

**5.10 LATE REPORT: NO. 21 (LOT: 22; D/P: 1477) VINCENT STREET, MOUNT LAWLEY - AMENDMENT TO DEVELOPMENT APPROVAL FOR ALTERATIONS AND ADDITIONS TO EXISTING CONSULTING ROOMS AND A PROPOSED SINGLE HOUSE**

<b>TRIM Ref:</b>	D18/149330
<b>Author:</b>	Joslin Colli, Coordinator Planning Services
<b>Authoriser:</b>	Luke Gibson, A/Director Development Services
<b>Ward:</b>	South
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. Attachment 1 - Consultation and Location Map</li><li>2. Attachment 2 - Development Approval Documentation and Plans dated 23 February 2015</li><li>3. Attachment 3 - Development Plans</li><li>4. Attachment 4 - Written Submission</li><li>5. Attachment 5 - Parking Survey and Parking Management Plan</li><li>6. Attachment 6 - Heritage Impact Statement and Response from Design Review Panel</li><li>7. Attachment 7 - Summary of Submissions and Administration Response</li><li>8. Attachment 8 - Summary of Submissions and Applicant's Response</li><li>9. Attachment 9 - Determination Advice Notes</li></ol>

**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 to amend a development approval for Alterations and Additions to existing Consulting Rooms and a proposed Single House at No. 21 (Lot: 22; D/P: 1477) Vincent Street, Mount Lawley, in accordance with the plans shown in Attachment 3 dated 23 July 2018 and 22 October 2018, subject to the following conditions, with the associated determination advice notes in Attachment 9:

1. All conditions and advice notes detailed on development approval 5.2014.656.1 granted on 23 February 2015 and included in Attachment 2 continue to apply to this approval, except as follows:
  - 1.1 Condition 3.1 (cash in lieu of car parking) is removed;
  - 1.2 Condition 3.2 is amended to read as follows:
    - 3.2 Prior to occupation/use of the development, a minimum of three bicycle parking bays, in the form of two (2) Class 3 bicycle bay facilities for the Commercial component shall be provided. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3;
  - 1.3 A new condition 10 is imposed to read as follows:
    10. Landscaping
      - 10.1 A detailed landscape and reticulation plan for the development site and adjoining road verge to the City's satisfaction is to be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:
        - The location and type of existing and proposed trees and plants, based on the City's tree selection tool and to maximise the provision of canopy cover; and
        - Areas to be irrigated or reticulated;
      - 10.2 All works shown in the plans as identified in Condition 10.1 shall be undertaken in accordance with the approved plans to the City's satisfaction,

prior to completion of development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

1.4 A new Condition 11 is imposed to read as follows:

11. The Consulting Rooms shall not accommodate more than two clients on-site being treated by the two health practitioners at any given time;

1.5 A new Condition 12 is imposed to read as follows:

12. Appointments with each health practitioner shall be scheduled no less than 10 minutes apart to minimise the overlap of clients on site;

1.6 A new Condition 12 is imposed to read as follows:

13. The obligation to comply with the requirements of a time limited condition continues whilst the approved development exists; and

1.7 A new Condition 13 is imposed to read as follows:

14. This approval is valid for two years from the date of this approval.

**PURPOSE OF REPORT:**

To consider an application to amend a development approval for alterations and additions to existing Consulting Rooms and a proposed Single House at No. 21 Vincent Street, Mount Lawley.

**PROPOSAL:**

The application proposes to amend the exiting approval by extending the approval period and removing Condition 3.2, which requires payment of cash-in-lieu.

**BACKGROUND:**

<b>Landowner:</b>	Jeffery & Lynn Bennett
<b>Applicant:</b>	Bruce Arnold
<b>Date of Application:</b>	23 July 2018
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Residential R Code: R50
<b>Built Form Area:</b>	Residential
<b>Existing Land Use:</b>	Consulting Rooms
<b>Proposed Use Class:</b>	Consulting Rooms: A Dwelling (Single House): P
<b>Lot Area:</b>	355m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>Heritage List:</b>	Yes. Management Category A – Conservation Essential

The subject site is located at No. 21 Vincent Street, Mount Lawley, as shown on the location plan included as **Attachment 1**. The subject is surrounded by residential uses, abutting the lot and to the north on the opposite side of Vincent Street. The broader area includes residential and commercial uses, with commercial uses being located along Beaufort Street.

The subject site is zoned 'Residential' with a density coding of R50 under the City's Local Planning Scheme No. 2 (LPS2). The subject site accommodates a single-storey building being used as Consulting Rooms. The subject site is listed on the City's Municipal Heritage Inventory, as Management Category A – Conservation Essential.

In April 1990, the City of Perth approved the change of use from residential to Consulting Rooms. That approval contained a condition which restricted the site to one health practitioner at any one time.

An application for alterations and additions to existing dental surgery (including allowing two health practitioners) and a proposed two-storey dwelling to the rear of existing Consulting Rooms was approved by Administration under delegated authority on 23 February 2015. A copy of this approval is included in **Attachment 2**. The approval contained a condition (3.1) which required the payment of \$6,572.80 for the equivalent value of 1.264 car parking spaces. This approval was not enacted and payment was not made to the City.

The current proposal does not involve any amendments to the previously approved built form. The applicant is not proposing any changes to the previously approved operating hours, number of employees and overall intensity of the land use. There are currently two consulting rooms within the existing dental surgery with one of these consulting rooms being used by the dentist to treat patients. There are three employees in total on site at any time currently. This is one health practitioner being a dentist, a receptionist and a dental nurse. The applicant has confirmed that only one client is capable of being treated at any one time by the dentist currently.

The second consulting room is being used for the purposes of sterilising equipment and as a back of house area, and it is intended that this can be accommodated in the proposed extension area of the dental surgery. This will allow a dental hygienist to operate from the second consulting room. There would be four employees being a dentist, a dental hygienist, a dental nurse and a receptionist working from the premises at one time as part of this proposal. The applicant has confirmed that only one client is capable of attending the dental hygienist at any one time and the appointments are scheduled for one hour. These appointment times can vary from 20 minutes to two hours per appointment. This would be in addition to one client being treated by the dentist at any time. The dwelling proposed as part of this application is intended to be offered to the resident dentist or the hygienist.

The development plans are included in **Attachment 3**, the associated report from the applicant is included in **Attachment 4** and the Parking Survey and Management Plan are included in **Attachment 5**.

## DETAILS:

### Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Local Planning Scheme No. 2 (LPS2), the City's Policy No. 7.1.1 – Built Form, the Non-Residential Parking Policy and the State Government's SPP 3.1 Residential Design Codes (R Codes). 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.

The applicable deemed to comply requirements of the R Codes are not affected by the Built Form Policy, with the exception of street setbacks and landscaping.

That the deemed-to-comply landscaping standards set out in the Built Form Policy have not yet been approved by the Western Australian Planning Commission (WAPC). These provisions are given due regard in the assessment of the application and discussed in the Comments section of this report.

Planning Element	Use Permissibility/ Deemed-to-Comply/ Previously Supported	Requires the Discretion of Council
Land Use	✓	
Density/Plot Ratio	✓	
Street Setback	✓	
Building Setbacks/Boundary Wall	✓	
Building Height/Storeys	✓	
Open Space	✓	
Outdoor Living Areas	✓	
Visual Privacy	✓	
Parking & Access		✓
Bicycle Facilities	✓	
Solar Access	✓	
Site Works/Retaining Walls	✓	
External Fixtures	✓	
Surveillance	✓	

### Detailed Assessment

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

Parking and Access	
Deemed-to-Comply Standard	Proposal
<b>Non-Residential Development Parking Requirements Policy</b>	
Eight car parking bays	Two car parking bays
0.6 (1) long-term bicycle bays	Nil long-term bicycle bays
	The applicant has requested that a cash-in-lieu condition not be imposed.

The above element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the Comments section below.

### CONSULTATION/ADVERTISING:

The application was advertised for a period of 14 days between 3 October 2018 and 16 October 2018 by means of letters being sent to surrounding neighbours. The City received one objection to the proposal. The concerns are summarised below:

- Overshadowing as a result of the building height; and
- Potential for damage to dividing fences.

A summary of the submission with Administration's and the applicant's response can be found in **Attachment 7** and **Attachment 8**, respectively.

### Design Review Panel (DRP):

Referred to DRP: Yes

Given the site is on the City's Municipal Heritage Inventory (MHI), the application was referred to the DRP for specific comments on the impact on the cultural significance of the site. The comments provided by the DRP can be summarised as follows:

- It is considered that the new addition would have no significant impact on the sightline of the existing building when viewed from Vincent Street;
- The proposal only involves minor alterations to the original fabric of the building and it is noted that the original western elevation will be retained and concealed behind a new wall; and
- The contemporary style of the additions is supported as the new materials and finishes are distinguishable from the old building and assists in the discernment of the evolution of the place.

### LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.1 – Built Form;
- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties; and
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements.

As the proposed built form does not differ to the original approval, the current application can be considered as an amendment to an approval under Clause 77(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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 the Council's determination.

**Delegation to Determine Applications:**

The application is being presented to Council as the applicant is requesting to waive the cash-in-lieu contribution amount for six car parking bays.

**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*:

**Sensitive Design**

- *Our built form is attractive and diverse, in line with our growing and changing community.*
- *Our built form character and heritage is protected and enhanced."*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Should Council agree to waive the cash-in-lieu for the shortfall of vehicle parking on-site, the City would not receive the amount of \$32,400 that would contribute towards the provision and upgrading of transport infrastructure within the City of Vincent.

**COMMENTS:**

In considering the acceptability of this application for an extension of time, Administration has considered the following:

1. Changes in the planning framework since development approval was granted;
2. Whether the development is likely to receive approval now; and
3. Whether the applicant has actively pursued the implementation of the development.

1. Changes to the planning framework

*City of Vincent Local Planning Scheme No. 2*

The previous application for the subject site was assessed under the City's TPS1 and associated policies. The City's LPS2 was approved by the Minister and was gazetted on 16 May 2018. LPS2 resulted in no changes to the subject site's Residential R50 zoning.

*City of Vincent Policy No. 7.1.1 – Built Form*

On 13 December 2016, Council adopted the Built Form Policy, which was published and came into effect on 21 January 2017. The adoption of the Built Form Policy also resulted in several other policies being rescinded. The subject site is located within the Residential Built Form Area under the Built Form Policy. The current application has been assessed against the Built Form Policy.

*State Planning Policy 3.1 Residential Design Codes*

On 2 March 2018, the Western Australian Planning Commission gazetted amendments to the State Planning Policy 3.1 Residential Design Codes. It is noted that these changes do not affect the assessment of the subject application.

*City of Vincent Policy No. 7.7.1 – Parking and Access*

On 6 March 2018, Council resolved to adopt Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Non-Residential Development Parking Policy) and revoked Policy No. 7.7.1 – Parking and Access. The Policy was published and came into effect on 7 April 2018.

2. Whether the development is likely to receive approval now

In considering whether the development is likely to receive approval now, Council must assess the issues of land use, car parking and landscaping.

*Land use*

The application previously obtained approval for Grouped Dwelling under TPS1 which was classified as 'P' use within the Residential zone. An assessment of the proposed dwelling has been undertaken for this application informed by legal advice which confirms that the dwelling is classified as a Single House land use. A Single House is a 'P' use under LPS 2. The land use permissibility remains the same as what was considered in the previous application and the development requirements for Single Houses and Grouped Dwellings do not differ.

*Parking*

The 2015 application was assessed against the City's previous version of Policy No. 7.7.1 – Parking and Access. Due to the adjustment factors of that policy, the proposal involved a shortfall of 1.264 car parking bays was resolved via a condition of development approval requiring a cash-in-lieu contribution or guarantee to the value of \$6,572.80. The approval was not enacted and therefore this cash in lieu contribution has not been paid to the City.

Three car parking bays were previously approved on-site, with two of the approved parking bays being dedicated for the consulting rooms and one for the dwelling. One bay for the consulting rooms is required to be provided as a car parking space designed for people with a disability in accordance with the National Construction Code (NCC) Volume 1 and is shown on the development plans submitted. As per the NCC, this bay need not be signed and marked so as to restrict the use of the car parking space only for people with a disability. This is because the NCC only requires these bays to be appropriately signed and marked where there are more than five car parking spaces provided on site.

The application does not propose to increase the amount of car parking bays provided onsite. The car parking bay associated with the dwelling complies with the deemed-to-comply car parking requirements of the Residential Design Codes. The current Non-Residential Development Parking Requirements Policy requires eight car parking bays to be provided for the previously approved consulting rooms, with the application involving the provision of two bays. A cash-in-lieu contribution for the six bays would equate to \$32,400, however, the application is seeking Council's discretion on the matter and has provided a Parking Survey and Parking Management Plan to demonstrate the parking provision would not result in parking problems within the locality. The Parking Survey was undertaken in accordance with the WAPC's Traffic Impact Assessment Guidelines and calculated the number of car parking bays available within the operating hours of the consulting rooms and also provides an analysis of the parking availability within the surrounding locality. These supporting documents are provided in **Attachment 5** and include the following relevant information:

- There are 134 off-street, public car parking bays within 261 metres of the subject site;
- These are all time limited car parking bays, ranging from a maximum of one to three hours;
- Of these 134 car parking bays, 85 car parking bays require a parking ticket when being used;
- These bays were surveyed for vacancy between the hours of 9:00am and 5:00pm, which are the approved operating hours of the consulting room;
- At the lowest vacancy (which occurred on two separate occasions throughout the week), there were 59 off-street car parking bays available;
- At the highest vacancy, there were 105 off-street car parking bays available;
- On average, throughout the operating hours of the consulting rooms, there were 82 off-street, public car parking bays available within 261 metres (less than a five minute walk) of the subject site.

The applicant proposes the following Parking Management Strategy for the existing consulting rooms, based on the results of the Parking Survey:

- All employees, inclusive of the health practitioners and receptionist, if driving, are to park at the car park located on the corner of Beaufort Street and Barlee Street, where the maximum time limit is 7.5 hours, with a valid parking ticket. Alternatively, monthly commercial parking permits can be purchased from the City;
- There are two car bays available on site allocated exclusively for clients of the consulting rooms (one of which is designed to allow parking for people with a disability); and
- The receptionist will advise clients of the most suitable car parking locations based on their type and length of scheduled appointment.

In addition, employees and clients accessing the site can do so through public or active transport options. There are two high frequency bus stops within the 250 metre pedestrian shed, and an additional two high frequency bus stops between 250 and 357 metres of the subject site. The Non-Residential Development Parking Requirements Policy requires a minimum of 1.4 short-term bicycle bays and 0.6 long-term bicycle bays. The application involves the provision of three short-term bicycle bays located on-site, which in conjunction with the end of trip facilities appropriately facilitates an alternative form of transport to and from the site.

In considering the approved intensity of the use and the applicant's request to remove the condition relating to cash-in-lieu contribution, the following is relevant:

- The consulting room has been operating since 1990, with no complaints being received by the City in relation to parking or use of the subject site;
- There are 134 off-street, public car parking bays within 261 metres of the subject site, with the Parking Survey identifying a minimum of 59 vacant car parking bays available at the busiest time;
- All employees would be asked to utilise the car parking available on the corner of Barlee Street and Beaufort Street, with commercial parking permits available for purchase;
- There will be two car parking bays available on-site for use by the two clients being treated by the dentist and hygienist at any one time;
- Access to all public car parking bays is easily accessible by vehicle off main arterial roads;
- There are three bicycle parking bays available on-site; and
- There are two high frequency bus stops within 250 metres of the site, and an additional two high frequency bus stops between 250 and 357 metres of the subject site.

Given the extensive private, public and active transport services available to the subject site to cater to the demands of the development, as well as car parking spaces available on site for clients, it is reasonable to remove the condition relating to the cash-in-lieu contribution. A condition of development approval has been recommended to be imposed to ensure that appointments for each health practitioner be scheduled at least 10 minutes apart to avoid any potential overlap and increased demand for on site car parking.

### *Landscaping*

The City's Built Form Policy includes landscaping requirements in relation to the amount of deep soil zone and canopy cover. The applicant proposes a deep soil zone of 4.6 percent of the site in lieu of the deemed-to-comply 15 percent and a canopy cover of 5.1 percent of the site in lieu of the deemed-to-comply 30 percent.

The previous approval included the removal of the existing Cape Lilac tree within the street setback. This tree is a pest species as it sheds berries and is susceptible to cedar moth infestations. The tree also affects the stormwater drainage of the existing heritage building as the berries block the gutters causing water to overflow. The removal of this tree also allowed for the inclusion of a car parking bay within the street setback area.

Opportunities to provide additional landscaping on site is limited. While Administration stills supports the removal of the existing Cape Lilac tree for the reasons above, the tree should be replaced with a more appropriate species that provides an equivalent or greater canopy cover. There is opportunity to install trees that can provide canopy coverage within deep soil zones in the front of the lot. There are also opportunities to provide additional landscaping within garden beds between the car bay in the front setback area and the dental surgery, as well within the garden beds along both the southern and eastern lot boundaries. Whilst the width of some portions of the garden beds proposed means that they would not contribute towards deep soil area, they would still allow for species to adequately grow to a height and maturity that can contribute to canopy cover. The landscaping opportunities on the site would assist in reducing the impact of the development, providing a sense of open space between the proposed dwelling and surrounding residents,

and contribute towards a sustainable landscape design for the lot and the greater community. It is recommended that a condition be imposed requiring the submission of a landscaping plan to show the installation of landscaping and tree species on site consistent with the City's tree selection tool.

### *Heritage Conservation*

The previous approval provides for an extension to the western façade of the heritage building enclosing the external area to the west of the building. These additions to the existing heritage building have been designed to reflect the existing style of the building. The multiple dwelling is located behind the principal façade of the heritage building. The multiple dwelling is contemporary in design and incorporates materials and colours that are distinguishable from the historical architecture and design of the building.

The subject site is listed on the City's MHI, as a Management Category A – Conservation Essential. Consideration must be had to the Statement of Significance of the subject site, as follows.

*"The former substation has considerable historic value as a physical record of Perth's tram and trolley bus transportation system that operated in Perth from 1899 to 1969 and contributed significantly to the development of the suburbs within the Town of Vincent.*

*The former substation has some aesthetic value as a good example of a municipal building constructed in the Inter-War Functionalist style.*

*The former substation has considerable rarity value as one of few remaining physical structures associated with the tram and trolley bus transportation system located within the Town of Vincent."*

A Heritage Impact Statement was submitted as part of the previous application to determine whether the design satisfies the provisions of the City's Heritage Management Policy. The HIS can be found in **Attachment 6**. This HIS presented the following conclusions:

- It is considered that the new addition would have no significant impact on sightline of the existing building when viewed from Vincent Street;
- It is noted that the original western elevation will be retained and concealed behind a new wall;
- The contemporary style of the additions is supported as the new materials and finishes are distinguishable from the old building and assists in the discernment of the evolution of the place; and
- It is considered the proposal has no adverse impact on the cultural heritage significance of the subject place and the application is recommended for approval.

The proposal would not alter the original façade of the heritage building or obscure or alter an element that contributes to the significance of the place. The development would maintain an existing line of view to the heritage place and is positioned in a location that ensures the prominence of the heritage building is not compromised. Administration considers the proposal presents an appropriate outcome for the heritage building and satisfies the requirements of the City's Heritage Management Policy.

### 3. Implementation of the development

The applicant has provided the following information detailing why the application has not been substantially commenced:

*"The ongoing Dental practice business was purchased by my client around late 2014 and was then leased to The Dental Corporation (DUPA). Unfortunately a condition of the lease meant that the approved works was not able to be executed which in turn resulted in the approval lapsing in February 2017. In the recent months, the lessee has indicated that they no longer wish to peruse the lease and my client, Mr. Bennett, who is a Dentist, will now look to take over the running the practice as a small local practice similar to the one he currently operates in Donnybrook. Due to this change in the leasing arrangement, my client wishes to resubmit the documents which were originally approved which is to provide a small extension to the existing surgery and add a dwelling at the rear of the existing building. The proposed new dwelling, which is the major work associated with this proposal, will form a part of the package being offered to either the resident dentist or the hygienist employed in the surgery and may also be part of an interchange staff programme with the Donnybrook practice."*

Whilst the owner has not made genuine attempts to implement the approval, it is acknowledged that constraints existed by way of a separate lease arrangement.

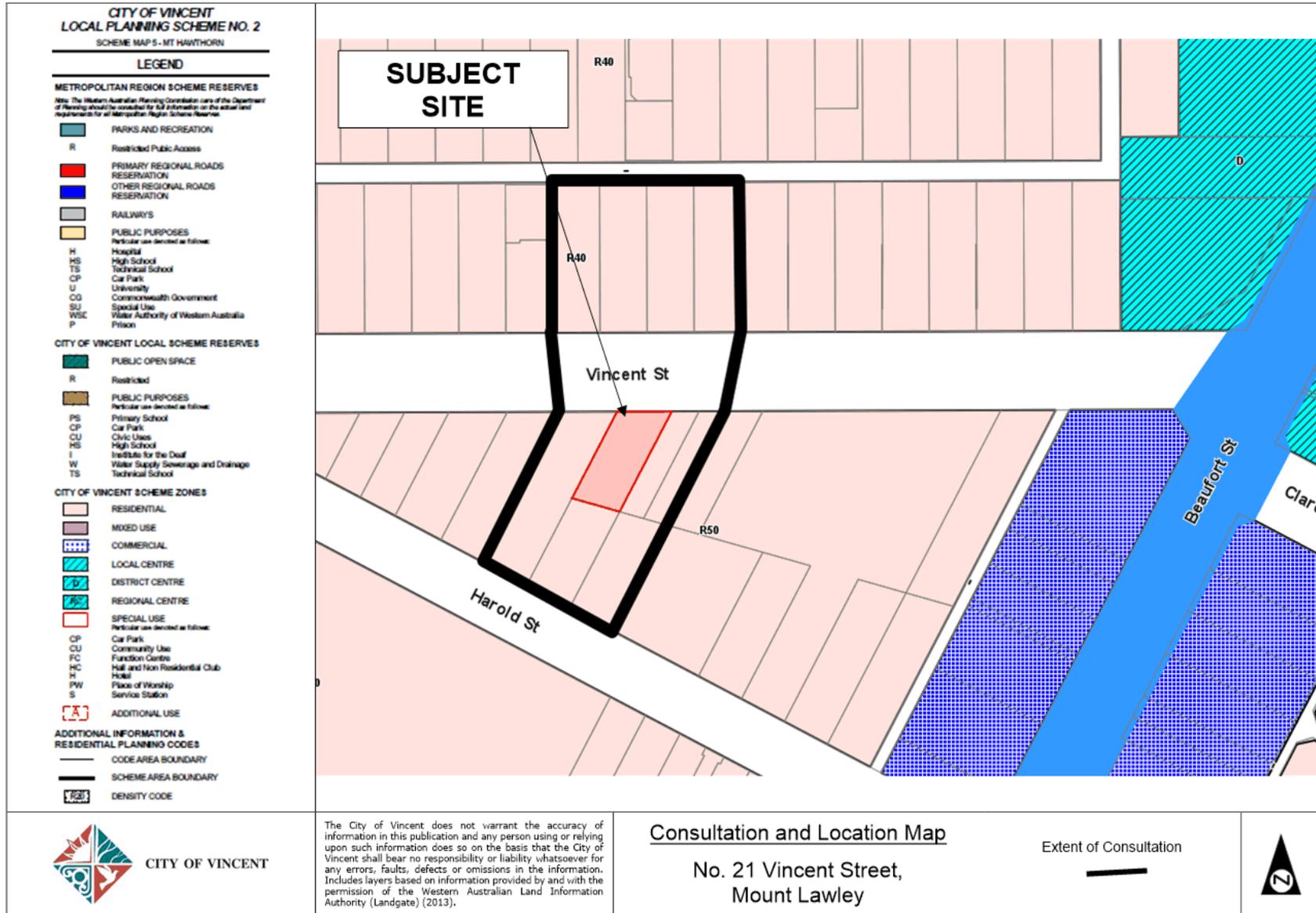
Conclusion

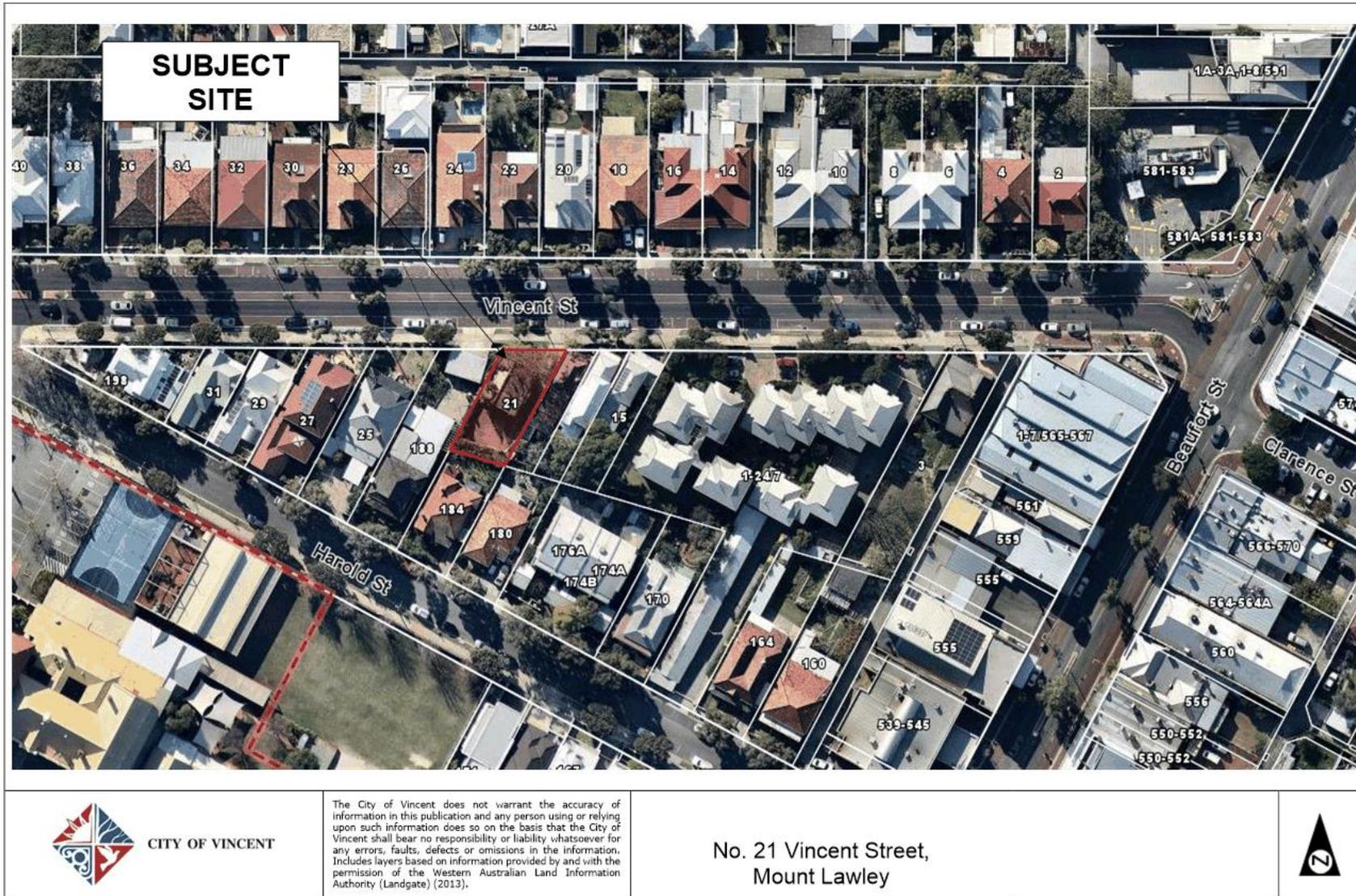
Council is required to exercise discretion with respect to the extension of time, car parking and landscaping.

The Parking Survey and Parking Management Plan demonstrate the area is well serviced by a variety of private, public and active transport methods and facilities. The parking demand can be accommodated on site and within the surrounding locality. The cash-in-lieu condition is not required.

Landscaping can be provided on site that would result in an equivalent or greater canopy coverage compared to the tree that is proposed to be removed.

Administration recommends that the application be approved.





ENQUIRIES TO:

YOUR REF: Adam Dyson (08 9273 6568)  
Planning Services

OUR REF: 5.2014.656.1

23 February 2015

CITY OF VINCENT	
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OFFICER:	<i>[Signature]</i> 23-2-15



CITY OF VINCENT

Administration & Civic Centre  
244 Vincent Street (Cnr Loftus)  
Leederville, Western Australia 6007  
PO Box 82, Leederville WA 6902  
Telephone (08) 9273 6000  
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confidentiality

Dear Sir

**NO. 21 (LOT 22; D/P: 1477) VINCENT STREET, MOUNT LAWLEY- PROPOSED CONSTRUCTION OF TWO STOREY GROUPED DWELLING TO REAR OF EXISTING CONSULTING ROOM (DENTAL SURGERY) AND ALTERATIONS AND ADDITIONS TO EXISTING DENTAL SURGERY**

I refer to your Application for Approval to Commence Development dated 22 November 2014 received 25 November 2014 for the above proposal.

I wish to advise that the proposal was assessed and found to be in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and associated policies. Therefore, the application has been granted conditional approval under delegated authority from the Council subject to the terms and conditions shown on the attached form.

Your attention is drawn to the fact that this consent constitutes planning approval only and that a Building Permit must be obtained from the City prior to the commencement of construction works. The nominated builder should therefore be provided with a copy of conditions of the Form 2 Approval to Undertake Development. The Building Permit application cannot be accepted until all planning conditions are cleared by the City. Accordingly, please ensure that the drawings and information supplied to the City are identical to that approved by the City to avoid delays in the issue of the Permit. Please note that any amendments proposed in the Building Permit application plans, which differ from the Planning Approval plans, may result in the requirement for a new Planning Application to be submitted for assessment and determination.

I trust that the information is to your satisfaction, however if you have any enquiries regarding the above matter, please do not hesitate to contact Adam Dyson on 08 9273 6568.

Yours sincerely

PETAR MRDJA  
MANAGER  
PLANNING AND BUILDING SERVICES

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"ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY"

- 2 -

THIS IS NOT A BUILDING PERMIT  
42

Fifth Schedule Clause

For Office Use Only  
Serial No. 5.2014.656.1**CITY OF VINCENT TOWN PLANNING SCHEME  
APPROVAL TO COMMENCE DEVELOPMENT**

LOT: 22 D/P: 1477

STRATA LOT NO.:

PROPERTY ADDRESS: No. 21 Vincent Street, MOUNT LAWLEY

OWNER:

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Approval to commence development in accordance with the application for Town Planning Approval dated 22 November 2014 received 25 November 2014 for Proposed Construction Of Two Storey Grouped Dwelling To Rear of Existing Consulting Room (Dental Surgery) and Alterations And Additions To Existing Dental Surgery and the attached plans stamp dated 25 November 2014 and amended plans stamp dated was GRANTED in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, subject to the following conditions:

1. Boundary Wall

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing 188 Harold Street, Mount Lawley in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork;

2. Consulting Rooms – Dentist Surgery Use

2.1 Any change of use from Consulting Rooms (Dentist) shall require Planning Approval to be applied for and obtained from the City prior to the commencement of such use;

2.2 Shall be limited to a maximum of two (2) consulting rooms/consultants operating at any one time. Any increase in the number of consulting rooms/consultants shall require Planning Approval to be applied for and obtained from the City;

2.3 Any windows, doors and adjacent areas fronting Vincent Street shall maintain an active and interactive relationship with the street.

## 3. 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;

3.1. Cash-in-Lieu

Pay a cash-in-lieu contribution of \$6,572.80 for the equivalent value of 1.264 car parking spaces, based on the cost of \$5,200 per bay as set out in the City's 2014/2015 Budget; OR

- 3 -

lodge an appropriate assurance bond/bank guarantee of a value of \$6,572.00 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

- 3.1.1 To the City at the date of issue of the Building Permit for the development, or first occupation of the development, whichever occurs first; or
- 3.1.2 to the owner(s)/applicant following receipt by the City 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
- 3.1.3 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;

3.2 Bicycle Bays

One (1) Class 1/2 and One (1) Class 3 bicycle facilities for the Commercial (Consulting Rooms) component, shall be provided. Bicycle bays for visitors must be provided at a location convenient to the entrance, publically accessible and within the development and bicycle bays for the residents and employees must be located within the development. The bicycle facilities shall be designed in accordance with AS2890.3;

4. PRIOR TO THE SUBMISSION OF A BUILDING PERMIT, the following shall be submitted to and approved by the City;

4.1 Terrace Roofing

The proposed dwelling terrace shall have a minimum two-thirds of the proposed area without permanent roofing;

5. PRIOR TO THE SUBMISSION OF AN OCCUPANCY PERMIT, the following shall be completed to the satisfaction of the City;

5.1 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 and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City;

6. 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;
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 Vincent Street.
8. A Road and Verge security bond for the sum of \$2500, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be

- 4 -

held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City's Technical Services Directorate. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;

9. All storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City's Technical Services Directorate. Drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.

ADVICE NOTES:

1. Any new street/front wall, fence and gate within the Vincent setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences.
2. With regard to condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
3. Sound levels created shall not exceed the provisions of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. All construction work must be carried out in accordance with control of noise practices described in Section Six (6) of AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites"
  - The equipment used for the construction work must be the quietest reasonably available;
  - Construction work is not to commence before 7.00am, or carry on after 7.00pm on Monday to Saturdays;
  - No construction work is permitted on Sundays or Public Holidays.

Should work need to be undertaken out-of-hours, the builder/developer is to submit a Regulation 13 application to the City's Health Services, seeking approval for an exemption – the application is to be accompanied by a Noise Management Plan – exemptions will only be considered where a demonstrated need and justification exists (safety concerns with Main Roads etc).

4. It is noted that in the event of a Strata Titling of the Property, an easement may be required on the Certificate of Title given the overlap of the balcony over the Consulting Room portion of the building.
5. 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.
6. An Occupancy Permit will be required for the development.

NOTES:

PLEASE NOTE THAT ANY AMENDMENTS PROPOSED IN THE BUILDING PERMIT APPLICATION PLANS, WHICH DIFFER FROM THE PLANNING APPROVAL PLANS, MAY RESULT IN THE REQUIREMENT FOR A NEW PLANNING APPLICATION TO BE SUBMITTED FOR ASSESSMENT AND DETERMINATION. SHOULD THIS BE THE CASE, THE

- 5 -

OWNER/BUILDER/DEVELOPER IS ADVISED TO FACTOR IN AN ADDITIONAL TIME PERIOD INTO THE DEVELOPMENT/BUILDING PROCESS.

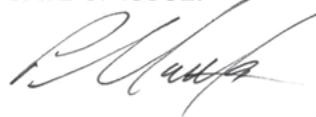
PLEASE NOTE THAT ANY ADDITIONAL PROPERTY NUMBERING TO THE ABOVEMENTIONED ADDRESS, WHICH IS RESULTANT FROM THIS APPLICATION, IS TO BE ALLOCATED BY THE CITY OF VINCENT AND NO OTHER PARTIES. IT IS RECOMMENDED THAT YOU LIAISE WITH THE CITY'S PLANNING SECTION ON THE ABOVE MATTER, DURING THE BUILDING PERMIT ISSUE STAGE.

OWNER(S), BUILDER(S) AND DEVELOPER(S) UNDERTAKING DEVELOPMENT/CONSTRUCTION OF ANY KIND ARE HEREBY ADVISED OF A RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE DISABILITY DISCRIMINATION ACT 1992. FOR FURTHER INFORMATION ON THIS ACT, ENQUIRIES SHOULD BE DIRECTED TO THE DISABILITY SERVICES COMMISSION ON TELEPHONE NUMBER (08) 9426 9200 OR TTY ON (08) 9426 92325.

SHOULD THE APPLICANT BE AGGRIEVED BY THE DECISION A RIGHT OF APPEAL MAY EXIST UNDER THE PROVISIONS OF THE TOWN PLANNING SCHEME OR THE METROPOLITAN REGION SCHEME.

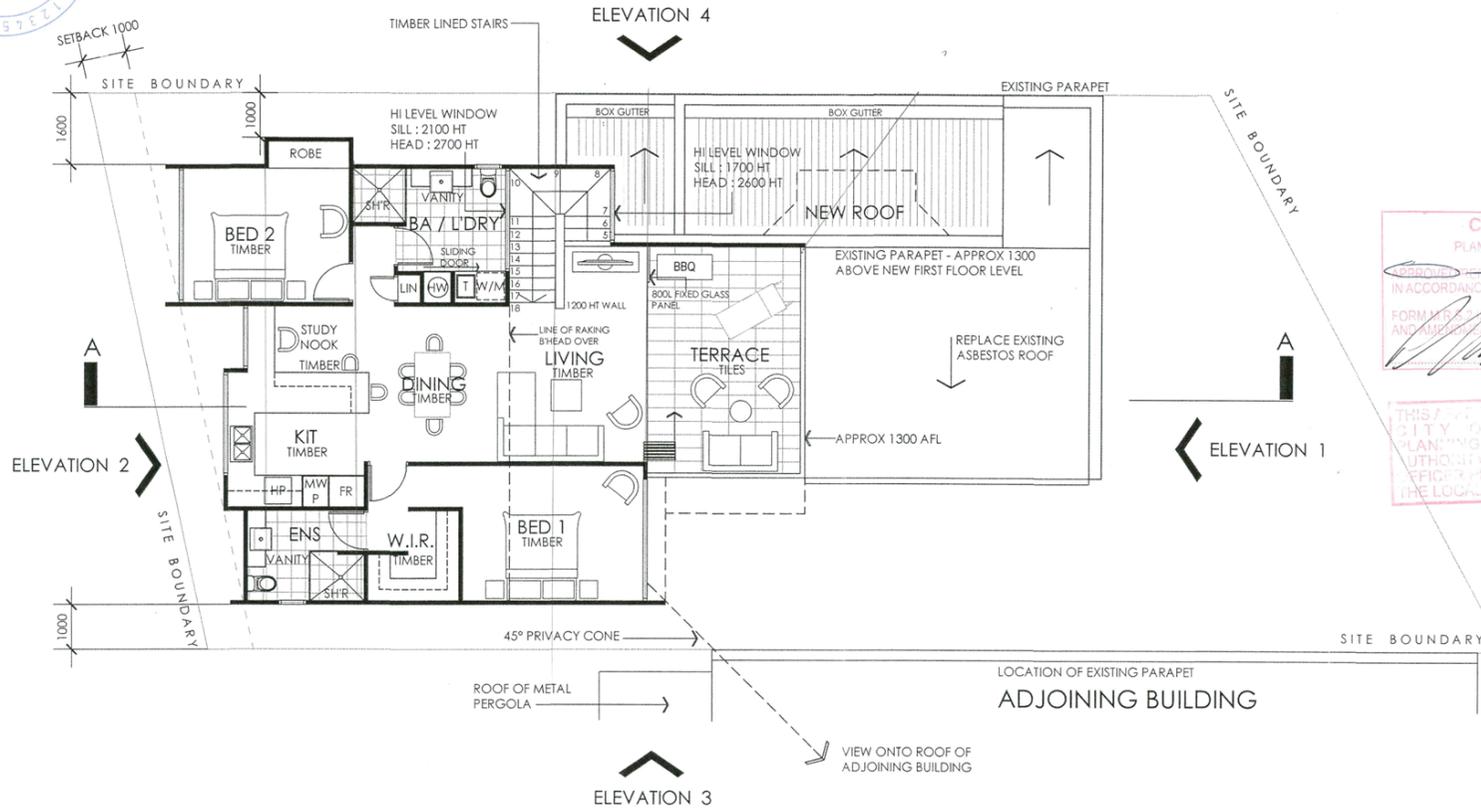
This approval is valid for a period of TWO years only. If the development is not substantially commenced within this period, a fresh approval must be obtained before commencing or continuing the development.

DATE OF DECISION: 23 February 2015  
DATE OF ISSUE: 23 February 2015



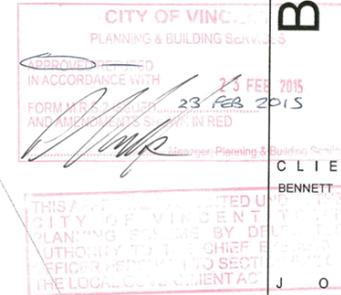
MANAGER  
PLANNING AND BUILDING SERVICES





FIRST FLOOR PLAN

SCALE 1 : 100 @ A3 SHEET SIZE



**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004. TELEPHONE (08) 9225 7153

CLIENT  
BENNETT

J O B  
NEW RESIDENCE  
& MINOR WORK  
TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

D R A W I N G  
FIRST FLOOR  
PLAN

JOB NO. 14.08	DRAWN RS
SCALE 1:100	DATE NOV '14
DWG NO. SK3	SHEET D.A.

All dimensions are to be verified on site before commencement of work or shop drawings

**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4 - 181 ADELAIDE TERRACE - EAST PERTH WA, 6004 TELEPHONE (08) 9225 7153

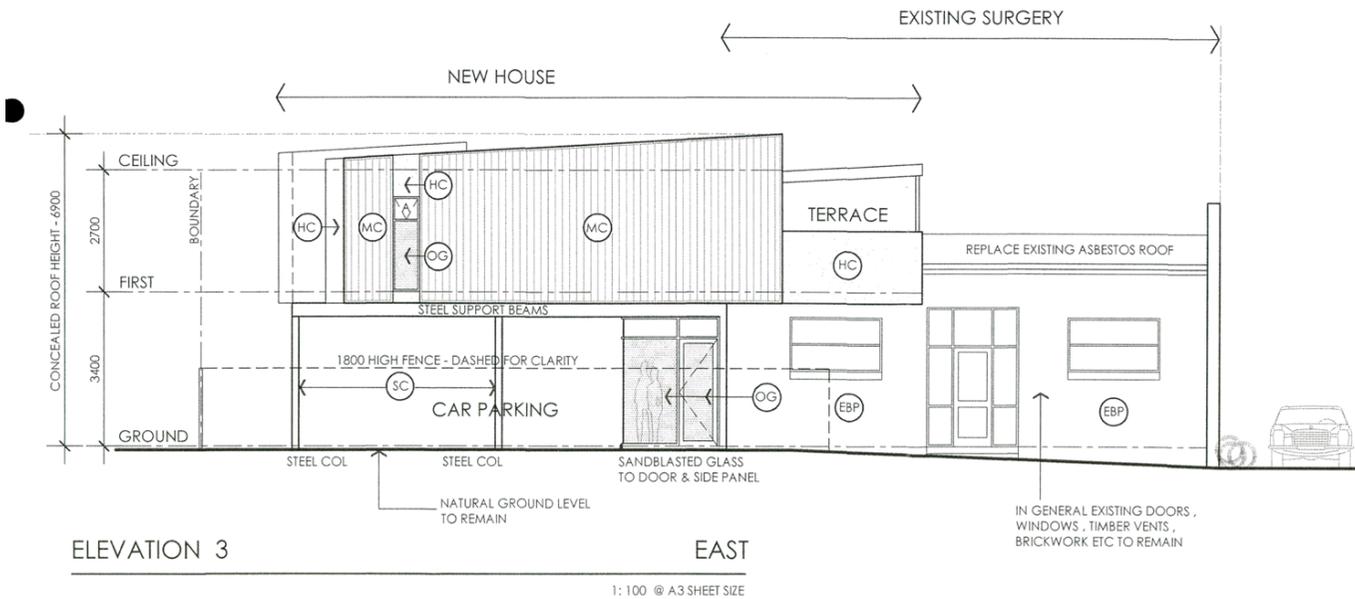
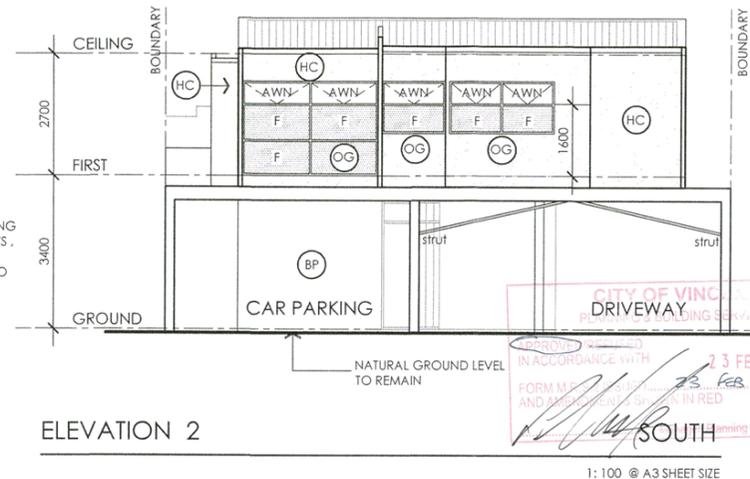
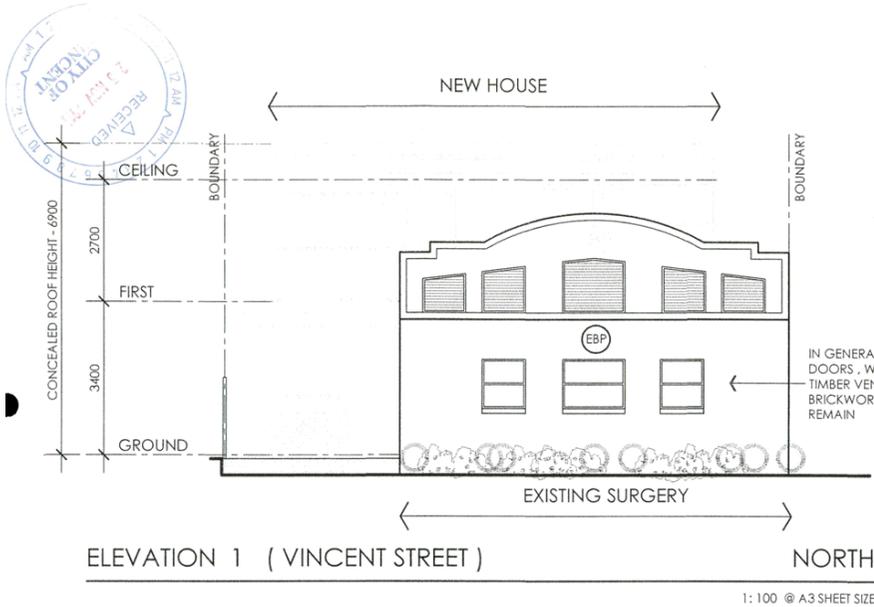
CLIENT  
BENNETT

SITE  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY



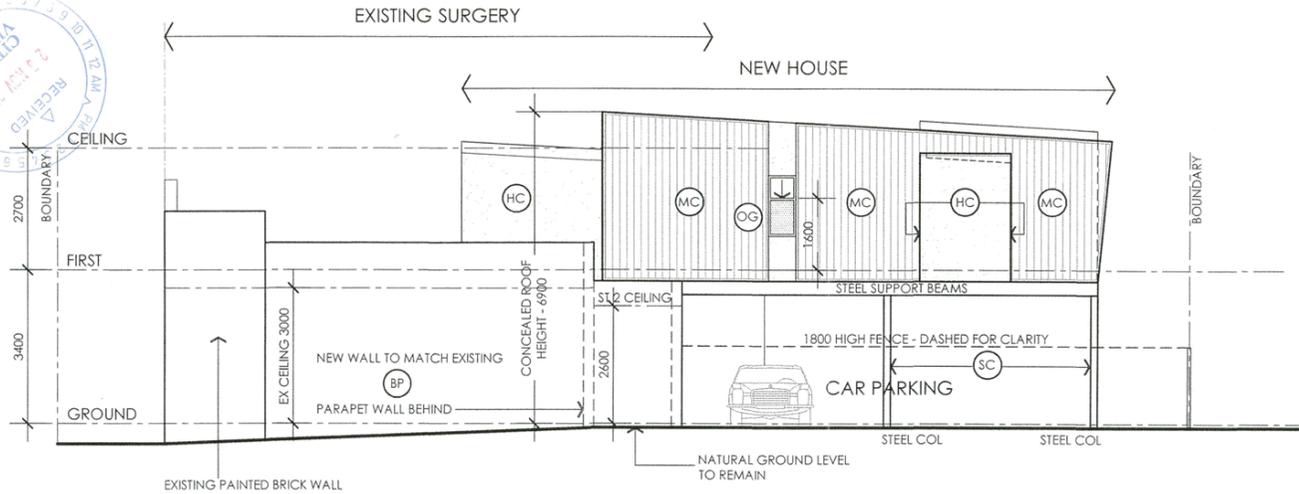
JOB NO	DRAWN
14.08	RS
SCALE	DATE
1:100	NOV '14
DWG NO	SHEET
SK4	D.A.

All dimensions are to be verified on site before commencement of work or shop drawings.



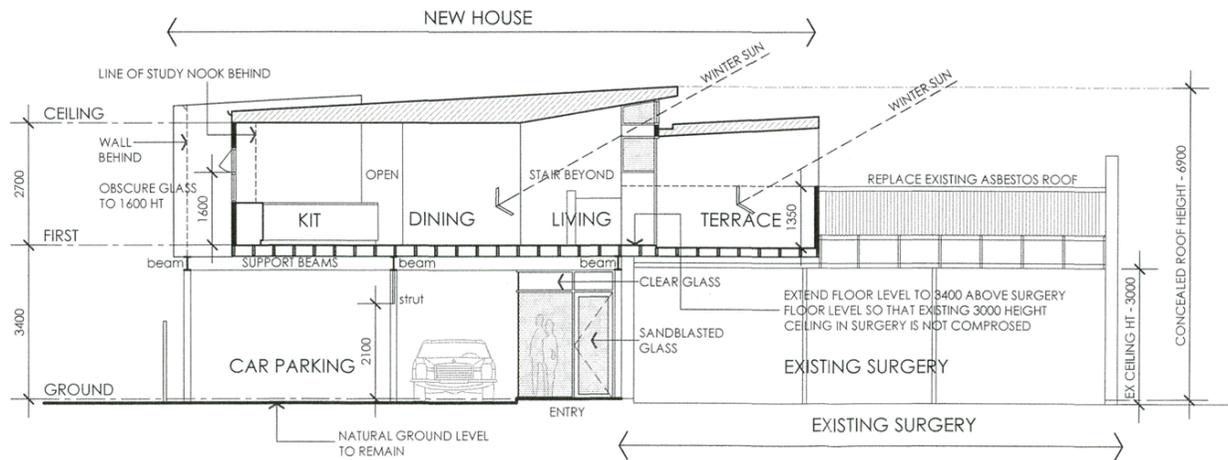
LEGEND

- (HC) HARDIES COMTEX FLUSH JOINTED BOARD
- (MC) COLORBOND OR SIMILAR METAL DECK CLADDING WITH VERTICAL GROOVES
- (BP) BRICK WALL PAINTED TO MATCH EXISTING
- (EBP) EXISTING PAINTED BRICKWORK
- (SC) EXPOSED STEEL COLUMNS & BEAMS PAINTED WITH DULUX MIACEOUS OXIDE - NAURAL STEEL GREY
- (OG) OBSCURE GLASS



ELEVATION 4 WEST

1: 100 @ A3 SHEET SIZE



SECTION A-A

1: 100 @ A3 SHEET SIZE



LEGEND

- HC HARDIES COMTEX FLUSH JOINTED BOARD
- MC COLORBOND OR SIMILAR METAL DECK CLADDING WITH VERTICAL GROOVES
- BP BRICK WALL PAINTED TO MATCH EXISTING
- EBP EXISTING PAINTED BRICKWORK
- SC EXPOSED STEEL COLUMNS & BEAMS PAINTED WITH DULUX MIA CAECIUS OXIDE - NAURAL STEEL GREY
- OG OBSCURE GLASS

**BRUCE ARNOLD**  
ARCHITECTS

LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, WA, 6004 TELEPHONE (08) 9225 7165

CLIENT  
BENNETT

JOB  
NEW RESIDENCE & MINOR WORK TO EX SURGERY

SITE  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

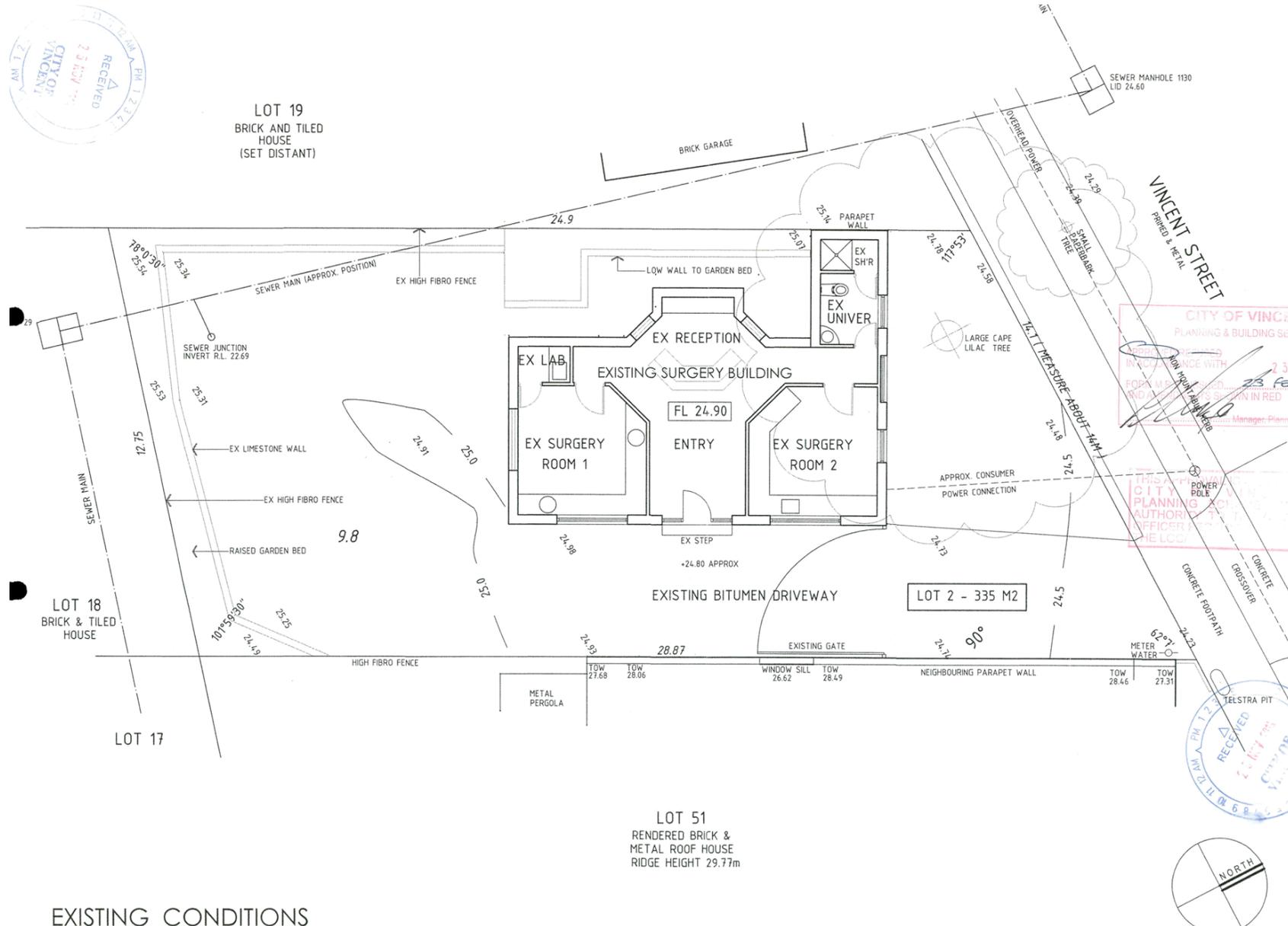
DRAWING  
ELEVATION & SECTION

JOB NO	DRAWN
14.08	RS
SCALE	DATE
1: 100	NOV '14
DWG NO	SET
SK5	D.A.

All dimensions are to be verified on site before commencement of work or shop drawing.



LOT 19  
BRICK AND TILED  
HOUSE  
(SET DISTANT)



CITY OF VINCENT  
PLANNING & BUILDING SERVICES  
RECEIVED 23 FEB 2015  
23 FEB 2015  
Manager-Planning Services

THIS IS A CITY OF VINCENT  
PLANNING AUTHORITY OFFICER'S  
STAMP IN RED

**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004. TELEPHONE (08) 9225 7153

CLIENT  
BENNETT

J O B  
NEW RESIDENCE  
& MINOR WORK  
TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

D R A W I N G  
EXISTING  
CONDITIONS

JOB NO 14.08	DRAWN RS
SCALE 1:100	DATE NOV '14
DWG NO SK1	SHEET D.A.

All dimensions are to be verified on site before commencement of work or shop drawings.



EXISTING CONDITIONS

SCALE 1 : 100 @ A3 SHEET SIZE

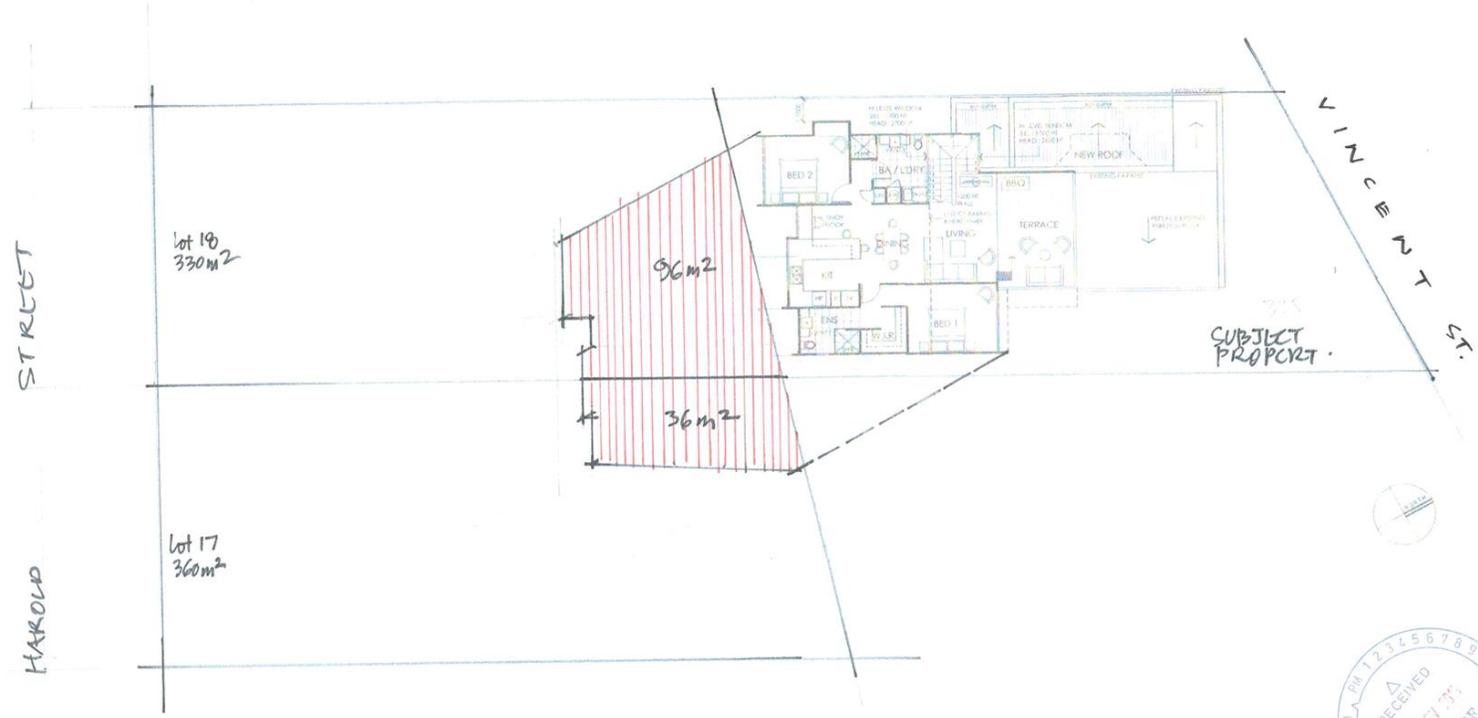
SUN STUDY - FOR OVERSHADOWING  
 @ 12 noon  
 June 21.

Lot 18 - site Area - 330 m<sup>2</sup>  
 - max permissible - 165 m<sup>2</sup> (50%)  
 - Actual - 96 m<sup>2</sup> (29%)

Lot 17 - site Area - 360 m<sup>2</sup>  
 - max permissible - 180 m<sup>2</sup> (50%)  
 - Actual - 36 m<sup>2</sup> (10%)

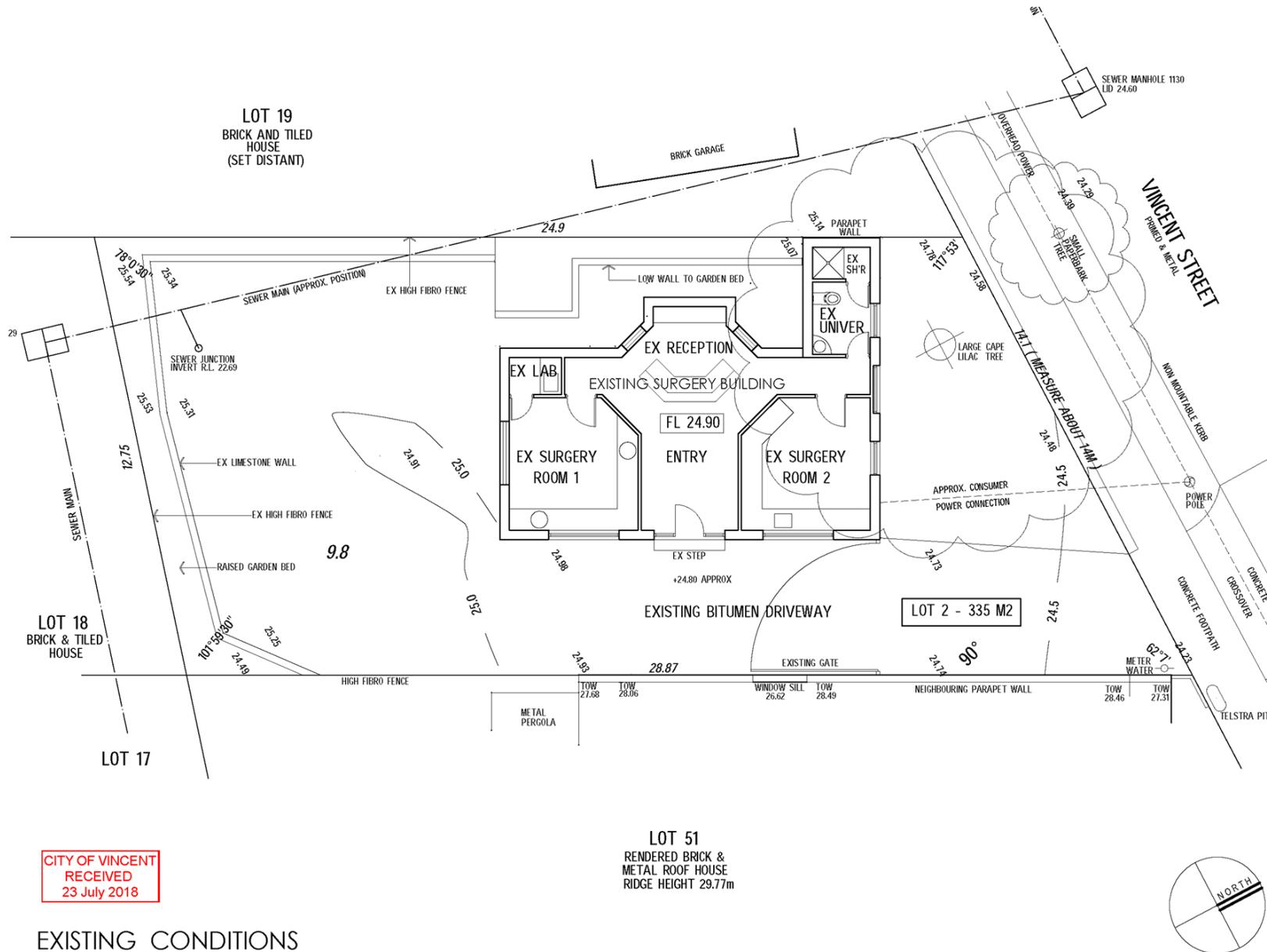


THIS APPROVAL IS GRANTED BY THE CITY OF VINCENT PLANNING & DEVELOPMENT AUTHORITY TO THE CHIEF EXECUTIVE OFFICER OF THE LOCAL GOVERNMENT TO CONTACT THE LOCAL GOVERNMENT.



PLAN 1:200 @ A3  
 20/11/14.



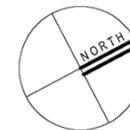


CITY OF VINCENT  
RECEIVED  
23 July 2018

EXISTING CONDITIONS

SCALE 1 : 100 @ A3 SHEET SIZE

LOT 51  
RENDERED BRICK &  
METAL ROOF HOUSE  
RIDGE HEIGHT 29.77m



**BRUCE ARNOLD**  
ARCHITECTS

LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004 TELEPHONE (08) 9225 7153

CLIENT  
BENNETT

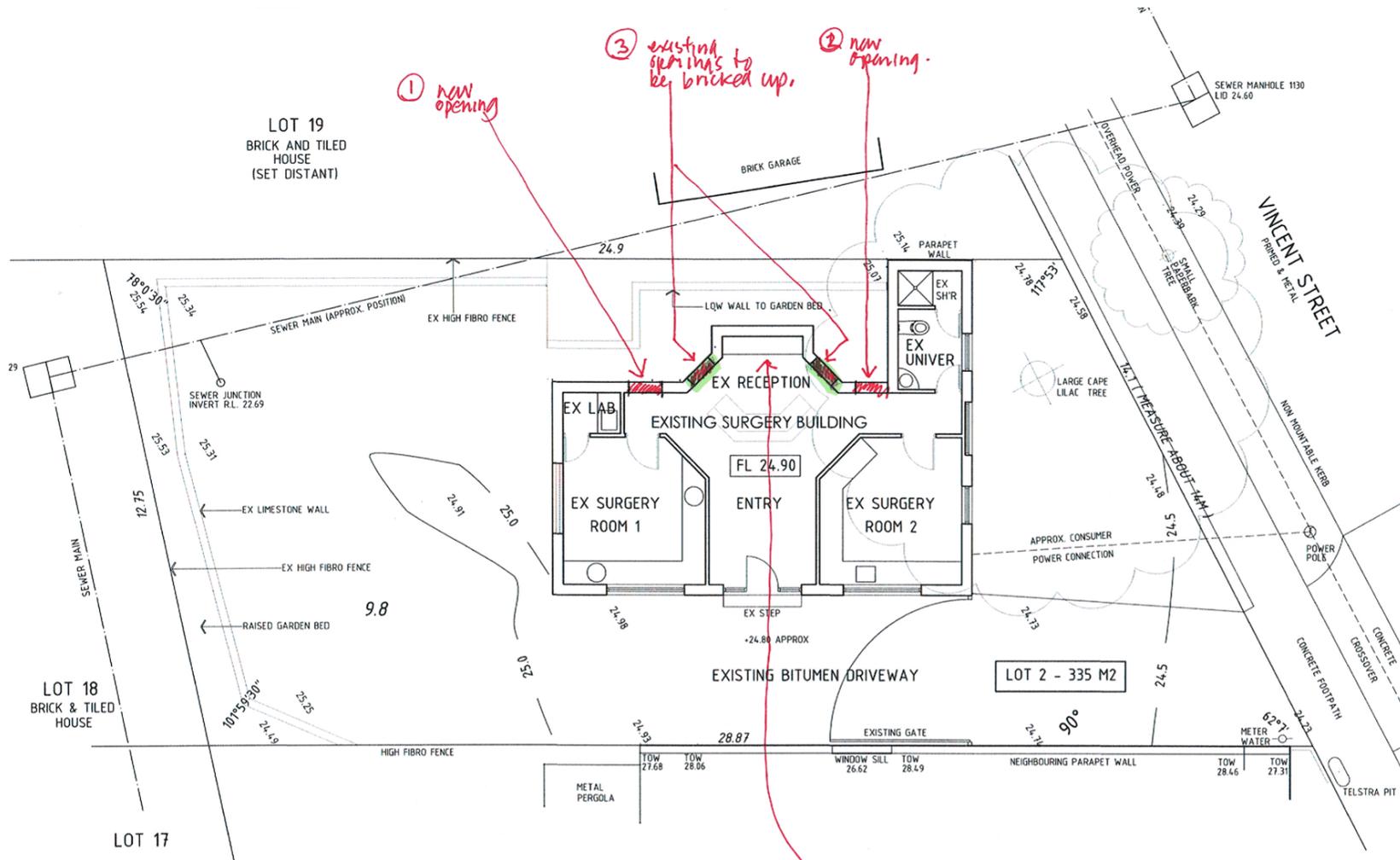
J O B  
NEW RESIDENCE  
& MINOR WORK  
TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

D R A W I N G  
EXISTING  
CONDITIONS

JOB NO 14.08	DRAWN RS
SCALE 1:100	DATE NOV '14
DWG NO SK1	DATE D.A.

All dimensions are to be verified on site before commencement of work on this drawing.  
COPYRIGHT



CITY OF VINCENT  
RECEIVED  
22 October 2018

Demolition Plan.  
EXISTING CONDITIONS

SCALE 1 : 100 @ A3 SHEET SIZE

LOT 51  
RENDERED BRICK &  
METAL ROOF HOUSE  
RIDGE HEIGHT 29.77m

④ existing asbestos roof over to be removed.

**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, WA 6004 TELEPHONE (08) 92257145

CLIENT  
BENNETT

J O B  
NEW RESIDENCE & MINOR WORK TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

D R A W I N G  
EXISTING  
CONDITIONS

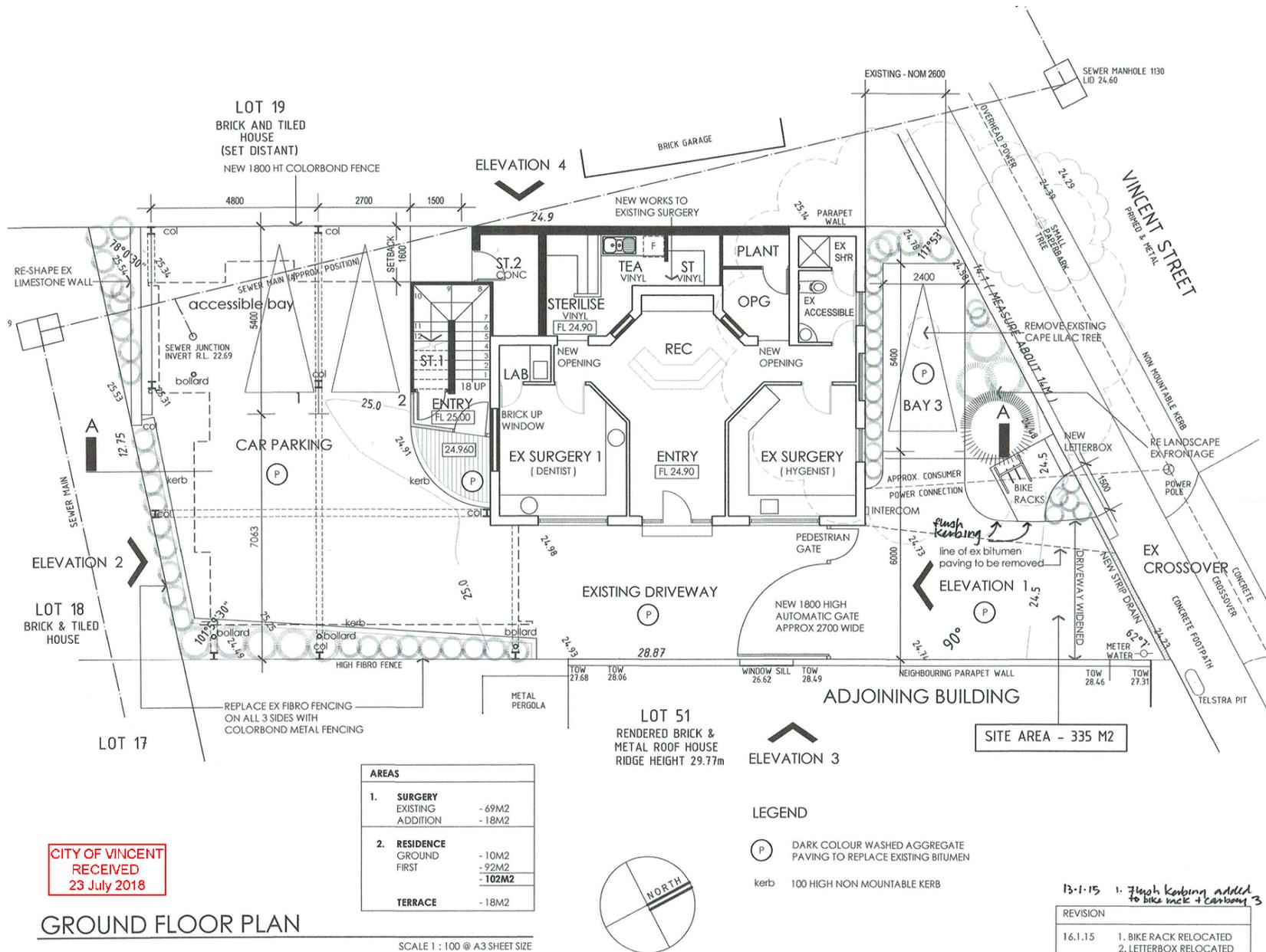
JOB NO	DRAWN
14.08	RS

SCALE	DATE
1:100	NOV.14 2018

DWG NO	REV
SK1	D.A.

All dimensions are to be verified on site before commencement





CITY OF VINCENT  
RECEIVED  
23 July 2018

GROUND FLOOR PLAN

AREAS	
1. SURGERY	EXISTING - 69M2
	ADDITION - 18M2
2. RESIDENCE	GROUND - 10M2
	FIRST - 92M2
	<b>102M2</b>
TERRACE	- 18M2

SCALE 1 : 100 @ A3 SHEET SIZE

LEGEND

- (P) DARK COLOUR WASHED AGGREGATE PAVING TO REPLACE EXISTING BITUMEN
- kerb 100 HIGH NON MOUNTABLE KERB



13-1-15 1. Finish kerbing added to bike rack + canopy 3.

REVISION	
16.1.15	1. BIKE RACK RELOCATED 2. LETTERBOX RELOCATED 3. DRIVEWAY WIDENED

**BRUCE ARNOLD**  
ARCHITECT

LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004 TELEPHONE (08) 9225 7

CLIENT  
BENNETT

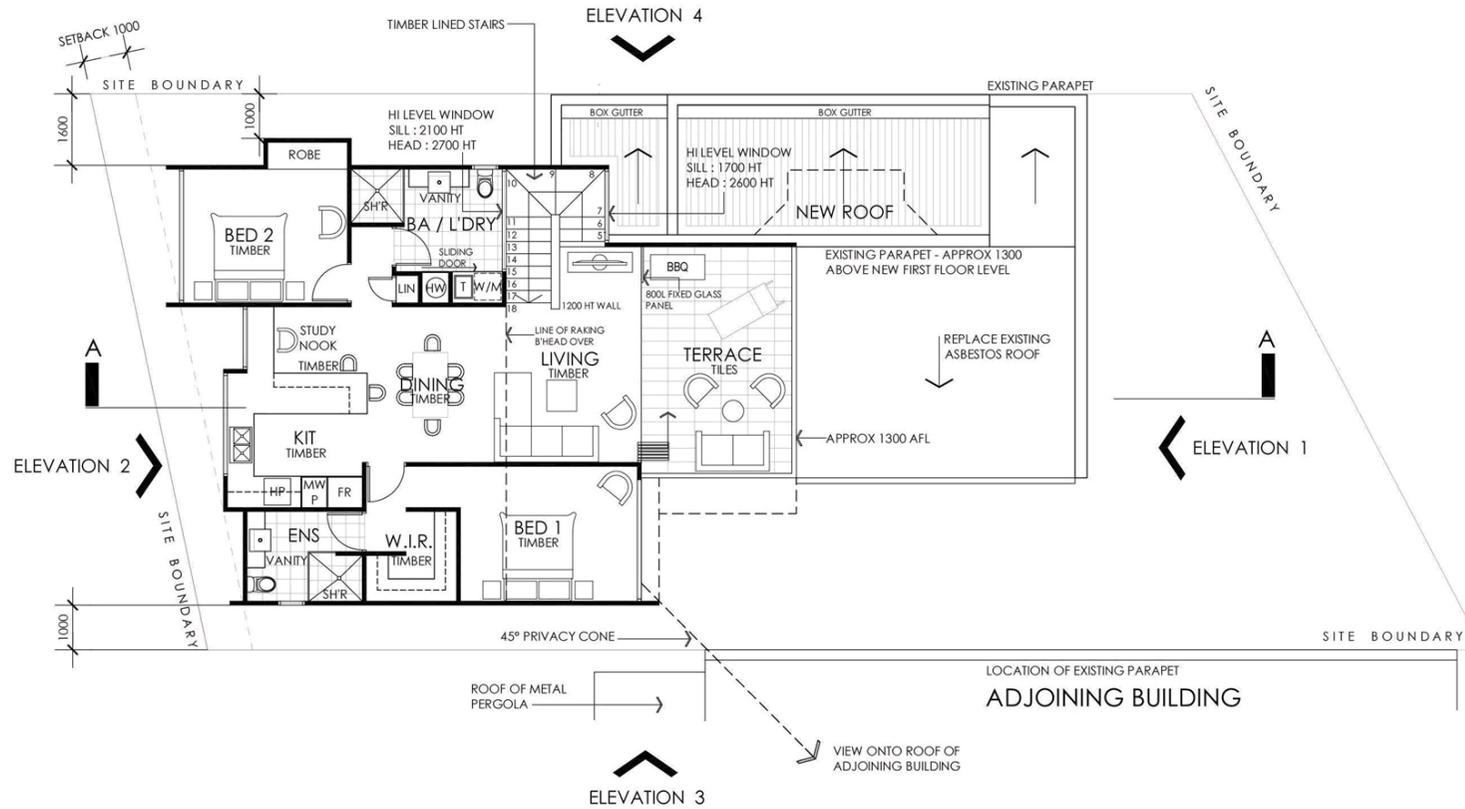
J O B  
NEW RESIDENCE & MINOR WORK TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

D R A W I N G  
GROUND FLOOR  
PLAN

JOB NO 14.08	DRAWN RS
SCALE 1:100	DATE NOV '14
DWG NO SK2	DESIGNED D.A.

All dimensions are to be verified on site before commencement of work or shop drawings



CITY OF VINCENT  
RECEIVED  
23 July 2018

FIRST FLOOR PLAN

SCALE 1 : 100 @ A3 SHEET SIZE



**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004 TELEPHONE (08) 9225-7153

CLIENT  
BENNETT

J O B  
NEW RESIDENCE  
& MINOR WORK  
TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

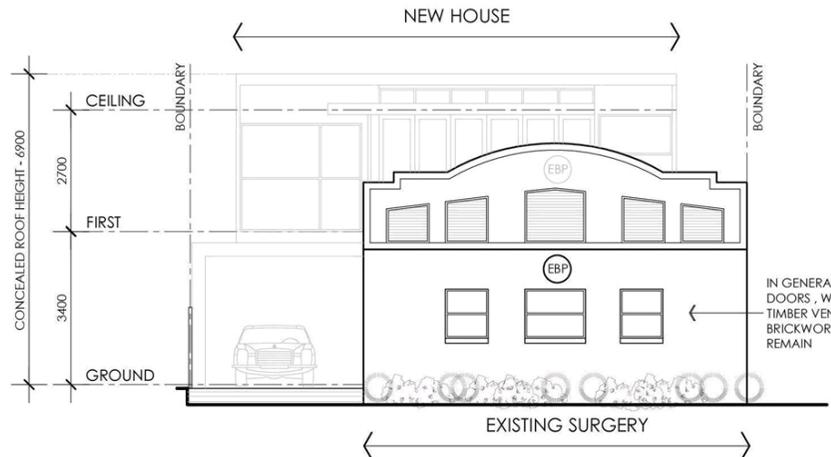
D R A W I N G  
FIRST FLOOR  
PLAN

JOB NO	DRAWN
14.08	RS

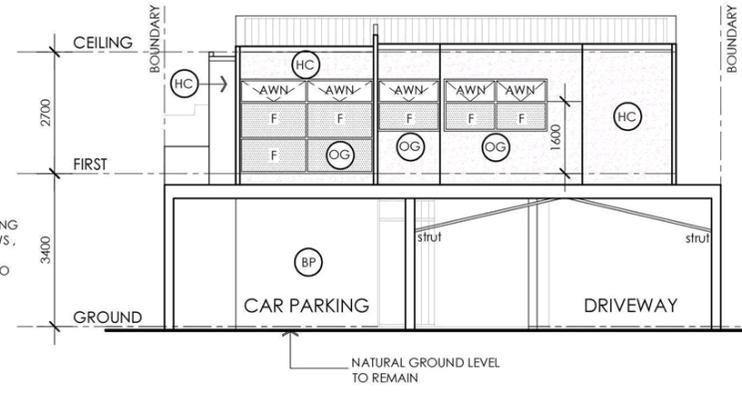
SCALE	DATE
1:100	NOV '14

DWG NO	SHEET
SK3	D.A

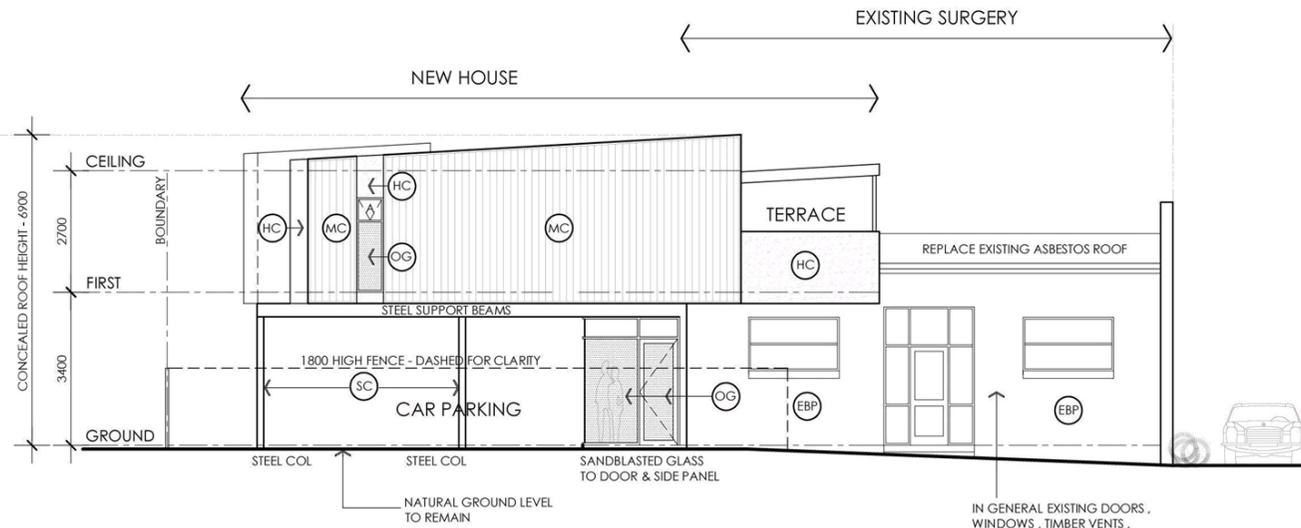
All dimensions are to be verified on site before commencement of work or shop drawings.  
COPYRIGHT



ELEVATION 1 (VINCENT STREET) NORTH  
1: 100 @ A3 SHEET SIZE



ELEVATION 2 SOUTH  
1: 100 @ A3 SHEET SIZE



ELEVATION 3 EAST  
1: 100 @ A3 SHEET SIZE

LEGEND

- (HC) HARDIES COMTEX FLUSH JOINTED BOARD
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- (EBP) EXISTING PAINTED BRICKWORK
- (SC) EXPOSED STEEL COLUMNS & BEAMS PAINTED WITH DULUX MIACEOUS OXIDE - NAURAL STEEL GREY
- (OG) OBSCURE GLASS

CITY OF VINCENT  
RECEIVED  
23 July 2018

**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004 TELEPHONE (08) 9225 7153

CLIENT  
BENNETT

J O B  
NEW RESIDENCE  
& MINOR WORK  
TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINCENT STREET  
MT LAWLEY

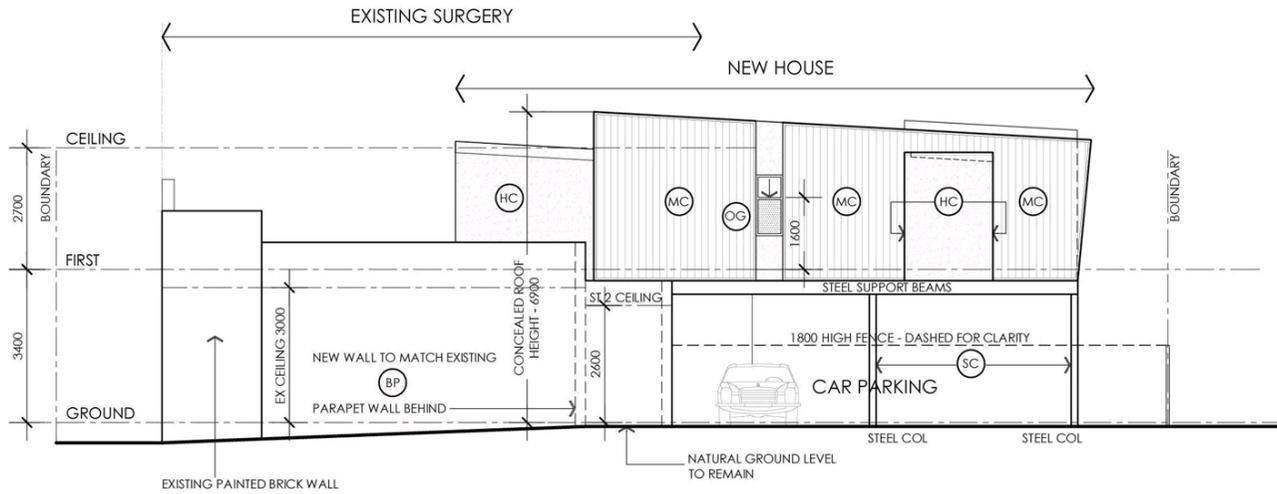
D R A W I N G  
ELEVATIONS

JOB NO	DRAWN
14.08	RS

SCALE	DATE
1: 100	NOV '14

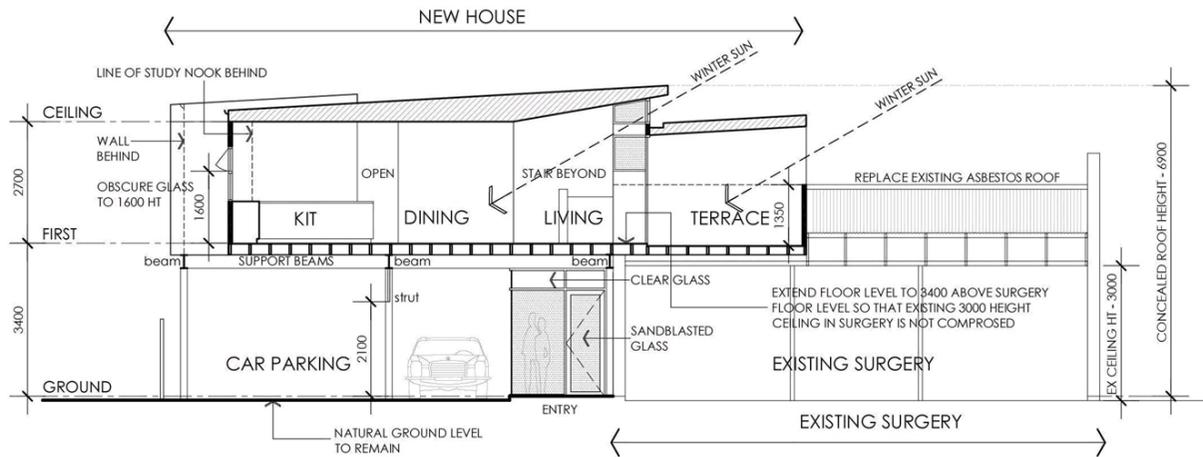
DWG NO	SHEET
SK4	D.A.

All dimensions are to be verified on site before commencement of work or shop drawings.  
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ELEVATION 4 WEST

1: 100 @ A3 SHEET SIZE



SECTION A-A

1: 100 @ A3 SHEET SIZE

LEGEND

- (HC) HARDIES COMTEX FLUSH JOINTED BOARD
- (MC) COLORBOND OR SIMILAR METAL DECK CLADDING WITH VERTICAL GROOVES
- (BP) BRICK WALL PAINTED TO MATCH EXISTING
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- (OG) OBSCURE GLASS

CITY OF VINCENT  
RECEIVED  
23 July 2018

**BRUCE ARNOLD**  
ARCHITECTS  
LEVEL 4, 181 ADELAIDE TERRACE, EAST PERTH, W.A. 6004 TELEPHONE (08) 9225 7153

CLIENT  
BENNETT

J O B  
NEW RESIDENCE  
& MINOR WORK  
TO EX SURGERY

S I T E  
#21 (LOT 22)  
VINGENT STREET  
MT LAWLEY

D R A W I N G  
ELEVATION &  
SECTION

JOB NO 14.08	DRAWN RS
SCALE 1: 100	DATE NOV '14
DWG NO SK5	DATE D.A.

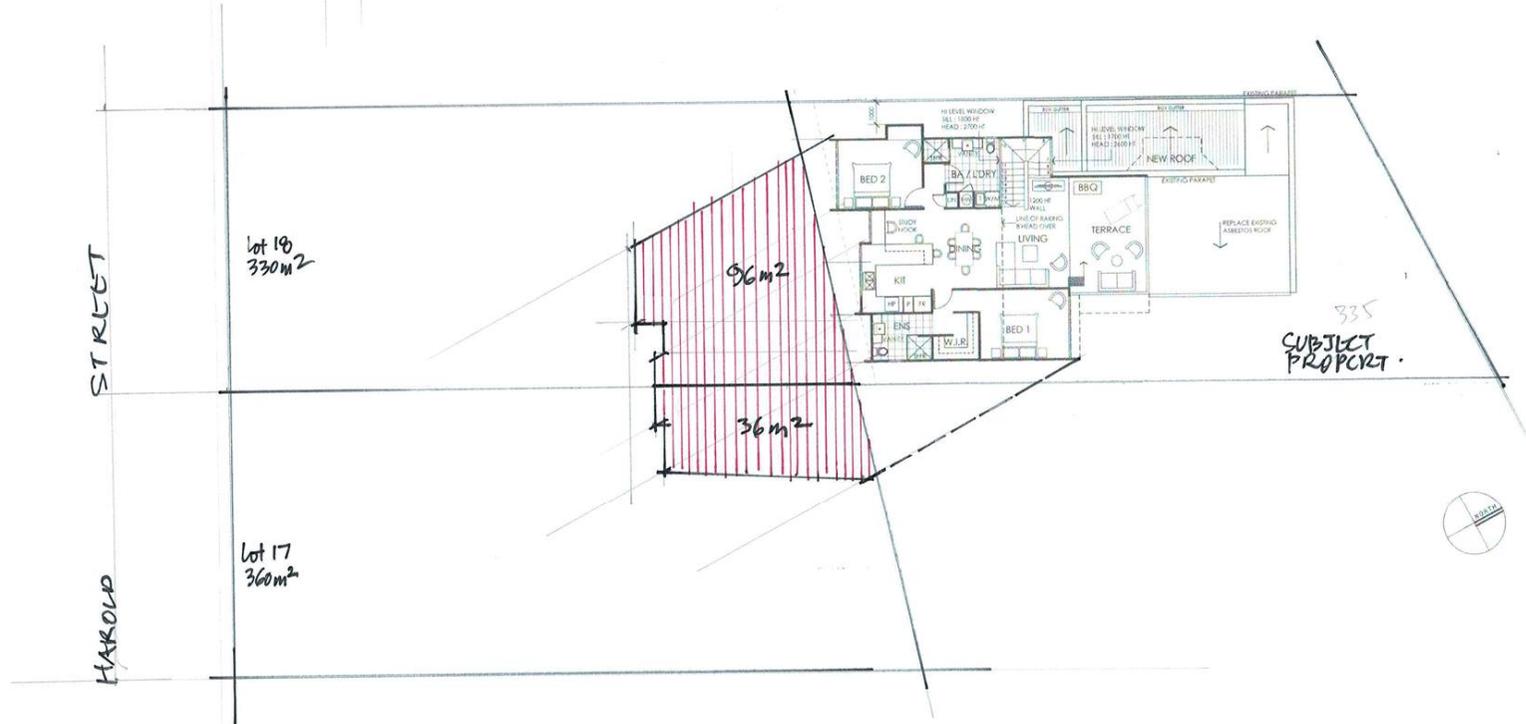
All dimensions are to be verified on site before commencement of work or shop drawings.  
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SUN STUDY - FOR OVERSHADOWING

@ 12 noon  
June 21.

Lot 18 - Site Area - 330 m<sup>2</sup>  
 - max permissible - 165 m<sup>2</sup> (50%)  
 - Actual - 96 m<sup>2</sup> (29%)

Lot 17 - Site Area - 360 m<sup>2</sup>  
 - max permissible - 180 m<sup>2</sup> (50%)  
 - Actual - 36 m<sup>2</sup> (10%)



CITY OF VINCENT  
 RECEIVED  
 23 July 2018

PLAN 1:200 @ A3  
 20/11/14.

**APPLICATION FOR APPROVAL TO  
COMMENCE DEVELOPMENT**

18 JULY 2018

---

**NEW TWO STOREY GROUPED RESIDENCE AND MINOR WORK TO EXISTING  
DENTAL SURGERY**

Lot 22, # 21, Vincent Street, MT. LAWLEY

---

BRUCE ARNOLD ARCHITECT  
Level 4, 181 Adelaide terrace, East Perth

**CONTENTS**

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**1.0 INTRODUCTION**

**2.0 THE SITE**

**3.0 EXISTING SERVICES**

**4.0 PROPOSAL DESCRIPTION**

**4.1 Generally**

**4.2 Proposed Philosophy**

**5.0 OPERATION OF THE DENTAL PRACTICE**

**6.0 COMPLIANCE AND MANAGEMENT PLANNING ISSUES**

**6.1 R-Code Application**

**6.2 Car parking**

**7.0 SCHEDULE OF FINISHES**

**8.0 CONDITION 4.1 OF ORIGINAL APPROVAL.**

**9.0 CONCLUSION**

---

## 1.0 INTRODUCTION

---

Bruce Arnold Architect act for Jeff Bennett on this matter and lodge this application on their behalf.

On the 23<sup>rd</sup> February 2015, we received an Approval to Commence Development (your ref 5.2014.656.1) on the above property for a new grouped dwelling at the rear of the lot and minor work to the existing Dental practice.

The ongoing Dental practice business was purchased by my client around late 2014 and was then leased to The Dental Corporation (DUPA). Unfortunately a condition of the lease meant that the approved works was not able to be executed which in turn resulted in the approval lapsing in February 2017.

In the recent months, the lessee has indicated that they no longer wish to peruse the lease and my client, Mr. Bennett, who is Dentist, will now look to take over the running the practice as a small local practice similar to the one he currently operates in Donnybrook. Due to this change in the leasing arrangement, my client would wishes to resubmit the documents which were originally approved which is to provide a small extension to the existing surgery and add a grouped dwelling at the rear of the existing building.

The proposed new dwelling, which is the major work associated with this proposal, will form a part of the package being offered to either the resident dentist or the hygienist employed in the surgery and may also be part of an interchange staff programme with the Donnybrook practice. On this basis there is no immediate necessity to strata title the dwelling but this may be done as a matter of procedure rather than necessity.

In essence this submission is identical to the original one with clarifications and minor modifications to this report. The drawings remain unchanged and retain the original submission date.

## 2.0 THE SITE

---

The subject land is situated in the Hyde Park Precinct and is coded residential R-80 commercial under the Town Planning Scheme 1.

The existing building is listed on the City's Municipal Heritage Inventory (MHI) as Management Category A – Conservation Essential. The building, a former sub-station has considerable historic value as part of a tram and trolley bus transportation system that operated in Perth from 1899 to 1969 and contributed significantly to the development of the suburbs within the Town of Vincent. The building has some aesthetic value as a good example of a municipal building constructed in the Inter-War Functionalist Style.

Over twenty four years ago on 24<sup>th</sup> April 1990, the City of Perth granted approval for the existing building to be used for a Dental Surgery and it does so today and will continue as previously mentioned.

The land rises from Vincent Street to the rear by approximately one meter and all three boundaries contain residential.

The improvements on the subject land is a former sub-station which was converted into the Dental Surgery in the late 90's is listed on the City's Municipal Heritage Inventory (MHI) as Management Category A – Conservation Essential.

The works proposed in the attached plans comprise:

- Construction of a two storey grouped dwelling at the rear of the existing building over the existing car parking bays.
- Construction of an outdoor terrace from the residence which will extend over the roof of the rear section of the existing building.
- Construction of a single storey addition to the existing building containing the surgery at the west of the existing building.
- Construction of a new car bay in front of the existing building.

In the original submission I had discussions with Hopping Au (Heritage Office); and Gillian Bellinger (Technical Services) regarding the property, and the planning officer who handled the application was Adam Dyson. For this application I have dealt with the duty planner via telephone as well as an over the counter discussion with Andrea Terni at the City's offices.

### **3.0 EXISTING SERVICES**

---

The site is sewered and has access to all services necessary for the proposed use.

### **4.0 PROPOSAL DESCRIPTION**

---

#### **4.1 Generally**

The proposal is to construct a very unique and innovative 2 storey grouped dwelling which can be offered to the resident local dentist one from the country, or the hygienist as part of their salary package. The dwelling is to be designed to look dissimilar to the original building so that the identity and individuality of the classified is not compromised.

The dwelling will incorporate a high level of finishes; the quality of fixtures and fittings will be a high level and the internal and external living areas will be larger than the standard 2 bedroom units currently on offer in the neighbourhood.

The proposal includes the removal of a large Cape Lilac tree situated at the front of the property. These trees are known pests in that they shed large amounts of berries making a massive mess on the grounds. Due to the tree's position, it causes immense problems to roof stormwater drainage.

A carbay will be located at the trees original position and the space will be re landscaped to become a far more manageable and attractive area.

The original submission was originally considered as acceptable by the then Heritage officer, Hoping Au.

#### **4.2 Proposed Philosophy**

The planning intent of the development is to –

- A. Make good where necessary and carry out necessary maintenance (eg removal of the asbestos roof and fencing) to the original building and ensure its presence on the street is both preserved and enhanced.
- B. Provide a high quality residence which will improve the properties business operation, whilst value adding to the lot.
- C. Provide a residence which can cater for the resident local dentist(s) or hygienist or the interchange of staff from my client's country practice. This is part of my client's philosophy of "localising" the surgery, and although early discussions with staff have stated a keenness to live there, this may not always be the case depending on lifestyle choices.
- D. Provide an overall development which can utilize the developing Mt. Lawley strip and all that it has to offer.
- D. Extend the original surgery and increase the available services to the locality.

#### **5.0 OPERATION OF DENTAL PRACTICE.**

---

The dental Practice currently operates as the "MT. Lawley Dental Clinic" a respected local business for over 24 years. In the April 1990 DA approval, one of the conditions was that

*"...there only be one dentist operating from the site at any one time and that no other medical practitioner, such as a dental therapist, is to operate on site".*

At present the surgery continues to operate with one dentist.

Mr Bennett, once again, seeks an approval to have a dental hygienist, operate out of the second existing surgery room. A hygienist is a an important aspect to all modern day surgery's offering regular professional cleaning and treatment to teeth and educating patients of all ages for proper cleaning techniques for the prevention of tooth decay. A hygienist would aid the practice dramatically by offering a higher and more comprehensive quality of service to patients.

## 6.0 COMPLIANCE AND MANAGEMENT ISSUES

### 6.1 R-Code Application

This application for the grouped dwelling is based on the following:

ELEMENTS IN CODES	COMMENTS
DENSITY AND PLOT RATIO	The site has been developed within the allowable provisions.
STREETSCAPE	The street presentation will be maintained and the existing dangerous and hazardous asbestos material contained within the property is to be replaced.
BOUNDARY SETBACK REQUIREMENTS	All setbacks to the boundaries conform to the Codes.
OPEN SPACE	The open space requirements are met.
OVERSHADOWING	The project conforms which the requirements of the R-Codes. Refer attached diagram.
ACCESS AND CAR PARKING	Refer 6.2 below
SITEWORKS	The work to this residence is being carried out within the existing parameters of the current cut and fills requirements. The siting of the addition follows the natural fall of the land..
BUILDING HEIGHT	The building conforms to the requirements of the R-Codes.
PRIVACY	The development conforms to the R-Code provisions concerning privacy to adjoining residences.
DESIGN FOR CLIMATE	A. This development conforms to the solar access provisions for adjoining sites as indicated on the drawing attached to this letter. B. All stormwater is to be retained on site.
INCIDENTAL DEVELOPMENT	External and essential fixtures are to conform to the codes.

### 6.2 Car parking

#### 6.2.1 PARKING REQUIREMENT

The assessment for parking is based on the following;

A. Existing Consultancy Room	3.0 bays
B. New Hygienist Room	3.0 bays
C. Proposed Residence	1.0 bay
<b>Total Bays required</b>	<b>7.0 bays</b>

This application seeks a reduction in the number of parking bays and we further request that any shortfall be considered as a cash-in-lieu payment.

The location of the site and the design considerations, and surrounding infrastructure, adequately addresses patron access to the site. They are as follows;

#### 6.2.2 PUBLIC TRANSPORT

The two major arterial roads in close proximity to the site, Beaufort Street and William Street, are very well serviced by public transport.

- There is a bus stop on Beaufort Street which services a northern bound bus route which is 145m from the site.
- There is a bus stop on Beaufort Street which service a southern bound bus route which is 220m from the site.
- There is a bus stop on William Street which services a northern bound bus route which is 338m from the site.
- There is a bus stop on William Street which services a southern bound bus route which is 357m from the site.

#### 6.2.3 RESIDENTIAL BAY

As mentioned earlier in the report, the residence is to form part of a salary package for the dentist employed so the allocated residential bay will be occupied that person resulting in one less staff car bay being required.

#### 6.2.4 STREET PARKING

There is a total of 46 one hour street parking bays available, (8am to 5.30pm from Monday to Friday and 8am to 12 noon on Saturday) on both sides of the street from the Beaufort Street intersection to Harold Street intersection. This provides an excellent opportunity for patrons to access to site.

#### 6.2.5 END OF USE FACILITIES

The premises currently has room with shower facilities and 3 lockers, mounted off the floor, will be installed in this room. Bike racks are provided at the front of the development.

#### 6.2.6 PUBLIC PARKING

There are 54 paid public parking bays at the corner of Beaufort Street and Barlee Street which is 250m from the site.

### 6.2.6 SUMMARY OF PARKING

As detailed above and on the COV Parking Management Plan Framework, the site will have a small shortfall, however the location of the practice adequately deals with any major concerns of a major shortfall as follows;

- There is alternative public and street car parking, bicycle parking and/or end of trip facilities available and accessible to staff of patrons to meet the demands of the development during the hours of operation, for the life of the development;
- The alternative transport modes are convenient and adequate enough to meet the demand of the development during the hours of operation;

I suggest that this resubmission be considered the same, or even less, of the original approval which had a 1.264 car parking bay shortfall.

## 7. SCHEDULE OF FINISHES

---

Generally refer to the drawings but a summary is as follows;

Footings & slab-	Concrete
Walls-	UNIT Framed wall clad externally with sheet meal and internally with plasterboard.
	SURGERY Brickwork to match Existing
Roof-	Zincalume custom orb metal deck.
Ceilings-surgery.	Flush plasterboard to both the residence and the
Floors-	RESIDENCE Framed flooring with timber floor boards.
	SURGERY Concrete floor with vinyl.
Windows-	Natural Anodised aluminium to residence.

**8. CONDITION 4.1 OF ORIGINAL APPROVAL.**

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Item 4.1 of the original approval stated

*The terrace roof shall have a minimum of two thirds of the proposed area without permanent roofing. (R-Code item C5.3.1 C3.1)*

The Design Principles of an outdoor living space as defined in the R-Codes is a space which is-

- capable of use in conjunction with a habitable room of the dwelling;
- open to winter sun and ventilation; and
- optimise use of the northern aspect of the site.

The codes further states that Balconies or equivalent outdoor living areas capable are to be used in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.

On the attached drawing sheet no. 5, section AA, it shows the terrace roof sloping upward on the northern side in order to capture the winter sun. In addition, there is a north facing highlight window to the living room positioned to capture the sun. This arrangement permits sunlight into both areas.

The restricting of the terrace roof to 1/3 open is not practical in this instance. Apart front capturing winter sunlight, a covered terrace ensures protection from the summer sun; it protects furniture and equipment such as barbeques; it allows soft furnishings on outdoor settings to remain in place rather than being taken in at night and it generally provides a far more usable space that if it were covered by 1/3 of a roof.

I request a variation to the codes on this matter on the basis of the design principles being satisfied.

**9. CONCLUSION**

---

The current practice has been operating as the MT. Lawley dental Clinic since the late 1990's.

In this re-application, it is still my client's intension to upgrade the practice so that it can continue to operate as a service to the local area and to the surrounding suburbs. The request to include the services of a hygienist in conjunction with the dentist as well as extending the building to accommodate improved facilities will enhance the service available by the current practice.

The proposed residence is located well towards the rear and the design assures that the original remains a landmark benefit to the streetscape. The residence add

to the diversity of housing types and it offers excellent access to the activities in the heart of Mt. Lawley.

As with the original, this application seeks a reduction in the number of parking bays and we further request that the shortfall be considered as a cash-in-lieu payment as the location of the site and the design factors adequately addresses patron access to the site.

Additionally, considering the development was approved in February 2015 and there have been no significant changes to the zoning or to the local infrastructure re-approval seems appropriate in this instance.

Overall this proposed development is consistent with Council's objectives for the Hyde Park Precinct and proposed land use and the general development of the local area and accordingly I request that Council resolve to grant approval to this application.

## **A STUDY OF AVAILABLE PARKING BAYS**

In support of  
**AN APPLICATION FOR APPROVAL TO  
COMMENCE DEVELOPMENT**

2 OCTOBER 2018

---

### **NEW TWO STOREY GROUPED RESIDENCE AND MINOR WORK TO EXISTING DENTAL SURGERY**

Lot 22, # 21, Vincent Street, MT. LAWLEY

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BRUCE ARNOLD ARCHITECT  
Level 4, 181 Adelaide terrace, East Perth

**CONTENTS**

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1.0 INTRODUCTION

2.0 METHODOLOGY

3.0 STAFF NUMBERS AND CONSULTING TIMES

4.0 FINDINGS FROM SURVEY

5.0 PARKING MANAGEMENT STRATEGY

6.0 CONCLUSION

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## 1.0 INTRODUCTION

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Bruce Arnold Architect act for Jeff Bennett on this report and lodge this report as support for the current DA application being handled by Clair Morrison requesting an updated Parking Management Plan which to reflect-

1. Parking Survey:
  - a. A parking assessment which involves counting the number of car parking bays which are occupied (or available) at regular intervals during high demand periods over a period of time. The parking assessment will need to identify the car parking bays in questions and note the time and date of the parking survey. From there a conclusion can be reached which summarises the occupancy rate of the surrounding on street car parking bays. and
2. Written justification based on the result of the survey, and request (if desired), to waive the cash-in-lieu amount of \$27,000.00.

Item 1 and 2 above has been covered in this report. As previously mentioned via email, we will be seeking to waive the cash-in-lieu.

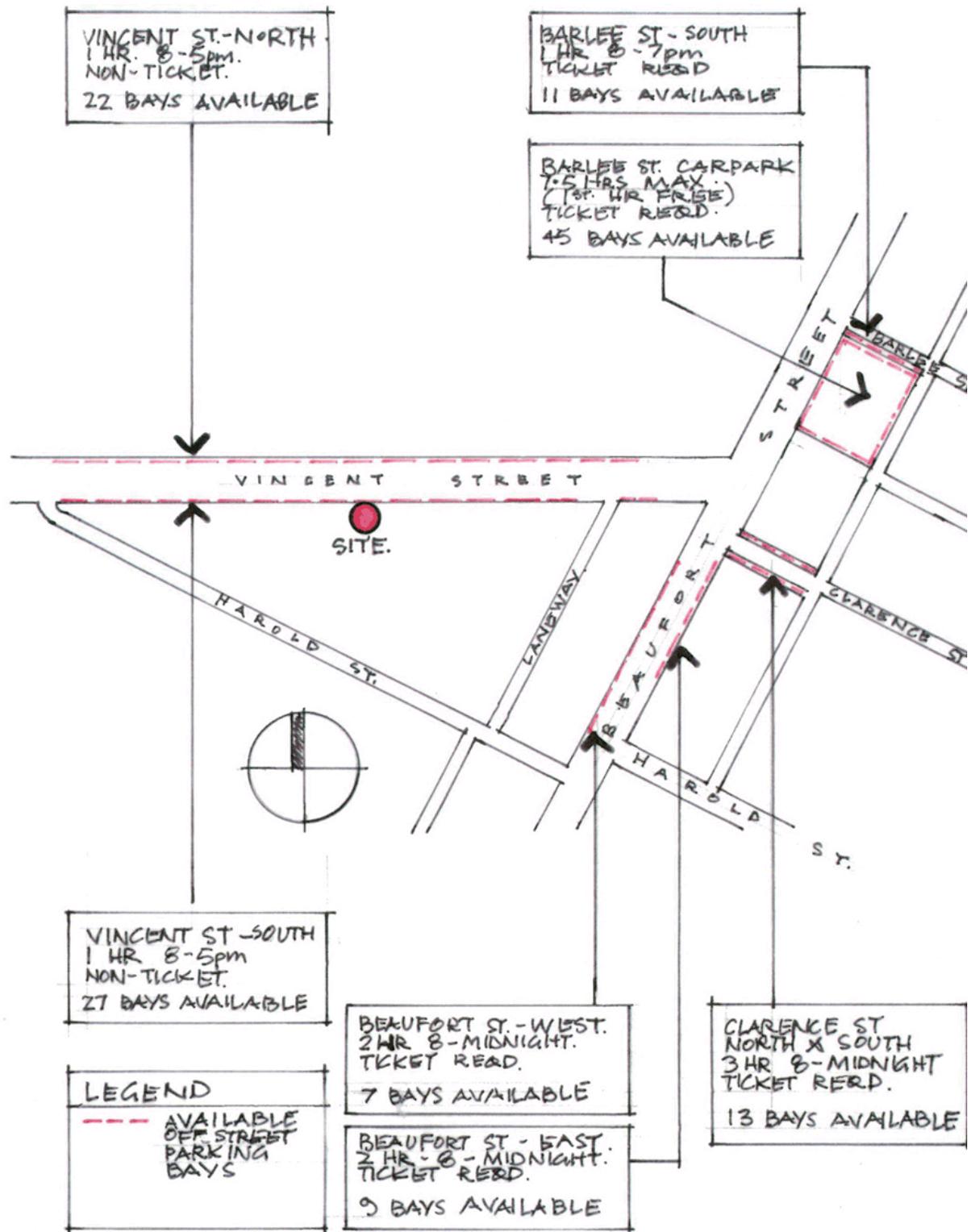
Based on the current Policy 7.7.1, the assessment of the current DA application carried out by the City was done under the - Non-Residential Development Parking Requirements. This policy indicates that a total of eight car parking bays is required- four for each consultant. Therefore, the shortfall indicated by the City proposed is five bays, with the relevant cash-in-lieu amount being \$27,000.

## 2.0 METHODOLOGY

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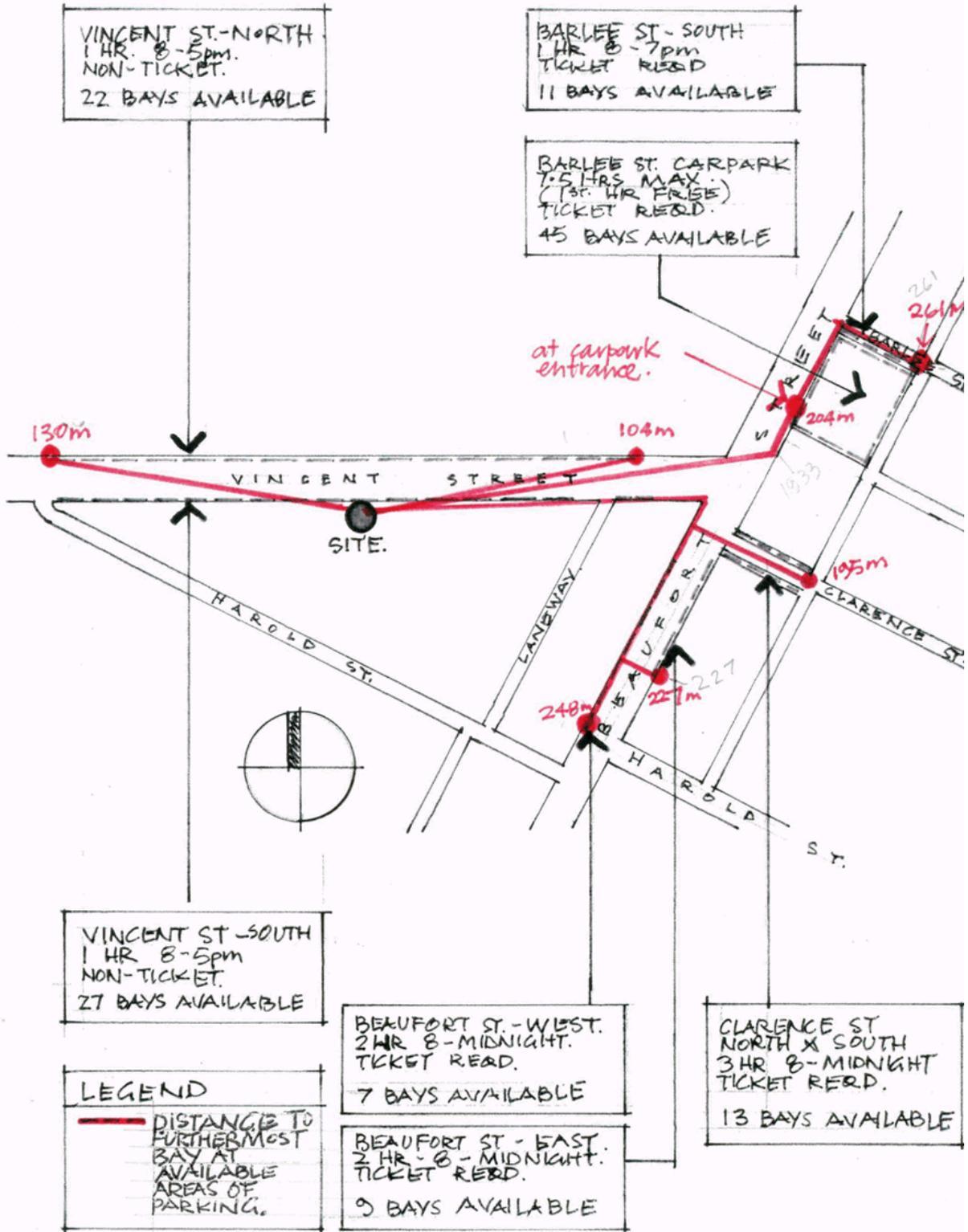
After discussions with Clair it was agreed to approach the study as follows-

1. Count the available car bays within a reasonable proximately to the site. It was therefore based a walking distance of approximately 260m which is the furthest bay in the study area.  
NOTE -the average human walking speed on flat terrain is about 5.0 kilometres per hour (km/h), it would therefore take just over 3 minutes to walk 260m.
2. The study area adopted was along part of Vincent Street; along part of Beaufort Street; the Barlee Street carpark; off street parking at the intersection of Barlee Street and Beaufort and the off street parking at the intersection of Clarence Street and Beaufort Street as detailed on Figures 1 and 2.
3. The position of available bays; the number of available bays and the permitted maximum parking times are detailed on Figure 1.



COUNTING OF OFF STREET PARKING BAYS

LOCATION MAP OF STUDY AREA



DISTANCE TO FURTHERMOST BAY AT AVAILABLE AREAS OF IN THE STUDY AREA

LOCTION MAP OF STUDY AREA

4. Counting times were to be done during standard business hours and it was agreed to be counted in 2 hour intervals commencing at 9am for one continuous week. In total there were 5 counts per day (9am, 11am, 1pm, 3pm and 5pm).
5. Only bays which allowed a maximum time for 1 hour or greater was counted.
6. Bays along Beaufort Street which were affected by the "Clearway" requirements at the stipulated time of the count were not included as vacant bays.
7. Table 1 indicates the number of parking bays counted and photographs were taken at each count time. All data and photographs were certified by a Justice of the Peace.

### **3.0 STAFF NUMBERS AND CONSULTATION TIMES**

---

A practice of this nature would have one Dentist; one Hygienist, one nurse for the Dentist and one receptionist- four in total, therefore allow for 4 cars maximum..

For the Hygienist, the time required for each patient consultation is one hour, which allows for 45 minutes in the chair, preparation and any time over run.

For the dentist, the patient consultation times range from 20 minutes up to a maximum of two hours. The longer time frames are far more infrequent, however on average, the time spent in the surgery is also one hour which is approximately 45 minutes in the chair, preparation and any time overrun as per the hygienist.

It is highly unlikely that there would ever be a continuously full schedule of booked patients between 9am and 5pm every day of the week. However for this exercise, if we consider it to be fully booked, it would equate to two patients per hour plus an allowance of two patients waiting, therefore four patients per hour, hence allow for 4 cars maximum.

### **4.0 FINDINGS FROM SURVEY**

---

There was an excessive amount of bays available each day during standard working hours within close proximity to the site within the study area. There is also a wide range of maximum parking times available which ranges from 1 hour along Vincent Street; 3 hours along Beaufort Street and up to 7.5hrs maximum in the Barlee Street carpark.

In the study area there is a total of 134 potential parking bays available.

Based on Table 1 the actual parking bays available to staff and patients of the surgery.at the count is as follows overleaf;

DAY	TIME	Car Bays Available in study area	Bay available at count in study area
Mon 17 Sept	9am	134 bays total available	105 (78%)
	11am		91 (68%)
	1pm		90 (67%)
	3pm		85 (63%)
	5pm		72 (54%)
Tue 18 Sept	9am		94 (70%)
	11am		87 (65%)
	1pm		79 (59%)
	3pm		90 (67%)
	5pm		75 (56%)
Wed 19 Sept	9am		97 (72%)
	11am		92 (68%)
	1pm		78 (58%)
	3pm		96 (71%)
	5pm		77 (57%)
Thur 20 Sept	9am		89 (66%)
	11am		95 (70%)
	1pm		71 (52%)
	3pm		76 (56%)
	5pm		59 (44%)
Fri 21 Sept	9am		88 (66%)
	11am		82 (61%)
	1pm		62 (46%)
	3pm		87 (64%)
	5pm		59 (44%)

- 4.1 On average, there were 82 bays (61%) of the total 134 bays available at each count time.
- 4.2 The highest number of bays available was 105 (78%), and the lowest was 59 bays (44%).
- 4.3 The northern and southern sides of Vincent Street had an average of 9 bays (18%) bays unoccupied of the total 49 bays available, at the count times during the day.
- 4.4 The eastern and western sides of Beaufort Street had an average of 7 (44%) bays unoccupied, of the total 16 bays available, at the count times during the day.
- 4.5 The parking area at the intersection of Clarence Street and Beaufort Street had an average of 7 bays (54%) of the total 11 bays unoccupied, at the count times during the day.

- 4.6 The parking area at the intersection of Barlee Street and Beaufort Street had an average of 8 bays (54%) unoccupied, of the 11 bays available, at the count times during the day.
- 4.7 The Barlee Street Carpark had an average of 34 bays (76%) of the total 45 bays unoccupied, at the count times during the day. This carpark is currently highly underutilised, and has been so since constructed. It can accommodate a parking period up to 7.5 hrs maximum.
- 4.8 Of the 25 counting times over the 5 day period, the available parking bays at a count times only dropped below 50%- 59 bays (of the total 134 available bays), on two occasions. This was 5pm Thursday 20<sup>th</sup> and 5pm on Friday 21<sup>st</sup> September.

## **5.0 PARKING MANAGEMENT STRATEGY**

---

With the amount of parking offered and with the range of parking times available, the management of the practice will implement a parking strategy for both staff and patients. Discussions with the client, Mr. Bennett, indicated that the following strategies could easily be put in place to manage parking for the practice. This would also take into consideration the three on site bays.

- 5.1 One of the bays at the rear of the practice would be set aside for the residence.
- 5.2 The Dentist and hygienist and the remaining staff would park in the Barlee Street carpark.
- 5.3 The UAT bay at the rear is to be left free for people with disabilities.
- 5.4 The bay at the front is to be available for patients.
- 5.5 The remaining patients are able to park in the available off street bays located at a maximum of three minutes from the site with available parking times ranging from 1hr up to 7.5 hours.
- 5.6 The receptionist will be able to advise patients on where to park based on the scheduled dental work to be carried out when an appointment is being made.

## **6.0 CONCLUSION**

---

The count and associated findings indicate unequivocally, that there is an abundance of parking available within three minutes maximum walking distance to the proposed practice. Points for conclusion are as follows;

- 6.1. The proposed development is situated in an area with a high abundance of parking nearby. Although the development is deemed to fall short of the current COV parking requirements by five bays, the area easily contains sufficient parking which also has flexible parking times.

6.2 On average, there were 82 bays (61%) of the total 134 bays available at count times. Only at two of the counting times did the study area contain unoccupied bays which fell below 50% of available bays. This still represents 59 bays still available.

6.3 Based on parking demand of the practice, all staff are able to park at Barlee Street carpark leaving a parking requirement of four bays for patients per hour. With one bay available on site the requirement would therefore be only three bays per hour on the average.

Based on this requirement, the averages stated in point 6.2 above, the area easily caters for the required 3 bays per hour.

6.4 The Barlee Street Parking Station is highly underutilised having an average of 34 bay available at count times, of the total 45 bays available.

On its own, this carpark is sufficient to cater for all the parking needs of the site and even then, the carpark would still not be used to its full capacity. At 204m to the entrance of the carpark, the walking distance for an average person to the site is 2.5 minutes.

6.5 The level of parking generated is considered to have no material impact on the surrounding neighbourhood.

6.6 Access to all available parking is off main arterial roads with easy access points.

6.7 Appropriate access to the on street parking is provided in accordance with AS2890.1.

6.8 All of the above does not even take into consideration that the site is also located close to Beaufort Street and therefore has extremely good access public transport travelling to and from the city for both Staff and patients. Provisions of bicycle and end-of-trip facilities have also been provided.

Without a shadow of a doubt, this site is extremely well serviced by off street parking.

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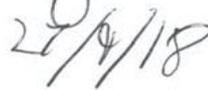
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PHOTOGRAPHS AT COUNT TIMES



I, Portia Heathcote, hereby certify that I was the person conducting the count and certify that the information provided is true and accurate.

Signature: 

Date: 

Witness: 

**IAIN GEORGE MARTIN No. 29484**  
 JUSTICE OF THE PEACE  
 FOR WESTERN AUSTRALIA  
 301C WANNEROO RD BALCATT  
 +61 0412 341 432

Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



I, Portia Heathcote, hereby certify that I was the person conducting the count and certify that the information provided is true and accurate.

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27/9/18

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Project: Dental Surgery, 21 Vincent Street, MT LAWLEY

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I, Portia Heathcote, hereby certify that I was the person conducting the count and certify that the information provided is true and accurate.

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Witness:

Iain George Martin No. 29464  
 JUSTICE OF THE PEACE  
 FOR WESTERN AUSTRALIA  
 301C WANNEROO RD BALCATTA  
 10 SEP 2018

Project: Dental Surgery, 21 Vincent Street, MT LAWLEY

Iain George Martin Justice of the Peace No. 29464

Not proof read



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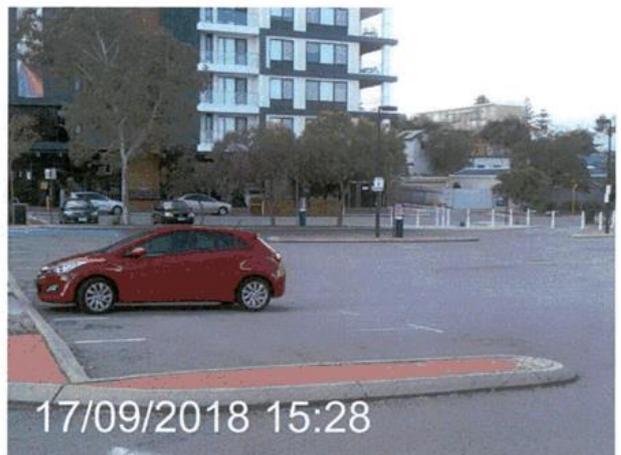
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*27/9/18*

Witness:

*[Handwritten signature]*

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*27/9/18*

Witness:

*[Handwritten signature]*

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Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



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*[Handwritten signature]*

Date:

*27/09/18*

Witness:

*[Handwritten signature]*

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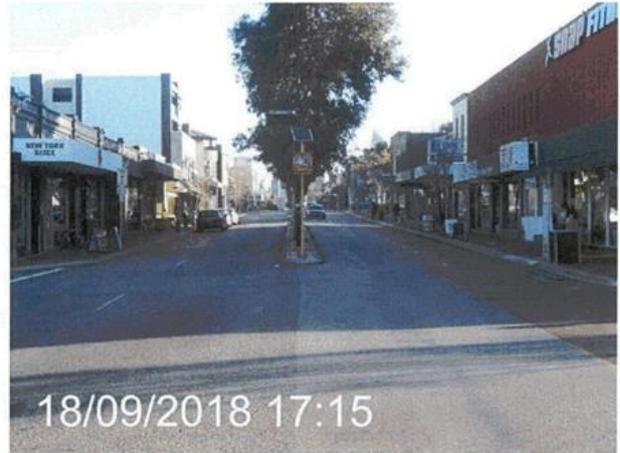
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Signature: *[Handwritten Signature]*

Date: *27/9/18*

Witness: *[Handwritten Signature]*

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Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



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Signature:

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*[Handwritten Signature]*  
*27/8/18*

Witness:

*[Handwritten Signature]*

IAIN GEORGE MARTIN No. 28403  
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Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



I, Portia Heathcote, hereby certify that I was the person conducting the count and certify that the information provided is true and accurate.

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Witness:

NEW GEORGE MARTIN No. 28483  
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 FOR WESTERN AUSTRALIA  
 301C WANNEROO RD BALCATTA  
 181 0412 341 432

Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



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27/9/18

Witness:

LAIN GEORGE MARTIN No. 29484  
JUSTICE OF THE PEACE  
FOR WESTERN AUSTRALIA  
301C WANNEROO RD BALCATTA  
+61 0412 341 432

Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



I, Portia Heathcote, hereby certify that I was the person conducting the count and certify that the information provided is true and accurate.

Signature:

Date:

27/9/18

Witness:

MR GEORGE MARTIN No. 29484  
 JUSTICE OF THE PEACE  
 FOR WESTERN AUSTRALIA  
 2010 WANNEROO RD BALCATT  
 +61 0412 341 432

Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



I, Portia Heathcote, hereby certify that I was the person conducting the count and certify that the information provided is true and accurate.

Signature:

Date:

Witness:

LEN GEORGE MARTIN No. 28403  
JUSTICE OF THE PEACE  
FOR WESTERN AUSTRALIA  
201C WANNEROO RD BALCATT  
+61 0412 341 432

Project: Dental Surgery, 21 Vincent Street, MT LAWLEY



APPENDIX 2 – PARKING MANAGEMENT PLAN FRAMEWORK

Owner/Applicant Details	
Name:	BRUCE ARNOLD
Address:	LEVEL 4 181 ADELAIDE TERRACE E. PERTH
Phone:	0411 88 99 35
Email:	bruce@archpa.com
Applicant Signature:	

Property Details	
Lot Number:	lot 22
Address:	21 Vincent ST, Mt. Lawley

Parking Allocation:

The following table should be prepared for inclusion in this Parking Management Plan to outline the parking available for the different users of this development application.

Parking Allocation	
Total Number Car Parking Spaces:	REQD - 7
Total Number Short Term Bicycle Parking Spaces:	3 (COCO Expo) BOOL - single sided
Total Number Long Term Bicycle Parking Spaces:	part of above
Total Number Other Bays:	

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL  
 POLICY NO: 7.7.1  
 NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

Development Type	Development Users	Parking Allocation			
		Type / Duration	No. Car spaces	No. Bicycle Spaces	No. Other Spaces
E.g. Private Recreation Town Centre	Staff	Employee (> 3 hours)	2	1	-
	Customers	Visitor (< 3 hours)	7	2	-
	Other	Service (15 minute)	-	-	1
	Other	Disabled	-	-	1
	3 staff	> 3hrs	2	3	
	customers	< 1hr	—	part of above 3	—
	other	disabled	—	—	1

Note: In a mixed use development the parking allocation for residential and non-residential portions must be provided separately in the above table.

**Alternative Transport:**

The following table should be prepared for inclusion in this Parking Management Plan to outline the alternative transport options available to users of this development application.

Transport Option	Type & Level of Service
Public Transport	
Train	N/A
Bus	Refer item 6 of reports

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL  
 POLICY NO: 7.7.1  
 NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

Pedestrian	
Paths	<ul style="list-style-type: none"> <li>• Path on verge</li> <li>• Entry path on part of exist driveway</li> </ul>
Facilities	—
Cycling	
Paths	<ul style="list-style-type: none"> <li>• no designated cycle path on street</li> </ul>
Facilities	<ul style="list-style-type: none"> <li>• End of trip facility provided</li> </ul>
Secure Bicycle Parking	<ul style="list-style-type: none"> <li>• Yes at front.</li> </ul>
Lockers	<ul style="list-style-type: none"> <li>• 3 to go in shower room</li> </ul>
Showers/Change Room	<ul style="list-style-type: none"> <li>• yes 1 of</li> </ul>

**Public Parking:**

Identify the number of on street and off street public parking in the vicinity in the following table.

	No. Marked Spaces	Location	Parking Restrictions
On Street Parking	3	1 at front 2 at rear	as reqd.
Off Street Parking	46	Available on both sides of Vincent Street.	1 hr

**Parking Management Strategies**

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL  
POLICY NO: 7.7.1  
NON-RESIDENTIAL DEVELOPMENT PARKING REQUIREMENTS

Parking management strategies providing implementation details must be provided to ensure that the 'Parking Allocation' is used as demonstrated in this Parking Management Plan.

The allocation of bays as specified in the Parking Management Plan shall be included in the development application and planning approval.

The following information shall be provided, where applicable, within the Parking Management Plan:

1. Details of who will be responsible for management, operation and maintenance of parking (inclusive of car stackers); - *The owner*
2. Management of allocation of parking bays as specified in this Parking Management Plan including signage and enforcement; - *The owner*
3. Management of Tandem Parking for staff/tenants; - *N/A*
4. Way finding measures to ensure efficient use of parking facilities; and *Advise client when booking is made*
5. Promotion of alternative transport modes such as the provision of well-maintained bicycle and end of trip facilities, use of active transport initiatives or public transport *as above* promotion.



CITY OF VINCENT

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HERITAGE IMPACT STATEMENT FOR  
NO. 21 VINCENT STREET, MOUNT LAWLEY



**Prepared by:**

Hoping Au – Heritage Officer  
City of Vincent – 18 December 2014

**Owner:**

Applicant – Bruce Arnold Architects  
Owner – Jeffery W & Lynn H Bennett

## HERITAGE IMPACT STATEMENT

1. **Heritage Impact Statement for:** No. 21 Vincent Street, Mount Lawley.
2. **Proposal:**
  - Construction of a two storey residence and carport to the rear of the existing building; and
  - Construction of an addition on the ground floor to the west of the existing building.
3. **Site**



4. **Heritage Status**
  - 4.1 **Municipal Heritage Inventory**  
Management Category A - Conservation Essential
  - 4.2 **State Register of Heritage Places**  
No
5. **Statement of Significance**

The former substation has *considerable historic value* as a physical record of Perth's tram and trolley bus transportation system that operated in Perth from 1899 to 1969 and contributed significantly to the development of the suburbs within the City of Vincent. The former substation has *some aesthetic value* as a good example of a municipal building constructed in the Inter-War Functionalist style. The former substation has *considerable rarity value* as one of few remaining physical structures associated with the tram and trolley bus transportation system located within the City of Vincent.

## 6. Assessment of Heritage Impact

The City's Heritage Policy No. 7.6.1 Heritage Management – Development Guidelines P2 states *"Alterations and additions to places of heritage value should be respectful of and compatible with existing fabric and should not alter or obscure fabric that contributes to the significance of the place."*

- The new addition is contained to the rear of the site and setback approximately 15 metres from the street frontage behind the existing building. It is considered that the new addition will have no significant impact on the sightline of the existing building when viewing from Vincent Street.
- The proposed addition at the ground floor to the west of the existing building only involves minor alterations to the original fabric of the building. It is noted that the original western elevation will be retained and concealed behind a new wall.
- The materials and finishes of the new additions comprise colorbond metal deck cladding, steel columns and glass. The contemporary style of the additions is supported as the new materials and finishes are distinguishable from the old building and assists in the discernment of the evolution of the place.

## 7. Recommendations

Overall, it is considered that the proposal has no adverse impact on the cultural heritage significance of the subject place. In light of the above, the application is recommended for approval.

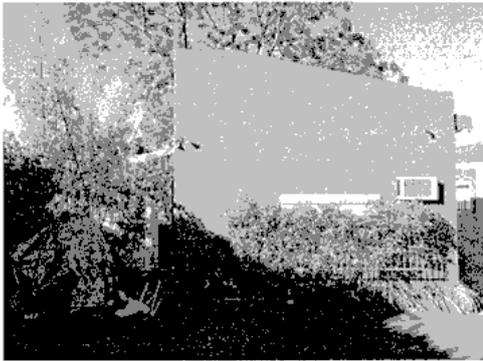
Photographs



West elevation



East elevation



South elevation

**Clair Morrison**

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**Sent:** Saturday, 13 October 2018 5:09 PM  
**To:** Clair Morrison  
**Subject:** RE: Development application for alterations and additions to consulting rooms at 21 Vincent Street, Mount Lawley

Hi Clair,

Thank you for your 9 October email and for the opportunity to provide comments on the development application for 21 Vincent Street, Mount Lawley.

I visited the site to view the property, from the street, in the context of the streetscape and I have also reviewed the following documents in order to provide my advice:

- City of Vincent Heritage Assessment for 21 Vincent Street, Mount Lawley
- 2014 Heritage Impact Statement, prepared by Hoping Au at the City of Vincent
- 21 Vincent Street D.A. drawings prepared by Bruce Arnold Architects including:
  - SK1 Existing Conditions Site Plan, scaled 1:100 at A3, dated November 2014
  - SK2 Ground Floor Plan, scaled 1:100 at A3, dated November 2014
  - SK3 First Floor Plan, scaled 1:100 at A3, dated November 2014
  - SK4 Elevations, scaled 1:100 at A3, dated November 2014
  - SK5 Sections, scaled 1:100 at A3, dated November 2014

I note the property is a Management Category A – Conservation Essential.

**Physical Description**

21 Vincent Street is located on the northern side of Vincent Street. The building is single storey with the street frontage on an angle due to the street alignment.

The front of the property is not fenced, has a small grassed area, low plantings adjacent to the building and a mature tree adjacent to the north-west boundary. The brick building is recorded as representative of the Inter-war Functionalist architectural style. It is a late example of the style as it was built in 1954.

The base of the building has been rendered up to 900mm (approximately). The brick has been painted red and the window trims rendered elements have been painted cream. The pitched roof to the building is concealed by a parapet to the north elevation. The parapet is symmetrical with a central curved coping that is stepped to the east and west elevations. To the upper section of the parapet are five (5No.) louvered vent windows that are equally proportioned along the façade. Three (3No.) horizontal proportioned windows are located to the north elevation.

The east elevation of the building has been painted and has a rendered base, similar to the north elevation. A double timber door with highlight glazing is centrally located with an awning roof above the doors. There are two (2No.) horizontal proportioned windows to either side of the entrance.

The south elevation of the building is not visible from the street. There are some view lines to the west elevation of the building.

A concrete driveway is located on the eastern side of the property. The boundary wall of 19 Vincent Street has a rendered wall that has been painted with a mural that faces the driveway.

### **Significance**

The former substation has considerable historic value as a physical record of Perth's tram and trolley bus transportation system that operated in Perth from 1899 to 1969 and contributed significantly to the development of the suburbs within the City of Vincent.

The former substation has some aesthetic value as a good example of a municipal building constructed in the Inter-War Functionalist architectural style. The former substation has considerable rarity value as one of few remaining physical structures associated with the tram and trolley bus transportation system located within the City of Vincent.

21 Vincent Street, Mount Lawley has been allocated a management category A which means that conservation is essential.

### **Proposal**

The Development Application is for alterations and additions to the existing building and a contemporary styled addition, including a first floor addition.

The drawings state that in general existing doors, windows, timber vents, brickwork etc, to remain.

The bulk of the addition will be set back from the Vincent Street elevation. It will include a carport area located to the southern boundary. This carport has steel columns and steel beams that will support the first floor addition.

The first floor addition is a two bedroom residence. The residence will be accessed by a new separate entrance to the south of the existing building and adjacent to the proposed carport area.

The proposal also includes an addition to the ground floor to the west of the existing building that is accessed by the dental surgery. The addition to the ground floor surgery space will be constructed with brickwork.

The first floor addition will have a skillion roof form and will have a metal and fibre cement cladding.

### **Heritage Impact Statement (2014)**

The 2014 Heritage Impact Statement does not reference drawings or documentation for the proposal. For this heritage advice it is assumed that the previous proposal was similar to the current proposal. The document records the following comments:

The City's Heritage Policy No. 7.6.1 Heritage Management – Development Guidelines P2 states "Alterations and additions to places of heritage value should be respectful of and compatible with existing fabric and should not alter or obscure fabric that contributes to the significance of the place."

The new addition is contained to the rear of the site and setback approximately 15 metres from the street frontage behind the existing building. It is considered that the new addition will have no significant impact on the sightline of the existing building when viewing from Vincent Street.

The proposed addition at the ground floor to the west of the existing building only involves minor alterations to the original fabric of the building. It is noted that the original western elevation will be retained and concealed behind a new wall.

The materials and finishes of the new additions comprise colorbond metal deck cladding, steel columns and glass. The contemporary style of the additions is supported as the new materials and finishes are distinguishable from the old building and assists in the discernment of the evolution of the place.

**Advice**

Following consideration of all the available documentation and an inspection from the street I advise:

1. No demolition plan has been submitted. The drawings provide a general note on retention; however, specific details on elements to be demolished should be provided for assessment. This is especially relevant for the north and east elevations.
2. The mature tree is to be removed. This is outside my specific area of expertise; however, it is noted in the heritage assessment as part of the streetscape.
3. The bulk, setback and contemporary architectural style of the addition is considered appropriate. The existing building is a strong and functional architectural statement and the proposal responds to the existing through a distinctive form and contemporary material selection.
4. The view lines of the existing building from Vincent Street will not be compromised by the addition.
5. Noting my comments that a demolition plan should be submitted prior to final consideration I am of the view that the proposed alterations and additions to 21 Vincent Street will not adversely impact on the cultural heritage values of the existing building.

Please do not hesitate to contact me if you require any further information or clarification of my advice.

**Summary of Submissions:**

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

Comments Received in Objection:	Officer Technical Comment:
<p><u>Overshadowing</u></p> <p>Concern overshadowing will impact the use and amenity of adjoining outdoor living areas.</p>	<p>The overshadowing occurring at midday on 21 June of each year will result in some overshadowing onto the back yard of the two southern lots. The proposed multiple dwelling results in 29 percent and 10 percent overshadowing on the two southern adjoining lots, which satisfies the deemed-to-comply maximum 50 percent overshadowing. As such, the overshadowing of the proposed development is not subject to the discretion of Council.</p>
<p><u>Damage to adjacent lots</u></p> <p>Concern over potential damage to dividing fences given the setbacks are extremely close to the lot boundaries.</p>	<p>The applicant has indicated that the three dividing fences contain asbestos. As a result, they are nominated to be replaced on the submitted development plans.</p>
<p><u>Dividing fences</u></p> <p>Concern over the loss of privacy should the dividing fences be removed.</p>	<p>Dividing fences, and the removal and/or replacement of dividing fences, are subject to the provisions of the <i>Dividing Fences Act 1961</i> and are a civil matter, to which the City has no authority. The Building Commission are the responsible authority that administers the <i>Dividing Fences Act 1961</i>. If there are any concern with the dividing fences, it is recommended that the landowner contact the Building Commission for advice.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter.

**Sent:** Monday, 22 October 2018 11:44 AM  
**To:** Clair Morrison  
**Subject:** 21 Vincent st, MT Lawley-response to advertising comments

Hi Clair,

A. I respond to the summary of submissions received as a result of the advertising.

Issue: Overshadowing 1. Concern overshadowing will impact the use and amenity of adjoining outdoor living areas
Issue: Damage to adjacent lots 2. Concern over potential damage to dividing fences given the setbacks are extremely close to the lot boundaries
Issue: Dividing fences 3. Concern over the loss of privacy should the dividing fences be removed

**With regards to item 1 above,** please find attached a diagram of an overshadowing study (PDF 1) based on 21<sup>st</sup> June. Both 2 properties on the southern side of our property are NOT at all affected by the overshadowing requirements as detailed in the R-Codes and as indicated on the attached drawing.

**With regards to Item 2 above.** Dividing fences close to buildings and the like is typical of “near city” buildings and builders are aware of how to deal with such matters during the building process. If there were to be damage to fences on the lot boundaries during construction, they will be made good by the builder engaged.

**With regards to item 3 above.** The existing fences on all 3 boundaries are asbestos and for health reasons they are all nominated on the drawings to be replaced. The replacement would be coordinated between the builder and the land owner to minimise any privacy matters.

BA

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BRUCE ARNOLD ARCHITECTS

SUN STUDY - FOR OVERSHADOWING  
@ 12 noon  
June 21.

Lot 18 - site area - 330m<sup>2</sup>  
- max permissible - 165m<sup>2</sup> (50%)  
- Actual - 96m<sup>2</sup> (29%)

Lot 17 - site area - 360m<sup>2</sup>  
- max permissible - 180m<sup>2</sup> (50%)  
- Actual - 36m<sup>2</sup> (10%)



PLAN 1:200 @ AS  
22/10/18

**Determination Advice Notes:**

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. With reference to stormwater and drainage runoff, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
3. With reference to landscaping, the City encourages landscaping methods and species selection which do not rely on reticulation;
4. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate;
5. 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.