

9.1.1 Nos. 459-461 (Lot 101; D/P: 27994) Charles Street, North Perth – Demolition of Existing Two (2) Front Shops and Two (2) Attached Dwellings

Ward:	North	Date:	12 January 2012
Precinct:	North Perth ; P8	File Ref:	PRO0844; 5.2011.582.1
Attachments:	001 – Heritage Assessment		
Tabled Items:	-		
Reporting Officer:	H Au, Heritage Officer		
Responsible Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		

OFFICER RECOMMENDATION:

That the Council:

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Gino Pasquini on behalf of the owner Gino Pasquini and Elizabeth Pasquini for proposed demolition of the existing two (2) front shops and two (2) attached dwellings, at Nos. 459-461 (Lot 101; D/P: 27994) Charles Street, North Perth, and as shown on plans stamp-dated 23 November 2011, subject to the following conditions:

1. A Demolition Licence shall be obtained from the City prior to commencement of any demolition work on the site;
2. No street verge tree(s) shall be removed. The street verge tree/s shall be retained and protected from any damage including unauthorized pruning;
3. Prior to the issue of a Demolition Licence, the following shall be submitted to and approved by the City:

3.1 Demolition Management Plan

A Demolition Management Plan, detailing how the demolition of the development will be managed to minimise the impact on the surrounding area, addressing the following issues:

- 3.1.1 public safety, amenity and site security;
- 3.1.2 contact details of essential site personnel;
- 3.1.3 construction/demolition operating hours;
- 3.1.4 noise control and vibration management;
- 3.1.5 Dilapidation Reports of nearby properties;
- 3.1.6 air and dust management;
- 3.1.7 stormwater and sediment control;
- 3.1.8 soil excavation method and de-watering (if applicable);
- 3.1.9 waste management and materials re-use;
- 3.1.10 traffic, access management, including heavy vehicle access;
- 3.1.11 parking arrangements for contractors and subcontractors;
- 3.1.12 Notification Plan of nearby properties; and
- 3.1.13 any other matters deemed appropriate by the City, including photographs of the precondition of existing City infrastructure such as footpaths, verge and street trees; and

3.2 Vacant Lot Management Plan

A detailed Vacant Lot Management Plan, prepared in consultation with the City's Health, Parks and Planning Services for the site at Nos. 459-461 (Lot 101; D/P: 27994) Charles Street, North Perth shall be submitted and approved prior to the issue of a Demolition Licence. The City encourages property owners to appropriately maintain vacant land in a safe, secure and tidy manner in the interest of the community. The management plan shall include details of the proposed treatment of the vacant site which covers fencing, maintenance, rubbish collection, weed control, and the like. The vacant lot shall be maintained in accordance with the Management Plan, until redevelopment works are carried out on site;

- 4. Prior to issue of a Demolition Licence, a bond of \$5,000 shall be paid by the owners, to ensure the Vacant Lot Management Plan is implemented and thereafter maintained to the satisfaction of the Chief Executive Officer; and**
- 5. In the event of non-compliance with the Vacant Lot Management Plan, the City may draw on the bond, as required, to carry out the requirements of the Vacant Lot Management Plan to the satisfaction of the Chief Executive Officer.**

Advisory Notes:

- 1. Support of the demolition application is not to be construed as support of any future Planning Approval/Building Licence application for the redevelopment proposal for the subject property;**
- 2. Demolition of the existing buildings may make the property ineligible for any development bonuses under the provisions of the City of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing buildings valued by the community;**
- 3. Any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the City of Vincent Town Planning Scheme No. 1 and associated Policies; and**
- 4. Should the Demolition Management Plan (DMP) propose vehicles reversing into Charles Street, or any disruption to the free movement of traffic in Charles Street, a Traffic Management Plan (TMP) must be prepared by a qualified consultant and approved by Main Roads and the City of Vincent.**

PURPOSE OF REPORT:

The applicant proposes to demolish the existing two (2) front shops and two (2) attached dwellings at Nos. 459-461 Charles Street, North Perth as per item 1 (b) of the Notice issued on 23 September 2011 under the Local Government (Miscellaneous Provisions) Act 1960, Section 408 (1), and requests demolition approval without the standard condition for the submission of redevelopment plans. The proposal requires referral to the Council for comment.

The subject property is located within the Planning Control Area No. 88 – Charles Street, North Perth and requires referral to the Western Australian Planning Commission for determination. The City's comment and recommendations will be forwarded to the Commission within 42 days of the date the application was received by the City (that is 31 January 2012).

BACKGROUND:

25 and 26 July 2011 An internal inspection of the subject place at Nos. 459-461 Charles Street, North Perth was undertaken by the City's Building Surveyor, Environmental Health Officer and Development Compliance Officer on 25 July 2011, and further inspected by the Heritage Officer on 26 July 2011.

The inspection revealed that the subject place is neglected, ruinous, and dilapidated. It is considered that the subject place is unfit for use or occupation, for the following reasons:

- There is evidence of white ant damage;
- The floorings are soiled, unsanitary and broken in parts;
- Many of the internal and external doors and windows are broken;
- There is no running water or sanitary provisions;
- There is no working kitchen facilities;
- There is no electricity to the dwelling at No. 461 Charles Street;
- There is evidence of squatter activity in the properties; and entrances are not secured;
- There are extensive debris and food items throughout the buildings;
- The general order of the buildings in terms of structural integrity appears to be a sound condition with the exception of the rear annex to both domestic dwellings suffering from pointing failure to brickwork at eaves level; and
- The rear dwelling at No. 459 has suffered horizontal cracking, suggesting the building is in need of further pointing maintenance; it is envisaged that this issue will not continue to a significant level, as such, no remedial construction work is being requested. However, in the interests of foresight, an engineer's report may be advisable to determine exact level of degradation.

5 September 2011 The City issued a Notice in accordance with the Local Government (Miscellaneous Provisions) Act 1960, Section 408 (1). Specifically, the Notice required:

- "1. You are hereby required to:
- (a) put the Building into such state of repair and condition to the satisfaction of the Town, on the basis set out in the Schedule annexed to this Notice and marked "A";
or
 - (b) take the Building down."

28 November 2011 The applicant submitted an application for demolition of the existing two (2) front shops and two (2) attached dwellings at Nos. 459-461 Charles Street, North Perth.

1 December 2011 The applicant sent a letter requesting the removal of the standard condition for the submission of redevelopment plans.

DETAILS:

The proposal involves the demolition of the existing two (2) front shops and two (2) attached dwellings at Nos. 459-461 Charles Street, North Perth.

The applicant proposes to action item 1 (b) of the Notice, detailed in the 'Background' section above, that is, to demolish the existing two (2) front shops and two (2) attached dwellings. However, the applicant has advised that due to the time involving in the discussions with several developers, the owners are unable, at this point in time, to satisfy the standard condition which requires a redevelopment proposal to be submitted prior to the issue of a Demolition Licence. The following comments are provided by the applicant in this respect:

"We do not have immediate building plans for the site but are in discussions with several developers and this is our intention. Once plans are available, we will submit these but request the permission to demolish the property immediately."

As such, the applicant has requested, in the event that the Council approves the proposed demolition of the subject place that it omits the standard condition that requires a redevelopment proposal for the subject place to be submitted to and approved by the City, prior to the issue of a Demolition Licence.

COMPLIANCE:

Consultation	
In Support	Nil
Objections	Nil
Neither support or object	Nil
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 - relating to Community Consultation.

Other Implications	
Legal/Policy	TPS No. 1 and associated Policies and Local Government (Miscellaneous Provisions) Act 1960
Strategic	Nil
Sustainability	Nil
Financial/Budget	Nil

COMMENTS:

Heritage Services Comments

A detailed Heritage Assessment is contained as per Appendix 9.1.1 to this report.

The subject place at Nos. 459-461 Charles Street, North Perth accommodates an identical pair of brick and iron semi-detached shops and dwellings which exhibit characteristics of Interwar Retail and Interwar Bungalow style of architecture constructed circa 1937.

The subject place is first documented in the WA Post Office Directories in 1938. The Directories indicate that W & H Bowra operated a store from No. 459 and Mrs Minnie Hymus, who was a librarian, lived at No. 461 in that year. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

A full Heritage Assessment was undertaken for Nos. 459-461 Charles Street, North Perth, which indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the City's Policy No. 3.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory.

In light of the above, it is considered reasonable that the application for the demolition of the subject place be approved.

Development Approval Condition

The applicant has requested that the condition, relating to the requirement for a redevelopment proposal, be removed by the City prior to the issue of a Demolition Licence. The above condition is standard, as per Clause 41 of the Town Planning Scheme No. 1, which is applied to the approval of all demolition within the City and is intended to minimise parcels of land being left vacant over a lengthy period, and enables opportunity for buildings and dwellings to be retained. Whilst the request to remove the above condition is not generally supported, the City's Health, Planning and Building and Strategic Planning, Sustainability and Heritage Services have some serious concerns regarding the current condition of the subject place and associated outhouse buildings, which are so dilapidated, that they are unfit for use or occupation.

In light of the above, it is considered that the subject buildings be approved for demolition, without the standard redevelopment requirement, rather, with a condition requiring a Vacant Lot Management Plan, as per the Officer Recommendation.

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(To be completed by A/Chief Executive Officer)

UNDER DELEGATED AUTHORITY THE OFFICER RECOMMENDATION IS:

APPROVED



A/CHIEF EXECUTIVE OFFICER

16/01/2012