

9.1.4 Nos. 201-203 (Lot 1; D/P 1239) Oxford Street, corner Melrose Street, Leederville – Proposed Change of Use from Two-Storey Commercial Building with Shop and Ancillary Tea House to Three-Storey Commercial Building with Shop, Unlisted Use (Art Gallery), Warehouse and Ancillary Tea House and Associated Alterations and Additions

Ward:	South	Date:	21 September 2010
Precinct:	Oxford Centre; P04	File Ref:	PRO2011; 5.2010.324.1
Attachments:	001 ; 002 ; 003		
Reporting Officer:	D Pirone, Statutory Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Burgess Design Group on behalf of the owner Cameraland WA Pty Ltd for proposed Change of Use from Two-Storey Commercial Building with Shop and Ancillary Tea House to Three-Storey Commercial Building with Shop, Unlisted Use (Art Gallery), Warehouse and Ancillary Tea House and Associated Alterations and Additions, at Nos. 201-203 (Lot 1; D/P 1239) Oxford Street, corner Melrose Street, Leederville, and as shown on plans stamp-dated 2 September 2010, subject to the following conditions:

- (i) the gross floor area of the proposed:
 - (a) shop shall be limited to a maximum of 355 square metres;*
 - (b) art gallery shall be limited to a maximum of 221 square metres;*
 - (c) warehouse shall be limited to 108 square metres; and*
 - (d) ancillary tea house shall be limited to 41 square metres.**
- Any increase in floor space or change of use for the subject land shall require a separate Planning Approval to be applied to and obtained from the Town;*
- (ii) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street and Melrose Street;*
- (iii) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the Town prior to the erection of the signage;*
- (iv) windows, doors and adjacent areas fronting Oxford Street and Melrose Street shall maintain an active and interactive relationship with these streets;*
- (v) first obtaining the consent of the owners of Nos. 205-207 Oxford Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 205-207 Oxford Street in a good and clean condition;*

- (vi) *no street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;*
- (vii) *power is required to be undergrounded across both the Oxford Street and Melrose Street frontages of the development. All costs associated with the provision of this underground power shall be met by the owner(s);*
- (viii) **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:**
 - (a) *pay a cash-in-lieu contribution of \$14,460 for the equivalent value of 4.82 car parking spaces, based on the cost of \$3,000 per bay as set out in the Town's 2010/2011 Budget; OR*
 - (b) *lodge an appropriate assurance bond/bank guarantee of a value of \$14,460 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*
 - (1) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
 - (2) *to the owner(s)/applicant following receipt by the Town of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or*
 - (3) *to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.*

The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on-site and to reflect the new changes in the car parking requirements;

- (ix) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**
 - (a) **Construction Management Plan**

A Construction Management Plan shall be submitted to and approved by the Town, addressing the following issues:

 - 1. *public safety, amenity and site security;*
 - 2. *contact details of essential site personnel;*
 - 3. *construction operating hours;*
 - 4. *noise control and vibration management;*
 - 5. *Dilapidation Reports of nearby properties;*
 - 6. *air and dust management;*
 - 7. *stormwater and sediment control;*
 - 8. *soil excavation method (if applicable);*
 - 9. *waste management and materials re-use;*
 - 10. *traffic and access management;*
 - 11. *parking arrangements for contractors and subcontractors;*
 - 12. *Consultation Plan with nearby properties; and*
 - 13. *any other matters deemed appropriate by the Town;*

(b) **Refuse Management**

A Refuse Management Plan shall be submitted to and approved by the Town prior to commencement of works. The Plan should include details of refuse bin location, vehicle access and manoeuvring.

Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the Town's Health Services Specifications;

Commercial:

General Waste: One (1) 240 litre MGB per commercial unit or per 200sqm of floor space (collected weekly); and

Recycle Waste: One (1) 240 litre MRB per commercial unit or per 200sqm of floor space (collected fortnightly);

(c) **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town's Parks and Property Services Section for assessment and approval.

For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:

- 1. the location and type of existing and proposed trees and plants;*
- 2. all vegetation including lawns;*
- 3. areas to be irrigated or reticulated;*
- 4. proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
- 5. separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

The Council encourages landscaping methods and species selection which do not rely on reticulation.

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

(d) **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted;

(e) **Awnings**

Continuous and complementary awnings being provided over the Oxford Street and Melrose Street footpath in accordance with the Town's Local Law relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 3.3 metres from the footpath level to the underside of the awning and a maximum extension of 500 millimetres from the kerb line of Oxford Street and Melrose Street;

(f) **Right of Way Widening**

No development shall occur within 1.5 metre of the western boundary of Nos. 201-203 Oxford Street, to facilitate future right of way widening; and

(g) **Verge Upgrade**

In keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments, the footpaths adjacent to the subject land are to be upgraded, by the applicant, to the Town's specification. If the proposed works are to include the angled parking as shown in the applicant's submission, the cash in-lieu payment can be used as a part contribution toward the cost. However, as the scope of works is yet to be determined, and will exceed the cash in-lieu payment, a further sum of \$20,000 shall be lodged with the Town, as a bond, prior to the issue of a Building Licence. The bond will be held until such time as the Town enters into an agreement with the applicant in respect of the extent of the verge works, which shall be designed and constructed in consultation with the Town; and

(x) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) **Bicycle Parking Facilities**

Two (2) class one or two and five (5) class 3 bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to installation of such facilities; and

(b) **Car Parking**

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Topelberg, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Cr McGrath departed the Chamber at 7.52pm.

Debate ensued.

Cr McGrath returned to the Chamber at 7.55pm.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

9.1.1 Nos. 201-203 (Lot 1; D/P 1239) Oxford Street, corner Melrose Street, Leederville – Proposed Alterations and Additions to Existing Three-Storey Commercial Building with Shop and Ancillary Tea House to Three-Storey Commercial Building with Shop, Warehouse, Ancillary Tea House and Club Premises

Ward:	South	Date:	7 December 2012
Precinct:	Oxford Centre; P4	File Ref:	PRO2011; 5.2012.215.2
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicants Justification received 10 May 2012		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	C Eldridge, Director Planning Services		

CORRECTED OFFICER RECOMMENDATION:

That the 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 Concept Building Design on behalf of the owner, Cameraland (WA) Pty Ltd, for Proposed Alterations and Additions to Existing Three-Storey Commercial Building with Shop and Ancillary Tea House to Three-Storey Commercial Building with Shop, Warehouse, Ancillary Tea House and Club Premises at Nos. 201-203 (Lot 1; D/P 1239) Oxford Street, corner Melrose Street, Leederville, and as shown on plans stamp-dated 18 October 2012, subject to the following conditions:

1. the maximum gross floor area of the shop and warehouse shall be limited to 328.25 square metres and 177.7 square metres respectively. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. the doors, windows and adjacent floor areas fronting Oxford Street and Melrose Street shall maintain an active and interactive relationship with these streets;
3. continuous and complementary awnings being provided over the Oxford Street and Melrose Street footpaths for the full length of Oxford Street and Melrose Street to the carpark driveway in accordance with the City's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 3.3 metres from the footpath level to the underside of the awning and a minimum of 500 millimetres and a maximum of 750 millimetres from the kerb line of Oxford Street and Melrose Street to be approved by the City;
4. ~~the owners shall make application to obtain the consent of the owners of Nos. 205-207 Oxford Street for entry onto their land,~~ the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 205-207 Oxford Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;"
5. no street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;
6. all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
7. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street and Melrose Street;

8. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:**

8.1 **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, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

8.2 **Acoustic Report**

Prepare and submit to the City an Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;

8.3 **Privacy Screening**

The western side of the roof terrace, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;

8.4 **Refuse Management**

A Refuse and Recycling Management Plan shall be submitted and approved by the City prior to commencement of any works. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.

Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the City's Health Services Specifications:

Commercial:

1 x mobile garbage bin per unit; and

1 x paper recycle bin per unit, or per 200 square metres of floor space;

8.5 **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted; and

8.6 Artwork/Design Features

- 8.6.1 the artwork for the full extent of the southern wall, as per drawing E01, being submitted and approved by the City's Art Advisory Committee and installed;
- 8.6.2 the artwork as per drawing E02 or a minimum of two (2) appropriate significant design features are to be incorporated into the western elevation of the building; and
- 8.6.3 no advertising material is to be used on either the southern or western walls;

9. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:

9.1 Car Parking

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City; and

9.2 Bicycle Parking Facilities

One (1) class one or two and two (2) class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility; and

10. the development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City's Chief Executive Officer.

ADVICE NOTE

- 1. the owners shall make application to obtain the consent of the owners of Nos. 205-207 Oxford Street for entry onto their land.**

Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr Harley departed the Chamber at 8.27pm.

Debate ensued.

Cr Harley returned to the Chamber at 8.29pm.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr McGrath

"That a new Clause 8.7 be inserted to read as follows:

8.7 Amended Plans

Amended floor plans are required denoting the area on the second floor as "private camera club roof terrace;"

Debate ensued.

AMENDMENT PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr Maier, Cr McGrath
Cr Topelberg, Cr Wilcox
Against: Cr Pintabona

MOTION PUT AND CARRIED (8-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr Maier, Cr McGrath
Cr Topelberg, Cr Wilcox
Against: Cr Pintabona

COUNCIL DECISION ITEM 9.1.1

OFFICER RECOMMENDATION:

That the 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 Concept Building Design on behalf of the owner, Cameraland (WA) Pty Ltd, for Proposed Alterations and Additions to Existing Three-Storey Commercial Building with Shop and Ancillary Tea House to Three-Storey Commercial Building with Shop, Warehouse, Ancillary Tea House and Club Premises at Nos. 201-203 (Lot 1; D/P 1239) Oxford Street, corner Melrose Street, Leederville, and as shown on plans stamp-dated 18 October 2012, subject to the following conditions:

1. the maximum gross floor area of the shop and warehouse shall be limited to 328.25 square metres and 177.7 square metres respectively. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. the doors, windows and adjacent floor areas fronting Oxford Street and Melrose Street shall maintain an active and interactive relationship with these streets;
3. continuous and complementary awnings being provided over the Oxford Street and Melrose Street footpaths for the full length of Oxford Street and Melrose Street to the carpark driveway in accordance with the City's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 3.3 metres from the footpath level to the underside of the awning and a minimum of 500 millimetres and a maximum of 750 millimetres from the kerb line of Oxford Street and Melrose Street to be approved by the City;
4. the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 205-207 Oxford Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;"
5. no street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;

6. all signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage;
7. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street and Melrose Street;
8. PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION, the following shall be submitted to and approved by the City:

8.1 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, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

8.2 Acoustic Report

Prepare and submit to the City an Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;

8.3 Privacy Screening

The western side of the roof terrace, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;

8.4 Refuse Management

A Refuse and Recycling Management Plan shall be submitted and approved by the City prior to commencement of any works. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.

Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the City's Health Services Specifications:

Commercial:

1 x mobile garbage bin per unit; and

1 x paper recycle bin per unit, or per 200 square metres of floor space;

8.5 Schedule of External Finishes

A detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted; and

8.6 Artwork/Design Features

8.6.1 the artwork for the full extent of the southern wall, as per drawing E01, being submitted and approved by the City's Art Advisory Committee and installed;

8.6.2 the artwork as per drawing E02 or a minimum of two (2) appropriate significant design features are to be incorporated into the western elevation of the building; and

8.6.3 no advertising material is to be used on either the southern or western walls; and

8.7 Amended Plans

Amended floor plans are required denoting the area on the second floor as "private camera club roof terrace";

9. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:**

9.1 Car Parking

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City; and

9.2 Bicycle Parking Facilities

One (1) class one or two and two (2) class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facility; and

10. the development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City's Chief Executive Officer.

ADVICE NOTE:

1. The owners shall make application to obtain the consent of the owners of Nos. 205-207 Oxford Street for entry onto their land.

PURPOSE OF REPORT:

The application is referred to Council for determination given it is an addition to a three-storey development.

CE 17/12/12
17/12/12

9.1.1 Nos. 201-203 (Lot 1; D/P 1239) Oxford Street, corner Melrose Street, Leederville – Proposed Alterations and Additions to Existing Two Storey Commercial Building with Shop and Ancillary Tea House to Three-Storey Commercial Building with Shop, Warehouse, Ancillary Tea House and Club Premises

Prepared by: Carlie Eldridge, Director Planning Services

CORRECTED OFFICER RECOMMENDATION:

1. That Clause 4 be corrected to read as follows:

~~“4. the owners shall make application to obtain the consent of the owners of Nos. 205-207 Oxford Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 205-207 Oxford Street in a good and clean condition. The finish of the wall is to be fully rendered or face brickwork;”~~

2. That a new Advice Note 1 be inserted to read as follows:

“ADVICE NOTE

1. the owners shall make application to obtain the consent of the owners of Nos. 205-207 Oxford Street for entry onto their land.”

Requested by: Councillor Dudley Maier
Prepared by: Carlie Eldridge, Director Planning Services

PROPOSED AMENDMENT:

That a new Clause 8.7 be added to read as follows:

“8.7 Amended Plans

Amended floor plans are required denoting the area on the second floor as “private camera club”.

Planning and Development Act 2005

City of Vincent

Notice of determination on application for development approval

Location: Nos. 201-203 Oxford Street, LEEDERVILLE

Lot, Plan/Diagram: LOT: 1 D/P: 1239

Vol. No: 1311

Folio No: 42

Application date: 15 July 2015

Received on: 24 July 2015

Serial No: 5.2015.332.1

Description of development: Alterations and Additions to Existing Shop including Ancillary Upper Roof Deck (Retrospective)

Plans dated: 21 September 2015

This application for development approval is approved subject to the following conditions:

1. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT'**, the owners or the applicant on behalf of the owners shall comply with the following requirements:

Occupancy Permit Unauthorised

A Occupancy Permit Unauthorised application along with structural details certified by a Practising Structural Engineer, including plans and specifications of the subject unauthorised development, shall be submitted to and approved by the City of Vincent Building Services as required under Sections 51, 52 & 54 of the Building Act 2011, and Regulation 4 of the Building Regulations 2012;

2. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;
3. The outdoor roof deck shall not be leased or used for private/public functions. The use of the outdoor roof deck shall be limited to activities associated with the existing shop;
4. No amplified music is to be used within the outdoor roof deck;
5. The awning shall maintain a minimum clearance of 2.75 metres above the footpath level at all times;
6. All car parking bays shall be dimensioned on the Building Permit application working drawings and all car parking facilities shall meet or exceed the minimum specifications of AS2890;
7. The street verge trees are to be retained and protected from any damage including unauthorised pruning and no street verge trees shall be removed; and
8. All external fixtures shall not be visually obtrusive from Oxford Street and Melrose 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.

ADVICE NOTES:

1. With regard to condition 2, no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.
2. All signage that does not comply with the City's Policy No. 7.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Building Permit application, being submitted to and approved by the City prior to the erection of the signage.

Date of determination: 15 December 2015

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed:  Dated: 15/12/15

RASARATNAM RASIAH
ACTING MANAGER
APPROVAL SERVICES

for and on behalf of the City of Vincent

9.1.9 Nos. 201-203 (Lot: 1; D/P: 1239) Oxford Street, Mount Hawthorn – Proposed Alterations and Additions to Existing Non-Residential Building (Stairwell and Lift)

Ward:	South	Date:	1 December 2016
Precinct:	Precinct 4 – Oxford Centre	File Ref:	5.2016.267.1
Attachments:	1 – Location and Consultation Map 2 – Development Application Plans 3 – Car Parking Table 4 – Determination Advice Notes 5 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	J Corbellini, Director Development Services		

RECOMMENDATION:

That Council **APPROVES** under Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the application for development approval for alterations and additions to Existing Shop/Showroom (Stairwell, Lift and Awning) at Nos. 201-203 (Lot: 1; D/P: 1239) Oxford Street, Leederville in accordance with plans shown on Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Car Parking and Access

1.1 The car parking and access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 prior to the occupancy or use of the development;

1.2 A minimum of four commercial car bays shall be provided on site.

2. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings;

3. Verge Trees

No verge trees shall be removed without the prior written approval of the City. The verge trees shall be retained and protected from any damage including unauthorised pruning, to the satisfaction of the City;

4. Schedule of External Finishes

A detailed schedule of external finishes (including materials and colour schemes and details) is to be lodged with and approved by the City prior to commencement of the development. The external finishes of the development shall be provided in accordance with the approved schedule prior to the occupancy or use of the development;

5. **Construction Management Plan**

A Construction Management Plan that details 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 is to be lodged with and approved by the City prior to commencement of the development. Construction on and management of the site shall thereafter comply with the approved Construction Management Plan;

6. **Awning**

A minimum height clearance of 2.75 metres is to be provided from natural ground level as denoted on the approved plans;

7. **Stormwater**

Prior to occupancy or use of the development all storm water produced on the subject land shall be retained onsite by suitable means to the full satisfaction of the City. Stormwater shall thereafter be retained on site;

8. **Cash-in-Lieu**

Prior to occupancy or use of the development, a cash-in-lieu contribution shall be paid for the shortfall of 0.16 car bays, based on the cost of \$5,400 per bay as set out in the City's 2016/2017 Schedule of Fees and Charges being a contribution of \$864; and

9. **General**

Conditions that have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

COUNCIL DECISION ITEM 9.1.9

Moved Cr Cole, **Seconded** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

Planning and Development Act 2005

City of Vincent

Notice of determination on application for development approval

Location: No. 201-203 Oxford Street LEEDERVILLE

Lot, Plan/Diagram: LOT: 1 D/P: 1239

Vol. No: 1311

Folio No: 42

Application date: 29/06/2018

Received on: 29/06/2018

Serial No: 5.2018.232.1

Description of proposed development: Alterations and Additions to Shop

Plans dated: 29 June 2018

This application for development approval is approved subject to the following conditions:

1. This approval is for the alterations and additions to shop as shown on the approved plans dated 29 June 2018
2. All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City;

ADVICE NOTES:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.

Date of determination: - 31 August 2018

- Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed: 

Dated: 31 August 2018

JOSLIN COLLI
COORDINATOR PLANNING SERVICES
for and on behalf of the City of Vincent