

720 Albany Hwy, East Victoria Park, Perth

Development Application 

Prepared by Cottee Parker Architects | November 2023



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PRELIMINARY

INTRODUCTION

Cottee Parker Architects acts on behalf of our client [REDACTED] the registered landowner and supporter of the proposed development at 720 Albany Hwy, East Victoria Park, Perth (subject site).

Cottee Parker Architects have prepared the following report, in support of an application for the development approval of a new commercial property on the subject site with an estimated construction cost of approx. \$1,5 million. This report will review various matters pertaining to this proposal, including:

- Background.
- Site details.
- Proposed development.
- Statutory planning framework.

BACKGROUND

The proposed development is located at 720 Albany Hwy, East Victoria Park, Perth, along an established and vibrant 'high street' which offers an abundance of retail, commercial and food and beverage developments.

The subject site has an area of 1,002 m² with lot proportions of approximately 20m wide by 50m deep, with Albany Highway frontage to the south-west and rear laneway access from Isaia Laneway to the north-east.

The site is currently vacant land, which is being used as a laydown and mobilisation area for the construction of a new 3-storey apartment complex on the adjoining site, to the north. To the south is an existing single storey dwelling which has been converted into a café, called Sinamon.

Further to the above, the supplied survey indicates that there is an existing sewer main transversing through the site, close to the right-hand side lot boundary (southern boundary) at a non-parallel angle.

SITE DETAILS

LOCATION

Regional context

The subject site is located in the suburb of East Victoria Park, approximately 6km southeast of the Perth Central Business District (CBD). Located along Albany Highway, between Miller and Mint Street the site is central to the Great Eastern Highway, Leach Highway, and the wider metropolitan region.

The subject site falls within the municipality of the Town of Victoria Park.

Local context

The subject site is located within the Albany Highway Precinct and is predominantly surrounded by a mix of single and double storey commercial developments, with residential land use surrounding the precinct to the east and west. The subject site falls within the District Centre, East Victoria Park Shopping Area, which has a major focus on offering a variety of shopping, civic, cultural, recreational and entertainment activities.

Photograph 01 – View south of Albany Highway



Photograph 02 – View of site from Albany Highway



Photograph 03 – View north of Albany Highway



Photograph 04 – View of site from Isaia Laneway



Topography

The subject site is generally flat, with a slight and consistent slope from south to north, approx. 18.20m to 18.30m AHD. An existing sewer main is also noted transversing through the site, close to the right-hand side lot boundary (southern boundary) at a non-parallel angle. Preliminary enquiries with Water Corporation have revealed that in their opinion, the most suitable and cost-effective solution for all parties, would be to utilise a lightweight structure over the sewer main, as this would be considered an exempt structure and can be easily dismantled (i.e., removal of paving/floor finish) and easily accessed through a minimum 2,4m high opening should the need arise.

Refer to the attached Site survey depicting the topographical specifics of the subject site and feedback provided from Water Corporation.

Vegetation

The subject site has one existing tree, located to the rear of the site along the eastern lot boundary and based on a visual inspection, the tree can be identified as a 'Cape Lilac'. Currently, this tree is proposed to be retained as part of the development application however, feedback would be sought from the Town of Victoria Park to confirm if the tree will be replaced if future widening of Isaia Laneway will take place.

Photograph 05 – Existing 'Cape Lylac' tree on subject site



PROPOSED DEVELOPMENT

DEVELOPMENT SUMMARY

This application seeks development approval to develop a single storey commercial/retail development comprising of four (4) tenancies, communal facilities/amenities, carpark, and associated landscaping. In summary, the proposal comprises the following components:

- A new building with nil setbacks Albany Highway and adjacent properties.
- A commercial tenancy which maximises its floor space, targeting 500m² total leasable area, for food and beverage use.
- Four (4) food and beverage tenancies.
- An awning that shelters the footpath with a maximum overhang along Albany Highway frontage.
- Alfresco seating along Albany Highway frontage.
- Signage indicated in the submission acts as a placeholder only and will be submitted by incoming tenants during their own shop fit out building permit.
- Communal/common amenities and back-of-house services.
- Individual kitchens for each tenancy. Provision made for Class 1 food premise.
- 12 visitor parking bays, including DDA parking with shared bay.
- Provision for turning and/or loading/unloading bay.
- Bin enclosure and storage area.

RELEVANT PLANNING FRAMEWORK

Legislation

- Planning and Development Act 2005.
- Planning and Development (Local Planning Schemes) Regulations 2020.
- Schedule 2, Clause 67.
- Town Planning Scheme No. 1 (TPS1) Clause 29.
- TPS1 Precinct Plan P11 'Albany Highway Precinct'; and
- Metropolitan Region Scheme Text Clause 30 and Clause 32.

State Government policies, bulletins, or guidelines

- Policy 7.0 – Design of the Built Environment

Local planning policies

- Local Planning Policy 17 – Street Frontage Design Guidelines for District Centres and Commercial Areas Along Albany Highway.
- Local Planning Policy 23 - Parking and Access Policy.
- Local Planning Policy 37 – Community Consultation on Planning Proposals.
- Local Planning Policy 38 – Signs.
- Local Planning Policy 39 – Tree Planting and Retention.
- Local Planning Policy 24 – Loading and Unloading.
- Local Planning Policy 30 – Car Parking Standards for Development Along Albany Highway.
- Local Planning Policy 7 – Development and Vehicle Access to Properties Abutting Rights-of-Way.
- Town of Victoria Park – Town Planning Scheme No.1 Albany Highway Precinct P11 Sheet A.

LOCAL PLANNING POLICY OBJECTIVES

A summary of the objectives set out in the *Local Planning Policy 17 'Street Frontage Design Guidelines for District Centres and Commercial Areas Along Albany Highway'*, which are relevant to this development are as follows:

- To recognise the needs of business operators to function effectively and to balance these needs with those of the community and users of the public domain.
- To create a comfortable pedestrian environment within visually attractive, interesting, and welcoming streetscapes that are representative of the locality and community, as befits these important suburban centres.
- To ensure that all buildings will contribute in a positive manner to the area as a safe, secure, and pleasant place to be at all times.
- To conserve the variety of styles, ages, and types of buildings, including shopfronts, that contribute to cultural interest, historical depth, and value to the area and the streetscape.

- To ensure that new buildings complement and enhance the locality.
- To ensure that all signs are in keeping with a pedestrian environment and the amenity of the immediate vicinity.

A summary of the objectives set out in the *Local Planning Policy 23 "Parking and Access Policy"*, which are relevant in determining this application are as follows:

- To ensure the adequate provision of parking for various services, facilities, and residential developments and to efficiently manage parking supply and demand.
- To ensure that the environmental and amenity objectives of the Town Planning Scheme, as outlined in the Scheme Text, are not prejudiced.

Further development constraints or opportunities set out in the Town of Victoria Park's; *Town Planning Scheme No.1 P11 Albany Highway Precinct Plan* note the following:

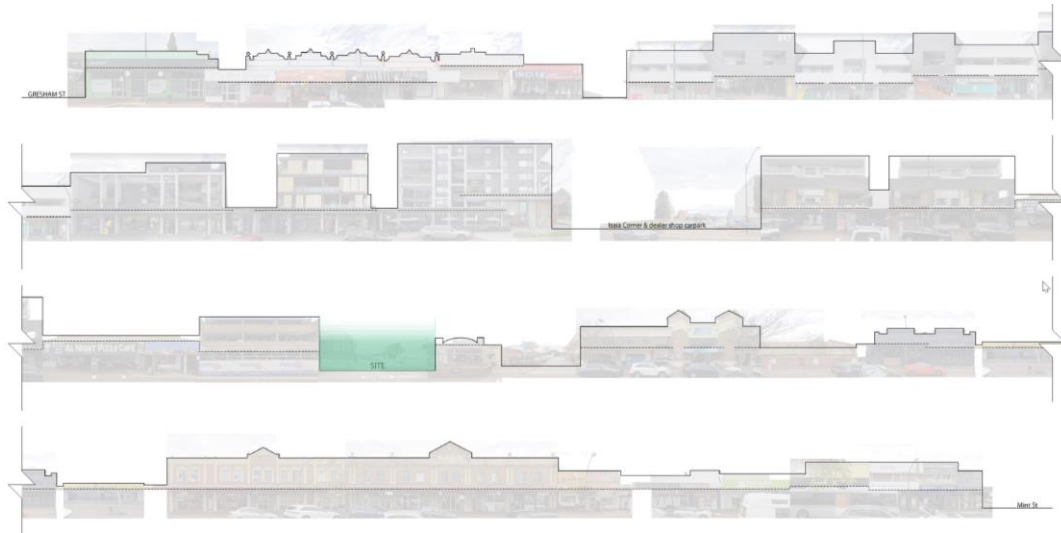
- A maximum plot ratio of 1.0.
- Nil setback to Albany Hwy and nil side setbacks, except where a pedestrian access way to the rear of the site is provided.
- Pedestrian amenity - Continuous shopfront awnings/verandas are to be provided over the footpath, giving weather protection to pedestrians.
- Pedestrian Access - Where council considers necessary from Albany Hwy to rear car parks.
- Car parking areas are to be provided at the rear of developments.
- A maximum height of 7.5m (two stories) at Albany Highway boundary and a maximum building height of 11.5m (three stories) with a 45° recession plane.

As outlined in the *Local Planning Policy 23 - Parking and Access Policy*, off-street parking should be provided at a rate that adequately meets the demand generated by the proposed development. For food and beverage premises, this rate is calculated to be 1 bay for every 4.5m² of sit-down dining area. Where the number of bays proposed are less than required, **Council may approve the development on the basis that nearby off-street parking facilities can be used to supplement the parking deficiency.**

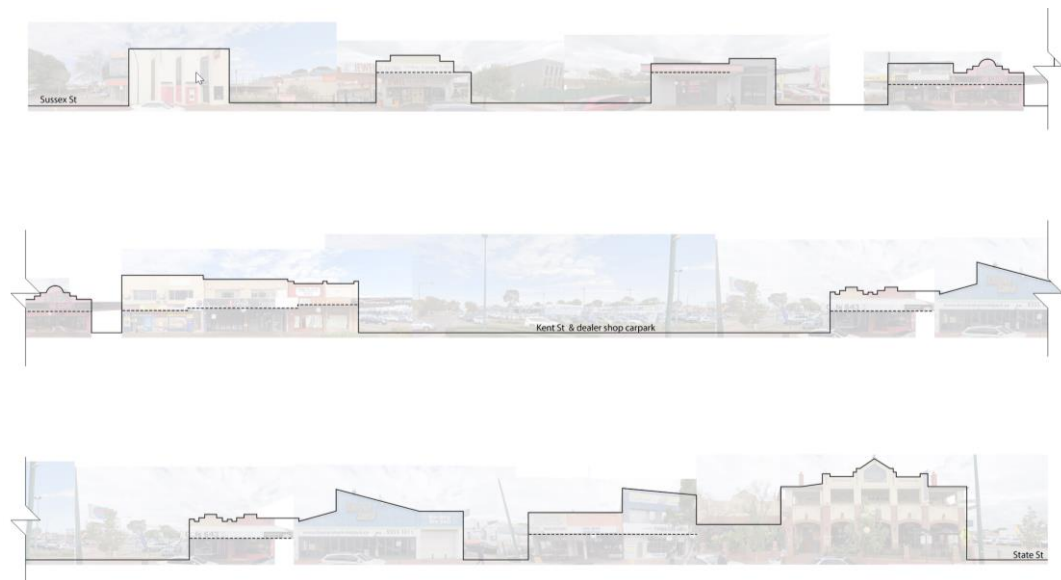
BUILT FORM

An analysis of the elevation of Albany Highway was undertaken to understand the context, fabric, heritage, and varied roof forms and building heights in the area. The study identified a variety of styles, ages and building types that contribute to the cultural interest, historical depth, and value of the area. This can be seen in the varied roof forms, through the use of a more modern interpretation versus the ornate detailing and pitched roofs found on various heritage buildings along the street.

Photograph 06 – Eastern Street elevation study



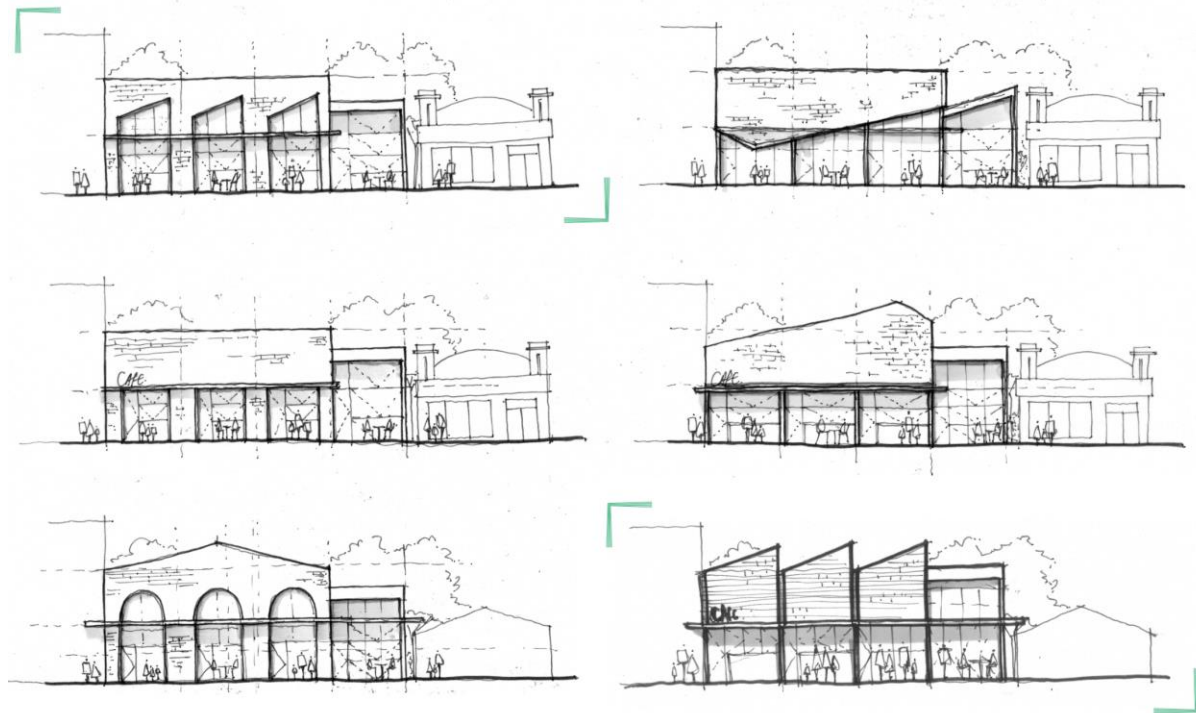
Photograph 07 – Western Street elevation study



Various elevation options and/or styles were developed based on the context, from simple forms commonly seen along Albany Highway, to taking inspiration from the Victoria Park hotel and interpreting them in a modern way, to a simple modern approach playing with the roof form and maximizing glazing.

However, the selected options (blue frame) looked to explore the use of a saw-tooth roofs, one more direct approach where the saw-tooth roof separated tenancies, provided light at high level, and introduced rhythm into the elevation. Whilst the other explore the intent of introducing the saw-tooth into the glazing itself and kept the rest of the building quite simple.

Photograph 08 – Elevation study



The latter was further developed into the proposed built form of the project, incorporating an asymmetric double pitched roof, which paid homage to the historical context and allowed the buildings scale to vary between the neighboring three (3) storey residential block and the single storey dwelling of 'Sinoman' café.

The saw-tooth inspired glazing was introduced to create a visually attractive and interesting streetscape, which could foster window shopping and provide a rhythm and/or pattern to the building's frontage. Additional splays were introduced around the glazing to give the impression that the frontages or openings of the tenancies are larger, due to the constrained width of the site. This intervention provided the opportunity for a high level of fine-grained detailing and decoration in the materiality, framing of the glazing, mullion treatment and how patrons could interact with pedestrians walking along the street, through alfresco dining opportunities. Further detailing introduced strip lighting along the splays to highlight the tenancies at night, creating interest to passersby.

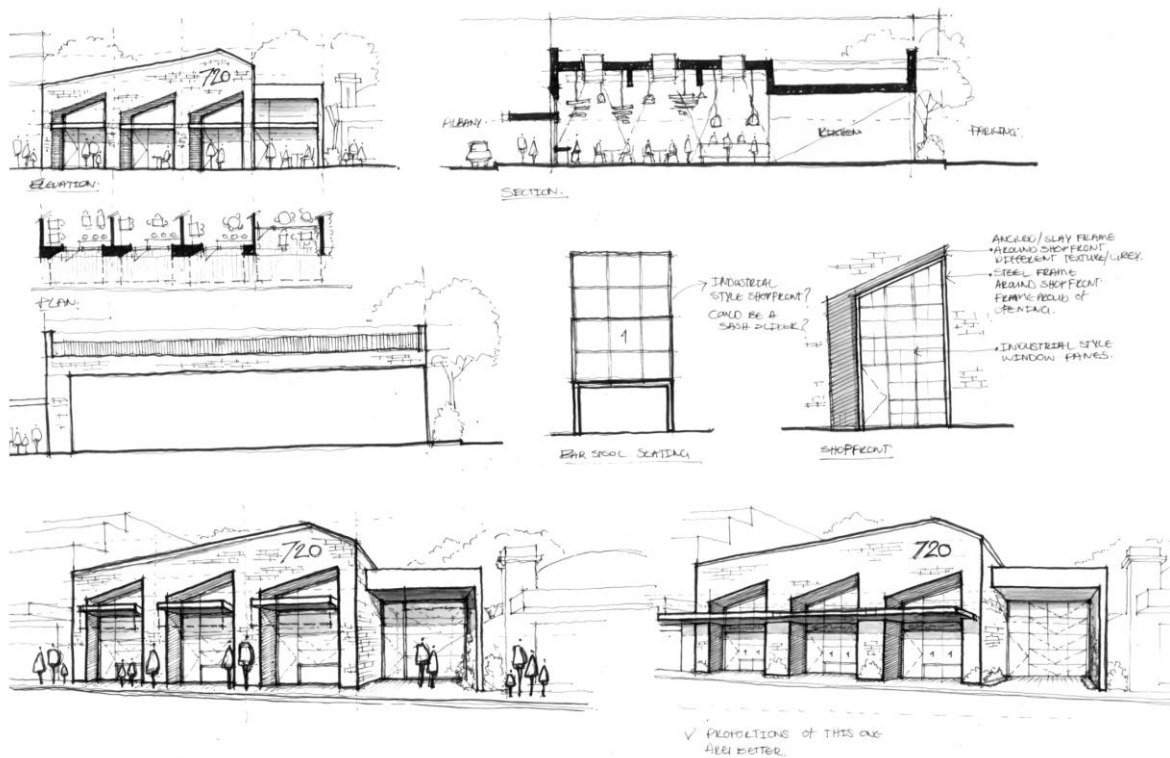
Continuous awnings were introduced along the elevation to provide a comfortable pedestrian environment, shielded from the elements. Unrelieved awning finishes were broken up to create interest and to make pedestrians feel like the walk alongside the building is shorter.

The fourth tenancy, neighbouring Sinoman, was kept quite simple and subdued in its form and materiality to create a transition between the old and the new structures.

The built form has been carefully considered to ensure that it provides the appropriate bulk and scale at each interface. Along the Albany Highway frontage, given the mixture of commercial uses, the façade has been enhanced through articulation of the building height and glazing, as well as the materiality of the facade. The building facades and form are the result of well-considered architectural design and creates a unique and responsive aesthetic to the buildings form.

Signage for tenancies has been designed as to not obscure glazing along the street frontage. Signs have been restricted to below the awning, in dedicated spaces and sizes. As all buildings are required to display their street numbers under the Local Government Act, it was decided to use this number to create and give the building an identity, 'Seven 20 Albany Highway'. This makes the building become a destination rather than a place to house food and beverage tenancies.

Photograph 09 – Proposed Development



PARKING

ANALYSIS

Many local governments have become more flexible in the application of parking rates recognising factors such as proximity to public transport, public car parking and alternative modes of transport. While this may be the case, the Town is required to assess applications against the parking rates contained in the *Local Planning Policy 23 "Parking and Access Policy"* as a starting point, with opportunity to consider a lesser parking requirement on a merit basis.

As a result, deemed clause 77D (2) of the Planning and Development (Local Planning Schemes Regulations) 2015 states that:

"77D. Variation of minimum on-site parking requirement in relation to development

- (1) The local government may —*
 - a. vary a minimum on-site parking requirement that applies to development so that the minimum number of car parking spaces that must be provided as part of the development is a lower number; or*
 - b. waive a minimum on-site parking requirement that applies to development.*
- (2) The local government must not vary or waive a minimum on-site parking requirement under subclause (1) in relation to development unless the local government is satisfied —*
 - a. that reasonable efforts have been made to comply with the minimum on-site parking requirement without adversely affecting access arrangements, the safety of pedestrians or persons in vehicles, open space, street trees or service infrastructure; and*
 - b. that —*
 - i. in the case of a variation — the lower number of car parking spaces would be adequate for the demands of the development, having regard to the likely use of the car parking spaces, the availability of off-site parking facilities and the likely use of alternative means of transport; or*
 - ii. in the case of a waiver — it is not necessary for car parking spaces to be provided as part of the development, having regard to the availability of off-site parking facilities and the likely use of alternative means of transport."*

It is our understanding that in previously assessed applications involving car parking shortfalls, Town Plannings Officers have considered the following factors:

1. The extent of the shortfall.
2. Where provided, a parking needs/demand assessment prepared by the applicant, providing specific details of the nature of the use, hours of operation, number of staff, likely patronage etc.
3. Whether the development delivers a good urban design outcome or public benefit e.g., Improved Street activation; retention of mature on-site trees; retention of a building of heritage importance.
4. Whether the development is within 400m of a high frequency bus route or train station.
5. Whether the development is within 400m of a public car park.
6. Written justification from the applicant in support of the proposed car parking provision.
7. Demonstrated availability of on-street parking.

8. The provision of end-of-trip facilities.
9. The reciprocal use of car bays between uses on the same site where the demand for parking will not coincide.
10. Any other matters considered relevant.

We provide the following information in support of the parking variation:

- a. The development results in a positive urban design outcome, due to the proposed works being built up to the boundary with Albany Highway, therefore filling in the current gap in the streetscape, as well as removing an existing crossover onto Albany Highway. The proposed works result in continuity with the existing street setback, providing improved street activation and weather protection for pedestrians with a continuous awning along the sidewalk. All elements seen to be a significant public benefit.
- b. Please refer to the Locality Analysis Plan provided in the development application set. The drawing highlights numerous public parking facilities located within a 500m radius of the subject site. One instance is the Park Centre shopping mall, which is located approx. 100m for the site and is readily accessible via Sussex Street. In addition, various on-site and street parking also exists in close proximity to the subject site. With the removal of the existing crossover to Albany Highway potentially provides opportunity for an on-street parking bay to be introduced in this location.
- c. Public transport is readily available to all properties along Albany Highway.
- d. Adherence to the parking standards outlined within the Local Planning Policy 23, could prevent projects from being commercially viable, thus discouraging local development and investment. Such an outcome would be in contrary with the current Strategic Community Plan objectives, noting *“EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.”* Further objectives set out in the Local Planning Policy 17, seeks *“to create a comfortable pedestrian environment within visually attractive, interesting and welcoming streetscapes.”*
- e. As stated within the Albany Highway Precinct Plan, *“Council may relax on-site parking requirements for new retail development were warranted by site constraints and/or proximity to a public car park.”*
- f. The Regulations enable change to the land use, into a ‘P’ (Permitted) use, without the need for development approval and regardless of any car park implications. In this case, the building could be approved for an alternative use (i.e. Office space), with reduced parking requirements, then subsequently changed to the required use as a Restaurant without development approval and regardless of the car parking available.
- g. It is the owner’s intent to seek leased tenants for food and beverage operations whilst at the time of application no leases are in place, the proposed development would be a positive addition to the activation of the streetscape.

While the Local Planning Policy proposes that car parking ratios should be varied, the Town of Victoria Park would still ultimately be satisfied that the objectives of the policy are achieved – through *“adequate provision of parking for various services, facilities and residential developments”* and through *“environmental and amenity objectives of the Town Planning Scheme”* which are not biased because of the level of parking proposed. The key justifications which support this position, are based on the site having good access to public transport, the availability of on-street parking, numerous off street parking options and infrastructure that supports non-vehicular modes of transport.

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