



Planning and Development Act 2005

City of Vincent Local Planning Scheme No. 2

Metro West Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Property Location: Lots 1 (504), 2 (502) and 3 (500) Fitzgerald Street and Lots 27-28 (45) Venn Street, North Perth

Application Details: 18 Multiple Dwellings and Restaurant/Café

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 11 July 2018, subject to the following:

1. **Approve** DAP Application reference DAP/18/01359 and accompanying plans (Attachment 7) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the *City of Vincent Local Planning Scheme No. 2*, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

2. Use of Premises

- 2.1 The use of the tenancy marked as 'Café' on the plans dated 8th June 2018, shall be used in accordance with the definition of Restaurant/Café as defined in the City of Vincent's Local Planning Scheme No.2;

- 2.2 The Café shall have a maximum of 20 patrons at any one time;

- 2.3 The hours of operation for the café shall be limited to 8.00am to 5.00pm; and

- 2.4 All deliveries shall be limited to 7:00am to 2:00pm Monday to Friday.

3. 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 surrounding properties to the satisfaction of the City.



4. Car Parking and Access

- 4.1 30 car bays shall be provided, including a disabled access bay, as shown on the plans;
- 4.2 A bicycle location plan providing a minimum of two residential bicycle bays shall be lodged with and approved by the City prior to the commencement of the development. The bicycle facilities shall be designed in accordance with AS2890.3;
- 4.3 Vehicle and pedestrian access points are required to match into existing footpath levels.
- 4.4 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 occupation or use of the development;
- 4.5 All visitor bays shall be marked and permanently set aside as such, as required by the Residential Design Codes of WA.
- 4.6 The applicant is to agree in writing that a notice is 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 dwellings under Policy No. 3.9.3 – Parking Permits;
- 4.8 The car park shall be used only by residents and visitors directly associated with the development; and
- 4.9 No vehicular access from the site is permitted from Fitzgerald Street. All vehicular access should be from Venn Street.

5. Parking Management Plan

- 5.1 Prior to occupation of the development a Parking Management Plan shall be submitted to and approved by the City. The Parking Management Plan shall be prepared by a qualified parking consultant.
- 5.2 A management plan for the delivery and service vehicle movements, relating to the proposed café, shall be submitted to the City for its approval prior to the occupation of the development. The plan shall address:
 - i. Hours of delivery and service vehicles, Monday to Friday;
 - ii. Movements of delivery vehicles to ensure that they do not restrict access to the car parking bays for the proposed development and to ensure that they do not obstruct the vehicle movements on Fitzgerald Street and Venn Street; and
 - iii. The Management Plans as identified in Conditions 5.1 and 5.2 above shall be implemented and the development shall be carried



out in accordance with the plans, to the satisfaction of the City at the expense of the owners/occupiers.

6. Stormwater

- 6.1 All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City.

7. Verge Trees

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

8. Ground Floor Design

- 8.1 Windows, doors and adjacent areas of the Café fronting Venn Street and Fitzgerald Street shall provide an active and interactive relationship with the street to the satisfaction of the City and shall be maintained thereafter to the satisfaction of the City. Darked, obscured, mirror or tinted glass of the like is prohibited.

9. Acoustic Report and Noise Management

- 9.1 All of the recommended measures included in the approved Acoustic Report (Herring Storer Acoustics, June 2018) shall be implemented as part of the development, to the satisfaction of the City prior to the commencement of the use or occupation of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

10. Screening

- 10.1 The proposed screening devices depicted on the balconies of the upper floors to the northern and western elevations are to be comply with the requirements of State Planning Policy 3.1 Residential Design Codes and implemented prior to the practical completion of the development.

11. Landscape and Reticulation Plan

- 11.1 A detailed landscape and reticulation plan for the development site and adjoining road verge is be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
- i. The location and type of existing and proposed trees and plants;
 - ii. Areas to be irrigated or reticulated; and
 - iii. Deep Soil Zones.
- 11.2 All works shown in the plans as identified in Condition 11.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and



maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

12. Schedule of External Finishes

- 12.1 Prior to commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development.

13. Clothes Drying Facilities

- 13.1 All external clothes drying areas shall be adequately screened in accordance with State Planning Policy 3.1 Residential Design Codes prior to the use or occupation of the development and shall be completed to the satisfaction of the City.

14. Construction Management Plan

- 14.1 A Construction Management Plan shall be submitted to and approved by the City prior to any works commencing on the site. The Construction Management Plan is required to address the following concerns:

- i. Public safety, amenity and site security;
- ii. Contact details of essential site personnel;
- iii. Construction operating hours;
- iv. Noise control and vibration management;
- v. Dilapidation Reports of nearby properties;
- vi. Air and dust management;
- vii. Stormwater and sediment control;
- viii. Soil excavation method;
- ix. Waste management and materials re-use;
- x. Traffic and access management;
- xi. Parking arrangements for contractors and subcontractors;
- xii. Consultation Plan with nearby properties; and
- xiii. Compliance with AS 4970 – 2009 relating to the protection of trees on development sites

That relates to any works to take place on the site.

15. Public Art

- 15.1 Percent for public art contribution of \$50,000 being one percent of the total \$5 million value of the development, in accordance with the Policy No. 7.5.13 - Percent for Art shall be allocated towards public art prior to the commencement of the development;
- 15.2 Confirmation in writing outlining how the proposed development will comply with the City's Policy 7.5.13 – Percent For Art shall be submitted prior to commencement of development; and
- 15.3 Public art shall be approved by the City and fully installed or alternatively a cash-in-lieu payment made prior to occupation of the development.



16. Waste Management

- 16.1 A Waste Management Plan prepared to the satisfaction of the City shall be submitted and approved by the City; and
- 16.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan.

17. Dust

- 17.1 The applicant shall undertake adequate measures to minimise any impacts of dust and sand drift from the site to the satisfaction of the City.

18. General

- 18.1 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 exist.

Advice Notes

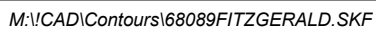
- 1. This is a development approval only and is issued under the City of Vincent Local Planning Scheme No.2 and the Western Australian Planning Commission's Metropolitan Region Scheme. It is the proponent's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
- 2. This development approval does not take into account any restrictive covenants. It is the proponent's responsibility to ensure that the development will not result in a conflict of contractual obligations.
- 3. An Infrastructure Protection Bond for the sum of \$3000 together with a non-refundable inspection fee of \$100 shall be lodged with the City by the applicant, prior to 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.
- 4. All pedestrian access and vehicle driveway/crossover levels shall match into existing verge, footpath and Right of Way levels to the satisfaction of the City.
- 5. 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. Permits are required for placement of any material within the road reserve.
- 6. With respect to the Stormwater, 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.

7. With respect to the dust and sand drift condition, adequate measures to minimise any impacts of dust and sand drift from the site include all requirements as stipulated within the Department of Environmental Regulation's 'A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities'.
8. The City accepts no liability for the relocation of any public utility and/or any other services that may be required as a consequence of this development. The applicant/owner shall ensure that the location of all services is identified prior to submitting an application for a building permit. The cost of relocated any services shall be borne by the applicant/owner.
9. The applicant and owner are advised that sufficient parking can be provided on the subject site and as such the City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwellings. This information should be provided to all prospective purchasers and it is recommended that a notice be placed on Sales Contracts to advise purchasers of this restriction.
10. The sound insulation recommendations should be submitted and approved prior to the issue of a Building Permit. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' cost.
11. 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;
12. 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; and
13. 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.

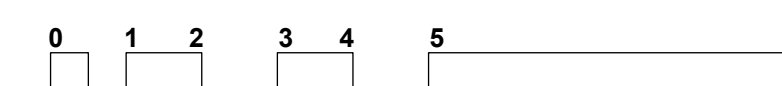
Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

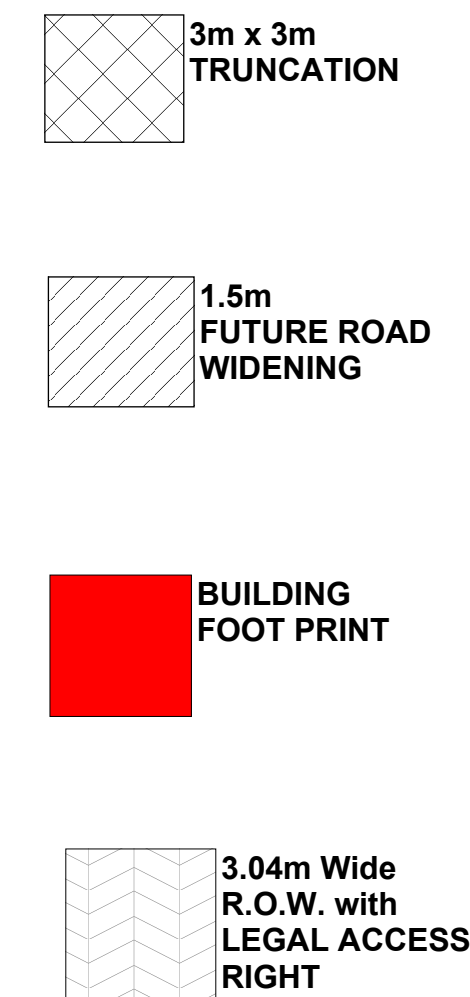


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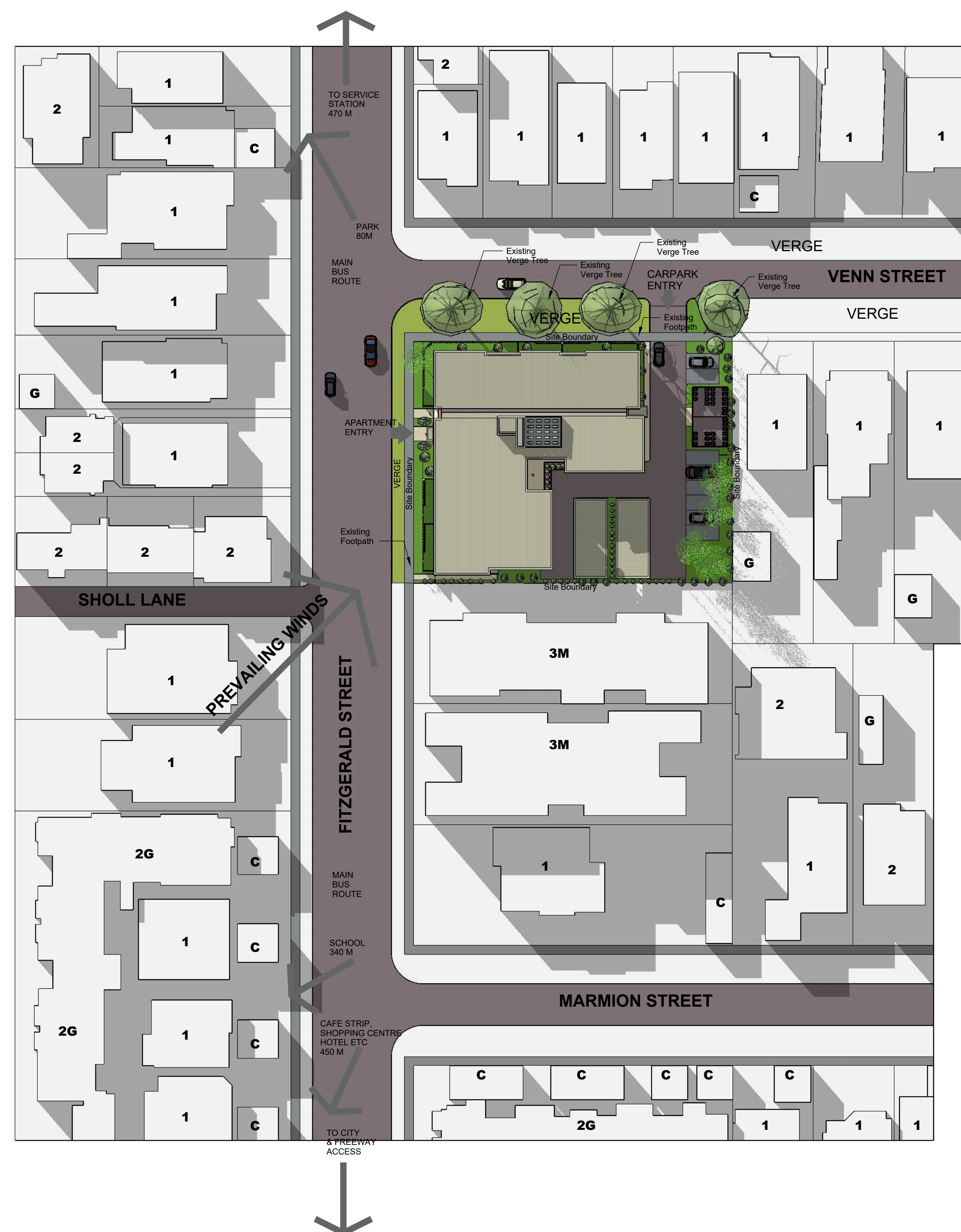


SCALE 1:100 @ A1 SIZE





0	1	2	3	4	5



- 1. Single House - 1 Storey**
- 2. Single House - 2 Storey**
- C. Carport**
- 2G. Grouped Dwelling - 2 Storey**
- 3M. Multiple Dwelling - 3 Storey**
- G. Garden Shed**

SCALE 1:500 @ A1 SIZE



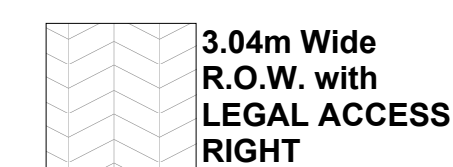
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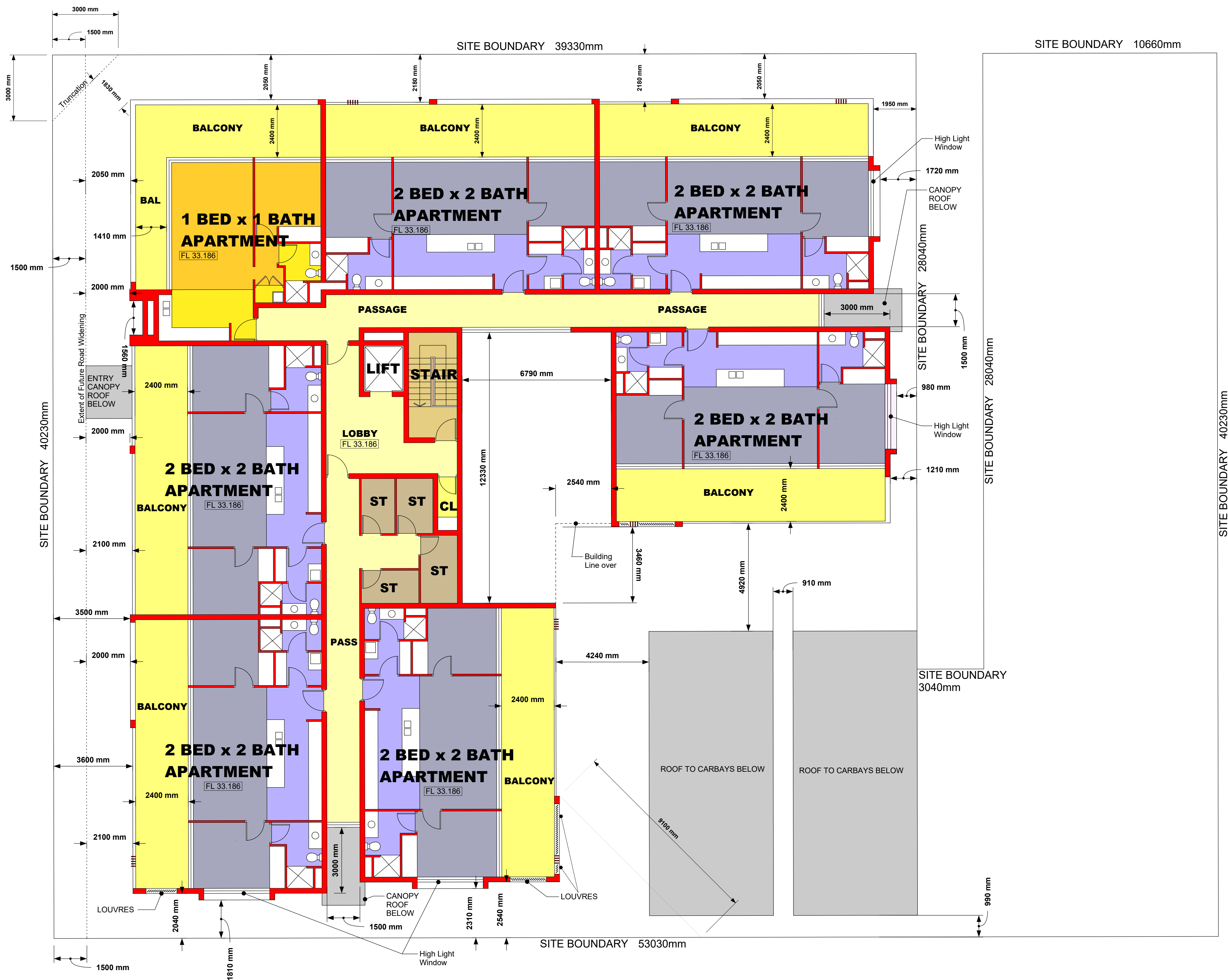
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4 of 15



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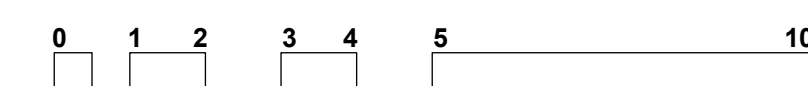
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5 of 15

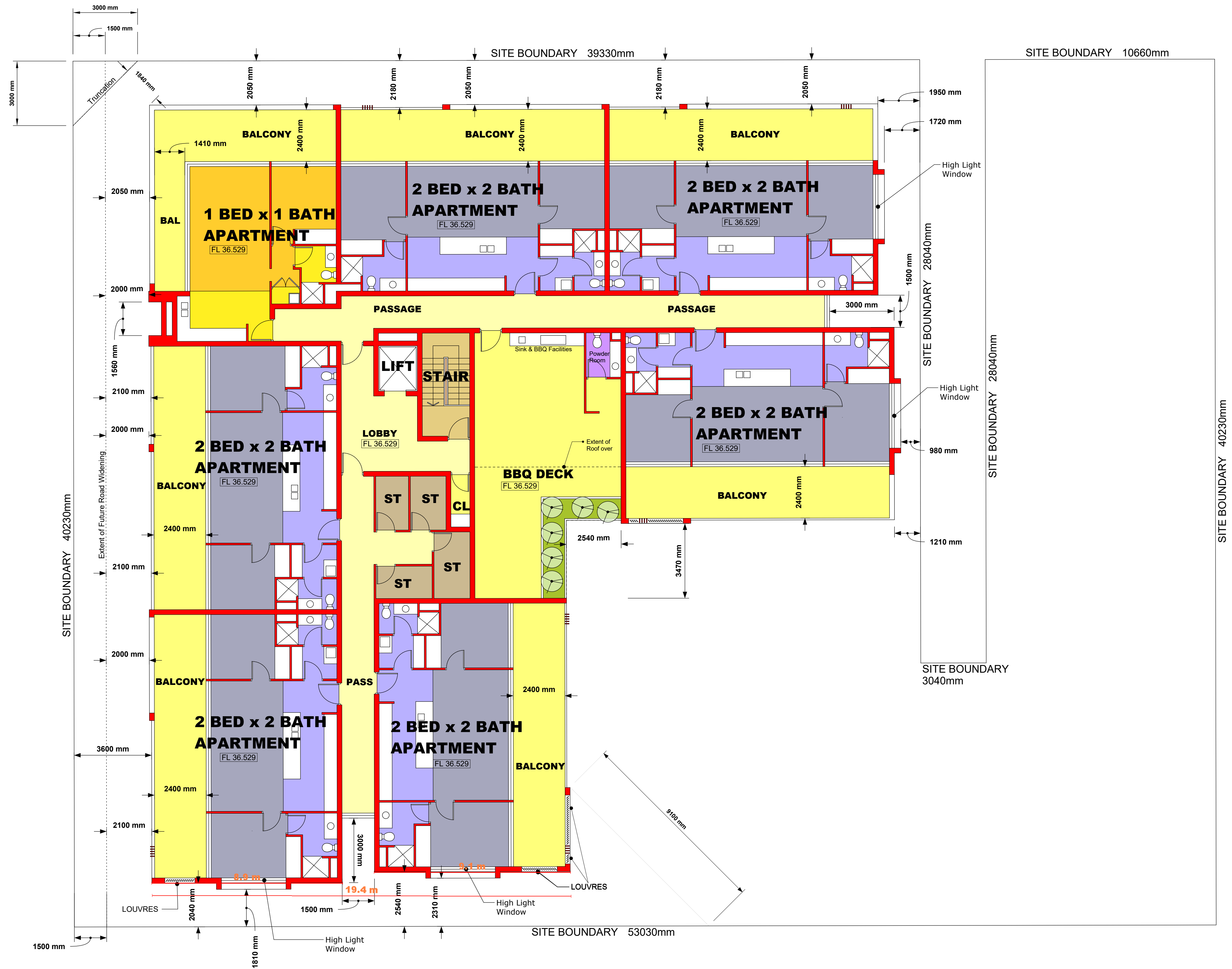


**MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET &
LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH**



1st FLOOR PLAN
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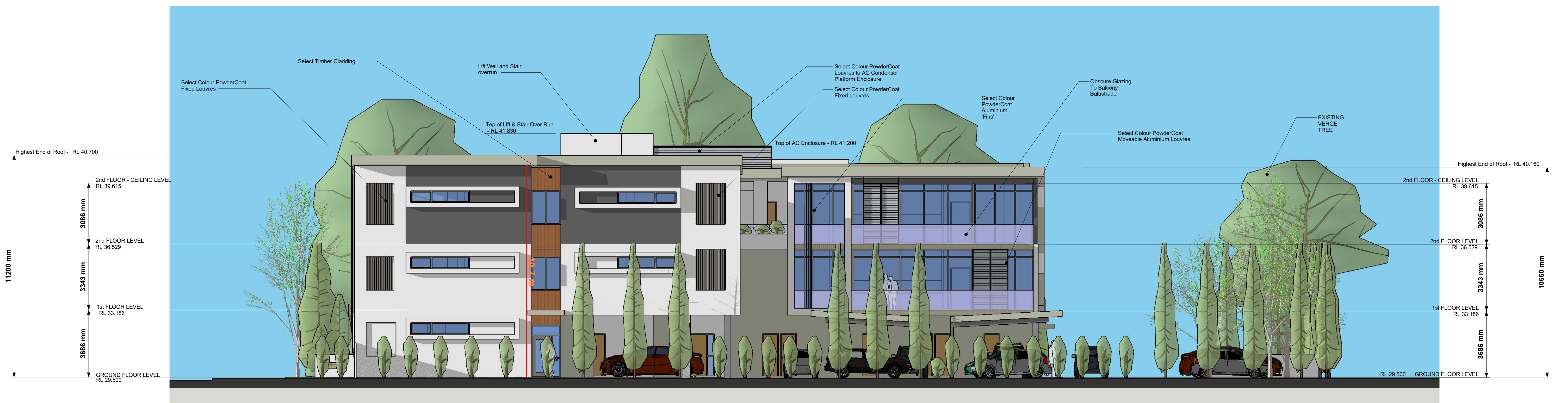


MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET & LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH

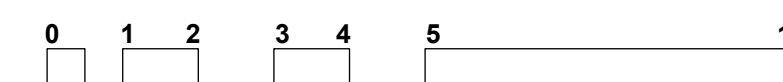


**FITZGERALD STREET ELEVATION (WEST ELEVATION)**

SCALE 1:100 @ A1 SIZE

**SOUTH ELEVATION**

SCALE 1:100 @ A1 SIZE

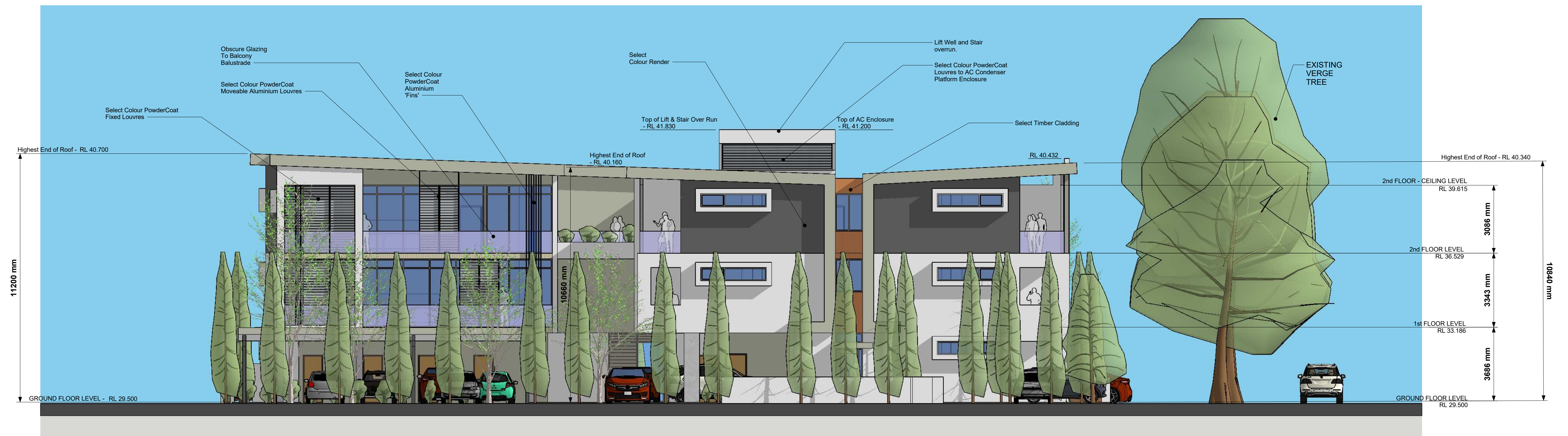
MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET & LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH**ELEVATIONS**

SCALE 1:100 @ A1 SIZE



VENN STREET ELEVATION (NORTH ELEVATION)

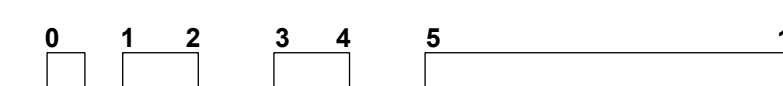
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EAST ELEVATION

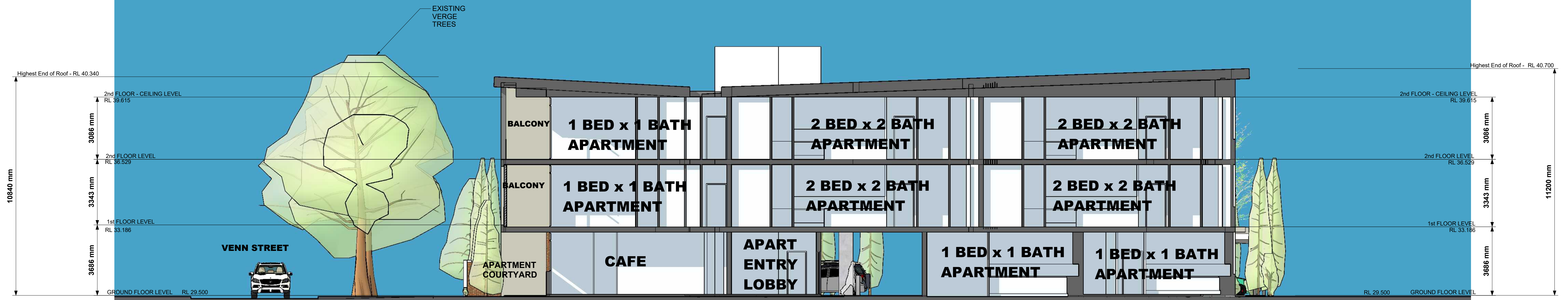
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MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET & LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH



ELEVATIONS

SCALE 1:100 @ A1 SIZE



NORTH - SOUTH SECTION

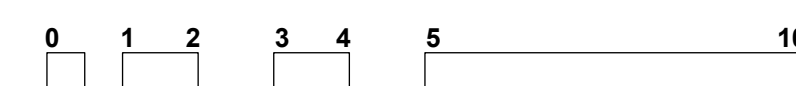
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EAST - WEST SECTION

SCALE 1:100 @ A1 SIZE

**MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET &
LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH**



SECTIONS

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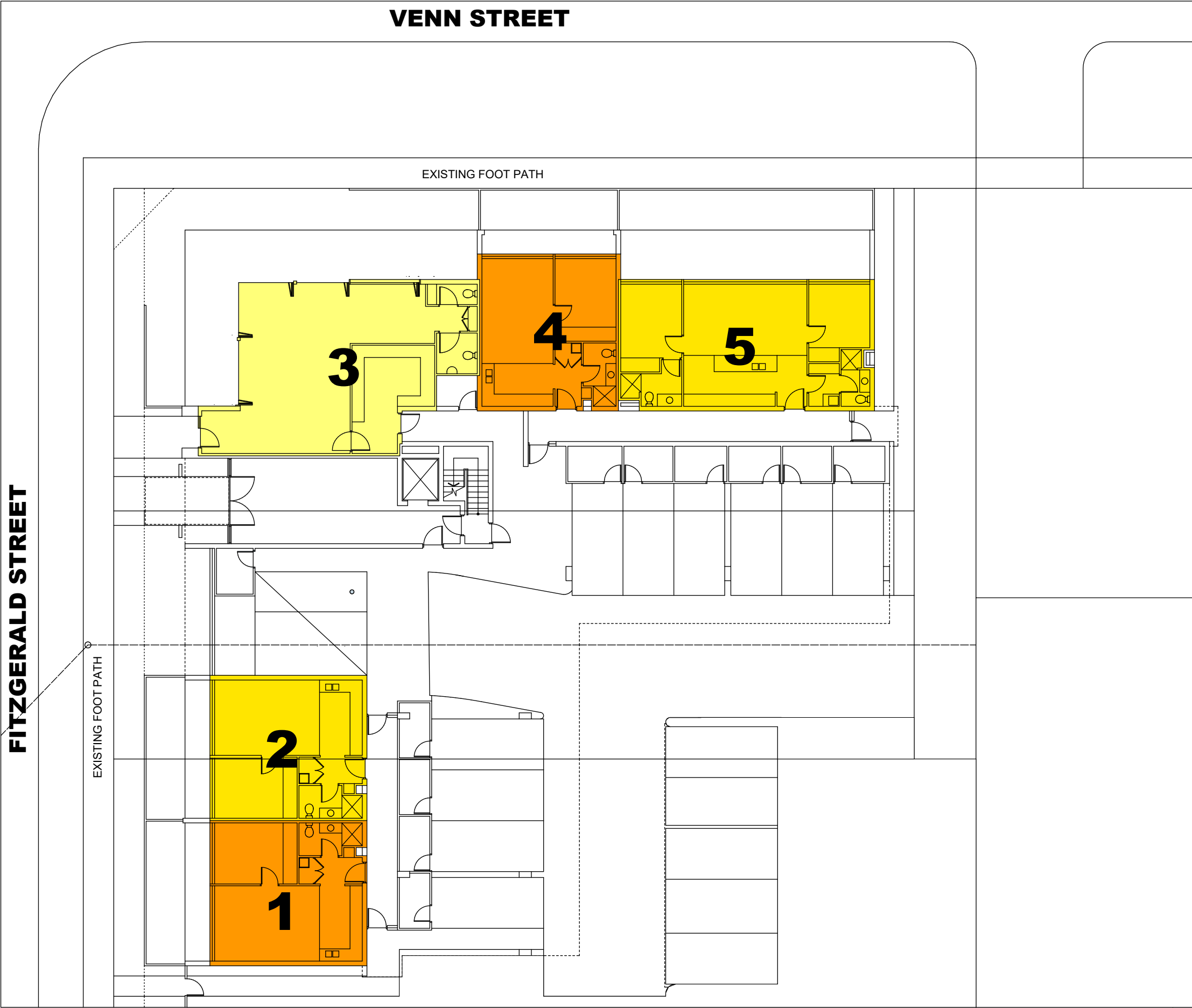
PLOT RATIO AREAS - 1st FLOOR
SCALE 1:200 @ A1 SIZE



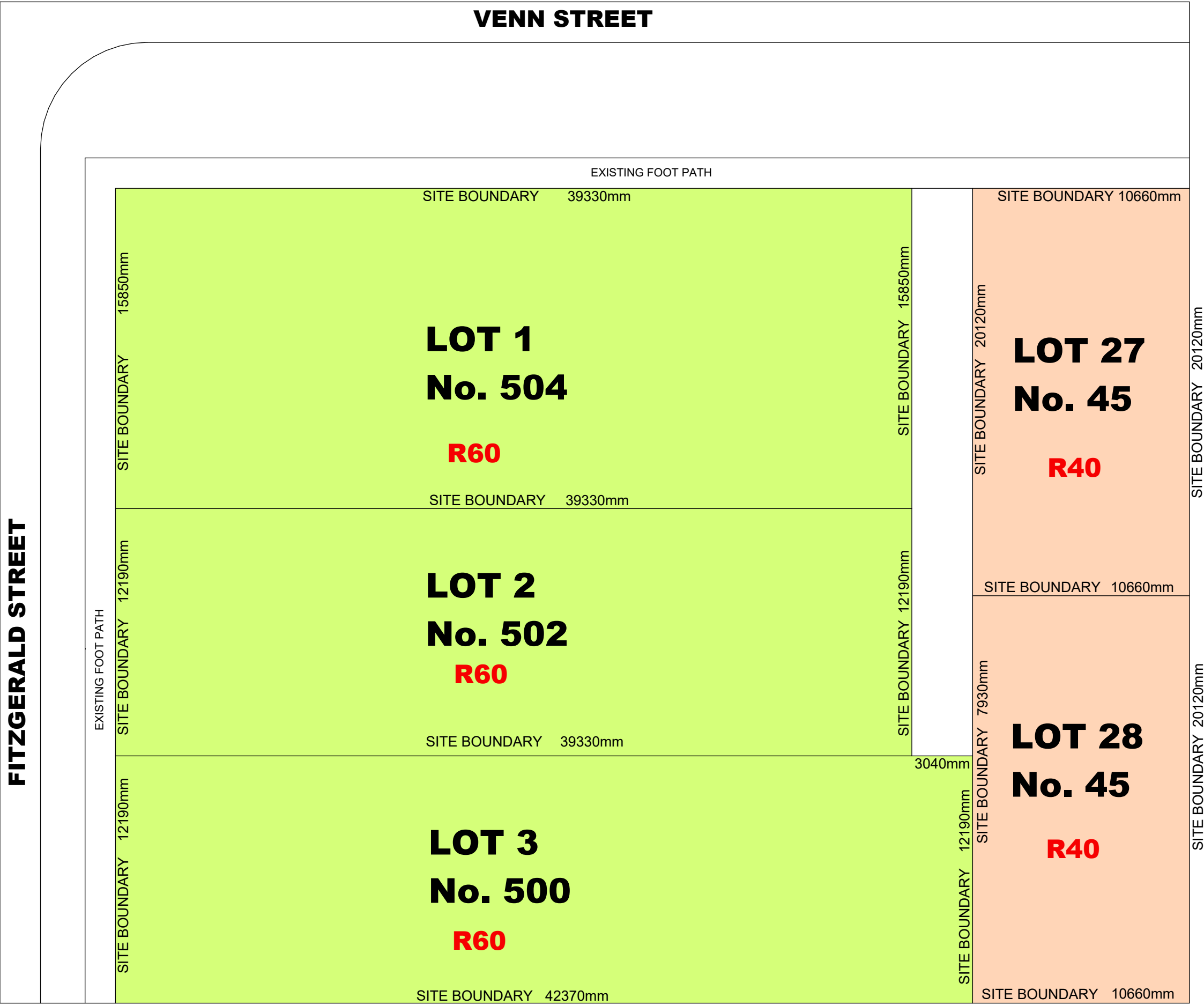
PLOT RATIO AREAS - 2nd FLOOR
SCALE 1:200 @ A1 SIZE

PLOT RATIO AREAS

	UNIT TYPE	PLOT RATIO AREA
1	1 BED APARTMENT	55sqm
2	1 BED APARTMENT	55sqm
3	CAFE	96sqm
4	1 BED APARTMENT	55sqm
5	2 BED APARTMENT	78sqm
6	2 BED APARTMENT	78sqm
7	2 BED APARTMENT	78sqm
8	2 BED APARTMENT	78sqm
9	1 BED APARTMENT	56sqm
10	2 BED APARTMENT	78sqm
11	2 BED APARTMENT	78sqm
12	2 BED APARTMENT	78sqm
13	2 BED APARTMENT	78sqm
14	2 BED APARTMENT	78sqm
15	2 BED APARTMENT	78sqm
16	1 BED APARTMENT	56sqm
17	2 BED APARTMENT	78sqm
18	2 BED APARTMENT	78sqm
19	2 BED APARTMENT	78sqm
TOTAL PLOT RATIO AREA		1387sqm
Maximum Plot Ratio Permissible		1388sqm



PLOT RATIO AREAS - GROUND FLOOR
SCALE 1:200 @ A1 SIZE

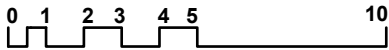


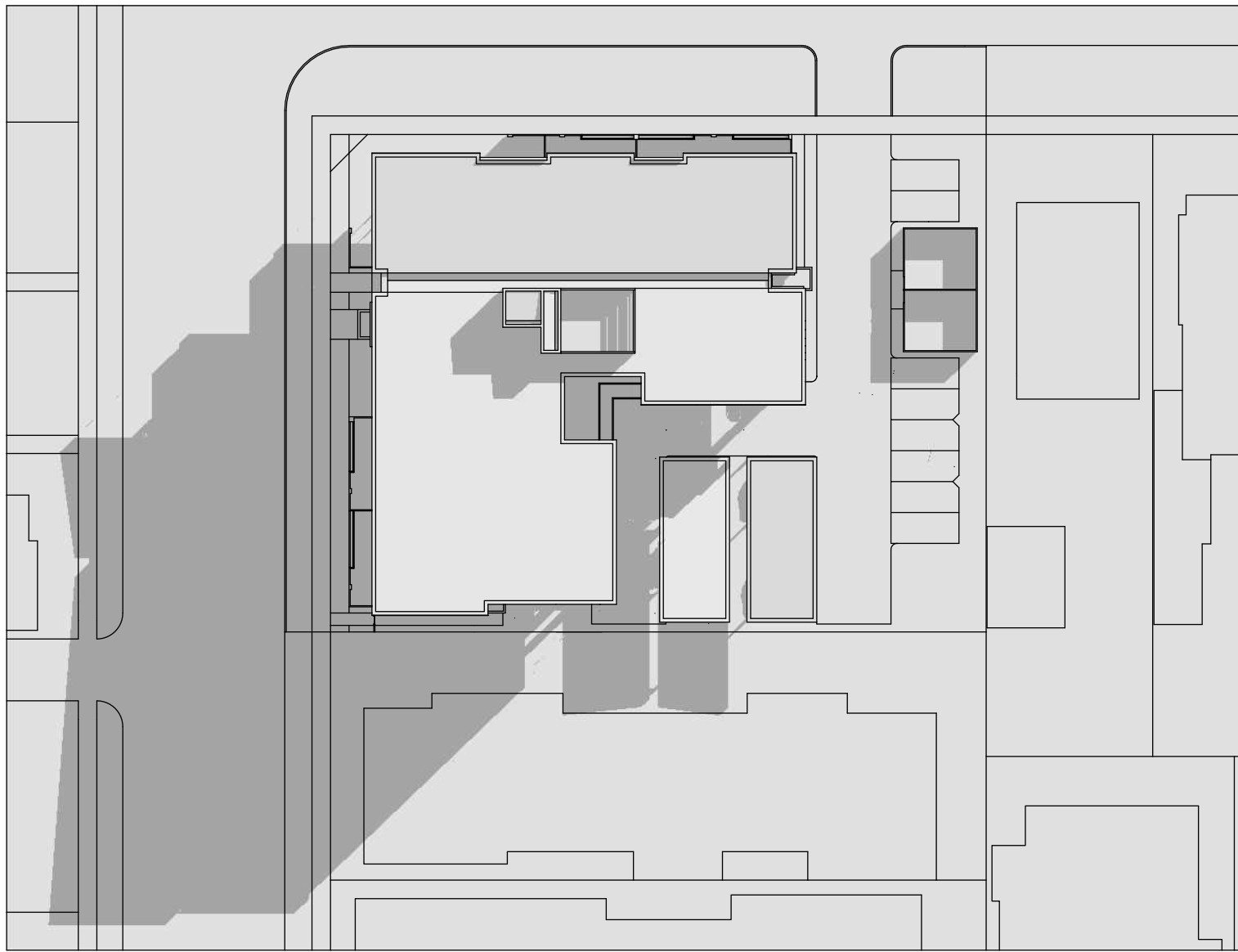
SITE AREAS
SCALE 1:200 @ A1 SIZE

	ZONING CODE	LAND AREA
LOT 1 - No. 504	R60	622sqm
LOT 2 - No. 502	R60	478sqm
LOT 3 - No. 500	R60	516sqm
TOTAL AREA		1616sqm
Maximum Plot Ratio = 0.7		1131.2sqm

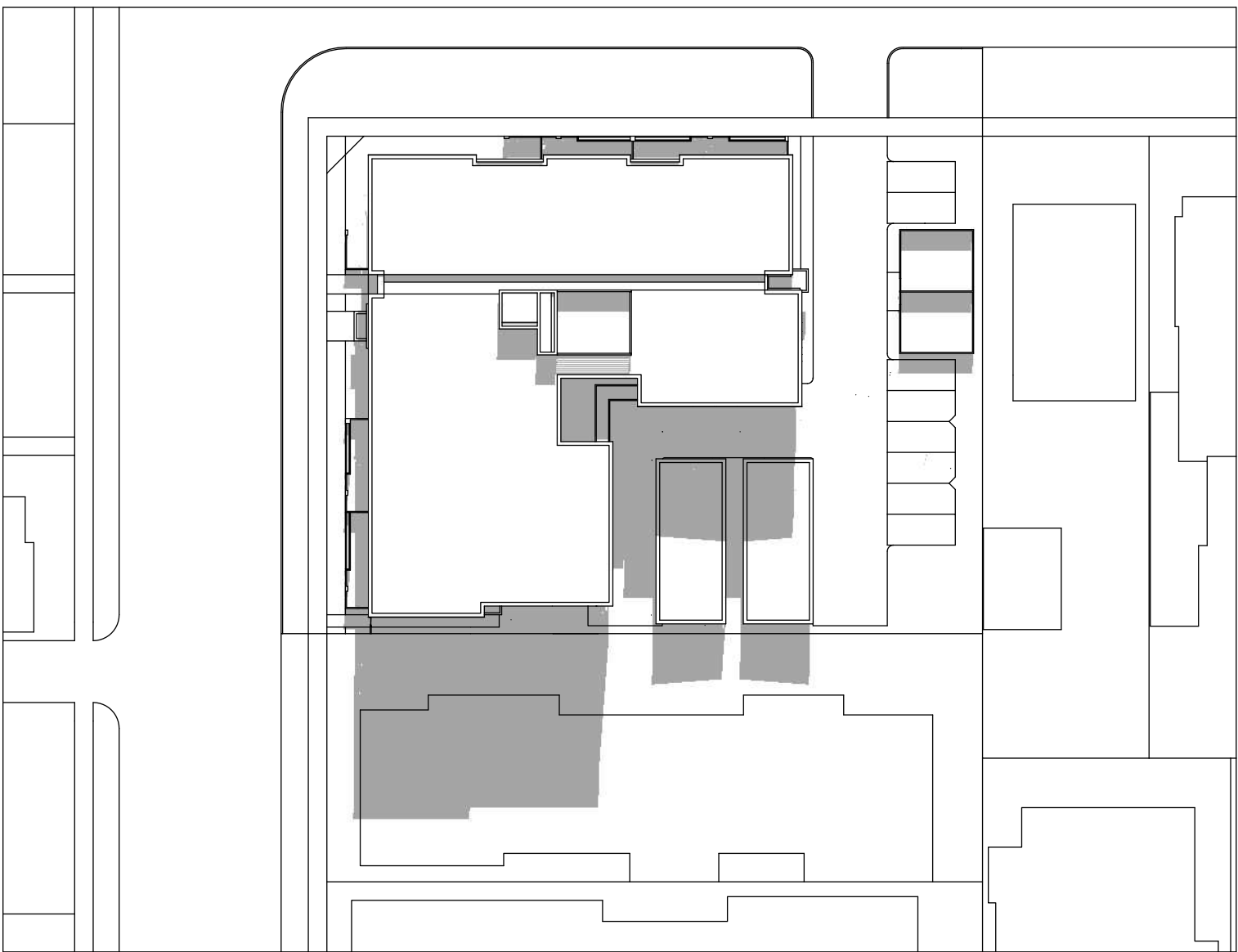
	ZONING CODE	LAND AREA
LOT 27 - No. 45	R40	214sqm
LOT 28 - No. 45	R40	214sqm
TOTAL AREA		428sqm
Maximum Plot Ratio = 0.6		256.8sqm

MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET & LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH

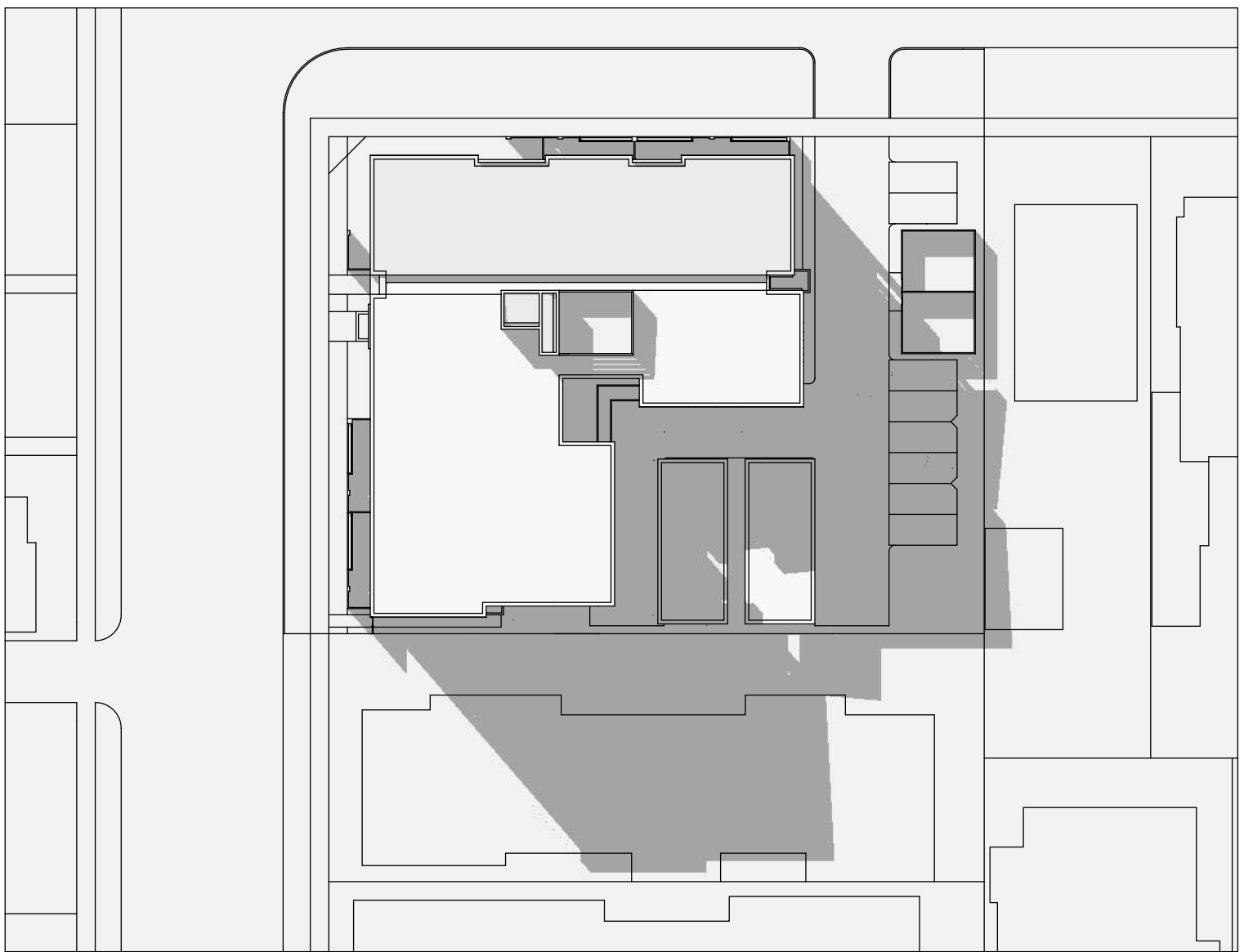




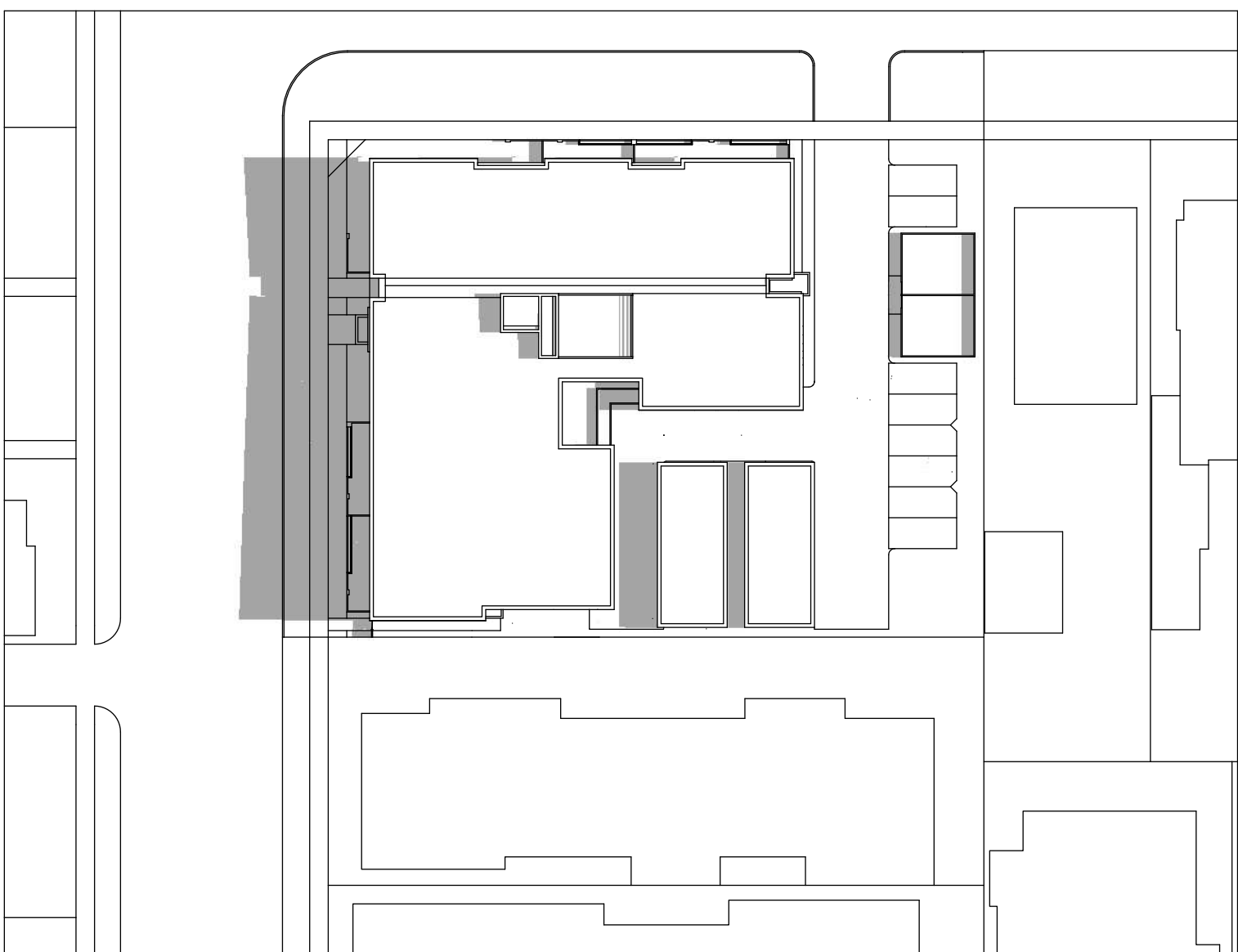
SHADOW CAST 9AM - 21st JUNE
SCALE 1:500 @ A1 SIZE



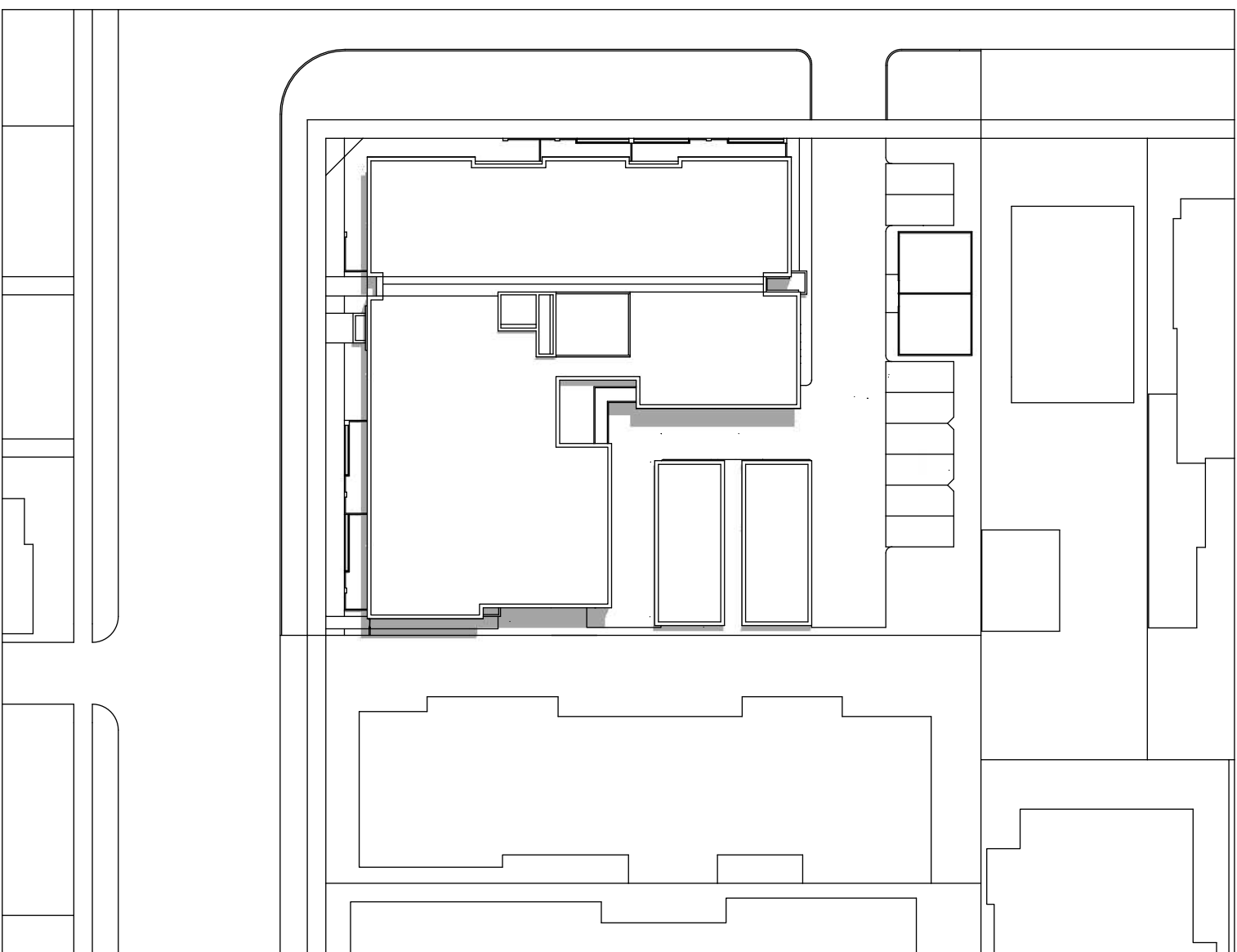
SHADOW CAST 12NOON - 21st JUNE
SCALE 1:500 @ A1 SIZE



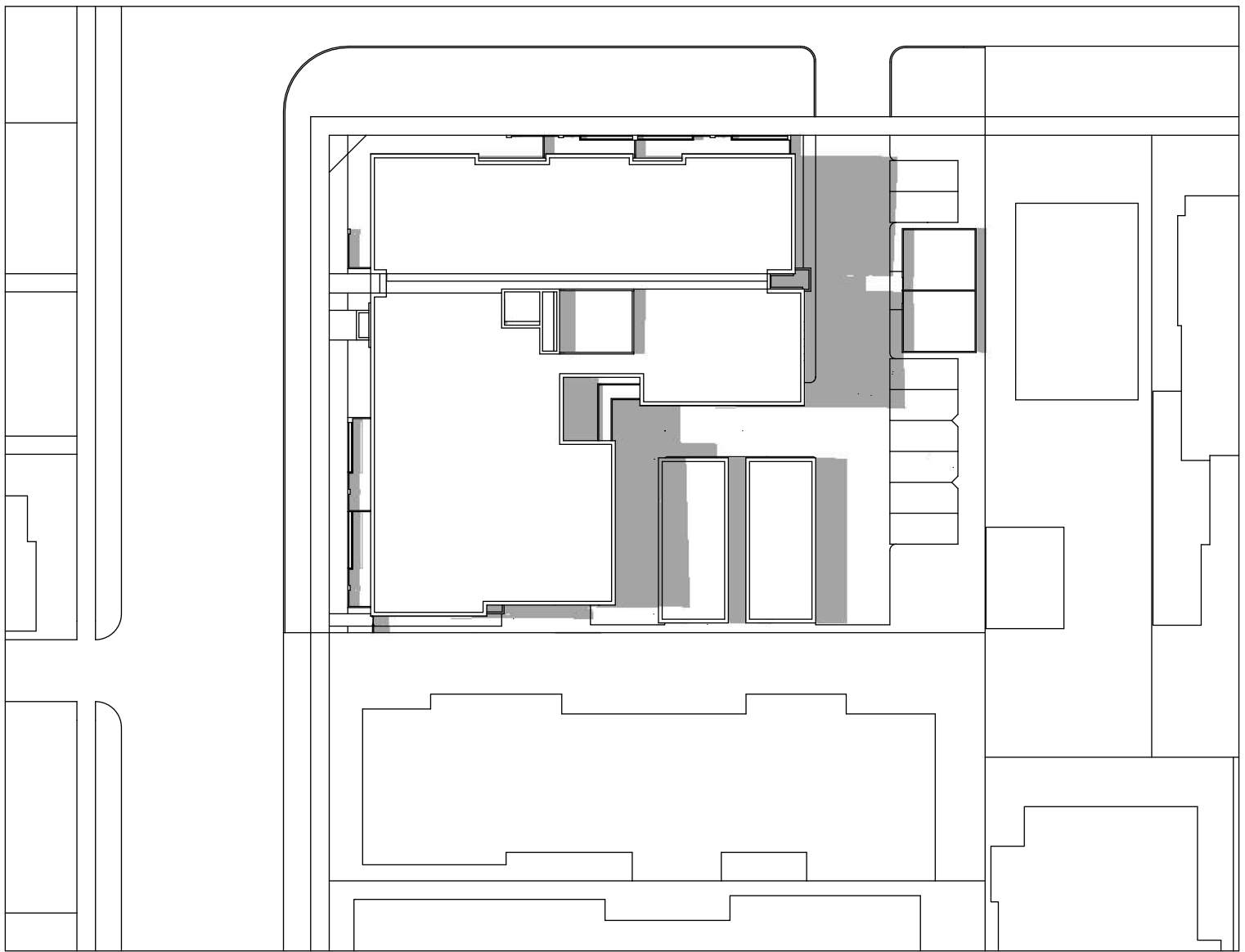
SHADOW CAST 3PM - 21st JUNE
SCALE 1:500 @ A1 SIZE



SHADOW CAST 9AM - 21st DECEMBER
SCALE 1:500 @ A1 SIZE



SHADOW CAST 9AM - 21st DECEMBER
SCALE 1:500 @ A1 SIZE



SHADOW CAST 9AM - 21st DECEMBER
SCALE 1:500 @ A1 SIZE

**MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET &
LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH**

DEVELOPMENT APPLICATION

PROJECT No. ST2017.4

JANUARY 2018
Revised June 2018

STUDIO TECHNICA
ARCHITETTURA AND DESIGN

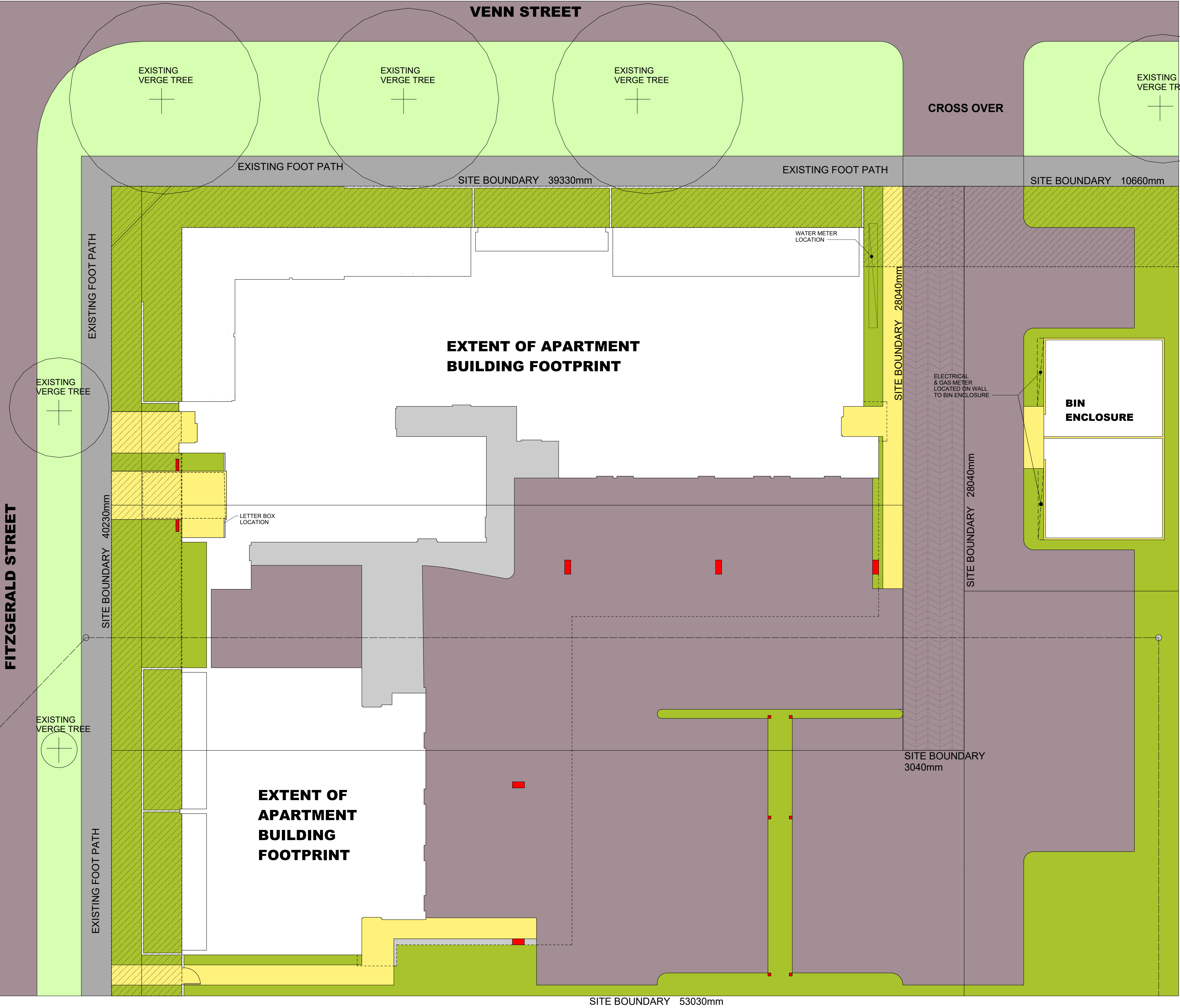


SHADOW DIAGRAMS
SCALE 1:500 @ A1 SIZE

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Drawing No:
SHEET
12 of 15



- SOFT LANDSCAPING**
416m²
- HARD LANDSCAPING**
73m²
- LANDSCAPING WITHIN FRONT SETBACK**
229m²
- 3.04m Wide R.O.W. with LEGAL ACCESS RIGHT**

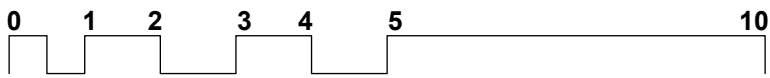
TOTAL SITE AREA	2044m ²
TOTAL AREA OFLANDSCAPING	489m ²
- Soft Landscaping = 416m ²	
- Hard Landscaping = 73m ²	
PERCENTAGE OF LANDSCAPING ON SITE	23.92%
FRONT SETBACK AREA (To both Fitzgerald & Venn Streets)	242m ²
AREA OF LANDSCAPING TO FRONT SETBACK AREA (To both Fitzgerald & Venn Streets)	229m ²
PERCENTAGE OF SOFT LANDSCAPING TO FRONT SETBACK AREA	94.63%

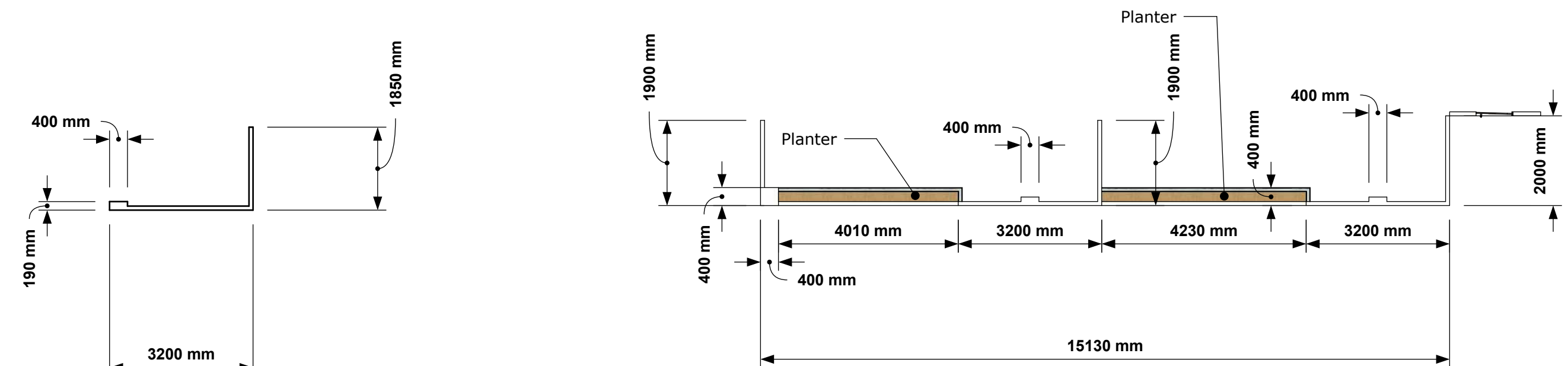
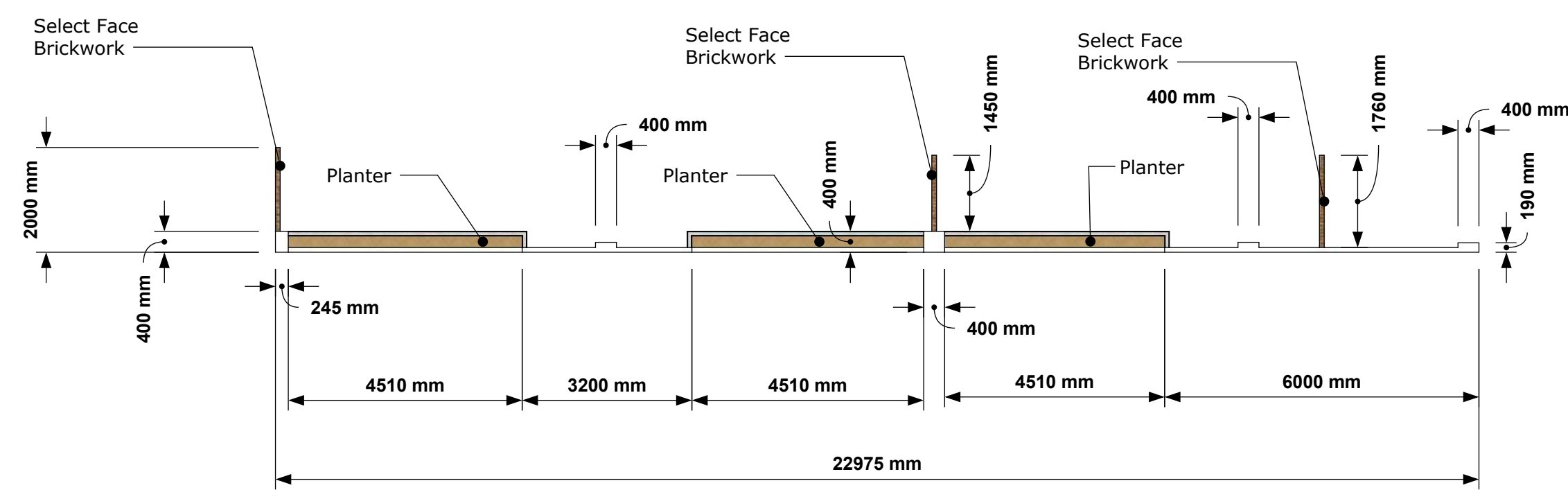
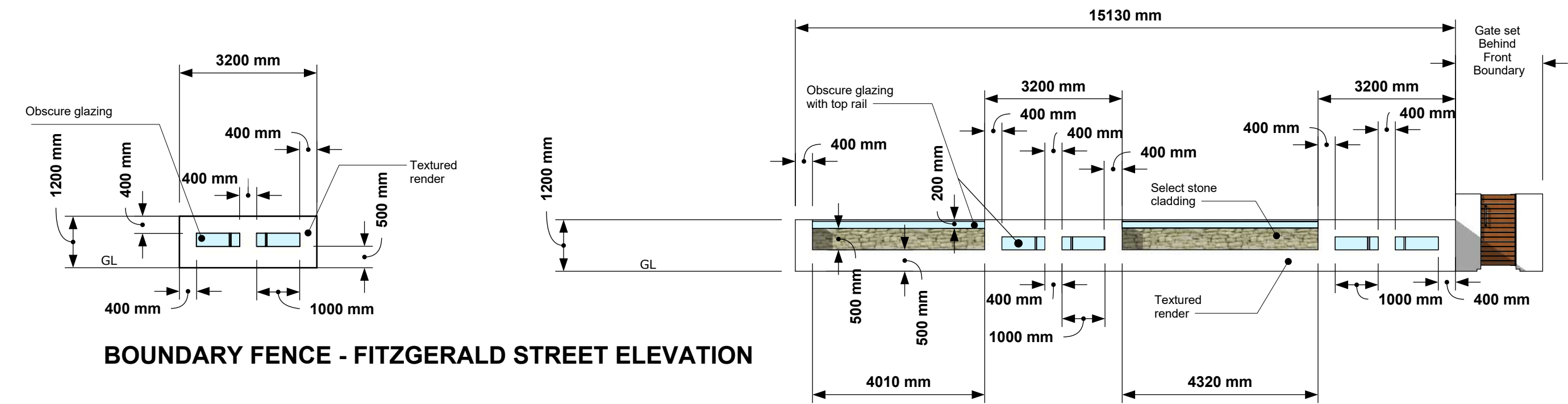
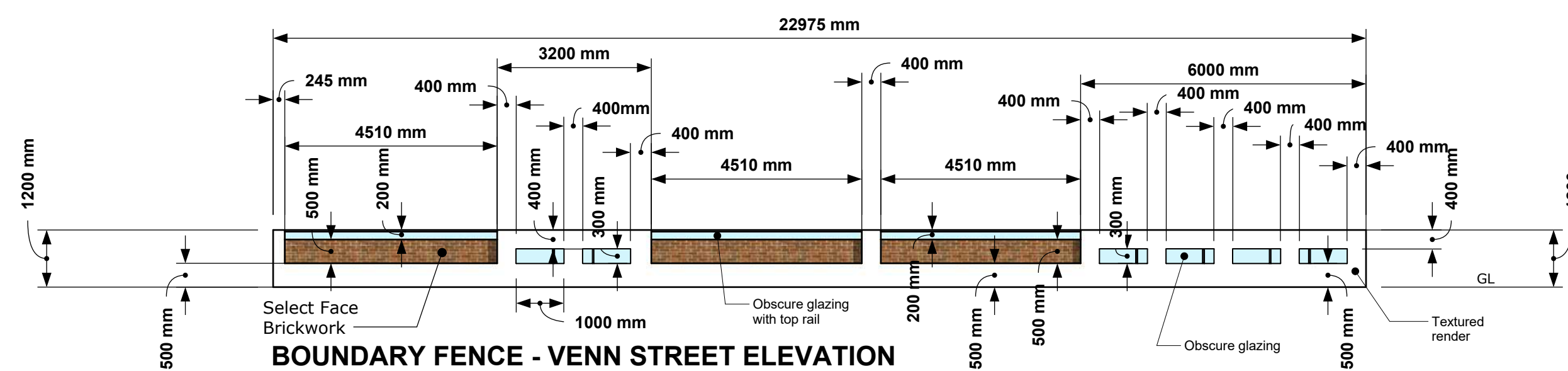
MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET &
LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH



LANDSCAPING EXTENT

SCALE 1:100 @ A1 SIZE

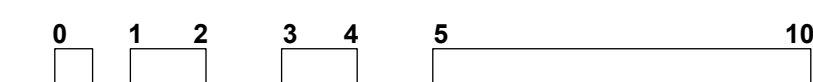




MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET & LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH

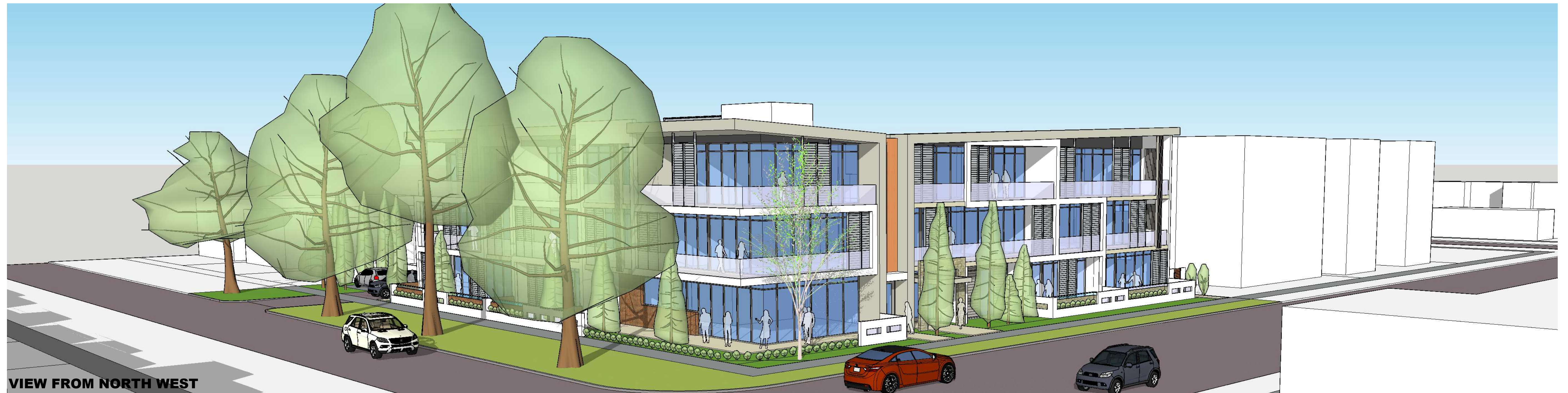
FRONT BOUNDARY FENCE

SCALE 1:100 @ A1 SIZE

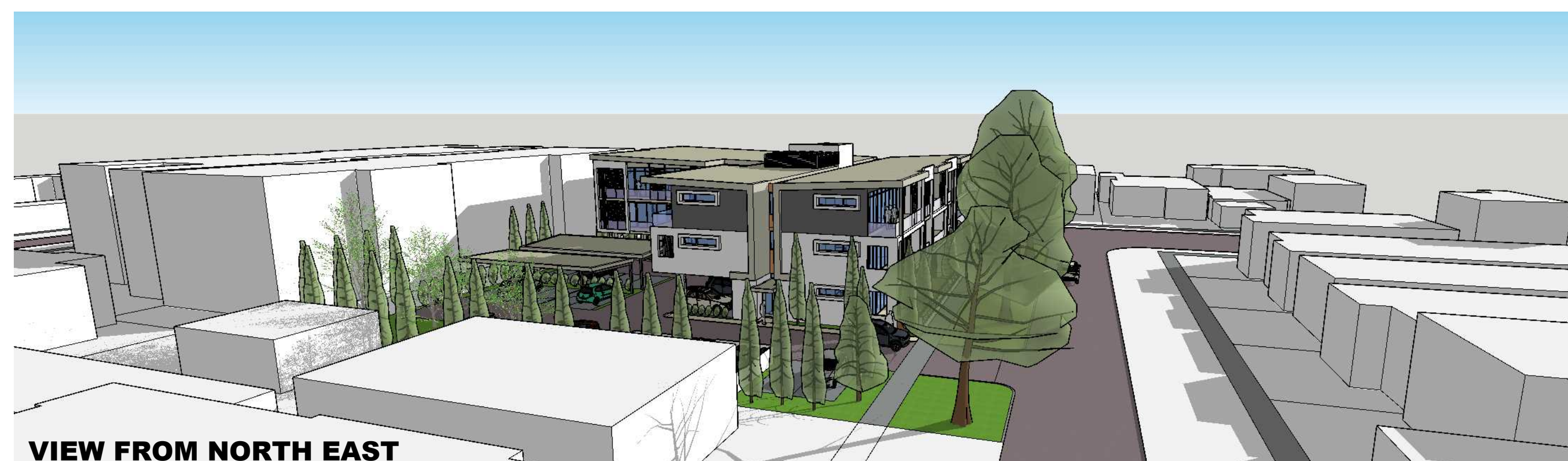




VIEW FROM SOUTH WEST



VIEW FROM NORTH WEST



VIEW FROM NORTH EAST



VIEW FROM SOUTH EAST

**MIXED USE DEVELOPMENT - LOT 1 to 3 (No 500 to 504) FITZGERALD STREET &
LOT 27 to 28 (No. 45) VENN STREET NORTH PERTH**

PERSPECTIVE IMAGES