



— City of —
Melville

REPORTS AND RECOMMENDATIONS

FROM THE

DEVELOPMENT ADVISORY UNIT

MEETING

HELD ON

2 DECEMBER 2008

- NOTES:**
1. This Meeting makes Recommendations to the Manager Planning & Development Services.
 2. Should any Elected Member want any matter referred and considered by the Council, please contact the Manager Planning & Development Services prior to the Tuesday (or Wednesday if Monday is a public holiday) following the date of this Meeting.
 3. Unless 'called in' by an Elected Member it is expected that the Manager Planning & Development Services will after the 'call in' date approve the recommendations, refer the matter to the Council or back to the Development Advisory Unit for further considerations.

DISTRIBUTED: 5 DECEMBER 2008



— City of —
Melville

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**REPORTS AND RECOMMENDATIONS FROM THE DEVELOPMENT ADVISORY UNIT
MEETING HELD IN, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD,
BOORAGOON, COMMENCING AT 1:30PM ON TUESDAY 2 DECEMBER 2008**

PRESENT

D Vinicombe (Presiding Member)
J Gonzalez
P. Prendergast
T Capobianco
D Monteiro
R Jessup

Manager Planning & Development Services
Planning Services Coordinator
Planning Services Coordinator
Principal Building Surveyor
Environmental Health Officer
Senior Horticultural Technical Officer

APOLOGIES

R Bailey

Technical Officer

IN ATTENDANCE

OBSERVERS

DISCLOSURES OF INTEREST

ELECTED MEMBERS' ATTENTION

Nil

DELEGATED AUTHORITY – PLANNING POLICY (1) 2

The following items are recommendations to the Manager Planning & Development Services for decision.

DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

Members' interests in matters to be discussed at meetings to be disclosed

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

Meeting to be informed of disclosures

S.5.66 If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

Disclosing members not to participate in meetings

S.5.67 A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

Please refer to your Handbook for definitions of interests and other detail.

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**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

Ward : Bicton/Attadale Ward
Category : Operational
Application Number : DA-2008-1558
Property : 146 Burke Drive, ATTADALE WA 6156
Proposal : Masonry dividing fence extension
Applicant : Matthews Architecture
Owner : Mrs V Larsen and Mr O A Larsen
Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer : Mr David Vinicombe
Manager Planning and Development Services
Previous Items : DA-2007-173

AUTHORITY / DISCRETION

- | | <u>Definition</u> |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Advocacy | <i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input type="checkbox"/> Executive | <i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets</i> |
| <input type="checkbox"/> Legislative | <i>includes adopting local laws, town planning schemes & policies.</i> |
| <input type="checkbox"/> Review | <i>when Council reviews decisions made by Officers.</i> |
| <input checked="" type="checkbox"/> Quasi-Judicial | <i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Planning application for a gazebo at the rear of the subject property adjacent to the secondary street (Sedwick Street) frontage was made in 2007.
- Plans indicated an over height dividing fence extension, however this was not made clear on the plans and the application form did not make specific reference to the structure.
- The subsequent Building Licence application also indicated an over height fence extension on the plans submitted, although reference to the structure was again not made on the application form.
- It is the City's view that the overheight extension of the fence was not approved under either the Planning or Building approvals.
- The owner was under the impression that the overheight fence extension was approved and accordingly the structure was constructed to a maximum height of 2.15m.
- A complaint against the fence extension was lodged with the City and as the fence is non-compliant with Council's Local Laws for fences, (the fence extension is deemed overheight) a notice was served on the property owners to remove it or otherwise gain approval for its retention.
- The property owners subsequently appealed the notice to the State Administrative Tribunal (SAT), stating that the wall was approved as part of the Planning and Building Licence applications.
- The SAT resolved to order the applicant to:
 - “1. By 14 November 2008 the applicant must lodge on a without prejudice basis any development application to regularise the subject matter of the proceedings, and
 - 2. The proceedings are to be adjourned to a further directions hearing at 11.00 am on 19 December 2008 in order to enable the respondent to determine the development application at its meeting on 16 December 2008.”
- An application for the fence in respect of the SAT determination is now made and is the subject of this report.
- Application is recommended for conditional approval.

BACKGROUND

In February 2007 an application was made to install a new gazebo at the rear of the property subject of this report. The gazebo was proposed to be located within the side setback area between the property and the adjacent secondary street (Sedwick Street). The application form explicitly described the intended works as being for a gazebo only with no reference to any fence addition/extension. Associated plans were ambiguous regarding the location, height, and materials of the fence. From a Planning perspective the proposal was not assessed as including the addition of an extension to the existing fence, and the subsequent planning approval was issued without reference to that structure. The owner assumed that the addition to the fence was approved as part of the overall gazebo proposal and went ahead with the construction of the fence accordingly.

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

When the applicant erected the fence addition, the adjoining landowner expressed concern to the Council's Principal Building Surveyor, suggesting that the fence extension was not approved and should therefore be removed. In reply, the neighbour was advised that the builder had been instructed to remove the metal frame and timber slats attached to the existing fence.

The builder/applicants subsequently appealed this direction at the SAT at which time it was ordered that:

- "1. By 14 November 2008 the applicant must lodge on a without prejudice basis a development application to regularise the subject matter of the proceedings.*
- 2. The proceedings are to be adjourned to a further directions hearing at 11.00 am on 19 December 2008 in order to enable the respondent to determine the development application at its meeting on 16 December 2008."*

The application has since been submitted and is the subject of this report.

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living Area – River Foreshore (RFS)
R-Code	:	R12.5
Use Type	:	Residential
Use Class	:	'P Use' – use is permitted

Site Details

Lot Area	:	906.30 sqm
Retention of Existing Vegetation	:	Not Applicable
Street Tree(s)	:	Not Applicable
Street Furniture (drainage pits etc)	:	Not Applicable
Site Details	:	U08_0282_PROPERTY_MAP.pdf

[U08_0282_December_2008.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 5 December 2008.

DETAIL

Council's Local Law relating to fences states in the first schedule that "A fence shall not exceed 1800mm in height unless the prior approval in writing of Council has been obtained."

In this instance the fence is proposed to be at a maximum height of 2.15m from the highest ground level.

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required: Yes
 Neighbour's Comment Supplied: Yes.
 Reason: Potential amenity impact on the southern adjoining neighbour.
 Support/Object: Objection.

Submission Number	Summary of Submission	Support/ Objection	Officer's Comment	Action (Condition/ Uphold/ Not uphold)
1.	Relates to non-compliance with the approved plans – stating the wall is yet to be removed.	Objection	Noted. Directions for removal referred to SAT.	Not uphold
	The wall if approved will severely reduce access to views of significance – as purposefully done by the owners of 146 Burke Drive. The additional height does not provide for significant additional privacy as an existing black retractable shade cloth will provide sufficient screening. Devalues property.		The views lost by the fence are insignificant as the gazebo roof and existing street trees already remove views. Any purposeful blocking of views of significance cannot be substantiated. The wall will provide for significant privacy additions due to the area being the only usable outdoor living area. There are no planning guidelines for property values and therefore devaluation is not an issue.	Not uphold

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

	<p>Indicates erection of a retractable blind on the rear side of the gazebo should provide adequate privacy without the need for the fence extension.</p>		<p>Whilst not the subject of this application, the retractable blind does not require approval. It is acknowledged that it may achieve a number of purposes inclusive of privacy, wind protection and screening of the existing wall with metal frame and timber batten extension. The existence of the blind does not justify refusal.</p>	<p>Not uphold</p>
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**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

	<p>The fence extension adjoins a similar unapproved extension adjacent an existing barbeque area.</p>		<p>Whist is acknowledged that the previous extension of the fence would have reduced the capacity of the respondent to gain river /parkland views from a bay view window, the extension did not require Council approval as it measures 1.8m from the highest fill level on the subject property. The retaining and fill on that property for the barbeque (and now gazebo area) did not require approval as it did not exceed 500m. It is noted that prior to the former extension of the wall, significant landscaping existed on the property adjacent the fence which also had the impact of reducing views.</p>	<p>Not uphold</p>
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**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

	<p>Concerned that the trees and associated shrubs in front of the fence facing Sedwick Street have not been approved and remain in place notwithstanding his complaints and a request from Council to remove the landscaping from the reserve area</p>		<p>The subject landscaping in front of the fence (approximately 500mm wide) and trees on the verge (two) is not the subject of this application. It is noted that the landscaping in front of the fence is not extensive and typically used to soften the impact of fencing on streetscapes. Council records indicate the matter with regard to verge treatment was initially brought into compliance, however an inspection relative to this application has identified that concrete kerbing is in place. This matter does not relate to this application; however it would be appropriate for Engineering Services to address this matter with the applicant.</p>	<p>Not uphold and partially uphold</p>
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**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

	<p>The fence extension adjoins a similar unapproved extension adjacent an existing barbeque area.</p>		<p>Whist is acknowledged that the previous extension of the fence would have reduced the capacity of the respondent to gain river /parkland views from a bay view window, the extension did not require Council approval as it measures 1.8m from the highest fill level on the subject property. The retaining and fill on that property for the barbeque (and now gazebo area) did not require approval as it did not exceed 500m. It is noted that prior to the former extension of the wall, significant landscaping existed on the property adjacent the fence which also had the impact of reducing views.</p>	<p>Not uphold</p>
	<p>A compromise of a three course extension, involving removal of courses from the existing extension is requested.</p>		<p>As indicated above, the pre-existing wall extension does not require approval and the new extension do not impact on the respondent's views due to existing vegetation.</p>	<p>Not uphold</p>

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)**

	A previous owner of the property had erected a tubular metal screen and this was removed on request from the Council.		This is not a matter of significance in determination of this matter.	Not uphold
	Concern raised with regard to overlooking from the existing second storey windows.		The development of the two storey dwelling with incumbent privacy issues has been investigated in the past and found to be compliant with the privacy requirements of the time.	Not uphold

REFERRALS TO GOVERNMENT AGENCIES

Required: No
Reason: Not abutting/within any State governed reservations or the Swan River Trust Management Area.

STATUTORY AND LEGAL IMPLICATIONS

Should the application be refused, the applicants reserve the right to appeal the resolution.

FINANCIAL IMPLICATIONS

Not Applicable

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Not Applicable

POLICY IMPLICATIONS

Council's Local Law relating to fences states fences over 1.8m require Council's written approval. The Local Law does not detail any assessment considerations, however Council may consider the performance criteria outlined the Residential Design Codes 2008 (R-Codes) and Clause 7.8 of Council's Community Planning Scheme No. 5.

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)****COMMENT**

Technically, in accordance with the Dividing Fences Act, a dividing fence does not need Planning Approval as it is a matter between the two adjoining landowners, however in accordance with Council's Local Law for Fences, any fence over 1.8m requires Council's specific approval.

In accordance with the performance criteria of the R-Codes, consideration for front fences may be assessed in accordance with "the need to promote surveillance and enhance streetscape" taking into account three matters inclusive of "the need to provide screening to the front setback." The fence is required to comply with the above due to the portion of wall in question being part of the secondary street front setback area.

The wall in this instance abuts the front setback area of the southern adjoining property which is entirely open. The wall therefore does not deny streetscape surveillance, primarily due to the fact that the neighbour has full view of the street. In addition, the front fence running along the secondary street frontage is not proposed to be increased in height. This allow the occupants of the dwelling to view the street and beyond from the elevated patio area whilst still maintaining a degree of privacy behind an existing 1.8m high masonry fence and landscaping, both on the property and on the verge in front of the fence.

The applicant's have indicated that "The additional height to the existing fence will further protect the amenity and privacy of the family of 146 Burke Drive as well as eliminate any overlooking from the entertaining area into the adjoining property to the south."

In relation to the impact of the fence extension onto the southern neighbouring property, whilst there may be additional overshadowing, it will fall into the neighbouring front setback area which is open to the street and consists of a garden area. Thus any impact in terms of overshadowing onto the neighbouring property is not considered to affect the neighbour's amenity.

Nevertheless, the affected adjoining landowners have objected to the development, basing their concerns primarily on the loss of views. Whilst protection of views is mentioned in the R-Codes as an amenity consideration relative to (excessive) building height. The existing gazebo as well as existing vegetation both in front and behind the 1.8m high front boundary fence already removes any views of significance. Thus the wall will not further impact on views of significance for the neighbour.

In relation to Clause 7.8 of CPS No 5, the development does not compromise the orderly and proper planning of land within the locality or the Statement of Intent of the Living Area – River Foreshore (RFS) Precinct, as the size of the extension is minor with an area of 2.87 sqm. The proposal will have limited impact on the existing and likely future amenity of the locality and its design is now to integrate with the existing masonry wall (the current construction consists of timber battens on a metal frame) to reduce the impact on the streetscape.

**U08/0282 - (PS) PROPOSED MASONRY DIVIDING FENCE EXTENSION ON LOT 86
(146) BURKE DRIVE, ATTADALE WA (REC) (ATTACHMENT)****CONCLUSION**

Based on the applicant's reasons above and consideration of the amenity provisions listed in Clause 7.8 of the Scheme, it is considered the impact of the proposal on the adjoining landowner is likely to be minor. The application will serve to increase the privacy and general useability of the outdoor living area for the applicant. Accordingly, it is considered that the proposal provides for little amenity impact in specific regard to the requirements of the Residential Design Codes and Community Planning Scheme No 5. It is therefore recommended that conditional approval be granted.

OFFICER RECOMMENDATION (3056)**APPROVAL**

- A) THAT THE PROPOSED MASONRY DIVIDING FENCE EXTENSION AT LOT 86 (146) BURKE DRIVE ATTADALE BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

SPECIAL CONDITIONS:

- 1. THE MATERIALS AND FINISHES OF THE DEVELOPMENT TO COMPLEMENT THE EXISTING FENCE TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**
- 2. APPLICATION FOR AND ISSUE OF A BUILDING LICENCE FOR THE FENCE EXTENSION TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**

STANDARD CONDITIONS:

- 3. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THE COUNCIL REQUIRES THE PROVISION OF A SUITABLE RECEPTACLE FOR THE CONTAINMENT OF WINDBLOWN RUBBISH. THE RECEPTACLE (GENERALLY A WIRE MESH CAGE) SHOULD HAVE MAXIMUM OPENINGS OF 100MM; HAVE A BASE OF 4M² AND A HEIGHT OF 1M AND A HINGED LID. THE RECEPTACLE SHOULD NOT BE ALLOWED TO OVERFILL.**
 - 4. GROUND LEVELS MAY NOT BE CHANGED OTHER THAN APPROVED AS PART OF THIS APPROVAL.**
- B) THE MATTER OF VERGE TREATMENTS BE REFERRED TO ENGINEERING SERVICES FOR INVESTIGATION.**
- C) THE RESPONDENT BE ADVISED OF A) AND B) ABOVE.**

U08/0284– (RJ) - STREET TREE REMOVAL REQUESTS RELATIVE TO DEVELOPMENT PROPOSALS AT DAU MEETING 2 DECEMBER 2008

No.	LOCATION	TREE/BACKGROUND	RECOMMENDATION
1	55 B Kennedy Street Alfred Cove	Mature Lophostemon conferta in good health, forming part of an avenue of Box trees along Kennedy St. Unable to deviate crossover due to narrow width on the left hand side. It is noted that a storm water side entry pit on right hand side will restrict the crossover width if the development is mirror imaged.	Recommend retain tree and redesign the dwelling with a reduced crossover width on the opposite side of this Lot in order to maintain the existing streetscape.
2	37 Duncraig Road Applecross	Mature Jacaranda mimosifolia of a significant size, located in the Nisbet Road frontage on the verge boundary bordering 4 Nisbet Road forming part of an Avenue of trees along Nisbet Road.	Removal of the tree will have a significant impact on the streetscape. It is recommended that the existing street tree is retained, allowing a minimum clearance for the crossover, of 1.0 metre from the trunk of the tree. This will still enable good access and maintain the existing streetscape in the location of an existing driveway.
3	1 Thurloe Street Bicton	Request to remove two trees on the verge of Malsbury Street to allow construction of a crossover to access the new dwelling. One tree is an Agonis flexuosa in poor condition, the second tree is a Melaleuca armillaris which has a bushy growth habit that will obscure vision egressing from the crossover.	Remove both trees and replace with two semi advanced 100 litre Sapium sebiferum (Chinese Tallow) trees, to be planted in the Thurloe Street verge, subject to all work by COM at applicant's expense, a Building License being approved & an application for removal to Manager Infrastructure Services.

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)

Ward	:	Bicton - Attadale
Category	:	Operational
Application Number	:	DA-2007- 18691
Property	:	326 Canning Highway, Bicton
Proposal	:	Refurbishment and addition to Leopold Hotel
Applicant	:	Oldfield Knott Architects Pty Ltd
Owner	:	Always Holding Pty Ltd
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	David Vinicombe Manager Planning & Development Services
Previous Items	:	DA-2006-762 Extension and Upgrade works to existing Liquor Store, approved on 6 March 2007.

AUTHORITY / DISCRETIONDefinition

- | | | |
|-------------------------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Advocacy | <i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input type="checkbox"/> | Executive | <i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets</i> |
| <input type="checkbox"/> | Legislative | <i>includes adopting local laws, town planning schemes & policies.</i> |
| <input type="checkbox"/> | Review | <i>when Council review decisions made by Officers.</i> |
| <input checked="" type="checkbox"/> | Quasi-Judicial | <i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

KEY ISSUES / SUMMARY

- Refurbishment and Additions to ground floor.
- First Floor to remain unchanged.
- Deletion of Function Room and Function Bar on the ground floor.
- Proposed deck facing Canning Highway.
- Supported for approval subject to conditions.

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)**BACKGROUND**

The Development Advisory Unit (DAU) gave conditional approval for Extensions and Additions to Existing Liquor Store at the subject property in March 2007. This consent was subsequently implemented and resulted in the creation of the “Choice” outlet now trading from the site

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Commercial Centre Frame – Melville Frame and Primary Regional Road
R-Code	:	R50
Use Type	:	Hotel
Use Class	:	X – Use not permitted (Non Conforming Use)

Site Details

Lot Area	:	6829 sqm
Retention of Existing Vegetation	:	Not Applicable
Street Tree(s)	:	Not Applicable
Street Furniture (drainage pits etc)	:	Not Applicable
Site Details	:	U08_0286_PROPERTY_MAP.pdf

[U08_0286_December_2008.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 5 December 2008.

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)**DETAIL**

The application proposes the refurbishment of, and additions to, the ground floor only. The existing Lounge areas to the front of the hotel are redefined within the same area, as are the bar areas that service them. A new internal courtyard area is created in place of the existing Function Room and bar. New female toilet facilities are proposed in an area currently occupied by a courtyard. The existing female toilets will be retained for staff use only. A new store of 26 sqm and bin area of 12 sqm are proposed over the existing service area of 42 sqm. The kitchen will be upgraded and increased by 15 sqm, adding a washing area, a cool room and freezer room. A new servery window will be provided facing the new courtyard area. A new outdoor deck of 75 sqm, 3m in width and 25m in length is proposed facing Canning Highway incorporating bi-fold doors to provide access from the hotel. New awnings along Canning Highway and Point Walter Road and new moulding treatments to the building façade are also proposed.

The existing signage will be removed and a new vertical sign will take place.

The existing Public Lounge, TAB and its counter is unaffected by this development.

The existing total gross floor area is 1027 sqm compared to a proposed new gross floor area of 1052 sqm. The net lettable area is however reduced by 37 sqm which means that the car parking requirement for the hotel is not increased.

Development Requirements

Not Applicable

PUBLIC CONSULTATION/COMMUNICATION

Not Applicable

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)

REFERRALS TO GOVERNMENT AGENCIES

Required: Yes
Reason: Abutting Canning Highway, Primary Regional Road.
Support/Object: Support.

Agency	Summary of Submission	Support/ Objection	Officer's Comment	Action (Condition / Uphold/ Not uphold)
DPI	<p>No objection raised in principle to the reserved land being used to accommodate the new decked area with awning above and mouldings applied to the façade of the existing hotel building, subject to:</p> <p>1. The landowner agreeing that the presence of the deck and awning within the reserved land, shall not be taken into consideration in determining any land acquisition cost or compensation that may be payable by Council or the WAPC, if and when the reserved land is required for the upgrading of the regional road, or;</p>	Support	Noted	Uphold

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)

	2. On the condition that the owner enters into a Deed of Agreement with the WAPC not to seek from either the City of Melville or the WAPC, compensation for any loss, damage or expense to remove the approved works when the road reserve is required.			
	Plans indicate a new entry only crossover from Canning Highway onto the site, which is not in accordance with WAPC Regional Roads (Vehicular Access) Policy D.C. 5.1. Therefore DPI does not support a new crossover from Canning Highway.	Objection	The entry only crossover was considered by the DPI on letter dated 28 June 2006 for the Extension and Upgrade Works to existing Liquor Store. The DPI did not raise objection to the creation of the crossover at that time. This is now an existing feature of the site and therefore not subject of this application.	Not uphold

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

Not Applicable

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Not Applicable

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

Policy 06-024 Car Parking (Non-Residential). This policy provides guidance in relation to car parking provision, linking the demand for spaces to the Net Lettable Floor area (NLA) proposed.

Policy 25-PL-002 Arts and Culture. This Policy requires all major commercial developments to provide public art to the value of 1% of the development cost.

Policy 06-031 "Architectural and Urban Design Advisory Panel". This policy, and the Advisory Panel approach it advocates, exists to provide advice on architectural and urban design matters. A "Panel" considered the details of the subject application on 2nd April 2008 and on 5th November 2008.

Policy 06-PL-004 Development Advisory Unit provides for the DAU to determine applications for extensions of non-conforming uses.

COMMENTS

The main issues for consideration in the determination of this application relate to:

1. Land use – Hotel uses are not permitted in the Commercial Centre Frame . Accordingly, the proposal must be considered as a non-conforming land use under the provisions of CPS No. 5.
2. Whether the external alterations and additions are acceptable from the perspective of visual amenity,
3. Whether the development can take place without detriment to highway safety and the free flow of traffic in and around the site including car parking provision,
4. Whether the decked area to the Canning Highway frontage can operate without compromising the personal safety of those using it, and
5. Whether the hotel can operate without detriment to residential amenity by virtue of noise emanating from the premises.

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)Non-Conforming Land Use

Clause 8.2 indicates that to prevent non-conforming uses from becoming more entrenched, extensions or alterations of the building for the non-conforming use is required to gain Council approval and be in conformity with other provisions of the Scheme. Whilst the Scheme does not specify on what grounds Council may approve or refuse applications for development which may entrench the non-conforming use, the premise of the Scheme is based on seeking a balance between both safeguarding the rights of existing land users and phasing out the non-conforming use, presumably in the interests of improving the local amenity.

In this instance, it is noted that the application is essentially a refurbishment which results in a reduced floor area. It is noted that there is no requirement under the Scheme to advertise modifications to non-conforming extensions or alterations. As the proposal relates to alterations with no extensions, advertising was not considered necessary. If extensions were involved, entrenchment of the use may have been of concern; however as detailed below, the proposal is not expected to have a detrimental impact on the general amenity of the locality and will significantly improve the visual amenity of the existing development. Whilst this approval will still serve to entrench the use, it provides for significant service and amenity improvements in the Commercial Centre Frame Precinct and is accordingly supported.

Architectural Design

Whilst the internal alterations to the building do not give rise to any visual amenity impacts, the external alterations may and accordingly have been the subject of discussions with the Architectural and Urban Design Advisory Panel.

The Council Architectural and Urban Design Advisory Panel reviewed the proposal on 2 April 2008 and on 5 November 2008. At the meeting held on 2 April 2008 the Panel made the following comments:

“Concerns were discussed in relation to the outdoor deck along Canning Highway. The main concerns were the safety of the patrons using the deck, who should be protected by a safety barrier such as planter boxes/public art/balustrade, designed to engineering requirements and approved by the City Engineering Services. The openings to this deck will allow the noise from the band room to impact on the residential area to the south and a noise report was recommended to be presented prior to the planning approval stage. The cantilever awnings over the pedestrian pathway along Point Walter Road will require an indemnity for Council against any damage from and accident which may occur and should be addressed by the owner/applicant. In relation to the new weathered zinc cladding along the western façade was considered as over stated with too much metal cladding and was recommended its reduction to some particular areas, around the door and around the window on the western façade.”

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At the meeting held on 5 November 2008 the Panel made the following comments:

“The proposed weathered zinc cladding along the western façade has been reduced; however additional opening through the weathered cladding should be provided for a better articulation with the street.”

In accordance with the Panel's considerations on the design of alterations, it will be recommended that additional windows are to be provided on either side of the existing TAB entry door and to be shown on the approved plans.

In addition to the above comments from the Architectural and Urban Design Advisory Panel it is noted that the new decked area to the front of the premises will provide an opportunity to uplift the appearance of the hotel along its principal front elevation. At present the frontage of the premises is somewhat bland (a former upper level verandah having been removed some years ago to reveal an elevation dominated by a masonry wall) with limited architectural interest. The proposed decked area will incorporate a covered awning and balustrading to reinstate some interest to this elevation in the interests of visual amenity for the locality as a whole. In addition to this decked element, the proposed development will see the introduction of sills to the upper level windows and vertical and horizontal mouldings applied to the face of the elevation. The creation of a more dominant corner entrance feature will define the corner and entrance in a more satisfactory manner.

The re-cladding of the existing building along its secondary elevation to Point Walter Road and the addition of new awnings along that elevation will, subject to the inclusion of additional window openings, tie the whole package of refurbishment measures together. The overall result should be a building which in architectural terms enhances levels of visual amenity of the locality.

Point Walter Road Verge Treatment

The existing verge in front of the development facing Point Walter Road is split levelled with a metal barrier fence. Providing services are not impacted, this application provides the opportunity to level the verge (to the lower height adjacent the kerb line) and provide a planter box against the building to conceal any footing of the building etc. Accordingly, a condition in this regard is recommended.

Highway Safety and Parking

In relation to matters of highway safety and car parking, the application has been the subject of consideration by the WAPC as it comprises reserve land which is affected by road widening proposals for the Canning Highway reserve. No objection in principle is raised by the WAPC provided the land owner enters into a Deed of Agreement with the WAPC not to seek from them or The City of Melville, compensation for any loss, damage or expense to remove the decked area from the defined road reserve if and when the land is ever required for road improvement purposes.

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A further concern expressed by the WAPC related to the provision of a new vehicle crossover into the site from Canning Highway. This is not the case as the access point referred to is an existing one created at the time of the additions to the premises to create the “Choice Liquor Outlet” and therefore not the subject of this application.

The car parking requirements of this proposal have been assessed in accordance with the provisions of Council Policy 06-024 Car Parking (Non Residential). As this proposal will result in a reduction of the NLA for the hotel as a whole there are no additional car parking requirements above those already provided on site. As such the proposed development can take place in accordance with the Council’s Policy and without detriment to the free flow of traffic in and around the site.

In relation to safety concerns for users of the decked area it is recommended that this area should be protected by barriers in the interests of those customers using it. The barrier should be designed and engineered to absorb the impact of vehicle collision, without injury to patrons of the deck. In addition it is recommended that the eastern end of the deck be designed to provide an egress point from the deck in the event of an emergency. This would link up with an existing pedestrian footpath located to the eastern side of the hotel. In the interests of disability access this should be level with the adjoining natural ground level. Subject to the implementation of these measures it is concluded that the decked area can operate without compromising the personal safety of those using it and as such planning approval can be given.

Noise

With regard to the issue of noise from the premises and the impact that this may have on residential amenity, the applicant's have submitted a noise report which notes that as this is an existing commercial use, and as the property is located on the heavily trafficked Canning Highway, any additional noise from the premises is likely to be readily absorbed within the existing ambient noise environment. For the purposes of this application consideration of additional noise impacts should be restricted to those that may result from the new decked area at the front of the hotel and any live or recorded music. Whilst the proposed deck is located within a Living Precinct under the provisions of the City of Melville Community Planning Scheme No 5, there are no residential properties in close proximity to it such that there would be any negative impacts arising from noise. The deck is located directly opposite a District Centre which is entirely commercial in land use terms. It is noted that the plans do not indicate a stage for live bands, with the emphasis shifting from a live music venue to a more intimate and casual hotel setup with couches etc around open fire places.

Whilst impact from noise may not be such an issue under this set-up, any noise will be subject to the Environmental Health (Noise) Regulations and it is appropriate to require the submission of a noise management scheme. Accordingly, it is considered that this development can be satisfactorily accommodated here without detriment to noise amenity.

U08/0286 - (JG) - REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON (REC) (ATTACHMENT)**CONCLUSION**

The package of improvement measures will improve and enhance the appearance of the hotel without prejudice to highway safety or residential amenity. Subject to the imposition of conditions including those to ensure the personal safety of patrons using the decked area and the provision of noise management measures, the application is recommended for conditional approval.

OFFICER RECOMMENDATION**APPROVAL**

THAT THE APPLICATION FOR REFURBISHMENT AND ADDITIONS TO LEOPOLD HOTEL ON LOT 103 (326) CANNING HIGHWAY, BICTON BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. PROVISION OF A NOISE MANAGEMENT PLAN FOR THE DEVELOPMENT INDICATING HOW THE NOISE FROM THE CARPARKING, AIR CONDITIONING, OTHER MECHANICAL EQUIPMENT AND ANY OTHER NOISE SUCH AS LIVE MUSIC OR RECORDED MUSIC FROM THE PREMISES TO ENSURE THE PROPOSED DEVELOPMENT WILL NOT IMPACT ON THE ADJACENT PROPERTIES AND RECOMMENDATIONS FOR REDUCING THE POTENTIAL FOR ANY NOISE IMPACT TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. THE NOISE MANAGEMENT PLAN RECOMMENDATIONS SHALL BE INCORPORATED IN THE PLANS SUBMITTED FOR A BUILDING LICENCE.**
- 2. PRIOR TO THE ISSUE OF THE BUILDING LICENCE, THE APPLICANT IS REQUIRED TO SUBMIT A CONSTRUCTION MANAGEMENT PLAN FOR THE PROPOSAL, TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES, DETAILING HOW IT IS PROPOSED TO MANAGE:**
 - THE DELIVERY OF MATERIALS AND EQUIPMENT TO THE SITE;**
 - THE STORAGE OF MATERIALS AND EQUIPMENT ON THE SITE;**
 - THE PARKING ARRANGEMENTS FOR CONTRACTORS AND SUBCONTRACTORS;**
 - IMPACT ON TRAFFIC MOVEMENT AND;**
 - OTHER MATTERS LIKELY TO IMPACT ON THE SURROUNDING RESIDENTS.**

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3. ON COMPLETION OF CONSTRUCTION, ALL EXCESS ARTICLES, EQUIPMENT, RUBBISH OR MATERIALS AND TEMPORARY FACILITIES ARE TO BE REMOVED AND THE SITE AND SURROUNDING AREA USED DURING THE DEVELOPMENT IS TO BE MADE GOOD AND LEFT IN AN ORDERLY AND TIDY CONDITION TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
4. ALL SECURITY ALARM DEVICES TO BE “SILENT MONITORED” SYSTEMS TO ADDRESS POTENTIAL IMPACTS ON SURROUNDING RESIDENTIAL AMENITY TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
5. THE FAÇADE OF THE BUILDING AND WALLS TO BE TREATED WITH AN ANTI-GRAFFITI AGENT TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
6. THE ROOF OF THE BUILDING NOT TO BE ZINCALUME OR WHITE METAL (E.G. COLORBOND SURFMIST) OR ANY OTHER MATERIAL / COLOUR CONSIDERED TO BE HIGHLY REFLECTIVE UNLESS OTHERWISE APPROVED BY THE MANAGER PLANNING AND DEVELOPMENT SERVICES. DETAILS OF THE PROPOSED ROOF MATERIAL AND COLOUR TO BE SHOWN ON THE DEVELOPMENT PLANS PRIOR TO THE ISSUE OF A BUILDING LICENCE.
7. THE SUBMISSION OF A COLOUR SCHEDULE BOARD DETAILING THE USE OF MATERIALS, FINISHES AND COLOURS FOR THE MIXED USE BUILDING TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES PRIOR TO THE ISSUE OF A BUILDING LICENCE.
8. DETAILS OF THE PUBLIC ART, WITH A MINIMUM VALUE OF 1% OF THE DEVELOPMENT, AS REQUIRED BY COUNCIL POLICY 25-PL-002 ARTS AND CULTURE, TO BE APPROVED BY THE MANAGER PLANNING AND DEVELOPMENT SERVICES PRIOR TO THE ISSUE OF A BUILDING LICENCE. THE APPROVED ARTWORK SHALL BE CONSTRUCTED AND INSTALLED PRIOR TO THE OCCUPATION OF THE BUILDING AND THEREAFTER MAINTAINED TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
9. EQUIPMENT SUCH AS AIR CONDITIONERS OR EXHAUST VENTS, BUT NOT INCLUDING ANY SOLAR PANEL, WHICH ARE LIKELY TO DETRACT FROM THE VISUAL APPEARANCE OF THE BUILDING SHALL NOT BE LOCATED ON THE ROOF OR OTHERWISE EXPOSED TO PUBLIC VIEW.
10. PRIOR TO THE OCCUPATION OF THE REFURBISHED PREMISES A SIGN STRATEGY FOR THE BUILDING IS TO BE SUBMITTED AND APPROVED BY THE MANAGER PLANNING AND DEVELOPMENT SERVICES.

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11. ADDITIONAL WINDOW OPENINGS ON EACH SIDE OF THE ENTRY DOOR TO THE TAB, AS MARKED IN RED ON THE APPROVED PLANS, ARE TO BE PROVIDED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
12. THE EASTERN END OF THE APPROVED DECK ALONG CANNING HIGHWAY TO INCORPORATE AN EGRESS POINT TO LINK WITH THE EXISTING PEDESTRIAN FOOTWAY LOCATED ALONG THE EASTERN ELEVATION. THIS ACCESS TO BE DESIGNED TO PROVIDE LEVEL ACCESS FOR PEOPLE WITH DISABILITIES, IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
13. THE APPROVED DECK TO BE PROTECTED, FOR THE SAFETY OF CUSTOMERS, BY BARRIERS SUCH AS PLANTER BOXES/PUBLIC ART/BALUSTRADE OR THE LIKE, DESIGNED TO ENGINEERING REQUIREMENTS AND TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
14. PRIOR TO THE ISSUE OF A BUILDING LICENCE THE OWNER TO SUBMIT AN INDEMNITY FOR THE CITY OF MELVILLE AGAINST ANY POTENTIAL DAMAGE FROM ANY ACCIDENT THAT MAY OCCUR DUE TO THE APPROVED CANTILEVER AWNINGS OVER THE POINT WALTER ROAD RESERVATION, TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.
15. PRIOR TO THE ISSUE OF A BUILDING LICENCE, THE OWNER TO PROVIDE EVIDENCE OF SUITABLE DOCUMENTATION TO THE APPROVAL OF THE WESTERN AUSTRALIAN PLANNING COMMISSION IN RELATION TO FUTURE COMPENSATION CLAIMS IN RESPECT OF THE DEVELOPMENT AND THE ADJOINING ROAD RESERVE.
16. THE FRONT VERGE TO POINT WALTER ROAD TO BE RE-LEVELLED, BRICK PAVED AND LANDSCAPED IN ACCORDANCE WITH APPROVED PLANS TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. DETAILS IN THIS REGARD ARE TO BE SUBMITTED WITH THE APPLICATION FOR BUILDING LICENCE.

STANDARD CONDITIONS:

17. THE DEVELOPMENT IS TO BE CONNECTED TO THE WATER CORPORATION'S RETICULATED SEWERAGE SYSTEM.
18. GROUND LEVELS MAY NOT BE CHANGED OTHER THAN APPROVED AS PART OF THIS APPROVAL.

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19. LIGHTING TO BE PROVIDED TO ALL CARPARKING AREAS AND THE EXTERIOR ENTRANCES TO ALL BUILDINGS IN ACCORDANCE WITH AUSTRALIAN STANDARD AS 1158.3.1 (CAT. P). ALL EXTERNAL LIGHTING TO BE HOODED AND ORIENTED SO THAT THE LIGHT SOURCE IS NOT DIRECTLY VISIBLE TO THE TRAVELLING PUBLIC OR ABUTTING RESIDENCES.
20. ALL SEWERAGE WASTES AND WATER PIPES TO BE CONCEALED WITHIN THE BUILDING.
21. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THE COUNCIL REQUIRES THE PROVISION OF A SUITABLE RECEPTACLE FOR THE CONTAINMENT OF WINDBLOWN RUBBISH. THE RECEPTACLE (GENERALLY A WIRE MESH CAGE) SHOULD HAVE MAXIMUM OPENINGS OF 100MM; HAVE A BASE OF 4M² AND A HEIGHT OF 1M AND A HINGED LID. THE RECEPTACLE SHOULD NOT BE ALLOWED TO OVERFILL.
22. DURING CONSTRUCTION ACCESS TO THE LOT TO BE VIA THE STREET FRONTAGE ONLY AND THAT NO BUILDING RUBBLE BE PERMITTED TO OVERSPILL THE SITE.
23. ELECTRICAL INSTALLATION TO BE CONSTRUCTED AND MAINTAINED TO THE SATISFACTION OF WESTERN POWER IN ACCORDANCE WITH THE SAA WIRING RULES NO.CC1, PART 1, 1961.
24. ALL STORMWATER AND DRAINAGE RUN OFF TO BE CONTAINED ON SITE. AN ONSITE STORMWATER DRAINAGE SYSTEM WITH A CAPACITY TO CONTAIN A 1:100 YEAR STORM OF A TWENTY-FOUR (24) HOUR DURATION IS TO BE PROVIDED PRIOR TO THE DEVELOPMENT FIRST BEING OCCUPIED AND THEREAFTER MAINTAINED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. ALL DOWNPIPES TO BE CONNECTED TO SOAKWELLS. THE PROPOSED STORMWATER DRAINAGE SYSTEM IS REQUIRED TO BE SHOWN ON THE BUILDING LICENCE SUBMISSION FOR APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
25. A SEPARATE APPLICATION FOR PLANNING APPROVAL AND A SIGNS LICENCE IS REQUIRED FOR ALL SIGNAGE.
26. THE LAND SHALL NOT BE USED FOR THE PURPOSE APPROVED UNTIL COUNCIL HAS ISSUED A CERTIFICATE OF CLASSIFICATION FOR THAT USE AND THE MANAGER PLANNING AND DEVELOPMENT SERVICES IS SATISFIED THAT ALL RELEVANT CONDITIONS OF THIS APPROVAL HAVE BEEN SATISFIED.

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27. PRIOR TO OCCUPANCY OR COMMENCEMENT OF THE LAND USE THE APPLICANT IS TO ARRANGE FOR A PRACTICAL COMPLETION INSPECTION TO BE UNDERTAKEN BY THE CITY AND FOR ALL RELEVANT CONDITIONS TO BE SATISFIED TO THE APPROVAL OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. IN CERTAIN CIRCUMSTANCES, AND AT ITS DISCRETION, A CONDITION MAYBE SATISFIED IN PART BY WAY OF A LEGAL AGREEMENT BEING IN PLACE AND BOND/BANK GUARANTEE BEING SUBMITTED BY THE APPLICANT/OWNER TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES. WHERE THE DEVELOPMENT INVOLVES THE ERECTION OF A BUILDING A CERTIFICATE OF CLASSIFICATION BEING OBTAINED PRIOR TO OCCUPANCY.

FOOTNOTES

28. THE USE AND/OR DEVELOPMENT HEREBY PERMITTED SHALL AT ALL TIMES COMPLY WITH THE REQUIREMENTS OF THE ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997. APPLICANT IS REQUIRED TO CONSULT WITH CITY OF MELVILLE HEALTH SERVICES PRIOR TO THE INSTALLATION OF ANY NOISE EMITTING EQUIPMENT SUCH AS AIR CONDITIONERS.

29. THE DEVELOPMENT HEREBY PERMITTED IS TO COMPLY WITH THE REQUIREMENTS OF THE HEALTH ACT 1911 (AS AMENDED) AND THE CITY OF MELVILLE HEALTH LOCAL LAW 1997.

30. THE DEVELOPMENT HEREBY PERMITTED IS TO COMPLY WITH THE HEALTH (PUBLIC BUILDINGS) REGULATION 1992 (AS AMENDED).

31. A HEALTH LICENCE IS REQUIRED FOR HIS DEVELOPMENT AT THE BUILDING APPROVAL STAGE.