

5.1 NOS. 201-203 (LOT: 1; D/P: 1239) OXFORD STREET, LEEDERVILLE - CHANGE OF USE FROM SHOP WITH ANCILLARY ROOF TERRACE TO SHOP AND CLUB PREMISES

- Attachments:**
1. Consultation and Location Map
 2. Development Plans
 3. Venue Management Plan and Code of Conduct
 4. Car Parking Management Plan
 5. Acoustic Report
 6. Applicant's Planning Report
 7. Summary of Submissions - Administration Response
 8. Previous Development Approvals
 9. Site Context Images
 10. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a proposed Change of Use from a Shop with Ancillary Roof Terrace to a Shop and Club Premises at No. 201-203 (Lot: 1; D/P: 1239) Oxford Street, Leederville in accordance with the plans provided in Attachment 2, subject to the following Conditions, with the associated determination advice notes in Attachment 10:

1. Use of Premises

- 1.1 This approval only relates to the Change of Use from Shop and Ancillary Roof Terrace to Shop and Club Premises as shown on the plans dated 30 October 2020. It does not relate to any other development on the site;
- 1.2 A maximum of 50 patrons are permitted in the Club Premises at any one time;
- 1.3 The Club Premises shall at all times operate in accordance with the Venue Management Plan and Code of Conduct dated 19 January 2020. The terms and conditions outlined in the Venue Management Plan and Code of Conduct shall be provided to all members and guests of the facility and displayed in a prominent location within the entrance area of the venue;
- 1.4 Any amendments to the operation of the venue, as specified within the Venue Management Plan and Code of Conduct, are to be submitted to the City in the form of a revised Venue Management Plan and Code of Conduct for approval prior to any changes to the venue taking effect; and
- 1.5 The hours of operation for the Club Premises shall be limited to the following:
 - Monday to Sunday: 7.00am to 10.00pm;

2. Noise Mitigation

- 2.1 The measures outlined in the 'Operational Scenarios' of the approved acoustic report (Herring Storer Acoustics, December 2020) shall be implemented prior to the commencement of the Club Premises use and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;
- 2.2 No amplified music is to be played on the roof terrace level which exceeds 77db (A) as specified within the Acoustic Report (Herring Storer Acoustics, December 2020); and
- 2.3 No live music or performances are permitted from the premises;

3. Bicycle Parking

A minimum of five short-term bicycle bays shall be provided on-site and designed in accordance with AS2890.3 prior to the Club Premises use commencing;

4. Car Parking

All off-street parking is to be available during business hours for all customers and staff. The parking bays are not to be used for storage purposes or the like; and

5. Signage

All signage is to be in strict accordance with the City's Policy No. 7.5.2 – Signs and Advertising, unless further development approval is obtained.

PURPOSE OF REPORT:

To consider an application for development approval for a Change of Use from Shop with Ancillary Roof Terrace to Shop and Club Premises at No. 201-203 Oxford Street, Leederville (subject site).

PROPOSAL:

The application proposes to change the use of the subject premises from the existing Shop with Ancillary Roof Terrace to Shop and Club Premises.

The ground and first floors of the existing three storey building would continue to operate as a Shop, consistent with a development approval issued by the City in December 2015.

The second floor roof terrace is proposed to be used as a Club Premises. The applicant proposes to use the space as a private meeting place for club members to gather on the basis of common interest in networking and socialising for persons with an interest in business and who wish to grow their networks.

An approval is required to be sought to change the use of the existing ancillary roof terrace approval for the following reasons:

- The approval for the roof terrace as ancillary to the Shop use was to provide for associated function such as camera equipment launches and photography demonstrations to support sales. The subject application seeks to accommodate a business networking club which is no longer an ancillary use to the Shop. This is because its purpose is not exclusively related to camera equipment, sales, or photography;
- The landowner proposes to charge an annual fee of \$1,800 for membership to the Club and access to the Club Premises. This fee is not paid in affiliation with the Shop use and is related to a separate Club Premises use operating external and separate to the Shop; and
- The entrance to the Club Premises is via a separate door and lift at the rear of the site. Members will not be required to enter or exit through the Shop at any point. The physical operation of the Club Premises is not reliant on the Shop premises.

The Club Premises is proposed to operate as follows:

- A maximum of 50 patrons would be accommodated within the Club Premises at any one time. The applicant anticipates that there would more likely be between nil and 10 persons using the space at any one time. The Club Premises would have a maximum membership basis of 100 people;
- Operating hours would be limited to Monday to Sunday: 7.00am to 10.00pm;
- No liquor license would be sought for the Club Premises venue but members could bring their own alcohol and food to the venue;
- The roof terrace venue would be accessed via a lift and stairway accessed from the rear carpark of the premises. All access to the existing Shop is separate;
- There would be no staff members on-site operating the Club Premises;
- A covered portion of the roof terrace that currently provides tables and chairs, a bar area, toilets, speakers and a television would continue to be available for use as part of the Club Premises. Low volume music is intended to be played through the speakers;

- There are currently four car parking spaces provided on-site for use by staff and customers of the Shop and ancillary roof terrace. The application does not propose to introduce any additional car parking spaces, with the four on-site parking spaces to be available for the Shop and Club Premises uses; and
- The landowner and manager of the existing Shop business would be the primary venue manager of the Club Premises, with the exception of an alternative venue manager should they not be available.

Membership to the Club Premises is proposed as follows:

- Members would pay an annual fee for membership to the club;
- Membership to the Club is based around the applicant's engagement or interest within the business community, such as business owners or investors, and with business and networking interests being common to all members. The purpose is to promote social connection, networks and business activity amongst members and their guests;
- Entry to the Club Premises venue would be limited to members, with each member permitted to bring two non-member guests;
- Additional non-member guests may be accommodated upon application to the venue manager, such as for larger business networking meetings. This would be permitted where the member has demonstrated the purpose of the meeting as well as provided the names and contact details of all guest attendees. The purpose of inviting non-member guests is to facilitate new business and networking connections, as well as to potentially grow the Club Premises membership;
- Entry is to be permitted via swipe card access which could only be held by members of the Club Premises;
- No casual admission to the general public would be permitted; and
- The use of space would be monitored by a phone app that would allow pre-booking and confirming attendance at the venue. The app would disable swipe passes once the venue has reached its maximum capacity.

The following works to the roof terrace area are also proposed as part of this application:

- The existing 0.7 metre high glass balustrading to the perimeter of the terrace is to be increased in height to 1.0 metre;
- The louvre door to the west of the roof terrace is to be replaced by a solid door with a self-closing hinge. The door is to be kept closed while the Club Premises is in use; and
- The louvre wall to the south of the roof terrace is to be replaced with a solid wall.

These works are being sought in accordance with the recommendations of the Acoustic Report, included as **Attachment 5**. The purpose of these measures is to prevent noise spill to adjoining properties.

The proposed development plans are included as **Attachment 2**. In support of the proposal the Applicant has also provided a Venue Management Plan included as **Attachment 3**, a Parking Management Plan included as **Attachment 4**, an Acoustic Report included as **Attachment 5**, and Applicant's Planning Report included as **Attachment 6**.

BACKGROUND:

Landowner:	Mont Blanc Group Pty Ltd
Applicant:	Rowe Group
Date of Application:	13 October 2020
Zoning:	MRS: Urban LPS2: Zone: Regional Centre R Code: N/A
Built Form Area:	Town Centre
Existing Land Use:	Shop – 'P'
Proposed Use Class:	Shop – 'P' Club Premises – 'A'
Lot Area:	412m ²
Right of Way (ROW):	Yes
Heritage List:	No

Site Context

The subject site is located on the corner of Oxford Street and Melrose Street at No. 201-203 Oxford Street, Leederville as shown on the location plan included as **Attachment 1**.

The site is developed with a three storey building that currently operates as a Shop on the ground and first floors. An ancillary roof terrace with a covered roof and bar is located on the building's third floor.

The subject site is zoned Regional Centre under the City's Local Planning Scheme No. 2 (LPS2) and is located within the Town Centre Built Form Area as prescribed under the City's Policy No. 7.1.1 Built Form (Built Form Policy).

In accordance with LPS2, the land to the west of the subject site is zoned Residential R60; the land to the north and south of the subject site is zoned Regional Centre; the land to the south-west across Melrose Street is zoned Mixed Use R80; and land to the west is reserved for Public Purposes.

The site is bound to the north by a commercial property, to its south across Melrose Street is a medical centre (No. 199 Oxford Street), to its east is TAFE Leederville, and to its west is a ROW and a single house (No. 8 Melrose Street). Melrose Street predominately contains single house and grouped dwelling developments while Oxford Street contains a mix of commercial developments.

Previous Approvals

The following table summarises the previous approvals which relate to the site.

Approval Date	Comment
28 September 2010	<p>Council at its Ordinary Meeting approved a development application for Change of Use from a 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.</p> <p>This application sought an extension to the existing three storey building which included undercroft car parking to the rear and the provision of 7 car parking bays.</p> <p>This approval lapsed on the basis that construction was not commenced within the two-year time period in which the development was required to have substantially commenced.</p> <p>A cash-in-lieu contribution of \$14,460 for 4.82 car parking spaces was required as a condition of this approval. The approval was not enacted and payment of the cash-in-lieu amount was not required to be paid.</p>
18 December 2012	<p>Council at its Ordinary Meeting approved a development application for Alterations and Additions to the 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.</p> <p>Based on the approved plans dated 18 December 2012, the Club Premises was approved for operation on the second floor (roof terrace) of the building.</p> <p>The Club Premises was approved to operate as a private camera club roof terrace as ancillary to the Shop use at ground and first floor levels.</p> <p>The Club Premises was approved to operate as members only to accommodate workshops, meetings and events associated with the Shop (camera equipment sales). The Club Premises was intended to operate as ancillary to the Shop use at the ground and first floors.</p> <p>This approval lapsed on the basis that the Club Premises use did not commence prior to the expiry date of 4 January 2015 and the conditions of approval were not fulfilled prior to this date, such as the submission of an acoustic report.</p>
15 December 2015	<p>Administration under delegated authority issued an approval for construction of a roof cover over the terrace and the use of the roof terrace as ancillary to the Shop use (Shop with Ancillary Roof Terrace). This approval also included</p>

Approval Date	Comment
	retrospective approval for construction of a bar, toilets and storeroom at the roof terrace level. At the time of assessment, the ancillary roof terrace was intended to be used for product launches of camera equipment and similar, and was not to be rented out to private third parties. The proposal was not supported by an acoustic report. This supported the imposition of the following conditions on the development approval: 3. <i>The outdoor 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;</i> 4. <i>No amplified music is to be used within the outdoor roof deck.</i>
13 December 2016	Council at its Ordinary Meeting approved alterations to the roof terrace to install a lift structure and staircase at the western elevation connecting the ground and roof terrace levels. A cash-in-lieu contribution of \$864 for 0.16 car parking spaces was required as a condition of approval. This payment has not been made and is outstanding.
31 August 2018	Administration under delegated authority approved a development application to enclose the existing balcony on the first floor with full height glass windows to Melrose Street.

Previous development approvals are included in **Attachment 8**.

Previous Compliance Matters

A compliance investigation commenced in relation to the use of the roof terrace in August 2020 following complaints received by the City from three separate complainants. These complaints raised issues regarding noise impacts and anti-social behaviour occurring at the subject site. The compliance investigation found that the roof terrace space was being privately leased to external groups for functions and parties on a weekly basis.

This activity was found to be non-compliant with Conditions 3 and 4 of the approval dated 15 December 2015 which sought to prohibit private leasing of the roof terrace space and amplified music. It was also non-compliant with the City's Sound Attenuation Policy 7.5.21 (Sound Attenuation Policy), being leased until up to 1:00am on some occasions.

The landowner has since ceased private leasing of the roof terrace and has removed all online advertisements relating to private leasing of the premises.

In response to the compliance matters, the applicant has submitted the subject application to seek approval for use of the roof terrace as a Club Premises to provide a higher level of control for the venue operator over the activities conducted on the site. The applicant is not seeking approval for the space to be rented out for private events.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent LPS2 and the City's Built Form Policy, Sound Attenuation Policy and Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Non-Residential Development Parking Policy). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Car Parking		✓
Bicycle Parking		✓

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Sound Attenuation	✓	
Façade Design	✓	

Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
Local Planning Scheme No. 2 "P" Use	Club Premises: "A" Use
Car Parking	
Deemed-to-Comply Standard	Proposal
Policy No. 7.7.1 – Non-Residential Development Parking Requirements <u>Car Bays</u> Club Premises requires: 7.5 bays Existing shop required: 4.16 bays <u>Bicycle Bays</u> <u>Short Term</u> Club premises required: 1 bicycle bay <u>Long Term</u> Club Premises required: 2 bicycle bays	<u>Car Bays</u> 4 bays available on-site to be shared between Shop and Club Premises use. A shortfall of 0.16 on-site bays was approved for the Shop use in 2016. Club Premises car parking shortfall proposed: 7.5 bays 7 bicycle bays to be shared between Shop and Club Premises

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 21 days from 20 November 2020 to 10 December 2020. The method of consultation included a sign on-site, an advertisement in the local newspaper and six letters mailed to all owners and occupiers adjoining the site (as shown in **Attachment 1**), in accordance with the City's Policy No. 4.1.5 – Community Consultation.

Administration also consulted with three additional people who were not in the consultation area but who previously raised concerns with the City when the premises was being rented out for private functions. These concerns inevitably resulted in the August 2020 compliance investigation. Comments were invited from these three additional people by 27 January 2021. No comments were provided during this time from these previous complainants.

Following community consultation, the City received a total of 11 submissions, including one objection and 10 letters of support.

The concerns raised in the objection are summarised as follows:

- Liquor license may be sought in the future;

- Management of alcohol to be consumed on the premises;
- Management of anti-social behaviour resulting from use of alcohol; and
- Potential for noise and nuisance as a result of the proposed use.

The comments raised in the support submissions are summarised as follows:

- The proposed meeting venue would provide a positive contribution to the area and members of the local community;
- Support for the rooftop being used as a private members club for business networking meetings;
- The site is a suitable location for a Club Premises being located in an active mixed-use area; and
- The proposal includes several clear controls to ensure orderly operation as a Club Premises, including no amplified being music permitted as well as reasonable operating hours and capacity numbers.

A summary of submissions and Administration's responses is included in **Attachment 7**. The applicant has not provided a response to the submissions made, rather the applicant submitted a revised Venue Management Plan to better address the concerns raised in relation to anti-social behaviour and management of patrons.

Design Review Panel (DRP):

Referred to DRP: No

The application did not require referral to the DRP as the extent of works relating to the external appearance of the development are proposed, including balustrading and doorway upgrades as recommended by the Acoustic Report.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.1 – Built Form Policy;
- Policy No. 7.5.21 – Sound Attenuation; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Delegation to Determine Applications:

In accordance with the City's Register of Delegations, Authorisations and Appointments, applications for development approval that propose a Club Premises land use require Council determination.

RISK MANAGEMENT IMPLICATIONS:

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Nil.

PUBLIC HEALTH IMPLICATIONS:Health and Wellbeing

The proposal seeks to enhance social relationships and business networking opportunities which have a positive correlation with increased mental health and a stronger social environment.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Land Use

Club Premises is an 'A' use within the Regional Centre zone, meaning that the use is not permitted without the discretion of Council only after community consultation has first been undertaken. Regard is to be given to the objectives of the Regional Centre zone when considering the appropriateness of the use, listed as follows:

- *To provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre.*
- *To encourage high quality, pedestrian-friendly, street-orientated development that responds to and enhances the key elements of the Regional Centre, and to develop areas for public interaction.*
- *To ensure levels of activity, accessibility and diversity of uses and density is sufficient to sustain public transport and enable casual surveillance of public spaces.*
- *To provide residential opportunities within the Regional Centre including high density housing, affordable housing, social and special needs housing, tourist accommodation and short term accommodation.*
- *To ensure that the centres are developed with due consideration to State Planning Policy 4.2 - Activity Centres for Perth and Peel.*

The City did not receive community submissions relating to the appropriateness of the proposed Club Premises use itself. One submission was received in relation to potential impacts as a result of the use, including noise and management of anti-social behaviour. 10 submissions of support were received in relation to the proposed land use.

The proposal is consistent with the objectives of the Regional Centre zone under LPS2 for the following reasons:

- The character of the immediate locality includes both commercial and residential activities, and the amenity of the subject and surrounding sites are reflective of this. Residential development is located to the west of the subject site. Development to the north, south and east of the subject site includes commercial development on land zoned Regional Centre under the City's LPS2. The amenity of surrounding residential properties in close proximity to the subject site would be reflective of being in close proximity to the adjacent Regional Centre zone which includes a TAFE, shops, a mechanic, restaurants, and associated traffic, parking, noise and odours generated from such non-residential land uses. As such, the proposed commercial use, being a Club Premises use is compatible with the existing character of the locality;
- Previous approvals for the site include use of the roof terrace as a Club Premises and an Ancillary Roof Terrace to the Shop. These proposals were to facilitate gatherings of persons with a similar interest, with no restriction on the maximum number of patrons that could be accommodated, and the City has previously demonstrated its support for a use of this nature on this site. The City does not have record of any complaints being received in relation to the use of the roof terrace space until the commencement of the private leasing arrangement in 2019. The subject application seeks to introduce venue management measures and controls, attendee code of conduct and building modifications to ensure that the use would not result in adverse amenity impacts such as noise and anti-social behaviour. This is discussed in further detail below;

- The layout of the Club Premises ensures that noise and activity emitted from the roof terrace would be directed to the south and east of the subject site. This is because the location of the lift, staircase, bathroom and solid self-closing door would reduce the activity generated from the Club Premises to the residential properties along Melrose Street located to the west. The on-site car park area and a 3.0 metre ROW separate the roof terrace from the closest residential dwelling located at No. 8 Melrose Street. Sufficient distance is provided to further alleviate amenity impacts to this residential property from patrons entering and exiting the venue;
- The Acoustic Report submitted identifies that the use would operate without resulting in detrimental noise impacts to the adjoining residential and commercial properties. The Club Premises is proposed to operate in the space with management measures and with building modifications, as recommended by the Acoustic Report, that would reduce noise impacts to adjoining properties. The proposal would maintain compatibility with commercial development on Oxford Street while being sensitive to adjoining residential development to the south and west of the subject site in respect to noise;
- Through the consultation period concerns were raised relating to impacts on the amenity of the locality. The applicant has submitted a Venue Management Plan (VMP) in support of the proposal that outlines the operation and management measures for the proposed use to mitigate the potential for anti-social behaviour and prevent detrimental amenity impacts on nearby residential and commercial properties. At the time of member sign-up, the prospective member would be vetted by the Venue Manager, noting that they would require a reference from an existing member or a personal and professional reference check prior to membership being granted. Additional measures include limiting use of the Club Premises by members and their guests. Club members would be responsible for their conduct while on the premises, including those of their guests, through monitoring via the member's phone app that records booking, names of all members and their guests attending the site, and details of when and their duration of stay at the premises. A Code of Conduct is also required to be signed and made available to all members. The issue of noise is largely dependent on individual's behaviour that may lead to potential impacts on the surrounding residents. The applicant has implemented a two warning rule for any anti-social behaviour or immediate revocation of membership in the case of serious or intolerable misconduct as determined by the Venue Manager. The contact details for all guests are recorded by the Club app and the accountable member would be approached directly should the misconduct result from non-member guests. Bans from the venue may result in the event of serious misconduct;
- The contact details of the Venue Manager would be provided to adjoining residents, providing opportunity for incidents to be dealt with promptly and appropriately. In the event the proposed Club Premises is not operating in accordance with the management plan and is found to be causing a nuisance, it would be open to the City to undertake formal compliance action;
- The applicant has provided a Parking Management Plan (PMP) to demonstrate that parking demands could be appropriately managed. The site is highly accessible by public transport being located on the Oxford Street high frequency bus route and within approximately 550 metres of the Leederville Train Station. There is also sufficient capacity within the surrounding road network to accommodate on-street parking. This is discussed in further detail within the Parking section of this report,
- The Shop tenancy would continue to provide an active relationship to the street as it would continue to operate at the ground and first floor levels. Additional passive surveillance opportunities would be provided by the gathering of people at the roof terrace level; and
- The proposed use would contribute to activity and diversity of use in the Leederville Regional Centre and provide both daytime and night time activity that would be compatible and complementary with neighbouring businesses and the intent of the Regional Centre zone.

Operation and Management of Club Premises

A Venue Management Plan (VMP) and Code of Conduct has been submitted to the City, included as **Attachment 3**.

The VMP outlines the general management procedures for the operation of the venue including operating hours, patron management, membership, noise, consumption of food and alcohol, anti-social behaviour, access, parking and waste management. The Code of Conduct outlines the expectations regarding members behaviour towards other members, the venue and surrounding properties.

The VMP provides a commitment for the applicant to comply with what has been written within the document. The VMP is a daily tool which would be used to manage the Club Premises. It would also provide greater assurance to the adjoining neighbours that the Club Premises would control its activities daily in an appropriate manner.

A condition of approval is recommended requiring the Code of Conduct to be provided to and signed by all members and guests and to be displayed within the premises, as well as for the Management Plan to be complied with at all times. If the conditions of approval are not adhered to, it would be open to the City to undertake formal compliance action.

A summary of the management measures are provided below.

Hours of Operation

The proposed hours of operation are Monday to Sunday 7:00am to 10:00pm.

The Venue Manager or an appointed representative would attend the premises at 10:00pm when the venue is in use to ensure the premises has been vacated and in an orderly manner. Swipe card access is only activated at the time of booking of the venue and all cards will deactivate at 10.00pm each night to restrict access to the venue.

The proposed operating hours are comparable to the operating hours of nearby land uses including a restaurant at No. 209 Oxford Street that operates until 12:00am Monday to Saturday, and a Café located at No. 196 Oxford Street which operates from 6.30am Tuesday to Saturday. The operating hours are also common for businesses located within a Regional Centre zone and specifically the Leederville Town Centre.

Management measures have been implemented through the VMP to reduce impacts on adjoining properties. Guest behaviour would be monitored via on-site cameras by the Venue Manager who would not be on the premises. Guests are requested to access and egress the venue in a quiet and peaceful manner and would be provided with the Venue Management Plan and Code of Conduct upon sign up.

Membership

The VMP details membership requirements. The premises would operate on a membership basis whereby patrons would pay an annual fee for the right to use the club subject to several criteria.

Prior to becoming a member of the Club Premises, an application form and curriculum vitae is to be submitted to the Venue Management. Any prospective members would also require a reference from an existing member or a personal and professional reference prior to membership being granted.

Meetings involving more than the prescribed two guests must be registered and approved by management. Meetings of this nature could only be organised by an existing member. The applicant expects this would only occur on an occasional basis.

Accepted members would be required to sign a document agreeing to the terms of use and Code of Conduct for the Club Premises.

Members would be required to pre-book use of the space via a mobile app. They would be provided with an electronic swipe card to enable access to the building. The swipe card would be activated based on the booking schedule. Access to the premises is to be monitored both through visual/camera recording and electronic recording used of the swipe cards. Existing cameras are placed throughout the site to capture all activity on the roof terrace as well as entry and exit of the premises and activity on the public street immediately adjacent to the site. Cameras are located in a number of positions at the roof terrace level, at the top and bottom of the lift and external stairs, within the car park area to capture people entering and exiting the premises, as well as cameras facing both Melrose and Oxford Streets.

The applicant considers anti-social behaviour would be minimal given admission to the premises is restricted to club members only, except at the discretion of venue management. The applicant also considers they could sufficiently police behaviour at the premises by requiring the space to be pre-booked via the mobile app and by monitoring access to the site both through visual/camera recording and electronic recording of use of swipe cards.

Management practices would assist in mitigating anti-social behaviour. These measures include the vetting process required of members, the accountability and traceability of member's activities through the app and surveillance footage, the ability to attend the site and request members to leave the premises, and the presence of the Venue Manager at the venue at closure times.

The VMP identifies that the contact details of the Venue Manager would be provided to all surrounding residences and businesses. The Venue Manager resides locally and would be available during the use of the venue.

Any complaints received from nearby residences or businesses would be investigated by venue management to ensure that the issue is resolved and does not reoccur.

Disciplinary actions have been specified within the Code of Conduct if members or their guests repeatedly or intentionally fail to follow the Code of Conduct. The actions would vary dependant on the violation. Possible consequences include members being given two warnings for misconduct prior to their membership being revoked. At the discretion of venue management, membership and access to the premises may also be terminated immediately without warning following a serious breach of the Code of Conduct by a member or their guests.

Administration considers the proposed management measures could mitigate the impact of activities from the Club Premises, so long as the Code of Conduct rules are administered and any breaches of those rules are appropriately investigated.

Acoustic Report

The City's Sound Attenuation Policy requires development applications for non-residential uses that involve areas where groups of people may gather and music is played to submit an acoustic report demonstrating acoustic compliance.

The applicant submitted an Acoustic Report prepared by a qualified Acoustic Consultant in support of the Club Premises, as included as **Attachment 5**. The Acoustic Report assesses noise generated from the proposed use and its impact on the adjoining properties.

The Acoustic Report confirms that noise levels generated from the premises during the proposed operating hours would comply with the relevant assigned noise levels under the *Environmental Protection (Noise) Regulations 1997*. This compliance is subject to the following design alterations to the roof terrace:

- The existing 0.7 metre high glass balustrading to the perimeter of the terrace to be increased in height to be 1.0 metre;
- The louvre door to the west of the roof terrace is required to be replaced by a solid door with a self-closing hinge. The door is to be kept closed during use;
- The louvre wall to the south of the roof terrace is required to be replaced with a solid wall; and
- Background music is to be played through the existing speakers and should be played at no louder than 77db (A) at one metre from the speaker. Two existing speakers are located within the covered roof terrace space with no speakers located in the uncovered outdoor rooftop space.

The acoustic report submitted has been reviewed and is supported by the City's Environmental Health team.

The modifications to the built form meet the deemed-to-comply requirements of the Built Form Policy Clause 1.13 Façade Design. The alterations to the building are minor and would not adversely impact the streetscape.

The Venue Management Plan states that background music would be through the existing speakers on the premises. No external speakers are proposed and the Venue Management Plan requires members to first notify management if background music is intended to be played.

The noise generated from the premises would not result in an adverse impact on the amenity of the surrounding area based on the Acoustic Report and its recommendations as well as the measures proposed within the VMP. Conditions of development approval have been recommended to relating to these matters.

Car Parking

In accordance with the Non-Residential Development Parking Policy, a Club Premises use requires the provision of 7.5 car bays based on the proposed maximum capacity of 50 patrons.

In accordance with the development approval issued in 2016, the existing Shop use requires 4.16 on-site car parking bays and approved a shortfall of 0.16 car bays.

The site provides a total of four car bays on-site, including one ACROD bay.

The proposal for Club Premises would result in a shortfall of 7.5 car bays, in addition to the previously approved shortfall of 0.16 bays.

During the consultation period, there were no submissions made in relation to the proposed car parking shortfall.

A Parking Management Plan has been prepared and submitted by the applicant as justification for the proposed parking shortfall. This is included as **Attachment 4** and is summarised as follows:

- On-street car parking bays are located within walking distance of the subject site including 32 bays available on Oxford Street and 19 bays available on Melrose Street;
- Off-street parking facilities are available with 210 bays at Frame Court car park (515 metres from the site) and 360 bays available at the Avenue Car Park (300 metres from the site);
- Members of the club would be required to pre-book use of the space via a mobile app to monitor parking demand and usage;
- Seven short-term bicycle spaces are provided on the site. End of trip facilities are available, including a disabled toilet, shower, lockers and changing facilities; and
- The subject site is located within 540 metres of the Leederville Train Station and within close proximity to high frequency and regular frequency bus routes which run along Newcastle Street, Oxford Street, and Loftus Street, as well as pedestrian paths connecting to local amenities.

The proposed parking provision is suitable for the following reasons:

- The site is located along Oxford Street which is serviced by bus Route 15 that provides services between Perth and Glendalough Station and bus Route 402 that provides services between the Perth Busport and Stirling Station. Both services are high frequency bus routes and the bus stops are within 20 metres of the site. These bus routes increase the convenience for patrons visiting the site via bus and supports travel to and from the site by means other than by reliance on car;
- The subject site is located within the Leederville Town Centre activity precinct and nearby other venues that attract visitors. The site is highly accessible by public transport and likely to attract multi-purpose visits to the area such as to nearby shops and restaurants in addition to the Club Premises;
- Bicycle parking facilities are recommended to be provided as a condition of the approval. Five short term and two long term bicycle parking bays are to be provided in the car park area to accommodate the staff and customers of the Shop and Club Premises. There is generally a maximum of four staff members working at the Shop at any one time. Adequate end of trip facilities are provided at the premises for patrons who cycle to the venue, including lockers and a shower facility. This would support cycling as a convenient alternative to driving to the venue;
- The City's parking survey data does not capture parking along Melrose Street. In light of this, a review of the City's GIS aerial mapping was undertaken. There are 31 on-street bays in this location and review of the GIS mapping data indicates that there is on average eight bays available at any one time. The average is taken across days which were captured in the mapping, noting times of the photos taken is not available. Details of the parking demand for this area is as follows:
 - Monday 10 February 2020 – 25 cars parked (6 bays available)
 - Monday 2 March 2020 – 25 cars parked (6 bays available)
 - Wednesday 4 March 2020 – 23 cars parked (8 bays available)
 - Sunday 3 May 2020 – 21 cars parked (10 bays available)
 - Sunday 21 June 2020 – 25 cars parked (6 bays available)
 - Sunday 30 August 2020 – 19 cars parked (12 bays available)This data indicates that on street parking along Melrose Street has capacity and is not being fully utilised.
- Along the northern side of Melrose Street there is a two hour time restriction between 8:00am and 5:00pm Monday to Friday and 8:00am and 12:00pm Saturday. Along the southern side of Melrose Street there is a one hour time restriction at all times. It is expected that patrons would generally attend the site for a one to two hour time period, such as for a meeting, and that this time restriction would suit members that attending the site by private vehicle and that were parking on-street;
- In relation to parking on Oxford Street, a review was completed against the City's parking survey data in the vicinity. The survey was undertaken on 28 November 2018 and captured the occupancy of bays on Oxford Street between Bourke Street and Leederville Parade for the hours of 9:00am to 11:00am; 12:00pm to 2:00pm; 3:00pm – 5:00pm; and 6:00pm – 8:00pm. The data has been averaged across the recorded hours to determine the availability of bays across the day and shows that of the 83 bays

available for public parking, there is an average of 32 bays available at any one time. This provides additional car parking opportunities;

- Based on the above parking data and GIS mapping analysis, there are a total of 114 on-street bays in the immediate locality, whereby 40 bays are available on-average, which equates to 35 percent vacancy on-average. The parking available in the area is sufficient to provide for the needs of businesses;
- If parking in the immediate vicinity is not available, 360 bays are available at The Avenue off-street car park located approximately 290 metres from the subject site. This car park has an average vacancy rate of 42 percent based on the City's parking survey data for the hours of 9:00am to 11:00am; 12:00pm to 2:00pm; 3:00pm – 5:00pm; and 6:00pm – 8:00pm;
- The on-site car parking requirement has been calculated based on a maximum occupancy of 50 persons. The applicant anticipates that the premises would more likely attract between nil to 10 persons at any one time, in which case the demand for parking would significantly decrease for the most of the time that the Club Premises would be in use;
- Management of the adjoining property to the north at No. 205-207 Oxford Street, Leederville has advised that they are willing to offer their five car parking bays for use by the subject site outside of their own hours of operation. While this is noted, the City has not received notice of a formal agreement or arrangement to facilitate consideration of these spaces; and
- After 10 years of operation, the parking for the existing Shop use has been demonstrated to not have resulted in a detrimental impact on traffic or parking for residents or businesses in the area. The City has not received any complaints relating to car parking since the use commenced operation.

Sufficient on-site parking is provided for staff and customers of the development together with the availability of alternate modes of transport and public parking in the area to support the needs of the venue, without the need for a cash-in-lieu contribution from the applicant.

The application demonstrates the subject tenancy provides for a range of transport means for customers to and from the site. The available car parking, bicycle parking and public transport options available are sufficient to manage the car parking requirements of the Club Premises whilst also supporting alternative modes of transport, which is consistent with the objectives of the City's Non-Residential Development Parking Policy. The proposal is acceptable having regard to car parking.

Bicycle Parking

The Club Premises use requires a total of one short-term and two long-term bicycle bays for the proposed maximum capacity of 50 persons on-site. The applicant has proposed the provision of seven bicycle parking spaces on-site agreed to support the shortfall of on-site car parking spaces as part of their Parking Management Plan. These bicycle bays have not been shown on the development plans.

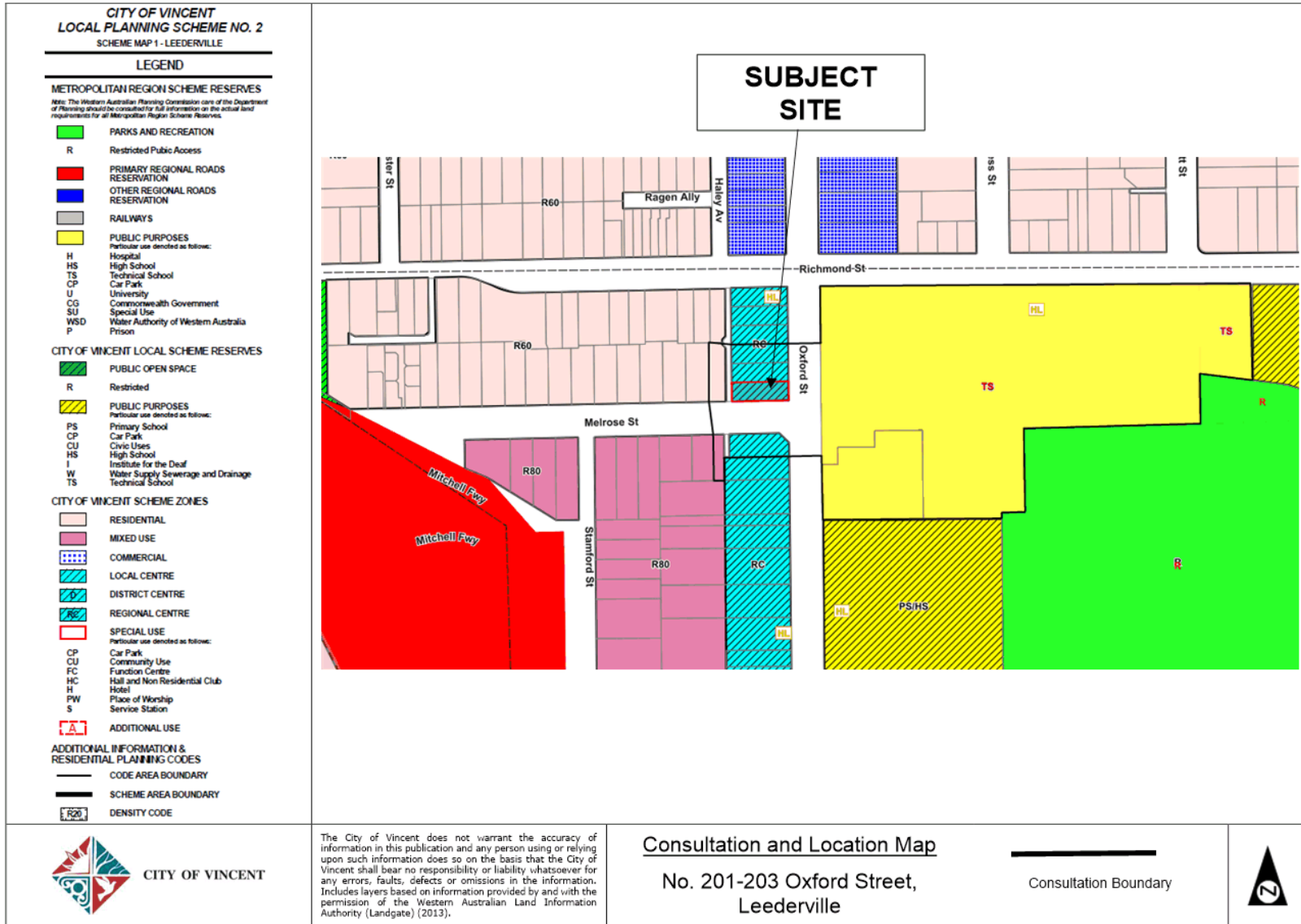
There are currently no bicycle parking spaces provided on the site for the Shop use and have not previously been required as part of any previous approvals.

The application plans and Parking Management Plan refer to the provision of seven bicycle bays within the car park area off Melrose Street. The City's Technical Services Officers have reviewed the plans and advised that the provision of seven bicycle bays would not be compliant with AS2890.3 in their proposed location due to having inadequate dimensions.

The City's Technical Services Officers are satisfied that there is sufficient space within the site's car park area to accommodate five short-term bicycle bays that would support the Shop and Club Premises uses.

The provision of a minimum of five short-term bicycle bays is recommended as a condition of approval prior to the commencement of the Club Premises use. The nature of the Club Premises use is that it not expected that customers would be attending the site for extended periods of time. This means that the provision of short term bicycle bays would be suitable rather than dedicated long-term bicycle bays in a locker.

The provision of short-term bicycle bays is consistent with the standards of the City's Parking Policy and is sufficient to ensure that there is adequate bicycle spaces provided on-site for the use of both customers and staff of the Shop and Club Premises uses, and would support cycling to the venue as a convenient alternative to driving to the venue.



		
 <p>CITY OF VINCENT</p>	<p>The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects, or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).</p>	<p>No. 201-203 Oxford Street, Leederville</p> 

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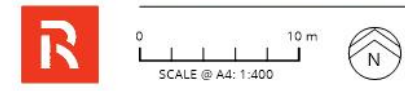


FIGURE 3
SITE PLAN

9271 FIG03A_20201006 Leaderville (Site Plan) - DRAWN: ADAM GLASKIN - DATE CREATED: 2020.10.06 - PROJECTION: WGA94 - CADASTRE: LANDGATE - AERIAL: METROMAP 21 JUNE 2020
 NTOWN PLANNING000-899927708ATTINGA-CAD - ADAM GLASKIN - 2020.10.06

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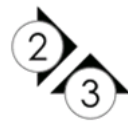
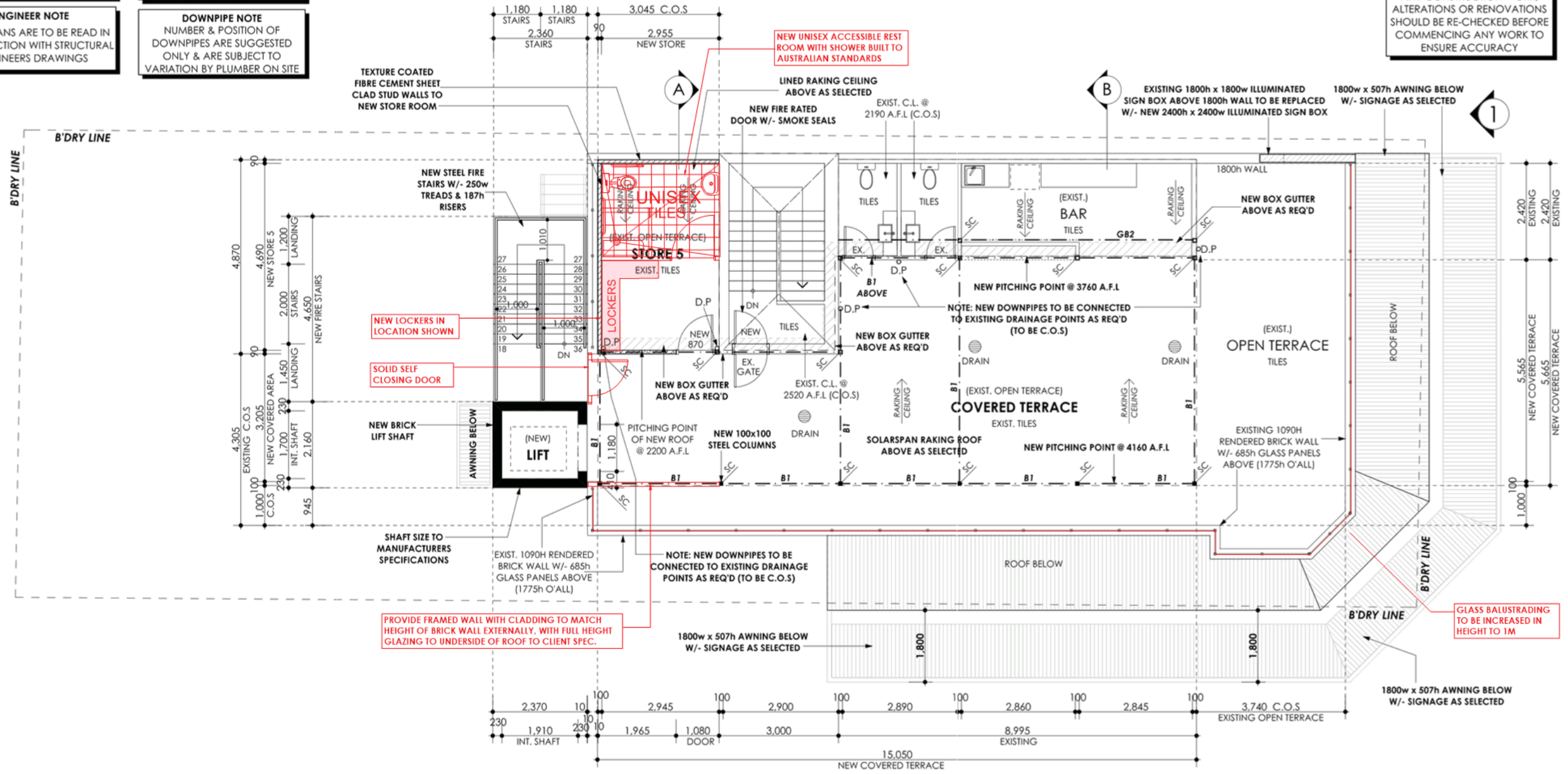
WALL LEGEND
 [Symbol] EXISTING BRICK WALLS
 [Symbol] NEW STUD FRAMED WALLS

ENGINEER NOTE
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ENERGY RATING NOTE
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PROPOSED SECOND FLOOR PLAN

SCALE 1:100

BUILDING AREAS

1. Existing Ground Floor	227.38
2. Existing First Floor	204.88
3. Existing First Floor Balcony	22.49
4. Existing Second floor	186.45
Proposed Lift Shaft	5.12
Total	646.32 m²

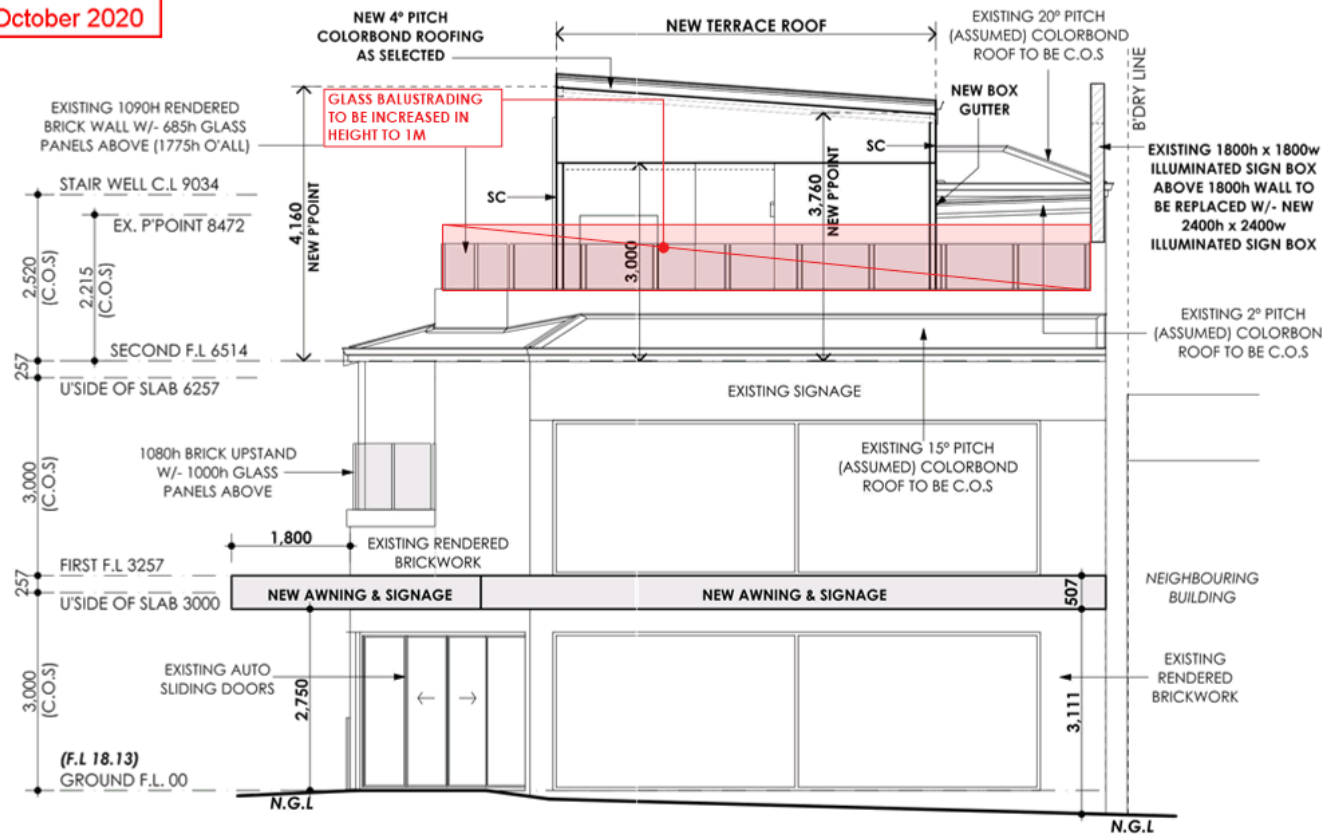
PRELIMINARY BUILDING
 Thursday, 24 September 2020



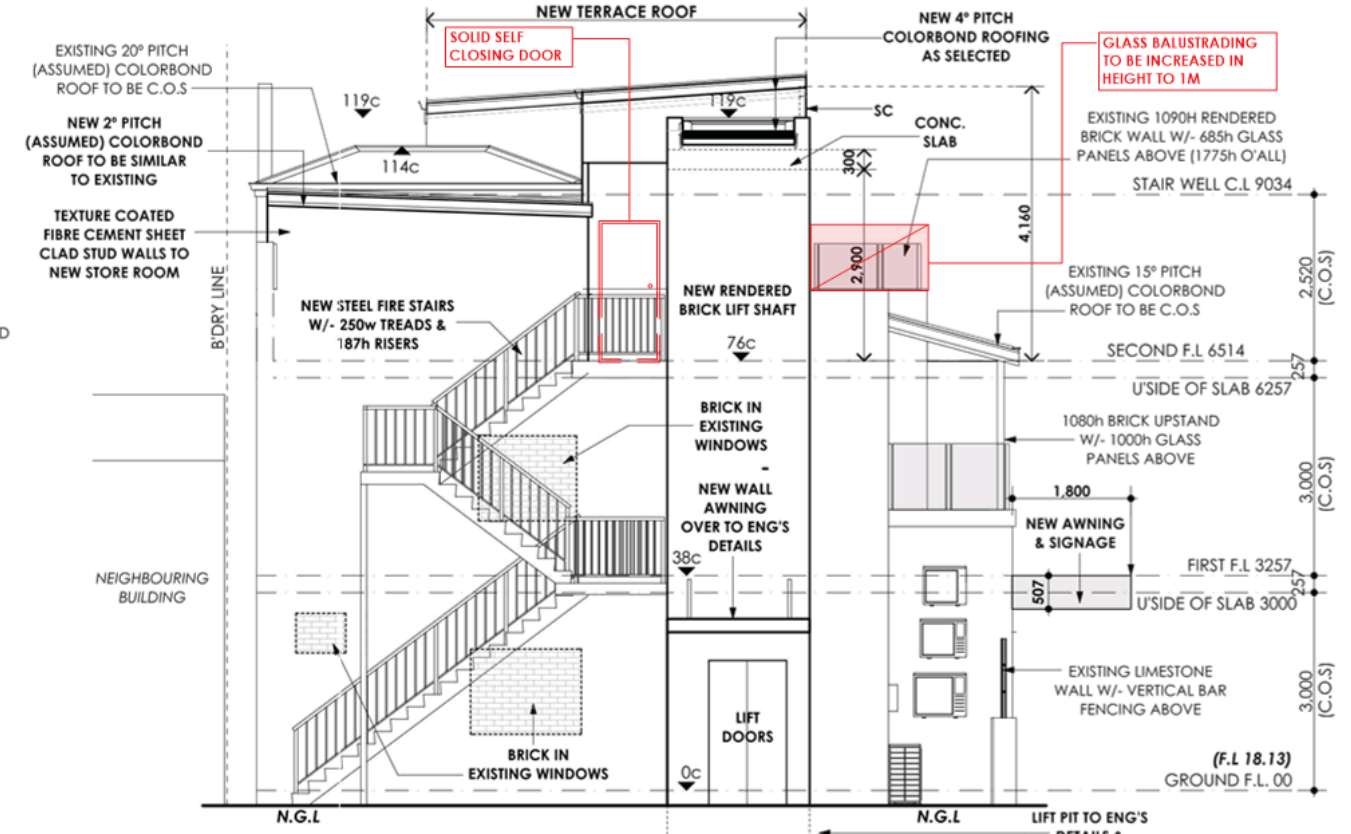
PROPOSED TERRACE ADDITIONS
 CAMERA HOUSE (#201) OXFORD STREET, LEEDERVILLE

JOB No: 117-15 ISSUE DATE: 24/09/2020 SHEET: 8 of 14

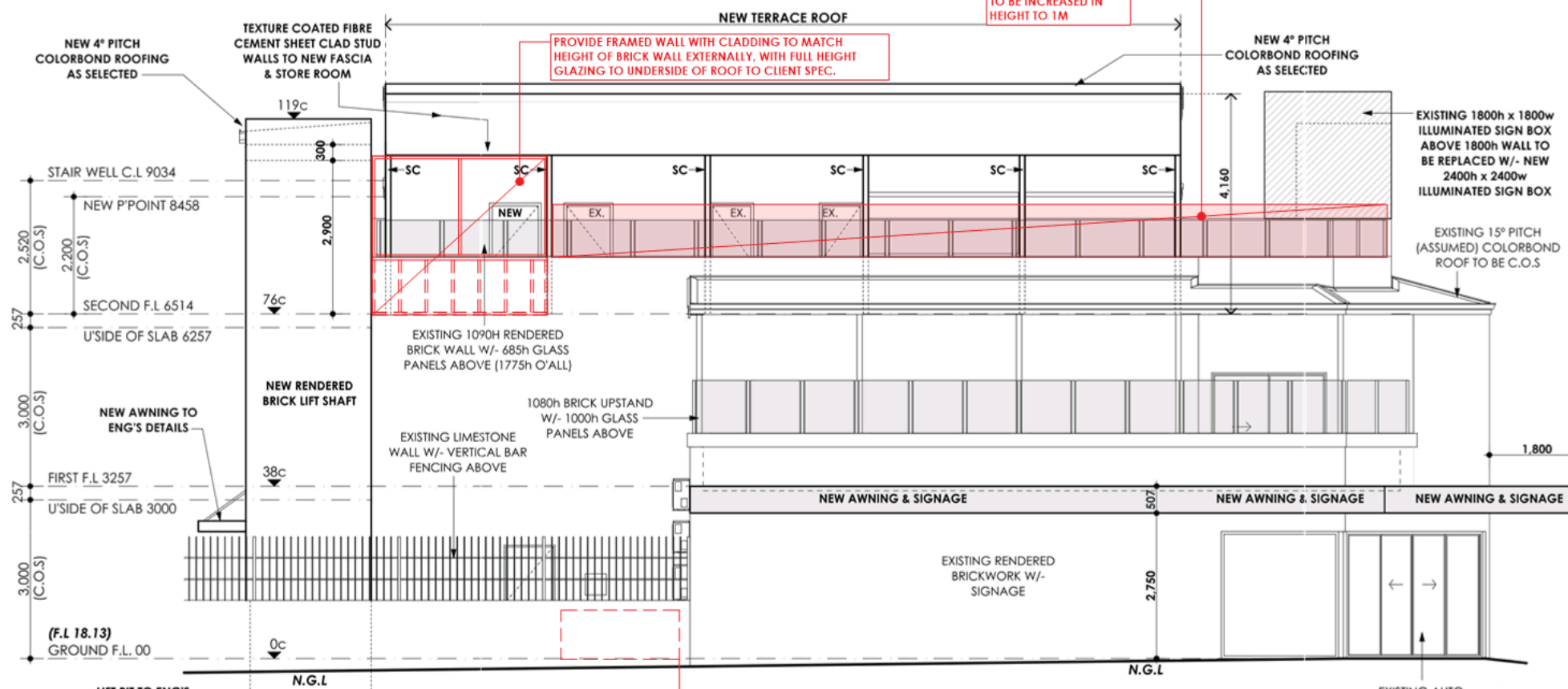
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30 October 2020



EXISTING ELEVATION 1 - EAST
SCALE 1:100



EXISTING ELEVATION 2 - WEST
SCALE 1:100



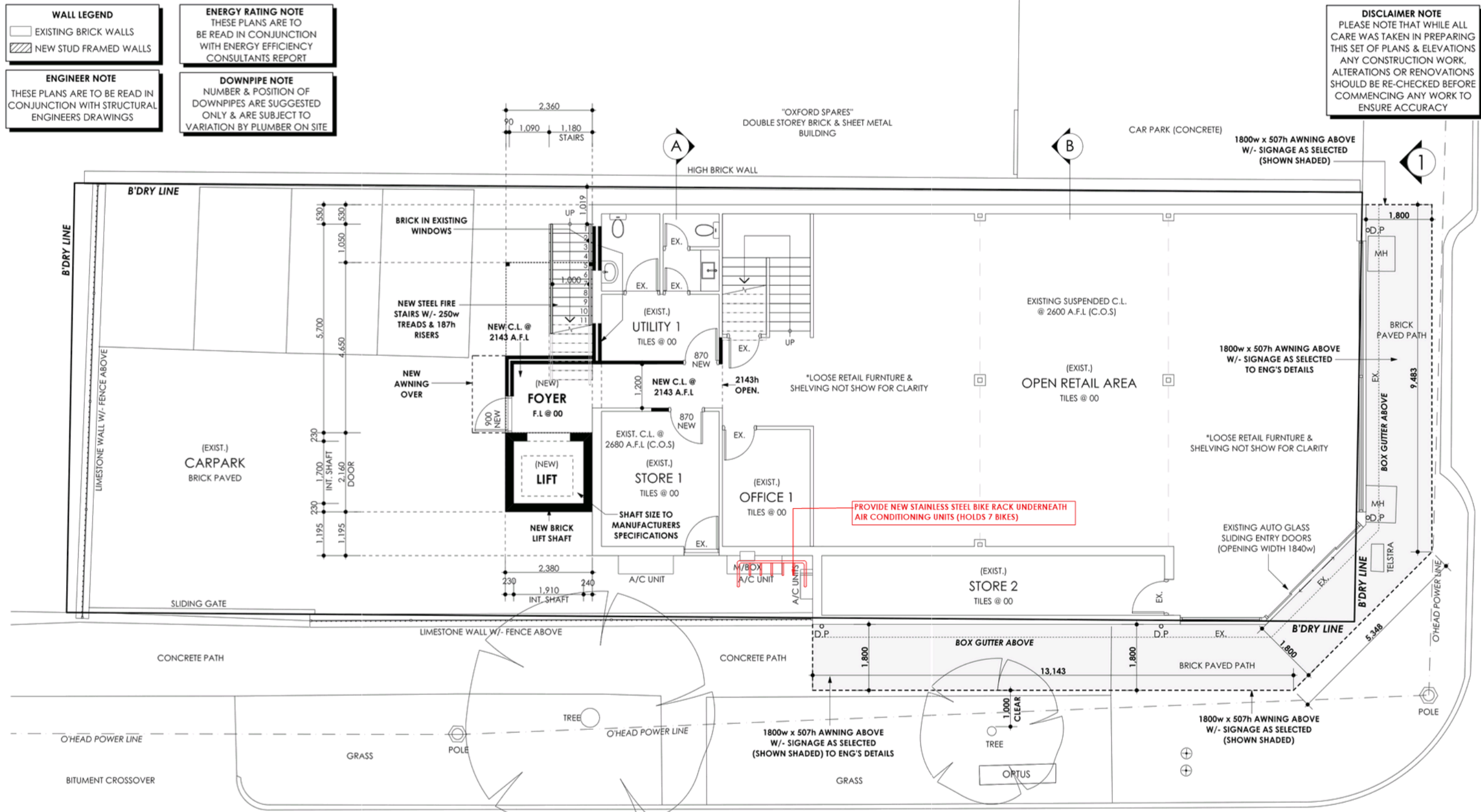
ELEVATION 3 - SOUTH
SCALE 1:100

- INSULATION NOTE**
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PROPOSED TERRACE ADDITIONS
CAMERA HOUSE (#201) OXFORD STREET, LEEDERVILLE

JOB No: 117-15 ISSUE DATE: 24/09/2020 SHEET: 9 of 14



PROPOSED GROUND FLOOR PLAN
SCALE 1:100

MELROSE STREET

BUILDING AREAS

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Proposed Lift Shaft	5.12
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Thursday, 24 September 2020

ELEMENT
DRAFTING & DESIGN

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CAMERA HOUSE (#201) OXFORD STREET, LEEDERVILLE

JOB No: 117-15 ISSUE DATE: 24/09/2020 SHEET: 6 of 14

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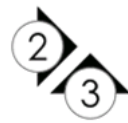
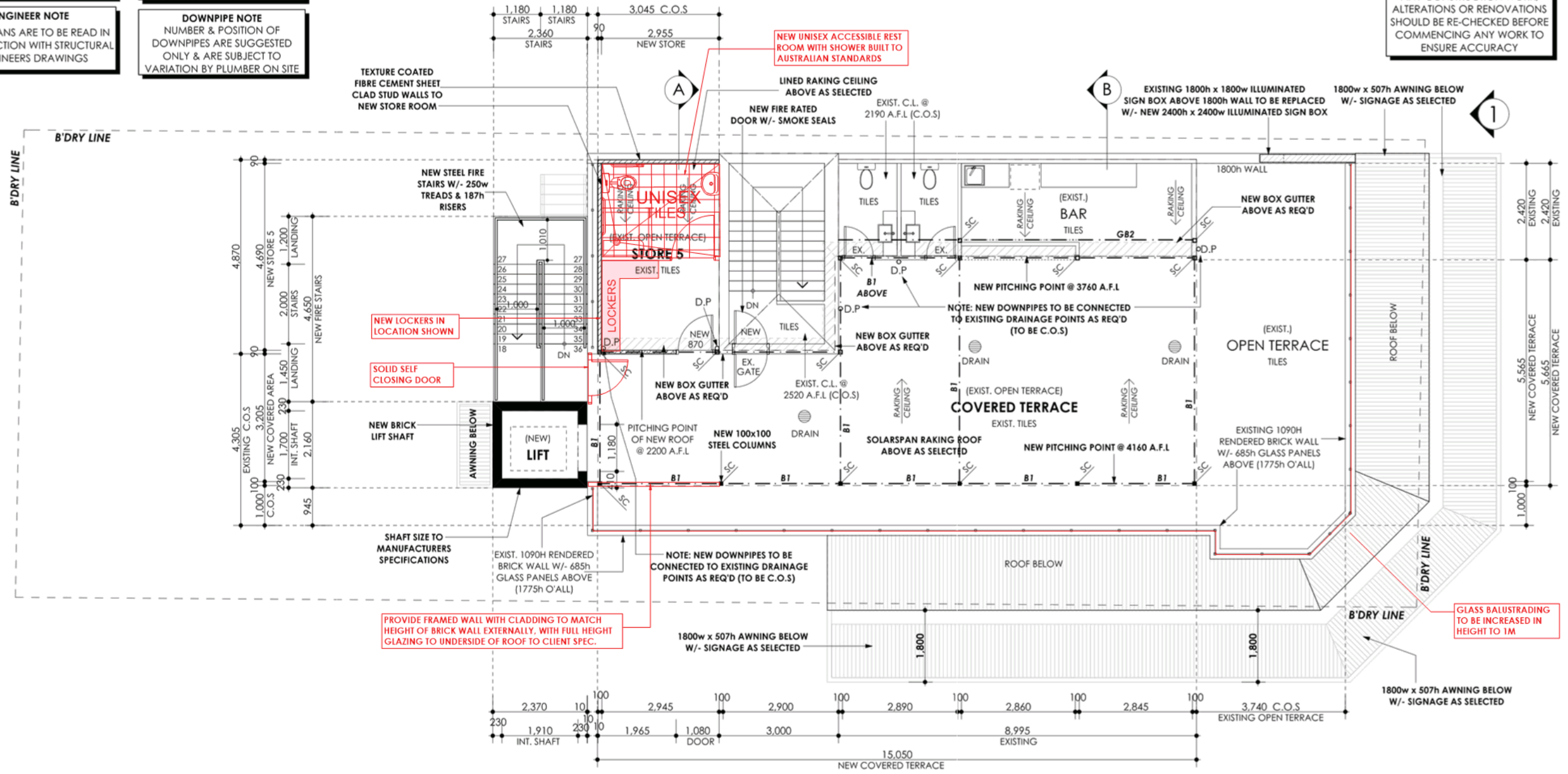
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PROPOSED SECOND FLOOR PLAN

SCALE 1:100

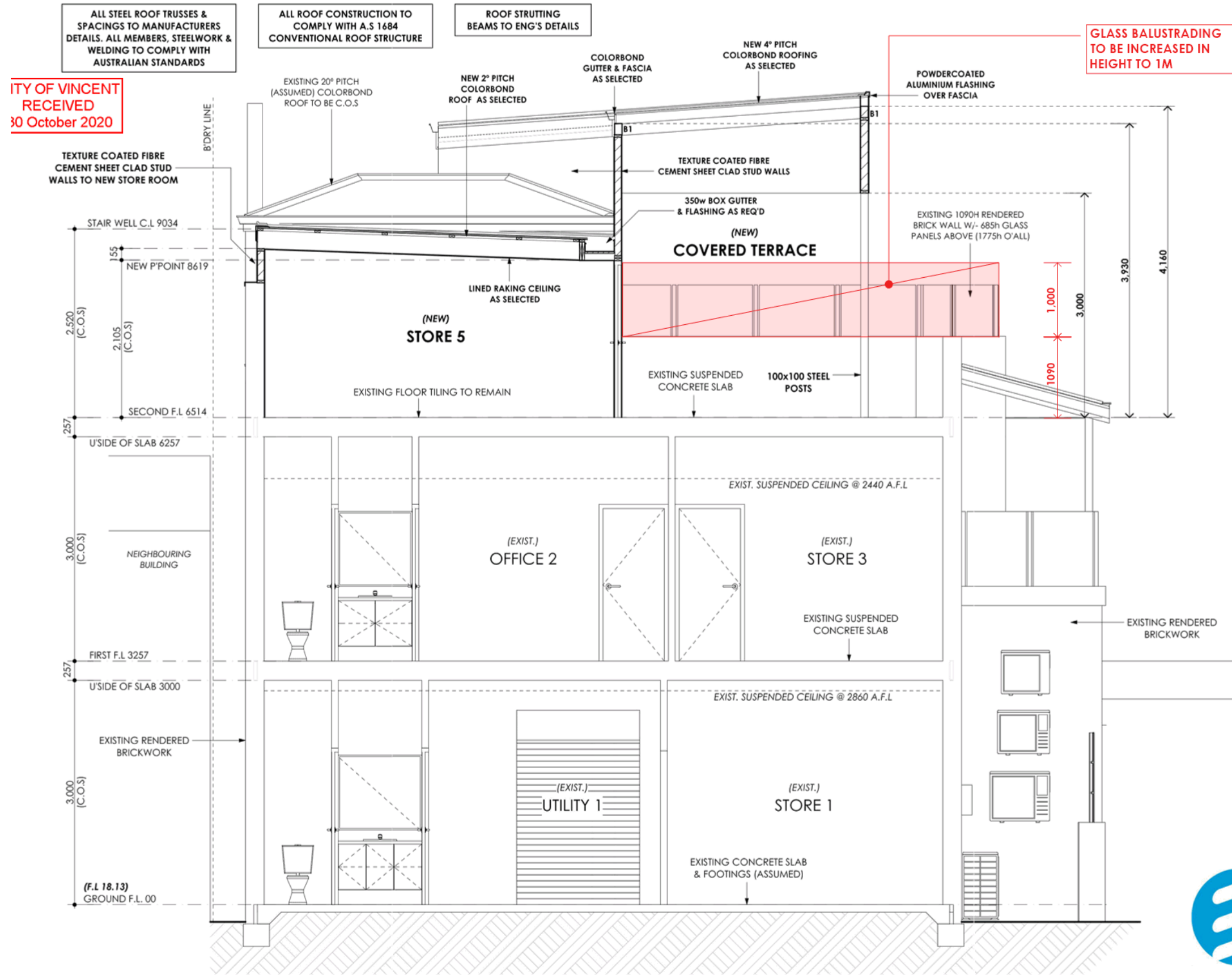
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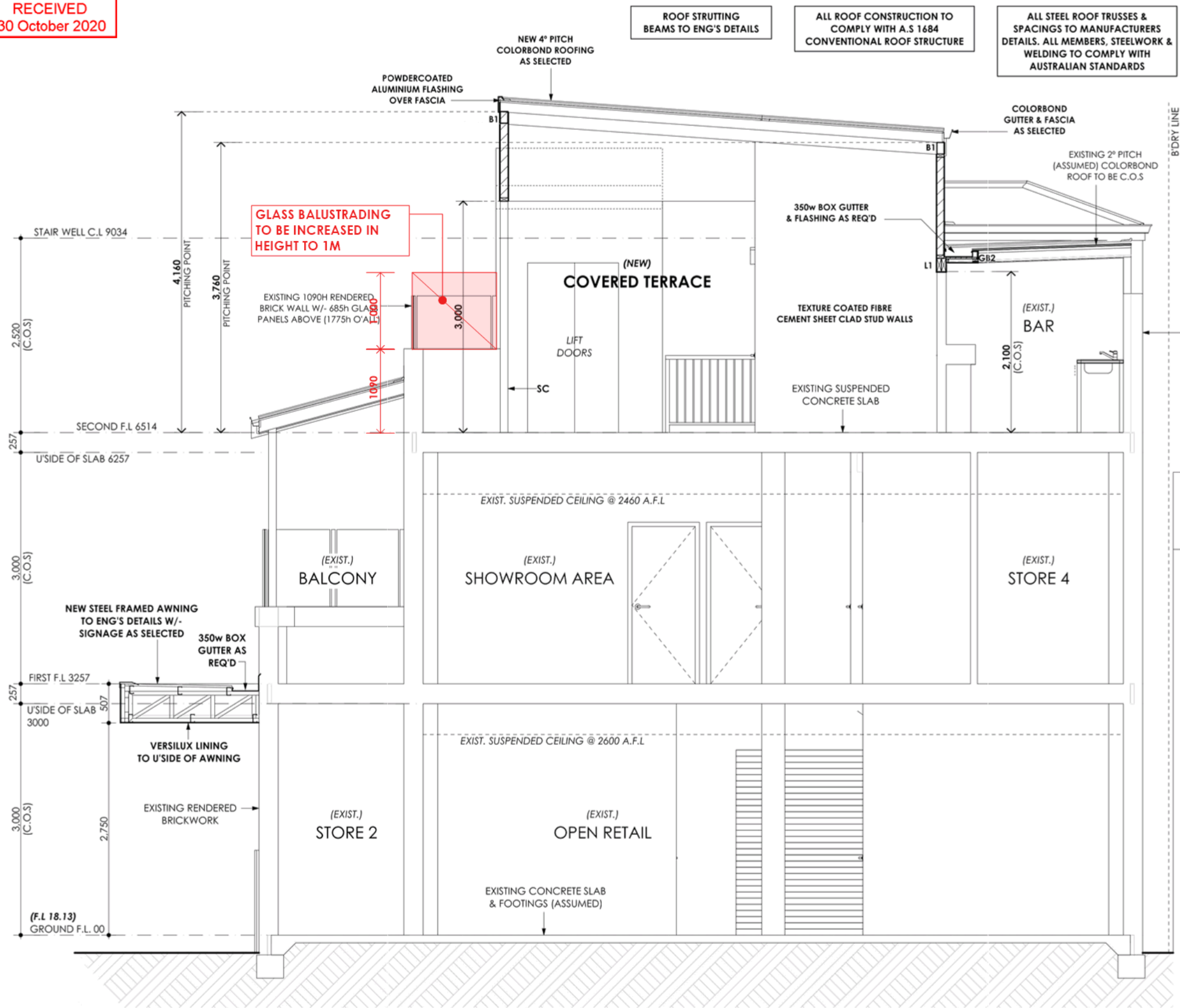
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PROPOSED TERRACE ADDITIONS
CAMERA HOUSE (#201) OXFORD STREET, LEEDERVILLE

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ROOF STRUTTING
BEAMS TO ENG'S DETAILS

ALL ROOF CONSTRUCTION TO
COMPLY WITH A.S 1684
CONVENTIONAL ROOF STRUCTURE

ALL STEEL ROOF TRUSSES &
SPACINGS TO MANUFACTURERS
DETAILS. ALL MEMBERS, STEELWORK &
WELDING TO COMPLY WITH
AUSTRALIAN STANDARDS

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ENSURE ACCURACY

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□ EXISTING BRICK WALLS
▨ NEW STUD FRAMED WALLS

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ONLY & ARE SUBJECT TO
VARIATION BY PLUMBER ON SITE

GLASS BALUSTRADING
TO BE INCREASED IN
HEIGHT TO 1M

EXISTING 1090H RENDERED
BRICK WALL W/- 685h GLA
PANELS ABOVE (1775h O'AL)

NEW 4° PITCH
COLORBOND ROOFING
AS SELECTED

POWDERCOATED
ALUMINIUM FLASHING
OVER FASCIA

NEW 4° PITCH
COLORBOND ROOFING
AS SELECTED

ROOF STRUTTING
BEAMS TO ENG'S DETAILS

ALL ROOF CONSTRUCTION TO
COMPLY WITH A.S 1684
CONVENTIONAL ROOF STRUCTURE

ALL STEEL ROOF TRUSSES &
SPACINGS TO MANUFACTURERS
DETAILS. ALL MEMBERS, STEELWORK &
WELDING TO COMPLY WITH
AUSTRALIAN STANDARDS

COLORBOND
GUTTER & FASCIA
AS SELECTED

EXISTING 2° PITCH
(ASSUMED) COLORBOND
ROOF TO BE C.O.S

350w BOX GUTTER
& FLASHING AS REQ'D

TEXTURE COATED FIBRE
CEMENT SHEET CLAD STUD WALLS

EXISTING SUSPENDED
CONCRETE SLAB

EXISTING RENDERED
BRICKWORK

NEIGHBOURING
BUILDING

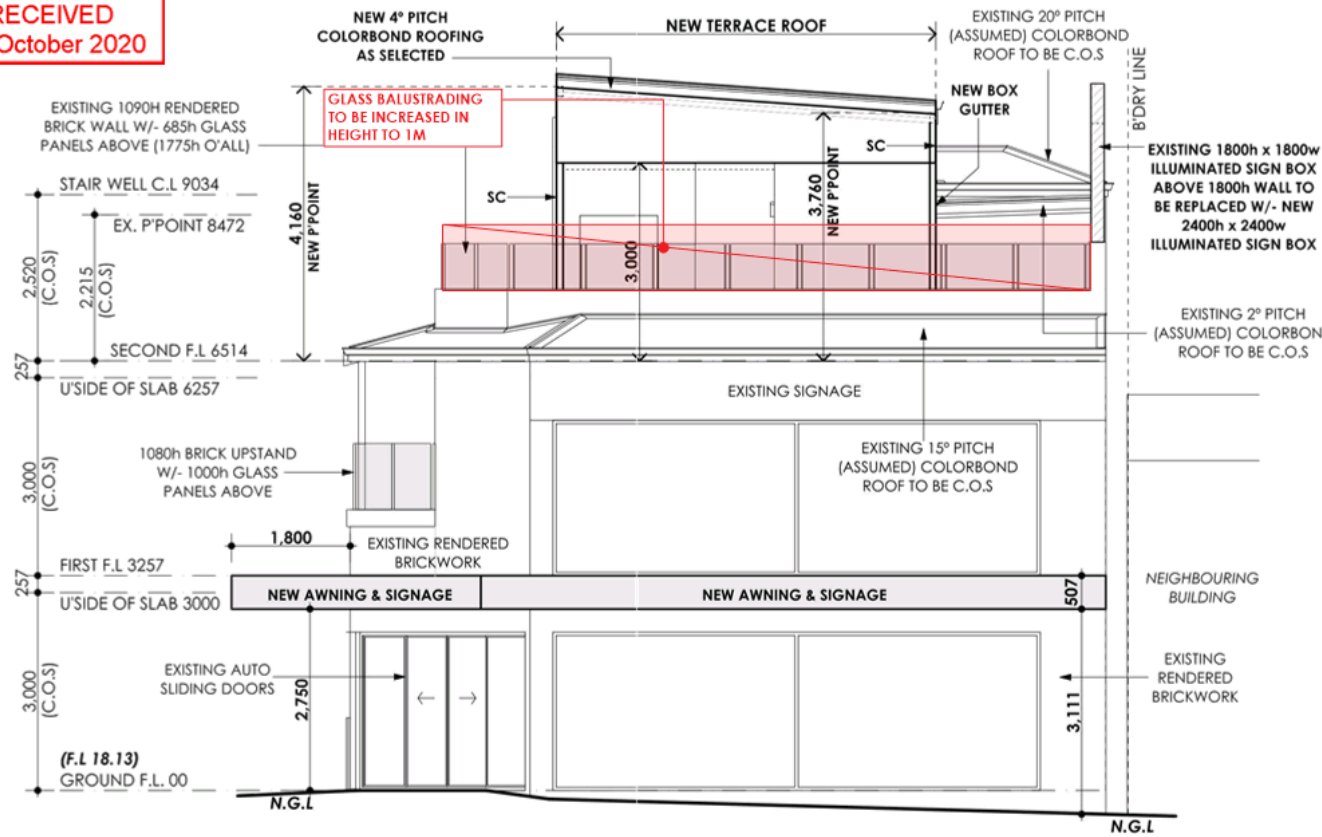
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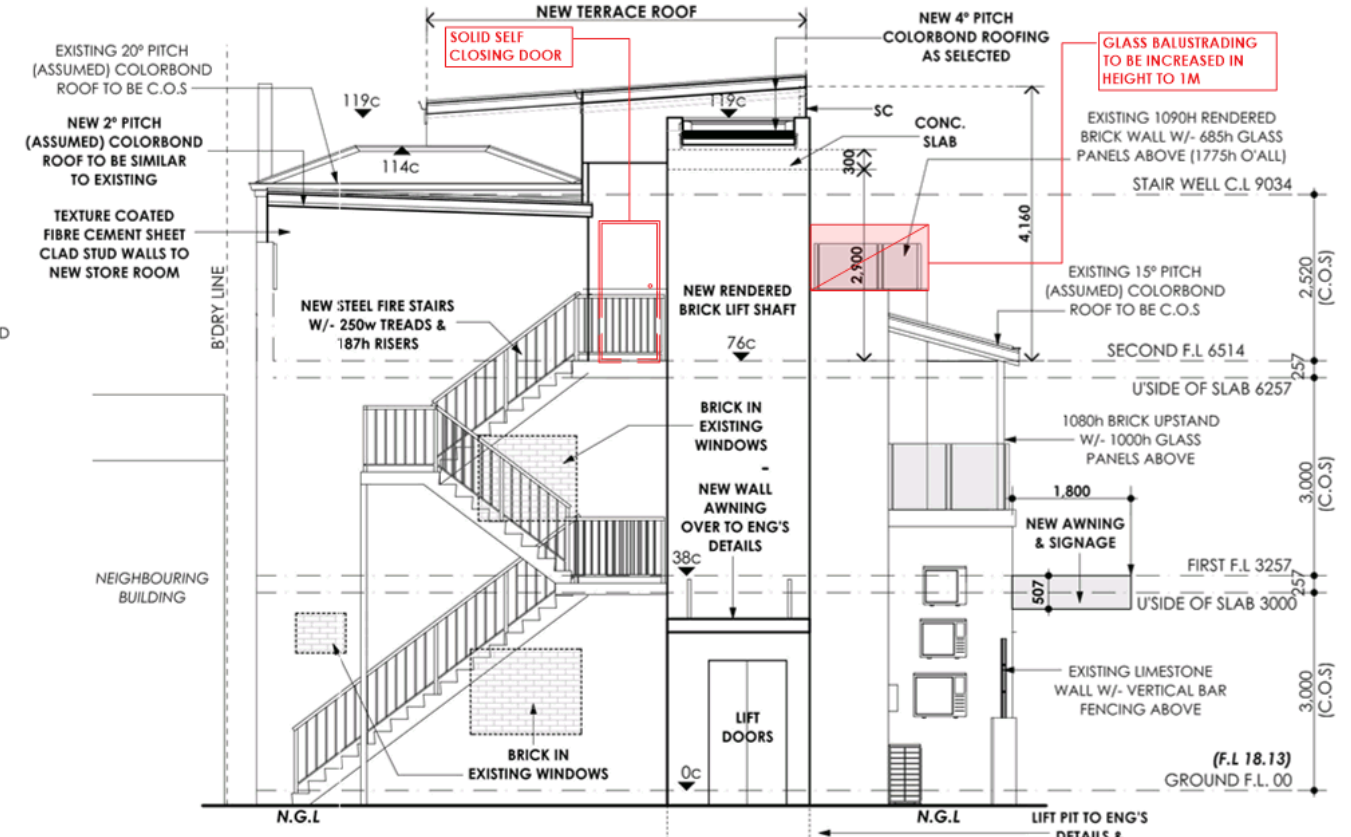
PROPOSED TERRACE ADDITIONS
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JOB No: 117-15 ISSUE DATE: 24/09/2020 SHEET: 11 of 14

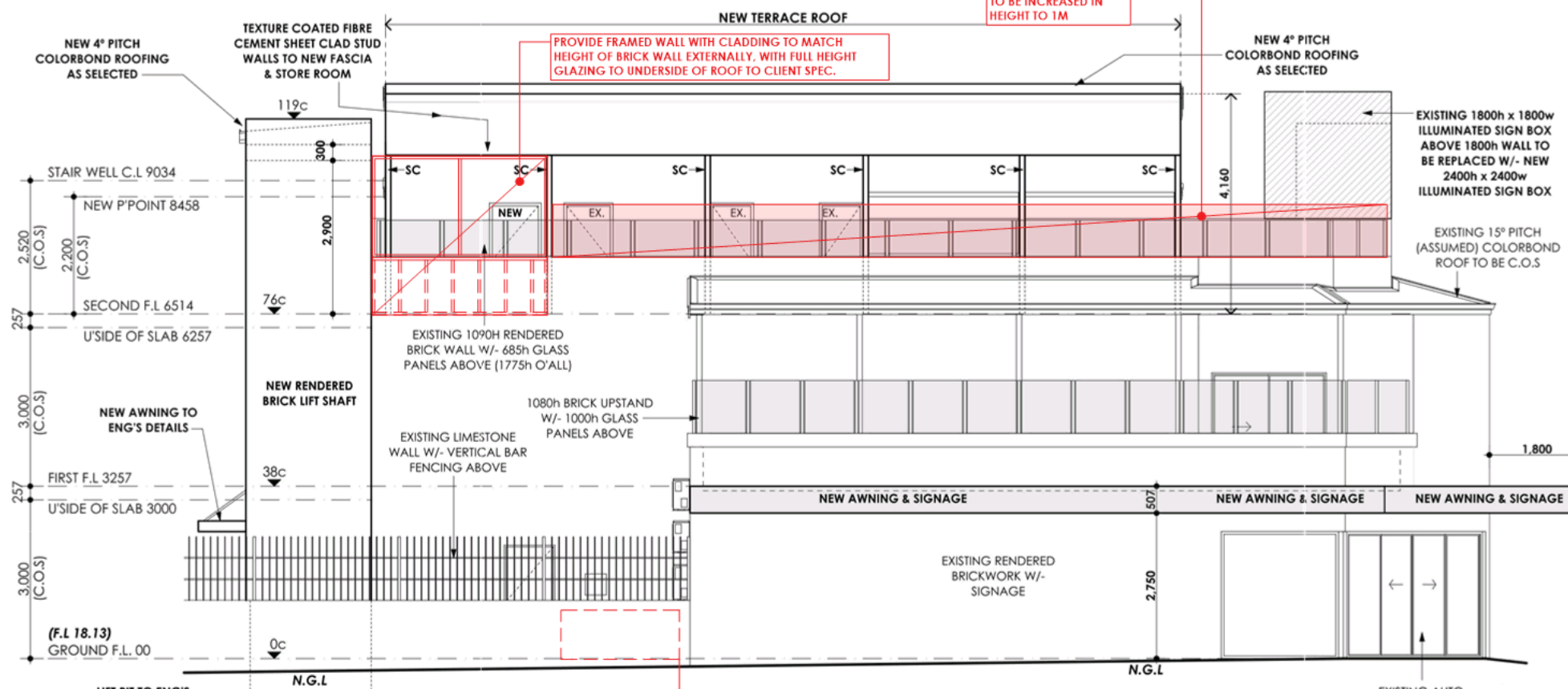
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EXISTING ELEVATION 1 - EAST
SCALE 1:100



EXISTING ELEVATION 2 - WEST
SCALE 1:100



ELEVATION 3 - SOUTH
SCALE 1:100

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ROWE
GROUP

Venue Management Plan – Club Premises Lot 1 (No. 201-203) Oxford Street, Leederville

1.0 Introduction

The private club premises proposed on the existing rooftop terrace of Lot 1 (No. 201-203) Oxford Street, Leederville (the 'subject site') will operate on a membership basis whereby patrons will pay an annual fee for the right to use the club subject to a number of other criteria.

It is intended that the private club premises will service people who are from the local community and customers of the existing business at the subject site. The club will provide a space for members to use for meetings for a variety of purposes.

This Venue Management Plan provides guidance on the operation of the facility and is provided to all club members.

2.0 Hours of Operation

The Private Rooftop Terrace Club will be open for access by members between 7:00am and 10:00pm. No access to the club premises will be allowed outside of the prescribed hours of operation.

3.0 Patron Capacity

The Private Rooftop Terrace Club will have up to 100 members however the capacity of the premises will be limited to a maximum of 50 members. It is anticipated that there will be significantly less people using the space at any one time – likely to be between 0 to 10 people.

4.0 Patron Management

The use of the proposed club premises will be carefully managed to ensure that it can only be accessed by members and their guests, with a strict limitation on the number of guests that are permitted. This approach will ensure that appropriate monitoring of activities can be undertaken and actions implemented (membership revoked) in the event that members do not follow the conditions of use.

Level 3
369 Newcastle Street
Northbridge 6003
Western Australia
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f: 08 9221 1919
info@rowegroup.com.au
rowegroup.com.au

Page 1
Venue Management Plan
v3



Members will be required to pre-book use of the space via a mobile app. They will be provided with an electronic swipe card that will be used to enable access to the building.

The swipe card will be activated based on the booking schedule. Access to the premises will be monitored both through visual/camera recording and electronic recording of use of the swipe cards.

This will allow management to assess and police behaviour with the ability for membership to be cancelled should members not abide by the rules for use of the premises.

Contact details of the venue manager will be provided to all surrounding businesses and residences.

5.0 Membership

It is intended that the private club will operate on a membership basis whereby patrons will pay an annual fee for the right to use to club subject to a number of criteria. The criteria include:

- Access to the club area is only permitted between 7am to 10pm
- A member may have a maximum of two (2) guests unless otherwise approved by management
- By entering into the club membership, members agree to being recorded via the on site camera system
- Whilst low level background music may be played through the existing ceiling speakers (given it does not exceed the noise level outlined in the Acoustic Report), no amplified music is permitted unless otherwise approved by management (see section 10.0)
- Access may be denied if the occupancy is at maximum levels
- Members must leave immediately if instructed to do so by management

Before membership is granted, members will be required to sign a legal document agreeing to the terms of use and Code of Conduct for the club premises. Members that do not abide by the Code of Conduct will have their membership terminated immediately.

The Code of Conduct will be posted at the front of the entrance with all emergency contacts.

6.0 Use of the Premises

The private club premises will provide a space for members to use for meetings for a variety of purposes. It is anticipated that people who reside in the locality and work from home may use the venue as a business meeting space, as may members who share a common interest (i.e. photography, astronomy etc).

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The venue may on occasion be used to host meetings for specific purposes (e.g. photography / astronomy club meetings). Given such gatherings would exceed the maximum number of guests for any single club member, any such meeting would require the prior approval of management and would be communicated to the membership via the mobile app.

7.0 Supply and Consumption of Food and Alcohol

The premises will not be the subject of a liquor licence however members may choose to bring their own alcohol. Likewise, members will have the ability to have catering at the premises.

The private club premises will not be used for parties or for events where large quantities of alcohol are involved, but rather club members may bring some alcohol for responsible/light consumption at meetings.

Members will be provided with a Code of Conduct upon membership and must sign an agreement to the terms of use which will require the responsible consumption of alcohol on the premises.

8.0 Anti-Social Behaviour

Management will be able to assess and police behaviour at the premises by requiring the space to be pre-booked via the mobile app and by monitoring access to the site both through visual/camera recording and electronic recording of use of swipe cards.

Behaviour that is considered anti-social or does not comply with the Code of Conduct, will result in membership being cancelled should members not abide by the rules for use of the premises.

A security guard that lives locally will be available at request to remove any patron from the venue.

9.0 Access and Egress

The proposed Private Rooftop Club will be accessed and egressed from the car park area via the existing lift and the existing stairs at the rear elevation of the building.

Guests are encouraged to enter and leave the premises using the enclosed lift to ensure that any potential noise impacts to adjoining properties are avoided.

It is not anticipated that large numbers of patrons will be entering or exiting the premises at once but will rather be on a sporadic basis (i.e. 1 – 2 patrons) as it is unlikely that the venue will be at full capacity.

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10.0 Noise Attenuation Measures

Noise levels associated with the private club premises have been calculated to comply with the relevant assigned noise levels for the area.

The existing balustrading on the terrace area is to be increased in height and the existing louvered door is to be replaced with a solid door to ensure that any off-site noise impacts are avoided.

Music, if any, is to be played through the existing speaker system on the roof terrace and limited to background noise levels only. Music levels are to be restricted to 77dB(A) at a distance of 1 metre from the speakers located in the ceiling of the roof terrace, which will not be audible outside the premises of the rooftop terrace. No separate speaker system or amplified music is permitted.

Members will be required to request prior approval from management via the mobile app if low level background music is intended to be played.

Refer **Attachment One - Acoustic Assessment.**

11.0 Parking

The existing development currently contains four (4) car parking bays to service the site. The landowner and manager of the building will be responsible for the management, operation and maintenance of the parking facilities.

Sufficient alternative public street parking is also available to meet the demands of the development in addition to the existing parking already provided within the development.

Refer **Attachment Two - Parking Management Plan.**

12.0 Waste Management

The current waste collection measures for the existing development are not at capacity and as such it is anticipated that there is sufficient capacity to accommodate any additional waste generated by the club. Should it transpire that the amount of waste generated by the club exceeds the capacity of the existing infrastructure, the frequency of collection by the private contractor will be increased accordingly.

The emptying of glass bottles and other waste associated with the club premises will be carried out on the rooftop behind a closed door (rather than outside the venue) to mitigate potential noise impacts associated with the activity. However it is not anticipated that there will be many glass bottles or other waste associated with the club premises given the nature of activities.

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Code of Conduct – Club Premises Lot 1 (No. 201-203) Oxford Street, Leederville

1.0 Policy Brief and Purpose

Our Member Code of Conduct policy outlines our expectations regarding members' behaviour towards other members, venue management, surrounding residences and businesses.

We promote use of our private club premises for various purposes but it is expected that all members and their guests follow this code of conduct. They should avoid offending, participating in serious disputes or disrupting our venue or the surrounding area. We expect all members and their guests to foster a well-organised, respectful and collaborative social environment.

2.0 Scope

This Code of Conduct applies to all members and their guests.

3.0 Policy Elements

Club members are bound by their contract to follow our Member Code of Conduct while using the club premises. We outline the components of our Code of Conduct below:

1. Consumption of alcohol will only be permitted at low levels by members and guests over the age of 18 years.
2. No access to the premises is permitted outside of the prescribed hours of operation (7am-10pm). All members must vacate the premises by 10pm.
3. Music shall not be played unless otherwise approved by management. If approved, music is to be limited to background noise levels only and shall not be played above 77dB(A) from the existing roof terrace speaker system to ensure compliance with acoustic regulations.
4. Members are permitted to have a maximum of two (2) guests unless otherwise approved by management.
5. All guests must be registered via the mobile app and accompanied by a member to enter the premises.

Level 3
369 Newcastle Street
Northbridge 6003
Western Australia
p: 08 9221 1991
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info@rowegroup.com.au
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Page 1
Code of Conduct

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6. Members and their guests must be mindful and respectful towards the community and neighbourhood.
7. Members and their guests must enter and leave the venue in a quiet and respectful manner.
8. Members and their guests must enter and leave the venue promptly and shall not loiter on the street.
9. Members must leave immediately if instructed to do so by management.
10. Members and their guests must respect others using the venue.
11. Members and their guests are expected to dress in smart attire and to present a clean, professional appearance. Clothing with offensive or inappropriate designs or stamps, shorts, singlets and thongs are not permitted. Clothing and grooming styles dictated by religion or ethnicity are exempt.
12. Drunk and disorderly behaviour will not be tolerated inside or outside of the premises.
13. A relaxed and enjoyable social environment is encouraged.
14. Anti-social behaviour will not be tolerated.

4.0 Disciplinary Actions

Our club may have to take disciplinary action against members or their guests who repeatedly or intentionally fail to follow our code of conduct. Disciplinary actions will vary depending on the violation.

Possible consequences include:

- Members are given a maximum of two (2) warnings for misconduct prior to access to the club being denied and their membership revoked.
- At the discretion of venue management, membership and access to the premises may be terminated immediately without warning following a serious breach of the Code of Conduct by a member or their guests.
- Any instances of theft, vandalism or other unlawful behaviour will be reported to the relevant authorities.

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Job Ref: 9271
29 October 2020

City of Vincent
244 Vincent Street
LEEDERVILLE WA 6902

Attention: Karsen Reynolds – Senior Urban Planner

Dear Ms Reynolds

**Application for Development Approval – Club Premises
Lot 1 (No. 201-203) Oxford Street, Leederville**

Rowe Group acts on behalf of Mont Blanc Pty Ltd, the landowner of Lot 1 (No. 201-203) Oxford Street, Leederville (the 'subject site'). Please find enclosed the following document in support of the Application seeking Development Approval for a 'Club Premises' lodged with the City of Vincent on Friday 16 October 2020:

- Parking Management Plan
- Details regarding Waste Management

Further background and justification in support of this application is provided below for your consideration.

PARKING MANAGEMENT PLAN

The Parking Management Plan has been prepared in accordance with the requirements of the City of Vincent Local Planning Policy 7.7.1 – Non-Residential Development Parking Requirements ('LPP 7.7.1').

Substantial on street parking via Oxford Street and Melrose Street are available and from communications between our Client and Mr Craig Wilson at the City of Vincent, it is our understood that an additional seven (7) street parking bays are proposed to be constructed adjacent to the development. Refer **Attachment One – Parking Management Plan**.

WASTE MANAGEMENT

The development is currently serviced by the following waste collection services:

- Four (4) standard green bins, collected weekly by Council.
- Four (4) yellow recycling bins, collected weekly by Council.
- One (1) large yellow recycling bin, collected weekly by a private contractor.



ROWE
GROUP

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- One (1) large general waste bin, collected weekly by a private contractor.

The current waste collection is not at capacity and as such it is anticipated that there is sufficient capacity to accommodate any additional waste generated by the club. Should it transpire that the amount of waste that is generated by the club exceeds the capacity of the existing infrastructure, the frequency of collection by the private contractor will be increased accordingly.

We trust the information contained within this correspondence and within the attached parking management plan, is sufficient to allow the City of Vincent to favourably determine the proposal. Should you require any further information or clarification in relation to this matter, please contact George Hajigabriel or the undersigned on 9221 1991.

Yours faithfully,

Ella Compton
Rowe Group

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Attachment One

Parking Management Plan

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Parking Management Plan

OWNER/APPLICANT DETAILS	
Name:	Rowe Group – George Hajigabriel
Address:	3/369 Newcastle Street, Northbridge
Phone:	08 9221 1991
Email:	george.hajigabriel@rowegroup.com.au
Applicant Signature:	

PROPERTY DETAILS	
Lot Number:	Lot 1
Address:	201-203 Oxford Street, Leederville

Parking Allocation

PARKING ALLOCATION	
Total Number Car Parking Spaces:	Four (4) car parking spaces on site
Total Number Short Term Bicycle Parking Spaces:	Seven (7) bicycle parking spaces in total
Total Number Long Term Bicycle Parking Spaces:	
Total Number Other Bays:	N/A

DEVELOPMENT TYPE	DEVELOPMENT USERS	PARKING ALLOCATION			
		TYPE / DURATION	NO. CAR SPACES	NO. BICYCLE SPACES	NO. OTHER SPACES
Existing Shop	Staff	Employee (>3 hours)	0	4	-
	Customers	Visitor (< 30 minutes)	3	1	-
Club Premises	Staff (none)	-	-	-	-
	Members	Club Member (<3 hours)	1	2	-

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Alternative Transport

TRANSPORT OPTION	TYPE AND LEVEL OF SERVICE
PUBLIC TRANSPORT	
Train	Leederville Train Station (540 metres from site)
Bus	Oxford Street: Leederville Tafe Bus Stops (25m) – Number 15 Bus approx. every 15 minutes. Loftus Street: Bus Numbers 96, 402, 403, 404, approx. every 15 minutes. Newcastle Street: Newcastle St before Oxford St Stop – Number 15 Bus approx.. every 15 minutes.
PEDESTRIAN	
Paths	Principal Shared Path – 250m Pedestrian Paths on Melrose Street and Oxford Street
Facilities	
CYCLING	
Paths	Principal Shared Path – 250m
Facilities	
Secure Bicycle Parking	7 bicycle parking bays provided within the development
Lockers	10 Lockers Provided for Club Premises
Showers/Change Room	1 x Shower and Disabled Toilet / Change Room

Public Parking

	NO. MARKED SPACES	LOCATION	PARKING RESTRICTIONS
ON STREET PARKING	32 Bays	Oxford Street	1 hour ticketed parking
	11 Bays	Melrose Street	2 hour parking
	8 Bays	Melrose Street	1 hour parking
OFF STREET PARKING	210 Bays	Frame Court Car Park (515m)	Ticketed Parking 7am-7pm
	360 Bays	The Avenue Car Park (300m)	Ticketed Parking 7am-7pm

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Parking Management Strategies

The landowner and manager of the building will be responsible for the management, operation and maintenance of the parking facilities.

The existing parking facilities adequately service the development. Addition of the Private Club Premises to the roof terrace area will not result in a significant increase to the number of patrons entering the site. Members of the Private Rooftop Terrace Club will be required to pre-book use of the space via a mobile app. This will allow management to assess and ensure that adequate parking is available for members of the Private Club and customers using the Camera House.

End of trip facilities are available for club members including a disabled toilet, shower and changing facilities. The Private Club will primarily service members from the local community and as such additional car parking is not necessary.

The existing Camera House currently employs 12 full time staff and 5 casual staff, all of whom use public transport modes to get to the subject site and therefore do not generate a requirement for use of the on-site parking bays. The site has good access to high frequency public transport modes such as the Leederville Train Station and is in close proximity to bus stops on Oxford Street. Approximately ten (10) staff work at the Camera House at any one time.

Substantial on street parking via Oxford Street and Melrose Street are available and from communications between our Client and Mr Craig Wilson at the City of Vincent, it is our understood that an additional seven (7) street parking bays are proposed to be constructed adjacent to the development.



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OXFORD RETAIL PTY LTD

LEEDERVILLE CAMERA HOUSE
ROOFTOP PRIVATE CLUB

ACOUSTIC ASSESSMENT

DECEMBER 2020

OUR REFERENCE: 26351-3-20262

Rochdale Holdings Pty Ltd A.B.N. 85 009 049 067 trading as:
HERRING STORER ACOUSTICS
P.O. Box 219, Como, W.A. 6952
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Herring Storer Acoustics

DOCUMENT CONTROL PAGE

**ACOUSTIC ASSESSMENT
LEEDERVILLE**

Job No: 20262

Document Reference: 26351-3-20262

ROOFTOP PRIVATE CLUB

DOCUMENT INFORMATION				
Author:	George Watts	Checked By:	Tim Reynolds	
Date of Issue :	22 September 2020			
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CONTENTS

1.0	INTRODUCTION	2
2.0	CRITERIA	2
3.0	METHODOLOGY	5
4.0	RESULTS	6
5.0	ASSESSMENT	7
6.0	CONDITIONS FOR COMPLIANCE TO BE ACHIEVED	8
7.0	DISCUSSION	8
8.0	CONCLUSION	9

APPENDICIES

A	Noise Contour Plots
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Herring Storer Acoustics
Our ref: 26351-3-20262

EXECUTIVE SUMMARY

Herring Storer Acoustics have been commissioned to carry out an acoustical assessment of noise emissions associated with the proposed private club on the roof terrace of the Leederville Camera House.

Noise levels associated with the private club have been calculated to comply with the relevant assigned noise levels under the following conditions :

- The louvred door and screen are to be replaced with a solid construction (i.e. solid door and barrier). Door is to remain normally closed (i.e. self-closer and not to be propped open).
- Music, if any, is to be played through the existing speaker system on the roof terrace and be played at background noise levels only. This is to be restricted to 77 dB(A) at a distance of 1m from the speakers located in the ceiling of the roof terrace. It is understood that music is not proposed to be included in the operations of the development, however, at the levels stipulated here music noise emissions are not audible outside the premises of the roof terrace.
- Given the decrease in calculated noise levels attained by the increase in the balustrading height by 1m, it is recommended to implement this noise control measure.
- Whilst it is understood that the private club is not proposed to be operated past 10pm on any night, given the calculated noise levels, no time restrictions on operations are required - from a compliance with the Environmental Protection (Noise) Regulations 1997 perspective.
- Management measures as listed in the Discussion section below is recommended to be included in any management plan associated with the venue.

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2

1.0 INTRODUCTION

Herring Storer Acoustics have been commissioned by Oxford Retail Pty Ltd, to carry out an acoustical assessment of noise emissions associated with the proposed rooftop private club at the Leederville Camera House, located at 201 Oxford Street, Leederville.

The objectives of the study were to:

- Construct a predictive noise model for noise levels of associated with the proposed rooftop private club.
- Assess the predicted noise levels received at the closest noise sensitive premises, for compliance with the *Environmental Protection (Noise) Regulations 1997*.
- If exceedances are predicted, investigate possible noise control options that will reduce noise emissions to achieve compliance with the regulations.

The work was commissioned to accompany the development application.

2.0 CRITERIA

The *Environmental Protection (Noise) Regulations 1997* stipulate the allowable noise levels at any noise sensitive premises from other premises. The allowable noise level is determined by the calculation of an influencing factor, which is added to the baseline criteria set out in Table 1 of the Regulations. The baseline assigned noise levels are listed in Table 2.1.

TABLE 2.1 – ASSIGNED NOISE LEVELS

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A 10}	L _{A 1}	L _{A max}
Noise sensitive premises within 15 metres of a dwelling	0700 - 1900 hours Monday to Saturday	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	35 + IF	45 + IF	55 + IF

Note: The L_{A10} noise level is the noise that is exceeded for 10% of the time.
 The L_{A1} noise level is the noise that is exceeded for 1% of the time.
 The L_{Amax} noise level is the maximum noise level recorded.

It is a requirement that noise from the site be free of annoying characteristics (tonality, modulation and impulsiveness) at other premises, defined below as per Regulation 9.

- “impulsiveness”** means a variation in the emission of a noise where the difference between L_{Apeak} and $L_{Amax Slow}$ is more than 15dB when determined for a single representative event;
- “modulation”** means a variation in the emission of noise that –

 - (a) is more than 3dB $L_{A Fast}$ or is more than 3dB $L_{A Fast}$ in any one-third octave band;
 - (b) is present for more at least 10% of the representative assessment period; and
 - (c) is regular, cyclic and audible;
- “tonality”** means the presence in the noise emission of tonal characteristics where the difference between –

 - (a) the A-weighted sound pressure level in any one-third octave band; and
 - (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A Slow}$ levels.

Where the above characteristics are present and cannot be practicably removed, the following adjustments are made to the measured or predicted level at other premises.

TABLE 2.2 – ADJUSTMENTS FOR ANNOYING CHARACTERISTICS

Where tonality is present	Where modulation is present	Where impulsiveness is present
+ 5 dB	+ 5 dB	+ 10 dB

Where the noise emission is music, then any measured level is adjusted according to Table 2.3 below.

TABLE 2.3 – ADJUSTMENTS TO MEASURED MUSIC NOISE LEVELS

Where impulsiveness is not present	Where impulsiveness is present
+10 dB(A)	+15 dB(A)

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The nearest noise sensitive premises considered in our assessment are as shown in Figure 1 below. It is noted that "R3" is understood to be student accommodation and has been assumed at a height of approximately 7m above ground level.



FIGURE 1 – DEVELOPMENT LOCATION AND SURROUNDS

The influencing factor at the identified noise sensitive premises has been determined at +8 dB, with the calculation based on the following

Secondary Road within Inner Circle	
Oxford Street	+ 2 dB
Major Roads within Outer Circle	
Mitchell Freeway	+ 2 dB
Vincent Street	+ 2 dB
Commercial Premises within Inner Circle	
20%	+ 1 dB
Commercial Premises with Outer Circle	
20%	+ 1 dB

Therefore, the assigned noise levels are listed in Table 2.4.

TABLE 2.4 - ASSIGNED OUTDOOR NOISE LEVELS : R1

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises within 15 metres of a dwelling	0700 - 1900 hours Monday to Saturday	53	63	73
	0900 - 1900 hours Sunday and Public Holidays	48	58	73
	1900 - 2200 hours all days	48	58	63
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	43	53	63

Note: L_{A10} is the noise level exceeded for 10% of the time.
 L_{A1} is the noise level exceeded for 1% of the time.
 L_{Amax} is the maximum noise level.

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3.0 METHODOLOGY

Noise modelling of the noise propagation from the proposed development was carried out using the environmental noise modelling computer program, "SoundPlan".

Input data for computer modelling included:

- Construction of the rooftop terrace, as observed during a site visit on 16th September 2020.
- EPA standard weather condition for the day and night periods (see Table 6.1).
- Sound power levels, as summarised in Table 6.2.
- Height and structure of the roof terrace above the surrounds.

TABLE 6.1 - WEATHER CONDITIONS

Condition	Day Period	Night Period
Temperature	20 °C	15 °C
Relative humidity	50%	50%
Pasquill Stability Class	E	F
Wind speed	4 m/s*	3 m/s*

* From source to receiver

TABLE 6.2 – SOUND POWER LEVELS OF DELIVERY VEHICLES

DESCRIPTION	dB(A)
Patrons on Rooftop Terrace	66/m2

The noise level assumed in our noise model is akin to a beer garden on a "per square metre" basis for the entirety of the roof terrace space. This assumed noise level is considered to be a very conservative (i.e. over-estimation) of the noise level emissions associated with patrons in this space, when compared to the intended use. Given the "per square metre" basis of the noise source within the rooftop terrace, our calculations are the equivalent of 85 people within the rooftop area. This is understood to be a further conservative assumption in the calculation as it is understood that the premises will only hold 50 people.

The rooftop terrace is understood to operate as a private club, where music (if any) will be played at a background noise level only – i.e. patron noise would be the most significant contributor to noise levels at neighbouring premises. It is further understood that whilst no music is proposed to be utilised within the terrace, there are two speakers within the ceiling of the rooftop area. If the noise level at a distance of 1m from these speakers is set at 77 dB(A), music would not be audible in outside the immediate vicinity of the rooftop and would not be considered audible external to the premises at all.

The speakers are located in the ceiling of the rooftop terrace area, facing downward. This has been factored into the calculation of noise impact.

Noise levels with the current construction of the roof terrace was calculated at the identified neighbouring noise sensitive premises, and additionally with a 1m increase in height to the existing balustrading. The increase in height is proposed to be undertaken with glass pool fencing material (or the like).

Hence, the following scenarios were considered :

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Scenario 1 : Roof terrace at maximum occupancy with existing construction.

Scenario 2 : Roof terrace at maximum occupancy with 1m height extension to balustrading.

Note : The louvred door facing west (as shown in Figure 2 below) has been assumed to be replaced with a solid door for the calculations. Similarly, the louvred section facing south has also been assumed to be replaced with a solid structure.



FIGURE 2 – LOUVRED DOOR AND BARRIER

4.0 RESULTS

Noise levels at the identified noise sensitive premise associated with the proposed function centre operations are as listed below in Table 4.1. Noting "R3" is at approximately 6m.

TABLE 4.1 – CALCULATED NOISE LEVELS AT NOISE SENSITIVE PREMISES

Location	Scenario	
	1 : Current Construction	2 : 1m increase in balustrading height
R1	38	32
R2	38	32
R3	39	33

Noise contour plots at both 2m above ground level and 6m above ground level are included for information purposes in Appendix A, noting the single point noise levels above are more accurate, with the noise contour plots being an approximation over the area.

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7

5.0 ASSESSMENT

Noise levels associated with the various scenarios considered have been examined for the potential to contain annoying characteristics in accordance with the *Environmental Protection (Noise) Regulations 1997*.

As music on the roof terrace is to be controlled such that it will be background noise levels only (i.e. conversation would be the dominant noise source on the terrace) no adjustments are applicable to the calculated noise levels..

Hence, Tables 5.1 –and 5.2 summarise the assessment of the calculated noise levels against the pertinent Assigned Noise Levels.

TABLE 5.1 – ASSESSMENT – SCENARIO 1

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable L _{A10} Assigned Level (dB)	Exceedance to Assigned Noise Level (dB)
R1	38	Day	53	Complies
		Sunday / Public Holiday Day Period	48	Complies
		Evening	48	Complies
		Night	43	Complies
R2	38	Day	53	Complies
		Sunday / Public Holiday Day Period	48	Complies
		Evening	48	Complies
		Night	43	Complies
R3	39	Day	53	Complies
		Sunday / Public Holiday Day Period	48	Complies
		Evening	48	Complies
		Night	43	Complies

TABLE 5.2 – ASSESSMENT – SCENARIO 2

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable L _{A10} Assigned Level (dB)	Exceedance to Assigned Noise Level (dB)
R1	32	Day	53	Complies
		Sunday / Public Holiday Day Period	48	Complies
		Evening	48	Complies
		Night	43	Complies
R2	32	Day	53	Complies
		Sunday / Public Holiday Day Period	48	Complies
		Evening	48	Complies
		Night	43	Complies
R3	33	Day	53	Complies
		Sunday / Public Holiday Day Period	48	Complies
		Evening	48	Complies
		Night	43	Complies

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8

6.0 CONDITIONS FOR COMPLIANCE TO BE ACHIEVED

As can be seen from the assessment in Section 5, noise level emissions associated with the proposed roof terrace private club have been calculated to comply with the relevant assigned noise levels.

To achieve compliance, the following measures need to be implemented :

Louved Doors/Screen

The louvred door and screen shown in Figure 2 above are to be replaced with a solid construction (i.e. solid door and barrier). Door is to remain normally closed (i.e. self-closer and not to be propped open).

Music

Music, if any, is to be played through the existing speaker system on the roof terrace and be played at background noise levels only. This can be set at a noise level of 77 dB(A) at a distance of 1m from the speakers in the ceiling of the roof terrace. It is noted that it is understood that no music is proposed to be utilised in the roof terrace area.

Balustrading

Given the decrease in calculated noise levels attained by the increase in the balustrading height by 1m, it is recommended to implement this noise control measure.

7.0 DISCUSSION

The following commentary is provided in terms of the potential noise impact of the proposed development on the area :

No noise measurement of existing ambient noise levels have been undertaken in the area, as the Assigned Noise Levels stipulated by the Regulations does not account for the current existing ambient noise environment. However, it is noted that noise levels in the area are considered highly likely to be higher than the Assigned Noise Levels in the area surrounding the proposed development due to both traffic and breakout noise from venues in the vicinity.

Patrons exiting the premises have not been assessed in this report, as the noise emissions associated with these events are outside the responsibility of the venue. Notwithstanding this, it is recommended that management measures be put in place to ensure patrons leave the venue in a responsible fashion, with signage reminding personnel of this need at the exit points. Further, it is understood that the external staircase to the east of the roof terrace is proposed to be utilised in the event of an emergency only.

Mechanical plant has not been considered in this assessment as no additional services are proposed to be included within the development. Further, any existing mechanical services are associated with the commercial premises below the roof terrace and are switch off during the "day period" as stipulated by the Regulations (i.e. prior to 7pm).

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9

8.0 CONCLUSION

Based on the above assessment, noise level emissions associated with the roof terrace private club comply with the relevant assigned noise levels stipulated by the *Environmental Protection (Noise) Regulations 1997*.

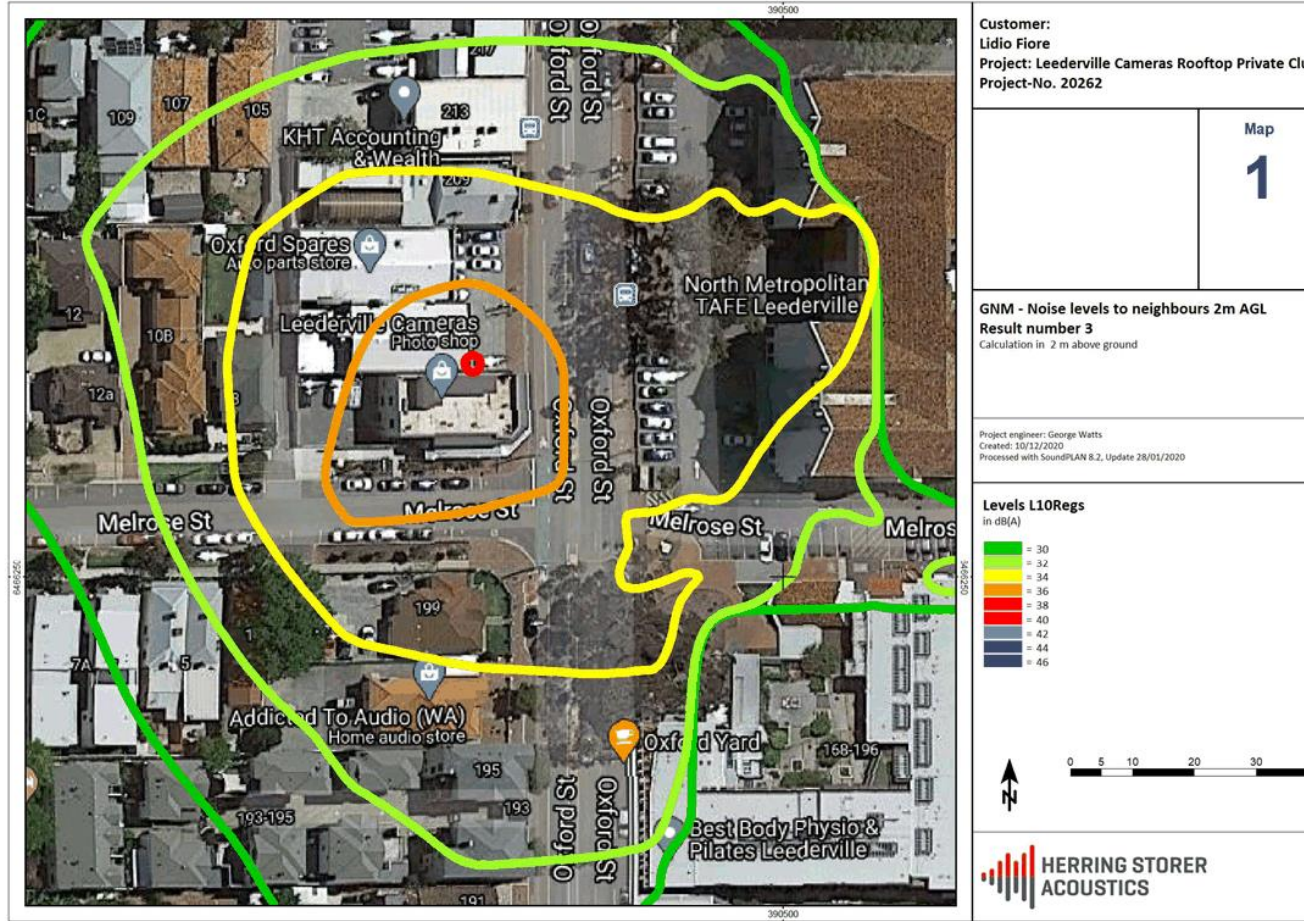
It is noted that for the above finding to hold true, the operational restrictions and construction measures listed above must be implemented and followed.

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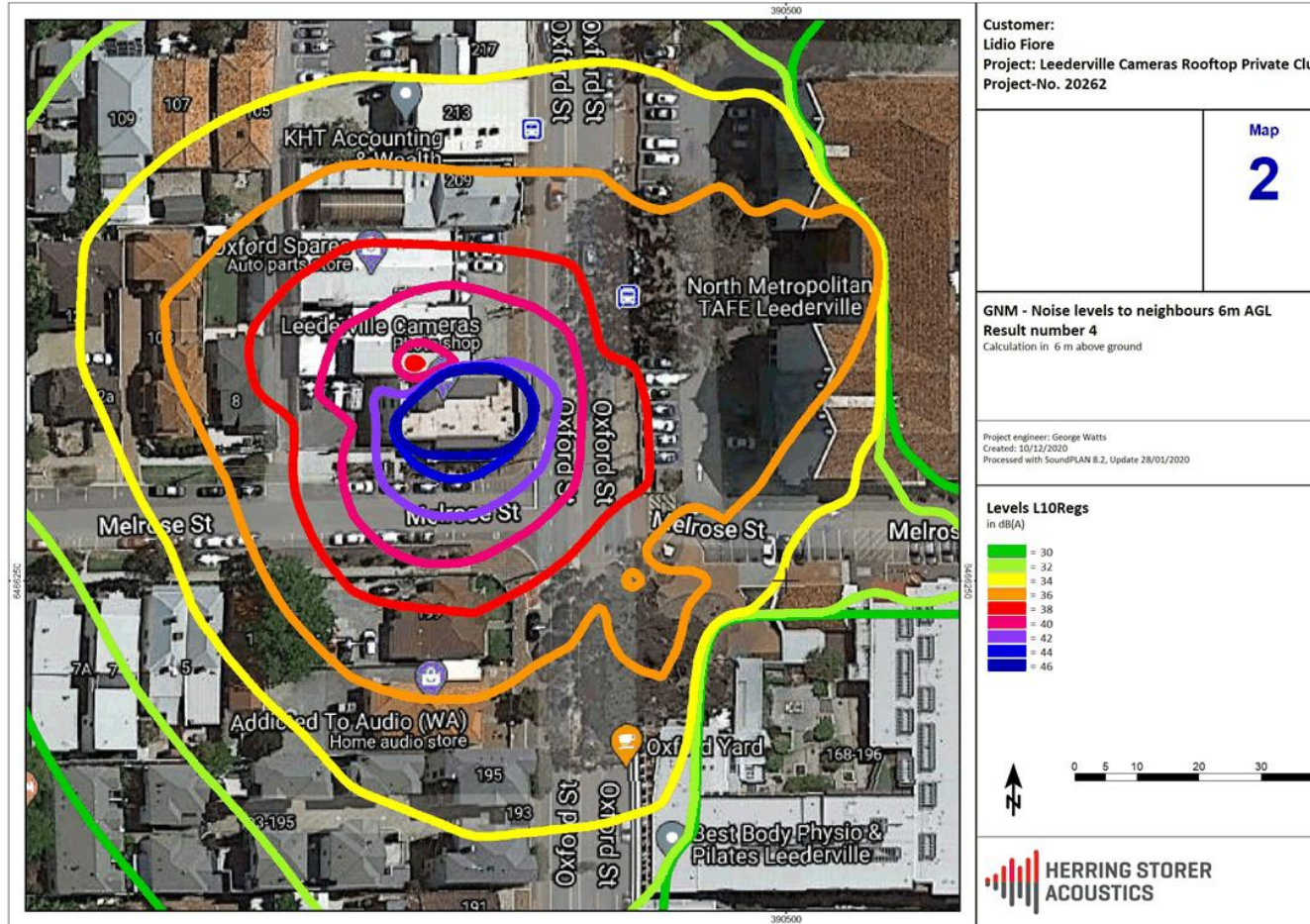
APPENDIX A

Noise Contour Plots

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PROPOSED CLUB PREMISES

LOT 1 (NO. 201-203) OXFORD STREET
LEEDERVILLE

OUR REF: 9271 16/10/2020

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This report has been authorised by;



George Hajigabriel
General Manager



Ella Compton
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Jamie Baxter
Quality Control

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DEVELOPMENT APPLICATION LEEDERVILLE
9271_20OCT05R_EC 16/10/2020

- ▲ CONTENTS
 - ▲ DOCUMENT CONTROL 1
 - ▲ CONTENTS 1
 - ▲ FIGURES 2
 - ▲ ATTACHMENTS 2
 - 1. INTRODUCTION 3
 - 2. DESCRIPTION OF SITE 4
 - 2.1 LOCATION 4
 - 2.2 CADASTRAL INFORMATION 4
 - 2.3 EXISTING IMPROVEMENTS 4
 - 3. DESCRIPTION OF PROPOSAL 8
 - 3.1 HOURS OF OPERATION 9
 - 3.2 STAFF 9
 - 3.3 PROPOSED PATRONAGE 9
 - 4. TOWN PLANNING CONSIDERATIONS 10
 - 4.1 ZONING 10
 - 4.1.1 METROPOLITAN REGION SCHEME 10
 - 4.1.2 CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2 10
 - 4.1.3 LAND USE PERMISSIBILITY 11
 - 4.2 DEVELOPMENT STANDARDS 14
 - 4.2.1 SETBACKS 14
 - 4.2.2 BUILDING HEIGHT 14
 - 4.2.3 CAR AND BICYCLE PARKING 14
 - 5. NOISE CONSIDERATIONS 16
 - 6. SUMMARY 17



▲ FIGURES

1. REGIONAL LOCATION.....5
2. LOCAL LOCATION6
3. SITE PLAN7
4. MRS ZONING PLAN..... 12
5. LPS 2 ZONING PLAN 13

▲ ATTACHMENTS

- 1. CERTIFICATE OF TITLE
- 2. DEVELOPMENT PLANS
- 3. ACOUSTIC ASSESSMENT



1. INTRODUCTION

Rowe Group acts on behalf of Mont Blanc Group Pty Ltd, the owners of Lot 1 (No. 201-203) Oxford Street, Leederville (the 'subject site'). We have been engaged to prepare and lodge a Development Application for the subject site, seeking approval for modifications to the existing building and a change of the approved use of the site to include a club premises on the roof top terrace area.

The use of the proposed club premises will be carefully managed to ensure that it can only be accessed by members and their guests with a strict limitation on the number of guests that are permitted. This approach will ensure that appropriate monitoring of activities can be undertaken and actions implemented (membership revoked) in the event that members do not follow the required conditions of use. The premises will not be available for use or hire by the general public and no amplified music will be permitted unless otherwise approved by management.

This report includes a description of the following matters:

- ▲ Location of the subject site;
- ▲ Description of the existing land use;
- ▲ Overview of relevant planning and design issues;
- ▲ Detailed explanation of the proposed development; and
- ▲ Justification for the proposed development.



2. DESCRIPTION OF SITE

2.1 LOCATION

The subject site is located in the municipality of the City of Vincent, approximately 2.8 kilometres north west of the Perth Central Area.

Refer **Figure 1 – Regional Location**.

The subject site is situated in Leederville and bound by Oxford Street to the east, Melrose Street to the south, residential development to the west and commercial development to the north. All of the aforementioned roads are sealed, gazetted roads.

Refer **Figure 2 – Local Location**.

2.2 CADASTRAL INFORMATION

The subject site comprises one land parcel, being:

- ▲ Lot 1 on Certificate of Title 1239 Volume 1311 Folio 42.

The subject site has a total land area of 414 square metres, with frontages of 11.74 metres to Oxford Street and 35.2 metres to Melrose Street.

Refer **Figure 3 – Site Plan** and **Attachment One – Certificates of Title**.

2.3 EXISTING IMPROVEMENTS

The subject site is currently occupied by an existing three storey building containing an open retail area, showroom and ancillary offices, and covered terrace. The primary activity undertaken on the site is that of a retail establishment focused on (but not limited to) photographic and multi-media products. The existing building is a relatively new building of high quality. Four (4) bays are provided on site at the rear (western) lot boundary.

The proposal the subject of this application is related to the roof top terrace area on the third level of the building. The roof top terrace is currently approved for the use of activities that are associated with the existing shop. The roof top terrace is able to be accessed from both within the building and from an external access at the rear (car park end) of the building.



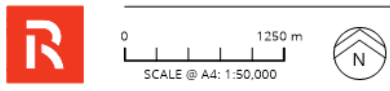
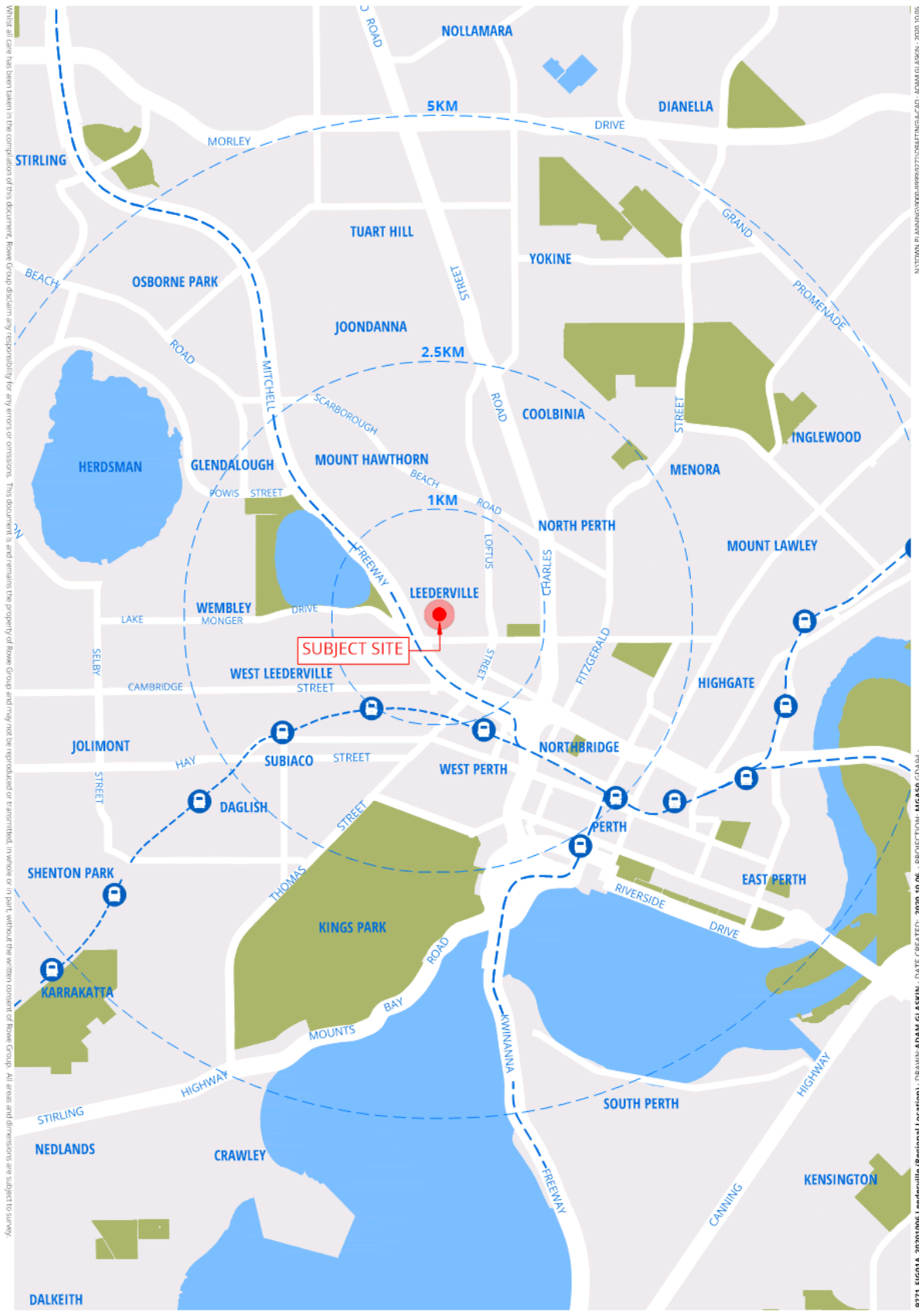


FIGURE 1
REGIONAL LOCATION

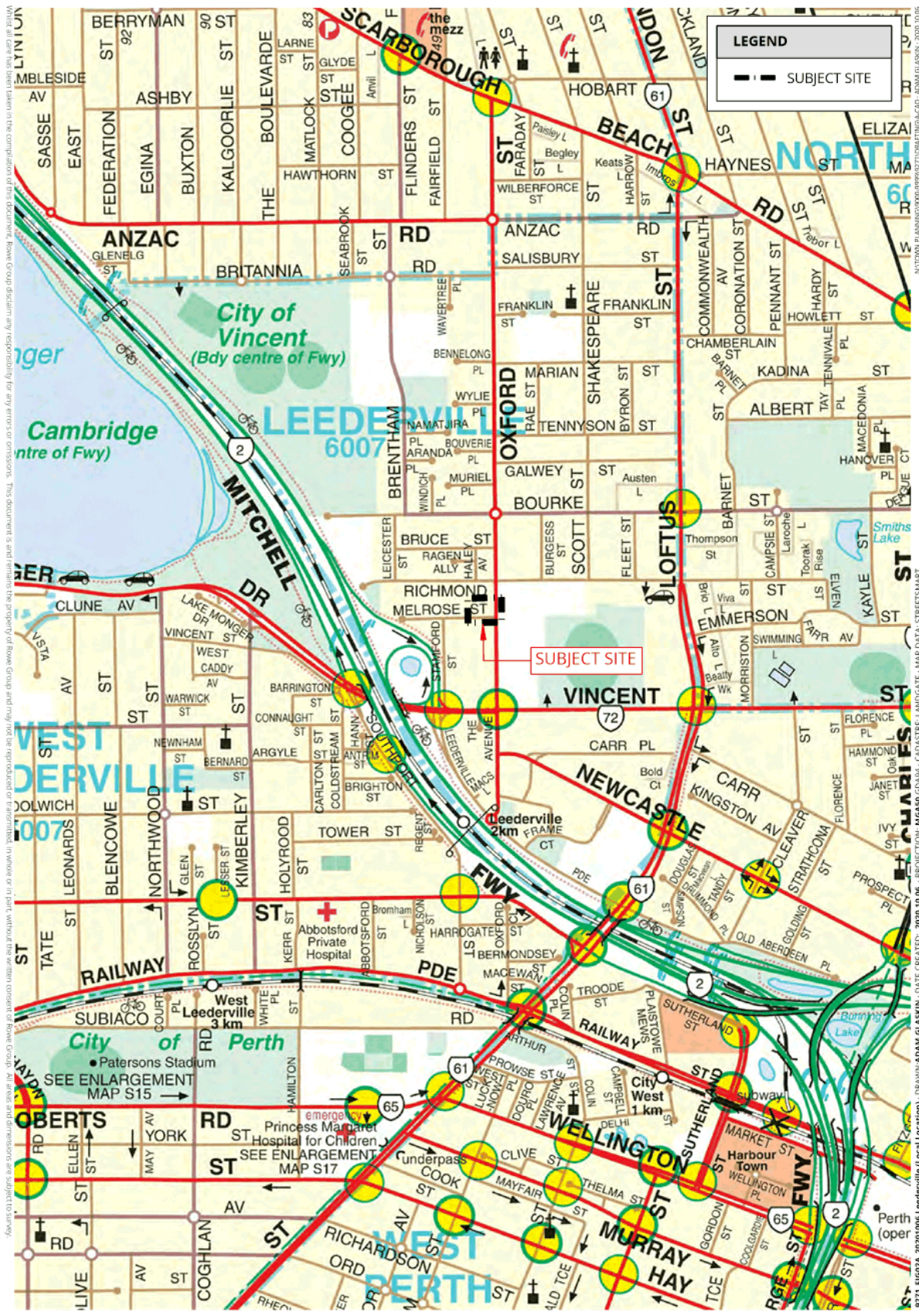


FIGURE 2
LOCAL LOCATION



3. DESCRIPTION OF PROPOSAL

This Development Application seeks approval to modify the existing building to facilitate the use of the existing roof top terrace as a private club. The private club will operate on a membership basis whereby patrons will pay an annual fee for the right to use the club subject to a number of criteria. The criteria include:

- Access to the club area is only permitted between 7am to 10pm
- A member may have a maximum of two (2) guests unless otherwise approved by management
- No amplified music is permitted unless otherwise approved by management. If approved, music is to be limited to background noise levels only and shall not be played above 77dB(A) from the existing roof terrace speaker system to ensure compliance with acoustic regulations
- Access may be denied if the occupancy is at maximum levels
- Members must leave immediately if instructed to do so by management

The proposed private club will be accessed from the car park area via the existing lift and the existing stairs at the rear elevation of the building.

The balustrading on the terrace area is proposed to be increased in height and the existing louvered door is to be replaced with a solid door. Although these modifications are not specifically required, they are proposed to ensure that any potential off site impacts are avoided.

An existing store room area is proposed to be modified to contain end of trip facilities (disabled toilet and shower) and lockers for the use of members of the private club.

It is intended that the private club premises will service people who are from the local community and customers of the existing business. The club will provide a space for members to use for a variety of purposes, sharing the common interest of business and associated networking. The club will facilitate business by providing members with a space to establish, strengthen and utilise personal business relationships. It is anticipated that people who reside in the locality and work from home may use the venue as a meeting space as may members who share a common interest.

The premises will not be the subject of a liquor licence however members may choose to bring their own alcohol for responsible consumption at low levels. Likewise members will have the ability to have catering at the premises.

The venue may on occasion be used to host meetings for specific purposes and may only be organised by an existing member. Any such meeting would require the prior approval of management and would be communicated to the membership via the mobile app.

Refer **Attachment Two – Development Application Plans.**



3.1 HOURS OF OPERATION

The Private Roof Terrace Club is proposed to be open for access by members between 7:00am and 10:00pm. No access to the club premises will be allowed outside of the prescribed hours of operation.

3.2 STAFF

No additional staff are proposed beyond those who already attend the site as part of the other existing approved uses on the site. The private club premises will not be staffed and will only be available for private use by members and guests as approved by management. The management of the premises will be undertaken by the manager of the existing shop. As such, only routine cleaning services will be required to service the club premises.

On site supervision will be available when required by the venue manager (Lidio Fiore) or a chosen representative during business hours and will be available after business hours if required, living in close proximity to the venue.

A security guard that lives locally will be available at request to remove any patron from the venue.

3.3 PROPOSED PATRONAGE

The Private Rooftop Terrace Club will have up to 100 members. Whilst the capacity of the premises will be limited to a maximum of 50 members, it is anticipated that there would be significantly less people using the space at any one time – likely to be between 0 to 10 people.

Members will be required to pre-book use of the space via a mobile app. They will be provided with an electronic swipe card that will be used to enable access to the building. The swipe card will be activated based on the booking schedule. Access to the premises will be monitored both through visual/camera recording and electronic recording of use of the swipe cards. This will allow management to assess and police behaviour with the ability for membership to be cancelled should members not abide by the rules for use of the premises.



4. TOWN PLANNING CONSIDERATIONS

4.1 ZONING

4.1.1 METROPOLITAN REGION SCHEME

Under the provisions of the Metropolitan Region Scheme ('MRS'), the subject site is zoned "Urban".

Refer **Figure 4 – MRS Zoning Plan**.

4.1.2 CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2

Under the provisions of the City of Vincent Local Planning Scheme No. 2 ('LPS 2'), the subject is zoned "Regional Centre".

The objectives of the "Regional Centre" zone, as stated in LPS 2 are as follows:

- *To provide a range of services and uses to cater for the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment;*
- *To provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre;*
- *To encourage high quality, pedestrian-friendly, street-orientated development that responds to and enhances the key elements of the Regional Centre, and to develop areas for public interaction;*
- *To ensure levels of activity, accessibility and diversity of uses and density is sufficient to sustain public transport and enable casual surveillance of public spaces;*
- *To provide residential opportunities within the Regional Centre including high density housing, affordable housing, social and special needs housing, tourist accommodation and short term accommodation; and*
- *To ensure the centres are developed with due consideration to State Planning Policy 4.2 – Activity Centres for Perth and Peel.*

Whilst the proposed club premises does not incorporate a residential component, it is considered to be consistent with the above mentioned objectives given it will provide a service for the local community, promoting public interaction and activation which is suitable within the Regional Centre. We viewed in a broader context, there is a mixture of uses in the locality including existing residential development. Indeed the proximity of the site to the established residential area has been considered and the proposed modifications to the building go well beyond any measures required with respect to potential acoustic impacts.

Refer **Figure 5 – LPS 2 Zoning Plan**.



4.1.3 LAND USE PERMISSIBILITY

The proposed use of the private club falls within the use class of “club premises”, which is defined in LPS 2 as:

“means premises used by a legally constituted club or association or other body of persons united by a common interest.”

Table 1 - Zoning Table of LPS 2 lists the club premises use class as a 'A' use class in the Regional Centre zone, meaning that the use is capable of approval within the Regional Centre zone subject to public advertising.



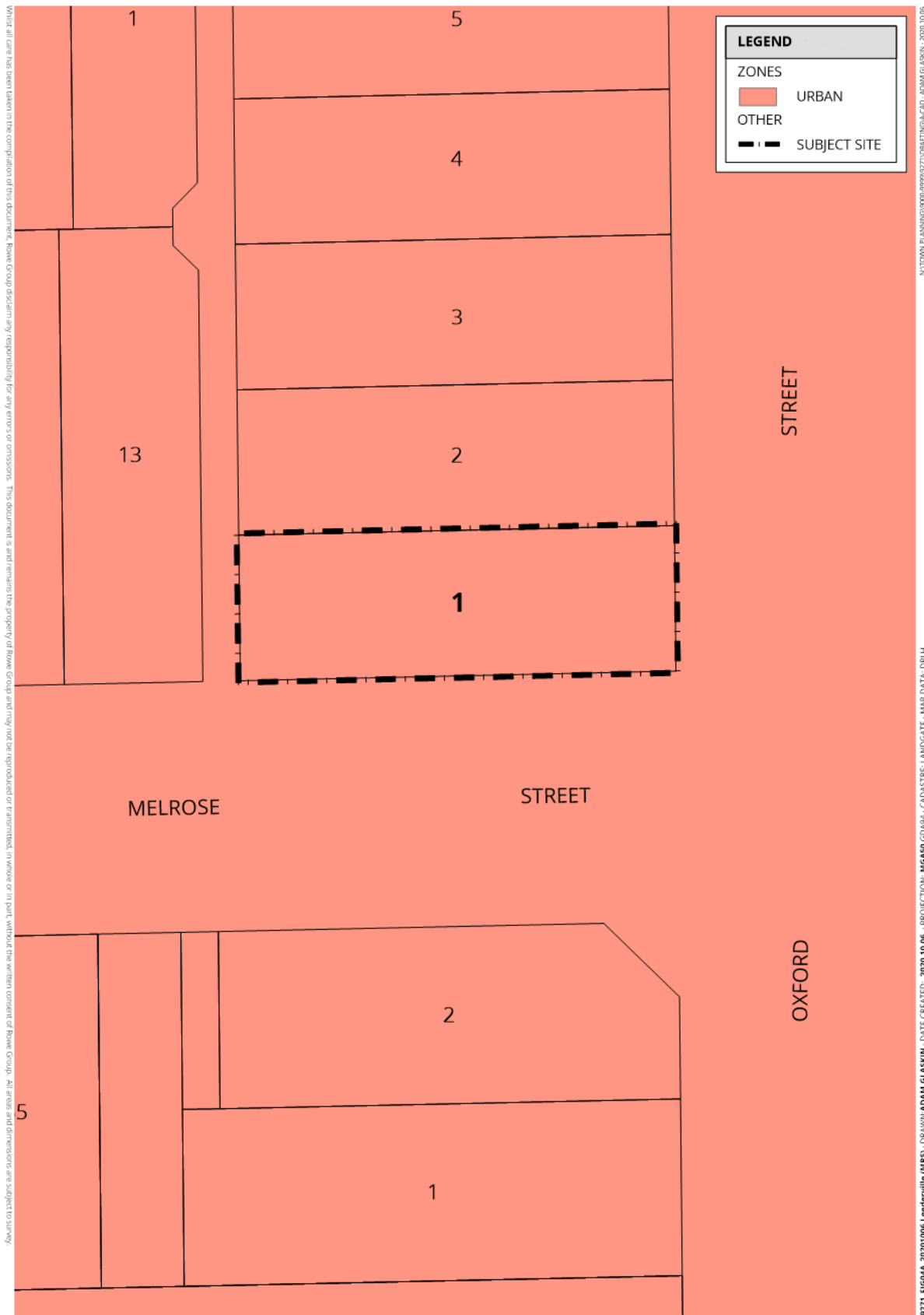


FIGURE 4
METROPOLITAN REGION SCHEME ZONING

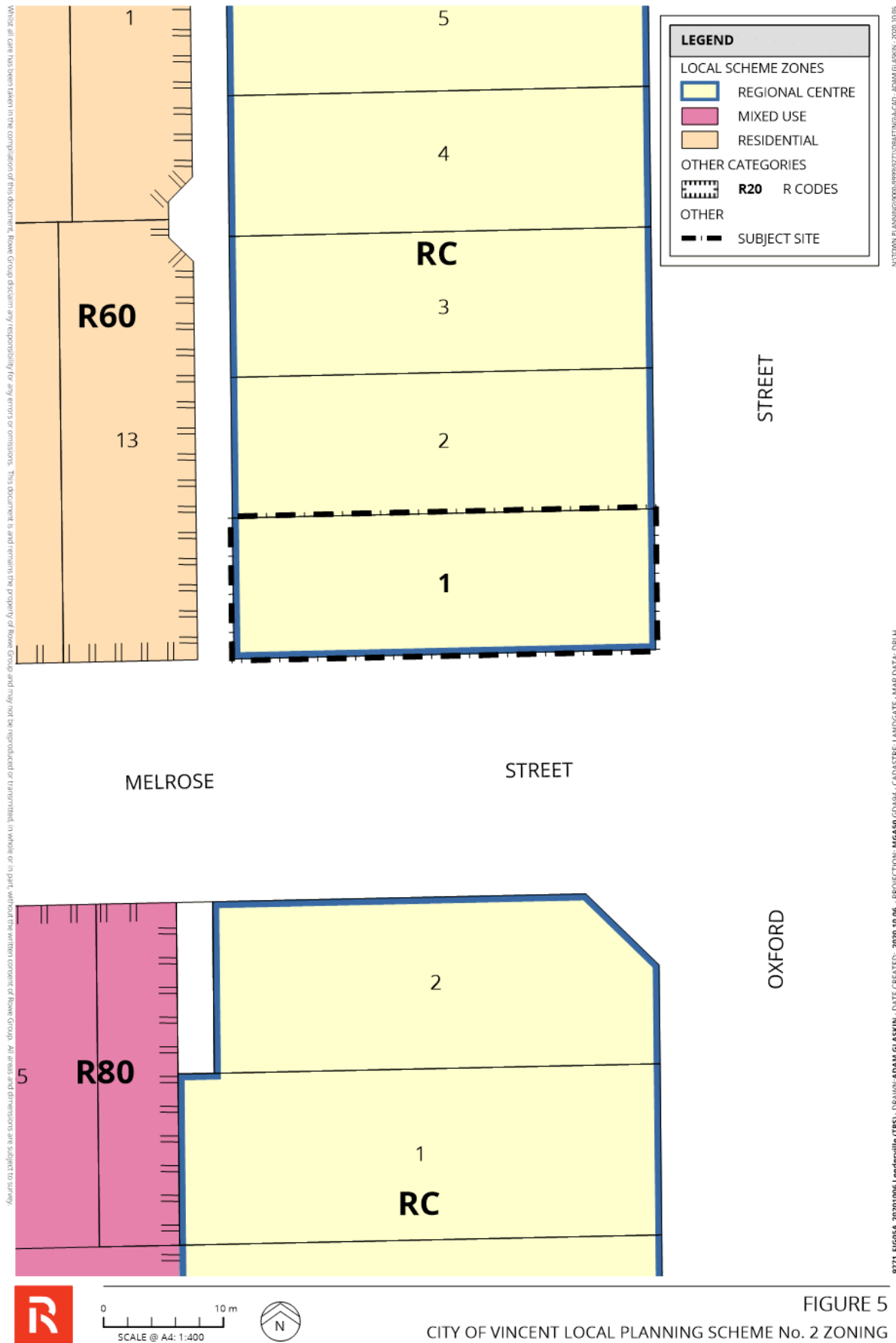


FIGURE 5
CITY OF VINCENT LOCAL PLANNING SCHEME No. 2 ZONING

4.2 DEVELOPMENT STANDARDS

Local Planning Policy 7.1.1 – Built Form ('LPP 7.1.1'), Local Planning Policy 7.7.1 – Non-Residential Development Parking Requirements ('LPP 7.7.1') and LPS 2 set out specific development standards for land uses within the City of Vincent. The following development standards apply to the subject site.

4.2.1 SETBACKS

No modifications to setbacks are proposed as the club premises involves only alterations to the existing roof terrace area.

4.2.2 BUILDING HEIGHT

LPP 7.1.1 contemplates a maximum building height limit for the subject site of five (5) storeys. The proposed additions to the existing building do not alter the building height and maintain an overall building height of three (3) storeys, or a maximum building height to the skillion roof terrace of 10 metres.

On this basis, the proposal is consistent with the building height limits contemplated by LPP 7.1.1.

4.2.3 CAR AND BICYCLE PARKING

LPP 7.7.1 sets out the parking requirements for non-residential development within the City of Vincent, which notes the applicable car parking rate within the 'Town Centre' built form area for a 'Club Premises' is a minimum of 0.15 car bays per persons.

Notwithstanding that there would be up to 100 club members, it is anticipated that the typical patronage levels will be in the order of 0 to 10 at any one time with the premises having a maximum capacity of 60 people.

On this basis, the club premises would generate a parking requirement of approximately 9 bays at maximum capacity, however this is unlikely to occur at any one time. As such, ten (10) members present at the club premises would generate the requirement for 1.5 car parking bays.

The existing development currently contains four (4) car parking bays to service the site. No additional car parking bays are proposed as part of this application as the private club premises will primarily service members from the local community and therefore demand for parking facilities will be low. On this basis, the current car parking provision is considered sufficient to service the development.

The following objectives are detailed in LPP 7.71 that can be considered where a proposal does not meet the standards of the policy:

- *The development provides adequate parking and/or transport infrastructure to service the needs of its users;*
- *Alternative public car parking, bicycle parking and/or end of trip facilities are already provided and is available and accessible to meet the demands of the development during the hours of operation, for the life of the development;*
- *Reciprocal car parking, bicycle parking and/or end of trip facilities are provided in accordance with Clause 5;*



- *Alternative transport modes are convenient and adequate enough to meet the demand of the development during the hours of operation;*
- *Cash-in-lieu of parking is provided in accordance with Clause 6; and*
- *An alternative arrangement is agreed in writing between the applicant and the City, through an approved Parking Management Plan.*

Sufficient alternative public street parking is available to meet the demands of the development in addition to the existing parking already provided within the development. Discussions with Craig Wilson at the City of Vincent indicate that an additional 7 street parking bays are proposed to be constructed adjacent to the development.

The proposed club premises is in close proximity to a number of alternative transport modes, such as the Leederville Train Station (540 metres from the development), a number of high frequency bus routes along Oxford Street, Vincent Street, Loftus Street and Newcastle Street, and the Principal Shared Path for cyclists and pedestrians.

Further to the four existing car parking spaces, this proposal also seeks approval for the installation of five (5) short term and two (2) long term bicycle parking spaces to meet the demands of the development. End of trip facilities are provided to serve users of the building, including a disabled toilet, shower, changing facilities and lockers.

In light of the above, the proposal is considered to meet a number of the abovementioned objectives. It is considered that the existing car parking provision, bicycle parking, end of trip facilities and surrounding public parking and transport facilities are sufficient to meet the demands of the development.



5. NOISE CONSIDERATIONS

An acoustic assessment of the subject site was undertaken by Herring Storer Acoustics to review the noise emissions associated with the proposed private club on the building's roof terrace area.

The acoustic assessment noted that the noise levels associated with the private club have been calculated to comply with the relevant assigned noise levels under the following conditions:

- ▲ The louvred door and screen are to be replaced with a solid construction (i.e. solid door and barrier). Door is to remain normally closed (i.e. self-closer and not to be propped open).
- ▲ Music, if any, is to be played through the existing speaker system on the roof terrace and be played at background noise levels only.
- ▲ Given the decrease in calculated noise levels attained by the increase in the balustrading height by 1 metre, it is recommended to implement this noise control measure.
- ▲ Whilst it is understood that the private club is not proposed to be operated past 10pm on any night, given the calculated noise levels, no time restrictions on operations are required - from a compliance with the Environmental Protection (Noise) Regulations 1997 perspective.

The noise mitigation measures detailed in the Acoustic Report have been included in the proposed development. We confirm that the club premises proposes glass balustrading to be a total height of 1 metre, the louvred door is to be replaced by a solid, self-closing door and the use of amplified music will not be permitted. On this basis, the proposal satisfies noise requirements for the proposed private club on the roof terrace.

Refer **Attachment Three - Acoustic Assessment**.



6. SUMMARY

The Private Club Premises and modifications to the roof terrace area of the existing building proposed at Lot 1 (No. 201-203) Oxford Street, Leederville are considered to be consistent with the relevant provisions of LPS 2 and the relevant policies of the City of Vincent. The proposed use will provide a facility that is consistent with the objectives of the 'Regional Centre' zone and will contribute to the desired evolution of the locality as an activated hub.

We trust the information contained within this report is satisfactory to enable the City to issue an approval for the proposed club premises development at the subject site.



Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the Administration’s response to each comment.

Comments Received in Support:	Administration Comment:
<p><u>Positive contribution to area</u></p> <ul style="list-style-type: none"> The venue to hold meetings of various purposes would provide a positive contribution to the area and members of the local community. Support for the rooftop being a private members club for business networking meetings. Meetings involving the City voluntarily hosted at this venue previously and supported. 	<p>Comments received in support are noted by Administration.</p>
<p><u>Appropriate location for land use</u></p> <ul style="list-style-type: none"> The premises is located on a growing activity corridor in the City of Vincent, with increasing activation and mixed-use developments such as cafes, restaurants and small bars. This would be a suitable location for a Club Premises. The subject Regional Centre zoning contemplates the Club Premises use and the zone provides for high level of activity. Clear controls to ensure orderly operation as a Club Premises are proposed relating to amplified music, operating hours and capacity of the venue. 	

Comments Received in Objection:	Administration Comment:
<p><u>Anti-social behaviour and alcohol consumption</u></p> <ul style="list-style-type: none"> The application indicates that there is no license to sell alcohol, however BYO is permitted. Concern in relation to management of drunken patrons on the premises. Concern about a future application for liquor license and potential impacts on the students attending the Tafe campus. Disorderly behaviour may disrupt the campus through noise and anti-social behaviour. 	<p>The applicant is not seeking the ability to sell alcohol as part of this proposal and no liquor licence is required.</p> <p>Should an operator seek to sell liquor from a premises, they would be required to apply for a liquor licence under the <i>Liquor Control Act 1988</i>. As part of this application, a 'Public Interest Assessment' (PIA) will be required to be submitted to the Department of Racing, Gaming and Liquor. The public interest test is based on the principle that licenced premises must operate within the interests of the local community. The assessment would outline how the premises would impact the community and provide an outline of how the applicant would manage any impact. Following assessment of the PIA, it would be at the Department of Racing, Gaming and Liquor’s discretion as to whether the liquor licence would be supported and granted. Community impact of any such request for a liquor licence if sought for the subject premises would be most appropriately addressed through public interest considerations as part of the liquor licencing process.</p>

Summary of Submissions:

	Measures to manage patron behaviour and activities occurring on site are detailed in the applicant's Venue Management Plan and Code of Conduct. This includes membership for the club and associated screening process, pre-booking attendance to venue via a mobile app and restricted swipe card access, monitoring of the venue by management through camera recording, and behaviour and conduct standards with disciplinary actions for breaches to these terms.
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Note: Submissions are considered and assessed by issue rather than by individual submitter.

ORDINARY MEETING OF COUNCIL
28 SEPTEMBER 2010

87

TOWN OF VINCENT
MINUTES

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;*

MINUTES OF MEETING HELD ON 28 SEPTEMBER 2010 TO BE CONFIRMED ON 12 OCTOBER 2010

ORDINARY MEETING OF COUNCIL
28 SEPTEMBER 2010

88

TOWN OF VINCENT
MINUTES

- (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;*

MINUTES OF MEETING HELD ON 28 SEPTEMBER 2010 TO BE CONFIRMED ON 12 OCTOBER 2010

(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;

ORDINARY MEETING OF COUNCIL
28 SEPTEMBER 2010

90

TOWN OF VINCENT
MINUTES

(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)

MINUTES OF MEETING HELD ON 28 SEPTEMBER 2010 TO BE CONFIRMED ON 12 OCTOBER 2010

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

240

CITY OF VINCENT
MINUTES

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;

MINUTES OF MEETING HELD ON 18 DECEMBER 2012

(TO BE CONFIRMED ON 12 FEBRUARY 2013)

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

241

CITY OF VINCENT
MINUTES

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

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

242

CITY OF VINCENT
MINUTES

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.

MINUTES OF MEETING HELD ON 18 DECEMBER 2012

(TO BE CONFIRMED ON 12 FEBRUARY 2013)

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

243

CITY OF VINCENT
MINUTES

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;

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

244

CITY OF VINCENT
MINUTES

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;

ORDINARY MEETING OF COUNCIL 245
18 DECEMBER 2012

CITY OF VINCENT
MINUTES

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.

ORDINARY MEETING OF COUNCIL
18 DECEMBER 2012

1

CITY OF VINCENT
AGENDA

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”;”

- 2 -

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

- 3 -

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: 

**RASARATNAM RASIAH
ACTING MANAGER
APPROVAL SERVICES**

for and on behalf of the City of Vincent

ORDINARY MEETING OF COUNCIL
13 DECEMBER 2016

7

CITY OF VINCENT
MINUTES

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;

ORDINARY MEETING OF COUNCIL
13 DECEMBER 2016

8

CITY OF VINCENT
MINUTES

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)

- 2 -

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.

- 3 -

Signed:  Dated: 31 August 2018

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

Image 1: Subject Site and roof terrace level looking north



Image 2: Subject Site and roof terrace level looking west



Image 3: Photo taken of outdoor section of roof terrace level



Image 4: Photo taken of roofed section of roof terrace level



Determination Advice Notes:

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.
2. 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.
3. 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.
4. The obligation to comply with the requirements of the condition continues whilst the approved development exists.
5. The applicant should liaise with the acoustic consultant (Herring Storer) to confirm how a maximum of 77 db (A) can be achieved based on the specific sound system at the Club Premises venue. This should include the establishment of a maximum volume level which should be labelled on the sound system and be visible to patrons.