

12.1 No. 98-106 (Lots 1-5) Goodwood Parade, Burswood - Change of Use to 'Restaurant/Café & Tavern'

Location	Burswood
Reporting officer	Senior Planning Officer
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> 1. Site Aerial [12.1.1 - 1 page] 2. Street View Images [12.1.2 - 3 pages] 3. Development Application - Cover Letter and Supporting Information [12.1.3 - 26 pages] 4. Development Plans [12.1.4 - 6 pages] 5. No. 98-106 Goodwood Parade, Burswood - Acoustic report [12.1.5 - 31 pages] 6. Applicant's Acoustic Consultant Response [12.1.6 - 9 pages] 7. Applicant's Acoustic Consultant Further Response [12.1.7 - 4 pages] 8. Development Application Consultation Comments [12.1.8 - 9 pages] 9. Applicant's Response to Consultation Comments [12.1.9 - 11 pages] 10. No. 98-106 Goodwood Parade, Burswood - Transport Impact Statement [12.1.10 - 30 pages] 11. No. 98-106 Goodwood Parade, Burswood - Waste Management Plan [12.1.11 - 23 pages]

Landowner	Goodwood Sky Pty Ltd
Applicant	Steven Russell
Application date	04/02/2022
DA/BA or WAPC reference	5.2021.576.1
MRS zoning	Urban
TPS zoning	Office/Residential
R-Code density	R80
TPS precinct	Precinct P2 Burswood Precinct
Use class	'Restaurant/Cafe' & 'Brewery'
Use permissibility	'P' (Permitted) and 'AA' (Discretionary)

Lot area	No. 98 Goodwood Parade, Burswood - 615m ² No. 100 Goodwood Parade, Burswood - 615m ² No. 102 Goodwood Parade, Burswood - 616m ² No. 104 Goodwood Parade, Burswood - 613m ² No. 106 Goodwood Parade, Burswood - 915m ²
Right-of-way (ROW)	Right-of-way 133 to the east (rear) of the sites
Municipal heritage inventory	Not applicable.
Residential character study area/weatherboard precinct	Not applicable.
Surrounding development	Light industrial warehouses and associated offices.

Recommendation

- A. That Council approves the application and plans dated 4 February 2022 and 15 July 2022 submitted by Steven Russell for the proposed Change of Use to 'Restaurant/Cafe' & 'Brewery' at No. 98-106 (Lots 1-5) Goodwood Parade, Burswood, in accordance with the provisions of the Town of Victoria Park Town Planning Scheme No. 1 and the Metropolitan Region Scheme, subject to the following conditions:
1. The development, once commenced, is to be carried out in accordance with the approved plans, at all times, unless otherwise authorised by the Town.
 2. This approval is valid until 16 August 2032 after which time the operation of the approved 'Restaurant/Cafe' and 'Brewery' shall cease unless further development approval has been obtained.
 3. If the development, the subject of this approval, is not substantially commenced within a period of 24 months from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.
 4. Unless a variation to the trading hours is approved in writing by the Town the trading hours are limited to the following:
 - (a) Restaurant - Monday to Wednesday 10:30am – 9pm, Thursday to Saturday 1:30pm to 12:00am, and Sunday 10:30am – 10:00pm.
 - (b) Bar and Alfresco - Monday - Wednesday 10.30am - 9pm, Thursday - Saturday 10.30am to 12am, and Sunday 10.30am - 10pm.
 5. Prior to occupancy, either (i) Lots 1-5 are to be amalgamated into a single lot on a Certificate of Title; or (ii) the owner entering into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost agreeing to complete the amalgamation of Lots 1- 5 into a single lot within 12 months of the issue of a building permit.
 6. Operation of the approved 'Restaurant/Cafe' and 'Brewery' to be in accordance with the applicant's written details approved by the Council. Any changes to the operations will require lodgment of a new application for development approval for consideration by Council.

7. The development shall operate at all times in accordance with the report from Acoustic Consultants Australia dated 10 February 2022 and further acoustic information dated 7 April 2022 and 15 May 2022.
8. Prior to lodging an application for a building permit, a detailed noise management report is being prepared and submitted to the Town for approval including details of the following:
 - (a) Windows and doors which need to remain closed, at various times for compliance with the Noise Regulations. This is in addition to the acoustic performance of glazing
 - (b) Maximum Sound Power Level of each item of external building services plant at the site.
 - (c) Size, location and construction of barriers required to reduce noise levels, and to ensure that any tonality from the plant has been addressed
 - (d) Times of day and locations for deliveries and pickups at site
 - (e) Façade construction elements, including doors, glazing, roof and walls.
 - (f) Exact treatments to be used to seal gaps
 - (g) Amplified speaker locations, orientations, types of resilient mounts, noise levels at 1m from the speakers, and times of usage
 - (h) Reverberation times, and corresponding areas of, locations of and performances of acoustic absorption paneling within indoor spaces
 - (i) Additional treatments required by the applicant, in the event that residential development occurs adjacent to, or in the vicinity of the applicant's site. It is noted that under such a scenario, it is the responsibility of the Brewery to reduce their environmental noise emission to any potential nearby residential use. Note that such treatments are not needed until and unless residential or other sensitive development occurs in the immediate vicinity of the Brewery
 - (j) Documenting effective procedures for the management of noise from the site, including
 - noise monitoring
 - control of patron's behaviour entering and leaving the site,
 - signage,
 - actions to control noise from PA systems,
 - response to noise complaints,
 - staff training

Once approved, the noise management plan shall be adhered to at all times for the duration of the development approval.

9. An assessment of overall noise emission from the site, under typically high patron numbers, and typically noisy activities is to be submitted by the Applicant within 6 months of opening and based on measured levels at the applicant's site to the satisfaction of the Town.
10. Prior to lodging an application for a building permit, revised plans must be submitted to and approved by the Town demonstrating safe pedestrian access from the 'entry stairs' to ROW 133 and the provision of a pedestrian path connecting the 'entry stairs' to the local pedestrian path network. The approved works shall be constructed by the Town at the cost of the applicant/owner prior to operation of the development.
11. The Traffic Impact Statement must be implemented at all times to the satisfaction of the Town.
12. Prior to lodging an application for a building permit, all plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas and clothes drying facilities must be located to minimise any visual and noise impact on the occupants of nearby

properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Town.

13. Complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings are to be provided to the satisfaction of the Town prior to submission of an application for a building permit. The development shall be constructed in accordance with the approved details and shall be thereafter maintained.
14. Prior to the occupation or use of the development, the 32 car parking spaces together with their access aisles to be clearly paved, sealed, marked and drained in accordance with AS2890.1 and thereafter maintained to the satisfaction of the Town.
15. All driveways and car parking bays are to be constructed of brick paving, liquid limestone, exposed aggregate or any alternative material approved by the Town.
16. Prior to commencement of the use, the existing vehicle crossovers are to be upgraded to the Town's specifications. Any redundant crossovers (or parts thereof) are to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Town, and at the owner's cost.
17. Prior to occupation of the development, the bicycle facilities must be provided in accordance with Australian Standard AS 2890.3 and to the satisfaction of the Town. The bicycle parking facilities shall be installed and remain in place permanently unless otherwise approved by the Town.
18. Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and the adjacent road verge(s) must be submitted to and approved by the Town, and must include the following:
 - (a) The location and type of a minimum 12 'medium' trees as defined by Local Planning Policy 39 – Tree Planting and Retention
 - (b) The location, number and type of any addition proposed trees and shrubs including planter and/or tree pit sizes and planting density;
 - (c) and shrubs including planter and/or tree pit sizes and planting density;
 - (d) Any lawn to be established;
 - (e) Any existing vegetation and/or landscaped areas to be retained;
 - (d) Any verge treatments;
 - (e) The provision of soft landscaping treatments within the southern carparking area at the Goodwood Parade and Stiles Avenue corner of the site;
 - (f) The provision of additional soft landscaping adjacent or incorporated into (e.g. climbing plants/trellis) the fencing to the outdoor dining/drinking area of the development, to soften and improve the interface with the right-of-way.
19. Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.
20. Prior to the occupation of the development, all landscaping is to be completed and thereafter maintained to the satisfaction of the Town.
21. Prior to lodging an application for a building permit, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.

22. Lighting to illuminate that portion of the right-of-way adjacent to the subject land is to be provided at vehicle and pedestrian entry points.
23. Prior to the commencement of any site works, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the Town must be submitted to the Local Government. The plan must address, but not be limited to, the following matters:
 - a. Recycling of demolition materials including concrete;
 - b. Removal of hazardous materials and disposal at any approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.

Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Town prior to the removal of any hazardous materials.

24. Prior to lodging an application for a building permit, the applicant must submit, and have it approved by the Town, and thereafter implement to the satisfaction of the Town, a Construction Management Plan addressing the following matters:
 - (a) How materials and equipment will be delivered and removed from the site;
 - (b) How materials and equipment will be stored on the site;
 - (c) Parking arrangements for contractors;
 - (d) Construction waste disposal strategy and location of waste disposal bins;
 - (e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - (f) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
 - (g) Construction traffic and pedestrian management; and
 - (h) Other matters are likely to impact on the surrounding properties.
25. The Waste Management Plan dated 4 February 2022 must be implemented at all times to the satisfaction of the Town. The development is to thereafter operate in accordance with the Waste Management Plan unless otherwise approved by the Town in writing.
26. At all times provision must be made onsite for the storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Town.
27. Provision being made for a 1.5 metre by 1.5 metre corner lot truncation at the intersection of Stiles Avenue and right of way 133. The truncation area should remain free of any obstructions that would inhibit its provision in conjunction with any future subdivision/amalgamation of the lot.
28. Prior to lodging an application for a building permit, stormwater disposal plans, details and calculations must be submitted for approval by the Town and thereafter implemented, constructed and maintained to the satisfaction of the Town.
29. Any structure, wall or fence located within a 1.5 metre x 1.5 metre visual truncation at the intersection of any driveway and the property boundary, is not to exceed a height of 750mm with the exception of:
 - I. one brick pier (maximum dimensions 350mm by 350mm);
 - II. wrought iron or similar metal tubing style infill fencing; and/or
 - III. pickets or rails to be spaced a gap of at least 40mm where they are no more than 80mm in width or shall be spaced a gap equal to at least the width of the picket or rail where they

exceed 80mm in width.

30. The location and details of the sign(s), and any supporting structure, as shown on the approved plans, must not be altered without the written consent of the Town.
31. The sign(s) must be constructed and maintained to the satisfaction of the Town.

Advice Notes

AN1 The applicant/owner should refer to the Requirements of Other Council Business Units, enclosed with this development approval, which are relevant to the submission of a building permit and/or the carrying out of the development for which this approval is granted. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.

AN2 In relation to condition 3, a further two years is added to the date by which the development shall be substantially commenced, pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 8 April 2020. For further information regarding the Ministerial direction, please contact the Town of Victoria Park Urban Planning Department on 9311 8111 or admin@vicpark.wa.gov.au

AN3 Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.

AN4 With regards to condition 5, the applicant is advised of the future right-of-way widening and upgrade as per the Town of Victoria Park Town Planning Scheme and Local Planning Policy 40 Burswood Station East Precinct Design Guidelines and Public Realm Improvements.

AN5 With regards to condition 18, the applicant is advised that the 12 trees required shall be a species of tree that has the potential at maturity to be a minimum height of 5m and a minimum canopy width of 4m and is a minimum size of at least 35 litres when planted. The proposed tree shall be maintained via an automated irrigation system or other similar method by the landowner or developer for the first two summers after the commencement of the use. If the proposed tree is of poor health and is removed, it is to be replaced with a suitable replacement tree by the owner or developer. A Tree Growth Zone, shall be shown on the landscaping plan and shall be maintained to the satisfaction of the Town. No structure, unless water permeable, is to encroach within the Tree Growth Zone.

AN6 A demolition permit is required to be obtained from the Town prior to the demolition of the existing building(s) and/or structure(s) on the site.

AN7 A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.

AN8 Sound levels created are not to exceed the provisions of the Environmental Protection (Noise) Regulations 1997

AN9 This approval is for the use of the building as a 'Restaurant/Cafe' and 'Brewery' only. Any

alternative use of the premises may require the submission of an application to Council for a change of use.

AN10 It should not be construed that the right-of-way will be upgraded in conjunction with development of the lot. The right-of-way will be upgraded at a future time dependent upon funding and the priority under Council's Right-of-Way Strategy.

A11 Any work involving the handling and removal of asbestos must be undertaken in accordance with the *Health (Asbestos) Regulations 1992*

A12 Any air conditioning system is to be located in such a position so as not to cause a noise problem to occupants of surrounding properties. An information sheet regarding the installation of air conditioners is available from Council's Environmental Health Services.

B. That those persons who lodged a submission on the application be advised of Council's decision.

Purpose

For Council to consider a development application for a change of use to 'Restaurant/Cafe' and 'Brewery' and associated building works at No. 98-106 Goodwood Parade, Burswood.

In brief

- A development application has been submitted to the Town for a change of use to 'Restaurant/Cafe' and 'Brewery' at No. 98-106 Goodwood Parade, Burswood.
- The Council at the May 2022 meeting resolved to amend Town Planning Scheme No. 1 (TPS 1) by amending Schedule C 'Additional Uses' to list a 'Tavern' as an Additional Use for No. 98-106 Goodwood Parade, Burswood. The listing of a Tavern as an Additional Use at the site would enable a Tavern use on the site, despite a Tavern being a prohibited use within the zone.
- The intention of this scheme amendment and development application are to facilitate the relocation of the tenant who currently operates at No. 84-88 Goodwood Parade and if both approved the applicant's future intent would be to change the use from a Brewery to a Tavern, as a Tavern Liquor Licence would provide more flexibility to operate the business in the manner preferred by the tenant.
- The subject sites are located within the area known as Burswood Station East, which is the subject of an amended planning framework, with Scheme Amendment 82 receiving approval from the Minister in March 2022 subject to modifications.
- The application was subject to 28 days community consultation and 7 submissions were received with 2 supportive and 5 raising objections.
- Council's Urban Planning Unit are satisfied that the use is consistent with the vision for Burswood Station East and that adequate measures are in place to comply with the requirements of the proposed land use.
- Given the imminent new planning framework for Burswood Station East (BSE) and the time limited approval issued for a Tavern at No. 84-88 Goodwood Parade, Burswood, it is considered appropriate that the Scheme Amendment be considered in a consistent manner and include a time limited

component of 10 years with the opportunity to extend if appropriate at a future date as informed by how the development of the precinct occurs following the implementation of the planning framework.

Background

1. At the May 2022 Ordinary Council Meeting, Council considered and resolved to initiate Amendment 91 to the Town of Victoria Park Town Planning Scheme for the subject sites as follows:

Ref No.	Land Particulars	Permitted Uses	Development Standards/Conditions
A58	58 No. 98 (Lot 5) Goodwood Parade, Burswood; No. 100 (Lot 4) Goodwood Parade, Burswood; No. 102 (Lot 3) Goodwood Parade, Burswood; No. 104 (Lot 2) Goodwood Parade, Burswood; No. 106 (Lot 1) Goodwood Parade, Burswood;	Tavern	The Additional Use of Tavern shall: 1. Be deemed to be an 'AA' use for the purposes of the Scheme; and 2. Extinguish upon the expiry of ten (10) years from the gazettal date of this amendment, except where an application(s) for planning approval has been granted for the continued operation of the use beyond this time, in which case the Additional Use shall extinguish upon the expiry of that approval(s);

2. The proposed Scheme Amendment will provide for a 'Tavern' land use to be considered on the subject site as an 'AA' (Discretionary) Use. The primary purpose of Scheme Amendment 91 and the development application which is the subject of this report is for the relocation of the existing 'Tavern' and 'Brewery' (Light Industry)' that is currently operating at No. 84-88 Goodwood Parade, Burswood.
3. It is also noted that the Council at its Ordinary Meeting on 15 March 2022 considered an application to extend the time frame for the land to be used as a 'Tavern' at No. 84-88 Goodwood Parade, Burswood with Council resolving to support an extension until 1 July 2033.
4. Under the Town of Victoria Park Town Planning Scheme No.1, a 'Brewery' is defined as -

a premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the Liquor Control Act 1988;

5. A Tavern is defined as -
means premises the subject of a tavern licence granted under the Liquor Control Act 1988;
6. Scheme Amendment 91 would facilitate the ability for a future land use approval of 'Tavern' which is required to obtain a 'Tavern' liquor licence and forms a distinguishing interplay between planning and liquor licensing legislation.
7. In the interim period and concurrently with the processing of Scheme Amendment 91, the applicant has applied for development approval for a change of use application and associated physical works to operate as a 'Restaurant/Cafe' and 'Brewery' which are capable of being approved under the existing Scheme.
8. As discussed in the Scheme Amendment report (refer to minutes of the May 2022 Ordinary Council meeting), this would allow for consideration of a 'Tavern' to operate on the sites and subsequently the applicant to obtain a 'Tavern' Liquor License rather than a 'Producer's License' which could be obtained with the approval of 'Restaurant/Cafe' and 'Brewery' if this development is given approval by Council.
9. In the event that the Scheme Amendment is approved, the owner/operator would then submit a development application to the Town for a change of use to a 'Tavern' operation at a future time.

Applicants submission

10. The applicant has provided the following by way of summary of the proposal (see attachment 2 for the development submission in full):

Background

In 2017, Blasta Brewing Company lodged a Development Application with the Town seeking approval for the change of existing Non-Conforming Uses at Lots 99-101 (No. 84-88) Goodwood Parade, Burswood from 'Showroom' and 'Light Industry (Factory)' to 'Tavern' and 'Light Industry (Micro Brewery)'. Council approved the proposed change of use at its October 2017 meeting and following the granting of approval, arrangements associated with the lease of the site were finalised.

Despite the operators' aspirations to lease the site for the duration of the approval period as a minimum (ie: 10 years), the lessor only agreed to a lease for a maximum of six (6) years, which is to expire at the end of June 2023. Discussions with the landowner to extend the lease have been unsuccessful and it is not to be renewed.

In response to the above and to ensure the continued operation of the venue for the long term, the proponents have sought to secure an alternative site. This process has resulted in an agreement being reached with the owners of the subject Lots 1-5 which provides for the following:

- *The immediate relocation and operation of Blasta Brewing Co in the short-term, subject to*
- *modifications as proposed within the subject application; and*
- *The retention and inclusion of Blasta Brewing Co within the landowners' intended development aspirations, which is anticipated to be in a form consistent with the future development envisaged for*
- *the Burswood Station East Precinct as administered through the Town's Local Planning Policy No.40.*

Proposed Development

This Application seeks approval from the Town for the use of the existing premises at Nos. 102-104 as a 'Restaurant/Café' and 'Brewery', and approval for patron car parking and alfresco dining at Nos. 98-100. The Application also seeks to obtain approval for the subsequent physical modifications to the existing buildings at the subject site.

We provide a breakdown of the proposed development below:

No. 98

Incorporates the proposed patron car parking area which is to be accessible from Goodwood Parade.

No. 100

Incorporates additional car parking. Contains the proposed outdoor dining/alfresco area which includes a kids play area.

No. 102

Incorporates the Beer Hall which includes bar, cool room, brewery production area containing four (4) beer tanks and areas for patron seating. Retention of an existing space between the buildings accommodating the proposed 'Bistro' and 'Beer Hall', described as an alley in the southern portion adjacent to No. 104 which will provide further patron seating and help facilitate patron movement through the development.

No. 104

The northern and middle section of No. 104 incorporates the main bistro area with patron seating, amenity facilities, main restaurant area, kitchen, cool room, dry storeroom, freezer, bar and a second brewery production area containing six (6) beer tanks. The southern section incorporates a café, takeaway window, a staff room with an additional storeroom and more amenity facilities.

Brew House Production

The premises will produce approximately 2000 barrels of product per year based on the current forecasts which would result in deliveries to local wholesalers and authorised liquor merchants. Blasta Brewing Company propose to employ three (3) staff at the premises on production days when the site is closed to the public and up to 12 staff on days of normal service. There will be at least two (2) staff members operating in the brewery area at any one time. Beers sold through distribution will be collected in bulk at no more than two (2) pickups per week. The pickup and delivery of goods will be facilitated via a ute or a small truck at the southern portion of the subject site from the existing delivery dock.

Relevant planning framework

Legislation	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> • <i>Metropolitan Region Scheme (MRS)</i> • <i>Town Planning Scheme No.1 (TPS1)</i> • <i>TPS1 Precinct Plan P2 – 'Burswood'</i>
State Government policies, bulletins or guidelines	N/A
Local planning policies	<ul style="list-style-type: none"> • <i>Local Planning Policy 23 – Parking Policy</i> • <i>Local Planning Policy 35 – Development in Burswood Station East</i> • <i>Draft Local Planning Policy 40 - Burswood Station East Precinct Design Guidelines & Public Realm Improvements</i> • <i>Local Planning Policy 37 – Community Consultation on Planning Proposals</i>
Other	<ul style="list-style-type: none"> • <i>Town of Victoria Park Local Planning Strategy</i>

General matters to be considered

TPS precinct plan statements

The following statements of intent contained within the current TPS 1 Precinct Plan are relevant to consideration of the application.

- This area should be redeveloped from industrial use to an area of mixed office and residential activities together with other uses which serve the immediate needs of the work force and residents. Residential and office uses may be developed independently.

TPS 1 Amendment 82 proposes to amend the Statement of Intent for the Precinct, with the following being relevant:

"The land incorporated in Sheet A of Precinct Plan P2 Burswood Precinct comprises the Burswood Station East Sub-Precinct. Burswood Station East should be redeveloped primarily as an area of high quality and medium to high density residential, office and commercial uses, reflective of an eclectic urban village that fosters activity, connections and vibrant public life for residents. In particular:

b) Uses and public facilities that promote pedestrian interest, activity, safety and connectivity at street level are encouraged throughout Burswood Station East.

c) Ground floor design will provide vibrant, human-scale, fine grain streetscapes that contribute to the overall character of the precinct.

e) Development should be designed to allow spaces to be adapted over time, particularly at the ground-floor level. Adaptive re-use is encouraged where this contributes to interest, vibrancy and improved building façade and public realm outcomes.

Local planning policy objectives

The following objectives of Local Planning Policy 35 'Policy Relating to Development in Burswood Station East' are relevant:

- Each and every application is required to be considered on its individual merit, however this Policy outlines that Council will not approve or support an application which is likely to prejudice the future planning and long-term objectives for the Precinct.

The following objectives of draft Local Planning Policy 40 'Burswood Station East Precinct Design Guidelines & Public Realm Improvements' are relevant in considering this development application:

- The Burswood Station East Precinct should be redeveloped primarily as an area of high-quality medium to high density residential, office and commercial uses, reflective of an eclectic urban village that fosters activity, connections and vibrant public life for residents.

Deemed clause 67 of the Planning and Development (Local

The following are relevant matters to be considered in determining the application.

a) The aims and provisions of this Scheme and any other local planning

**Planning Schemes)
Regulations 2015**

scheme operating within the Scheme area;

b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;

g) Any local planning policy for the Scheme area;

m) The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

n) The amenity of the locality includes the following -

- i. The character of the locality;
- ii. Social impacts of the development.

s) The adequacy of -

- i. The proposed means of access to and egress from the site; and
- ii. Arrangements for the loading, unloading, maneuvering and parking of vehicles;

t) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;

u) The availability and adequacy for the development of the following -
Access by older people and people with disability;

x) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;

z) Any other planning considerations the local government considers appropriate.

**Council Policy 451
'Transitional Use'**

1. In areas of the Town undergoing transition to an agreed planning direction as identified by an adopted structure plan, local development plan or Scheme provisions, (eg Burswood Peninsula and the Causeway Precinct) uses will be considered for approval for a temporary period of up to 10 years, as deemed appropriate, based on the following criteria:

- a. The use provides an interim service or facility that benefits the community;
- b. The use provides activation and passive surveillance;
- c. The use promotes the economic development of the area by utilising otherwise vacant property/building during the interim period;
- d. The use promotes social interaction and community development;
- e. The use is appropriate in the precinct in which it is located and is a use that

- Council has the ability to approve;
- f. The use promotes the principles of transit oriented development and/or modal shift; and
 - g. The use does not replicate a similar use permanently approved in proximity to the proposed use.
2. Where a development meets the criteria in (1) above, Council may vary relevant development standards and provisions at the Scheme or Local Planning Policies in order to facilitate development including exercising discretion under Clause 29 'Determination of Non-Complying Applications' of Town Planning Scheme No.1.

Compliance assessment

The table below summarises the planning assessment of the proposal against the provisions of the Town of Victoria Park Town Planning Scheme No.1, the Towns local planning policies, the Residential Design Codes and other relevant documents, as applicable. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the detailed assessment section following from this table.

Change of use application		
Planning element	Permissibility/deemed-to-comply	Requires the discretion of the Council
Land use	'Restaurant/Cafe' - "P" (Permitted)	'Brewery' - "AA" (Discretionary)
Car parking		X
Signage	X	
Landscaping		X

Based upon the above table, the following development standards require the discretion of Council.

Element	Permissibility	Recommendation
Land use	'Brewery' - "AA" (Discretionary)	Supported

11. Under Town Planning Scheme No.1, the 'Brewery' land use is a discretionary ('AA') use with the Office/Residential Zone. The site is within an area subject to a number of changes to the existing planning framework including Scheme Amendment 82 and draft Local Planning Policy 40 –Burswood Station East Precinct Design Guidelines and Public Realm Improvement.

12. The vision for the precinct is to facilitate redevelopment of ageing industrial and commercial building stock to a vibrant urban neighborhood. The proposed use of the site satisfies a number of the

objectives for the Precinct as proposed by Scheme Amendment 82 and draft Local Planning Policy 40, including those related to pedestrian safety, activity, vibrancy and the adaptive re-use of existing buildings, in which case a 'Brewery' could be considered as an appropriate land use within the Precinct. This is discussed in more detail in the Analysis section of the report.

Element	Requirement	Proposed	Variation
Carparking	198 bays	32 bays	166 bays
			Supported (see analysis section of report)

13. The Town's Local Planning Policy 23 – Parking Policy requires car parking for the proposed land uses of Restaurant/Cafe and Brewery as follows:

Element	Requirement	Required
Number of Parking Bays	<u>Brewing Area</u> 3 bays for the first 150 square metres of net floor area and thereafter 1 for every 75 square metres of net floor area.	4
	<u>Restaurant/Cafe</u> 1 bay per 4.5m ² of sit down area	179
	<u>Bar Area</u> 1 bay for every 2m ² of drinking area	14.55
Total – 198 bays		

Element	Requirement	Proposed	Variation
Landscaping	25%	6.9%	18.1%
			Supported

14. The above requirement is from the Town's Planning Scheme No.1 Precinct Plan 'Burswood Precinct' (P2)

Landscaping: (i) Office/Residential Development. Twenty five percent of a site developed for office/commercial uses, mixed office and residential use, must be developed as landscaped area. The proportion of the site to be landscaped should predominantly include areas between the building and any street or public open space to which the building has an entry or frontage. Landscaping must

consist of mature permanent (in ground) vegetation. Any existing substantial vegetation should be retained or relocated on-site if redevelopment necessitates its removal. If relocation on-site is not possible replacement of trees with mature varieties is required.

15. The extent of landscaping as required by the precinct plan is considered difficult to achieve when retrofitting existing buildings which occupy a large majority of the sites. This requirement is geared towards new building and development and given the nature and scale of the development and existing building located on site the landscaping component proposed is considered appropriate to support.

16. Furthermore, Local Planning Policy 38 'Tree Planting and Retention' prescribes minimum tree planting requirements inclusive of the following which has been indicatively met and will be the subject of further assessment as part of the condition requiring a detailed landscaping plan to be provided:

An application for a new non-residential development or additions to a non-residential development which increase the existing net floor area and with a value exceeding \$200,000:

(a) 'Medium Trees' are to be provided at a rate of one (1) tree for every 300m² of lot area (rounded to the nearest whole number), or 1 per 'tree worthy of retention' that is removed (whichever is the greater).

17. In terms of landscaping and the interface with the planned redevelopment of the adjacent Stiles/ Griffiths Reserve, a condition of planning approval has been recommended to require additional landscaping treatments to the eastern side of the Alfresco area to assist with improving the interface and treatment of the development adjacent to this planned active reserve area.

Strategic alignment

Civic Leadership		
Community priority	Intended public value outcome or impact	
	CL2 - Communication and engagement with the community.	Community Consultation was undertaken in accordance with Council's Consultation Policy to assist in informing the community's position regarding the proposed development

Economic		
Community priority	Intended public value outcome or impact	
	EC1 - Facilitating a strong local economy.	The development would facilitate the relocation of a currently operating land use that encourages activation of the precinct and economic diversity

	and investment as a facility for current and future residents.
EC2 - Connecting businesses and people to our local activity centres through place planning and activation.	The development provides for a facility within the precinct that activates the area and provides for local and future residents.

Environment	
Community priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	The proposed development will make a positive contribution to the Burswood Station East precinct whilst ensuring compatibility with the developing precinct as it evolves as a medium to high density residential and commercial locality.

Engagement

Internal engagement

Stakeholder	Comments
Environmental Health	Review of Acoustic Information and recommended conditions and advice.
Engineering	Review of Traffic Impact Statement, Waste Management Plan and civil works proposed.
Parks	Recommended conditions and advice relating to proposed landscaping.
Place Planning	Supportive of the proposal and encouraging of further activation of the frontage adjacent to Stiles/ Griffiths Reserve.
Building	Review of internal fit out and building works associated with the proposal.

External engagement

Stakeholders	Owners and Occupiers within a 200 metre radius of the subject sites
Period of engagement	28 days 26 May 2022 to 24 June 2022
Level of engagement	2. Consult
Methods of engagement	Letters
Advertising	Newspaper Advertisements (Public Notices – Perth Now Southern) Signs on Site

Submission summary	2 submissions of support 5 submissions with objections
Key findings	<p>A copy of the submissions can be found in attachment 8 with a copy of the applicant's response to submissions found in attachment 9.</p> <p>A summary of the key findings is as follows:</p> <ul style="list-style-type: none"> • Objection to the same and/or similar land use occurring within close proximity to the proposal. • Concerns crime and security, antisocial behaviour and drug and alcohol use within the area. • Integration with residential amenity of existing residents. • Car parking and traffic concerns (existing) and to be furthered by the development. • Noise and nighttime activity and litter.

Risk management considerations

Risk impact category	Risk event description	Consequence rating	Likelihood rating	Overall risk level score	Council's risk appetite	Risk treatment option and rationale for actions
Financial	Not Applicable					
Environmental	Not Applicable					
Health and safety	Not Applicable					
Infrastructure/ ICT systems/ utilities	Not Applicable					
Legislative compliance	The applicant has a right of review to the State Administrative Tribunal against Council's decision, including any conditions.	Moderate	Unlikely	Medium	Low	Accept by providing Council with all relevant information to make an informed decision.
Reputation	Negative public perception towards the Town if development approval is or is not	Moderate	Likely	Medium	Low	Accept and ensure the rationale for Council's decision is documented.

	granted
Service delivery	Not Applicable.

Financial implications

Current budget impact	Not applicable
Future budget impact	Not applicable

Analysis

Site

18. The subject site comprises five lots and has frontages to Goodwood Parade to the west, Stiles Avenue to the south, and laneway 133 to the east (rear of the sites) – see Attachment 1. The subject site is located within the Burswood Precinct, or the area also known as Burswood Station East (BSE), bounded by the Graham Farmer Freeway, Great Eastern Highway, and the Armadale passenger railway line.
19. The lots are currently occupied by existing Warehouse and Office development which will largely be converted within the existing building footprint with the alfresco area being an addition and carparking extending into vacant land to the north of the site.

Proposed Scheme Amendment 82

20. Amendment 82 to TPS 1 establishes the BSE Sub-Precinct within Burswood Precinct Plan P2 Sheet A, providing high level development standards and objectives for the redevelopment of BSE to occur in accordance with the Local Planning Policy 40 – Burswood Station East Precinct Design Guidelines and Public Realm Improvements adopted for BSE.
21. The vision for the BSE area is to facilitate redevelopment of aging industrial and commercial building stock to a vibrant urban neighbourhood with Amendment 82 proposing the following new Statement of Intent for the BSE Sub Precinct:

“The land incorporated in Sheet A of Precinct Plan P2 Burswood Precinct comprises the Burswood Station East Sub-Precinct. Burswood Station East should be redeveloped primarily as an area of high quality and medium to high density residential, office and commercial uses, reflective of an eclectic urban village that fosters activity, connections and vibrant public life for residents. In particular:

- a) Public places such as parks, reserves, streets and lanes should be used, maintained and enhanced so that they create a high level of public amenity.*
- b) Uses and public facilities that promote pedestrian interest, activity, safety and connectivity at street level are encouraged throughout Burswood Station East.*

- c) *Ground floor design will provide vibrant, human-scale, fine grain streetscapes that contribute to the overall character of the precinct.*
- d) *Multi-storey development should be designed and proportioned to break up the visual presence of the development and provide a 'human scale' of development at street level.*
- e) *Development should be designed to allow spaces to be adapted over time, particularly at the ground-floor level. Adaptive re-use is encouraged where this contributes to interest, vibrancy and improved building façade and public realm outcomes.*
- f) *Buildings should be designed to maximise solar access and minimise the impact of wind on the public realm.*
- g) *Development design will contribute to creation of a highly functional transit-oriented development, including through housing and land use mix, building façade design and car parking provision.*
- h) *All buildings should strive to be innovative and reflect and accommodate modern business premises and offer a wide range of housing types and price points.*
- i) *All new developments should be designed in accordance with 'Crime Prevention Through Environmental Design' principles.*
- j) *Buildings should be designed to achieve best practice for environmental sustainability through innovative design, construction and management.*
- k) *Office and Commercial land uses should be the predominant land use in development fronting Great Eastern Highway.*
- l) *Public spaces, local roads, pathways and development should include opportunities for urban greening."*

22. On 11 March 2022, the Minister for Planning determined to approve Amendment 82 subject to modifications which have been made by the Town's Place Planning team and is now awaiting the Minister's final approval.

23. Driven by road intersection capacities and proximity to the Burswood train station and the development of the precinct as a transit oriented the development, a component of Scheme Amendment 82 that is relevant to the subject development is the proposed change in methodology for car parking, with there being a maximum number of car bays per site. The amendment proposes that the carparking requirement for the precinct would be a maximum of 0.06 bays per m² of parent lot area.

Local Planning Policy 40 - Burswood Station East Precinct Design Guidelines & Public Realm Improvements (LPP40)

24. LPP 40 was adopted by Council at the OCM held on 16 March 2021, subject to the gazettal of Amendment 82 to TPS 1 and provides detailed objectives and design guidelines for the transition and redevelopment of BSE from a light-industrial and general commercial area to a high density mixed used environment, functioning primarily as a transit-oriented development (TOD) precinct.

25. The statement of intent for the Precinct as outlined in LPP40 is as follows:

"The Burswood Station East Precinct should be redeveloped primarily as an area of high-quality medium to high density residential, office and commercial uses, reflective of an eclectic urban village that fosters activity, connections and vibrant public life for residents."

26. This policy is designed to provide guidance for applicants and decision makers with respect to that envisaged transition via the provision of built form design standards, and guidance as to how discretion to vary those standards may be exercised in certain circumstances.

27. The Administration has also reviewed the modifications outlined by the Minister for Scheme Amendment 82 and considered if there is any refinement required to LPP40 to ensure the vision and proposed outcomes for BSE are not compromised.
28. Notably, in undertaking the review of LPP 40, Council officers are considering establishing an interim minimum car parking requirement for non-residential land uses within BSE, as a generally acceptable variation to the requirements of existing LPP 23, until such time as minimum car parking requirements have been formally adopted or removed for the sub-precinct through revised local planning framework provisions. This is discussed in more detail in the car parking and traffic sections of the report.

Car parking Shortfall & Traffic

29. As indicated, based upon the minimum parking standards of LPP23 there is a proposed on-site shortfall for the site of 166 car parking bays which Council must consider as part of the development application. It is noted that the calculated shortfall differs from what the applicant has provided in their submission of a 132 bay shortfall due to omission of some of the restaurant/cafe areas in their calculation and the 'bar areas' parking requirement not being included in the applicant's shortfall figure.
30. The applicant has provided the following by way of justification for the onsite car parking shortfall:

"1. Given the nature of the proposed use involves the consumption of alcohol, many patrons will choose responsible methods of travel to and from the venue which would consist of:

- a) Public transport options, including Burswood Station which is approximately 100m from the site.*
- b) Use of a taxi or car share service (such as Uber, Ola, DiDi etc);*
- c) Walking to the venue (ie: residents of surrounding apartments);*
- d) Carpooling/use of a designated driver.*

With respect to a) above it is the experience of Blasta that during the sporting season and when events are held at Optus Stadium, a very high number of patrons will attend the venue prior to/following the event, with these patrons generally utilising public transport and specifically the train service to attend the venue.

With respect to b) above, based upon its experience of operating at the current existing venue the management of Blasta confirm that a very high percentage of people utilise rideshare options to access the premises during all operation hours.

- 2. There is considerable public parking available in the following locations:*

a) Goodwood Parade, Griffiths Street, Stiles Avenue and also within the railway reserve adjacent to Goodwood Parade, which is not utilised by other businesses during weekend peak periods; and b) Parking is available at Crown, for patrons who intend to visit multiple venues during their outing.

For the reasons outlined in 1. above, it is envisaged that the actual parking demand associated with the development will be considerably less than prescribed within the Town's parking standards, with sufficient parking to be available on site and through other public parking options."

31. As mentioned, the Town's Place Planning team are currently undertaking a review of LPP 40 as a consequence of changes required by the Minister to Amendment 82 to TPS 1 prior to its gazettal.

32. This review includes the recommended insertion of additional clauses to clarify car parking requirements for new development. In particular, to emphasise the cap on parking within the precinct and to clarify that the minimum car parking requirements of LPP 23 do not apply to new development within the precinct, as supported by the previous master planning investigations for BSE commissioned in the lead up to preparation of Amendment 82.
33. This approach is consistent with the intended transition of BSE to a high-density mixed-use environment that functions as a TOD with a diversified local transport network that supports modal shift away from private vehicles and instead relies upon high quality pedestrian and cyclist connectivity and high frequency bus and rail transit.
34. The current draft provisions only include the recommended 'cap' or maximum car parking requirement for the precinct to avoid unacceptable traffic congestion and intersection levels of service once the precinct was fully built out, given entry/exit for the precinct is constrained by the rail line, Great Eastern Highway and Graham Farmer Freeway.
35. Car parking provision for development that nears this 'cap' is neither an intended or desirable outcome, however the existing on-site car parking requirements of LPP 23 result in new developments in the precinct being likely to approach or even exceed this cap, and risks compromising the intended development and high-quality amenity outcomes that are hoped to be achieved for BSE.
36. Such outcomes are in direct contradiction to the Town's adopted transport and strategic planning objectives, and it is not considered reasonable for the Town to support the continued application of LPP 23 minimum car parking ratios (within BSE), notwithstanding their applicability to new development by 'default' in the absence of reviewed/amended local planning instrument provisions for the area.
37. The review of LPP 23 and the Town's car parking provisions generally is a key short term action identified within the Local Planning Strategy (Action 6.4) within the next 1 to 2 years to align with the Town's strategic objectives, including those contained in the Integrated Transport Strategy and Parking Management Plan.
38. In considering the subject application, it is considered reasonable that due regard be given to the Department of Transport's TOD minimum car parking requirement of 1 bay per 75m² per net lettable area as an interim measure. This parking requirement was recommended by the Town's transport consultant Arup prior to preparation of Scheme Amendment 82. Application of this requirement to the development generates an onsite car parking requirement of 27 bays, which is less than the 32 bays proposed by the applicant.
39. The site's proximity to Burswood Station and its active land uses (and propensity for patrons not to be driving to a licensed drinking premises) mark it as the pre-eminent site within the precinct where a TOD approach should be adopted. In this regard it is considered that the proposed technical on-site shortfall arising as a result of the continued application of LPP 23 (which is anticipated to be removed from applicability to the precinct) is acceptable.
40. The Town's Engineering team are satisfied with the Traffic Impact Statement prepared by the applicant. However, it is noted that there have been concerns raised with the applicant regarding the proposed pedestrian access from the entry stairs onto right of way 133 at the rear of the sites. However, from a place planning perspective, this right of way activation and access point is encouraged, particularly being adjacent to the Griffiths/Stiles Reserve which under the LPP 40 is planned to be an active pedestrian plaza. Therefore, a condition of planning approval has been recommended that amended

plans be submitted to the Town's Engineering team for approval to demonstrate a safe entry and integration point with the existing path network for people entering a live traffic zone.

Noise & Amenity

41. An acoustic report was submitted as part of the information required to be submitted for development approval. As part of this assessment, the report was subject to a peer review process by an independent acoustic consultant.
42. As part of the Town's assessment of the acoustic report, the noise control measures proposed are adequate in ensuring compliance with the *Environmental Protection (Noise) Regulations 1997*.
43. In order to ensure that the recommendation of the report is implemented, a condition of planning approval is recommended that requires all physical and noise management measures to be incorporated into the development as part of a clearly defined Noise Management Plan to be provided to the Town.
44. In particular, the requirements of this Plan ensure that the onus is on the applicant to ensure that noise emitted from the site remains compatible with the requirements for noise for residential development that occurs on any adjacent sites. This is relevant given that it is anticipated that the development of BSE will occur in accordance with the strategic planning framework and medium to high rise density will realistically occur in proximity to the site in the future.
45. Further to noise, a condition of approval is also recommended to be included that requires assessment of overall noise emission from the site within 6 months of commencing the use to ensure that the noise mitigating measures and noise emissions from the site are in accordance with the legislation and complying with the forecasted acoustic emissions.
46. In terms of other social and amenity impacts, it is noted that many of the submissions cite existing issues relating to crime, anti-social behaviour, littering and consumption of alcohol and drugs. Whilst the consideration of the application should not be prejudiced via conjecture, it is recognised that this land use could correlate with these matters, albeit some matters be lessened through activation of this part of the precinct.
47. Whilst not a land use planning matter in terms of land use permissibilities, in applying for a liquor licence in order to operate in a manner similar to how the development exists at 84-88 Goodwood Parade, Burswood a public interest test by the licensing authority may take into account the following:
 - The harm or ill-health that might be caused to people, or any group of people, due to the use of liquor.
 - Whether the amenity, quiet or good order of the locality in which the licensed premises or proposed licensed premises are, or are to be, situated might in some manner be lessened.
 - Whether offence, annoyance, disturbance or inconvenience might be caused to people who reside or work in the vicinity of the licensed premises or proposed licensed premises.
 - Any effect the granting of the application might have in relation to tourism, or community or cultural matters.
 - Any other matter stipulated in the *Liquor Control Regulations 1988*.
48. Council could request that the applicant submit a Management Plan with regards to security, crowd control measures, antisocial and criminal behaviour etc which would inform the Town of any measures that are in place from an operational perspective to deter and respond to these matters. Regardless, it would also be within the Town's and greater community interest to maintain clear lines of communication with the operator/s of the premises to ensure that any antisocial or disruptive behaviour is reported appropriately and that the various authorities and/or the Town's Safer

Neighbourhoods Officer is able to take a collaborative and multidisciplinary approach to addressing any concerns that are raised.

Time Limitation

49. Previously several development approvals issued within the BSE precinct have included a time limitation. The rationale for the original 10 year time limitation for No. 84-88 Goodwood Parade, Burswood was that it would allow the site to be activated and deliver good social and economic benefits in the short-term, while ensuring that it would not continue in the longer term and be potentially incompatible with the likely higher density development planned for the precinct. At the time of this approval, the Town was still developing the new planning framework for the future of the Burswood Station East area.
50. In determining a recent application for a further time extension of the Tavern use at No. 84-88 Goodwood Parade, Council agreed to the request but with the retention of a time restriction. The following paragraph from the report is of particular relevance:
- “On balance, it is considered that a time limited approval is appropriate so as to allow the Town to undertake further work in developing LPS 2 and determining the appropriateness of the use in the future. This further work is likely to result in one of two outcomes, either:*
- (a) it is determined that Taverns are an incompatible use with the high density residential and commercial developments planned for the area, in which case the approved Tavern will need to cease operating at the expiry of its approval period; or*
- b) it is determined that Taverns are compatible use with the existing and future surrounding development, potentially then allowing the applicant to seek an ongoing indefinite approval rather than a time limited approval.*
51. Similarly, a time limitation was applied with respect to the consideration of Scheme Amendment 91 for the subject sites. Therefore, to maintain consistency with the Town’s decisions on the Tavern use at Nos. 84-88 Goodwood Parade and Scheme Amendment 91 it is recommended that a time limitation be placed upon the development proposed at Nos. 98-106 Goodwood Parade.
52. A 10 year time limitation on the approval is also considered appropriate to ensure that any amenity impacts arising from the use of the site, particularly noise and parking impacts, can be monitored and restricted to minimise any land use conflict with the potential development of surrounding sites for mixed use and residential developments.
53. In addition, part of the criteria for considering and application as per Council Policy 451 ‘Transitional Use’ is that the *g) the use does not replicate a similar use permanently approved in proximity to the proposed use.* A similar use by way of ‘Tavern’ and ‘Brewery’ is operating at No. 84-88 Goodwood Parade, but on a time limited rather than permanent basis.
54. The intention of this development application and associated Scheme Amendment is to relocate the current operators to No. 98-106 Goodwood Parade and would result in the replication of a similar land use in the proximity of the existing premises.

55. However, it is noted that the previous approval at No. 84-88 Goodwood Parade and the recommendation for this development application is with a time limitation and therefore neither are permanently approved and are considered to not comply with this requirement of the policy when considering transitional uses in the BSE precinct.
56. Should the finalisation of the strategic planning framework and development of the precinct determine that a 'Restaurant/Cafe' & 'Brewery' is an appropriate use of the land into the longer term future and the use remain compatible and appropriate within the precinct as it continues to evolve, then it would be open to Council to agree to removal of the time limitation at a future time.

Relevant documents

[Minutes of the March 2022 Ordinary Council Meeting](#)

[Minutes of the May 2022 Ordinary Council Meeting](#)

Further consideration

The following additional information is provided in response to matters raised at the Agenda Briefing Forum:

57. *Question* - There appears to be only one ACROD parking bay and it appears that the main carpark has no direct entry to the proposed premise.
- (a) Could the development have at least two ACROD bays (possibly one at the café entrance and one in the main carpark)?
 - (b) How are patrons needing to use ACROD parking in the main carpark going to safely access the premise? Could the main carpark ACROD bay be moved to the opposite adjacent bay and to provide access to the pedestrian footpath on Goodwood Parade?

Applicant's response - In principle ACROD bays should always be located as close as possible to main entrance with no obstacles and only gentle ramping if required. We are also of the understanding that there is only a requirement for one ACROD bay.

The project team has reviewed the location of the ACROD bay and we attach an updated plan which shows the ACROD bay closer to Goodwood Parade within the proposed parking area. This is considered to be the optimal location as it would not require patrons to cross vehicle manoeuvring aisles and is a short travel distance to a suitably designed ramp to the Beer Hall or alternatively, a footpath extending to the southern entrance providing access to the Café and Bistro.

Officer's comments – amendment supported, noting that the relevant standard is for a minimum of one universal access bay to be provided. A copy of the amended plan is now included at Attachment 12 as well as the development plans at Attachment 4.

58. *Question* - Are end-of-trip facilities provided, noting the provision of 6 on-site bike bays? If not, has this been contemplated?

Applicant's response - The proponent advises that end of trip facilities shall be included for staff, consisting of a shower room, changing facilities and lockers.

Officer's comments – End-of-trip facilities are indicated on the plans in the area between the café sit down dining area and the truck delivery dock.

59. *Question* - There is reference to there being hazardous waste – where is this stored and when does it get collected?

Applicant's response - Advice from the proponent is as follows:

"The only waste that may be deemed hazardous is yeast trub from the brewing process. It's not exactly hazardous to humans but it does have BOD and TSS (total suspended solids) and the Water Corp charges extra fees if it goes into the public sewer system. What we do is capture this in a plastic receptacle like in the waste management plan and then send it to a company called Richgro who use it in their anaerobic digester system where it is converted into useable biogas renewables. The pickup is once every 14 days and by loading on to a Ute."

Officer's comments – Noted.

60. *Question* - Is the bin store area of sufficient size to accommodate the number and size of proposed bins (stated to be 2 x 660L general waste bins; 2 x 660L recycle bins; and 4 x 660L brewery bins)?

Applicant's response - Advice from the proponent is as follows:

"The bin storage is deemed sufficient. We came to this figure based on the following. At present on our current site we operate normally with one 1 x 660L general bin and 1 x 660 recycle bin with a bi daily service from our waste provider Cleanaway. We also have an agreement with them that they come early each day around 5am. We propose to increase the bin storage by 100% but also receive a daily service from Cleanaway to accommodate any peaks in waste generation."

Officer's comments – The applicant has provided a drawing confirming that the bin store is of sufficient size to accommodate the number of bins proposed.

61. *Question* - Truck turning area – the turning area for trucks appears tight and may conflict with the bike racks and adjacent car bays. Has consideration been given to keeping the crossover open to Goodwood Parade?

Applicant's response - The previous plan includes turn paths which suitably demonstrate that the manoeuvring of trucks within the site can be achieved. I attach an updated plan which identifies the turn paths for delivery and waste vehicles within the southern portion of the site and incorporates alterations to accommodate improved manoeuvring in this location.

Officer comments – The amended plan is acceptable. A copy of the amended plan is now included at Attachment 12 as well as the development plans at Attachment 4.

62. *Question* - Is the Town monitoring verge parking around the development site's and its surrounding streets, and what are its findings? How often are people parking for extended periods of time around the development site surrounding street verges? Will changes to street signage be needed?

Officer's comments (Parking Service Area) – it is difficult to isolate the infringements that occurred closest to 98-106 Goodwood Parade but the statistics below for Goodwood Parade and surrounding

streets give an indication of the type of parking issues in the immediate area. Currently, the area is unrestricted and is being utilised by train commuters and office workers.

There were 37 service requests/events raised in 2021/22, of which 31 came from 84-88 Goodwood Parade where the existing Blasta Brewery is currently located. Issues about delivery trucks parking along the laneway causing an obstruction.

37

Number of Events

CategoryDisplay	2021	2022	Total
Parking - Restrictions - Obstructions	29	3	32
Parking - Restrictions - Driveway Obstruction		3	3
Parking - Restrictions - Footpath		1	1
Parking - Restrictions - No Stopping / No Parking Area		1	1
Total	29	8	37

Month	2021	2022	Total
Jan	5		5
Feb	5		5
Mar	7	1	8
Apr	6	3	9
May	1	1	2
Jun	1	1	2
Jul	2	2	4
Sep	1		1
Nov	1		1
Total	29	8	37

There were a total of 1523 infringements in 2021/22 stemming from ad-hoc patrols of the area by the Parking team

Month	2021	2022	Total
Jan	101	60	161
Feb	56	44	100
Mar	146	44	190
Apr	53	52	105
May	88	56	144
Jun	93	105	198
Jul	100		100
Aug	118		118
Sep	90		90
Oct	95		95
Nov	109		109
Dec	113		113
Total	1,162	361	1,523

Street	All other safety-related offences	Total
Griffiths Street	692	692
Goodwood Parade	649	649
Stiles Avenue	182	182
Total	1,523	1,523

OffenceName	Number of Inf
STOPPED CONTRARY TO NO STOPPING SIGN STOPPED CONTRARY TO NO STOPPING SIGN S33	891
STOPPED CONTRARY TO NO STOPPING SIGN STOPPED CONTRARY TO NO STOPPING SIGN	474
PARKED ON FOOTPATH OR PED REFUGE PARKED ON FOOTPATH OR PED REFUGE S60	33
STOPPED ON FOOTPATH/CROSSING STOPPED ON FOOTPATH/CROSSING S26	22
PARK ON FOOTPATH OR PEDESTRIAN CROSSING PARK ON FOOTPATH OR PEDESTRIAN CROSSING	21
PARKED AGAINST FLOW OF TRAFFIC PARKED AGAINST FLOW OF TRAFFIC S13(1)(b)	21
TO DRIVE OR PARK ON RESERVE TO DRIVE OR PARK ON RESERVE 4.11	19
PARK AGAINST THE FLOW OF TRAFFIC PARK AGAINST THE FLOW OF TRAFFIC	8
PARKED CONTRARY TO NO PARKING PARKED CONTRARY TO NO PARKING S34	6
Park contrary to signs/limitations associated with area and local law 4.1(3)(b)	4

As per the new Parking Management Plan, the place parking plans suggest timed parking implemented in the next year or two. Parking in the area will be closely monitored and will be actioned as per the PMP parking intervention matrix.