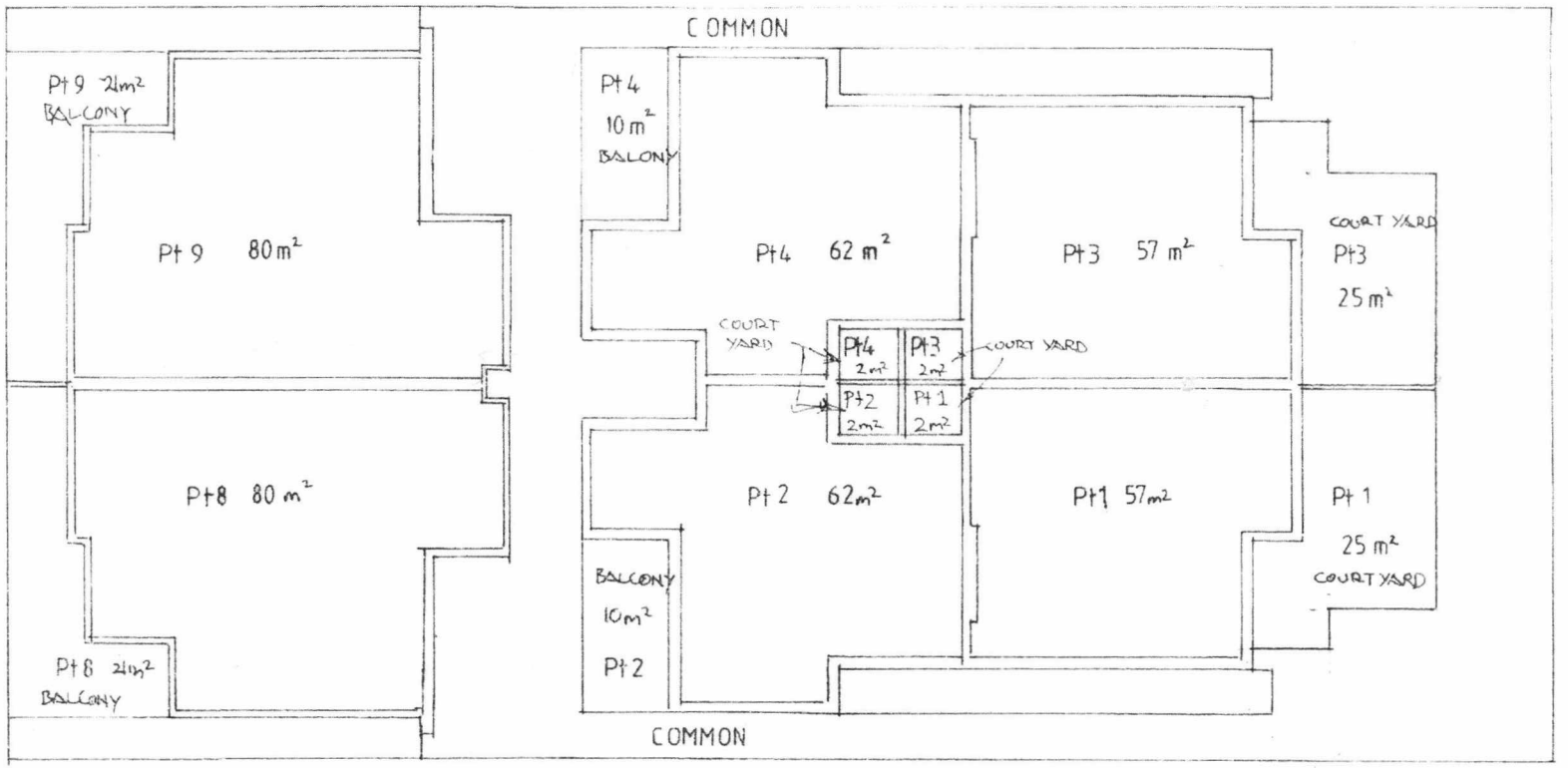
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2 - JUN 2015
CITY OF VINCENT

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PLANNING & BUILDING SERVICES
APPROVED/REFUSED
IN ACCORDANCE WITH
21 JUL 2015
FORM M.R.S.2 ISSUED..... 30.6.15
AND AMENDMENTS SHOWN IN RED
Manager, Planning & Building Services

PROPOSED STRATA PLAN

33 MARY STREET HIGHGATE

BASEMENT FLOOR PLAN scale 1:200



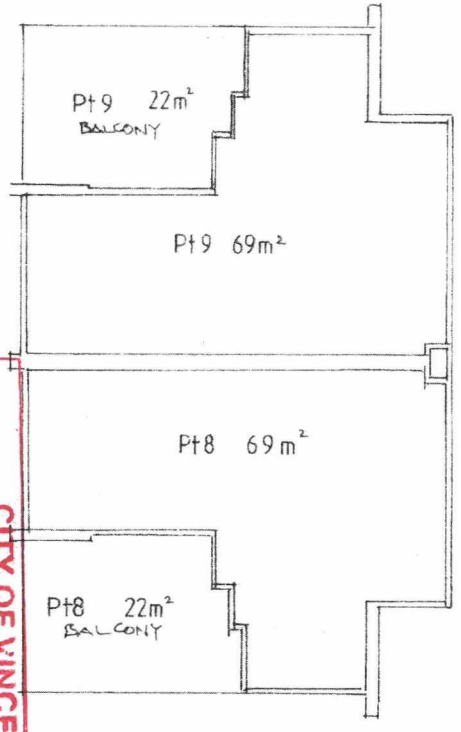
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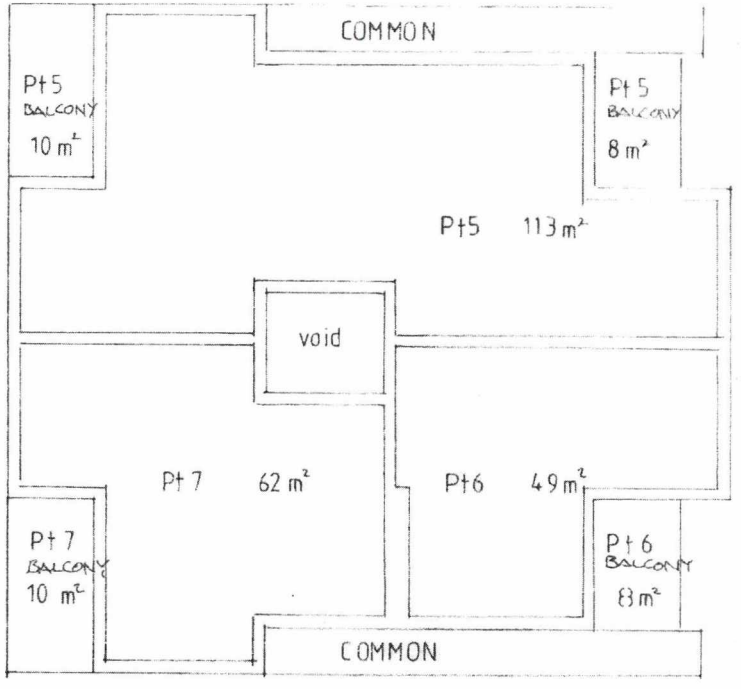
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PROPOSED STRATA PLAN

33 MARY STREET HIGHGATE

GROUND FLOOR PLAN scale 1:200





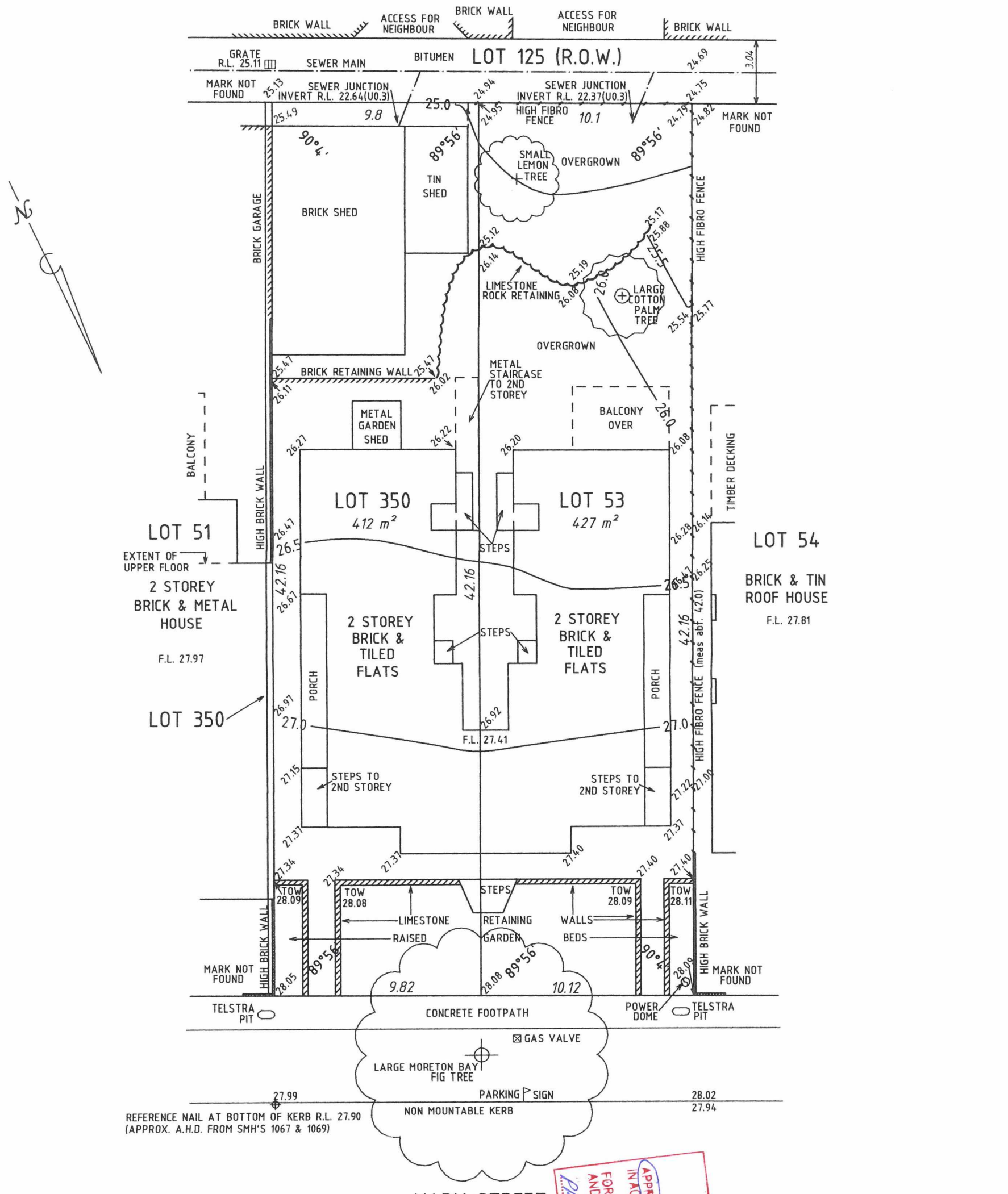
CITY OF VINCENT
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FORM M.R.S.2 ISSUED..... OMC 30.6.15
AND AMENDMENTS SHOWN IN RED
21 JUL 2015
.....
Manager, Planning & Building Services

RECEIVED
2 - JUN 2015
CITY OF VINCENT

PROPOSED STRATA PLAN

33 MARY STREET HIGHGATE

FIRST FLOOR PLAN scale 1:200



NOTE : TOW - TOP OF WALL

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Manager, Planning & Building Services
21 JUL 2015

CONTOUR AND FEATURE SURVEY OF LOTS 53 & 350
35 & 33 MARY STREET, HIGHGATE

PLAN & DP	: 672 & DP 302361
C/T	: 1800-870
AUTHORITY	: CITY OF VINCENT
TOTAL LOT AREA	: 839 m²
SCALE	: 1 : 200 @ A3
SURVEY DATE	: 3-11-2014
JOB	: 13659

DRAFTED BY	: IW
DATE	: 6-11-2014
CHECKED BY	: MSO

DIAL 1100 BEFORE YOU DIG

CARLTON SURVEYS
Licensed Surveyors
SUITE 4, 160 BURSWOOD ROAD,
BURSWOOD, W.A., 6100.
TEL 9361 5358 FAX 9361 3457
E-mail : carlton@carlton-surveys.com.au

CHECK TITLE FOR EASEMENTS, RESTRICTIVE COVENANTS ETC.
THIS SURVEY DOES NOT GUARANTEE THE CORRECT POSITION OF BOUNDARY PEGS OR FENCES.
ALL FEATURES AND BUILDING POSITIONS ARE APPROXIMATE ONLY, AS THEY HAVE BEEN POSITIONED FROM MEASUREMENTS TAKEN FROM EXISTING PEGS, FENCES & WALLS.
A BOUNDARY RE-ESTABLISHMENT SURVEY IS RECOMMENDED PRIOR TO UNDERTAKING ANY SITE WORKS OR CONSTRUCTION.
INFORMATION SHOWN ON THIS SURVEY IS CURRENT AT THE DATE SHOWN.
CARLTON SURVEYS ACCEPTS NO RESPONSIBILITY FOR ANY CHANGES THAT HAVE OCCURRED AFTER THIS DATE, TO SITE LEVELS AND FEATURES OR BUILDINGS.
CADASTRAL BOUNDARY DIMENSIONS SHOWN HAVE BEEN OBTAINED FROM SURVEY PLANS AND ARE SUBJECT TO FIELD SURVEY.