5.2 NO. 296 (LOT: 8; PLAN: 2411) FITZGERALD STREET, PERTH - PROPOSED CHANGE OF USE FROM SHOP AND CAFÉ TO SHOP AND ASSOCIATED ALTERATIONS AND ADDITIONS

Attachments:

- 1. Consultation and Location Plan
- 2. Development Plans
- 3. Heritage Impact Statement
- 4. Applicant's Planning Assessment
- 5. Parking Management Plan
- 6. Summary of Submissions Administration Response
- 7. Summary of Submissions Applicant Response
- 8. Applicant Response to Design Review Panel Comments
- 9. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the development application for a proposed Change of Use from Shop and Café to Shop and Associated Alterations and Additions at No. 296 (Lot: 8; Plan: 2411) Fitzgerald Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 9:

1. Development Approval

This approval is for a Change of Use from Shop and Café to Shop and Associated Alterations and Additions as shown on the approved plans dated 17 July 2023. No other development forms part of this approval;

2. Use of Premises

- 2.1 This approval is for a Shop as defined in the City of Vincent Local Planning Scheme No. 2. The use of the subject land for any other land use may require approval from the City; and
- 2.2 Prior to the occupancy or use of the building addition which forms part of this approval, the subject site shall cease to be used as a Café, to the satisfaction of the City;

3. Façade Design

- 3.1 Doors and windows and adjacent floor areas fronting Fitzgerald Street and Glendower Street shall maintain an active and interactive relationship with the street:
- 3.2 Glazing and/or tinting shall have a minimum of 70 percent visible light transmission to provide unobscured visibility between the street and the interior of the tenancy; and
- 3.3 Internal security and privacy treatments shall be located and installed internally behind the glazing line or recessed, and shall be transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street;

4. Building Design

- 4.1 The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City; and
- 4.2 The roof of the proposed rear addition shall have a maximum solar absorptance rating of 0.4, to the satisfaction of the City;

5. Landscaping

- 5.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall 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 plants;
 - Areas to be irrigated or reticulated;
 - Species within the planting area between the new building and Glendower Street to be selected to have a low height at maturity to facilitate views between the building and Glendower Street;
- 5.2 All works shown in the plans as identified in Condition 5.1 shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6. Signage

- 6.1 All signage shall be in accordance with the City's Signs and Advertising Policy, unless further development approval is obtained; and
- 6.2 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site, to the satisfaction of the City;

7. Bicycle Facilities

Four bicycle parking spaces shall be provided on-site in accordance with Australian Standard AS2890.3 prior to the occupation or use of the building addition the subject of this approval, to the satisfaction of the City; and

8. Parking Management

The premises shall operate in accordance with the Parking Management Plan dated 4 August 2023 and the approved plans, to the satisfaction of the City.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for a change of use from Shop and Café to Shop with Associated Alterations and Additions to an existing single storey commercial development at No. 296 Fitzgerald Street, Perth (the subject site). The subject site is located on the corner of Fitzgerald Street and Glendower Street and is included on the City's Heritage List as Category B – Conservation Recommended.

The premises is currently used as a hair salon (shop) with café component. The site is built out with an existing building and structures that occupy the majority of the site and with open air car parking located to the rear.

The application proposes a new addition at the rear of the building in place of existing structures that include a patio and shed, as well as the installation of new landscaping and a street wall to Glendower Street adjacent to this building extension. This extension to the existing building is to increase the floor area of the hair salon (shop).

The application also proposes the removal of the café component of the business that currently operates from the front of the tenancy. This means the proposal seeks to operate the site as a shop land use only. A change of use to operate the premises entirely as a shop would ordinarily be exempt from the need obtain development approval, although the proposed building extension to the rear of the site has triggered the need for an approval to be sought.

The remainder of the business operation and building remains as existing and are not proposed to be changed as part of this application.

The areas of discretion being sought under the planning framework relate to the provision of bicycle facilities, a service bay, and building design and works to the building that is heritage listed, including the extent of proposed demolition.

Eight car bays are currently provided on-site, consistent with the previous approval for the site. There is no change proposed to this amount of car parking or the car bay configuration as part of this application. This would remain compliant with the car parking standard for a shop use under the City's Non-Residential Parking Policy.

The subject site would operate as a single tenancy shop, which would allow for the scheduling of deliveries prior to all staff arriving on site and allowing delivery vehicles to park within the car parking area.

The proposed building extension would add 47.6 square metres of net lettable floor area and would be designed in a contemporary style. This extension and the proposed street wall would not obscure or detract from the visual prominence of the existing heritage listed building on the site. This is because the extent of works is limited and located at the rear of the existing building and facing the secondary street (Glendower Street). The proposed additions would be readily identifiable as 'new work', consistent with the Burra Charter and the City's Heritage Management Policy. It would provide visual articulation and interest to the street through the contemporary design aesthetic and materiality.

The proposed development is acceptable as considered against the planning framework and is recommended for approval subject to conditions.

PROPOSAL:

The application proposes a change of use from shop and café to shop as well as alterations and additions to the rear of the existing single-storey heritage listed commercial building on the subject site.

The proposal includes the following:

- Demolition of an existing patio, fencing, gate and shed at the rear of the existing building;
- Provision of new openings to the rear of the existing building to facilitate the proposed additions;
- Construction of a single storey extension to the rear of the existing building. This results in an increase to the shop's net lettable floor area (NLA) by 47.6 square metres;
- Consolidation of air conditioning condensers on the roof of the shop;
- Cessation of the café use on-site that currently operates as a 'coffee window'. This relates to the use of the verandah area on the site facing Fitzgerald Street and the floor area of the building shown as 'Tea Prep' in the existing site plan contained in **Attachment 2**;
- Provision of a motorcycle/scooter bay within the existing car park;
- Installation of new signage to the Cielo Lane elevation of the proposed building addition; and
- Installation of bicycle parking under the existing verandah in front of the building facing Fitzgerald Street.

The proposed development plans are included as **Attachment 2**. The applicant's supporting documentation including a Heritage Impact Statement, Planning Assessment and Parking Management Plan are included as **Attachments 3, 4,** and **5** respectively.

BACKGROUND:

Landowner:	Two Lee Pty Ltd T/A Circles of Hair	
Applicant:	Lyons Architects	
Client:	Two Lee Pty Ltd T/A Circles of Hair	
Date of Application:	5 May 2023	
Zoning:	MRS: Urban, Other Regional Road	
	LPS2: Zone: Commercial R Code: N/A	
Built Form Area:	Activity Corridor	
Existing Land Use:	Shop and Restaurant/Café	
Proposed Use Class:	Shop	
Lot Area:	495.9m²	
Right of Way (ROW):	Yes - Cielo Lane. 5.5m wide, paved and drained	
City of Vincent Heritage List:	Yes – Management Category B	
State Register of Heritage Places:	No	

Site Context and Zoning

The subject site is bound by Fitzgerald Street to the north-west, Glendower Street to the south-west, Cielo Lane to the south-east and a three-storey office and residential building to the north-east. To the south-east of Cielo lane is a single storey grouped dwelling. On the southern side of the intersection of Glendower and Fitzgerald Streets is a single storey office building.

The subject site and properties to the north and south of the subject site that front Fitzgerald Street are zoned Commercial under the City's Local Planning Scheme No. 2 (LPS2) and are located within the Activity Corridor Built Form Area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy), with a building height standard of six storeys. To the east, properties fronting Glendower Street are zoned Residential R50 and are located within the Residential Built Form Area under the Built Form Policy, with a building height standard of two storeys.

Approvals History

In August 2016, the City issued a letter confirming that the use of the subject site as a hair salon (Shop) did not require development approval, in accordance with Clause 61(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Planning Regulations). Internal building works were also intended to be undertaken at the time. These internal building works were exempt from requiring development approval in accordance with Clause 61(1) of the Planning Regulations.

An Occupancy Permit for the use of the subject site as a hairdresser was issued in May 2017 and the premises has been operating as a hairdresser 'Circles of Hair' subsequent to this.

In March 2019, Administration approved a change of use from 'Shop' to 'Shop and Café'. The café component of the business operated from the front portion of the site and includes a coffee window. The café component was subject to conditions of approval that it operate with no more than 10 patrons and one staff member on-site at any one time. The Shop and Café approval provided for eight bays on-site in the same configuration shown in the development plans in **Attachment 2**.

The café operates as a component of the hair salon and does not operate independently. The staff from the hair salon are trained to use the equipment and prepare coffees and the café does not provide food offerings. No additional staff are employed to operate the café use.

Heritage Listing

The subject site is included on the City of Vincent Heritage List as 'Category B – Conservation Recommended'. The Statement of Significance is as follows:

'The place at No. 296 Fitzgerald Street is a representative example of an intact corner store in Federation Italianate style and Federation Bungalow style house, that makes a contribution to the streetscape and is a local landmark.

Historically and socially it has been a focus of the area as a predominately retail outlet.'

The <u>heritage listing</u> for the site notes the subject site was constructed around 1914 as a residence and shop and has historically been used as a draper, dressmaker, umbrella repairer and dress retail.

Existing Streetscape

Fitzgerald Street is characterised predominantly by low to mid-rise commercial developments. Street setbacks vary between nil and approximately 4.5 metres.

Fitzgerald Street is a District Distributor A road with four traffic lanes. The outside lanes function as bus lanes on weekdays between the hours of 6:30am and 9:00am on the eastern side heading south, and between 4:00pm and 6:30pm on the western side heading north. The road is a clearway on weekdays between 7:30am and 9:00am.

Between Fitzgerald Street and Palmerston Street, the southern side of Glendower Street is generally characterised by single storey Federation style single houses on 10-metre-wide lots. The street also includes a mid-century single house, two two-storey contemporary single houses and a three storey mid-century apartment building.

Three lots front Glendower Street on its northern side. Two of these lots have been redeveloped with infill housing to the rear of traditional character dwellings. Further east, a lot fronting Throssell Street has been subdivided and provides for two dwellings that front onto Glendower Street with reduced street setbacks. To the east of Throssell Street is Hyde Park.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of LPS2, the Built Form Policy, Local Planning Policy: Non-Residential Parking (Non-Residential Parking Policy) and Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Management Policy). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply/ Acceptable Outcomes (or equivalent)	Requires the Discretion of Council
Land Use	✓	
Street Setback	✓	
Side and Rear Setbacks	✓	
Tree Canopy and Deep Soil Areas		✓
Car Parking		✓
Bicycle Facilities		√
Façade Design		√
Utilities	√	
Surveillance	√	
Ground Floor Design	√	
Building Design	√	
Environmentally Sustainable Design		√
Signs and Advertising Policy	✓	
Heritage Management Policy	✓	

Detailed Assessment

The acceptable outcomes assessment of the elements that require the discretion of Council is as follows:

Tree Canopy and Deep Soil Areas					
Acceptable Outcomes	Proposal				
Built Form Policy Clause 1.5 – Tree Canopy and Deep Soil Areas					
12 percent of the site area shall be provided as deep soil.	7.8sqm (1.5 percent) of additional landscaping is proposed on-site.				
3 percent of the site area shall be provided as planting areas.	This is in addition to the existing 13.0sqm (2.6 percent) of landscaping that exists on-site.				
	These landscaping areas do not constitute deep soil or planting areas.				
Car and Bicycle Parking					
Deemed-to-Comply Standard	Proposal				
Local Planning Policy: Non-Residential Parking					
One dedicated service bay to be provided on-site or on-street.	No service bay previously approved for the site or on-street, and the proposal would not change this.				
An additional 0.4 short-term and 0.7 long-term bicycle spaces to be provided. This would result in a total of 3 short-term and 2 long-term bicycle parking spaces to be provided for the entire site.	4 short-term bicycle parking spaces proposed. Nil long-term bicycle facilities provided.				
	Design				
Acceptable Outcomes	Proposal				
Built Form Policy Clause 1.8 – Façade Design					
A continuous awning is to be provided over the pedestrian footpath.	The proposed addition would not provide an awning over the Glendower Street footpath.				
Ground floor tenancies to have a minimum ceiling height of 3.5m.	The proposed ground floor addition provides a minimum ceiling height of 3.1m.				
Environmentally S	Environmentally Sustainable Design				
Acceptable Outcomes	Proposal				
Built Form Policy Clause 1.17 – Environmentally Sustainable Design					
Recovery of rain, storm, grey or black water for reuse on site.	No capture of rain, storm, grey or black water for re-use proposed for site as part of building extension.				
Sustainable Design Report to achieve 5 star Green Star rating, or Life Cycle Assessment to achieve global warming potential and net fresh water use performance reduction.	A Life Cycle Assessment or Sustainable Design Report for the site has not been submitted in relation to the building extension.				

The above elements of the have been assessed against the applicable element objectives discussed in the Comments section below.

The Heritage Management Policy sets out that proposed development that complies with acceptable development standards will generally be approved, and that the performance criteria describe the desired outcome to be achieved.

Unlike the Built Form Policy and R Codes, the Heritage Management Policy also requires consideration of the proposal against performance criteria even where development complies with the prescribed acceptable development standards. This is also considered in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 14 days, from 5 May 2023 to 18 May 2023. In accordance with the City's Community and Stakeholder Engagement Policy, the method of consultation included a notice on the City's website and 19 letters mailed to owners and occupiers of the properties adjoining the subject site as shown in **Attachment 1**.

10 submissions were received at the conclusion of the advertising period. Of these, nine objected to the proposal and one expressed concern.

Concerns raised in the submissions are summarised as follows:

- The proposed development would not provide sufficient parking for the proposed increase in intensity of land use and would exacerbate existing parking issues on Glendower Street;
- The proposed bicycle facilities would not be used by customers due to business being a hairdresser, and requirement to use helmets when riding a bicycle;
- Concern about noise generated from the air conditioning units, staff and patrons;
- The proposal would have a negative impact on the streetscape;
- Concern that the consultation did not extend far enough from the site, given that the proposal would result in wider impacts to car parking on Glendower Street;
- Deliveries occur outside 8:00am to 8:30am and often result in the obstruction of Cielo Lane;
- This development would not contribute to improving the amenity of residents, increasing the safety of pedestrians, and reducing carbon emissions; and
- Request traffic calming in Glendower Street to make it safer and more pedestrian friendly.

A summary of submissions received during the consultation period along with Administration's responses to submissions is provided in **Attachment 6**. The applicant's response to the submissions received are provided as **Attachment 7**.

<u>Department of Planning, Lands and Heritage – Other Regional Road Referral:</u>

In accordance with Delegation 2022/03 from the Western Australian Planning Commission (WAPC) the application was referred to the Department of Planning, Lands and Heritage (DPLH). This is because a portion of the lot is reserved in the Metropolitan Region Scheme as a Regional Road Reserve and the development has a construction value greater than \$250,000.

DPLH provided written comments advising that it has no objection to the proposed development.

Design Review Panel (DRP):

Referred to DRP: Yes

The proposal was referred for comment to a member of the City's DRP with heritage expertise. The DRP Member noted positive aspects of the proposal that are summarised below.

- The materiality, form and scale is generally acceptable given to the diverse character of the area;
- The built form is diminutive in form and scale and commensurate with the quality of the heritage building;
- The development continues the commercial function of the heritage corner store and allows the heritage building to be feasibly used. Interior spaces will receive filtered natural light through new external wall and internal glass partition;
- The proposal activates more of the lot and does not pose any obvious safety concerns; and
- The built form improves the legibility of street edge and does not remove the use or legibility of the front entry to the heritage corner store.

The DRP Member also provided comments that require further consideration. These are addressed further below.

The table below shows the design review evaluation by the DRP member as considered against the 10 principles of good design.

Design Review Progress		
	Supported	
	Pending further attention	
	Not supported	
	No comment provided/Insufficient in	nformation
		DRP Referral
Principle 1 – Cor	ntext & Character	
Principle 2 - Landscape Quality		
Principle 3 – Built Form and Scale		
Principle 4 – Functionality & Built Quality		
Principle 5 – Sustainability		
Principle 6 – Amenity		
Principle 7 – Leg	ibility	
Principle 8 – Safety		
Principle 9 – Community		
Principle 10 – Aesthetics		

The application was not referred back to the DRP member, as the applicant elected not to make any modifications to the proposal to address their comments.

The table below provides a summary of the outstanding DRP comments, and Administration's response to these. The applicant has also prepared a response to the outstanding DRP comments which is included as **Attachment 8**.

DRP Comments Received	Administration Comment:
Principle 2 - Landscape Quality	
Proposed internal landscaping removes the ability for activation to the street.	The proposed species within the garden bed adjacent to the street would be low-level plants and shrubs and would not impact the views to and from the proposed building. The development plans indicate 'new low planting' to be installed.
	A condition of approval has been included in the officer recommendation requiring details of the proposed landscaping to be provided to ensure that the species selected would maintain views between the street and the proposed shop.
Principle 9 – Community	The proposed building would include 10 equate metres of clear
Due to lack of windows in new built form	The proposed building would include 18 square metres of clear glazing facing Glendower Street. The landscaping and
the street activation and passive surveillance is lacking and could be better addressed.	breezeblock wall would still facilitate views between the shop and the street to facilitate casual surveillance, while also providing a sense of privacy to the internal space.
	Several windows exist to the existing building's façade facing Glendower Street and Fitzgerald Street to provide active and passive surveillance.
Principle 10 – Aesthetics	
Generally acceptable built form, scale and materiality. Further understanding of fenestration to the street would benefit overall aesthetic.	The proposed extension includes full height glazing to the Glendower Street and rear elevations with some operable windows. The proposed wall would provide a clear contrast from the existing heritage building, consistent with the Burra Charter.
	The proposed breezeblocks would be masonry elements that would reflect the masonry nature of the existing building in a contemporary way.

DRP Comments Received	Administration Comment:
Painting of heritage face brick is discouraged but appears to be a long-term aesthetic and removal could be challenging.	The existing building is rendered and includes a mural on the rear 13.5 metres portion of the original building. The rendering and painting of the existing building does not form part of this application. The painting is noted in the physical description of the building in the heritage listing and the rendering has been in place since 2007.

LEGAL/POLICY:

- Planning and Development Act 2005;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- City of Vincent Local Planning Scheme No. 2;
- Burra Charter;
- State Planning Policy 3.5 Historic Heritage Conservation;
- Community and Stakeholder Engagement Policy;
- Policy No. 7.1.1 Built Form Policy;
- Policy No. 7.6.1 Heritage Management Development Guidelines for Heritage and Adjacent Properties; and
- Local Planning Policy: Non-Residential Parking.

Planning and Development Act 2005

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

Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with <u>Clause 67(2)</u> of the Deemed Provisions in the Planning Regulations and in determining a development application, Council is to have due regard to a range of matters to the extent that these are relevant to the development application.

The matters for consideration relevant to this application relate to the compatibility of the development within its setting, amenity and character of the locality, consistency with planning policies, built heritage conservation, comments received during community consultation and advice from the DRP.

Local Planning Scheme No. 2

The objectives of the Commercial zone under LPS2 are a relevant consideration for the application. These objectives are:

- To facilitate a wide range of compatible commercial uses that support sustainable economic development within the City.
- To ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including but not limited to solar passive design, energy efficiency and water conservation.
- To maintain compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.

Under LPS 2, 'Shop' is defined as 'premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services' and is a 'P' permitted use within the Commercial zone.

Burra Charter

The Australia ICOMOS Charter for Places of Cultural Significance, the Burra Charter 2013 (the Burra Charter) sets a standard of practice for those who provide advice, make decisions about, and undertake work to places of cultural significance. The Burra Charter applies to all types of places of cultural significance, including the subject site.

In accordance with Article 22.1 of the Burra Charter, 'new work' is acceptable where it respects the cultural significance of the place. This can be done through consideration of its siting, bulk, form, scale, character, colour, texture and material. In accordance with Article 22.2 of the Burra Charter, the works should be readily identifiable but should respect the cultural significance of the place.

<u>State Planning Policy 3.5 – Historic Heritage Conservation</u>

State Planning Policy 3.5 – Historic Heritage Conservation (SPP 3.5) sets out principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage. These principles inform the heritage management standards of local planning policies.

Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties

As the subject site is a heritage listed property, the proposal is required to be assessed against Part 4 of the Heritage Management Policy.

The objectives of the Heritage Management Policy are to:

- 1. Encourage the appropriate conservation and restoration of places listed on the City of Vincent Municipal Heritage Inventory (The Heritage List) in recognition of the distinct contribution they make to the character of the City of Vincent.
- 2. Ensure that works, including conservation, alterations, additions and new development, respect the cultural heritage significance associated with places listed on the City of Vincent Municipal Heritage Inventory.
- 3. Promote and encourage urban and architectural design that serves to support and enhance the ongoing significance of heritage places.
- 4. Ensure that the evolution of the City of Vincent provides the means for a sustainable and innovative process towards integrating older style buildings with new development.
- 5. Complement the State Planning Policy No. 3.5 'Historic Heritage Conservation' and the City of Vincent Residential Design Elements Policy and other associated Policies.

Part 4 of the Heritage Management Policy relates to development to heritage listed buildings. The policy includes 'acceptable development' criteria as well as the following three performance criteria:

- P1 Development is to comply with the statement of significance outlined in Heritage Assessment, Heritage Impact Statement and/or Place Record Form.
- P2 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.
- P3 To ensure the cultural heritage significance of a place is conserved and the majority of the significant parts of the heritage place and their relationship to the setting within the heritage place should be retained.

Delegation to Determine Applications:

This matter is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to proposals for demolition on a heritage protected place or where more than five objections were received during the community consultation period.

The subject site is a heritage protected place. The application proposes the demolition of an existing patio, fencing, gate and shed at the rear of the existing building, and received six objections during the community consultation period.

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 2022-2032:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

The City has assessed the application against the environmentally sustainable design provisions of the Built Form Policy. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

PUBLIC HEALTH IMPLICATIONS:

There are no implications on the priority health outcomes of the City's *Public Health Plan 2020-2025* from this report.

FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications from this report.

COMMENTS:

Summary Assessment

In assessing the application against the planning framework, it is recommended for approval. The following key comments are of relevance:

- The proposed additions are of a design and scale to respect the heritage significance of the existing building. The design would be clearly identifiable as new work and distinct from the existing building.
- The proposed design would reinforce the street edge and complement the existing building by providing a nil setback along Glendower Street. It has been designed to provide visual articulation, interest and surveillance to Glendower Street.
- The car parking provided on-site complies with the car parking standards prescribed under the Non-Residential Parking Policy, and four bicycle parking spaces are proposed on-site as part of this application to support a shift towards alternate modes of transport. Arrangements for service delivery vehicles to utilise on-site parking bays would also ensure the shop can be adequately serviced without impacting the surrounding area.
- Additional landscaping would be integrated into the design of the proposed building extension and what
 is a built-out site, and would contribute towards increased greening of the Glendower Street
 streetscape.

A detailed assessment against the discretionary aspects of the application is set out below.

Car and Bicycle Parking

The City received submissions during community consultation which raised concerns that the proposed eight on-site car parking bays would be inadequate for the shop. There were also concerns that the proposal would result in further increased on-street parking demand on Glendower Street with subsequent impacts on safety and vehicle movement on this street, due to limited on-street parking availability.

Ceasing the café use and the construction of the shop extension as proposed in the application would result in a decrease in the amount of car parking required to be provided under the Non-Residential Parking Policy standards.

7.7 car bays would be the total amount of car parking required to be provided for the site based on the Non-Residential Parking Policy. Eight car bays would be provided on-site and complies with this car parking standard. The car parking configuration of these bays are as per previously approved and would remain as existing on-site.

The application meets the deemed-to-comply standard for the number of car bays to be provided for the Shop use under the Non-Residential Parking Policy. This means that no discretion is being sought in relation to car parking provision.

Discretion is being sought in relation to the service bay and long-term bicycle bays.

The servicing and bicycle parking proposal is acceptable and would satisfy the <u>objectives</u> of the Non-Residential Parking Policy for the following reasons:

- <u>No Service Bay Previously Approved:</u> The City did not require a service bay to be provided on-site as part of the previous development approval for a shop and cafe. The application for an extension of the shop by 47.6sqm of NLA floor area would not increase the demand for a service bay to be provided.
- <u>Service Delivery Arrangements:</u> The applicant has advised that deliveries are received fortnightly on Wednesdays or Thursdays. This occurs prior to the opening of the hair salon and before all staff are onsite. This means a parking bay on-site would be available for a delivery vehicle to use. This is detailed in the parking management plan included as **Attachment 5** and a condition of approval has been recommended for the shop to operate in accordance with the parking management plan.
- <u>Bicycle Parking:</u> The development would support a shift towards active and sustainable transport modes
 by staff and would be available for use by patrons also. This is consistent with the objectives of the NonResidential Parking Policy, noting that concerns were raised during community consultation that patrons
 of the premises would be less likely to use bicycles to attend the subject site due to its nature as a
 hairdresser. The following would be provided to support this active mode of transport:
 - Four on-site bicycle parking spaces are proposed to be located under the existing verandah of the building facing Fitzgerald Street. This area is weather protected and can be monitored by staff. The previous approval for the site did not require the provision of any bicycle parking spaces on-site and there is currently no on-site bicycle parking spaces;
 - o There is an existing bicycle parking rack within the verge directly in front of the subject site; and
 - An existing end-of-trip facility is provided within the building.

A condition of approval is included in the officer recommendation for the provision of four bicycle parking spaces on-site.

• <u>Public Transport:</u> The subject site is 40 metres from a bus stop for a high frequency bus route (960 bus route) and would support public transport to the shop for both staff and patrons. It operates approximately every five minutes in peak hours and every 10 minutes off-peak.

Heritage Management Policy

Part 4 of the City's Heritage Management Policy sets out standards for development to heritage places. The Policy requires the proposal to be considered against the performance criteria.

The proposal would satisfy the <u>objectives</u> and <u>performance criteria</u> of the Heritage Management Policy for the following reasons:

• Retention of Significance: The proposed development would ensure the cultural heritage significance of the place is conserved. This is because the additions would not obscure or alter the prominent architectural features that are of aesthetic value, including the ornate corner store facades and Federation bungalow style. The development is located to the rear of the existing building with a lower height than the existing roof and parapet. The development would facilitate the ongoing commercial operations of the premises as a shop, which together with the built form, both contribute to the heritage significance of the place as referenced in the Statement of Significance.

- <u>Heritage Impact Statement:</u> The applicant submitted a Heritage Impact Statement (HIS) by a qualified heritage practitioner which is included as **Attachment 3**. The HIS concludes that the areas to be altered and/or demolished as part of this proposal, including the patio and brick screen wall are not original to the place, therefore making little contribution to the wider streetscape and are of little heritage significance. This is consistent with the Statement of Significance which refers to the corner store and primary street elevation of the original dwelling as being significant to the heritage of the place. The HIS was reviewed and supported by the City's DRP Member.
- <u>Scale</u>: The proposed addition would be respectful of the prominence of the significant portions of the heritage building. This is because the proposed development would be located to the rear of the original building and is of a single-storey design with a low profile roof form. This would allow views of the hip roof and parapet of the original shop to be retained. The proposed ceiling height of 3.1 metres results from this design response to the existing building. The ceiling height would not negatively impact the function of the space and the build functionality was supported by the City's DRP member.
- <u>Design:</u> The addition would be readily identified as a new addition to the building through the use of a contemporary design incorporating large panes of glass and breeze-block wall. The masonry breeze-block element of the proposal references the masonry of the existing building. The contemporary nature of the proposal would be consistent with the principles of the Burra Charter.

Façade Design

The proposed façade design would satisfy the <u>element objectives</u> of the Built Form Policy for the following reasons:

- <u>Building Scale:</u> The proposed building extension would be proportionate in scale to the existing building and would provide articulation to the street. Its roofline does not exceed that of the existing building and its ceiling height affect its function. The streetscape presentation provides a strong visual contrast between the painted masonry of the existing building and the proposed contemporary style and materials used for the proposed addition.
- <u>Surveillance and Activation:</u> The building would express the internal functions of the space by providing large areas of glazing to the street and would assist in increasing the extent of casual surveillance to and from the street. This would be tempered by the proposed breeze-block wall to the Glendower Street frontage and provides activation and visual interest to the building's secondary street façade.
- Awning: The proposed building extension and adjacent breezeblock wall along Glendower Street does not include any entries into the premises, and the remainder of the existing building to this street frontage does not currently have an awning to tie into. The existing awning to the building is to the corner of Fitzgerald Street and Glendower Street and is included in the heritage listing as being original to the building. The addition of an awning may detract from the existing awning and would also conflict with the canopy of an existing mature tree in the verge.

Landscaping:

The proposed landscaping would satisfy the <u>element objectives</u> of the Built Form Policy for the following reasons:

- <u>Streetscape Contribution:</u> The amount of landscaping proposed would be proportionate to the extent and scale of the building addition, and would be an effective contribution in the context of a built-out site. This additional landscaping proposed would supplement existing landscaping provided to the site. The additional landscaping to the site located adjacent to the proposed building works would be visible from the street and would enhance the streetscape and pedestrian amenity.
- <u>Integration of Landscaping:</u> The proposed landscaping would be integrated into the architectural form of the proposal. It would be contained within a built-in planter box that would be integrated into the built form of the proposed building extension. The landscaping would be provided with reticulation to ensure its ongoing viability.

Environmentally Sustainable Design (ESD)

Clause 1.17 of the Built Form Policy relating to Environmentally Sustainable Design (ESD) sets out acceptable outcomes to be achieved for commercial development.

There are limitations to influence whole of life environmental impact of the entire development on the site through this application. This is because the scope of the application is limited to a 47.6 square metre building extension.

The applicant has identified the following built form and site planning measures that have been incorporated into the proposed addition and that would satisfy the <u>element objectives</u> of the Built Form Policy in respect to environmentally sustainable design:

- Retention of most of the existing building and structures on-site to minimise building waste;
- New glazing is shaded from direct sun and heat by the new light colour blockwork screen and landscaping;
- Consolidation of separate air conditioning units with new high-efficiency air conditioning units;
- The glazed wall to the building extension would include operable glass panels to allow for natural cross-ventilation to supplement or replace the artificial cooling in summer;
- Upgrades to the existing power distribution within the building concurrent with the alterations would allow for the addition of battery storage linked to future roof-top collection solar panels;
- Light grey colour roof sheeting. A condition of approval is recommended to secure this and to ensure its solar absorptance rating is not more than 0.4, consistent with the acceptable outcome standard of the Built Form Policy; and
- New lighting to be low energy and switched in zones by room rather than for the whole premises. Natural light will be retained to the centre of the new staff room via a roof light.

CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2

SCHEME MAP 1 - LEEDERVILLE

LEGEND

METROPOLITAN REGION SCHEME RESERVES

Note: The Western Australian Planning Commission care of the Department of Planning should be consulted for full information on the actual land requirements for all Matropolitan Region Scheme Reserves.



PARKS AND RECREATION

Restricted Public Access



PRIMARY REGIONAL ROADS RESERVATION OTHER REGIONAL ROADS RESERVATION



RAILWAYS

PUBLIC PURPOSES HS TS CP High School

Technical School Car Park

U CG SU Commonwealth Government WSD Water Authority of Western Australia

CITY OF VINCENT LOCAL SCHEME RESERVES

PUBLIC OPEN SPACE

R Restricted

PUBLIC PURPOSES

PS CP Primary School Car Park CU High School Institute for the Deaf

Water Supply Sewerage and Drainage Technical School

CITY OF VINCENT SCHEME ZONES

RESIDENTIAL MIXED USE



COMMERCIAL



LOCAL CENTRE DISTRICT CENTRE



REGIONAL CENTRE



SPECIAL USE

CP CU Car Park Community Use

FC HC H Function Centre Hall and Non Residential Club Place of Worship

Α

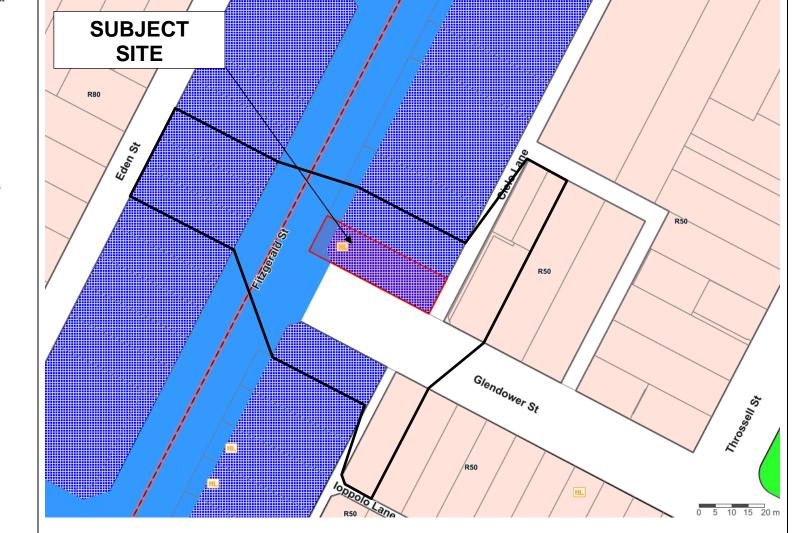
ADDITIONAL USE

ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES

CODE AREA BOUNDARY SCHEME AREA BOUNDARY

R20

DENSITY CODE





The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).

Consultation and Location Map

No. 296 Fitzgerald Street, Perth

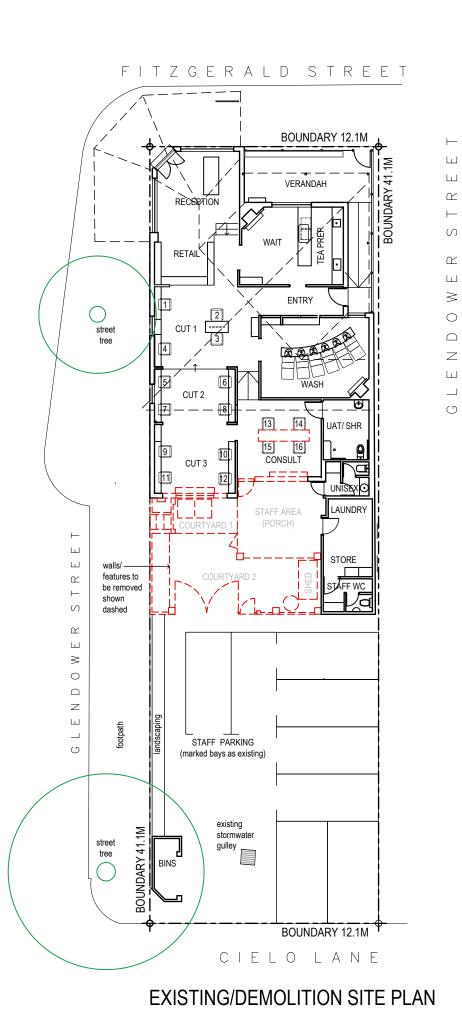
Extent of Consultation







SITE LOCATION



BOUNDARY 12.1M VERANDAH RL 21.65 RECEPTION FL 21.35 WAIT RETAIL FL 21.80 ENTRY 1 street CUT 1 ==== WASH CUT 2 STAFF TEA ROOM FL 21.65 000 **○FL 21.65 ○** 000 CUT 3 LAUNDRY 13 20 21 NEW EXTENSION 14 45M2 19 22 45M2 19 22 FL 21.65 Ш STORE \Box 16 17 18 \propto RL 21.55 \bigcirc \mathcal{L} Ш \geq \bigcirc \Box STAFF PARKING 8 CAR BAYS + MC ш (REFER TO DWG A06) BOUNDARY 41.1M BINS BOUNDARY 12.1M

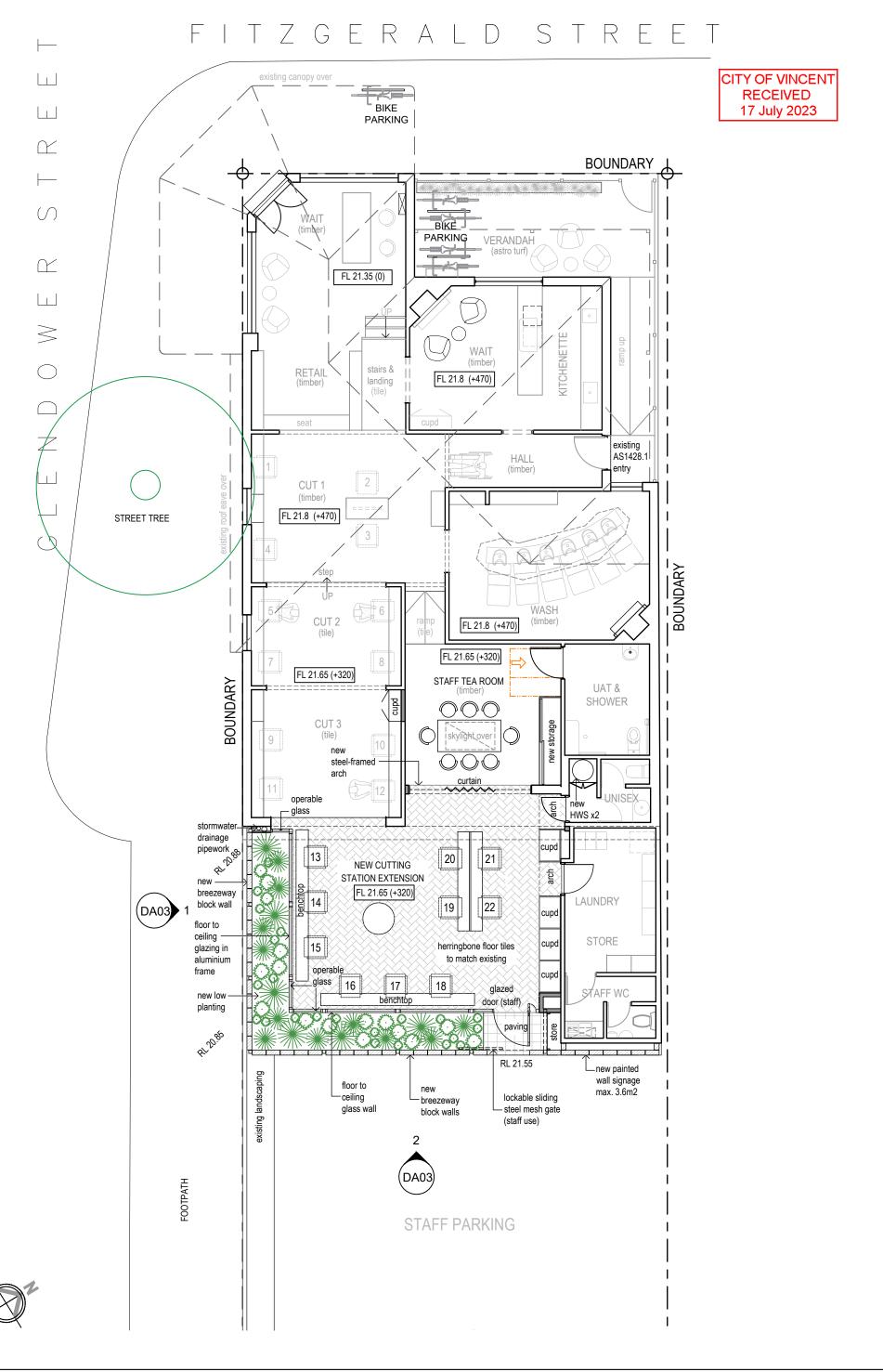
FITZGERALD STREET

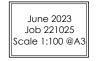
PROPOSED SITE PLAN



SCALE 1:200 @ A3

CIELO LANE

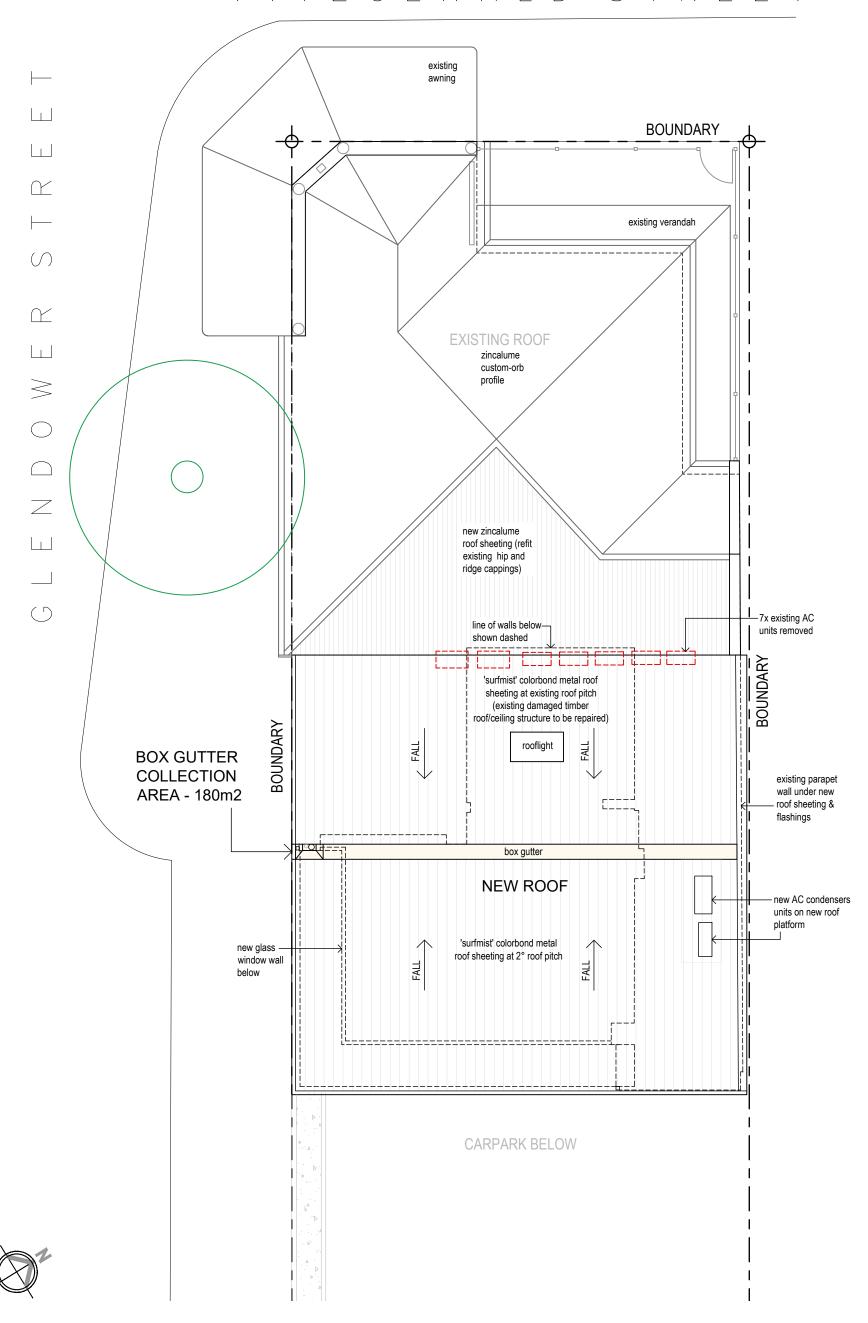




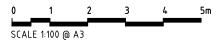




FITZGERALD STREET



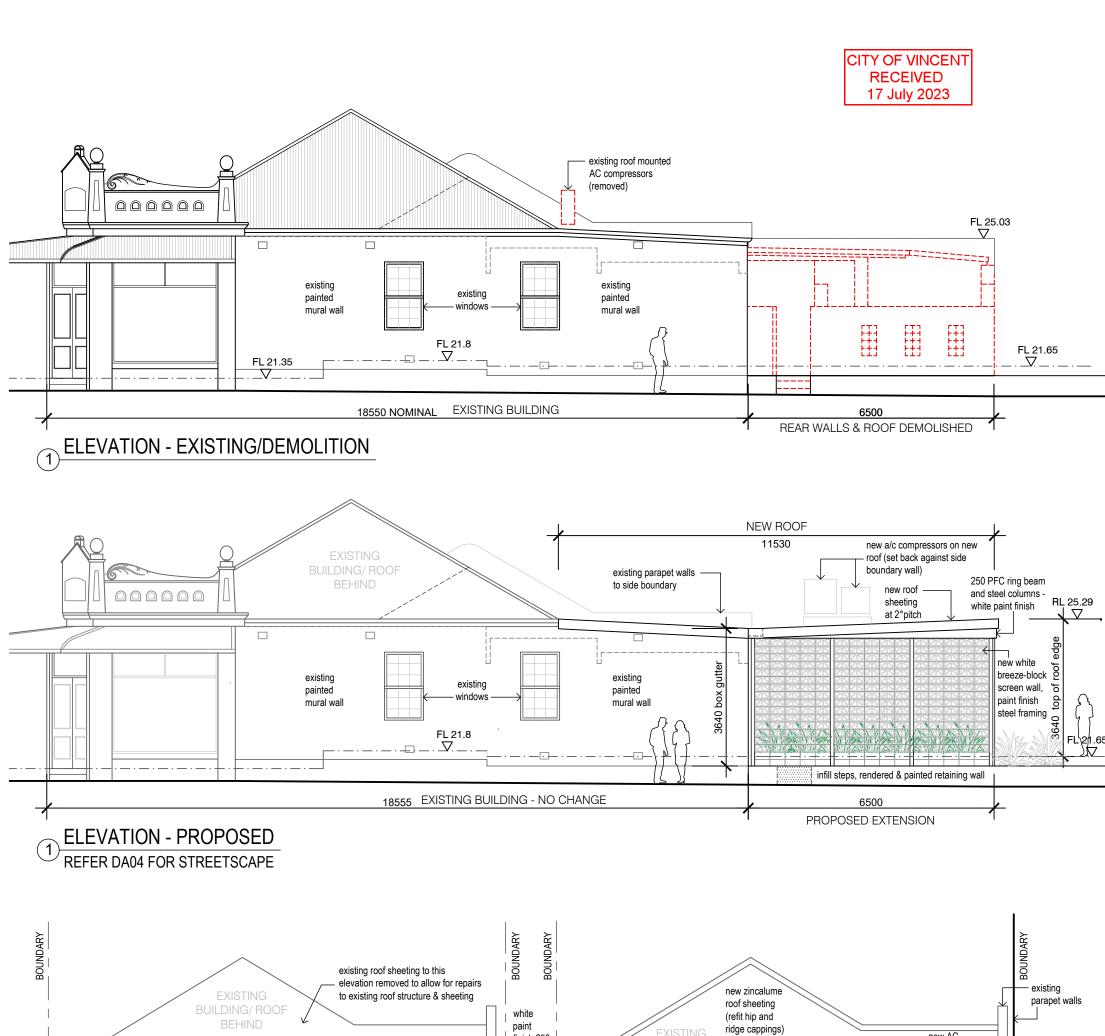


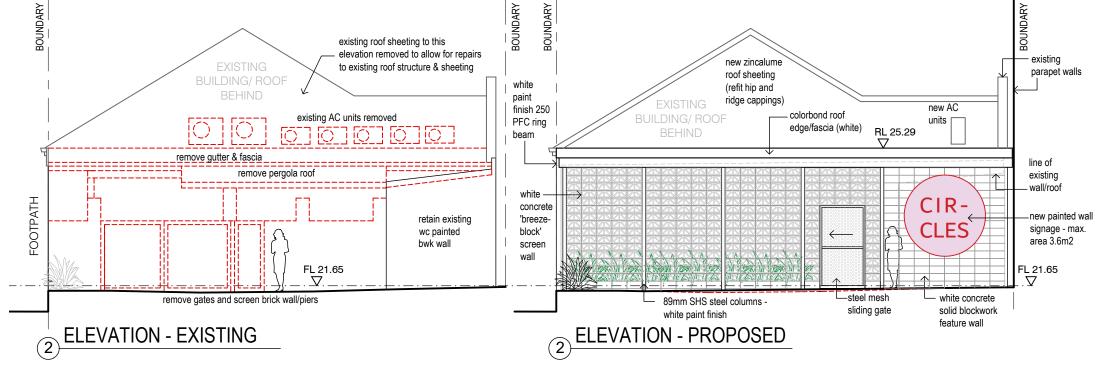














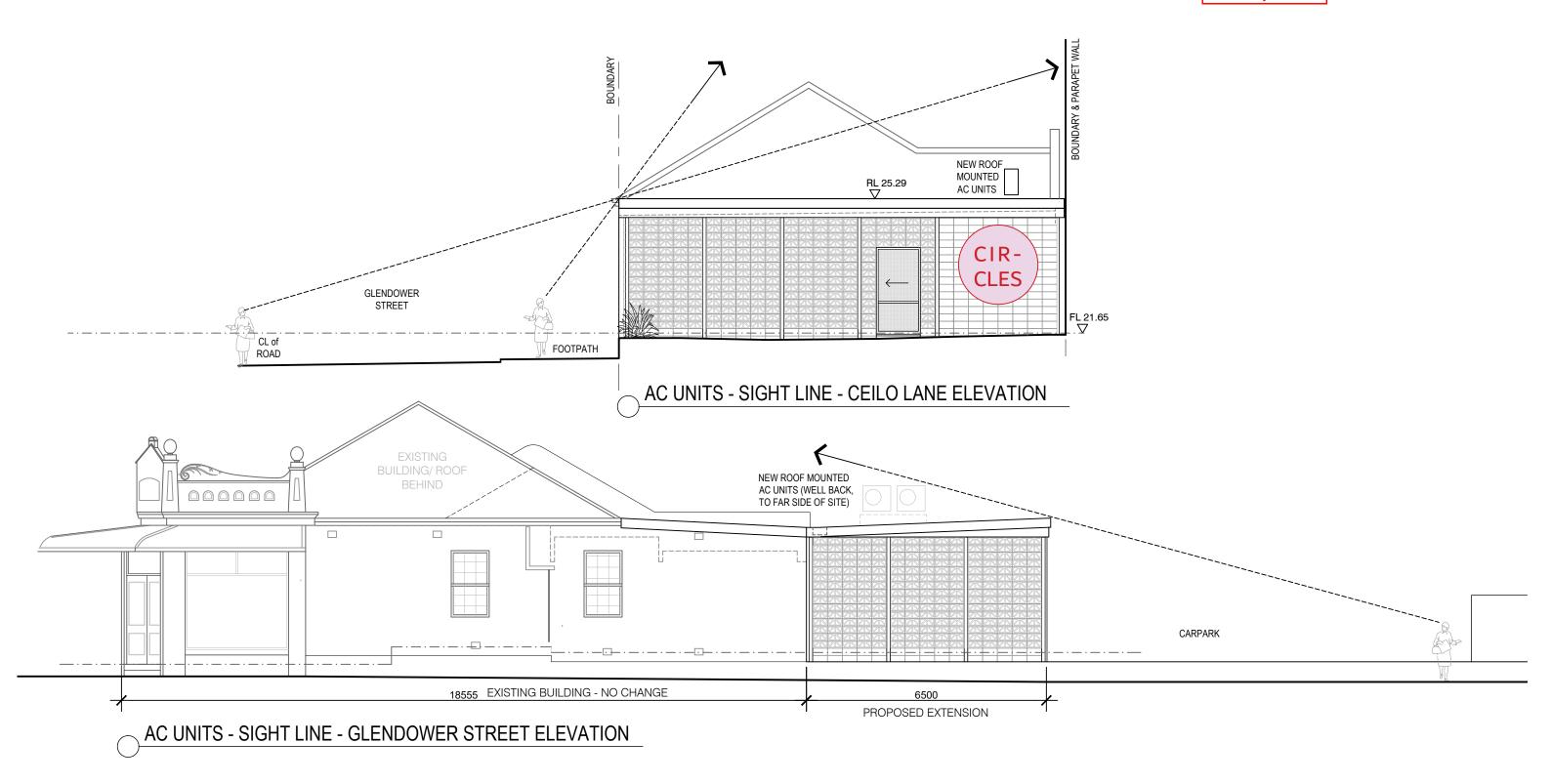
Concrete Breezeway Blocks - white



STREETSCAPE - GLENDOWER STREET

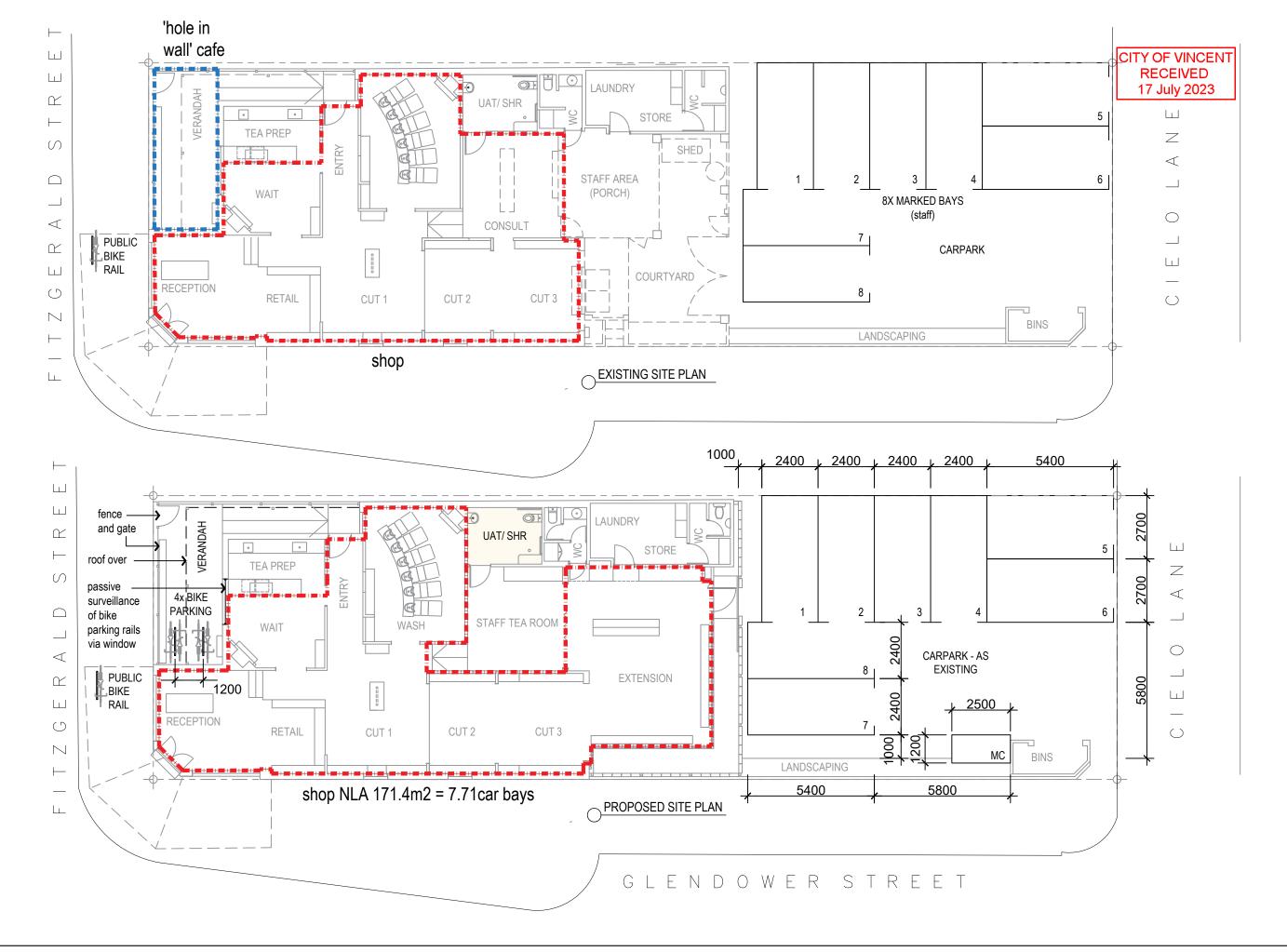
















t 0457 309 201

a PO Box 578, Scarborough WA 6922

w stephencarrickarchitects.com.au

e stephen@stephencarrickarchitects.com.au



24 February 2023

Senior Team Lead Lyons Architects 11A Outram Street WEST PERTH WA 6005

By email: lyonsarchitects.com.au

Dear

HERITAGE IMPACT STATEMENT PROPOSED ALTERATIONS AND ADDITIONS TO CIRCLES OF HAIR 296 FITZGERALD STREET, NORTH PERTH, WA

Following is a Heritage Impact Statement regarding the proposed Development Application for Alterations and Additions to 296 Fitzgerald Street, North Perth.

This report includes the following sections:

- Introduction
- Our Experience
- Background
- History
- Physical
- Significance
- Proposal
- Impact
- Conclusions
- Recommendations
- Appendix

Introduction

Stephen Carrick Architects inspected the subject site and its immediate surrounds on Friday 3 February 2023 to better understand the current context, streetscape, current physical condition and heritage values. Internal spaces and the external were viewed. The inspection was undertaken from the ground and no openings in the building fabric were made.

The following information has been provided or accessed for the preparation of this Heritage Impact Statement:

 The City of Vincent Heritage Management - Development Guidelines for Heritage and Adjacent Properties, Section 4. Development to Heritage Listed Buildings

- DA00 Site Plans, sheet 1 of 6, 1:200 on A3 dated February 2023 By Lyons Architects
- DA01 Proposed Floor Plan, sheet 2 of 6, 1:100 on A3 dated February 2023 By Lyons Architects
- DA02 Proposed Roof Plan, sheet 3 of 6, 1:100 on A3 dated February 2023 By Lyons Architects
- DA03 External Elevations, sheet 4 of 6, 1:100 on A3 dated February 2023 By Lyons Architects
- DA04 Streetscape, sheet 5 of 6, 1:100 on A3 dated February 2023 By Lyons Architects
- DA05 Roof-Services Sight Lines Diagrams, sheet 6 of 6, 1:100 on A3 dated February 2023 - By Lyons Architects
- State Heritage Office InHerit Database
- A Guide to Heritage Impact Statements 2019, State Heritage Office.

This heritage impact statement has been prepared in accordance with the principles, processes and practice as outlined in the ICOMOS Burra Charter (2013) and the State Heritage Office, 'Guide to Heritage Impact Statements' (2020). Definitions of terms are in accordance with the Burra Charter.

Our Experience

Stephen Carrick is a registered architect with extensive experience and expertise having worked in private practice in Sydney from 1985 to 1992, for the Western Australian Government from 1992 to 2009 and from 2009 in private practice specialising in all aspects of heritage conservation work. Stephen is a former Acting Director of the Heritage Council of WA and was responsible for managing the Development Referrals Program, Assessment and Registration Program, Grant Funding and the Heritage Advisory Program within the Heritage Council. Stephen has previously been responsible for conservation programs for sites such as the World Heritage listed Fremantle Prison.

Stephen has over 30 years' experience in architecture as well as the conservation and management of heritage sites. Stephen's experience and expertise have been developed from extensive work on large and small heritage projects in both metropolitan and regional Western Australia.

Stephen Carrick Architects is an architectural practice focussing on all aspects of heritage, and conservation architecture and architectural projects. The practice has specific expertise in conservation works, conservation planning, residential and commercial projects. They are experienced in the requirements for the preparation of Heritage Impact Statements.

Stephen Carrick Architects have previously prepared Heritage Impact Statements for:

- The former Cue Public Buildings
- Pinjarra City Markets, Kalgoorlie
- Hotel Rottnest Rottnest Island
- Fairbridge Chapel
- Manjimup Timber Museum
- Mersey Point Jetty, Shoalwater
- 173 William Street, Northbridge
- 4 Hubert Street, Guildford
- The McKenzie's Buildings, Kalgoorlie
- 56-58 Carrington Street, Palmyra
- 289 Murray Street, Perth
- 8 Parker Road, Northbridge
- 5 Dene Street, Mount Lawley
- 44 Holmfirth Street, Menora
- 30 Merrifield Avenue, Kelmscott
- 10 Rokeby Road, Subiaco
- 54 Wood Street, Inglewood
- 130 James Street, Northbridge
- Fairbridge Chapel, Pinjarra

- 330 Crawford Road, Inglewood
- 18-22 Coghlan Road, Subiaco
- 18 Bindaring Parade, Claremont
- 36 Gill Street, East Fremantle
- Fremantle Technical College Annexe -Fmr
- Infants and Girls School
- · 34 Market Street, Guildford
- 5 Bay View Terrace, Mosman Park
- Rokeby Road South Precinct, Subiaco
- 290 Beaufort Street, Perth
- St John's Lutheran Church
- 32 High Street, Fremantle
- · Former Matilda Bay Brewery, North
- Fremantle
- 22 Tamarisk Way, Woorree
- 296 Fitzgerald Street, North Perth
- 104-106 Beechboro Road South, Bayswater

Background

296 Fitzgerald Street, North Perth is a single storey brick and corrugated steel building located on the corner of Fitzgerald and Glendower Streets. Constructed c.1914 the building is a representative example of a Federation era style corner store and Federation Bungalow style house.

The building has undergone previous works including internal adaptation to accommodate the current occupancy. The place is currently in use as a commercial hair and beauty salon and cafe under the name 'Circles of Hair'.

296 Fitzgerald Street, North Perth has the following heritage listings:

- Included on the City of Vincent Heritage List; and
- Included in the City of Vincent Local Heritage Survey (formerly known as the Municipal Heritage Inventory) with a Management Category B - Conservation Recommended. This Management Category means that the proposed development requires planning approval from the City of Vincent and is to be carried out in accordance with that approval.

History

The following History is sourced from the Heritage Council of Western Australia's InHerit database (*Place No.:* 08706).

Fitzgerald Street developed with a mixture of residential and retail/commercial premises, as expected of a major thoroughfare. Perth Town Lot Y285 was still vacant land in 1910, and was owned by George Throssel (1840-1910), a merchant, former Premier of Western Australia and Mayor of Northam. Throssell had arrived in Western Australia in 1850 with his parents on 'Scindian', the first of the convict transport ships. His father was a convict guard and became a police sergeant in Perth. George represented Northam in the Western Australian Parliament from 1890-1904. He succeeded John Forrest as Premier in 1901 for a period of a little over three months before resigning and returning to the back bench.

Throssell purchased the land on the corner of Fitzgerald Street and Glendower Street in 1902. It was situated very close to his Perth residence on nearby Throssell Street which was opposite Hyde Park. The house (No. 15 Throssell Street) still stands today and is listed on the Town's Municipal Heritage Inventory and the State Register of Heritage Places. George Throssell died in 1910 at his home in Northam as a result of a fall and the property in Fitzgerald Street was developed either by his executors or by a later owner.

The residence and shop at No 296-298, on the corner of Fitzgerald and Glendower streets, was constructed around 1914. The building first appears in the Wises' Post Office Directories for 1914. The tenant of both the shop and the house at that time was recorded as draper Joseph Abramovich. In 1932, dressmaker Madame Gotlieb occupied both the shop and residence and in 1940 it was D. Nazarow, umbrella repairer. In 1949 the tenants were Mrs R. Ross 'frocks retail' at No. 296 and M. Segal, tailor at No. 298. As small retail premises were overtaken by larger shopping centres, the need for small businesses declined and the place became rundown. Not very long ago, it was restored and used as offices.

Physical

296 Fitzgerald Street, North Perth is occupied by 'Circles of Hair', a hair and beauty salon. It is located on Lot 8, Plan 2411 Certificate of Title Volume 1978 Folio 955. The property is on the corner of Fitzgerald and Glendower Streets.

Context

Fitzgerald Streets topography rises from Bulwer Street (to the south) to Vincent Street (to the north). The subject site is located on the eastern side of Fitzgerald Street. To the north of the place are three and four storey contemporary commercial office developments. To the south are single and two storey contemporary commercial office developments. Opposite the subject

site, to the west side of Fitzgerald Street, is a mix of development with some places of a similar construction date as 296 Fitzgerald Street and some more recent developments. These places are predominantly single and two storeys in scale. There is mixed uses with offices and shops. Fitzgerald Street is classified as a Regional Road with the road hierarchy type being a District Distributor. There are lights at Bulwer and Vincent Streets.

Glendower Street contains predominantly single storey residential buildings dating from the Federation period of architecture. There is some infill residences from the 1960s and 1970s.

The rear of the property is bounded by Cielo Lane.

<u>External</u>

296 Fitzgerald Street, North Perth is a single storey brick building with a corrugated steel roof. The building addresses the corner location with a splayed entry and fixed glazing to shopfronts to both street fronts. The walls are painted and rendered brick. The building has two sections with a shopfront with a parapet and a residential section with a hip roof. The shopfront has an ornate parapet with spherical finials and decorative elements to the street fronts and corner truncation. The parapet also contains a recessed signage panel that now displays 'Circles'. The shopfront has a curved awning to both streets and the former residence has a return bullnosed verandah with timber posts. There is a large mural wall painting to the south elevation. The hip roof form presents to the west and south elevations. There is a painted and rendered parapet and chimney to the north elevation and a painted brick chimney.

To the east is carparking accessed from the laneway. There is a porch and courtyard to the rear of the property. A brick wall with textured paint and glass bricks is located to the south elevation to the courtyard. To the north of the subject site is a large south facing blank wall to a modern office building. There are a number of air conditioning condenser units on the roof. Windows to the south elevation has steel mesh for security purposes.

The porch area is covered with polycarbonate roof sheeting and supported with painted brick columns. The Courtyard area is enclosed with steel mesh between steel columns and a mesh grilled door.

<u>Internal</u>

Walls are rendered and some walls painted brick. There are timber floorboards throughout.

There is a contemporary Hair Salon fit out with openings in former walls to provide a clear working space. Some openings have been created through the use of exposed steel beams. Details such as pressed tin ceilings, fireplaces, ceiling roses and decorative vents are evident.

The double entry doors are timber with highlights. To the rear wall is a large fixed glazed window. The outdoor area is steel mesh enclosed. Windows are timber double hung. To the front of the building is a kitchenette with tiled splashback.

Photographs are provided as an appendix to this Heritage Impact Statement.

Significance

The following Statement of Significance is sourced from Heritage Council of Western Australia's InHerit database (*Place No.:* 08706).

296 Fitzgerald Street, North Perth has cultural heritage significance for the following reasons:

- The place at No. 296 Fitzgerald Street is a representative example of an intact corner store in Federation Italianate style and Federation Bungalow style house, that makes a contribution to the streetscape and is a local landmark; and
- Historically and socially it has been a focus of the area as a predominately retail outlet.

Proposal

The Development Application proposal is for alterations and additions to the single storey brick and steel building to accommodate an increase in salon capacity that will support the growing workforce and clientele.

To achieve the desired outcome for the project, the design proposes the following:

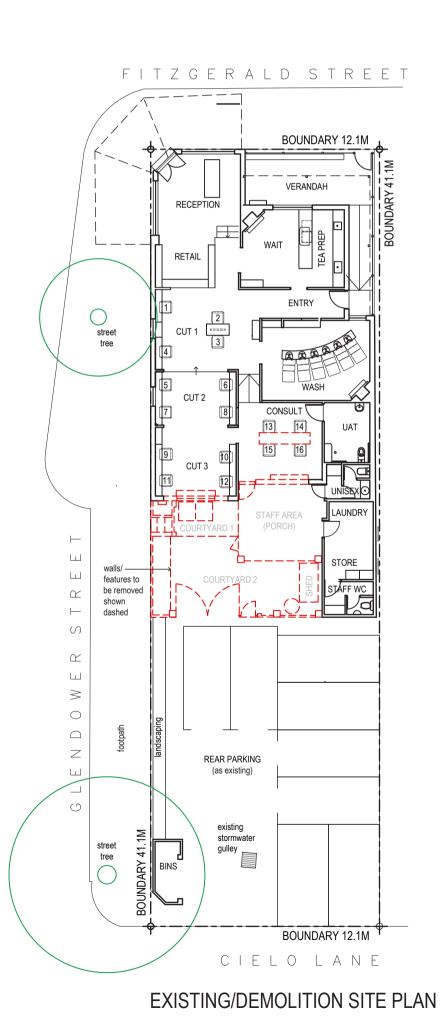
- Partial demolition to the rear of the building including;
 - The removal and replacement of one (1) section of the existing roof with new zincalume roof sheeting. New roof sheeting to be fitted to existing hip and ridge capping;
 - The removal of the steel mesh and pergola roof enclosing the porch;
 - The removal of the steel fence and brick screen wall enclosing the courtyard area;
 - The removal and relocation of the existing AC compressors to the new extended roof; and
 - The removal of the steps along Glendower street. The section of the removed steps is to be reinforced with a new low retaining wall, infilled, compacted and paved over. The external finish of the new low retaining wall is to be rendered and painted.
- Two (2) new openings are proposed to the east elevation to allow for connection to the
 proposed extension. The openings will be expressed in the same manner of the existing
 openings with an exposed steel beam.
- An extension to the rear of the building. The extension is constructed of white concrete breeze-block screen walls and a corrugated steel colourbond roof with a centrally located skylight. The extension includes:
 - New salon stations;
 - Herringbone floor tiles (to match existing);
 - Floor to ceiling height glass wall;
 - Perimeter landscaping; and
 - New white concrete solid blockwork feature wall with render and painted signage to the east elevation of the staff WC.

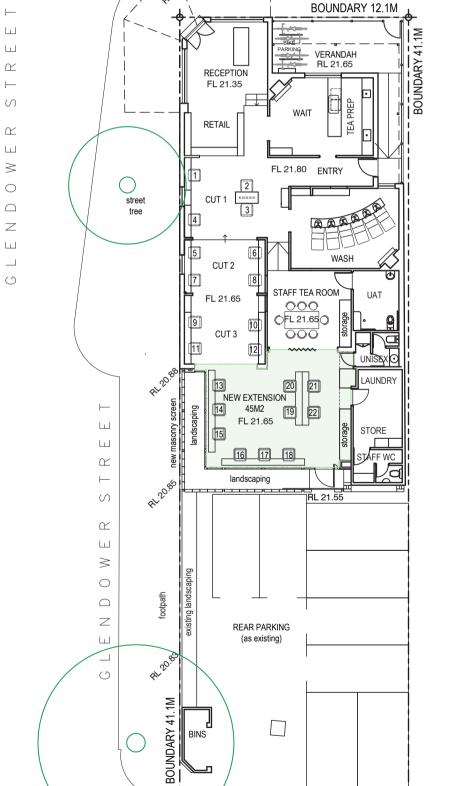
The works are illustrated in the following Drawing Set: Circles of Hair - Extensions, Development Application Drawing Set (Job 221025) Prepared by Lyons Architects Dated February 2023

- DA00 Site Plans
- DA01 Proposed Floor Plan
- DA02 Proposed Roof Plan
- DA03 External Elevations
- DA04 Streetscape
- DA05 Roof-Services Sight Lines Diagrams



SITE LOCATION





FITZGERALD STREET

PROPOSED SITE PLAN



BOUNDARY 12.1M

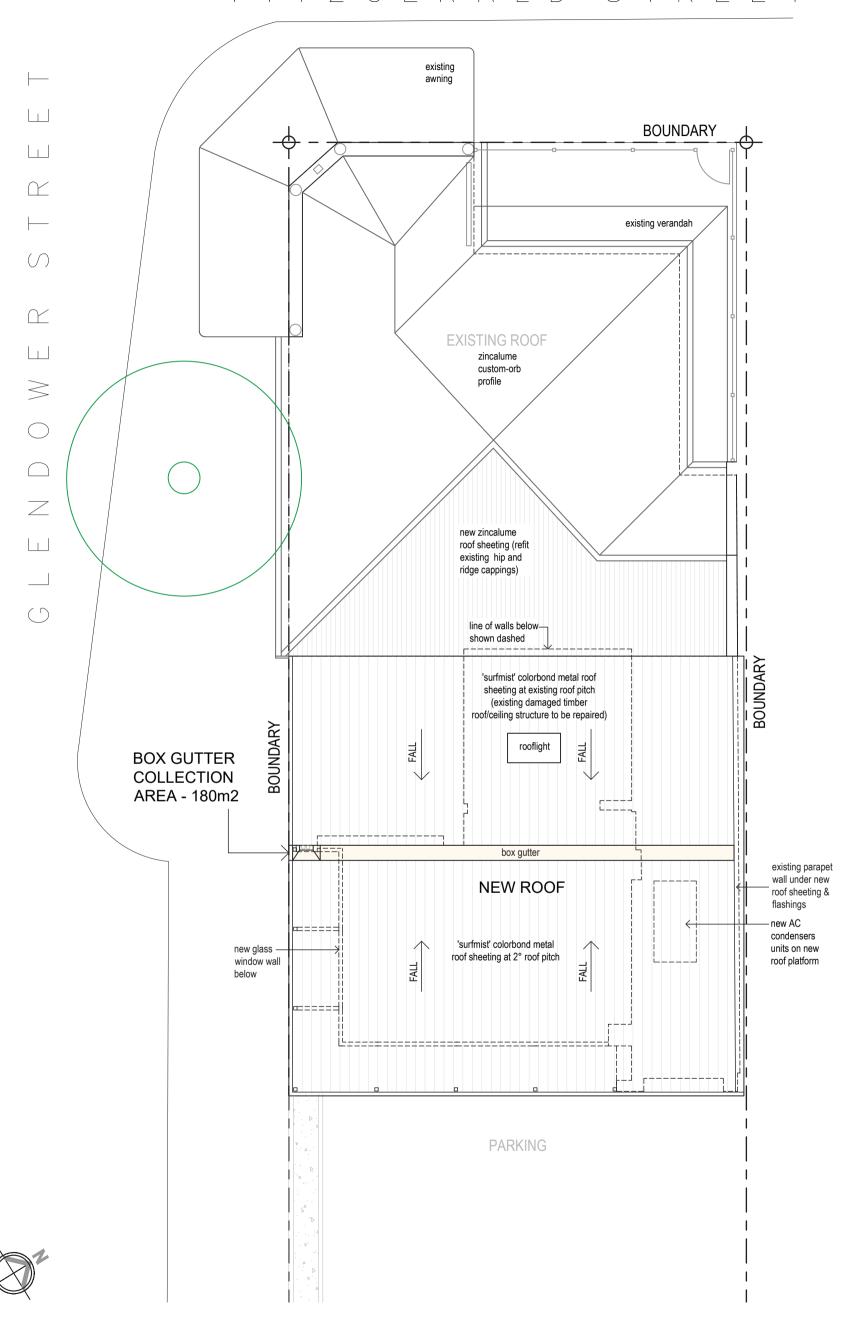
CIELO LANE

CITY OF VINCENT RECEIVED 8 March 2023



DA01

FITZGERALD STREET







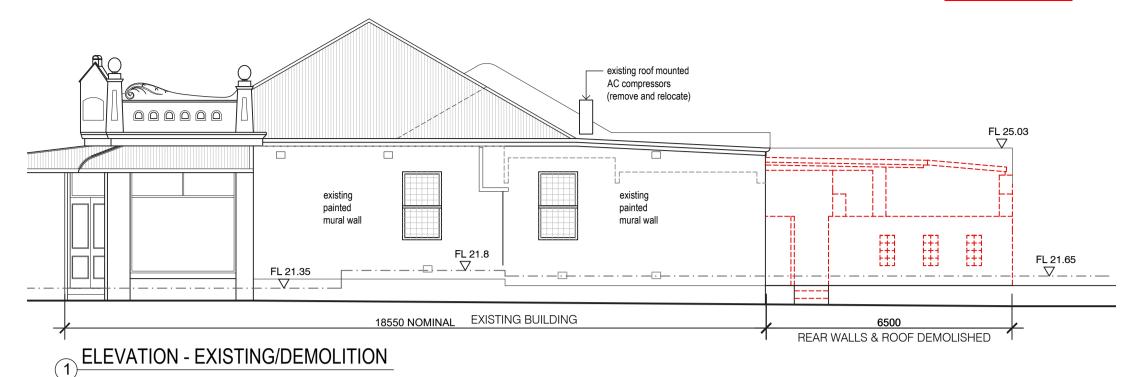


DA02



infill steps, rendered & painted retaining wall

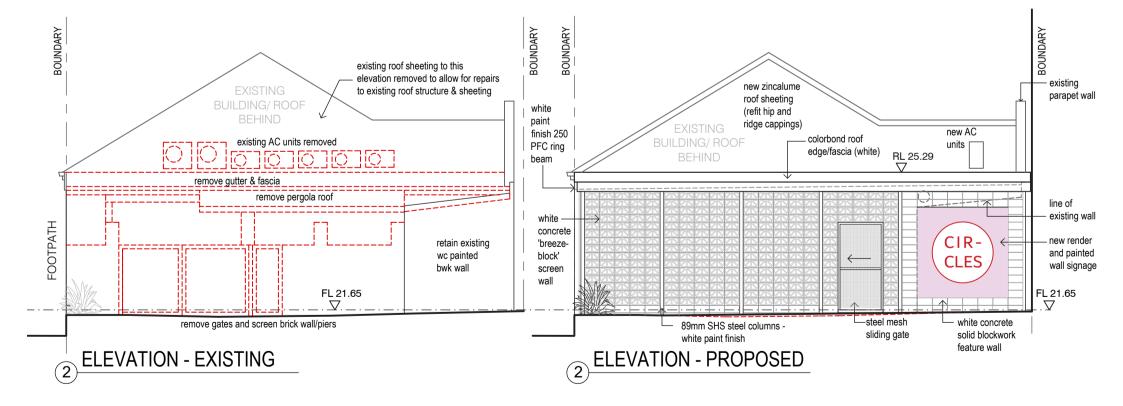
PROPOSED EXTENSION



NEW ROOF 11530 new a/c compressors **BUILDING/ROOF** new roof on new roof existing parapet to 250 PFC ring beam sheeting side boundary (TOW) RL 25.03 and steel columns at 2°pitch RL 25.29 white paint finish new white 3640 box gutter breeze-block 2 existing existing screen painted painted wall, paint mural wall finish steel FL 21.65 framing FL 21.8 ∠√. _

18555 EXISTING BUILDING - NO CHANGE

ELEVATION - PROPOSED REFER DA04 FOR STREETSCAPE

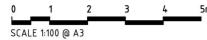




Concrete Breezeway Blocks - white

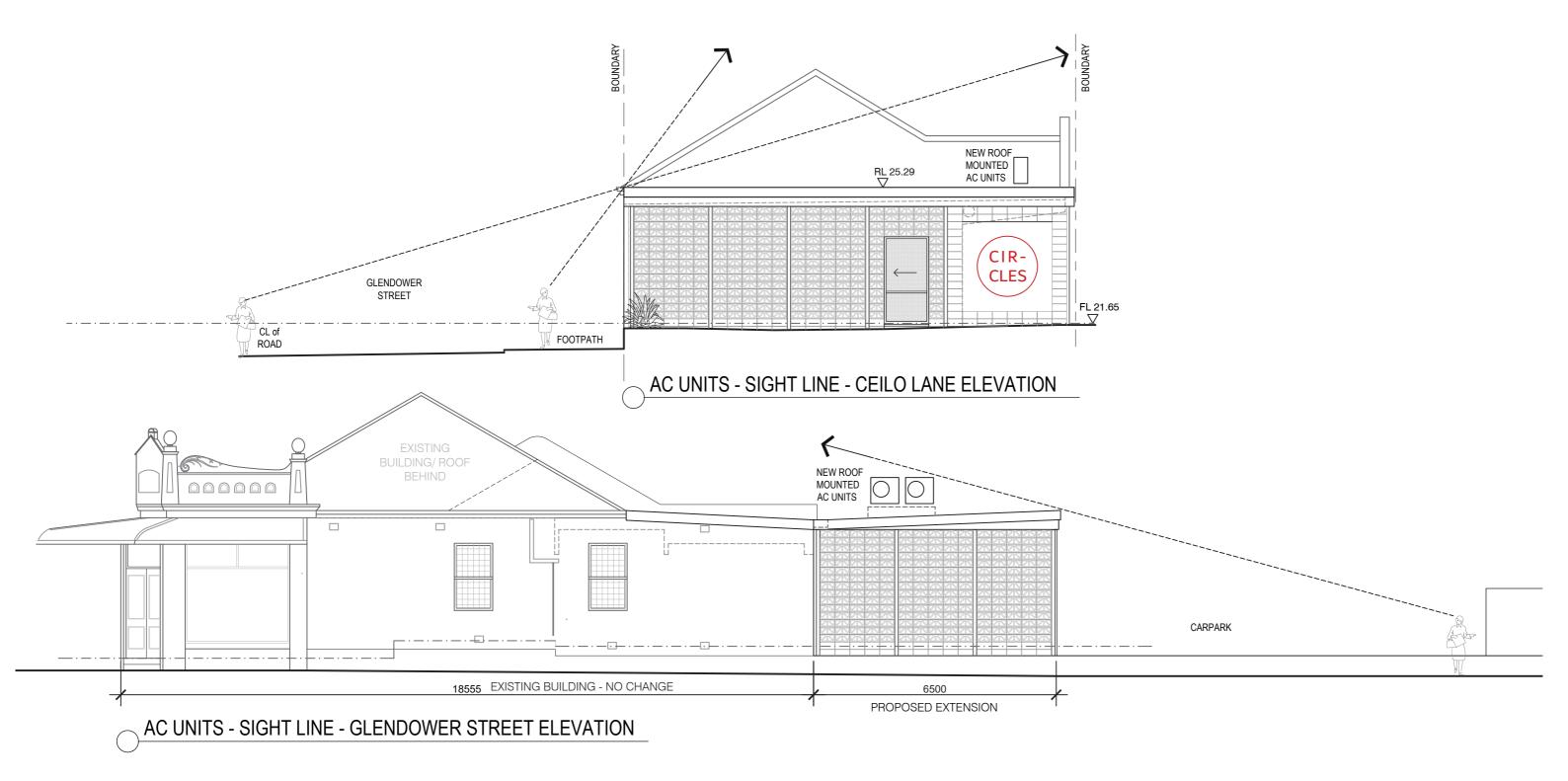


CIRCLES OF HAIR EXTENSIONS 296 FITZGERALD ST, NORTH PERTH













Impact

The proposal has been assessed against the Statement of Significance and the City of Vincent Heritage Policy 7.6.1: Heritage Management - Development Guidelines for Heritage and Adjacent Properties, Section 4. Development to Heritage Listed Buildings, to determine any impact against the heritage values.

STATEMENT OF SIGNIFICANCE

Each Statement is addressed below (*in bold-italics*) with a comment provided on the potential impact:

The place has aesthetic value as an intact and representative example of a corner store in Federation Italianate style and Federation Bungalow style building, that makes a contribution to the streetscape and is a local landmark.

Comment:

The proposal for a new extension to the rear intends to retain the predominant architectural features of the building. It is noted that the porch and courtyard area attached to the rear are to be removed. Following a site inspection on 3 February 2023 of the place, it is evident that these areas have been previously altered and are of little significance.

The existing brick screen wall and steel fence enclosing the porch and courtyard area do not have a strong contribution to the streetscape value. Their removal is considered to have a low impact on the landmark quality of the building and is considered to be acceptable.

Whilst the building has had alterations to the interior and exterior, it is still a good representative example of a corner store exhibiting the Federation Italianate style of architecture.

Historically and socially it has been a focus of the area as a predominately retail outlet.

Comment:

The current use of the place as a commercial retail outlet is being retained. The proposal is for the extension of the salon to accommodate the increase in capacity to support the ongoing use of the place.

The proposed extension is therefore considered to be a desirable outcome for the place and is acceptable. The existing historical and social heritage values as a predominantly retail outlet will still be able to be interpreted.

CITY OF VINCENT: DEVELOPMENT GUIDELINES FOR HERITAGE AND ADJACENT PROPERTIES - SECTION 4. DEVELOPMENT TO HERITAGE LISTED BUILDINGS

The City of Vincent's Development Guidelines for Heritage and Adjacent Properties, Section 4. Development to Heritage Listed Buildings, outlines three (3) Performance Criteria with considerations for Acceptable Developments.

All three (3) Performance Criteria have been listed below (*in bold-italics*) with the relevant considerations for Acceptable Developments (*in italics*) identified and a comment provided on the potential heritage impact:

- P1 Development is to comply with the statement of significance and zones of significance outlined in Heritage Assessment, Heritage Impact Statement and/or Place Record Form.
 - A.1.1 Development within zones, spaces and fabric of the place identified as significant is conserved and/or adapted in a manner that protects the significant heritage values.

A1.2 Development within zones, spaces and fabric of the place that are of little or no significance is to be sympathetic to the existing material and readily identifiable as new work.

Comment:

The Statement of Significance identifies the aesthetic, historic and social cultural heritage significance of the place.

The development is proposed to the rear of the property and will not impact on the architectural value identified by the building's presentation to Fitzgerald and Glendower Streets and the manner in which it addresses the corner.

The existing air-conditioning is highly visible to the east. These units are being relocated to be closer to the parapet wall to the north and this will reduce any potential impact on the streetscape.

The building is being retained and therefore the aesthetic, historic and social values will remain.

P2 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.

Building Scale, Bulk, and Mass

- A.2.1 The additions and alterations:
 - do not alter the original facade(s) or roof pitch;
 - are clearly distinguishable from the original part of the heritage place to be conserved;
 - do not obscure or alter an element that contributes to the significance of the place;
 - maintain an existing vista or view lines to the principal facade(s) of a heritage place;
 - are positioned and sized to ensure that the prominence of significant parts of the heritage listed place are retained.

Comment:

The alterations and additions to 296 Fitzgerald Street does not alter or obscure building fabric identified as contributing to the cultural significance of the place. The parapet and dominant hip roof are being retained with an extension to the rear of the place where the existing skillion roof is located.

The new roof has two sections falling to a box gutter. The low profile of the new roof will still allow views to the existing prominent hip roof.

A section of the existing roof to the east is being replaced. No alterations to the roof form and shape is proposed. The new material is to match the existing.

The prominent view lines and vistas of the west and south elevations are being maintained.

Building Scale, Bulk, and Mass

- A.2.2 An upper storey is sited and massed behind the principal facade(s) so that it is not visible from the street, particularly in intact or consistent streetscapes.
- A.2.3 Where the place is located on a corner site the upper storey addition is sited and massed so that it is visually recessive from the place's main frontage so that the scale of the heritage place is the dominant element in either streetscape. On corner sites the visibility of taller additions should be assessed from both streets

Comment:

There is no proposed upper storeys to the building.

Doors and Openings

A.2.4 New openings in the principal facades(s) visible from the street are avoided, or if openings are visible, they are proportionally related to those of the heritage place, unless concealed from view from the principal street frontage.

Comment:

There are no new openings in the principal west and south facades.

Materials, Surface Finishes and Fences

A.2.5 Walls, roof and fences are complementary to the heritage place in terms of materials, finishes, textures and paint colours and are appropriate to its architectural style.

Comment:

On the south elevation, to the rear of the site, a new masonry breeze-block screen is proposed. This screen wall has landscaping behind and a glass wall to the new extension. This design element is deemed acceptable as it is matching the scale of the existing wall and is a contemporary response to the new addition. In conjunction with the existing mural the masonry screen with landscaping behind will add visual interest to Glendower Street.

Internal Alterations

A.2.6 Internal alteration controls will only apply to interiors of places listed as Management Category A and are guided by the Statement of Significance detailed in the Place Record Form and/or Heritage Assessment or Conservation Plan.

Comment:

The new openings proposed to the rear will allow for connection to the proposed addition. The openings will be expressed in the same manner of the existing openings, with an exposed steel beam. This method of opening still allows for the interior space to be easily interpreted and allows for the efficient use of the space.

Signage

A.2.7 To comply with 'Standards Common to Signs on Heritage Buildings' provisions in the City's Policy No. 7.5.2 relating to Signs and Advertising.

Comment:

A new rendered and painted sign is proposed to the east elevation addressing the car park. This signage is considered acceptable as it does not impact on significant building fabric.

- P3 To ensure the cultural heritage significance of a place is conserved and the majority of the significant parts of the heritage place and their relationship to the setting within the heritage place should be retained.
 - A.3.1 Demolition of a whole building listed on the City's Municipal Heritage Inventory will not be supported for Management Category A and generally not supported for Management Category B.

Comment:

The building is being retained.

- A.3.2 Partial demolition of a building on the City's Municipal Heritage Inventory will generally be supported provided that:
 - the parts to be demolished do not contribute to the cultural heritage significance of the place as identified in the Heritage Impact Statement, Place Record Form, Heritage Assessment and/or Conservation Plan;
 - the proposed demolition will have no negative impact on the significant fabric of the place; and
 - sufficient fabric is retained to ensure structural integrity during and after the development.

Comment:

The section of building, to the rear is proposed to be demolished. This section is not considered to be of heritage value. It will have no negative impact on any significant building fabric or overall streetscape value.

Conclusion

Based on the cultural heritage values associated with 296 Fitzgerald Street, North Perth, the proposed alterations and additions in our professional opinion, will have little impact on the existing building and streetscape. The retention and conservation of the significant building fabric is an important and positive outcome for the site and is supported.

The proposed extension to the rear reflects the use of modern materials such as breeze-block and glass. In combination with its simple form, the proposal suggests the use of modern materials and neutral colours that will be easily distinguished from the existing significant fabric. This material palette shows an appropriate level of restraint and is considered to be sympathetic to the cultural heritage values of the place and is acceptable.

The proposed extension to the rear of the building will add visual interest to Glendower Street and support the ongoing use of the place for commercial and retail purposes. The continued occupation of heritage places with compatible and sympathetic uses is an important aspect of building conservation. Overall, the alterations and additions to 296 Fitzgerald Street, North Perth are considered to be appropriate and the impact of the proposal on the cultural heritage values of the place is considered to be low.

The current position of the air-conditioning units on the building has a negative impact. The proposal is to relocate the units adjacent to the large blank wall to the northern boundary. This will reduce the ensure that streetscape view lines are being maintained.

Recommendations

Following the assessment of the impact of the proposal on the cultural heritage values of the place, it is recommended that consideration is given to the following actions:

- 1. This Heritage Impact Statement (HIS) should be considered by the client. If accepted by the client, this HIS should form part of the proposal.
- 2. This Heritage Impact Statement should be considered by the City of Vincent as part of their evaluation of the Development Application.
- 3. A photographic record of the existing building should be undertaken and provided to the City of Vincent.
- 4. Protection of external significant building fabric should be undertaken during building works to ensure that it is not damaged.
- 5. Internal elevations documenting the new openings to the east elevation of the existing building should be provided to confirm the proposal and treatment of the facades.

Please do not hesitate to contact me on 0457 309 201 or email (stephen@ stephencarrickarchitects.com.au) if any clarification or additional information is required.

Yours Sincerely,

Stephen Carrick

Director

Attachment: Appendix: February 2023 Site Visit Photographs

APPENDIX-

PHOTOGRAPHS





01 296 Fitzgerald Street, North Perth - West elevation



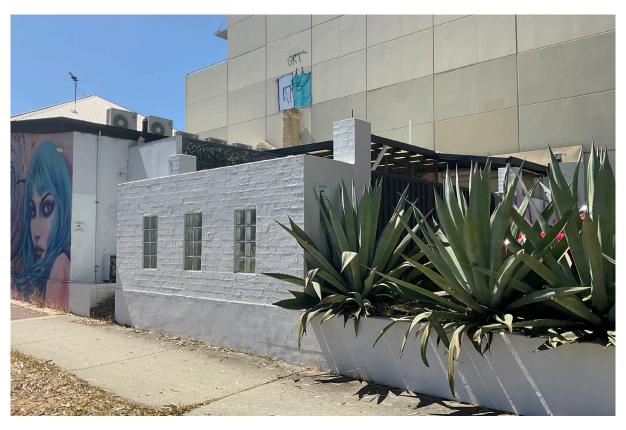
O2 Splayed entry addressing Fitzgerald and Glendower Streets



Glendower Street - South elevation



South elevation - Large mural facing Glendower Street



South elevation - Existing brick wall to be demolished



Adjacent pedestrian footpath along Glendower Street



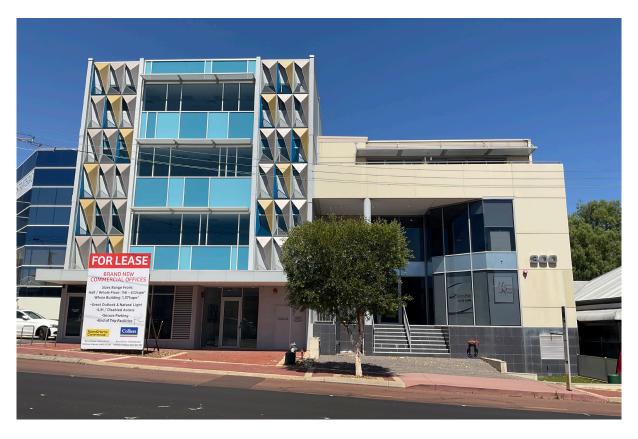
East elevation and adjoining car park



AC Compressor units



09 Adjacent Property - Double storey commercial building



10 Adjacent Property - Double storey commercial building



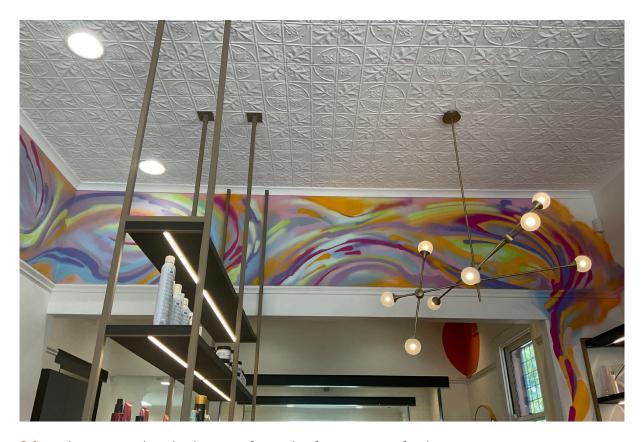
11 Opposite corner of Fitzgerald and Glendower Streets - Commercial Property



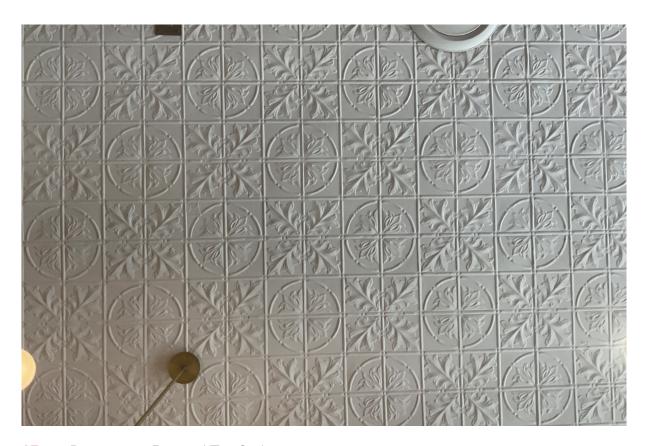
12 Glendower Street - Residences



13 Glendower Street - Residences



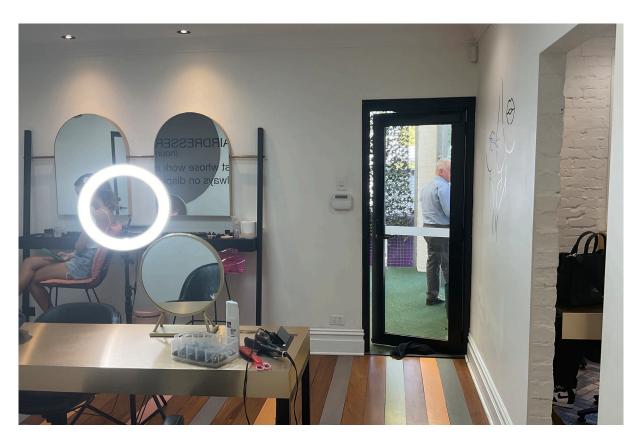
14 Interior ceiling looking up from the front entry of subject site



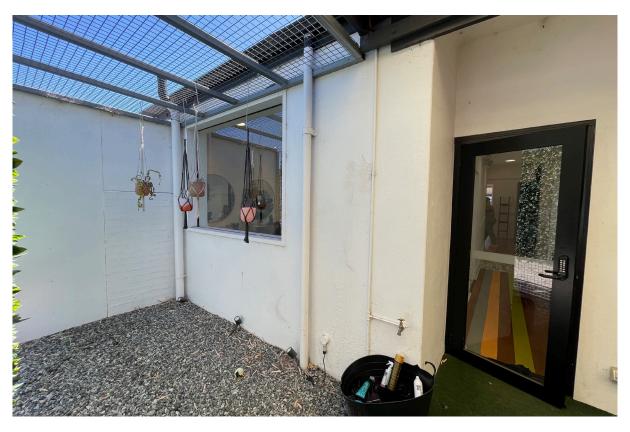
15 Decorative Pressed Tin Ceiling



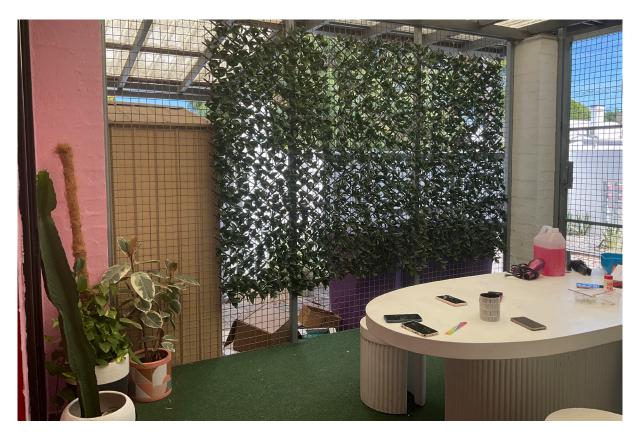
16 Section of wall to be demolished for new opening, adjoining existing courtyard



17 Section of wall to be demolished for new opening, adjoining existing porch area



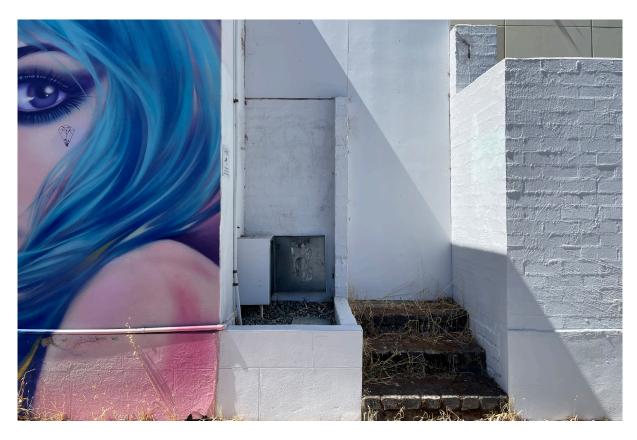
18 East Elevation - Porch and Courtyard Area



19 Existing Porch with steel mesh - proposed to be removed



20 Courtyard Area with steel mesh and access door - proposed to be removed



21 Existing steps to courtyard - proposed to be removed



22 Courtyard Area with steel mesh and section of roof - proposed to be removed

CITY OF VINCENT RECEIVED 8 March 2023





DEVELOPMENT APPLICATION

Circles of Hair – 296 Fitzgerald Street, North Perth

Project No. 221025 February 2023

Contents

Annexures and Supplementary documents	2
Overview	3
Streetscape Analysis	3
City Policy 7.6.1 – Heritage responses	3
City Policy 711 - Built form responses	3
Conclusion	7

Annexures and Supplementary documents

- 01 Certificate of Title & Plan Diagram
- 02 Completed Application Form and MRS Form 1
- 03 Existing Site Feature Survey JBA Surveyors
- **04 –** Drawing set DA00 to DA06 Lyons Architects
- 05 Heritage Impact statement (HIS) Stephen Carrick Architects
- 06 Parking Management Plan Circles of Hair
- 07 Access Management Statement Circles of Hair

CITY OF VINCENT RECEIVED 8 March 2023

Overview

SITE DETAILS - 296 (LOT 8) FITZGERALD STREET, NORTH PERTH

CERTIFICATE OF TITLE - DP 2411 - VOL 1978/ FOLIO 955

SITE AREA – 496M2

LOCAL PLANNING SCHEME ZONING – COMMERCIAL (SHOP) IN THE FITZGERALD STREET ACTIVITY CORRIDOR

This development application pertains to proposed alterations and additions to the rear of the existing commercial property (shop/hair salon) at 296 Fitzgerald St, North Perth.

The existing building accommodates 16 client cutting chairs. The staff facilities are currently located outside on the porch (under an open pergola structure) and one of the client toilets can only be accessed via the staff area. During inclement or cold/hot weather periods, the outside porch area is not suitable for salon staff to sit during their breaks.

To improve amenity for staff and clients, the proposed works have been designed to better separate the staff and client areas by bringing the staff 'tea prep/breakout' back inside the existing building (into an air conditioned space) and to expand the number of client cutting chairs from 16 to 22 (a net increase of 6 client chairs).

The following report addresses the City of Vincent local policies and planning requirements for the proposed alterations.

Planning Approval requirements (also refer to the Supplementary application documentation provided).

Streetscape Analysis

- All alterations to the streetscape will be facing the secondary road boundary (Glendower Street).
- The property is not immediately adjacent to another building on Glendower Street and is a stand-alone building in terms of streetscape impact - with Fitzgerald St to the West and Cielo Lane to the East.
- The proposed alterations will enhance the existing streetscape, removing of the existing steps/alcove and visible services to the rear of the existing building.
- The new extension is designed to be visually permeable to provide interest to pedestrians on the adjacent footpath, with glimpses through the white 'breeze-block' screen wall to the new landscaped garden beds behind.
- Clients and staff will have passive views out to the footpath and street from within the extension.
- The white block screen will provide articulation and a strong visual contrast to the existing coloured 'Circles' wall mural.
- The textured/narrow surface area of the blockwork will discourage unwanted graffiti and tagging on the new walls.

Refer: Annexure 04 - Lyons Architects Drawing Sheet DA04 - Streetscape

City Policy 7.6.1 - Heritage responses

HERITAGE MANAGEMENT – DEVELOPMENT GUIDELINES FOR HERITAGE AND ADJACENT PROPERTIES

The property is listed as 'Management Category B – Conservation Recommended' on the Municipal Heritage Inventory

It is not located within a Heritage or Character Retention Area.

As the proposed extension is visible from the street and includes removal of part of the existing wall of the original building structure, a Heritage Impact Statement (HIS) has been prepared by Stephen Carrick Architects to demonstrate that the proposed alterations and additions will:

- Maintain and protect the heritage values of the property;
- Be clearly distinguishable from the heritage building fabric; and
- Not have a negative impact on the significant fabric of the place.

Refer: Annexure 05 – Heritage Impact Statement – Stephen Carrick Architects

City Policy 711 - Built form responses

Applicable provisions - VOLUME 3 COMMERCIAL/ SECTION 2 ACTIVITY CORRIDOR

Built form Development area for the site - Fitzgerald Street Activity Corridor

2.1 Building height

Complies with Acceptable Outcomes - single storey building and proposed extension.

The maximum height for the site = 4 storeys

2.2.1 Activity corridor development requirements

As per all development requirements of Section 1 – Town Centres (Clauses 1.2 – 1.20)

As addressed in the sections below:

1.2 Street setbacks (Primary and Secondary)

Complies with A1.2.1 (Primary and secondary street setbacks are nil)

1.3 Side and rear setbacks

Complies with Table 1.3b – side setback = nil (against adjacent parapet wall).

Rear setback is as existing (retains on site parking).

1.4 <u>Orientation</u>

N/A – development on the subject property does not overshadow adjoining properties.

There is already an adjacent building with effective wall height of 4 -5 storeys to the northern boundary of the subject site.

The proposed development is single storey and the southern boundary of the site is immediately adjacent to the public footpath on Glendower Street.

1.5 <u>Tree Canopy and deep soil areas</u>

N/A – existing built area and hardstand parking.

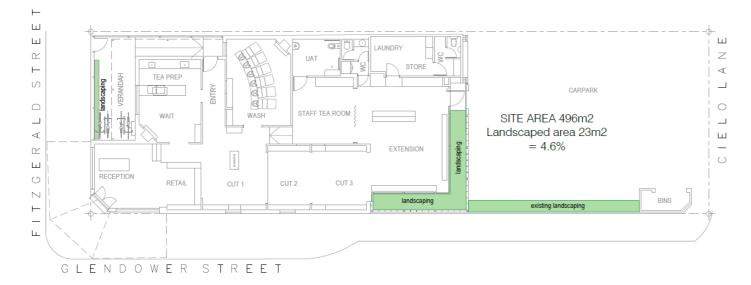
No existing trees on site.

The proposal complies with Outcome A1.5.2 – Planting Areas

Minimum of 3% of site area required = 14.88m2.

23m2 of Planting Area will be provided (4.6%)

Refer to diagram below:



1.6 <u>Visual Privacy</u>

Complies with Element Objectives – no overlooking to adjacent properties

1.7 Public domain interface

Complies with Acceptable Outcomes



1.8 <u>Pedestrian access and entries</u>

Complies with Element Objectives O1.8.1 (AS1428.1 compliant access entry from Fitzgerald St and access for ambulant clients via main doors on corner of Fitzgerald and Glendower St)

Access for staff and deliveries from the rear - via the new lockable sliding gate and rear glazed pivot door facing the carparking.

1.9 Vehicle Access

Complies with Acceptable Outcomes

As existing – with access via Cielo Lane

1.10 Car and bicycle parking

Complies with Acceptable Outcomes A1.10.3 and A1.10.5 and Element Objectives O1.10.2, O1.10.3 and O1.10.4

City Policy 7.7.1 – Non-residential Development Parking Requirements

A summary of the required number of parking provisions on site is provided in the table below:

CITY POLICY 7.7.1- NON RESIDENTIAL PARKING REQUIREMENTS NLA EXISTING = 151M2 (6.795 car bays) NLA PROPOSED = 174M2 LAND USE = SHOP IN ACTIVITY CORRIDOR				
TYPE	POLICY # BAYS	POLICY MINIMUM BAYS	PROVIDED BAYS	
Car bays	4.5 per 100m2 NLA	7.83	10 (including 6x tandem/restricted use bays) (2.17 bay surplus)	
Short Term (security level C) Bicycle Parking Spaces	1.6 per 100m2 NLA	2.784	4 (1.216 bay surplus) PLUS 1x public rail on verge	
Long Term (security level A OR B) Bicycle Parking Spaces	0.9 per 100m2 NLA	1.566	0 (1.566 shortfall)	
Motorbike or scooter bays	1 per 20 car bays	1	1 Complies	
Service Bays	1.0	1.0	0 (1.0 bay shortfall)	

While the parking provisions on site do not fully meet the standards set out in Clauses 2 and 4 of the City's policy 7.7.1, the shortfalls are minor and the applicant is therefore seeking approval for the alterations against the Objectives of the policy being:

1. To support a shift towards a more active and sustainable transport modes

CITY OF VINCENT RECEIVED 8 March 2023

- 2. To ensure that parking facilities do not prejudice the environmental and amenity objectives of the City's Local Planning Scheme.
- 3. To ensure appropriate parking and access is provided in non-residential development to meet the needs of its users.

The business already has a management plan in place for any staff and clients with mobility issues who may require access to accessible parking onsite. All staff are trained to follow the management plan as required by the plan.

To date, there have not been any complaints from neighbouring properties or Circles' customers regarding the parking facilities provided.

Cirlces have provided details of how the available vehicle spaces will be managed after an increase in cutting chairs (and therefore customers) from 16 to 22 to meet the needs of their business, staff and customers – refer to the Parking Management Plan in the annexures.

Refer:

Annexure 04 - Lyons Architects Parking Calculations DA06

Annexure 06 – Parking Management Plan

Annexure 07 - Circles Access Management Plan

1.11 Managing the impact of noise

Complies with Acceptable Outcomes and the City Policy 7.5.21 – Sound attenuation

Both the site use and occupancy are as existing.

The existing business hours of operation and delivery times will remain unchanged.

As part of the development, the number of roof mounted airconditioning units will be reduced from 7 to 3 or less and re-located perpendicular to the existing location with the rear of the units adjacent to the 4 storey concrete parapet wall of the adjacent commercial site.

1.12 Universal Design

Complies with Element Objective

Accessible entry/exit doorway and internal ramped transitions allow access to almost all internal spaces

AS1428.1-2009 compliant universal access toilet and shower facilities are provided.

The business already has a management plan in place for any staff or customers with mobility issues, and the proposed extensions will not alter the provisions of this plan.

Refer: Annexure 07 - Circles Access Management Plan

1.13 Façade design

Complies with Element Objectives O1.13.1 and O1.13.2

The proposed development comprises of alterations to an existing Heritage category building, therefore not every acceptable outcome is able to be met.

However, the following outcomes have been achieved:

A1.13.1 - The existing painted solid brick screen wall to Glendower Street will be replaced with an active frontage which includes screened glazing and opening sections of glass to allow filtered visual connection to/from the public realm.

A1.13.5 – The extension incorporates a variety of textures, materials and depths and shadowing, avoids monotonous/blank walls and the screening walls provide articulation without the need for additional cosmetic attachments. Signage placement has been well considered and designed into the architectural treatment of the extension.

A1.13.10 – security measures are an integral part of the design of the extension – with the white concrete breezeway block screen walls being visually permeable to allow internal light sources to be seen from the street.

1.14 Roof design

Complies with Acceptable Outcomes

Building services will be relocated onto the new extension roof to ensure that these are not visually obtrusive when viewed from the street.

Refer: Annexure 04 - Lyons Architects Drawing Sheet DA05/AC sight lines

The existing roof sheeting to the original building will be replaced 'like for like' with zincalume with a solar absortance rating of 0.35 (max 0.5)

The rear extension roof at 2 degree pitch (not visible from the street or adjacent properties) will be colorbond Surfmist with a solar absorptance rating of 0.33 (Policy allows max 0.4)

1.15 Landscape design

Complies with Element Objectives O1.15.1 to O1.15.4

The proposed building extension replaces an area of hardstand/roofed area, with the sealed carpark to the rear of the site to remain.

The area of planting/landscaping on site will be increased with the addition of the planted garden beds between the new screen wall and glass line of the extension which contributes to the enhancement of the streetscape and pedestrian amenity and visual appeal of the extension.

The garden bed between the new external screen wall and glazing will be landscaped with plants that grow in dappled sunlight and provide some privacy to the client cutting stations behind the glazed wall. These will be visible through the new breezeway block screen walls.

The existing established garden bed between the footpath and carpark bays is intended to remain. The planting to this garden bed is currently large Aloe.

Existing planted areas are already very water efficient (large aloe succulents) requiring minimal additional irrigation and the new planting will be irrigated by dripper-style reticulation.

Refer: Annexure 04 - Lyons Architects Drawing Sheet DA01

1.16 Adaptive reuse

Complies with Acceptable Outcomes

1.17 Environmentally Sustainable Design (ESD)

Extension complies with the Element Objectives.

As the extension is minor in scale and relates to changes to a Heritage building, the City's Duty Planner has confirmed that a Preliminary Sustainable Design Assessment Report or LCA will not be required as part of this planning application documentation.

However, ESD has still been considered in the design of the extension to ensure that the business' energy use remains as energy efficient as possible, while operating from an existing building with heritage significance.

Sustainable initiatives and strategies to be incorporated into the project include:

- The majority of the existing building and structures on site are being retained or modified (minimising building waste).
- All new glazing is shaded from direct sun and heat by the new light colour blockwork screen and landscaping buffer
- 7x separate existing airconditining units will be replaced with new high-efficiency airconditioners.
- The new glazed wall to the extension will include opening glass panels (vertical sliding 'Aneeta-style' windows) to allow for natural cross ventilation to supplement or replace the artificial cooling in summer.
- Upgrades to the existing power distribution within the building concurrent with the alterations will allow for the addition of battery storage linked to future roof-top collection panels.
- Light grey colour roof sheeting (Surfmist or similar) no issues with glare or overlooking with the adjacent property having no overlooking windows (solid parapet wall) and the roof extension is set well back on the block with a low pitch.
- The energy efficiency of appliances and water heating systems are to be considered and where suitable for the intended purpose, the most energy efficient model will be selected.
- All new lighting to be low-energy/high efficiency, switched in zones by space/room.
- Natural light will be retained in the centre of the new staff room via a roof light.

1.18 Water management and conservation

Complies with the Acceptable Outcomes and *City Policy 2.2.10 – Stormwater Drainage Connections.*

CITY OF VINCENT RECEIVED 8 March 2023

No additional water outlet fixtures are proposed in the extension.

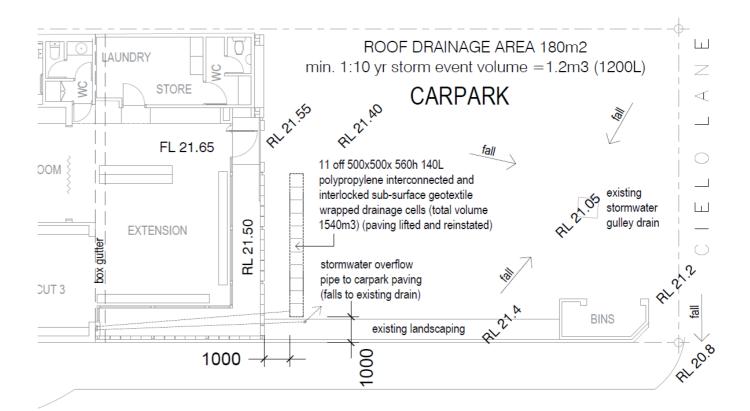
The new reticulation system will be designed to provide maximum efficiency watering to the new planted areas.

Stormwater disposal from new roof (catchment area of 180m2) via pipework to sub-surface drainage cells to rear of the extension. Vincent stormwater policy requires a minimum commercial stormwater collection volume to accommodate a 1:10 storm event (1200L).

Sub-surface drainage collection cells with nominal capacity of 1500L are proposed.

For major storm events and stormwater volumes in excess of that capacity, overflow pipework from the new box gutter will be installed to discharge out over the rear carpark, which is already graded towards an existing in-ground stormwater gulley drain.

Refer to stormwater/drainage diagram below:



1.19 Waste Management

Complies with the Acceptable Outcomes and City Policy 2.2.11 – Waste Management

The existing bin storage area is screened from the street and located to the rear of the site adjacent to Cielo Lane.

No changes are being proposed to the existing business waste management procedures and waste collection services (which is provided by a private contractor).

CITY OF VINCENT RECEIVED 8 March 2023

1.20 <u>Utilities</u>

Complies with the Element Objectives and Acceptable Outcomes

The existing gas meter and steel enclosure (in alcove facing Glendower Street) will be removed as part of the proposed extension works (gas service will no longer be required).

Conclusion

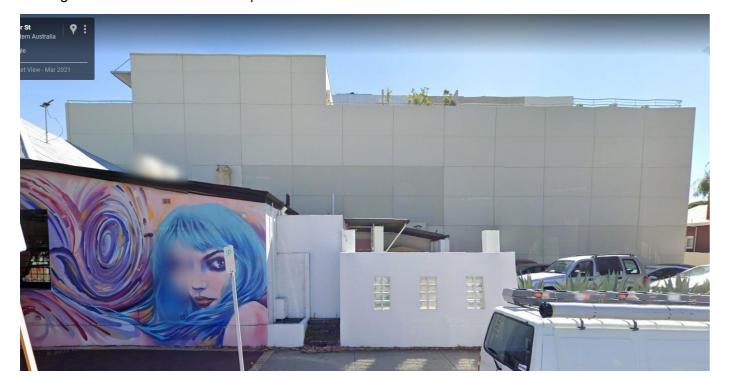
The proposed internal alterations and extensions to the rear of the existing Heritage building can be considered as a positive outcome for the property, the streetscape and surrounding areas, adding to the previous 2017 improvements and maintenance of the original building fabric by the business.

They are low-scale and carefully designed to be in keeping with surrounding residential scale properties on Glendower Street, while providing a low-maintenance solution to the street-facing screen walls.

This second stage of works will continue with the previous adaptive use and repurposing of an existing 'corner shop' for continuing commercial use and activation of the area while providing an improved service to their clients.

End of Report

Existing Glendower Street Streetscape:



BUSINESS DETAI	LS
Name:	Circles of Hair
Address:	c/o 296 Fitzgerald Street, North Perth
Phone:	Personal Information Redacted
Email:	Personal Information Redacted
Signature	Personal Information Redacted
PROPERTY DETA	ILS
Lot Number:	Lot 8
Address:	296 Fitzgerald Street, North Perth

PARKING ALLOCATION	
Total Number of Car Parking Spaces:	8 (including 2x tandem/restricted use bays)
Total Number of Short Term Bicycle Parking Spaces:	4
Total Number of Long Term Bicycle Parking Spaces:	0
Total Number Other Bays:	1 motorbike/scooter/moped bay

Development Type	Development Users	Parking Allocation			
		Type/ Duration	No. Car Spaces	No. Bicycle Spaces	No. M'bike spaces
Hair and Beauty Salon	Staff/ Employees	Employee (>3 hours)	8 (2 in 'tandem')	2	1
	Clients	Visitor (< 3 hours)	0	2	0
	Deliveries - After hours	Service (< 15 minutes)	1 (hours noted below)	0	0
	Mobility impaired	Clients or Staff (varies)	As required – Refer to the ex	isting Access Ma	ınagement plan

ALTERNATIVE TRANSPORT		
Transport Option	Type and Level of Service	
Public Transport	There are 6 high frequency bus routes down Fitzgerald Street with the two closest bus stops being within 50m from the front entrance to the property.	
Ride Share/Taxi	This is available as a transport option for staff and clients at any time.	
Pedestrians	Excellent walking opportunities for staff and clients with footpaths on both sides of Fitzgerald Street and tree-lined Glendower Street within 200m of Hyde Park	
Cycling	4x new bicycle parking spaces (2x rails to allow for securing of the bicyles by the Owner) will be available for Staff and Client use inside a fenced & gated front setback.	
	Two of these spaces under cover of the verandah roof.	
	The premises has both shower and toilet facilities (including AS1428.1 accessible facilities) and staff have access to storage lockers in the laundry/store room for storage of personal items/helmets etc.	
	While there are no 'long term' bicycle spaces with Level A or B security (as per AS2890.3) being provided with the development – ie fully caged and lockable bicycle storage – the proposed location of the 4 bicycle spaces is a high surveillance area, with passive surveillance from within the premises via large window to the waiting/tea room area.	
	There is also a public bicycle rail located immediately adjacent to the premises.	
Power-assisted 'E-bike' or scooter	As above for E-bikes.	
	Staff will be able to bring motorised E-scooters into the staff facilities to the rear of the tenancy (locker area adjacent to the staff toilet).	
	Clients who arrive by E-scooter will be permitted to bring these into the premises and staff will assist with storing these securely in back-of-house areas for the duration of their appointment.	

PARKING MANAGEMENT STRATEGY

1. Responsible Person(s):

Personal Information Redacted

2. Days and hours of business operation:

Tues/Friday 9-5pm, Wed/Thurs 9-9pm, Sat 8-4pm

3. Number of staff proposed (before alterations):

Maximum of 13 staff on site at one time, including 5 apprentices

The apprentices are/will not be allocated a car bay and they don't drive and they are either dropped off/picked up from work or catch the bus.

4. Number of staff proposed (after alterations):

Maximum of 15 staff on site at one time, including 5 apprentices

The apprentices are/will not be allocated a car bay and they don't drive and they are either dropped off/picked up from work or catch the bus.

5. Number of clients proposed (before alterations):

Maximum of 18 on the premises at any one time (16 cutting chairs plus 2 in the waiting area)

6. Number of clients proposed (after alterations):

Maximum of 22 on the premises at any one time. Allows for spare occupancy in cutting chairs for cleaning and rotation of clients between zones – cutting/colour and consult etc.

7. Management and allocation of the staff car parking bays, including the six restricted access/tandem bays:

We have different staff members on shift each day, with some finishing earlier or starting later on the 10 hour days (Wednesdays + Thursdays).

The parking roster and options for alternative transport to the site are already discussed with new staff as part of their induction process and this will be continued.

During shift changeovers, staff are aware that if there are no bays available for the start of their shift they are to park in an on-street parking bay and wait until an employee finishes their shift and then move their car into the onsite staff bays.

The restricted bays will be managed as part of the staff roster to suit staff arrival/departure times and additional time will be allowed between client bookings to allow for relocation of staff cars if needed.

If required, parking for staff with mobility issues will be made available to the rear carpark in accordance with the Dec 2016 Access Management Statement.

8. Management of client parking:

No onsite parking is available for clients.

If clients are new to the salon, we will send them a map of the area showing the options for places to park (including the Dorrien Gardens carpark) and details of the closest main bus routes (6 different routes stop right outside the premises).

It's never an issue as most of our clients are in the salon between 1-3 hours which are the times allocated on the street-parking bays outside.

Ride-share travel to and from the salon is also an option for our clients who chose not to drive to their appointment and Cielo Lane provides a convenient pull in/drop off location with access to the main entry via the adjacent tree-lined footpath.

9. Assistance to clients with mobility issues and access into the premises:

We currently have a ramped accessible route from Fitzgerald Street to a wide access door to the side of our premises, which will be retained.

In accordance with the current Circles access management plan, clients with mobility issues would advise us before their appointment time and we would move staff cars make sure the closest bay to the premises is always available for them.

10. Promotion of alternative transport options for staff and clients – eg bicycle/end of trip facilities, public transport, other:

Apprentice staff without on-site car bays already car-pool or take the bus which conveniently stops right outside the premises.

3 regular staff members also car-pool to work on Fridays and Saturdays.

Our clients sometimes catch public transport (bus) and very occasionally by bicycle or E-bike/scooter (as they do not want to mess up their new hairstyles. (a) – but 2 of the bicycle rail spaces on site will be set aside for casual use by clients. There is also a shared public rail on the footpath immediately outside the front of the premises.

Once the new bicycle rails and motorbike/scooter bay are installed, 2 rails and the bay will be offered to staff as alternative options for transport to work. Staff are able to access the building at least 1 hour before the start of their shift should they wish to use the onsite shower and change facilities that are already provided.

11. Management of deliveries and route taken to and from the premises:

Deliveries of no more than 5 boxes of small consumables and stock items are made once a fortnight between 8-8:30am on Wednesday or Thursday using a commercial delivery van. Morning delivery times are scheduled to be early before the salon opens and before all staff are on site (and therefore when spaces are available for the van to park on site at the rear of the salon).

The drivers use a hand-trolley to bring the boxes into the premises and they are on site for no more than 15 minutes for each delivery.

If there is a delay in the timing for the scheduled delivery, the delivery company will be asked to contact the Owner of the business with the anticipated arrival time, who will then instruct staff to make space for the van to park on site in the rear carpark.

At no time will the delivery van be permitted to use the rear Lane to park or unload.

Therefore, a dedicated delivery/short stay car bay is not required for the business needs.



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

Comments Red	eived in Objection:	Adn	ministration Comment:
Parking & Traffi	2		
on Glendov customers	at the development will exacerbate the congestion problems wer Street and Cielo Lane by increasing the number of and staff attending the business. This is because the existing often filled above its capacity.	•	The application does not result in a change to the number of car parking bays onsite and would not result in an increased number of cars parking on the site. It would not change the configuration of parking bays on-site also. On this basis there would not be an adverse impact on the safety of pedestrians and other users of Glendower Street due to the proposal.
	at increase in parking and the proposed car parking on site a safety issues with young children and the nearby		
	ss requires more parking made available for the extra cars and the business, possibly an underground car park.	•	The number of car parking bays on-site complies with the deemed-to-comply standard under the City's Local Planning Policy: Non-Residential Parking. The provision of additional car parking bays on-site is not required.
parking over	already a problem within Glendower Street with people or the permitted time, including staff from this business. This eased policing by the City inspectors.	•	Concerns about cars parking over the 1P and 3P restrictions have been noted by the City's Rangers team to inform their parking enforcement regime.
needs incre	eased policing by the City Inspectors.		The City's car parking survey data is from 2018 and provides data for Glendower Street, between Fitzgerald Street and William Street. The car parking data indicates the highest use day was Saturday, with utilisation of 70 to 94 percent of on-street parking bays, peaking between 3:00pm and 5:00pm. Use was lower on weekdays, varying between 42 and 65 percent. The data indicates the use was steady at approximately 65 percent between 9:00am and 5:00pm on weekdays.
			At the time the survey was undertaken, 3P parking restrictions applied to all bays on Glendower Street. 1P restrictions have now been applied to parallel parking bays on Glendower Street between Fitzgerald Street and Palmerston Street, with 3P restrictions continuing to apply to bays directly adjoining Hyde Park.
			A further survey of on-street car parking on Glendower Street, between Fitzgerald Street and Palmerston Street, was undertaken by the City between 23 and 29 June 2023. No data was collected on Sunday 25 June 2023. Surveys were undertaken at approximately 10:00am, 1:00pm and 4:00pm. The car parking data indicated that average occupancy of car parking bays was less than 50 percent, peaking at 80 percent at 1:00pm within the 3P bays.

Comments Received in Objection:	Administration Comment:
	Rangers have advised that the changes to car parking restrictions that have been implemented around Hyde Park saw a reduction in vehicles along Vincent Street. There was less impact on other streets, including Glendower Street. Notwithstanding the above data, the City's Rangers team have advised that they are aware of the parking limitations on Glendower Street and continue to attend and mark cars for time restriction enforcement.
	The City is investigating ways of improving enforcement of time restrictions, to increase bay turnover to accommodate short-term and parking permit users. This is discussed further below.
Request the City install in-ground sensors that would identify bays in which cars were over-staying the permitted time limit.	In 2021 the City commenced a Parking Sensor Pilot Program in locations around the Leederville Town Centre and in the Oxford Street car park. Though these sensors do assist in providing occupancy data, they still rely on rangers attending the street for enforcement purposes. The City is currently working on the implementation of Licence Plate Recognition cameras affixed to Ranger vehicles, to electronically track parked vehicles.
Noise	
Concern that the larger air conditioning units will add to noise pollution and would like to see an assessment of the net impact of this unit.	The air conditioning units would be located 26.5 metres from the nearest residential property. These units are replacing seven existing condenser units on the roof of the building which currently face towards the residential property at No. 136 Glendower Street. This site planning and design response would appropriately minimise the potential of noise impacts. The new units would also need to comply with the Environmental Protection (Noise) Regulations 1997.
Concern that the additional staff and patrons will result in additional noise to the adjoining residential area.	The new building addition is an enclosed building that would sufficiently attenuate and contain noise from staff and patrons. It would replace structures on site, including open, unenclosed courtyard areas that currently exist to the rear of the building.

Co	mments Received in Objection:	Ac	Iministration Comment:
Str	<u>eetscape</u>		
The	e proposal would have a negative impact on the streetscape.	ac po we ap the Th	the proposal would contribute to the streetscape. This is because it would extend the tivation and built form interest of the premises further along the street frontage. The rition of existing development to be removed, including the masonry fence and patio, are constructed in approximately 1995. These elements were considered by both the plicant's heritage specialist and the City's DRP member to be of little significance to exite and to contribute little to the streetscape. The proposed design would be clearly distinguished from the existing heritage building rough the use of a modern design, and would contribute to the amenity of the reetscape by increasing the amount of landscaping on-site and visible from Glendower reet.
Oth	ner_		
•	The photos of residences in the Heritage Plan show those across the street and carefully omit the property which is the nearest to the business and clearly directly impacted.	•	The Heritage Impact Statement (HIS) was prepared by Stephen Carrick Architects. The purpose of a HIS is to assess the impact of the proposed development on the significance of the place, which is informed by the Statement of Significance for the place included in the heritage listing. The photographs that have been included in the report are appendices which provide context to the HIS. The HIS is not intended to assess the overall impact of a proposal on adjoining properties, which is addressed through the planning assessment process against planning policies. The development would positively contribute to the street and surrounding context, as outlined in the response to 'Streetscape' above.
•	Express concern with the extent of consultation for the proposal, given the impact on car parking on Glendower Street that would result from the development.	•	The application was advertised to adjacent and adjoining property owners in accordance with the City's Community and Stakeholder Engagement Policy. The development complies with the number of car bays that are required for a Shop use under the City's Non-Residential Parking Policy and is not an aspect of the proposal where discretion is being sought.

Comments Received in Objection:	Administration Comment:
 This development would not contribute to improving the am residents, increasing the safety of pedestrians, and reducing emissions. 	
	The development would also increase the amount of on-site landscaping and would be located and visible from Glendower Street, contributing to the amenity of the area.
	The re-use and adaption of existing buildings is consistent with the principles of environmentally sustainable design. The proposed extension would have a light coloured roof to reduce solar heat absorptance and operable windows to allow natural ventilation.
We are wanting traffic calming in Glendower Street to make more pedestrian friendly.	The provision of traffic calming measures on Glendower Street goes beyond the scope of the application. The City's Accessible City Strategy includes the investigation of options to reduce the carriageway width of Glendower Street between Fitzgerald Street and Throssell Street. This will be considered as part of the implementation of the Department of Transport's Long Term Cycle Network through the Norfolk Neighbourhood Safe Active Street project.

Comments Received Expressing Concern:	Administration Comment
Delivery Times and Obstruction of Cielo Lane	
Express concern that the suggested 8.00am to 8.30am delivery times are not accurate. Deliveries occur at all times and often result in the obstruction of Cielo Lane when no car parking is available on-site.	The existing approval for the premises does not include terms or conditions relating to service deliveries. As part of this application, the applicant has sought to address service delivery arrangements for the existing premises and the proposed extension. The applicant has submitted a Parking Management Plan that confirms that deliveries to the site would be received fortnightly, between 8:00am and 8:30am on a Wednesday or Thursday via a commercial delivery van. Deliveries would take approximately 15 minutes to complete. This would occur on-site in parking bays that would not be fully occupied at
	that time. The operator will be confirming this with the delivery company to ensure these arrangements are met.
	A condition of approval has been included in the officer recommendation for the development to comply with the Parking Management Plan.

Comments Received Expressing Concern:	Administration Comment
	As a single tenancy, the operator is able to coordinate deliveries to site in a manner that would minimise the impact on Cielo Lane and on-street car parking.
	It is noted that obstruction of the laneway is not permitted and the City's Rangers team can ensure enforcement at that time if reported and could then be addressed with the business operator. The City's Compliance Services team can also investigate any alleged breaches to planning approval terms and ensure ongoing compliance in working with the operator if substantiated.
Bicycle Facilities	
Express concern that the bicycle facilities would not be used by customers, noting the nature of the business.	The proposed provision of bicycle parking spaces on-site would support the shift towards active transport modes by staff and patrons that may elect to use that mode of transport. Enabling this mode shift is consistent with the objectives of Local Planning Policy: Non-Residential Parking.

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

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

Comments Received in Objection:		Applicant Comment:
Pa	rking & Traffic Concern that the development will exacerbate the congestion problems on Glendower Street and Cielo Lane by increasing the number of customers and staff attending the business. This is because the existing car park is often filled above its capacity.	The proposal meets the minimum parking and alternative transport options required by the City for the site location and proposed use. The Business Owner has addressed how parking and deliveries will be managed in the Parking Management Plan submitted. Management of the use of street and park parking bays (and enforcement of signed time limits) is outside the control of the Business Owner and Applicant. This will not be
		affected by the proposed alterations and remains the responsibility of the City of Vincent Ranger service. Is it not proposed to increase the number of car bays on the site, but the development will provide an additional 4x bicycle/e-rideable spaces plus a motorbike/moped parking space.
•	The business requires more parking made available for the extra cars that will attend the business, possibly an underground car park.	
•	Parking is already a problem within Glendower Street with people parking over the permitted time, including staff from this business. This needs increased policing by the City inspectors.	
•	Concern that increase in parking and the proposed car parking on site will result in safety issues with young children and the nearby playground.	
•	Concern that the larger air conditioning units will add to noise pollution and would like to see an assessment of the net impact of this unit.	The existing salon has a total of 7x roof mounted split system Airconditioning units installed across the rear of the roof facing Cielo Lane. The proposal will <u>reduce</u> the number of outdoor units by replacing the existing 7x older units. The new outdoor compressors will be located further away from the street, and will be set back from the Glendower Street boundary by 10.5m and from Cielo Lane by 19m.
•	Concern that the additional staff and patrons will result in additional noise to the adjoining residential area.	The business Owner is not aware of any current issues with noise impacting adjoining residents (which would only be general 'street noise' including including movement of cars, talking and walking to & from the Salon). However, if there are noise issues, these can be addressed with the business – either direct or through the City for further

Comments Received in Objection:	Applicant Comment:
	investigation.
	It is only proposed to increase client numbers on the premises during peak times by 4 and total staff numbers on the premises by 2. This increase in maximum occupancy is not anticipated to create any additional noise issues for neighbours.
Streetscape	
The proposal would have a negative impact on the streetscape	Without identifying the reason for considering the impact to be 'negative' we are unable to address this comment.
	The visual interface between the footpath and the building will be improved by the removal of the services meter recess, with additional landscaping and open-aspect white blockwork with glimpses to activity inside the building - in lieu of the current solid brick wall.
Other	Not considered to be a planning consideration.
The photos of residences in the Heritage Plan show those across the street and carefully omit the property which is the nearest to the business and clearly directly impacted.	The Heritage Impact Statement (HIS) was prepared by a Consultant experienced in Heritage building alterations who visited the site and assessed the building and the precinct as a whole, as well as the buildings immediately adjacent to the subject site.
	The choice of photographs included in the HIS was at the discretion of the Consultant and the photographs of residences used are still typical of surrounding building styles and were unobstructed by cars or trees.
Express concern with the extent of consultation for the proposal, given the impact on car parking on Glendower Street that would result from the development.	We understand that 19 adjoining letters inviting comment on the proposal were sent out by the City of Vincent and the application details were also included on the City's website for current planning applications.
	The applicant did not have any input on the extent of the public consultation.
This development would not contribute to improving the amenity of residents, increasing the safety of pedestrians, and reducing carbon emissions.	The visually open blockwork wall will have low-level lighting to the new garden bed behind and allow for passive surveillance to the street from inside the new extension, which will also help to enhance the safety and amenity of pedestrians walking past the building when the salon is open in the evenings.
	The existing recess and gas meter facing Glendower St will also be removed as part of

Comments Received in Objection:	Applicant Comment:
	the proposed extension – these are currently being used on a regular basis to 'secrete' unwanted items and drug-use paraphernalia.
	The blockwork has also been designed as an attractive permeable security feature and graffiti deterrent – replacing the existing blank solid white brick wall and steel mesh 'cage' to the rear of the building.
	The existing roof and some ceilings are not currently insulated. The new extension will have roof and ceiling insulation, opening windows for ventilation and Low-E glazing to meet the current NCC Part J energy standards for commercial buildings, which will reduce electricity use for heating and cooling.
	Additionally, the 7 existing older-style split system airconditioning units will be removed and replaced with more efficient ducted airconditioning which will be zoned with individual area control.
	Parking facilities for alternative transport to cars are being added – to allow for cycling, smaller motorised vehicles.
We are wanting traffic calming in Glendower St to make it safer and more pedestrian friendly.	Traffic calming to Glendower Street is outside the control of the Business Owner and Applicant.

Comments Received Expressing Concern:	Applicant Comment
Delivery Times and Obstruction of Cielo Lane	
Express concern that the suggested 8.00 am to 8.30 am delivery times are not accurate. Deliveries occur at all times and often result in the obstruction of Cielo Lane when no car parking is available on-site.	Management of availability of delivery parking spaces on the site and scheduling of delivery times from 8am to 8:30am Tuesday to Thursday will remain the responsibility of the business owner, in accordance with the submitted parking management plan.
Bicycle Facilities Express concern that the bicycle facilities would not be used by customers, noting the nature of the business.	The bicycle parking rails will also be available for securing smaller electronic vehicles (escooters/e-bikes).

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

<u>Summary of DRP Member Feedback – 296 Fitzgerald Street, Perth</u>

The tables below summarise the comments received from the DRP member, together with the Applicant's response to each comment.

DRP Comments Received	Applicant Comment:
Principle 2 – Landscape Quality Proposed internal landscaping removes the ability for activation to the street.	The garden beds (between the open-aspect concrete breeze-block screen wall and the external glazed wall of the extension) were designed to provide a green and cooling buffer between the salon and the footpath.
	They are to be planted with species that grow to a low height only (the base of the new planting is already at the height of the existing low retaining wall) to provide a green outlook below and to the sides of the new cutting benches (ie screening the staff and client's legs and feet). The planting will also be visible from the street through the voids in the blocks, creating a combined 'built' and 'landscaped' feature wall.
	Passive surveillance both ways (into the salon and out to the footpath) is maintained through the 45% open void space in the blockwork screening and the full height glass behind.
Principle 9 – Community	
Due to lack of windows in new built form the street activation and passive surveillance is lacking and could be better addressed.	The proposed extension is already a full height glass window wall facing the west (street) and south (carpark) sides.
	The breezeway blockwork was selected to add a decorative feature to the extension, effectively creating a thin white concrete 'lattice' wall surface (with no applied or painted finish), as a counterpoint to the existing brightly coloured painted mural wall, but also to provide sun protection to the internal glass windows and security to the business.
	The concrete blockwork is only 90mm thick and the 'double Richmond' design selected has a 45% void/55% solid ratio when built into a wall (the blocks themselves are 48% void) which allows for a visually permeable screen wall and good ventilation (via the vertical sliding panels in the external glass wall) while diffusing the hot summer sun from the west.
	The creation of any openings or 'windows' in the blockwork screen wall would

Summary of DRP Member Feedback – 296 Fitzgerald Street, Perth

DRP Comments Received	Applicant Comment:
	visually complicate the simple design aesthetic. The visual focus of the Glendower street elevation is intended to remain the coloured feature mural on the side of the building and the two large street trees – not the new extension.
	The blockwork has also been designed as an attractive permeable security feature and graffiti deterrent – replacing the existing steel mesh 'cage' to the rear of the building. Any openings in the blockwork screen would compromise the security of the business and provide entry points for persons to climb up & into the landscaped garden bed zone. There have already been instances of the existing recess and gas meter facing Glendower St being used to 'secrete' unwanted items and drug-use paraphernalia.
	The thin surface area and texture of the concrete blockwork was also selected as a surface less likely to be tagged with graffiti or damaged, being in close proximity to the footpath. Glazing set back behind the blockwork is therefore protected from scratching or damage without requiring visually invasive shutters or steel bars.
Principle 10 – Aesthetics Generally acceptable built form, scale and materiality. Some further understanding of fenestration to the street would benefit overall aesthetic. Painting of heritage face brick is discouraged but appears to be a long-term aesthetic and removal could be challenging.	See previous comments under principle 9 above. The visually open blockwork design and protected landscaped 'buffer' zone also allows for low-level lighting to the garden bed area to remain on through the night to enhance the safety and amenity of pedestrians walking past the building at night. The mural on the existing brickwork wall was commissioned by the Salon during the initial fitout of the Salon in 2017 and it was viewed as a positive contribution to the community and streetscape at that time.

Determination Advice Notes:

- 1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
- 2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- 3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- 4. If 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.
- 5. This is approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
- 6. A Road and Verge security bond for the sum of \$3,000 shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable.
- 7. 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.
- 8. The applicant/owner is advised that any changes to the plans or details shown in the approved plans for the proposed signage, including illumination of the signage, may require further development approval from the City.
- 9. All mechanical devices/installations at the premises are to be located and installed in a position that will not result in the emission of unreasonable noise, in accordance with the *Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997*.