

Supplementary Items

Ordinary Council Meeting Tuesday 25 October 2022

Type	Item/Section	Title	Release Date
Addendum	Section 7.2	Confirmation of Minutes for SCM of 11 October 2022	21 October 2022
Addendum	Item 10.1.3	Ward Boundary and Representation Review – Discussion Document	21 October 2022
Addendum	Item 10.6.2.1	CEO Key Performance Indicators	21 October 2022
Addendum	Item 10.5.2	Under Bridge Activation – Tonkin Gap	24 October 2022
Addendum	Item 10.4.4	Proposed Alterations and Additions to Bayswater Hotel - Lot 700, 78-80 Railway Parade, Bayswater	25 October 2022

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Addendum - Section 7.2 - Confirmation Of Minutes For Special Council Meeting Of 11 October 2022**ADDITIONAL INFORMATION**

The Minutes for the Special Council Meeting Minutes held 11 October 2022 contain an error in the voting for item 10.1 - Councillor Filomena Piffaretti, Mayor - Proactive Implementation Of Local Government Reforms Including Election Of The Mayor.

Voting for the resolution on page 12 lists Cr Dan Bull as voting for the motion and states that the motion was carried 9/1. This is incorrect as Cr Dan Bull had declared a financial interest in the item and was not present for consideration of or voting of the item.

RECOMMENDATION IMPLICATIONS

In light of the above, the recommendation to confirm the minutes has been amended as follows:

The Minutes of the Special Council Meeting held on 11 October 2022 which have been distributed, be confirmed as a true and correct record, with the voting on page 12 corrected to show that Cr Dan Bull did not vote on the item (due to a financial interest being declared), and the motion was carried 8/1.

Addendum - Item 10.1.3 - Ward Boundary And Representation Review - Discussion Document**ADDITIONAL INFORMATION**

The attachment to this report (10.1.3.1) 'Draft Review of Ward Boundaries and Representation Discussion Document 13 October 2022 contains two errors that require correction.

Page 9, section 5.2.2 Option 2: Two Wards

The table provided at the bottom of this page is corrected as follows:

2023 Ordinary Election

Ward	No. of Elected Members	No. of Electors based on Electoral Roll Data and GIS mapping	No. of Electors per Elected Member	Deviation
North Ward	5	25,267	6,317 5,053	+ 5.80
South Ward	5	22,498	5,625 4,500	- 5.80
Total	8 10	47,765	5,971 4,777	

Page 17, Map

Reference is made at the top of the page to Option 3(a). This should read Option 3(b).

These corrections will be made in the finalisation of this document and to the document in the minutes.

RECOMMENDATION IMPLICATIONS

In light of the above, the Officer's Recommendation remains unchanged.

Addendum - Item 10.6.2.1 - CEO Key Performance IndicatorsADDITIONAL INFORMATION

The CEO Review Committee has advised that the wording of the CEO KPI No. 3 'Review City property portfolio' has been incorrectly captured.

The Committee has unanimously agreed that the wording should be amended as follows:

KPI	Deliverable	Measurement	
		Probation Period (6 month review)	Annual Performance Review (12 month review)
Review City property portfolio	Review Progress the implementation of the City's Land Acquisition and Disposal Strategy		Revised Strategy ready for Council adoption by 30 June 2023. Ongoing implementation with quarterly progress updates to 30 June 2023

RECOMMENDATION IMPLICATIONS

The Committee's recommendation to the Council remains unchanged, but the draft CEO KPIs provided in Attachment 10.6.2.1.1 will be updated in the minutes for this meeting to reflect the above.

Addendum - Item 10.5.2 - Under Bridge Activation - Tonkin Gap

Applicant/Proponent:	Tonkin Gap Alliance
Responsible Branch:	Major Projects
Responsible Directorate:	Major Projects and Commercial Activities
Authority/Discretion:	Executive/Strategic
Voting Requirement:	Simple Majority Required
Attachments:	Under Bridge Original Concept Design [10.5.2.1 - 1 page] Survey Results [10.5.2.2 - 4 pages]
Refer:	Item 10.5.4 OCM 28.06.22

ADDITIONAL INFORMATION

Following the discussion at the Agenda Briefing forum the following additional information is presented for Councillor consideration.

Further discussions on this matter have been held with Main Roads WA (MRWA) and Tonkin Gap Alliance (TGA) representatives. From these discussions, it would appear that there may be some misconceptions around the level of development being proposed.

The mountain bike and pump track elements are not being proposed as sealed pathways or to the same standard as other facilities, such as the pump track at the Dianella open space.

This proposal basically involves unsealed pathways with some undulations, that would allow use by bicycles, scooters and pedestrians. The images below detail examples of the level of development proposed.



Similarly, the canoe landing area is proposed to be more of a sandy beach area than a formalised structure.

Whilst still unknown and dependant on the level of use, the maintenance costs associated with this level of development will not be as high as originally anticipated and are likely to be less than \$10,000 per annum.

In addition to this, MRWA have indicated that they will assume some level of maintenance responsibility for the area and are open to further negotiations with the City in this regard.

RECOMMENDATION IMPLICATIONS

In light of the above, the Officer's Recommendation has been amended as follows:

OFFICER'S RECOMMENDATION

That Council:

- 1. Advises Tonkin Gap Alliance (TGA) that they support the draft plan for activation under the Redcliffe Bridge (TGA-03-LA-0700-DRG-1001) on the basis that the active areas (pump track, mountain bike area and canoe landing) will be low key informal areas requiring minimal maintenance**
- 2. Notes that the City will continue negotiations with Main Roads WA (MRWA) in relation to maintenance responsibility for the various elements of the plan.**

Addendum - Item 10.4.4 - Proposed Alterations And Additions To Bayswater Hotel - Lot 700, 78-80 Railway Parade, Bayswater**ADDENDUM - ORDINARY COUNCIL MEETING – 25 OCTOBER 2022****10.4.4 Proposed Alterations and Additions to Bayswater Hotel – Lot 700, 78-80 Railway Parade, Bayswater**

Applicant/Proponent:	Planning Solutions (Aust.) Pty Ltd
Owner:	BHM2 Pty Ltd
Responsible Branch:	Development and Place
Responsible Directorate:	Community and Development
Authority/Discretion:	Review
Voting Requirement:	Simple Majority Required

ADDITIONAL INFORMATION

Prior to the lodgement of the application to DevelopmentWA, the City met with the applicant twice to discuss the proposed alterations and additions to the Bayswater Hotel. At these meetings and in a subsequent written correspondence, the City noted concerns in relation to the heritage aspects, proposed signage, proposed awning, appearance of the liquor store component of the building along with environmental health and waste management matters. Furthermore, the City's recommendation was discussed with the applicant prior to the Agenda Briefing Forum, and the applicant advised they would respond to the City's concerns in their deputation to Council.

The City has given careful consideration to the deputations and the comments and questions raised at the Forum, and the conditions have been comprehensively reviewed accordingly. The response to these matters are included in **Attachment 1** and the City's recommended conditions to the Metropolitan Redevelopment Authority have been amended accordingly given these considerations.

In light of DevelopmentWA being the determining authority of development applications within the Bayswater Town Centre and the application of DevelopmentWA's policies and METRONET East Bayswater Project Area Design Guidelines, the role of the City in development application referrals has been discussed with DevelopmentWA, and in future application referrals:

1. In terms of a planning assessment, the City will provide a high level review of the plans, and only provide recommended conditions and advice notes where specifically requested by DevelopmentWA.
2. The City will provide detailed assessment and comments in relation to environmental health, waste, street tree and the City's infrastructure and asset matters.

In relation to trucks entering Rose Avenue and having difficulty turning around, the City is unable to prevent trucks from using Rose Avenue if they have a legitimate commercial purpose that is delivering building supplies, household goods and utility maintenance. No evidence has been provided to the City to indicate that the trucks accessing Rose Avenue are not associated with the Bayswater Hotel. Notwithstanding, should a complaint be received the City will investigate the matter accordingly. A new advice note 10 has however been added to discourage loading and unloading from Rose Avenue associated with the development.

With regard to the advertising of the application, DevelopmentWA is advertising the application until 25 October 2022. DevelopmentWA has advised that to date, 12 submissions in support and one submission in objection have been received.

RECOMMENDATION IMPLICATIONS

In light of the above and comments contained in **Attachment 1**, the Officer's Recommendation has been amended as below.

OFFICER'S RECOMMENDATION

That Council recommends to DevelopmentWA / Metropolitan Redevelopment Authority (MRA), approval for the proposed alterations and additions to the Bayswater Hotel at Lot 700, 78-80 Railway Parade, Bayswater, in accordance with the planning application referred to the City on 8 September 2022 and plans dated 8 September 2022, subject to the following conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. At working drawings stage, revised plans showing an additional 1m wide reclaimed portion of road reserve strip along the south-eastern boundary abutting the length of Railway Parade (excluding the two-storey verandah) shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater. The revised plans are to demonstrate the removal of any landscaping, signage, structures and private infrastructure including the liquor store vehicle accessway from the portion of reclaimed road reserve at the land owner's/applicant's cost to the specifications and satisfaction of the MRA in consultation with the City of Bayswater.
3. The City of Bayswater shall be fully indemnified from any potential liability issues resulting from the awnings, landscaping and liquor store vehicle access being located within the Railway Parade and Drake Street road reserves. A legal agreement shall be prepared by the City's solicitors to the satisfaction of the MRA in consultation with the City of Bayswater to enable the City to lodge an absolute caveat over the land. The owner shall be responsible to pay all reasonable costs associated with the City's solicitor costs of and incidental to the preparation of the agreement and the lodgement of the absolute caveat against the Certificate of Title to the land at working drawings stage.
4. A final detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater at working drawings stage.
5. Any proposed new external services and utilities including air conditioning units shall be integrated into the design of the building and shall be located so as not to be visually obtrusive to the street and/or adjoining properties to the satisfaction of the MRA in consultation with the City of Bayswater.
6. Any outside lighting to comply with Australian Standard AS 4282-1997- Control of the Obtrusive Effects of Outdoor Lighting for the control of obstructive effects of outdoor lighting. Lighting plans detailing how outdoor lighting is to be designed, baffled and located shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, at working drawings stage. Lighting shall be installed in accordance with the approved lighting plan prior to occupation of the development and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.
7. A construction management plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, at working drawings stage. The construction management plan shall be implemented and maintained for the duration of the works to the satisfaction of the MRA in consultation with the City of Bayswater.
8. At working drawings stage, an updated waste management plan that addresses the following shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater.

- (a) A contingency plan and/or alternative waste truck manoeuvring is required in the case that the carpark is occupied during the time of waste collection.

The updated waste management plan is to be implemented in its entirety and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.

9. The owner, or the applicant on behalf of the owner, shall comply with the DevelopmentWA Development Policy 4 – Public Art, and provide public art with a minimum value of 1% (\$45,000) of the estimated total construction cost of the development (\$4.5 million). Details of the public art, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements shall be submitted to the satisfaction of the MRA in consultation with the City of Bayswater at working drawings stage.
10. A revised landscaping plan shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, at working drawings stage. For the purpose of this condition, the plan shall show the following:
 - (a) If required, the removal and realignment of landscaping from the reclaimed portion of the Railway Parade road reserve.
 - (b) The size, number, location and species of all trees and plants to be planted.
 - (c) Those areas to be reticulated or irrigated.
 - (d) All landscaped areas shall be separated from car parking bays and pedestrian paths through the use of walls, kerbing, bollards or similar devices to enable the protection of the landscaping.

Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.

11. At working drawings stage, an updated acoustic report addressing all potential noise emissions from the property, including those listed below, is to be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997*:
 - (a) The noise impact of the building, plant/ equipment and services.
 - (b) Acoustic and amplified performances.

Documents certifying that the recommendations from the acoustic report have been implemented, are to be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater at working drawings stage.

12. At working drawings stage, a noise management plan that addresses/implements the recommendations identified in the preliminary noise emissions assessment prepared by Lloyd George Acoustics dated 25 August 2022 and in any updated acoustic report, shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater and thereafter implemented at all times to the satisfaction of the MRA in consultation with the City.
13. At working drawings stage, a revised signage strategy that addresses the following shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater:
 - (a) Removal of the 7m high digital monolith sign (sign 5).
 - (b) Removal of the vintage look beer brand sign (sign 33).

- (c) The number of advertising signage applied to the liquor store component of the building shall be significantly reduced to the satisfaction of the City of Bayswater.
- (d) Details of all signage content.
- (e) Details of the any illuminated signage including luminance levels. All illuminated signage shall have low level luminance and must not flash, pulsate or chase. The illuminated signage shall not contain fluorescent, reflective or retro reflective colours and materials.

The signage strategy shall be implemented thereafter and signage shall be maintained to the satisfaction of the MRA in consultation with the City of Bayswater.

14. All street tree(s) within the verge adjacent to the subject property are to be retained and shall have measures consistent with AS 4970-2009 undertaken to ensure its/their protection during construction of the subject development to the satisfaction of the City, including but not limited to the following:
 - (a) A minimum 2.0m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the verge trees (chain mesh panels or other suitable material) during construction of the subject development.
 - (b) The above fencing is not to be moved or removed at any period during construction, and this zone is not to be entered for any reason; signage notifying people of the TPZ and the associated requirements is to be placed on each side of the fencing.
 - (c) All activities and works related to construction of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ unless prior approval is sought from the City of Bayswater.
 - (d) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood outside of the TPZ. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
 - (e) The tree(s) shall be provided with supplemental water during any construction period falling over summer, with a minimum of 150 litres being provided per week.
 - (f) Any new crossover shall maintain a minimum clearance of 2.0m from the base of a street tree(s).
 - (g) Should any works be required to be undertaken within the TPZ, approval must be obtained from the City prior to entering this zone. Advice from an Arborist may be required in regard to the type of works being undertaken, this information is to be assessed by the City as part of the approvals to enter.
15. In the event a street verge tree(s) required to be retained adjacent to the subject site is damaged, removed or suffers irreversible effects to its health during development and in the first three years after completion of the development, the landowner will be liable to pay for the amenity (Helliwell) valuation, plus the cost of a City provided replacement tree (s) and three years maintenance of any street verge tree.
16. Windows, doors and adjacent areas fronting Railway Parade shall maintain an active and interactive relationship with the street, to the satisfaction of the MRA in consultation with the City of Bayswater.
17. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the MRA in consultation with the City of Bayswater.

18. The vehicle parking area shall be constructed/upgraded in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater
19. All loading/unloading shall take place within the lot to the satisfaction of the MRA in consultation with the City of Bayswater
20. Bicycle parking and end of trip facilities are to be provided in accordance with Table 4 of Development WA METRONET East Bayswater Project Area Design Guidelines, to the satisfaction of the MRA in consultation with the City of Bayswater.
21. The vehicle crossover onto Railway Parade shall be designed to be a left out only exit and constructed to the satisfaction of the MRA in consultation with the City of Bayswater.
22. The existing crossover on Drake Street closest to Railway Parade is to be modified to a one-way access and the remaining verge is to be reinstated to the satisfaction of the MRA in consultation with the City of Bayswater
23. The use of reflective or obscure glazing is not permitted on ground floor windows and/or openings.
24. Walls, fences and other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where the vehicle access meets the road reserves.
25. The restoration of the original brick tuckpointing to the south and east elevations of the original Bayswater Hotel building shall be undertaken as part of this application to the satisfaction of the MRA in consultation with the City of Bayswater.
26. A detailed management plan shall be submitted prior to occupancy to the satisfaction of the MRA in consultation with the City of Bayswater to address management of the following matters:
 - (a) Crowd control and persons leaving the premises;
 - (b) Anti-social behaviour and vandalism;
 - (c) Litter; and
 - (d) Removal of graffiti.The management plan shall be implemented in its entirety and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.
27. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the MRA in consultation with the City of Bayswater.

Advice Notes:

1. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
2. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
3. The development/use hereby permitted shall comply with *the Environmental Protection Act 1986*, the *Health (Miscellaneous Provisions) Act 1911* and any relevant legislation, codes and policies, including but not limited to:

- (a) ***National Construction Code Environmental Protection (Liquid Waste) Regulations 1996;***
 - (b) ***Health (Asbestos) Regulations, 1992;***
 - (c) ***Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;***
 - (d) **City of Bayswater Eating House Local Laws;**
 - (e) **City of Bayswater Alfresco Dining Policy;**
 - (f) **Liquor Licensing Act 1988;**
 - (g) **Health (Public Building) Regulations 1992;**
 - (h) **Health (Air Handling and Water Systems) Regulations 1994; and**
 - (i) ***Sewerage (Lighting, Ventilation and Construction) Regulations 1971.***
4. **This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to *the Dividing Fences Act 1961*.**
 5. **Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of works associated with this development.**
 6. **In relation to Condition 9, the City supports proposed artwork being installed along the blank façade of the drive through liquor store fronting Drake Street as indicated on the proposed development plans as a component of the public art.**
 7. **In relation to Condition 25, the City is not supportive of introducing a tiled dado given it is an element that is not original and not based on documentary evidence which it is considered can distort the original design intent and confuse understanding of the place.**
 8. **The City of Bayswater takes no responsibility or liability in respect to maintenance and reinstatement of any road reserve area landscaped as a condition of approval.**
 9. **With regard to Condition 24, the fence surrounding the Sports Bar alfresco area adjacent to the Railway Parade boundary line is not required to be reduced to no higher than 0.75m within 1.5m of where the fence is adjacent to the bottleshop exit driveway.**
 10. **In relation to Condition 19, the applicant is discouraged from using Rose Avenue for any loading/unloading associated with the development.**

Condition		Applicant's Comments	Applicant's Requested Modifications	City of Bayswater Officer Comments
2	<p>Prior to the submission of a building permit application, revised plans showing an additional 1m wide reclaimed portion of road reserve strip along the south-eastern boundary abutting the length of Railway Parade (excluding the two storey verandah) shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater. The revised plans are to demonstrate the removal of any landscaping, signage, structures and private infrastructure including the liquor store vehicle access way from the portion of reclaimed road reserve at the landowners/applicant's cost to the specifications and satisfaction of the MRA in consultation with the City of Bayswater.</p>	<p>The area proposed for resumption will impact proposed vehicle manoeuvring and landscaping areas at the front of the site, and the existing approved pylon sign.</p> <p>Future upgrades to accommodate the bus station propose a significant amount of road within the area. What the area adjoining Railway Road really needs is landscaping and aesthetic treatments, not more service infrastructure, sign poles, and wider concrete footpaths.</p> <p>Removal of the landscaping at the front of the Sports Bar alfresco area (between the alfresco and Railway Parade) would compromise the amenity of the alfresco area, potentially resulting in it being unviable.</p>	Delete.	<p>The existing width of the Railway Parade road verge fronting the Bayswater Hotel is approximately 7m wide and more than 5m of this is occupied by the hotel's carpark and vehicle access aisle. This encroachment leaves only enough space for a 1.7m wide pedestrian footpath within the verge which does not meet the minimum desirable width for a pedestrian footpath. Due to this, the City has been unable to install any street furniture such as streetlights, bollards and street signs due to the narrow width nor any street trees or other pedestrian amenities such as shade infrastructure.</p> <p>The City was unable to request METRONET to consider implementing any landscaping within this verge during design development and street light poles had to be relocated into the street median due to this space being occupied by the hotel. Accordingly the main reason to take back this land is to provide a compliant footpath width and for the City to have the option to place street</p>

				<p>lighting in the verge should it be required.</p> <p>There is an existing caveat and legal agreement registered on the Certificate of Title to allow the Bayswater Hotel to use a portion of the Railway Parade road reserve for the existing verandah/deck encroachment, and part of the existing vehicle access aisle are encroaching into the road reserve. This condition is similar to the one that was previously imposed on the development application for the deck in 2015.</p> <p>The agreement states that in the event that the road reserve is required for the purpose for which it is held, the City may, by giving written notice to the Applicants, require that the improvements be removed at the cost of the applicant and the road reserve reinstated to the satisfaction of the City within 3 months of giving such notice, or such a longer period of time as is agreed to by the City.</p> <p>The existing legal agreement relates only to the existing alfresco verandah and does not include other existing encroachments such as the liquor store drive-through and</p>
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				<p>parking encroachments although it is noted that these encroachments have existed for a long period of time, there is no formal legal agreement in place and therefore without Condition 2 being imposed, the applicant will be unable to undertake any of the required/proposed works within the City's road reserve.</p> <p>The recommended condition would cover all proposed encroachments and is recommended to protect the City's ability to provide the infrastructure and access requirements for the wider community.</p> <p>It is considered that the area proposed to be reclaimed will have little to nil impact to the proposed vehicle manoeuvring and there will still be space for landscaping. The portion of proposed landscaping that is required to be removed is 8.3m² in area and is considered to be minor given that 36.2m² of landscaping area would be able to remain in the road reserve adjacent to the sports bar.</p> <p>With the majority of this verge space being taken up by hardstand associated with the Bayswater</p>
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				<p>Hotel's drive through area, it provides limited opportunities to implement landscaping and aesthetic treatments.</p> <p>Given this station precinct area will be experiencing a considerable increase in pedestrian activity and there is an expectation for the provision of improved public amenity in this area, the reclaiming of 1m wide strip of road reserve for the purpose of a road reserve for the broader community is therefore recommended to be maintained.</p> <p>If the applicant is not amenable to the condition then it is recommended that the development be redesigned to remove all encroachments from the City's road reserve (aside from the previously approved verandah/deck) as the drive-through bottle shop component of the development will not be able to function without the use of the City's road reserve.</p>
3	The City of Bayswater shall be fully indemnified from any potential liability issues resulting from the awnings, landscaping and liquor store vehicle access being located within the Railway Parade and Drake Street road reserves. A legal agreement shall be	In our experience, other Local Governments do not see the need to impose overly legalistic conditions such as this. If the City of Bayswater is going to require legal agreements and caveats every time a landowner provides an awning, planter box or	Delete.	<p>This condition is similar to the one that was previously imposed on the development application for the deck in 2015.</p> <p>There is a significant amount of intrusion into the road reserve</p>

	<p>prepared by the City's solicitors to the satisfaction of the MRA in consultation with the City of Bayswater to enable the City to lodge an absolute caveat over the land. The owner shall be responsible to pay all reasonable costs associated with the City's solicitor costs of and incidental to the preparation of the agreement and the lodgement of the absolute caveat against the Certificate of Title to the land prior to the submission of a building permit application.</p>	<p>crossover/driveway within the verge, many landowners will simply decide such beautification efforts are simply too hard. This condition is a disincentive to streetscape improvement and investment in redevelopment, and should be removed.</p>		<p>including the bottle shop drive through and egress point onto Railway Parade of which there are risk of conflict between pedestrians and vehicles. These intrusions are private assets that will be located within public land, it is not considered unreasonable for the City to be indemnified from any potential liability issues. As these intrusions are private assets that are owned and maintained by the applicant, it is expected that the applicant be held responsible for any incidents to the public that arise from these assets or their condition.</p> <p>The condition was recommended to the City based on previous legal advice and SAT cases. The condition is intended to protect the City should any incidents occur within the portion of the City's road reserve that is being intruded upon by the applicant's structures.</p>
5	<p>Any external services and utilities including air conditioning units shall be integrated into the design of the building and shall be located so as not to be visually obtrusive to the street and/or adjoining properties to the satisfaction of the MRA in consultation with the City of Bayswater.</p>	<p>Proposed plant already shown on plans for any new plant and equipment.</p> <p>The application does not propose to relocate or modify the existing units.</p>	<p>Any proposed new external services and utilities (including air conditioning units) shall be integrated into the design of the building and shall be located so as not to be visually obtrusive to the street and/or adjoining</p>	<p>The City has no objection to the applicant's modified condition.</p>

			properties to the satisfaction of the MRA in consultation with the City of Bayswater.	
6	<p>Lighting plans detailing how outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater prior to the submission of a building permit application. Lighting shall be installed in accordance with the approved lighting plan prior to occupation of the development and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.</p>	<p>Lighting conditions are now generally standard additions to planning approvals.</p> <p>The wording of the recommended condition is vague and uncertain. It is not appropriate to impose a condition "to prevent any increase in light spill". Other Local Governments have drafted standard conditions that are appropriately certain, specific and final, and we recommend reference to the accepted Australian Standard for clarity.</p> <p>The trigger for this (and several other) conditions being 'prior to the submission of a building permit application' is unnecessary, and could impact on the construction program. We recommend this (and several other) conditions be modified to require submission and approval prior to issue of a Building Permit, allowing for details to be resolved through the Building Permit process.</p>	<p>Any outside lighting to comply with Australian Standard AS 4282-1997- Control of the Obtrusive Effects of Outdoor Lighting for the control of obstructive effects of outdoor lighting.</p> <p>Lighting plans detailing how outdoor lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, prior to the submission issue of a building permit application. Lighting shall be installed in accordance with the approved lighting plan prior to occupation of the development and thereafter maintained to the satisfaction of the</p>	<p>The City has no objection to the first part of the applicant's modified condition but maintains that this condition is recommended to be met prior to the submission of a building permit application.</p> <p>In relation to the requirement for certain conditions to be met prior to the submission of a building permit application, the timing of the condition is specific to prior to the submission of a building permit application as the condition may result in modifications to the plans which need to occur before it is independently certified by a building certifier which occurs prior to the lodgement of a building permit application. The statutory timeframe for a certified building permit is 10 working days, and if the information is not submitted prior to lodgement of a building permit, the building permit is placed on hold until the requested information is submitted. By requiring that the condition is met prior to a building permit application avoids unnecessary delays for the applicant at the building permit stage.</p>

			MRA in consultation with the City of Bayswater.	Notwithstanding, the City has checked with DevelopmentWA and they have advised that they word their conditions as 'submitted at working drawings stage' and they have advised that this means that the condition must be cleared in writing by DevelopmentWA prior to the submission of a building permit application to the City.
8	<p>Prior to the submission of a building permit application, an updated waste management plan that addresses the following shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater.</p> <p>(a) A contingency plan and/or alternative waste truck manoeuvring is required in the case that the carpark is occupied during the time of waste collection.</p> <p>(b) Location of internal bin stores within the building.</p> <p>(c) A suitably screened refuse bulk bin area shall be provided to the satisfaction of the City of Bayswater. The bin area is to be provided with a permanent water supply and drainage facility for wash-down and is to be screened by a gate and brick</p>	<p>Recommend deleting points (a) - (c) as these matters are adequately addressed in the existing Waste Management Plan.</p> <p>Point (a) is not necessary. Waste collection to generally occur early in the morning prior to operation of the venue. In the extremely unlikely event that waste vehicle cannot enter site, bins will be ferried to a suitable collection point, or the vehicle will return at another suitable time. It is not necessary to impose conditions that are easily managed by the application of simple commonsense.</p> <p>Points (b) and (c) are not necessary as a suitable bin store is already provided.</p>	<p>The approved waste management plan is to be implemented in its entirety and maintained to the satisfaction of the MRA, in consultation with the City of Bayswater.</p>	<p>The City agrees to the removal of points (b) and (c).</p> <p>Point (a) is not addressed in the applicant's waste management plan. If the contingency is as stated that bins can be moved to an alternative collection point if the bin store is not accessible due to vehicles in the car park, this needs to be added to the waste management plan to ensure compliance is achieved.</p>

	walls or other suitable material to a height of not less than 1.8m. The bin area shall be accessible via a suitably constructed service road that will allow heavy vehicle movement. The updated waste management plan is to be implemented in its entirety and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.			
10	<p>A revised landscaping plan shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, prior to the submission of a building permit application. For the purpose of this condition, the plan shall show the following:</p> <ul style="list-style-type: none"> (a) Removal and realignment of landscaping from the reclaimed portion of the Railway Parade road reserve. (b) The size, number, location and species of all trees and plants to be planted. (c) Those areas to be reticulated or irrigated. (d) All landscaped areas shall be separated from car parking bays and pedestrian paths 	<p>Point (a) is not supported consistent with the applicant response to Condition 2 (above). It is surprising that the City of Bayswater is advocating for more pavement and infrastructure in place of landscaping, in an area that would clearly benefit from more landscaping.</p> <p>A final Landscape Plan with a greater level of detail should be provided for endorsement at the Building Permit stage.</p>	<p>A revised landscaping plan shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, prior to the submission issue of a building permit application. For the purpose of this condition, the plan shall show the following:</p> <ul style="list-style-type: none"> (a) Removal and realignment of landscaping from the reclaimed portion of the Railway Parade road reserve. (b) The size, number, location and 	<p>The City does not support the removal of point (a) given that the landscaping area needs to be realigned to be outside of the reclaimed road reserve as outlined above.</p> <p>The City is not advocating for more pavement and infrastructure in place of landscaping. The City is advocating for the minimal amount of public land such that compliance for provision of public amenity can be met instead of being used for private parking.</p> <p>The removal and realignment of landscaping from the reclaimed portion of the Railway Parade road reserve may not be necessary however without any design detail, it is difficult to confirm whether any</p>

	through the use of walls, kerbing, bollards or similar devices to enable the protection of the landscaping. Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.		<p>species of all trees and plants to be planted.</p> <p>(c) Those areas to be reticulated or irrigated.</p> <p>(d) All landscaped areas shall be separated from car parking bays and pedestrian paths through the use of walls, kerbing, bollards or similar devices to enable the protection of the landscaping.</p> <p>Landscaping and reticulation shall be completed in accordance with the approved detailed landscape plan prior to occupation of the development and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.</p>	<p>realignment is required. If from the design vehicle manoeuvring can demonstrate that amendment to this area is not necessary then the City will not request for any realignment.</p> <p>Accordingly, the City will amend point (a) to add the preamble "<i>If required</i>": which will allow greater flexibility to meet the City, applicant and Development WA's requirements.</p>
11	The City of Bayswater takes no responsibility or liability in respect to maintenance and reinstatement of	This is not a valid condition to impose on a planning approval. If the City	Delete and make advice note	The condition was recommended as the applicant is proposing

	any road reserve area landscaped as a condition of approval.	considers this advice is required, it should be included as an advice note.		landscaping within the City's road reserve. Provided conditions 2 and 3 are imposed, the deletion of this condition and making it an advice note, is supported.
12	<p>Prior to the submission of a building permit application, an updated acoustic report addressing all potential noise emissions from the property, including those listed below, is to be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997:</p> <p>(a) The noise impact of the building, plant/ equipment and services.</p> <p>(b) Acoustic and amplified performances. Documents certifying that the recommendations from the acoustic report have been implemented, are to be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater prior to submission of a building permit application.</p>	<p>This condition is not required. The acoustic report addresses potential noise emissions and the development is required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>Condition 13 addresses the requirement to provide a noise management plan to address the recommendations of the acoustic report.</p>	Delete.	<p>As per Part 5 of the applicant's acoustic report, the noise assessment is incomplete. The report states that detailed design plan selections and any additional plant systems must be assessed as part of the operation of the building is required.</p> <p>Accordingly, the deletion of recommended Condition 12 is not supported.</p>
14	Prior to the submission of a building permit application, a revised signage	We do not support points(a) - (d) for the following reasons:	Prior to the submission of a building	The deletion of part (a) – (d) of recommended Condition 15 is not

	<p>strategy that addresses the following shall be submitted to the satisfaction of the MRA in consultation with the City of Bayswater:</p> <ul style="list-style-type: none"> (a) Removal of the 7m high digital monolith sign (sign 5). (b) Removal of the vintage look beer brand sign (sign 33). (c) The number of advertising signage applied to the liquor store component of the building shall be significantly reduced to the satisfaction of the City of Bayswater. (d) Details of all signage content. (e) Details of the any illuminated signage including luminance levels. All illuminated signage shall have low level luminance and must not flash, pulsate or chase. The illuminated signage shall not contain fluorescent, reflective or retro reflective colours and materials. The signage strategy shall be implemented thereafter and signage shall be maintained to the satisfaction of the MRA in consultation with the City of Bayswater. 	<p>In relation to points (a) and (b): The monolith sign will have no material impact on the existing heritage building given its position, scale and modern materials relating to the proposed extensions, not the heritage building.</p> <p>The train station currently under development is of a significant size and scale and the proposed signs will not have any adverse impact on the amenity of the surrounding area in considering the future height likely to be developed.</p> <p>The subject site permits a building height of 3 storeys as a podium with nil setback, and a total height of up to 15 storeys. The scale of buildings and associated structures in the area is going to be significant, and the signs must be considered in relation to this future context.</p> <p>There is already an existing digital sign at the front of the drive through exit. We are not aware that this has had any impact on adjoining residential properties.</p> <p>In relation to point (c) The City's assessment doesn't distinguish the difference between advertising</p>	<p>permit, a revised signage strategy that addresses the following shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater:</p> <p>(a) Removal of the 7m high digital monolith sign (sign 5).</p> <p>(b) Removal of the vintage look beer brand sign (sign 33).</p> <p>(c) The number of advertising signage applied to the liquor store component of the building shall be significantly reduced to the satisfaction of the City of Bayswater.</p> <p>(d) Details of all signage content.</p> <p>(e) Details of the any illuminated signage including luminance levels. All illuminated</p>	<p>supported for the reasons outlined in the agenda report.</p> <p>The proposed digital monolith sign is considered to be significantly larger than the existing digital sign and that the City has received complaints in the past in relation to lighting impacts associated with large digital signs.</p> <p>In regard to points (c) and (d), Development WA's Development Policy 6 – Signage requires that elevations showing the details/display of each sign, including wording, images, logos, colours and size dimensions are submitted. The applicant has not submitted all of the required information in relation to the content of the proposed signage and as such the City is unable to determine which signs contain advertising or wayfinding content. Furthermore, it is noted that the applicant's signage strategy states that the content of a number of proposed signage text is 'to be confirmed'.</p> <p>Given that information is missing in relation to the signage content, the City has not recommended that signage be reduced by a specific number, only that the number of</p>
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		<p>signage and directional/way finding signage.</p> <ul style="list-style-type: none"> Of the 20 signs noted in the officer report, 7 of these are directional/way finding signs, not 'advertising' signs. No distinction is made in the reporting on this matter. Disregarding the wayfinding elements from the proposed signage, the existing bottleshop already has a greater number of signs than what is proposed. The proposed development refines existing signage in a more cohesive, contemporary and appropriate manner. Condition(c) is vague and uncertain, and is invalid as a planning condition. What is meant by "significantly reduced"? <p>In relation to points (d):</p> <ul style="list-style-type: none"> The City is not responsible for regulating signage content. Changes to signage content is exempt from requiring planning approval. As such, any content shown now could be replaced tomorrow, with no involvement 	<p>signage shall have low level luminance and must not flash, pulsate or chase. The illuminated signage shall not contain fluorescent, reflective or retro reflective colours and materials. The signage strategy shall be implemented thereafter and signage shall be maintained to the satisfaction of the MRA in consultation with the City of Bayswater.</p>	<p>signs proposed is a proliferation and should be reduced. The City's recommendation to provide advice to Development WA, being the determining authority will decide as to whether or not the number of signage shall be reduced and to what extent.</p> <p>It is noted that upon approval of the signage no further development approval would be required to change the content of the approved signs.</p> <p>In relation to point (e) the City advises that the City generally follows the following values as the maximum values for the varying ambient lighting conditions:</p> <ul style="list-style-type: none"> Daytime - 6000 cd/m² Dawn/Dusk - 600 cd/m² Night - 300 cd/m² <p>However, the final luminance levels are to be determined based on the site specific requirements, including the orientation of the sign and shading around the sign, this kind of detail cannot be specified in a condition.</p>
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		<p>of the City. As such, point (d) is superfluous.</p> <p>In relation to point (e):</p> <ul style="list-style-type: none"> The condition is vague and uncertain. What is meant by 'low luminance'? This point required modifications to be valid. 		
16	<p>In the event a street verge tree(s) required to be retained adjacent to the subject site is damaged, removed or suffers irreversible effects to its health during development and in the first three years after completion of the development, the landowner will be liable to pay for the amenity (Helliwell) valuation, plus the cost of a City provided replacement tree(s) and three years maintenance of any street verge tree.</p>	<p>Condition 15 requires measures consistent with Australian Standards to be implemented to protect all street trees during construction. The applicant has no objection to Condition 15.</p> <p>We are not aware of any 'baseline' assessment being undertaken, in relation to the health of the street trees. As such, we are concerned that the applicant may be held liable for any potential decline in the trees' health, unrelated to any works on the subject site.</p> <p>In addition, we note there are substantial works occurring in the immediate vicinity, including train station construction and associated road works, and also gas pipeline works along Drake Street. We understand these works have already had some impacts on drainage in the locality, also. Clearly, such works have the potential to impact on the</p>	Delete	<p>This is a standard condition recommended for any development application where there is an existing street verge tree. A 'baseline' inspection of the street tree(s) will be conducted by the City prior to start of development work, with monitoring inspection(s) during development, and at the completion of the work. If the developer demonstrates they have taken appropriate measures to preserve trees, this will be taken into account if there is a significant decline observed in any street tree(s) during the prescribed period.</p>

		<p>health of street trees, and these impacts may not yet be visible.</p> <p>The applicant is committed to taking reasonable measures to protect the street trees in accordance with Condition15, but cannot accept liability for potential impacts on the street trees when in all likelihood, it would be impossible to verify whether the impacts were caused by the proposed development or the extensive works already being carried out in the locality.</p>		
17	<p>The trees being retained within the site as denoted on the plans and in accordance with the landscape architect report are to be retained on the lot, and shall have measures consistent with AS 4970-2009 undertaken and are to be monitored by a qualified arborist to ensure their protection during construction of the subject development.</p>	<p>The proposed development has been designed to retain as many trees as possible, despite no statutory requirement to do so. It is unreasonable and counterproductive to impose additional cost burdens on the applicant, including arborist monitoring. The landscaping plan as required by Condition10 will address tree retention.</p>	Delete.	<p>The deletion of this condition is supported on the basis the trees are on private property and the landscaping plan makes provision for their identification, retention and siting on the plan.</p>
20	<p>The vehicle parking area shall be constructed/upgraded in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.</p>	<p>It is intended to maintain the existing carpark surface etc.</p>	<p>The new vehicle parking area/s shall be constructed/upgraded in asphalt, concrete or brick paving, drained, kerbed and line-marked, together with suitable directional signs, and thereafter maintained to the satisfaction of the MRA</p>	<p>It is considered that there is a planning nexus to apply this condition on the basis that the proposal represents an intensification and rearrangement of the uses onsite.</p> <p>The existing line marking in the car parking areas has faded and it is recommended to be upgraded, in addition it will ensure that the car park is upgraded to an acceptable</p>

			in consultation with the City of Bayswater.	<p>standard should any damage occur during construction works.</p> <p>New directional signage is also required within the existing car park given that one of the crossovers will become an exit only crossover.</p> <p>Accordingly, the proposed modifications are not supported.</p>
22	<p>Bicycle bays and end of trip facilities shall be provided to the satisfaction of the MRA in consultation with the City of Bayswater, including the following:</p> <p>(a) Additional bicycle bays shall be provided within the site where practical, and shall include bicycle parking devices that allow users to lock the bicycle frame and both wheels.</p> <p>(b) End of trip facilities including a minimum of one male and one female shower contained within separate change rooms, and separate from other required facilities such as toilets for people with disability. Details of the design and layout of the bicycle parking and end of trip facilities shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater prior to the</p>	<p>The Development WA Design Guidelines include standards for bicycle parking and end of trip facilities. The conditions proposed by the City are excessive and are not based on any statutory provisions.</p>	<p>Bicycle bays and end of trip facilities shall be provided to the satisfaction of the MRA in consultation with the City of Bayswater.</p> <p>including the following:</p> <p>(a) Additional bicycle bays shall be provided within the site where practical, and shall include bicycle parking devices that allow users to lock the bicycle frame and both wheels.</p> <p>(b) End of trip facilities including a minimum of one male and one female shower contained within separate change</p>	<p>It is recommended this condition be amended as follows to refer to compliance with Development WA bicycle and end of trip facility requirements.</p> <p>"Bicycle parking and end of trip facilities are to be provided in accordance with Table 4 of DevelopmentWA METRONET East Bayswater Project Area Design Guidelines, to the satisfaction of the MRA in consultation with the City of Bayswater."</p>

	submission of a building permit application.		rooms, and separate from other required facilities such as toilets for people with disability. Details of the design and layout of the bicycle parking and end of trip facilities shall be submitted to, and to the satisfaction of the MRA in consultation with the City of Bayswater prior to the submission of a building permit application.	
23	The vehicle crossover onto Railway Parade shall be designed to be a left out only exit and constructed to the satisfaction of the MRA in consultation with the City of Bayswater.	The identified crossover is already shown to be left-out only access on the development plans. The condition is redundant.	Delete	The existing crossover onto Railway Parade is required to be narrowed and it needs to be redesigned with kerbing to ensure right turn in and out is not possible. Accordingly, the deletion of this condition is not supported.
24	The existing crossover on Drake Street closest to Railway Parade is to be modified to a one-way access and the remaining verge is to be reinstated to the satisfaction of the MRA in consultation with the City of Bayswater.	The identified crossover is already shown to be one-way access on the development plans. The condition is redundant.	Delete.	The existing crossover onto Drake Street is currently wide enough for two-way access. The crossover is required to be narrowed to prevent two way access from occurring. Accordingly, the deletion of this condition is not supported.

26	Walls, fences and other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where the vehicle access meets the road reserves.	<p>As currently drafted, this condition potentially impacts the front fence that runs in front of the Sports Bar alfresco area, adjacent to the bottle shop exit driveway. This fence is higher than 0.75 and sits adjacent to the boundary.</p> <p>A 0.75m high fence in this location would not be functional in providing adequate safety and amenity to the alfresco area. Due to the landscaping and the alignment of the exit driveway, modifying the alfresco fence to reduce the height or create a truncation would provide no benefit whatsoever in terms of pedestrian safety or vehicle sightlines. The pedestrian footpath along Railway Parade is more than 5m away from this wall, resulting in ample sight distance for exiting vehicles. The condition should be supplemented by an Advice Note clarifying that it does not apply to the Sport Bar alfresco wall.</p>	<p><i>Supplementary Advice Note:</i></p> <p><i>With regard to Condition 26, the fence surrounding the Sports Bar alfresco area adjacent to the Railway Parade boundary line is <u>not</u> required to be reduced to no higher than 0.75m within 1.5m of where the fence is adjacent to the bottleshop exit driveway.</i></p>	The condition is not intended to affect the sports bar fencing. The City agrees with the applicant's proposed advice note.
27	The restoration of the original brick tuckpointing to the south and east elevations of the original Bayswater Hotel building shall be undertaken as part of this application to the satisfaction of the MRA in consultation with the City of Bayswater.	Comments provided are the planning officers' opinions only. The application is supported by a Heritage Impact Statement, prepared by Hocking Heritage Studio. The proposed works are considered acceptable by the expert heritage consultant.	Delete	The applicant's heritage consultant notes that introducing new elements to a heritage building that are not original are generally not encouraged due to the negative impact the works may have. It is acknowledged that the City does not have a heritage officer. The City does however have a Local

				<p>Heritage Survey which categorises places within the City. In this respect, the Bayswater Hotel property is on the Local Heritage Survey as a Category 2 place. The Management Category 2 notes the following :</p> <ul style="list-style-type: none"> • <i>Very important to the heritage of the locality.</i> • <i>High degree of integrity/authenticity.</i> • <i>Conservation of the place is highly desirable.</i> • <i>Any alterations or extensions should reinforce the significance of the place.</i> • <i>Included on the Town Planning Scheme No 24 Heritage List.</i>
28	<p>A detailed management plan shall be submitted prior to occupancy to the satisfaction of the MRA in consultation with the City of Bayswater to address management of the following matters:</p> <p>((a) Crowd control and persons leaving the premises;</p> <p>(b) Anti-social behaviour and vandalism;</p> <p>(c) Litter; and</p>	<p>Management of licensed premises is not the role of Local Government Matters such as crowd control and management of anti-social behaviour are appropriately addressed through the liquor licensing requirements and does not require a condition of approval. Conditions which purport to duplicate matters addressed by other legislation are invalid.</p>	Delete	<p>This is a standard condition that is imposed on all tavern and bar premises within the City where there is a likelihood of anti-social behaviour. The City is responsible for responding to complaints about anti-social behaviour and it is not considered unreasonable to expect that the applicant takes an active role in managing anti-social behaviour at such premises as anti-social behaviour has an undue</p>

	<p>(d) Removal of graffiti.</p> <p>The management plan shall be implemented in its entirety and thereafter maintained to the satisfaction of the MRA in consultation with the City of Bayswater.</p>			<p>impact upon the amenity of the area.</p>
Advice Note 7	<p>In relation to Condition 27, the City is not supportive of introducing a tiled dado given it is an element that is not original and not based on documentary evidence which it is considered can distort the original design intent and confuse understanding of the place.</p>	<p>The City does not have a heritage officer to provide comments on this matter and therefore we understand the heritage comments provided are the planning officers' opinions only. The application is supported by a Heritage Impact Statement, prepared by Hocking Heritage Studio. The proposed works are considered acceptable by the expert heritage consultant.</p>	Delete	<p>Refer to above comments in relation to Condition 27.</p>