

**5.1 NO. 290 (LOT: 10; D/P: D059211) BEAUFORT STREET, PERTH - CHANGE OF USE TO RESTAURANT/CAFÉ, SHOP AND SMALL BAR, INCLUDING ALTERATIONS/ADDITIONS AND SIGNAGE (AMENDMENT TO APPROVED)**

**Ward:** South

- Attachments:**
1. Consultation and Location Plan
  2. Development Plans
  3. Applicant Cover Letter
  4. Acoustic Report
  5. Venue Management Plan
  6. Previous Determination Notice and Plans (31 May 2021)
  7. Summary of Submissions - Administration Response

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a Change of Use to Restaurant/Café, Shop and Small Bar, including Alterations/Additions and Signage (Amendment to Approved) at No. 290 (Lot: 10; D/P: D059211) Beaufort Street, Perth, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2021.73.1 dated 31 May 2021 continue to apply to this approval, except as follows:

- 1.1 Condition 1 is amended to read as follows:

1. This approval is for Change of Use to Restaurant/Café, Shop and Small Bar, including Alterations/Additions and Signage as shown on the approved plans dated 2 March 2021, 12 April 2021 and 11 May 2021. No other development forms part of this approval; and

- 1.2 Conditions 2.1 and 2.2 are amended, and a new Condition 2.3 is added to read as follows:

2. Use of Premises

- 2.1 This approval is for Restaurant/Café, Shop and Small Bar as defined in the City of Vincent Local Planning Scheme No. 2.

Use of the subject land for a different use may require further development approval in accordance with the provisions of the City's Local Planning Scheme No. 2 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- 2.2 The Restaurant/Café and Small Bar shall be limited to a maximum of 70 patrons.

- 2.3 The hours of operation of the Small Bar shall be limited to:

- Midday to 6:00pm Monday and Tuesday;
- Midday to 10:00pm Wednesday, Thursday and Sunday; and
- Midday to midnight Friday and Saturday.

**PURPOSE OF REPORT:**

To consider an application for an amendment to a previous development approval for the addition of a Small Bar use at No. 290 Beaufort Street, Perth (subject site).

**PROPOSAL:**

The premises at the subject site is currently approved for use as a Restaurant/Café and Shop. The subject development application seeks approval for the premises to also operate as a Small Bar in addition to the previously approved Restaurant/Café and Shop uses.

The Small Bar is proposed to operate in conjunction with the previously approved Restaurant/Café and Shop uses, and operate as one business, being Tom's Wholesome Food.

Details of the operation include:

- The Small Bar is proposed to operate complimentary to the previously approved uses;
- Operating hours of the Small Bar are proposed to be:
  - Monday and Tuesday – midday to 6:00pm;
  - Wednesday, Thursday and Sunday – midday to 10:00pm; and
  - Friday and Saturday – midday to midnight;
- The premises accommodating a maximum of 70 patrons at any one time; and
- No on-site parking bays are provided for staff and customers of the premises.

The application does not propose any works.

Plans of the proposal are included as **Attachment 2**. Supporting information provided by the applicant is also attached including a cover letter (**Attachment 3**), acoustic report (**Attachment 4**) and venue management plan (**Attachment 5**).

**BACKGROUND:**

<b>Landowner:</b>	Lara Lukich atf Meade House Investment Trust
<b>Applicant:</b>	Urbanista Town Planning
<b>Date of Application:</b>	8 March 2021
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Mixed Use R Code: R80
<b>Built Form Area:</b>	Mixed Use
<b>Existing Land Use:</b>	Restaurant/Café and Shop
<b>Proposed Use Class:</b>	Small Bar – 'A' use
<b>Lot Area:</b>	280m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>Heritage List:</b>	Management Category B

The subject site is located at No. 290 Beaufort Street, Perth. A location plan is included as **Attachment 1**.

The subject site is zoned Mixed Use R80 under the City's Local Planning Scheme No. 2 (LPS2) and is located within the Mixed Use built form area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy) where a building height of four storeys is permitted.

The subject site is bound by Beaufort Street to the west and Brisbane Street to the north. Beaufort Street is identified as an Other Regional Road under the Metropolitan Region Scheme. The property adjoining the subject site to the east is a mixed use development, comprising of three offices and eight apartments at No. 79 Brisbane Street.

The property adjoining the subject site to the south is Nos. 286-288 Beaufort Street that accommodates the Association for Services to Torture and Trauma Survivors (ASeTTS). ASeTTS provides services to people who have experienced torture or trauma, including support for family and children, youth, counselling and community development. This site is owned by the City and leased to ASeTTS.

Outside of this immediate context, the broader area of Beaufort Street consists of a mix of residential and commercial uses. There are existing food and beverage venues in close proximity to the subject site, including:

- The Brisbane Hotel, directly opposite the subject site to the north at No. 292 Beaufort Street;
- Source Foods and P'tite Ardoise Bistro, directly opposite the subject site to the west at Nos. 283-289 Beaufort Street; and

- Safa City Cafe, approximately 40 metres south-west from the subject site at No. 273 Beaufort Street.

The subject site was developed with a single storey commercial building. The primary entrance to the building is provided from Brisbane Street, with access to a rear service area provided along the eastern boundary. The subject site is largely built out, with the exception of this service area, and does not currently provide for any on-site car parking.

#### *Heritage Listing*

The subject site is registered as Meade House on the City's Municipal Heritage Inventory (MHI) as Management Category B – Conservation Recommended. Meade House was constructed in 1915 and is a representative example of the Federation Free Classical style of commercial development which compliments the similar style of the Brisbane Hotel, and reinforces the commercial node at the Beaufort Street and Brisbane Street intersection.

Historically the use of Meade House has varied between commercial uses that have included shop, billiard room and hall, hairdresser and tobacconist. The building is currently vacant. The City does not have any record of previous development approvals for uses occupying the premises, however it appears to have most recently been used as an office.

#### *Existing Approvals*

On 31 May 2021 Administration approved a development application under delegated authority for a change of use at the subject site. Details of this application include:

- Change of use to Restaurant/Café and Shop. The Restaurant/Café would serve café-style food and beverages, while the Shop would sell deli-style groceries;
- The approval did not restrict the operating hours for the premises. The intended operating hours as advised by the applicant are:
  - Monday, Tuesday and Sunday – 6:00am to 6:00pm;
  - Wednesday and Thursday – 6:00am to 10:00pm; and
  - Friday and Saturday – 6:00am to midnight;
- The uses would accommodate a maximum of 70 patrons at any one time;
- Façade upgrades and signage consistent with that shown in the proposed plans for the subject application; and
- The provision of two short-term bicycle bays to be located within the Brisbane Street verge adjacent to the premises.

With no existing parking area on site, the development application for Restaurant/Café and Shop was approved with nil parking on site for staff or customers.

A copy of the delegated approval notice and plans is included as **Attachment 6**.

The development application for Restaurant/Café and Shop was determined separately to the proposed Small Bar use which is the subject of this application. This was to better support small business and streamline the approvals process by enabling the applicant to obtain the relevant Building and Health approvals and allow works to commence on-site as soon as possible. The development approval sought for the Small Bar is to facilitate the liquor licence sought by the applicant.

#### *Liquor Licensing*

Approval as a Small Bar would require the applicant to obtain a Section 40 Certificate from the City. A Section 40 Certificate confirms that the premises has the necessary development approvals.

The requirement to obtain a Section 40 Certificate forms part of the application process of liquor licensing under the *Liquor Control Act 1988*. This is administered by the Department of Local Government, Sport and Cultural Industries (DLGSCI).

On 28 April 2021 the DLGSCI issued a conditional Small Bar licence to the premises. Amongst other conditions, this requires a Section 40 Certificate to be obtained before commencing the Small Bar use.

**DETAILS:****Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015*, City's LPS2, and the City's local planning policies. 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.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously Approved	Requires the Discretion of Council
Land Use			✓
Car and Bicycle Parking		✓	
Signage		✓	
Hours of Operation			✓
Façade Design		✓	

**Detailed Assessment**

The deemed-to-comply assessment of the elements that require the discretion of Council are as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
LPS2  Small Bar 'P' Use	'A' Use
Hours of Operation	
Deemed-to-Comply Standard	Proposal
<b>Policy No. 7.5.7 – Licenced Premises</b>  Permitted trading hours:  <ul style="list-style-type: none"> <li>Monday to Sunday – 7:00am to 10:00pm</li> </ul>	Proposed trading hours:  <ul style="list-style-type: none"> <li>Monday and Tuesday – midday to 6:00pm;</li> <li>Wednesday, Thursday and Sunday – midday to 10:00pm; and</li> <li>Friday and Saturday – midday to midnight.</li> </ul>

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the Comments section below.

**CONSULTATION/ADVERTISING:**

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 21 days from 22 April 2021 to 14 May 2021. The method of consultation included a sign on-site, an advertisement in the local newspaper and 734 letters being mailed to all the owners and occupiers of the properties within a 150 metre radius of the subject site (as shown in **Attachment 1**), in accordance with the City's Policy No. 4.1.5 – Community Consultation.

The City received a total of 52 submissions, including 51 in support and one objecting to the proposal. The objection received related to concerns of anti-social behaviour from the Small Bar.

A summary of submissions and Administration's response is included as **Attachment 7**. The applicant has not provided a response to the submissions.

**Design Review Panel (DRP):**

Referred to DRP: No

**LEGAL/POLICY:**

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.5 – Historic Heritage Conservation;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.5.7 – Licensed Premises;
- Policy No. 7.5.21 – Sound Attenuation;
- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties;
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements; and
- *Liquor Control Act 1988*.

**Planning and Development Act 2005**

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

**Delegation to Determine Applications:**

The matter is being referred to Council in accordance with the City's Delegated Authority Register as the delegation does not extend to applications for development approval that propose the Small Bar land use.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the City's Strategic Community Plan 2018-2028:

**Innovative and Accountable**

*We are open and accountable to an engaged community.*

**SUSTAINABILITY IMPLICATIONS:**

There are no sustainability implications applicable to this application.

**PUBLIC HEALTH IMPLICATIONS:**

This is not in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

*Reduced harmful alcohol use*

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial/budget implications from this application.

**COMMENTS:****Land Use**

The subject site is zoned Mixed Use and Small Bar is an 'A' use. An 'A' use means that the land use can be approved, but at the discretion of the local government after community consultation has been undertaken.

The City received submissions in support of the Small Bar land use. These submissions noted that the proposal would contribute towards vibrancy and employment opportunities, provide for activity in the area to

combat anti-social behaviour, and would have less impacts from noise and traffic perspectives than other venues in the area.

The proposal is consistent with the objectives of the Mixed Use Zone under LPS2 and the relevant matters to be considered under Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The Small Bar use is an active use which would contribute towards interaction and activation of the street. The premises is currently vacant and is prominently located on the corner of Beaufort Street and Brisbane Street. The nature of the use would enhance amenity, contribute towards activity and revitalise what is currently a vacant building that would increase surveillance and integration with surrounding land uses. The ground floor design, which is not proposed to be altered as part of the subject application, provides for an open and active façade, with the opportunity to incorporate an outdoor dining area further encouraging interaction with the street;
- The Small Bar use is a permissible use within the Mixed Use zone. The surrounding context consists of a mix of uses and activities, including commercial uses and apartments located within mixed use developments. In the immediately locality the subject site is surrounded by the Brisbane Hotel to the north, mixed use development to the east which includes an office on the ground floor and apartments above, an office to the south accommodating ASeTTs, and a two storey building on the western side of Beaufort Street accommodating restaurant/cafes (Source Food and P'tite Ardoise Bistro) and a photography studio. The proposed Small Bar use would be compatible with the existing surrounding uses and prevailing context of the area;
- Adjoining the subject site directly to the east is a three storey mixed use development, with office tenancies on the ground floor and two levels of apartments. The development has a three storey boundary wall with no openings abutting the subject site. These boundary walls extend to in line with the front of the apartments with balconies which front Brisbane Street. The existing building remains consistent with how it was originally developed and therefore how it interfaces with the adjoining mixed use development. The development is designed so as to not have an undue impact on the amenity of these adjoining residents. This is because the activity of the proposed use would be concentrated within the existing building with pedestrian entry to the venue provided from Brisbane Street located towards Beaufort Street, away from the adjoining mixed use development. The existing amenity of this area along Brisbane Street is currently reflective of activity and noise from the Brisbane Hotel and nearby commercial uses, passing traffic along Beaufort Street which is classified as an Other Regional Road, and on-street parking along Brisbane Street and in the Brisbane Street car park. The adjoining mixed use development is screened from the subject premises by the abovementioned boundary walls. This area would also be used as an emergency exit as required;
- Adjoining the subject site directly to the south is ASeTTs which provides for counselling services and operated between 9:00am and 5:00pm Monday to Friday. The development has a landscaped area which abuts the rear of the subject site. The development is designed to have activity concentrated along Brisbane Street towards Beaufort Street so as to not adversely impact on the amenity of ASeTTs. This rear portion of the subject premises would not provide for patron activity and instead would accommodate the office, toilet, kitchen areas, as well as an enclosed bin store;
- The adaptive re-use of an existing heritage building is consistent with sustainability principles. The applicant is also engaging with a separate private contractor related to waste collection, with the City ceasing its commercial waste service in July 2021;
- In respect to the relevant Clause 67 matters:
  - The proposed use contributes towards a diversity of entertainment and employment opportunities within the City. The City's Local Planning Strategy identifies for this section of Beaufort Street to act as a conduit between Mount Lawley and Northbridge, with a focus on commercial activities along this corridor;
  - The proposal is consistent with State Planning Policy 3.5 – Historic Heritage Conservation (SPP 3.5), which supports sympathetic adaption and change of use as a way of conserving and protecting heritage places. Similarly the proposal is consistent with the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Policy) ensuring that there is no detrimental impact on the built or cultural heritage of the subject site; and
  - The Small Bar use would be compatible with and would not adversely impact the amenity of the locality. As outlined above, the building design is appropriate for the intended use in the context of the existing surrounding development. Further discussion on amenity considerations such as noise and operating hours are detailed further below. In respect to car parking, there are no car parking spaces on site and the shortfall of car parking provision on site has previously been accepted. This is also discussed in further detail below.

### *Public Health Plan*

The City's Public Health Plan 2020-2025 (Public Health Plan) identifies reduced harmful alcohol use as one of the long term health outcomes.

Amongst other initiatives, the Public Health Plan seeks to reduce the risk of anti-social behaviour and alcohol related harm in the community through partnerships with licenced premises, support the implementation of alcohol-free environments including festivals, events, activities and/or clubs, and advocate for reduced exposure to alcohol advertising, marketing, promotion and sponsorship.

The City's Public Health Plan itself is not a specific relevant consideration under the planning framework. The initiatives of the Public Health Plan do not extend to private property or contemplate strategies to restrict premises serving alcohol. A Small Bar is a permissible land use under the City's LPS2, and the planning framework contemplates other types of premises where alcohol is sold and/or consumed including Liquor Stores, Nightclubs and Taverns.

The *Liquor Control Act 1988* includes specific requirements aimed at restricting harmful alcohol use, including the training of staff in the responsible service of alcohol. The *Liquor Control Act 1988* is not legislation created under or for the purposes of the *Planning and Development Act 2005*. Compliance with the requirements of the Liquor Control Act 1988 would need to be achieved separate to any development approval granted. An advice note to this effect has been included to remind the operator of this obligation.

### Licensed Premises Policy

The City's Policy No. 7.5.7 – Licensed Premises (Licensed Premises Policy) provides a guide for appropriate operating hours in various zones. The Licensed Premises Policy does not specify appropriate hours for Small Bars within the Mixed Use zone, as the Policy was adopted in 2014 prior to the gazettal of LPS2 that introduced the Mixed Use zone. The Policy provides guidance for the Residential/Commercial zone trading hours. The subject proposal has been assessed against this guidance which is equivalent to (now) Mixed Use zone.

The Licensed Premises Policy permits Small Bars to operate between 7am to 10pm Monday to Sunday in the Residential/Commercial zone. The proposed operating hours are consistent with the Licensed Premises Policy, with the exception of Friday and Saturday evenings, that are intended to operate until midnight.

The City received one objection relating to concerns of anti-social behaviour from the premises. The City also received comments in support noting that the proposal would assist with addressing current instances of anti-social behaviour by providing for activation of the streetscape, as well as having less of an impact as a result of noise than other venues in the area.

The proposed Small Bar and its intended operating hours would satisfy the objectives of the Licensed Premises Policy for the following reasons:

- The applicant has submitted an acoustic report prepared by Hewshott Acoustics. This is consistent with the requirements of the Licensed Premises Policy and is included as **Attachment 4**. This acoustic report assessed the noise that would be generated by the premises, inclusive of the approved Restaurant/Café and the proposed Small Bar. Based on the proposed operating hours, number of patrons and staff, and amplified music being played at low-level background noise the acoustic report concluded that compliance with the *Environmental Protection (Noise) Regulations 1997* would be achieved, with the exception of after 10pm. The acoustic report recommends that to achieve compliance after 10pm, windows are to be closed. Administration recommends a condition be imposed for the acoustic report to be implemented to ensure that noise generated from the premises would satisfy the requirements of the *Environmental Protection (Noise) Regulations 1997* and would not adversely impact on the amenity of nearby residential properties;
- The applicant has submitted a venue management plan. This is consistent with the Licensed Premises Policy and is included as **Attachment 5**. The venue management plan outlines measures related to the responsible service of alcohol, noise control and management, parking management and harm minimisation. The implementation of the venue management plan would ensure that the premises is appropriately managed to ensure that there is no detrimental impact on the amenity of the area. The need to implement the venue management plan has been previously conditioned in the approval for the Restaurant/Café and Shop;

- The Licensed Premises Policy outlines that licensed premises are generally located within Town Centre areas and along major roads, and areas zoned District Centre and Commercial would be most appropriate, although consideration may be given in other areas. The proposed Small Bar is located adjacent to Beaufort Street. The site is zoned Mixed Use under LPS2 and with adjoining properties that front Beaufort Street zoned Commercial under LPS2. The site's location amongst Commercial zoned properties fronting Beaufort Street, the main building frontage oriented towards Beaufort Street and close proximity to existing uses of a similar nature makes the subject site well suited and appropriate to accommodate the proposed Small Bar use; and
- The proposed hours would be consistent with existing licensed premises within the locality. The Brisbane Hotel adjacent to the subject site operates until midnight on Fridays and Saturdays, while Safa City which is located approximately 40 metres from the subject site operates until 1:00am on Fridays and Saturdays. P'tite Ardoise Bistro which is directly opposite the subject site to the west operates until 10pm on Fridays and Saturdays. In the wider locality there are other licensed premises venues that operate with similar hours including the Ellington Jazz Club, the Queens Tavern, and the former Flying Scotsman. The proposed operating hours would also be consistent with the *Liquor Control Act 1988* which permits premises with a Small Bar license to operate from 6am to midnight Monday to Saturday, and 10am to midnight on Sunday.

Administration recommends a condition be imposed restricting the operating hours of the Small Bar component to be between midday to 6pm on Monday and Tuesday, midday to 10:00pm on Wednesday, Thursday and Sunday, and midday to midnight on Friday and Saturday.

#### Car Parking

There is no parking shortfall being proposed as part of this application and no discretion is being sought in this regard. This is because the operation of the proposed Small Bar would not operate independently, but rather in conjunction with the previously approved Restaurant/Café and Shop. As a result there would be no intensification of activity on the site and no additional car parking demand generated.

The previous development approval issued for the Restaurant/Café and Shop at the subject site accepted a shortfall of 14.7 parking bays. Of these, 14 bays were required for the Restaurant/Café component and 0.7 bays were required for the Shop component.

The parking shortfall for the previous Restaurant/Café and Shop development approval was accepted for the following reasons:

- The building on the subject site was developed without the provision of any on-site parking. Businesses operating from the premises historically have not had any on-site parking availability;
- The building is listed on the City's MHI. To provide for on-site parking, the building would need to be partially demolished, which would be inconsistent with the principles of the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Policy);
- The site is in close proximity to public transport and public car parking which would accommodate the demands of the development. The site is located adjacent to Beaufort Street which is a high frequency bus route. The following public car parking is also available nearby to the subject site:
  - There are 214 parking bays located within the Brisbane Street car park which is located approximately 35 metres across the road from the subject site and provides for ticketed parking between 7:00am to midnight Monday to Sunday. The City's parking survey data identifies that there are on average 178 bays available at any one time. The busiest period was between 6:00pm and 8:00pm on Saturday where 153 bays were available;
  - There are 49 on-street parking bays along Brisbane Street that are located immediately in front of the subject site. The City's parking data identifies that there are on average 17 bays available at any one time. The busiest period was between 12:00pm and 2:00pm on Friday and Saturday where nine bays were available; and
- Under the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Parking Policy), the parking standards for Restaurant/Café and Small Bar are the same, being 0.2 spaces per person. Given the Small Bar and Restaurant/Café uses do not operate independently and there is no intensification of activity in the premises, the subject application does not propose any greater parking shortfall than that previously approved.

#### Heritage Policy



The subject site consists of Meade House which is identified as Category B – Conservation Recommended on the City's MHI.

The subject application does not propose any works to the building. External works to the façade, including signage and modifications to the windows fronting Brisbane Street were approved under the previous development application for the Restaurant/Café and Shop. These works were supported by a Heritage Impact Statement and were consistent with the requirements of the City's Heritage Policy.

The City's Heritage Policy does not include specific requirements related to change of use proposals. The development control principles of [State Planning Policy 3.5 – Historic Heritage Conservation](#) encourage change of uses as a means of conserving and protecting heritage places. The cultural heritage significance of Meade House is noted as reinforcing the commercial node on the corner of Beaufort Street and Brisbane Street. The proposed change of use is consistent with this and would not detrimentally negatively impact on the cultural significance of the building.

**CITY OF VINCENT  
LOCAL PLANNING SCHEME NO. 2  
SCHEME MAP 1 - LEEDERVILLE**

**LEGEND**

**METROPOLITAN REGION SCHEME RESERVES**

*Note: The Western Australian Planning Commission uses the Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves.*

- PARKS AND RECREATION
- R Restricted Public Access
- PRIMARY REGIONAL ROADS RESERVATION
- OTHER REGIONAL ROADS RESERVATION
- RAILWAYS
- PUBLIC PURPOSES  
Particular use denoted as follows:
- H Hospital
- HS High School
- TS Technical School
- CP Car Park
- U University
- CG Commonwealth Government
- SU Special Use
- WSD Water Authority of Western Australia
- P Prison

**CITY OF VINCENT LOCAL SCHEME RESERVES**

- PUBLIC OPEN SPACE
- R Restricted
- PUBLIC PURPOSES  
Particular use denoted as follows:
- PS Primary School
- CP Car Park
- CU Civic Uses
- HS High School
- I Institute for the Deaf
- W Water Supply Sewerage and Drainage
- TS Technical School

**CITY OF VINCENT SCHEME ZONES**

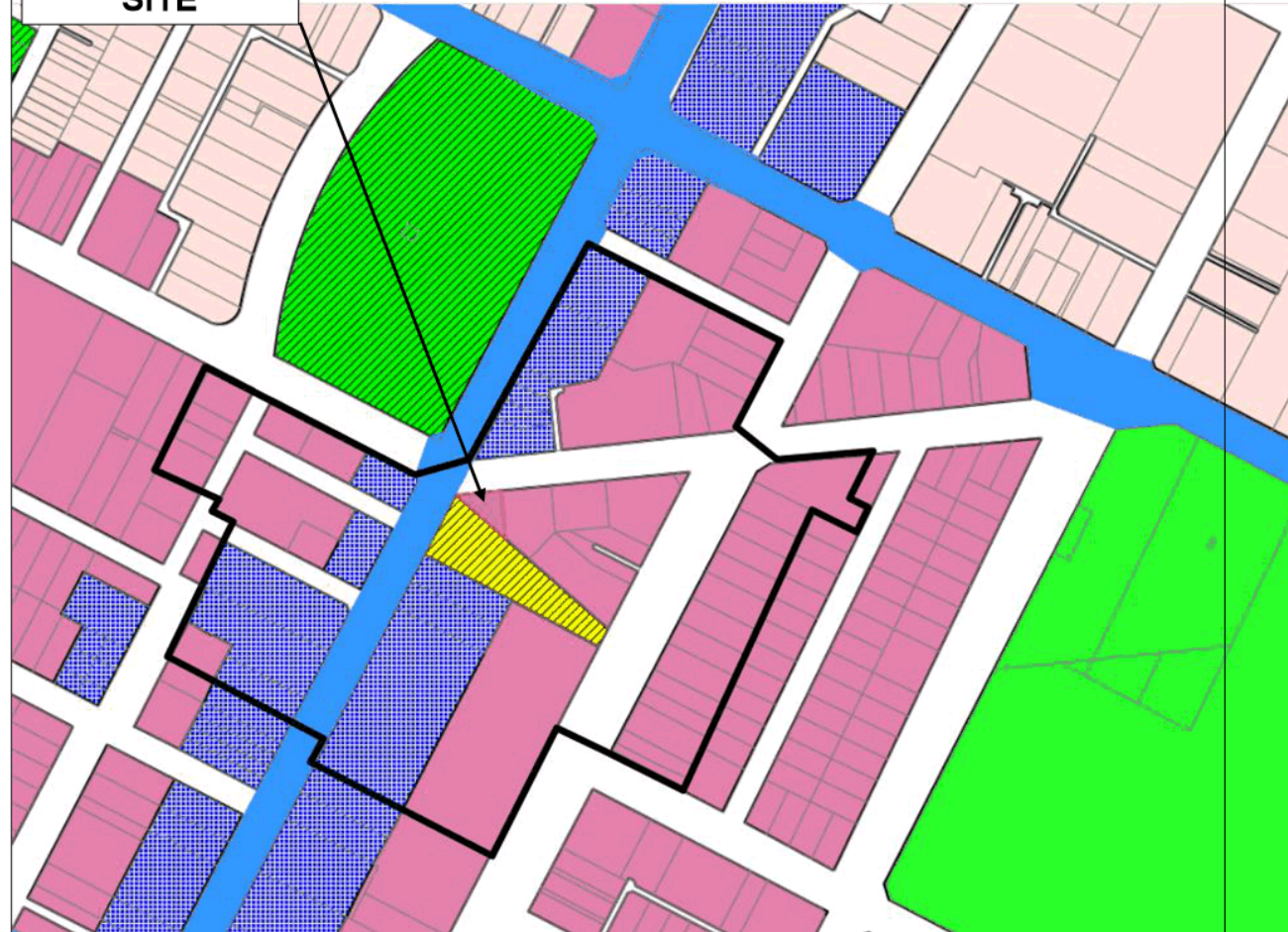
- RESIDENTIAL
- MIXED USE
- COMMERCIAL
- LOCAL CENTRE
- DISTRICT CENTRE
- REGIONAL CENTRE
- SPECIAL USE  
Particular use denoted as follows:
- CP Car Park
- CU Community Use
- FC Function Centre
- HC Hall and Non Residential Club
- H Hotel
- PW Place of Worship
- S Service Station

**ADDITIONAL USE**

**ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES**

- CODE AREA BOUNDARY
- SCHEME AREA BOUNDARY
- DENSITY CODE

**SUBJECT SITE**



CITY OF VINCENT

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Consultation and Location Map

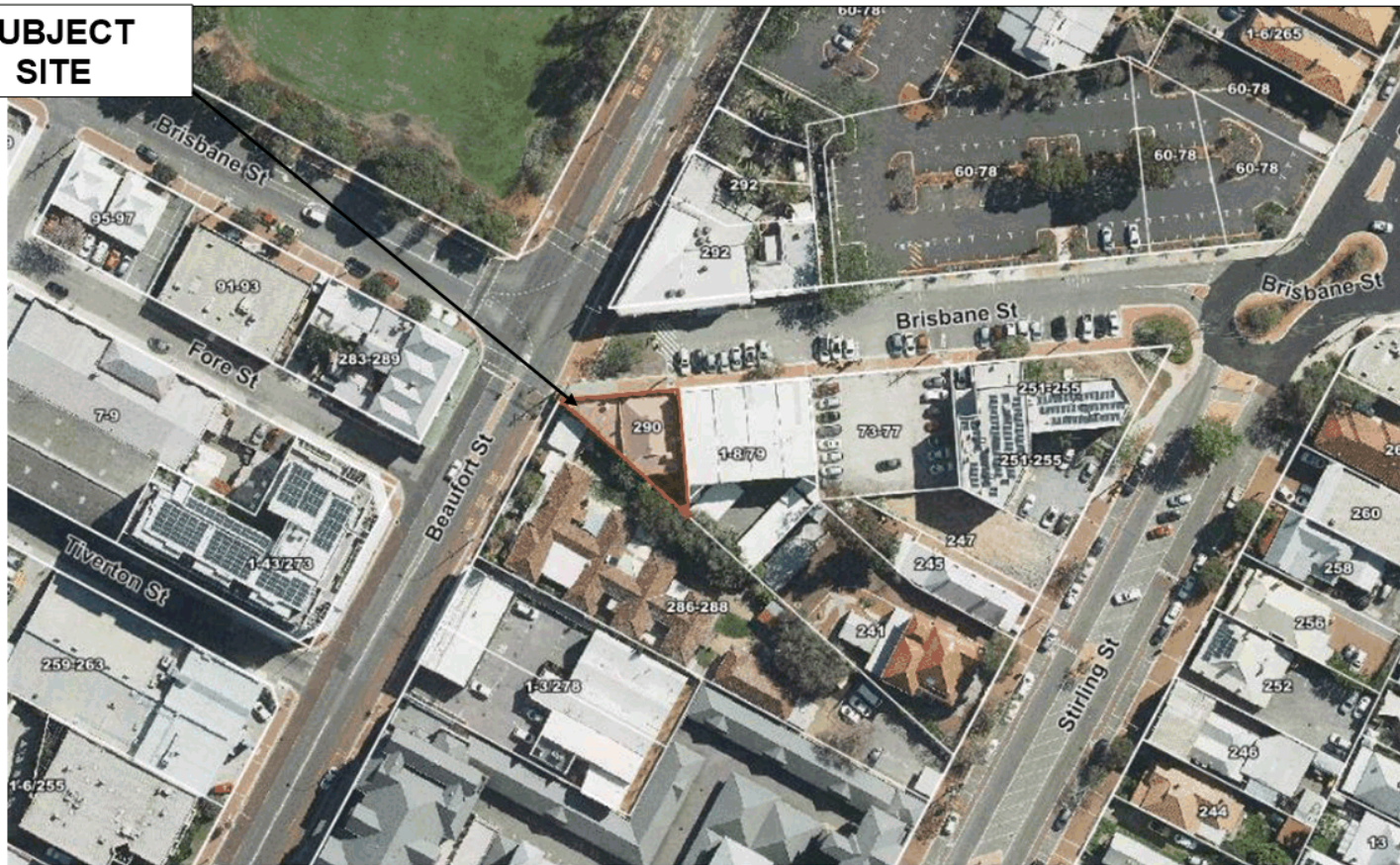
No. 290 Beaufort Street, Perth

Extent of Consultation





**SUBJECT SITE**



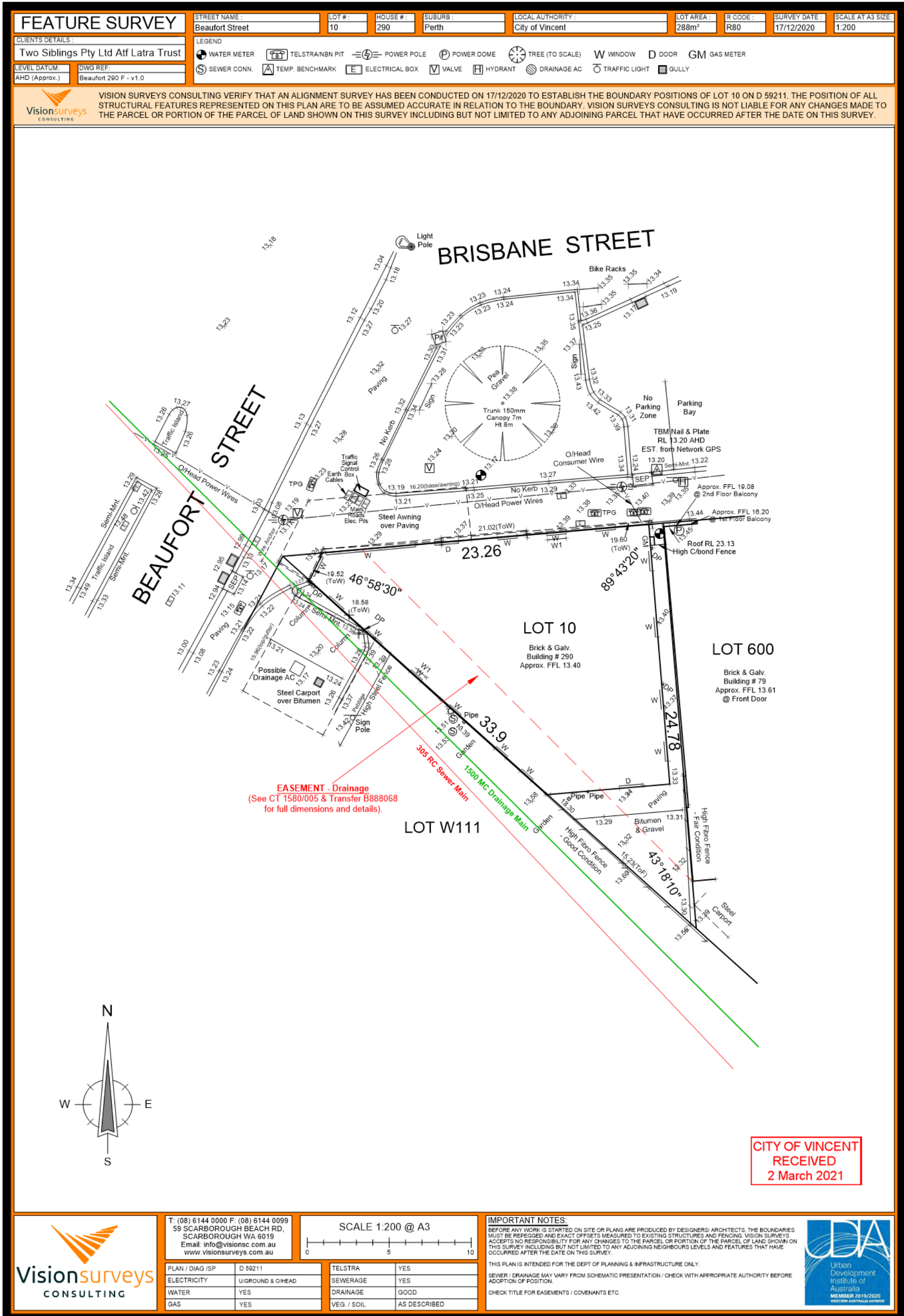
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No. 290 Beaufort Street, Perth

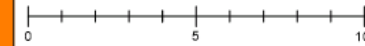






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SCALE 1:200 @ A3



PLAN / DIAG / SP	D 59211	TELSTRA	YES
ELECTRICITY	U/GROUND & O/HEAD	SEWERAGE	YES
WATER	YES	DRAINAGE	GOOD
GAS	YES	VEG. / SOIL	AS DESCRIBED

**IMPORTANT NOTES:**

BEFORE ANY WORK IS STARTED ON SITE OR PLANS ARE PRODUCED BY DESIGNERS/ ARCHITECTS, THE BOUNDARIES MUST BE REPEGGED AND EXACT OFFSETS MEASURED TO EXISTING STRUCTURES AND FENCING. VISION SURVEYS ACCEPTS NO RESPONSIBILITY FOR ANY CHANGES TO THE PARCEL OR PORTION OF THE PARCEL OF LAND SHOWN ON THIS SURVEY INCLUDING BUT NOT LIMITED TO ANY ADJOINING NEIGHBOURS LEVELS AND FEATURES THAT HAVE OCCURRED AFTER THE DATE ON THIS SURVEY.

THIS PLAN IS INTENDED FOR THE DEPT OF PLANNING & INFRASTRUCTURE ONLY.

SEWER / DRAINAGE MAY VARY FROM SCHEMATIC PRESENTATION / CHECK WITH APPROPRIATE AUTHORITY BEFORE ADOPTION OF POSITION.

CHECK TITLE FOR EASEMENTS / COVENANTS ETC.





DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL



**P00** SITE PLAN  
1:500



**CITY OF VINCENT  
RECEIVED  
2 March 2021**



**MATA DESIGN  
STUDIO  
INTERIOR  
& BUILT  
ENVIRONMENTS**

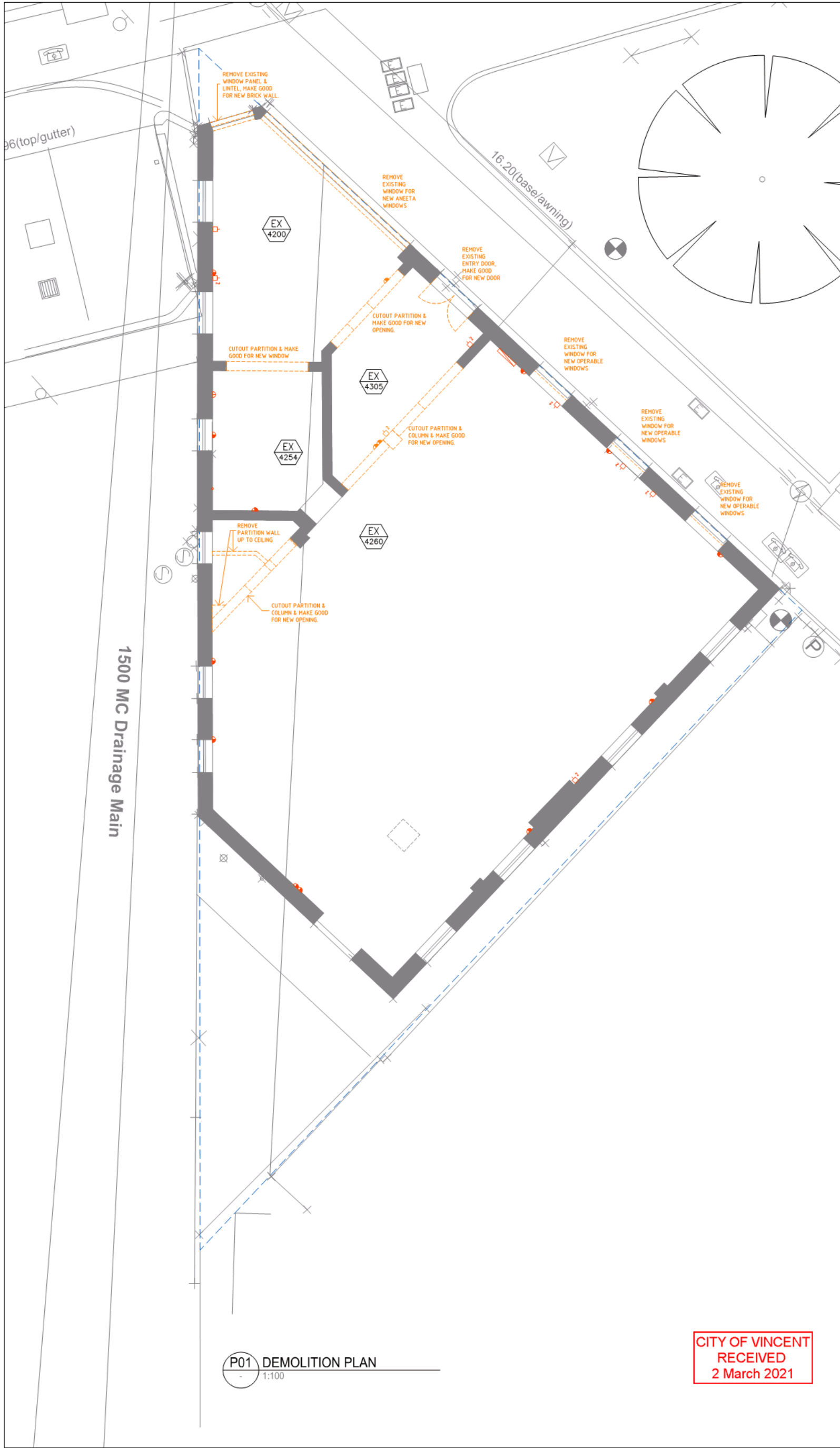
17 BREWER ST PERTH WA 6000  
08 9443 7961  
WWW.MATADDESIGN.COM.AU  
ABN 93 908 779 656

PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	SITE PLAN
DRAWING NUMBER	<b>DA00</b> /01
PLOT DATE	25/02/2021
SCALE	1:500 @ A3
DRAWN	CT/PL
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DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL



P01 DEMOLITION PLAN  
1:100

CITY OF VINCENT  
RECEIVED  
2 March 2021



**MATA DESIGN STUDIO**  
INTERIOR & BUILT ENVIRONMENTS  
17 BREWER ST PERTH WA 6000  
08 9143 7961  
WWW.MATADDESIGN.COM.AU  
ABN 93 908 779 656

PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	BASE BUILD LAYOUT / DEMOLITION LAYOUT
DRAWING NUMBER	<b>DA01</b> /01
PLOT DATE	25/02/2021
SCALE	1:100 @ A3
DRAWN	CT/PL
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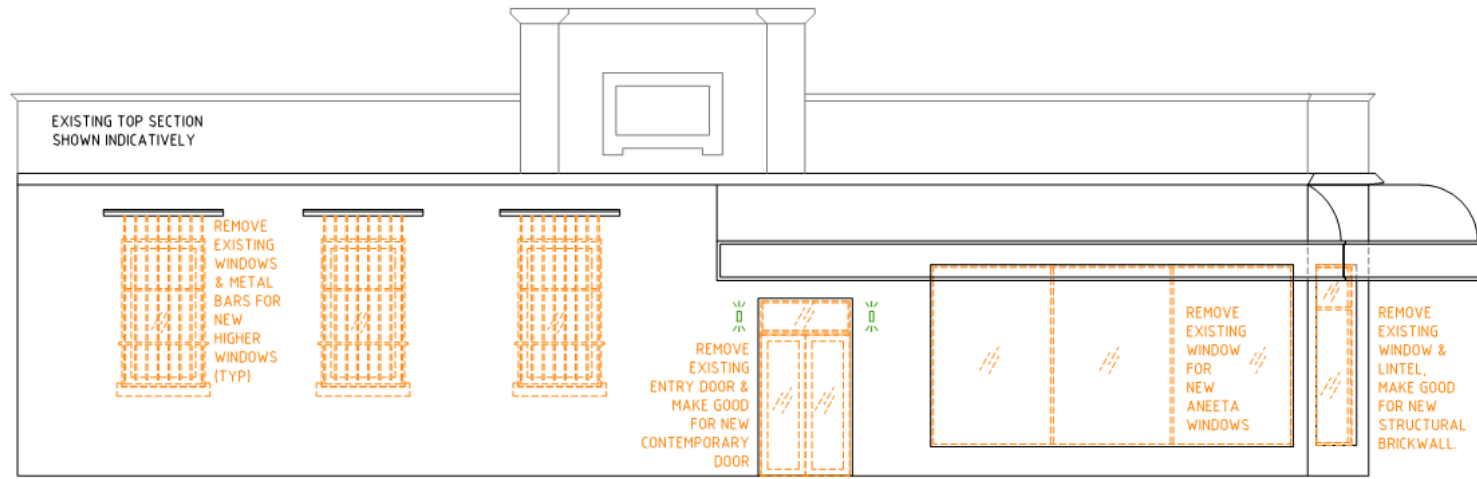
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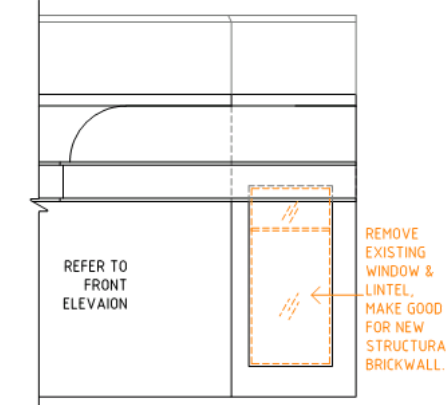




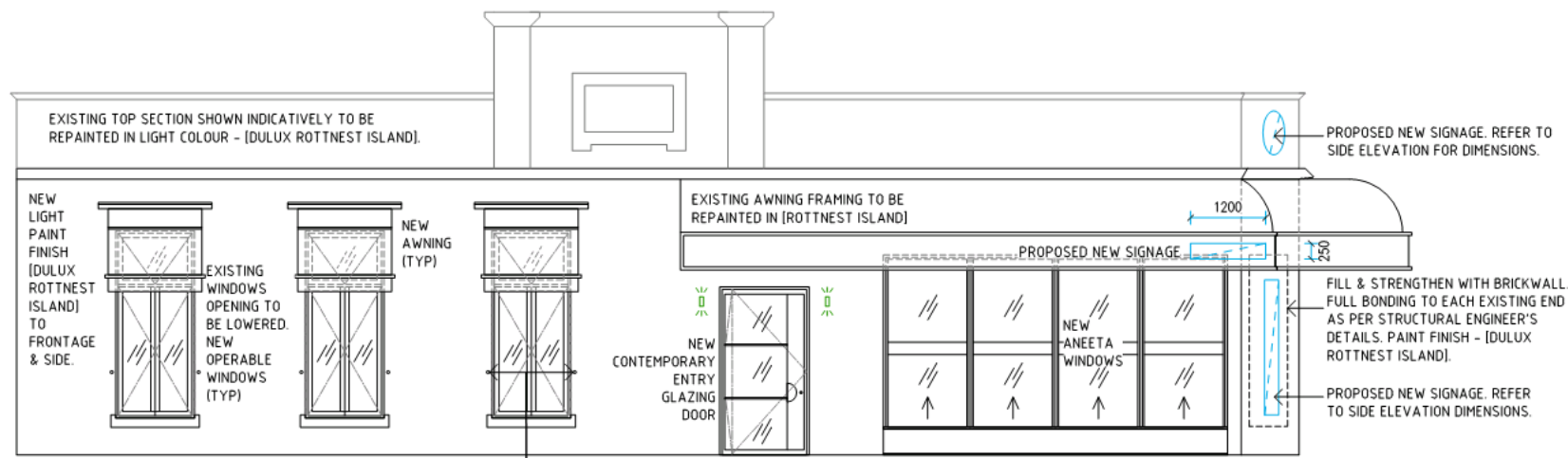
CITY OF VINCENT  
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12/04/2021



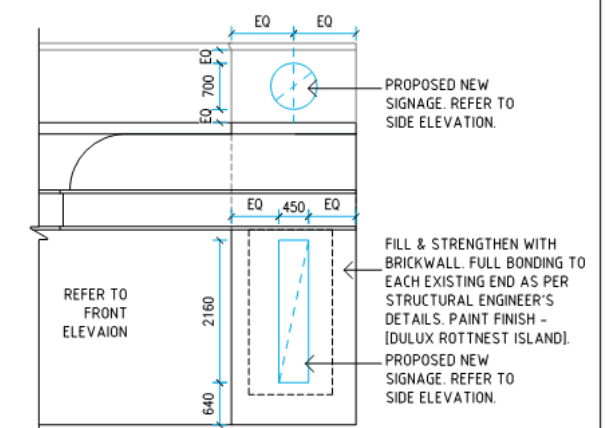
**E01 ELEVATION** OLD / DEMOLITION  
DA02 1:100 FRONTAGE - NORTH



**E02 ELEVATION** OLD / DEMOLITION  
DA02 1:100 FRONTAGE - WEST



**E01 ELEVATION** NEW  
DA02 1:100 FRONTAGE - NORTH



**E02 ELEVATION** NEW  
DA02 1:100 FRONTAGE - WEST

DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL
02.03.2021	02	ISSUE FOR HERITAGE APPLICATION
01.04.2021	03	ISSUE FOR DEVELOPMENT APPROVAL
06.04.2021	04	ISSUE FOR DEVELOPMENT APPROVAL
08.04.2021	05	ISSUE FOR DEVELOPMENT APPROVAL



PROJECT	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
PROJECT NO.	2011-06
PLOT DATE	08/04/2021
SCALE	1:100
PAGE SIZE	A3
DRAWN	CT

DRAWING	FRONTAGE ELEVATION
DRAWING NO.	DA03 /05

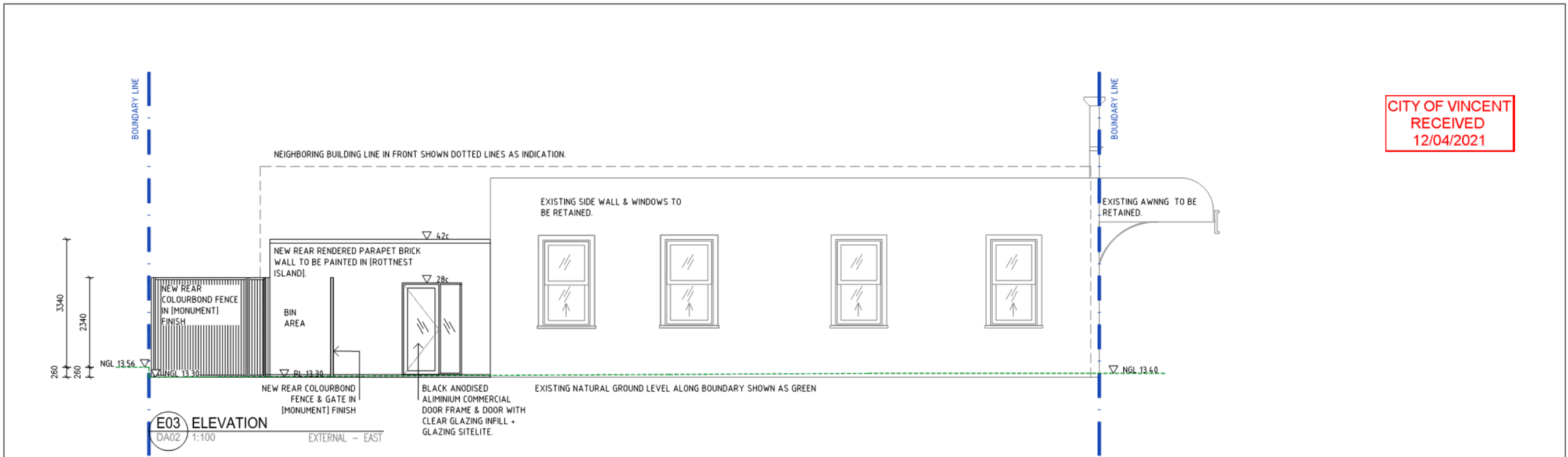
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CITY OF VINCENT  
RECEIVED  
12/04/2021



**E03 ELEVATION**  
DA02 1:100 EXTERNAL - EAST



**E04 ELEVATION**  
DA02 1:100 EXTERNAL - SOUTH WEST

<p>DATE REV ISSUE</p> <p>08/04/2021 00 ISSUE FOR DEVELOPMENT APPROVAL</p>	<p><b>MATA DESIGN STUDIO</b> INTERIOR &amp; BUILT ENVIRONMENTS</p> <p>27 BEAUFORT ST PERTH WA 6000 08 9477 7250 WWW.MATADesign.COM.AU MATA 08 9477 7250</p>	<p>PROJECT TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000</p>	<p>DRAWING EXTERNAL SIDE ELEVATIONS</p>	<p><b>FOR INFORMATION ONLY</b> NOT FOR CONSTRUCTION PURPOSES</p> <p>THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF 'MATA DESIGN STUDIO' AND MUST NOT BE USED WITHOUT WRITTEN AUTHORIZATION.</p> <p>DO NOT SCALE FROM THIS DRAWING.</p> <p>ALL DIMENSIONS ARE TO BE VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED BEFORE COMMENCEMENT OF ANY WORK OR SHOP DRAWINGS.</p>
<p>PROJECT NO. 2011-06</p> <p>PLOT DATE 08/04/2021</p> <p>SCALE 1:100</p> <p>PAGE SIZE A3</p> <p>DRAWN CT</p>		<p>DRAWING NO. DA05 /00</p>		



8 March 2021

City of Vincent  
Attn. Planning Services  
99 Loftus Street  
Leederville WA 6007

Dear Sir/Madam,

## **NO.290 (LOT 10) BEAUFORT STREET, PERTH PROPOSED SMALL BAR**

Urbanista Town Planning have been engaged by the landowners of the subject property to prepare and submit a development application for the proposed Small Bar. Attached in this submission are the following documents:

- Completed and signed Application for Development Approval Form and MRS Form 1
- Certificate of title
- Development plans
- Planning Letter

For the purpose of assessment, despite any contradicting contents of the attached planning letter, this application is solely for the proposed Small Bar use at the subject site as the approval for the mentioned restaurant use is expected imminently.

Overall, a Small Bar use is consistent with the Scheme and Zone objectives of the Mixed Use zone and unlikely to have any notable impact on the amenity of other nearby properties or the streetscape generally. We look forward to working with the City to reach an amicable and timely solution in development approval.

**REDACTED FOR PRIVACY PURPOSES**



26 February 2021

City of Vincent  
Attn. Planning Services  
99 Loftus Street  
Leederville WA 6007

Dear Sir / Madam,

### **NO.290 (LOT 10) BEAUFORT STREET, PERTH PROPOSED SHOP, RESTAURANT AND SMALL BAR**

The owner has engaged Urbanista Town Planning to lodge an application for a change of use to the proposed 'shop', 'restaurant', and 'small bar' with minor external works to the shop facade. The tenancy is currently vacant, however, previously operated as an office.

This letter includes the following attachments:

- Signed and completed Development Application forms with Certificate of Title
- Development Plans
- Heritage Impact Statement
- Parking Management Plan

#### **PROPERTY DETAILS AND LOCAL PLANNING FRAMEWORK**

The subject site at No. 290 Beaufort Street, Perth, is 288sqm in area and is registered as Lot 10 on Diagram 59211. The site is located within the City of Vincent ('City') and is zoned 'Mixed Use R80' as per the City's Local Planning Scheme No. 2 ('LPS2' or 'Scheme'). There are no Special Control Areas or Development Contribution Plans which apply to the site.



Figure 1, Aerial Image of the subject site (highlighted). MetroMap – February 2021.

231 Bulwer Street, Perth WA 6000  
| admin@urbanistaplanning.com.au | www.urbanistaplanning.com.au |



## CONTEXT

Several nearby shops and restaurants share similar aspects of the proposal, shown in **figure 2** and detailed below. All of the venues identified in figure 2 do not provide on-site parking. Staff will be encouraged to utilise public transport and visitors if driving will primarily utilise available on street parking or the paid parking next to the Brisbane Hotel.



Figure 2, nearby dining/entertainment venues. *MetroMap – February 2021.*

During the day, the **Source Foods** café across Beaufort Street serves food, coffee and other non-alcohol drinks from 7am until 2pm. The majority of 'dine in' seating is alfresco seating.

During the afternoon and evening, nearby dining/entertainment venues open for service as follows:

- **The Brisbane Hotel** opens at 12 midday. Their kitchen begins service for lunch and continues through to dinner, closing at 10pm or midnight weekdays and weekends, respectively. Alcohol is available for purchase throughout. There is an inside and outdoor dining area where amplified music as well as live music is played in the late afternoon until close.
- **P'tite Ardoise Bistro** opens at 6pm to serve dinner until 10pm; alcohol is available with dinner service. Service is predominantly indoors, where only ambient music is played with some alfresco dining available along Beaufort Street.
- **Safa City café** opens at 5:30pm to serve dinner and alcohol, closing at 10:30pm or 1am weekdays or weekends respectively. There is an inside and outside dining area, with amplified music played after dinner. The outside area is a fusion of alfresco and beer-garden décor.



## PROPOSAL

### NATURE OF THE PROPOSED BUSINESS

The proposal is for Tom's Wholesome Food ('Tom's'), a multi-function venue in terms of planning uses and incorporates a 'shop', 'restaurant' and 'small bar' component, to occupy the existing vacant premises. Tom's is a full-service deli-style grocer and café serving homestyle meals.



The core activity of the business is the provision of food products and service. The premises namesake is operations manager Tomislav Lukich. Mr Lukich is a well-known hospitality operator who successfully operated Tom's on Oxford Street in Leederville for over 25 years.

### PLANNING INFORMATION

The details of the proposal are summarised in the table below:

Use	Number of Staff	Capacity	Operating Hours
<b>Restaurant/shop/small bar</b>	6 full time staff; 2 part time staff; 3-6-casual staff	70	Mon to Tues: 0600 – 1800 Wed to Thurst: 0600 – 2200 Fri to Sat: 0600 - 0000 Sunday: 0600 – 1800
<b>Admin Office (Incidental)</b>	NA	NA	NA

The proposed 'small bar' is part of the above 'restaurant/shop'. It is an evening function that comes into effect after standard business hours to complement the dining experience.

Minor improvement works to the external facade are proposed and discussed in the attached Heritage Impact Statement.

## OPERATIONAL INFORMATION

**Hospitality and Service** — The premises will include a full commercial kitchen with food storage facilities for fresh and dry store ingredients. Catering will meet a la carte and catering requirements and those who have booked functions and events at the venue. All food will be prepared from scratch using fresh, seasonal ingredients. The menu will cater for special dietary requirements offering organic, vegetarian, vegan, gluten-free, dairy-free, paleo and raw options. Catering clients will be able to request “off-menu” dishes that are specifically tailored to their dietary and event requirements. The maximum patron capacity of 70 persons.



**Expertise** — The premises will be completely refurbished. To this end, Paul Lim of Mata Design Studio was retained in December 2020 together with Des Gibson at Caterlink. Mr Lim has extensive hospitality design experience having completed Island Market, Trigg, Miss Chow's, South Perth and venues at Crown Casino Perth, Burswood. Mr Gibson has a high level of knowledge and expertise in kitchen solutions having extensive experience in back of house planning and kitchen and bar design. In addition, the owners and senior management of Tom's have extensive experience in the hospitality industry and local knowledge. This will provide an amenity that is attractive to local residents and visitors to the Perth city fringe and Northbridge precincts who are seeking a unique food and beverage experience.

**Local Relationships** — Tom's food is created to appeal to a diverse range of customers. It will promote the use of local produce, suppliers and beverage products. We anticipate that a large number of patrons will be local residents who are able to walk to the premises.

**Employment** — The premises will provide direct employment in the area with the equivalent of six (6) full time jobs on site in addition to three (3) part time jobs and between 3 to 6 casual jobs. In addition, refurbishment of the premises will support a range of other employment during this phase.



**Access & Transport** — While local customers are anticipated, non-local customers to the venue are expected to use the public transport mentioned below or suitable ride-sharing services. For customers who drive, parking is available at the Brisbane Street Car Park (opposite the proposed premises). The carpark offers 202 parking bays at a cost of \$2.90 per hour (between the hours of 7am to midnight Monday to Sunday) with the first hour free.



**Figure 3**, Public Transport routes within walking proximity of the site.

Public transport is available within walking distance of the premises with high-frequency bus routes along Beaufort Street, making the site exceptionally well accessed via public transport as follows:

- Bus Stop ID 12173 & 12134 provides frequent bus service, including late-night service, via routes 67, 68 and 950.
- Bus Route 67 & 68 connects Perth – Morley via Beaufort St with peak services every 30 minutes.
- Bus Route 950 connects QEII, UWA, Perth and Morley with peak services every 7 mins on weekdays and 10-15 mins on weekends.
- McIver Train Station (<850m, 10mins walking) connects to Perth CBD – Midland, Armadale or Thornlie.
- Perth Train Station (<1km, 15mins walking) connects Perth CBD – Fremantle, Butler, Midland, Armadale or Thornlie.
- East Perth Train Station (<1.1km, 15mins walking) connects Perth CBD – Midland.

**Waste Management** — JJ Richards & Sons will remove waste and recycled packaging from the premises. Collection services for the waste will occur between 7am and 7pm, and recycling will be encouraged amongst all staff members to minimise the generation of waste on-site. All operations, storage and removal, will be per the City's guidelines.

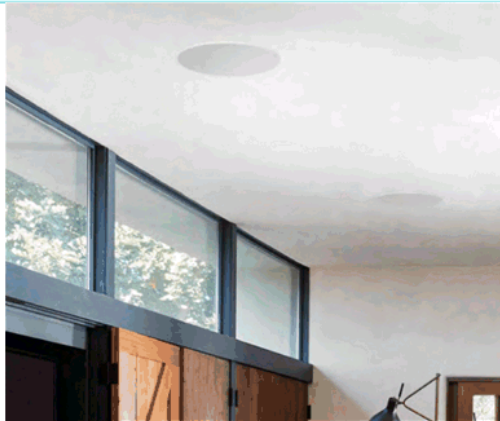




**Music and Noise** — Speaker systems will be installed in the ceiling and on the walls. The speakers will play ambient and background music. No live music nor external speakers are proposed, and the majority of patrons will dine inside the venue and will drastically reduce the generation of noise as a result of their gathering.

The music will not be played at loud volumes and is not akin to dancing or club music; therefore, no acoustic report is considered necessary. This is further supported as the speakers themselves are unsuited to emit sound pressures above 1.00 Pa per their capable dB SPL and Wattage (specifications below).

<i>Sonos In-Ceiling Speakers by Sonance (pair).</i>	<i>Phantom II by Devialet</i>
<ul style="list-style-type: none"> <li>• 130 Watts</li> <li>• 44 Hz – 20 kHz</li> <li>• 89dB SPL</li> </ul>	<ul style="list-style-type: none"> <li>• 350 Watts</li> <li>• 18Hz – 21kHz</li> <li>• 96dB SPL</li> </ul>





## PLANNING ASSESSMENT

The planning instruments which make up the applicable planning framework are as follows:

- Local Planning Scheme No.2 ('LPS2')
- The City's Policy 7.7.1 Non-Residential Parking Requirements ('PBP7.7.1')
- The City's Planning and Building Policy 7.5.21 Sound Attenuation ('PBP7.5.21')
- Schedule 2 ('Deemed Provisions') of the *Planning and Development (Local Planning Schemes) Regulations 2015* following the changes of the *Planning and Development Amendment Regulations 2020*.

### LOCAL PLANNING SCHEME NO 2

The proposed uses are best defined as 'shop', 'restaurant/cafe' and 'small bar' per LPS2 Part 6, Division 2 as follows:

**restaurant / café** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licensed under the Liquor Control Act 1988;

**shop** means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

**small bar** means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

A 'Restaurant/cafe' and 'small bar' are both 'A' uses per the zoning table of LPS2, which means that in accordance with clause 18(2) "the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions". At Note 1 of clause 18(2) LPS2 provides that the local government will have regard to clause 67 of the *Deemed Provisions* when assessing any application. Therefore, an assessment per clause 67(2), provided towards the end of this letter demonstrates the uses are acceptable and capable of being approved.

A shop is a 'D' class use and is exempt from the requirement of development approval in accordance with clause 61(3) of the *Deemed Provisions*.

### ZONE OBJECTIVE

Consistency with the Zone Objective is a relevant factor for the assessment of an 'A' class use, per clause 67(2)(a) of the *Deemed Provisions*, and is considered in the table below accordingly.

#### Clause 16 Zones

#### Clause 16(1) Table of Zone Objectives

*The objectives of the Mixed Use Zone are as follows -*

*To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*

**Satisfied** – all uses proposed are active or interact with the street level. The site itself has a number of uses and contributes to a localised variety of uses. The uses are compatible with residential uses as there will be no adverse effect on residential amenity.

*To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial*



<b>Clause 16</b>	<b>Zones</b>
<b>Clause 16(1)</b>	<b>Table of Zone Objectives</b>
<i>The objectives of the Mixed Use Zone are as follows -</i>	
	<p><i>activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</i></p> <p><b>Satisfied</b> – the site contributes to the social and mental wellbeing of the local residents by providing a high quality and high amenity platform to socialise, dine and interact. The site avoids an adverse impact on the surrounding amenity.</p>
	<p><i>To provide for a compatible mix of high density residential and commercial development.</i></p> <p><b>Satisfied</b> – the proposal does not include a high density or redevelopment portion, nor is the site large enough to accommodate such a scale of development on its own. The proposed use does not intensify the existing low-density use and will not restrict future redevelopment opportunities from arising in the future.</p>
	<p><i>To promote residential use as a vital and integral component of these mixed use zones.</i></p> <p><b>Satisfied</b> – as above, the proposal does not include a residential component nor any substantial works, however the site is supportive of nearby residential uses and provides for a high quality setting for social interaction.</p>
	<p><i>To ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including, but not limited to, solar passive design, energy efficiency and water conservation.</i></p> <p><b>Satisfied</b> – no substantial works are proposed. The minor works are considerate of heritage interests as outlined in the attached Heritage Impact Statement.</p>
	<p><i>To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.</i></p> <p><b>Not applicable</b> – as above, the proposal does not include a residential component nor any substantial works.</p>

**PARKING**

The table below provides a car parking assessment per the previously approved office use and the proposed shop, restaurant/cafe and small bar. The small bar is used to determine the parking requirement of the entire proposal as its generation rate is higher than that of the shop.

Use	Parking requirement	Metric	Calculation
Approved Office	2 spaces per 100sqm NLA	210sqm of NLA	4 spaces
Proposed Small Bar/Restaurant	0.2 spaces per persons	70 max patrons	14 spaces

**Deficit 10 spaces**

The proposal results in a 10 car bay shortfall. This is when considering the most intensive use of ‘small bar’ which attracts the highest car parking rate for the proposal. The proposed car parking shortfall is considered appropriate for this site for the following reasons:

- The proposed business is a multi-functioning building affording further activation to Beaufort Street.
- The building has existed since the early 1900’s without car parking.



- The lot is unable to provide on-site parking without significant modifications to the building, which has heritage value.
- The staff associated with the business will be encouraged to utilise public transport, or alternatively through local employment have the ability to walk to work.
- The ethos of the business is to provide a local offering, with an ambition that the local community will support the business and conversely walk to the venue as opposed to opting to drive to the venue.
- The site is exceptionally serviced by high frequency public transport, within walking distance to major train stations and is adjacent to high frequency bus routes. Reducing the need for on site parking.
- The site is also exceptionally serviced by on-street parking bays and dedicated public car parks. Currently these bays are underutilised, and are only generally at capacity during trade at HBF Park, permitting capacity on the existing network.

In light of the above, the proposed 10 car bay shortfall is supportable. A car parking management plan is also provided (attached) which supports the assertions made above.

#### CHANGE OF USE CONSIDERATIONS FOR AN 'A' USE

In determining an application for a 'A' use, Clause 4.3.4 Note 2 provides that the local government will have regard to the matters set out in clause 67(2) of the Deemed Provisions, which is discussed in the context of the proposal, in the table below.

##### DEEMED PROVISIONS CLAUSE 67(2) – MATTERS TO BE CONSIDERED BY THE DECISION MAKER

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*  
**Satisfied** – The objectives and requirements of LPS2 and the Mixed Use zone have been met.
- (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;*  
**Satisfied** – follows the requirements of orderly and proper planning.
- (c) *any approved State planning policy;*  
**Satisfied** – All relevant State planning policies have been addressed.
- (d) *any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*  
**Satisfied** – All relevant environmental protection policies have been addressed.
- (e) *any policy of the Commission;*  
**Satisfied** – All relevant Commission policies have been addressed.
- (f) *any policy of the State;*  
**Satisfied** – All relevant State policies have been addressed.
- (fa) *any local planning strategy for this Scheme endorsed by the Commission;*  
**Satisfied** – The proposed development is consistent with the objectives of the local planning strategy.
- (g) *any local planning policy for the Scheme area;*



**DEEMED PROVISIONS CLAUSE 67(2) – MATTERS TO BE CONSIDERED BY THE DECISION MAKER**

**Satisfied** – All relevant local planning policies have been addressed.

(h) *any structure plan or local development plan that relates to the development;*

**Satisfied** – There are no structure or local development plans related to the development.

(i) *any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*

**Satisfied** – There are no relevant reports of the review of LPS2.

(j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*

**Satisfied** – The development site is not reserved under LPS2.

(k) *the built heritage conservation of any place that is of cultural significance;*

**Satisfied** – A Heritage Impact Statement has been prepared for the minor works to the façade.

(l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*

**Satisfied** – The development site is opposite the Brisbane Hotel, a local heritage site. There is no identified effect.

(m) *the compatibility of the development with its setting, including –*

(i) *the compatibility of the development with the desired future character of its setting; and*

(ii) *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;*

**Satisfied** – No substantial works are proposed; the site remains consistent with both the local scale and the relevant provisions of the local framework.

(n) *the amenity of the locality including the following –*

(i) *environmental impacts of the development;*

(ii) *the character of the locality;*

(iii) *social impacts of the development;*

**Satisfied** – The amenity of the locality will not be adversely affected. It will, instead benefit the social network of the immediate area.

(o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*

**Satisfied** – no likely impact is identified.

(p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*

**Satisfied** – no relevant works are proposed as part of this application

(q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*

**Satisfied** – the change of use will occupy the existing development and no relevant works are proposed as part of this application.

**DEEMED PROVISIONS CLAUSE 67(2) – MATTERS TO BE CONSIDERED BY THE DECISION MAKER**

(r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*

**Satisfied** – The development site is not contaminated, nor have any health or safety risks been identified.

(s) *the adequacy of –*

(i) *the proposed means of access to and egress from the site; and*

(ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*

**Satisfied** – there is no direct vehicle access to the site due to previous arrangements and developments. There are short term visitor parking and commercial vehicle zones on the portion of Brisbane street closest to the site.

(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;*

**Satisfied** – the site is within a Mixed Use planned area, abutting onto Beaufort Street and has exceptional access to public transport. The foreseeable generation of traffic is accommodated within this network.

(u) *the availability and adequacy for the development of the following –*

(i) *public transport services;*

(ii) *public utility services;*

(iii) *storage, management and collection of waste;*

(iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*

(v) *access by older people and people with disability;*

**Satisfied** – the area is extremely accessible by all of the above-mentioned factors, which will be perfectly suited to patrons' broad demographics in an inner city area.

(v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*

**Satisfied** – no potential loss is identified, in contrast, the proposal will benefit the local community by providing a meeting place and a high-quality setting for socialising.

(w) *the history of the site where the development is to be located;*

**Satisfied** – No historical issues of note have been identified.

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

**Satisfied** – The development significantly increases interaction and activity to the streetscape.

(y) *any submissions received on the application;*

Pending consultation.

(za) *the comments or submissions received from any authority consulted under clause 66;*

**Satisfied** – No external authority referrals required.

(zb) *any other planning consideration the local government considers appropriate.*

**Satisfied** – No other planning considerations have been identified.



**CONCLUSION**

The Applicant has the vision to create a vibrant and diverse amenity that appeals to a broad range of consumers, including local residents and businesses, urban professionals and visitors to the area who seek food, beverage and grocery products. Based on this submission's information, Urbanista Town Planning respectfully requests that the City support the proposed change of use.

REDACTED FOR PRIVACY PURPOSES

**Hewshott**  
Acoustics

International

INDEPENDENT CONSULTANTS

AUDIO VISUAL

ACOUSTICS

INFORMATION TECHNOLOGY

PROJECT MANAGEMENT

UK  
USA  
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22 March 2021

## Tom's Wholesome Food Proposed Shop, Restaurant and Small Bar - 290 Beaufort Street, Perth – Environmental Noise Impact Acoustic Report

### Acoustic Report for Development Application Rev. B

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## 1. Executive Summary

Hewshott International has been engaged by Two Siblings Pty Ltd to undertake the acoustic consultancy services for Development Application for the proposed shop, restaurant and small bar at 290 Beaufort Street, Perth.

This desktop review has identified key aspects of the acoustic design of the development.

The key aspects are:

- Environmental noise emission from the development.

An assessment of noise emission from the proposed shop, restaurant and small bar has been undertaken in accordance with EPRN 1997 at the nearest residential noise sensitive receptors (NSR's).

Provisional calculations of the noise emission determine that the noise levels will achieve compliance at the noise sensitive receptors in accordance with WA EPNR 1997. Only in a situation with windows open the noise level does not achieve compliance at NSR 79 Brisbane St. It is therefore recommended to keep the windows closed past 10pm to minimise the noise impact to the residents at 79 Brisbane Street.

However, the predictions can be regarded the worst-case scenario, as full venue capacity has been assumed. In reality full capacity of the development is not anticipated for every evening or during every night-time period.

Provisional calculations of noise levels from mechanical plant associated with the venue will achieve compliance at all noise sensitive receptors in accordance with WA EPNR 1997.

The predicted noise levels can be regarded as worst case, as all items have been assumed to be running simultaneously on heating mode during the most sensitive period (22.00 to 07.00 hours). In reality night-time activity from mechanical services is expected to be minimal.



## 2. Design and Test Standards

Australian Standards (AS) are now equivalent of International Standards (ISO), although some additional Australian Standards are referenced in this briefing document which have not yet been introduced into an ISO version. Note that British and European Standards are now being merged with ISO Standards.

### 2.1. Noise

#### 2.1.1 External Noise Emission

The following standards have been used to predict external noise emission from the Development

- AS 1055-1997 "Acoustics - Description and measurement of environmental noise-general procedures"

The above standard is similar to ISO 1996:2016 "Acoustics - Description, measurement and assessment of environmental noise".

- Environmental Protection (Noise) Regulations 1997.



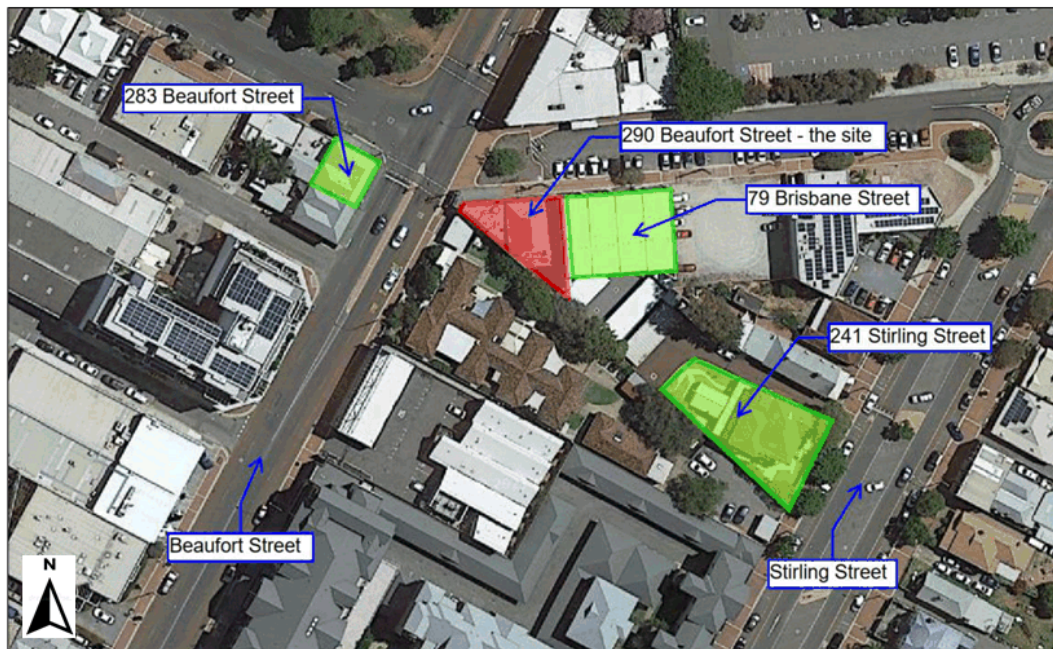
### 3. Project Location

290 Beaufort Street, Perth WA is located within a Mixed Use Zone consisting of mixed use developments and commercial land uses. It is surrounded by commercial buildings, including hotels and restaurants, as well as residential properties.

The two nearest noise sensitive residential receivers (NSR) are located at:

- 79 Brisbane Street, residential property within Mixed-use Zone, to the east from the development,
- 241 Stirling Street, residential property within Mixed-use Zone, to the south-east from the development,
- 283 Beaufort Street, residential property at first floor within Commercial Zone, to the west from the development.

Figure 3.1.1: Aerial view of site and its surroundings – source: Google Maps





## 4. Environmental Noise Impact Criteria

In Western Australia, the noise emissions from a development to a receiver are assessed in accordance with the Environmental Protection (Noise) Regulations 1997 (EPNR 1997). The noise emissions from the development are compared with calculated assigned noise levels at a given noise sensitive receiver.

### 4.1. EPNR 1997 Assigned Noise Levels Table

The Western Australian Department of Environmental Protection Noise Regulations (EPNR 1997), operate under the Environmental Protection Act 1986. The Regulations specify maximum noise levels that can be received at noise sensitive premises, including industrial, commercial and residential premises.

EPNR 1997 provides a methodology and stipulates clear procedures relating to noise assessments and control. The regulations provide limits for three types of assigned noise level:

- $L_{Amax}$  assigned noise level which cannot be exceeded at any time;
- $L_{A1}$  assigned noise level that cannot be exceeded for more than 1% of the time;
- $L_{A10}$  assigned noise level that cannot be exceeded for more than 10% of the time.

The resulting assigned noise levels are displayed in Table 4.1.1 below.

**Table 4.1.1: Assigned noise levels**

Type of premises receiving noise	Time of day	Assigned noise level (dB <sub>A</sub> )		
		$L_{A10}$	$L_{A1}$	$L_{Amax}$
Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	07:00 to 19:00 Monday to Saturday	45+IF	55+IF	65+IF
	09:00 to 19:00 Sunday and Public holidays	40+IF	50+IF	65+IF
	19:00 to 22:00 All days	40+IF	50+IF	55+IF
	22:00 to 07:00 All days	35+IF	45+IF	55+IF
Noise sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	60	75	80
Commercial premises	All times	60	75	80
Industrial and utility premises	All times	60	75	80

The “influencing factor” (IF) is calculated for each of noise-sensitive premises receiving noise. It takes into account the amount of industrial and commercial land and the presence of major roads within a 450m radius around the noise receiver.



#### 4.2. EPNR 1997 Noise Character Adjustments

It is a requirement of EPNR 1997 that the noise character of any breakout noise from a development be free of annoying characteristics, namely –

- Tonality, e.g. whining, droning;
- Modulation, e.g. like a siren; and
- Impulsiveness, e.g. banging, thumping.

According to EPNR 1997, “if these characteristics cannot be reasonably and practicably removed, e.g. in the case of an emission like music, then a series of adjustments to the measured levels are set out, and the adjusted level must comply with the assigned level”. The adjustments are set out below.

**Table 4.2.1: EPNR 1997 noise character adjustments**

Adjustment where noise emission is not music These adjustments are cumulative to a maximum of 15 dB			Adjustment where noise emission is music	
Where tonality is present	Where modulation is present	Where impulsiveness is present	Where impulsiveness is not present	Where impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB

When amplified music is present inside the facility, an adjustment to the assigned levels should be applied.

The predicted noise levels presented in the music noise assessment assume a +10dB adjustment on account of music.

#### 4.3. Nearest Noise Sensitive Receiver (NSR)

The assigned noise levels defined in the regulations have been calculated for the following nearest noise sensitive receiver (NSR) below, located about 5m, 30m and 25m from the site:

1. 79 Brisbane Street,
2. 241 Stirling Street,
3. 283 Beaufort Street.

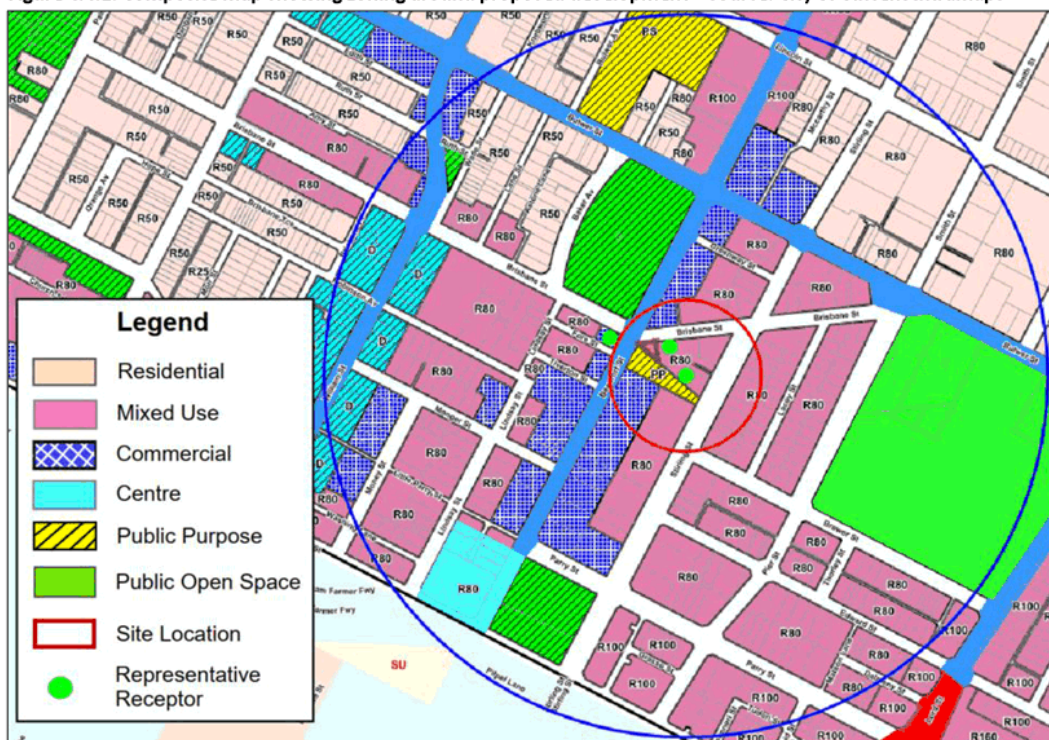
#### 4.4. Calculation of Assigned Noise Levels

Based on the regulations set out in the WA Environmental Protection (Noise) Regulations 1997, the maximum allowable noise levels are determined using the assigned noise level base values and the influencing factor (IF). The influencing factor takes into account zoning and road traffic around the receiver of interest within a 100 and 450m radius. In figure 4.4.1, the red circle is the 100m radius circle, and the blue circle is the 450m radius circle. Their centre is one of the noise-sensitive receivers under consideration (241 Stirling Street).





Figure 4.4.1: Composite map showing zoning around proposed development – source: City of Vincent Intramaps



**4.4.1 100-Metre-Radius Circle**

Based on the available information, the percentage of commercial use within the 100-metre-radius circle is 8%, and 0% industrial activity has been identified within this area.

**4.4.2 450-Metre-Radius Circle**

Based on the available information, the percentage of commercial use within the 450-metre-radius circle is 7%, and no industrial activity has been identified within this area.

**4.4.3 Traffic/Transport Factor**

There is one major road (more than 15,000 vehicles per day) and no secondary (6,000 – 15,000 vehicles per day) roads within the 100m radius area. There are no other major roads within the 450m radius area.

From information provided by Main Roads WA, which is summarised in table below, the transport factor is 6.

Table 4.4.3.1: Major and Secondary Roads near the NSR

Road	Vehicles per day	Classification
Beaufort Street	20,215	Major





#### 4.4.4 Influencing Factor

Based on calculations, and taking into account the percentage of commercial, industrial and residential areas as well as secondary and major roads in the 100 and 450 metre radius circles, the influencing factor is **7 dB**.

#### 4.4.5 EPNR 1997 Assigned Noise Levels Table – NSR

The resulting assigned noise levels for the NSR are displayed in Table 4.4.5.1 below.

**Table 4.4.5.1: Assigned Noise Levels at Beaufort St and Stirling St.**

Type of premises receiving noise	Time of the day	Assigned Noise Level (dB)		
		L <sub>A10</sub>	L <sub>A1</sub>	L <sub>Amax</sub>
Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	07.00 to 19.00 hrs Monday To Saturday	52	62	72
	09.00 to 19.00 hrs Sunday and Public holidays	47	57	72
	19.00 to 22.00 hrs All days	47	57	62
	<b>22.00 to 07.00 hours all days</b>	<b>42</b>	<b>52</b>	<b>62</b>
Commercial premises	All times	60	75	80
Industrial and utility premises	All times	65	80	90

The most sensitive period is highlighted in bold.

L<sub>A10</sub> is an acoustic descriptor which corresponds to the noise level exceeded for ten per cent of the time period under consideration; this may be considered to represent an “average maximum level” and is often used for the assessment of road traffic noise. The L<sub>A1</sub> is the level exceeded for one per cent of the time; this is representative of the maximum levels recorded during the sample period. The L<sub>Amax</sub> is the absolute maximum recorded level, which is most useful for assessing sounds of short duration.



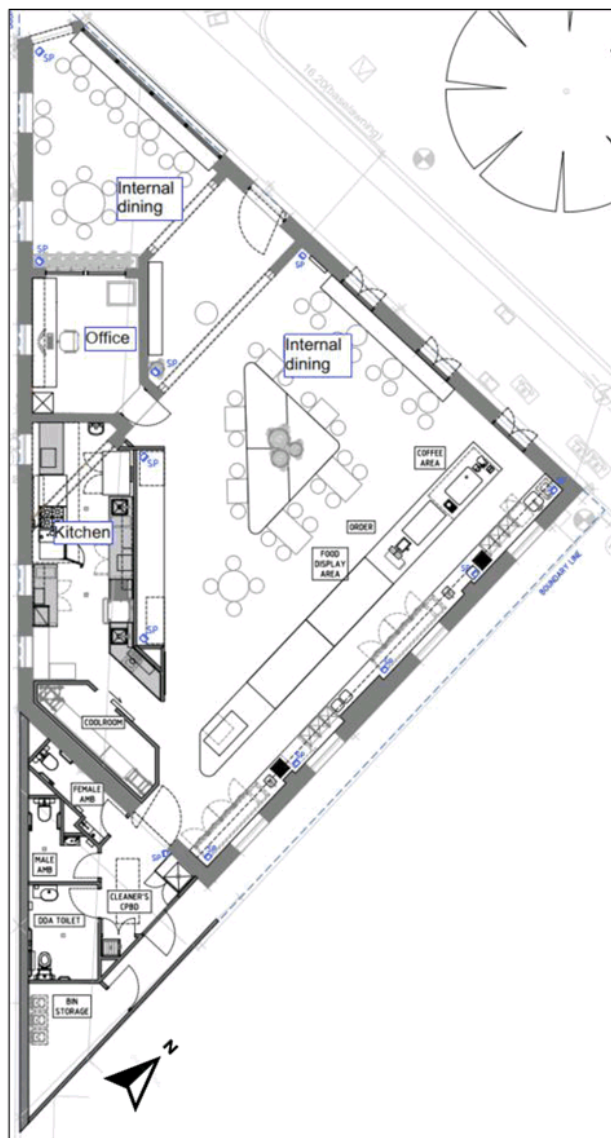
### 5. Noise Emission

The proposed shop, restaurant and small bar will be located on the ground floor of the existing building on 290 Beaufort Street, Perth. It will operate 7 days a week during the following times:

- Monday – Tuesday 6am – 6pm,
- Wednesday – Thursday 6am – 10pm,
- Friday – Saturday 6am – 12am,
- Sunday 6am – 6pm.

The venue will host up to 70 patrons and maximum of 14 full time, part time and casual staff members at any time. The proposed floor plan is presented in figure 5.1 below:

**Figure 5.1: Proposed shop, restaurant and small bar floor plan.**





### 5.1. Venue Operation Noise to the Nearest Sensitive Receptor (Residential)

A detailed assessment has been undertaken to predict the impact of noise from operations within the proposed shop, restaurant and small bar to the nearest noise sensitive receivers.

Noise from the venue, including patron noise and amplified music, must comply with the EPNR 1997 regulations at the nearest noise sensitive receptors (79 Brisbane St, 241 Stirling St, 283 Beaufort St).

Calculations have been based on the occupants being adults talking and amplified music is playing to provide a low level of background.

Provisional calculations for the noise emission have been undertaken for the front façade of the building, directly associated with internal dining areas. The noise sensitive receivers are located approximately 5m (79 Brisbane St), 25m (283 Beaufort St) and 30m (241 Stirling St) away from the front façade of the building. Receivers at 79 Brisbane St and 241 Stirling have no direct line of sight with the front façade of the building.

The existing construction of the facade shall ensure minimal transmission of internal noise to the NSR. The current external construction of the building consists of brick walls, glazed entry door and windows consisting of 6.38mm glazing in aluminium and timber frames. It should be noted that the windows are proposed to be openable. Therefore, noise impact to the nearest noise sensitive receptors has been assessed for two situations: windows closed and windows open. Also, no noise sensitive receptor is located directly opposite the windows, therefore the noise impact is predicted to be minimal.

Based on the information provided the following building elements have been used to determine noise level transmitted to NSR, presented in table 5.1.1.

**Table 5.1.1 Proposed façade construction**

Building Element	Sound Reduction Index (R) dB					R <sub>w</sub>
	Octave band centre frequency Hz					
	125	250	500	1000	2000	
Window: 6.38mm laminated glazing in aluminium frame	22	26	31	36	34	<b>33</b>
Window: 6.38mm laminated glazing in timber frame	22	26	31	36	34	<b>33</b>
Door: 6.38mm laminated glazing in aluminium frame	19	23	28	33	31	<b>30</b>
Brick walls	51	58	64	69	74	<b>68</b>

The typical noise levels for the venue including music and patron noise is presented below.

**Table 5.1.2: Typical internal noise levels in restaurant.**

Venue Noise Source	Noise Level L <sub>Aeq</sub> [dB]
Patrons	74
Background Music	55
Patrons and Background Music	74

Based on the noise levels detailed above, provisional calculations have been undertaken to confirm compliance with the EPNR assigned noise levels for the most sensitive period (night-time).



Provisional calculations determine that the noise levels will achieve compliance at noise sensitive receivers 241 Stirling St and 283 Beaufort St in accordance with WA EPNR 1997 for both situations. The calculated noise levels do not achieve compliance at 79 Brisbane St for situation with windows open, this is further discussed below.

The predicted noise levels from the venue are presented in Table 5.1.3 below.

**Table 5.1.3: Estimated outdoor noise levels at NSR for situation with closed and open windows.**

Receiver	Noise Source	EPNR 1997 Assigned Noise Level 22.00 to 07.00 hours all days L <sub>A10</sub> (dB)	Windows closed Predicted Outdoor Noise Level L <sub>A10</sub> (dB)	Windows open Predicted Outdoor Noise Level L <sub>A10</sub> (dB)	Compliance Predicted?
79 Brisbane Street	<b>Single noise source</b>				
	Music*	42	< 15	42	Yes
	Patrons	42	< 10	47	No See comment
	<b>Combined noise source</b>				
	Music* and Patrons	42	< 15	47	No See comment
241 Stirling Street	<b>Single noise source</b>				
	Music*	42	< 10	25	Yes
	Patrons	42	< 10	29	Yes
	<b>Combined noise source</b>				
	Music* and Patrons	42	< 10	29	Yes
283 Beaufort Street	<b>Single noise source</b>				
	Music*	42	< 10	34	Yes
	Patrons	42	< 10	40	Yes
	<b>Combined noise source</b>				
	Music* and Patrons	42	< 10	40	Yes

\*The predicted noise levels assume a +10dB adjustment on account of music.

It is recommended to keep the windows closed past 10pm to minimise the noise impact to the residents at 79 Brisbane Street.

However, the above prediction can be regarded the worst-case scenario, as full venue capacity has been assumed.

## 5.2. Mechanical Services

The mechanical services noise emissions must be kept to a level that is not exceeded at any nearby neighbours' boundary. The night-time assigned noise level for residential properties is 42 dB, L<sub>A10</sub>, and has been presented in Table 4.4.5.1.

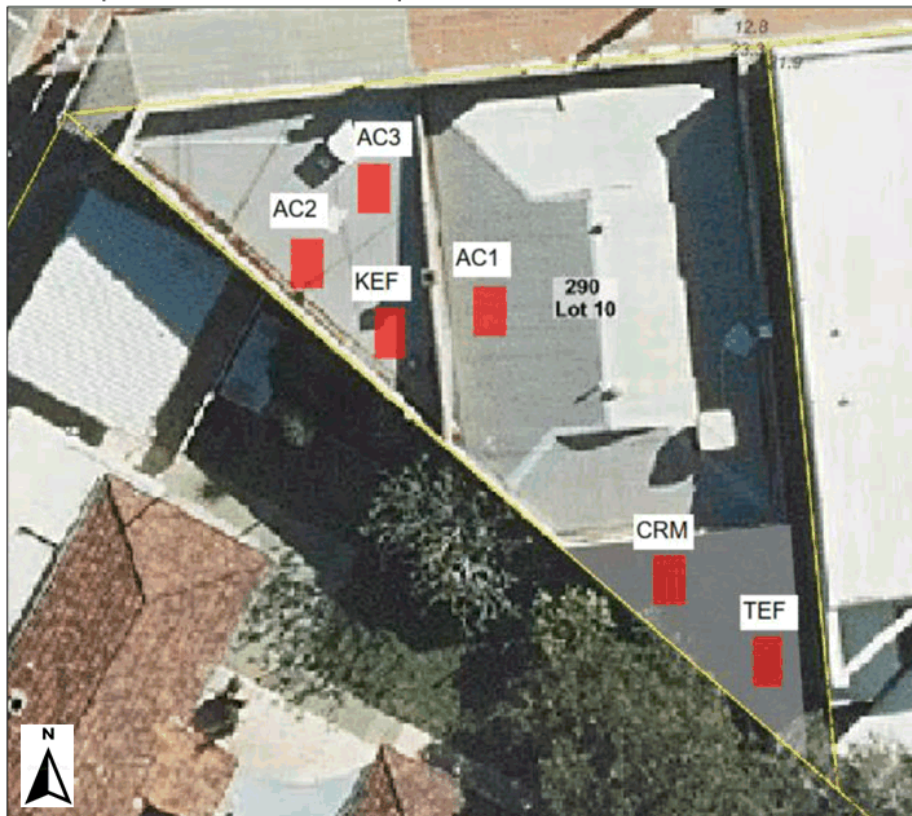
As far as practicable, noise from mechanical services including condenser units and exhaust fans should be free from tonality and impulsiveness.

The nearest noise sensitive residential receiver is located about 5m to the east of the development.



Mechanical services plant for the development will be roof located, as presented on Figure 5.2.1. below, screened with approximately 1.2m height existing wall around the building perimeter, therefore there will be no direct line of sight between source (mechanical plant) and receivers (residential).

Figure 5.2.1: Proposed mechanical services roof plant.



A plant itinerary along with the Sound Pressure Level (SPL) of each item is detailed in table 5.2.1. below. It should be noted that the items are subject to possible changes or additions.

Table 5.2.1. Preliminary plan item schedule.

Item	Symbol	Model	Sound Pressure Level dBA Cooling/Heating
Air Conditioning Unit 1	AC1	ActronAir PCG260U	55/59 @3m
Air Conditioning Unit 2	AC2	Daikin RXJ25PVMA	46/47 @1m
Air Conditioning Unit 3	AC3	Daikin RZAC71CV1	48/51 @1m
Kitchen Exhaust Fan	KEF	Pacific Ventilation KMV710-6DE	58 @3m
Toilet Exhaust Fan	TEF	Pacific Ventilation PCV280-4EE	43 @3m
Cool Room Motor	CRM	Enthalpy TDCS14ML4003	53/61 @3m

Based on the plant items, their orientation and locations detailed above, provisional calculations for the worst-case scenario (all items working at the same time on heating mode) have been undertaken to establish noise emission from the roof plant.





Provisional calculations of noise levels will achieve compliance at all nearest noise sensitive receptors in accordance with WA EPNR 1997. The preliminary predicted noise levels from mechanical plant are presented in Table 5.2.2 below.

**Table 5.2.2. Predicted compliance results for neighbouring properties, noise sensitive receivers.**

Location	EPNR 1997 Assigned Noise Level $L_{A10}$ [dB] Night-time 22.00 to 07.00 hours	Predicted level $L_{A10}$ (dB)	Compliance predicted
79 Brisbane St	42	39	Yes
241 Stirling St	42	26	Yes
283 Beaufort St	42	27	Yes

\*Screening effect has been used in calculations.

The above predictions can be regarded as worst case, as all items have been assumed to be running simultaneously on heating mode during the most sensitive period (22.00 to 07.00 hours). In reality night-time activity from mechanical services is expected to be minimal.

Due to the building orientation, shielding from the buildings has been used in calculation. It is estimated that shielding effect will provide a reduction of between 10-15dB. It is achievable based on the coordinates of the source (mechanical plant) and receivers (nearest residents) having no direct line of sight.





## 6. Conclusion

### 6.1. Noise emission – Venue Operation

Patron and amplified music noise associated with the proposed shop, restaurant and small bar have been assessed in accordance with EPRN 1997 at the nearest residential noise sensitive receptors, 79 Brisbane St, 241 Stirling St and 283 Beaufort St.

Provisional calculations of the noise emission determine that the noise levels will achieve compliance at the noise sensitive receptors in accordance with WA EPNR 1997. Only in a situation with windows open the noise level does not achieve compliance at NSR 79 Brisbane St. It is therefore recommended to keep the windows closed past 10pm to minimise the noise impact to the residents at 79 Brisbane Street.

It should be noted that the predicted noise levels assume a +10dB adjustment on account of music.

The predictions can be regarded the worst-case scenario, as full venue capacity has been assumed. In reality full capacity of the development is not anticipated for every operating evening or during every night-time period.

### 6.2. Noise emission – Mechanical Services

Mechanical plant noise associated with the proposed shop, restaurant and small bar have been assessed in accordance with EPRN 1997 at the nearest residential noise sensitive receptors, 79 Brisbane St, 241 Stirling St and 283 Beaufort St.

Provisional calculations of noise levels will achieve compliance at all noise sensitive receptors in accordance with WA EPNR 1997.

Due to the building orientation and mechanical plant location, shielding from the buildings has been used in calculation.

The predicted noise levels can be regarded as worst case, as all items have been assumed to be running simultaneously on heating mode during the most sensitive period (22.00 to 07.00 hours). In reality night-time activity from mechanical services is expected to be minimal.



## A. Glossary

Term	Description
A-weighting:	Refers to a standardised frequency response used in sound measuring instruments, specified in Australian Standard AS 1259.1. Historically it was developed to model human ear response at low-level sounds. However A-weighting is now frequently specified for measuring sounds irrespective of level, and studies have shown a relationship between the long term exposure to A-weighted sound pressure levels and hearing damage risk.
Airborne sound:	Sound waves propagate within a construction (structure-borne sound) and are radiated into the air where their propagation continues (airborne sound).
AS:2107	AS/NZS 2107:2016 Acoustics -Recommended design sound levels and reverberation times for building interiors
Impact noise	Noise resulting from the direct impact on a building element (e.g. footfall, furniture movement on a floor).
$C_{tr}, C_i$	Spectrum adaptation term
D:	This value, in decibels, is the difference in sound pressure level values between two rooms.
dB:	Means the abbreviation for decibel.
dBA :	A-weighted sound pressure level in decibels.
$L_{Aeq,T}$ :	The equivalent continuous A-weighted sound pressure level in dBA. It is often accompanied by an additional subscript suffix "T" such as $L_{Aeq,15min}$ , which means it is evaluated over 15 minutes.
$L_{A10,T}$ :	A-weighted sound pressure level in decibels which is not surpassed for more than 10% of the measurement time. This value is often similar to that of the $L_{Aeq}$ for the same period of time.
$L_{A1,T}$ :	A-weighted sound pressure level in decibels which is not surpassed for more than 1% of the measurement time. This value is often used to have a reference of the highest levels of the measured noise and is used to evaluate the presence of occasional impulsiveness in the noise.
$L_{A90,T}$ :	A-weighted sound pressure level in decibels which is not surpassed for more than 90% of the measurement time. This value is often used to have a certain reference of the constant floor background noise level.
$L_{Amax}$ :	Maximum A-weighted sound pressure level over a certain period of evaluation.
$L_w$	Impact sound level reduction $L_w$ is an acoustic descriptor quantifying the improvement in impact noise isolation as a result of the installation of a floor covering or floating floor on a test floor in a laboratory (ISO717.2:1997)
$L_{n,w}$	The lower the $L_{n,w}$ rating the better the performance of a building element at insulating impact noise.
Perception of noise level differences:	Generally, a variation of 2-3 dB in a sound pressure level cannot be detected by most of the population; a 5 dB difference is perceived as a louder noise, and a 10 dB variation is perceived as a sound which is twice as loud.
$R_w$ :	The insulation of walls and doors against airborne sound is described by way of the sound reduction index R. This index specifies the number of decibels by which the sound is weakened as it passes through the component. The sound reduction index is therefore a component-related variable. As the sound insulation of components depends on frequency, the sound reduction index is also specified depending on the frequency, at least in one-third octave bands between 100 and 3150 Hz. For simplicity, a single value, the weighted sound reduction index $R_w$ , is derived from the frequency-related values. $R_w$ values provided by manufacturers must comply with standard international test regulation ISO 140-3.

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# Venue Management Plan

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14 May 2021

## 1. Introduction

- 1.1. Two Siblings Pty Limited (in its capacity as trustee for Latra Trust) owns Tom's Wholesome Food (Tom's).
- 1.2. Tom's intends to trade as a licensed delicatessen and grocer on the city fringe opposite the Brisbane Hotel on Beaufort Street. The core activity of the business is the provision of food products, beverages and service.
- 1.3. The objective of this plan is to outline a standard code of practice in order to maintain the quality of the venue and its features, whilst providing a safe and secure environment for venue patrons.

## 2. Premises

- 2.1. The subject site at 290 Beaufort Street, Perth, is 288sqm in area and is registered as Lot 10 on Diagram 59211 (**Premises**).
- 2.2. The building was constructed in 1915 and is known as Meade House. It is a single storey rendered building on a prominent corner location, representative of the Federation Free Classical style of commercial development at that time. The building is on the local government heritage inventory.
- 2.3. The building is one of Perth's most distinctive urban places and in close proximity to a vast mixed use commercial and entertainment area. It was originally constructed for use as a shop and billiard hall and has also been used as a hairdresser and tobacconist. The property continues to be used for commercial purposes.
- 2.4. It is proposed that the building use be changed to allow for a shop/café/small bar to give effect to the nature of the business, being a licensed delicatessen and grocer. A copy of the floor plan is provided as Attachment A.

## 3. Hours of operation

- 3.1. General trading hours will be as follows:
  - 6am to 6pm Monday and Tuesday;
  - 6am to 10 pm Wednesday and Thursday;
  - 6am to 12 midnight Friday and Saturday; and
  - 6am to 10pm Sunday.
- 3.2. Service of alcohol is set out in paragraph 4.4 below and subject to section 98AA of the Liquor Control Act 1988 (**Liquor Control Act**).

## 4. Liquor Licensing

### 4.1. *Type of licence*

Tom's has been granted conditional approval for a small bar licence at the Premises. The licence authorises the licensee to supply liquor for consumption on the licensed premises during the trading hours specified below.

4.2. *Amenity*

The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the Premises to which the licence relates during or immediately after the trading hours authorised under the licence.

The licensee shall ensure that the level of noise emitted from the licensed Premises does not exceed the permissible noise levels for entertainment noise as specified in the Environmental Protection (Noise) Regulations 1997 (**EPNR**).

No live band using amplified music is to be provided.

4.3. *Maximum capacity*

The maximum number of persons permitted on the licensed Premises (including within the alfresco area) must not exceed 70 at any one time.

4.4. *Trading hours*

Service of alcohol for consumption on the Premises will only occur:

- 12 noon to 6pm Monday and Tuesday;
- 12 noon to 10 pm Wednesday and Thursday;
- 12 noon to 12 midnight Friday and Saturday;
- 12 noon to 10pm Sunday; and

otherwise in accordance with the Liquor Control Act.

4.5. *Red line plan*

The red line plan for the Premises must be kept in the manager's office and be available for inspection by WA Police and RGL compliance inspectors at all times the Premises is open.

4.6. *Statutory posters*

The statutory posters must be placed in a prominent position within the bar in a place that invites public attention.

The duty manager will ensure that posters are kept up-to-date at all times.

4.7. *Responsible service of alcohol (RSA)*

- 4.7.1. The licensee and management are committed to implement best practice in relation to the RSA.
- 4.7.2. The management of RSA certificates and related matters is the responsibility of management.
- 4.7.3. Only staff with the relevant RSA training and accreditation will be permitted to serve alcohol from the Premises.
- 4.7.4. Management and staff are required to keep their RSA qualifications up to date.

- 4.7.5. All management and staff RSA certificates must be filed in the licensee's RSA folder and the details included in the relevant register.
- 4.7.6. Alcohol is only to be consumed at the Premises within the confines of the pre-designated 'consumption of alcohol area' – refer to red line plan at paragraph 4.5 above. No alcohol is to be consumed out of this area.
- 4.7.7. Alcohol is not permitted to be removed from the Premises by patrons.
- 4.7.8. Further information can be found in our Harm Minimisation & Management Plan, a copy of which is provided as Attachment B.

## 5. Patron behaviour

Patron behaviour is detailed in the venue's Code of Conduct (**Code**) which can be found at Attachment B. Patrons who breach the Code will be asked to leave the Premises if they do not comply with the Code following a warning.

## 6. Noise control and management

- 6.1. The venue is committed to developing and maintaining good relations with local residents, neighbours and local authorities. Our objective is to minimise disturbance to local residents and to ensure that liquor licensing requirements at the venue are being upheld.
- 6.2. Management and staff will have the responsibility of ensuring that that level of noise emitted from the licensed premises does not exceed the permissible noise levels as specified in the ENPR.
- 6.3. Ambient and background music shall be played during opening hours. This music will not be played at loud volumes and is intended to be incidental to speech and conversation. No live music or external speakers are proposed.
- 6.4. Management will make themselves available at all reasonable times to respond to the concerns of patrons and neighbours.
- 6.5. Staff will actively encourage the gradual dispersal of patrons to minimise nuisance. Further:
  - patrons will be encouraged to be considerate upon leaving the venue;
  - patrons shall not leave the venue other than by the main entrance door; and
  - there shall be no re-admission to the venue 15 minutes prior to closing.
- 6.6. Patrons will not be admitted to the venue outside of opening hours.
- 6.7. Management and staff will routinely monitor the alfresco area during trading hours to ensure that noise levels do not become excessive.
- 6.8. All staff will be made aware of the requirements of noise management.
- 6.9. Clear and legible notices will be displayed at the exit requesting patrons to respect the residents and to leave the venue and the area quietly.



- 6.10. Deliveries of goods necessary for the operation of the venue will be carried out at such a time and in such a manner as to avoid causing disturbance to nearby residents.

**7. Traffic**

- 7.1. It is expected that the local community will walk to the venue as opposed to driving.
- 7.2. Nil or minimal traffic generation is anticipated as the site is exceptionally well serviced by high frequency public transport, is within walking distance to major train stations and adjacent to high frequency bus routes.
- 7.3. The staff associated with the business will be encouraged to utilise public transport, or alternatively, through local employment have the ability to walk to work.
- 7.4. Use of public transport modes is encouraged due to the proximity of such services. The development integrates with the wider public-transport network and, cycling and pedestrian infrastructure.
- 7.5. While local customers are anticipated, non-local customers to the venue are expected to use the public transport modes referred to above or suitable ride-sharing services.

**8. Car parking**

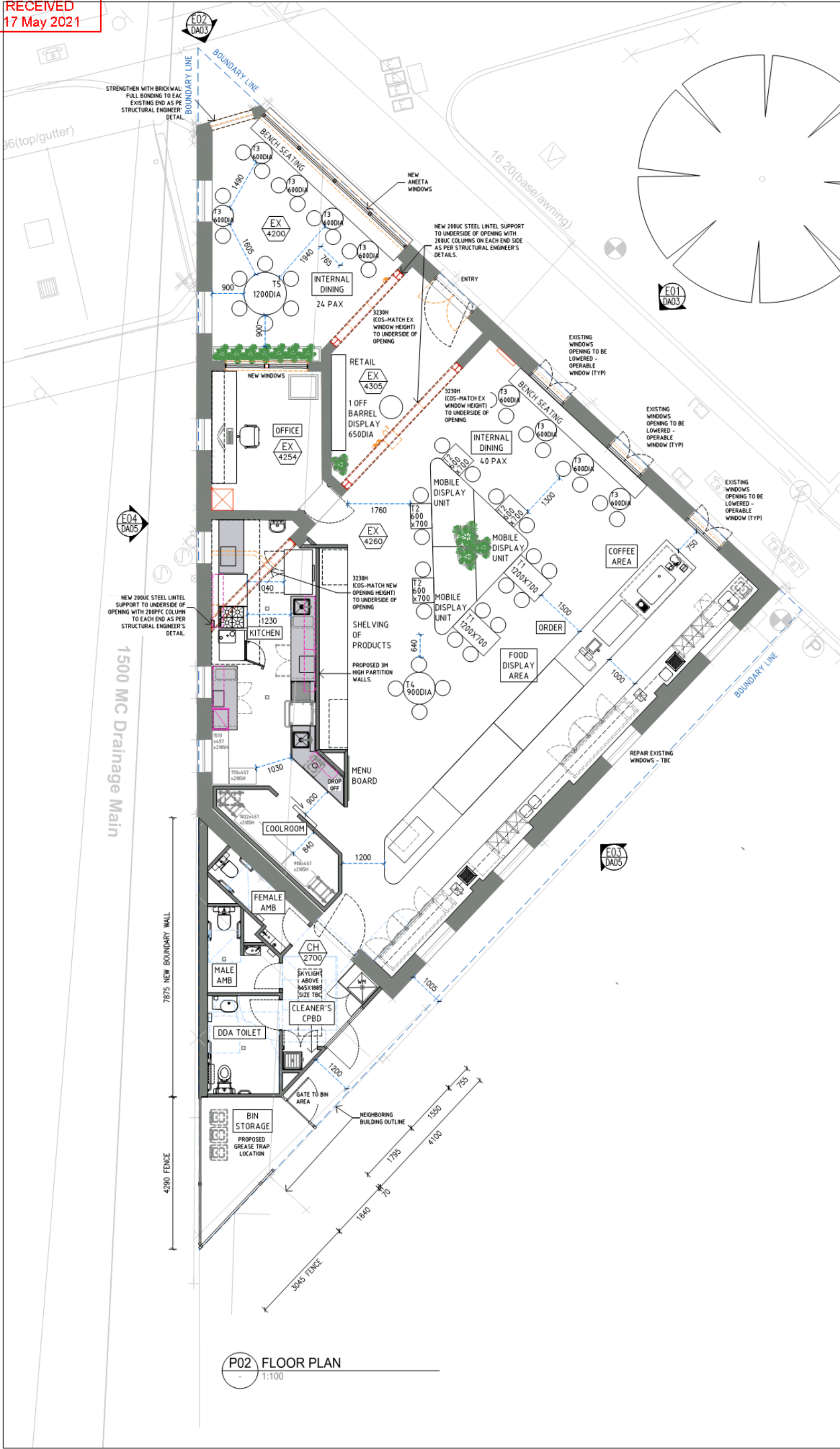
- 8.1. For customers who drive, parking is available at the Brisbane Street Car Park (opposite the proposed Premises). The carpark offers 202 parking bays at a cost of \$2.90 per hour (between the hours of 7am to midnight Monday to Sunday) with the first hour free.
- 8.2. All public parking has existing signage and demarcation, as well as existing responsible persons/authorities for their management.
- 8.3. The site is also exceptionally serviced by on-street parking bays and dedicated public car parks. Currently these bays are underutilised and are only generally at capacity during trade at HBF Park, permitting capacity on the existing network.

**9. Waste management**


- 9.1. Tom's has a responsibility to ensure that rubbish generated by the venue and its patrons is cleaned on a regular basis. To this end, cleaners will be retained to clean the inside of the Premises daily and on an ongoing basis.
- 9.2. JJ Richards & Sons will remove waste and recycled packaging from the Premises. Collection services for the waste will occur between 7am and 7pm, and recycling will be encouraged amongst all staff members to minimise the generation of waste on-site. All operations, storage and removal of waste will be per local government guidelines.

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17 May 2021

DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL
26.02.2021	02	ISSUE FOR INFORMATION APPLICATION
04.03.2021	03	ISSUE FOR LICENSE APPLICATION
08.04.2021	04	ISSUE FOR DEVELOPMENT APPROVAL



P02 FLOOR PLAN  
1:100



**MATA DESIGN  
STUDIO**  
INTERIOR  
& BUILT  
ENVIRONMENTS

17 BREWER ST PERTH WA 6000  
08 9443 7984  
WWW.MATADDESIGN.COM.AU  
ABN 93 908 779 656

PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	FLOOR PLAN
DRAWING NUMBER	DA02 /04
PLOT DATE	08/04/2021
SCALE	1:100 @ A3
DRAWN	CT/PL
PATH	S:\18 MATA PROJECTS\2011-06 TOM'S WHOLESOME FOOD\PERTH\DA\DA02\DA02-04.DWG

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Food -  
Since 1994

290 Beaufort Street, Perth WA 6000

### House Management Policy

Our policy is to provide a responsible, safe, and comfortable venue for our customers at all times. This will be achieved through ongoing training and development of our staff and through regular maintenance of the premises and facilities.

An approved manager will be on premises during all trading hours managing the day-to-day operations under the liquor licence.

**We will make ourselves available at all reasonable times to respond to the concerns of our patrons and our neighbours. If you have any concerns over the way in which we operate, please call 0412 579 195 and ask to speak to an approved manager.**

**Canford**  
Hospitality Consultants Pty Ltd  
PO Box 389, Guildford WA 6935  
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### Code of Conduct & Conditions of Entry

This venue and its staff are committed to the principles of responsible service of alcohol and to taking all reasonable steps to minimise the harm caused by the abuse of alcohol. We expect the same commitment from our patrons.

- ❑ **Admittance**
  - Entry to the venue is conditional upon accepting responsibility for the consequences of your behaviour within and in the vicinity of these premises.
  - At all times managements reserves the right to refuse entry.
  - You must be suitably attired to enter this venue.
- ❑ **Intoxicated persons**
  - We will not allow anyone to enter the licensed area, get service, or otherwise remain on the licensed area if they are visibly intoxicated.
- ❑ **Juveniles**
  - It is an offence for a juvenile to attempt to buy alcohol, and it is also an offence for any adult to procure (or attempt to procure) alcohol for a juvenile.
  - We will not allow anyone to enter or remain on the licensed area if they are under the age of 18 years, unless they are under the supervision of a responsible adult or on the licensed area for the purpose of obtaining a meal (or as may otherwise be authorised under the Liquor Control Act).
  - We will not sell or serve alcohol to anyone under the age of 18 years. If you are asked to show proof of age, you are required to produce identification. We will not serve you if you do not produce the required form of identification whenever requested.
- ❑ **Patron care**
  - We will not tolerate any disorderly, disruptive or offensive behaviour on the licensed premises. If you have been offended by the behaviour of any of our patrons, please bring it to the attention of the approved manager.

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- If you are driving please do not drink. We have food available and also provide a range of non and low alcoholic beverages.
  - We are more than happy to call a taxi on request.
  - Acts of vandalism or other criminal offences, where detected, will be reported to the police.
- **Courtesy**
- We ask that you enter and leave the venue peacefully and quietly, respecting other patrons' rights together with those people living in neighbouring residential buildings.

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### Harm Minimisation & Management Plan

- The licensee and approved manager(s) of this venue have successfully completed the training requirements mandated under the Liquor Control Act.
- **Staff Training and Responsible Service of Alcohol**
  - All our service staff are trained in responsible service practices.
  - Our management team has also been trained in responsible service practices and will support the service staff at all times in their duties and responsibilities under the Liquor Control Act with regard to harm minimisation.
  - Each staff member will be given a copy of the Director's Guidelines on the responsible promotion of liquor.
  - We will discourage any activity that could lead to or result in excessive consumption of alcohol (such as drinking competitions) or the promotion of alcohol involving excessive or rapid consumption of alcohol.
- **Juveniles**
  - Signage is displayed in the licensed premises to inform patrons that it is an offence to obtain alcohol for a juvenile and that the person doing so commits an offence.
  - If a staff member is in any doubt as to whether a person is aged 18 years or more, the staff member must require that the person provide proof of age.
  - The only acceptable proof of age documents will be:
    - ☑ A current Australian driver's licence with a photograph;
    - ☑ A current passport with a photograph;
    - ☑ A current Australian learner driver permit with a photograph;
    - ☑ WA Proof of Age Card (Note: new cards ceased being issued on 1/1/2015);
    - ☑ Proof of Age card or equivalent issued in an Australian state or territory;
    - ☑ A current WA Photo Card;

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- A current NSW Photo Card;
  - A Photo Card issued by any Australian state or territory similar to the NSW/WA Photo Card;
  - A hard copy of the Keypass card issued by Australia Post.
- Intoxicated Patrons**
- Our staff are trained to be alert for signs of intoxication.
  - We will not serve alcohol to intoxicated patrons. If someone is displaying signs of intoxication our staff must, in a calm, courteous and non-judgmental manner, inform the patron that they will not be served any alcohol and the reason why service is being refused.
  - The patron will be offered coffee or other non-alcoholic beverages. Where appropriate, our staff will inquire as to how the patron is getting home and offer to call them a taxi.
  - If the patron becomes disorderly, staff will advise them that their behaviour is unacceptable and request them to leave the premises.
- Neighbours**
- We will maintain a logbook for any complaints regarding noise and disturbance in the area.
  - Any complaint received is entered into the book along with:
    - the date and time of the complaint;
    - the staff member who received the complaint; and
    - the action taken.
  - The approved manager will contact the complainant within a reasonable time following the making of the complaint to ascertain whether the issue has been addressed satisfactorily.

**Any concerns over the way in which Tom's operates should be directed to the approved manager.**

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*Planning and Development Act 2005*

City of Vincent

**Notice of determination on application for development approval**

Location: No. 290 Beaufort Street PERTH

Lot, Plan/Diagram: LOT: 10 D/P: 59211

Vol. No: 1280

Folio No: 5

Received on: 2 March 2021

Serial No: 5.2021.73.1

Description of proposed development: Proposed Change of Use to Restaurant/Café and Shop, including Alterations/Additions and Signage

Plans dated: 2 March 2021, 12 April 2021 and 11 May 2021

This application for development approval is approved subject to the following conditions:

1. This approval is for proposed Change of Use to Restaurant/Café and Shop, including Alterations/Additions and Signage as shown on the approved plans dated 2 March 2021, 12 April 2021 and 11 May 2021. No other development forms part of this approval.
2. Use of Premises
  - 2.1 This approval is for Restaurant/Café and Shop as defined in the City of Vincent Local Planning Scheme No. 2.

Use of the subject land for a different use may require further development approval in accordance with the provisions of the City's Local Planning Scheme No. 2 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - 2.2 The Restaurant/Cafe shall be limited to a maximum of 70 patrons
3. Bicycle Parking

A minimum of two short-term bicycle bays shall be provided within the development. The bicycle bay shall be designed in accordance with AS2890.3 and installed prior to occupation to the satisfaction of the City.
4. Building design
  - 4.1 External colours, materials and finishes are to be in accordance with the Addendum to Heritage Impact Statement dated 9 April 2021 and prepared by Stephen Carrick Architects, to the satisfaction of the City.
  - 4.2 Doors and windows and adjacent floor areas fronting Brisbane Street and Beaufort Street shall maintain an active and interactive relationship with this street. Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.

4.3 All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;

5. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve

6. Boundary walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick; or material as otherwise approved; to the satisfaction of the City.

7. Signage

7.1 All signage is to be in strict accordance with the City's Policy No. 7.5.2 Signs and Advertising, unless further development approval is obtained.

7.2 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site.

7.3 The proposed signage is to be wholly contained with the subject lot/s.

8. Noise and Venue Management

8.1 All of the recommended measures included in the approved acoustic report dated 22 March 2021 (reference 2106a/CC) and prepared by Hewshott Acoustics shall be implemented as part of the development, to the satisfaction of the City prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

8.2 The premises shall operate in accordance with the approved Venue Management Plan dated 14 May 2021 and prepared by Two Siblings Pty Ltd to the satisfaction of the City.

ADVICE NOTES:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. In relation to Advice Note 2 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 assessing officer Mitchell Hoad on 08 9273 6049.
6. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
7. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
8. **No** verge trees shall be **REMOVED**. The verge trees shall be **RETAINED** and **PROTECTED** from any damage including unauthorized pruning.
9. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to commencement of all building/development works, and shall be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond must be made in writing. This bond is non-transferable.
10. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users **at all times** during construction works. Permits are required for placement of any material within the road reserve.
11. The applicant/owner is advised from 1 July 2021 the City will no longer offer commercial waste services. Private waste collection must be arranged and maintained for the site at the expense of the landowner/applicant. If private waste collection is already undertaken these arrangements should continue to be implemented.
12. With regard to the use of the premises the City's Local Planning Scheme No.2 includes the following land use definitions:

**Restaurant/Café** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licensed under the *Liquor Control Act 1988*.

**Shop** means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

**Small Bar** means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.



13. With regard to patron numbers, the maximum occupancy limit imposed on this approval relates to planning matters only and may otherwise be restricted by separate Building and/or Health legislation.
14. With reference to signage any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.

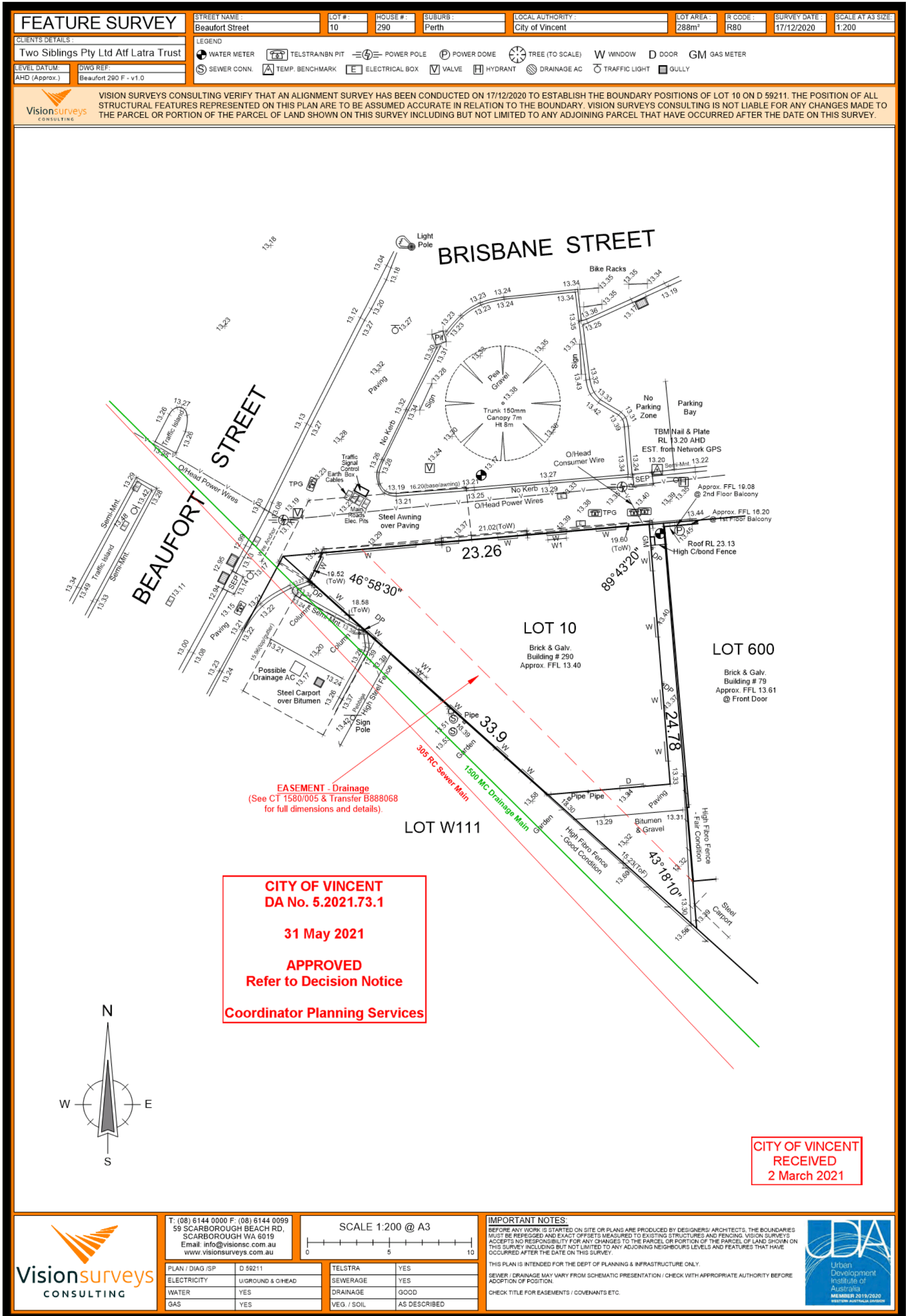
Date of determination: 31 May 2021

A handwritten signature in black ink, appearing to read 'J Colli', written in a cursive style.

Signed:

**JOSLIN COLLI**  
**COORDINATOR PLANNING SERVICES**  
for and on behalf of the City of Vincent



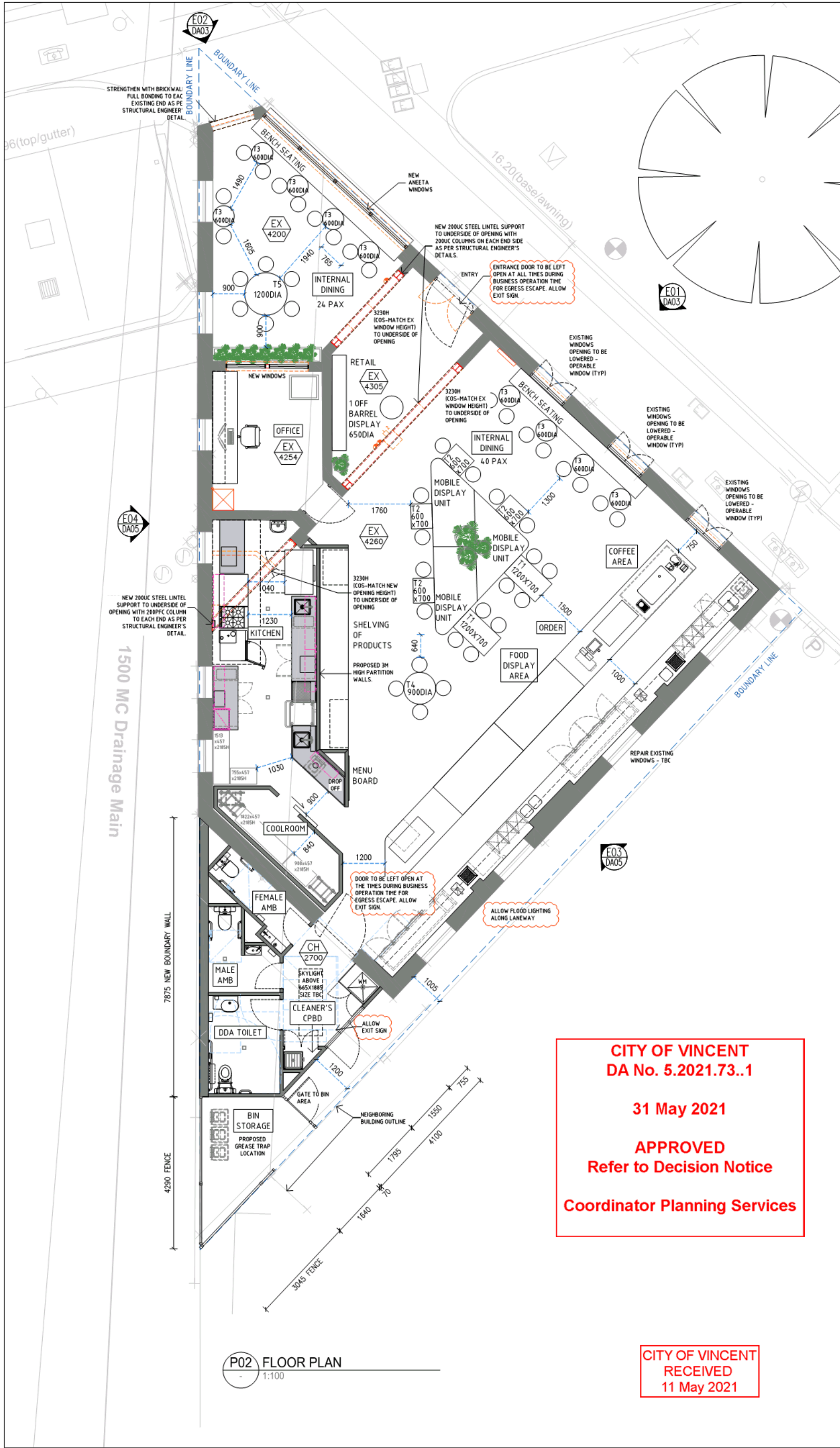








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08.04.2021	04	ISSUE FOR DEVELOPMENT APPROVAL APPLICATION
11.05.2021	05	ISSUE FOR DEVELOPMENT APPROVAL



P02 FLOOR PLAN  
1:100


**CITY OF VINCENT**  
**DA No. 5.2021.73..1**

**31 May 2021**

**APPROVED**  
**Refer to Decision Notice**

**Coordinator Planning Services**

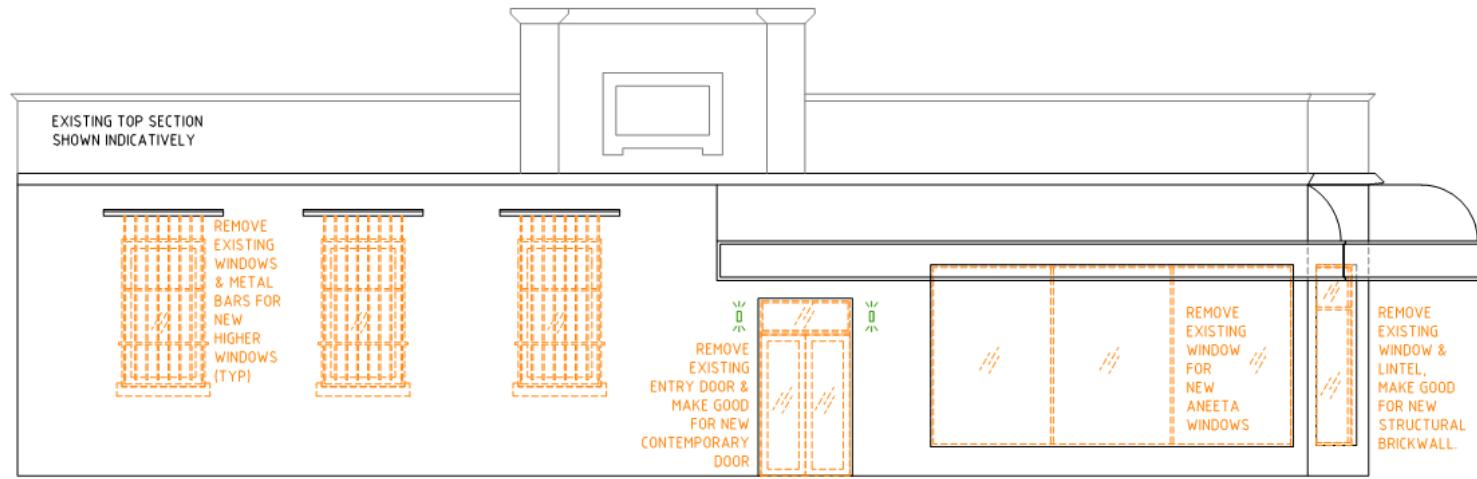
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 <b>MATA DESIGN STUDIO</b> INTERIOR & BUILT ENVIRONMENTS 17 BREWER ST PERTH WA 6000 08 9143 7961 WWW.MATADDESIGN.COM.AU ABN 93 908 779 656	
PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	FLOOR PLAN
DRAWING NUMBER	<b>DA02</b> /05
PLOT DATE	11/05/2021
SCALE	1:100 @ A3
DRAWN	CT/PL
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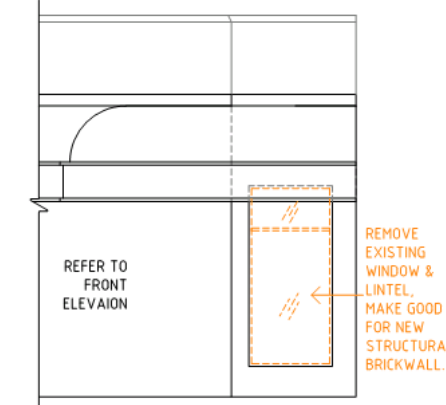
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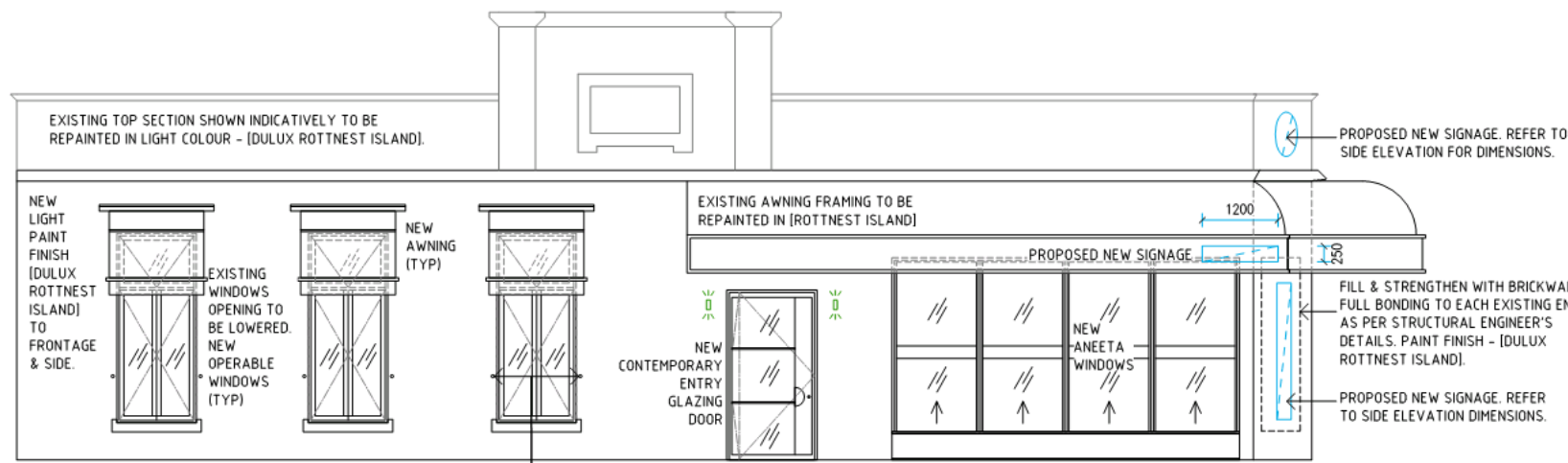
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12/04/2021



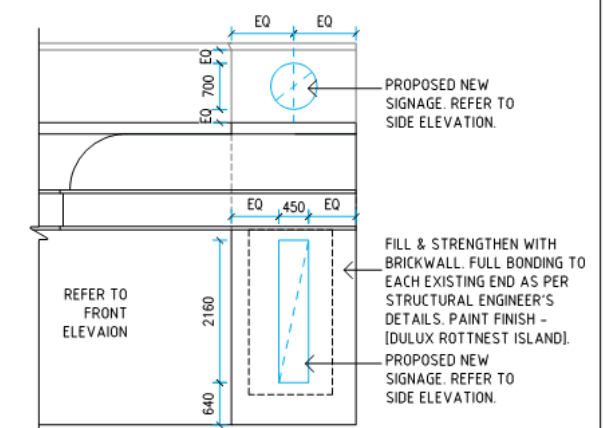
**E01 ELEVATION**  
DA02 1:100 OLD / DEMOLITION  
FRONTAGE - NORTH



**E02 ELEVATION**  
DA02 1:100 OLD / DEMOLITION  
FRONTAGE - WEST



**E01 ELEVATION**  
DA02 1:100 NEW  
FRONTAGE - NORTH



**E02 ELEVATION**  
DA02 1:100 NEW  
FRONTAGE - WEST

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08.04.2021	05	ISSUE FOR DEVELOPMENT APPROVAL



PROJECT	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
PROJECT NO.	2011-06
PLOT DATE	08/04/2021
SCALE	1:100
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DRAWING	FRONTAGE ELEVATION
DRAWING NO.	DA03 /05

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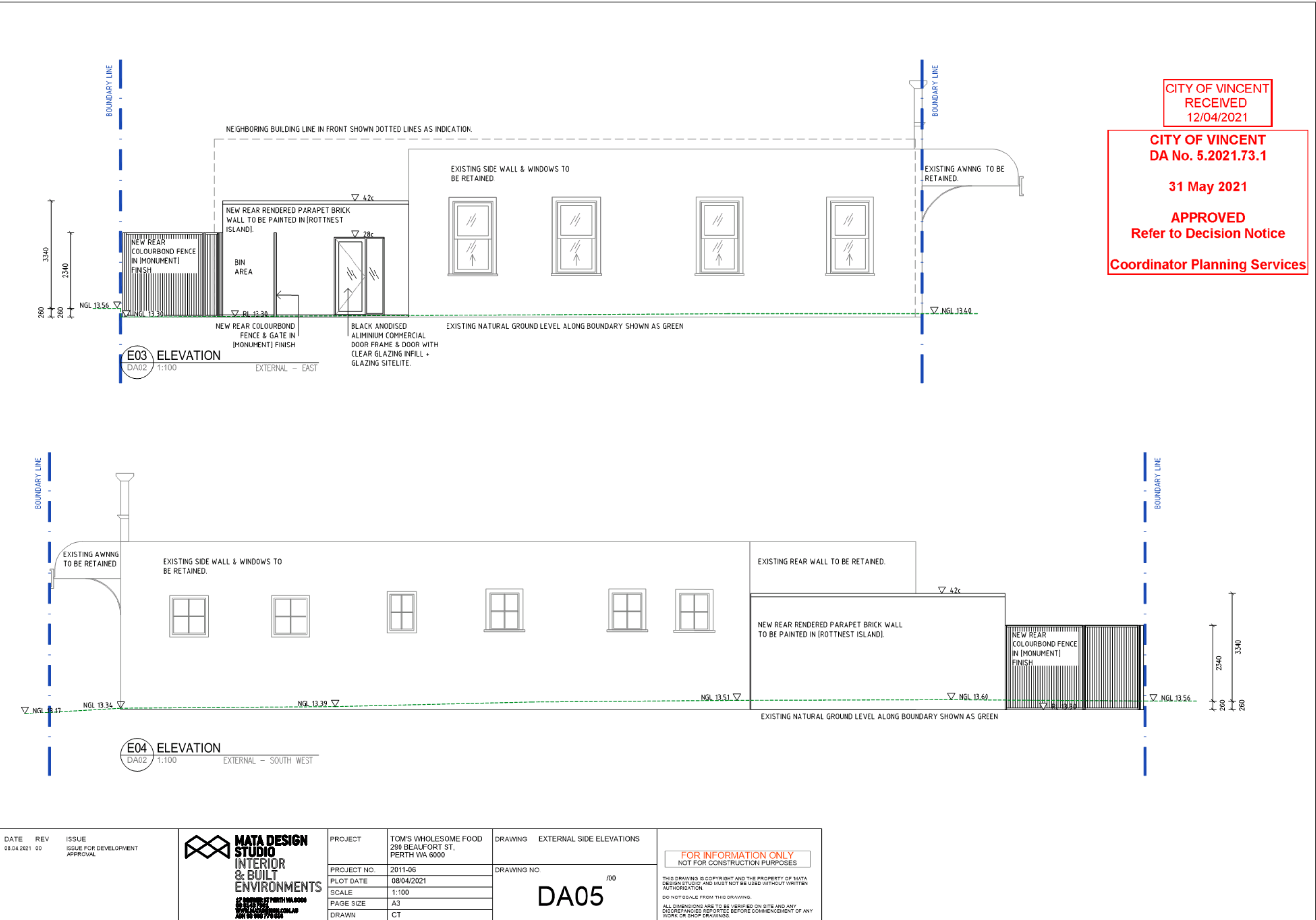
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DA No. 5.2021.73.1

31 May 2021

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**Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

<b>Comments Received in Support:</b>	<b>Administration Comment:</b>
<ul style="list-style-type: none"> <li>• The Small Bar would be a welcome addition and is what is needed for the area to contribute to a vibrant community and provide for employment opportunities.</li> <li>• The proposal would help to address current instances of anti-social behaviour by providing for interaction and activation of the streetscape.</li> <li>• The addition of another Small Bar would activate a quiet area of Perth and create more of a precinct around the Brisbane Hotel.</li> <li>• The nature of the use is consistent with the zoning requirements.</li> <li>• There is ample parking in the area to support the use, as well as easy access to public transport and ride share services.</li> <li>• A Small Bar would have far less impacts from noise and traffic than other larger establishments in the area.</li> </ul>	<p>Comments in support are noted.</p>
<b>Comments Received in Objection:</b>	<b>Administration Comment:</b>
<p><u>Operating Hours</u></p> <p>Concerned about the possibility of patrons being loud and disorderly until midnight.</p>	<p>The proposed operating hours are consistent with the operating hours of other licenced premises within the locality, including the Brisbane Hotel, as well as the operating hours permitted under the <i>Liquor Control Act 1988</i>. The applicant has also submitted an acoustic report and venue management plan to ensure that noise from patrons would be appropriately managed so as to not impact on the surrounding properties.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter.