

Determination 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.
2. 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.
3. 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.
4. If the 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.
5. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
6. 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 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any materials within the road reserve.
7. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, 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 bond shall be made in writing. The bond is non-transferable.
8. Prior to occupancy or use of the development, redundant or "blind" crossovers shall be removed, and the verge and kerb made good to the satisfaction of the City, at the applicant/owner's full expense.
9. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. 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.
10. The development will be classified as a 'Public Building' and must comply with the *Health (Public Buildings) Regulations 1992*. An application is to be made to the City's Health Services for the assessment of the public building and maximum accommodation numbers prior to occupation of the premises. Please contact Health Services on (08) 9273 6000 upon receipt of this approval to discuss the requirements further with an Environmental Health Officer.
11. Any external artificial lighting installations, including in carparks and common areas, is to comply with Australian Standard AS 4282-1997 'Control of the obtrusive effects of outdoor lighting' and must not be permitted to shine or reflect into other properties, creating a nuisance.

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12. The lodging house operator is to submit a Lodging House Registration application form to register the premises under the *City of Vincent Health Local Law 2004*. For further information and to download a form please visit: <https://www.vincent.wa.gov.au/develop-build/health/lodging-houses.aspx>.
13. The applicant is advised that the number of beds permitted per room is subject to approval in accordance with Clause 141 (1) (e) of the *City of Vincent Health Local Law 2004*, unless otherwise approved by the Manager Environmental Health Services.
14. Any noise created at the premises must ensure compliance with the provisions within the *Environmental Protection (Noise) Regulations 1997*.
15. For the purposes of the amended acoustic report, the street wall/fence located in the front setback area, shall be provided in a high quality material such as brickwork or masonry, consistent with the colours and materials of the building. The street wall/fence shall be truncated or reduced to no higher than 0.75 metres within 1.5 metres of the Fitzgerald Street boundary of the lot, with the exception of, infill that provides a clear sightline, in accordance with the definition provided in the City's Policy No. 7.1.1 – Built Form.

The applicant is advised to liaise with the City regarding the fence design throughout the review of the amended acoustic report to ensure the outcome is consistent with the City's Policy No. 7.1.1 – Built Form.

16. The applicant and landowner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a commercial car parking permit to any employee or guest of the development.