



Burton Property Investments Pty Ltd

No. 2 Coogee Street, Mount Hawthorn
Reconsideration of planning conditions

February 2016

Executive summary

This report provides the necessary background information to support the City of Vincent's consideration of this development application for the 'reconsideration of conditions on a previous valid planning approval' for No. 2 Coogee Street, Mount Hawthorn.

The application is for the proposed increase to the number of patrons permitted in the eating house. No changes are proposed to the building structure.

This report is subject to, and must be read in conjunction with, the limitations and the assumptions and qualifications contained throughout the Report.

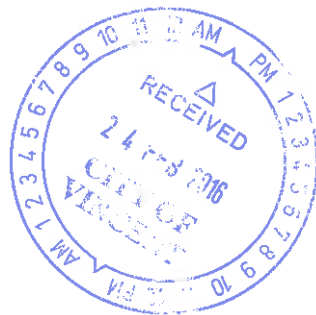


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Appendices

Appendix A – Conditional Planning Approval Plans 2 December 2014

1. Introduction

1.1 Purpose of this report

This report has been prepared by GHD Pty Ltd for Burton Property Investments Pty Ltd.

The purpose of this report is to provide supporting information to support the 'reconsideration of conditions on a previous valid planning approval' for No. 2 (Lot 1) Coogee Street, Mount Hawthorn to increase the number of patrons permitted in the eating house.

1.2 Assumptions

It is assumed that no changes are proposed to the structure of the building and no works are required to accommodate the increased patronage. The additional patrons can be accommodated within the existing indoor café area and outside garden area.

1.3 Proposed Application

On 2 December 2014 the City of Vincent Council granted conditional approval for the proposed change of use from local shop/residential to shop/eating house including alterations and additions. The intention of the development was to provide a small café and shop to service the local community that they could walk to.

Development has commenced on the property, with the rear portion of the development having been demolished to commence works.

To ensure that the development is financial viable, the owner is now requesting that the permitted number of patrons be increased for the eating house portion of the development.

Therefore this application is for the 'reconsideration of conditions on a previous valid planning approval' - Condition 3.2 associated with conditional planning approval for No. 2 Coogee Street granted on 2 December 2014.

Condition 3.2 relating to Eating House stated:

'The maximum number of patrons allowed for the Eating House component at any one time shall not exceed fifteen (15) patrons;'

No changes are proposed to the building. All patrons seating will be accommodated within the indoor dining area and outdoor dining area on the site. It is proposed that the permitted patrons be increased to 40.

The approved development application plans have been provided in Appendix A. A building permit has been issued for the site and works have begun at the property.

1.4 Subject Land

No. 2 (Lot 1) Coogee Street, Mount Hawthorn is located on the north-east corner of the intersection of Coogee Street and Anzac Road. The property was being used as a deli (local shop) and a residence, located at the rear of the property. The use ceased in September 2015

A desktop search indicated no heritage listings on the site.

2. Planning Framework Consideration

No alterations or additions are proposed as part of this 'reconsideration of conditions on a previous valid planning approval'. The only modifications will be to the number of patrons permitted within the eating house space.

The number of patrons will have an impact on the required car parking.

2.1 Car Parking Considerations

Car parking numbers are determined in accordance with the City of Vincent Parking and Access Policy 7.7.1 as outlined in Table 1. The relevant adjustment factors have been listed in Table 2.

Table 1 City of Vincent car parking requirements

Activity	Car Parking Spaces (1)
Eating House (2)	1 space per 5 persons (based on persons approved for the site)
Local Shop(2)	1 space per 20m ² NLA

Notes:

1. The parking requirement shall be calculated by rounding to two decimal points.
2. Refer to Adjustment Factor 7.

Table 2 City of Vincent adjustment factors applicable to this application

#	Adjustment Factor	Development Scenario
2	0.80 (20%)	The development is located within 400 metres(2) of a bus route.
3C	0.90 (10%)	The development is located within 400 metres(2) of an existing off-street public car park with in excess of 50 car bays;

2. The distance is measured from the pedestrian entrance to the development along footpaths to:
- the rail station entrance (Adjustment Factors 1A-1B)
 - the road that contains the bus route (Adjustment Factor 2)
 - the lot boundary of the car park (Adjustment Factors 3A-3D)

The proposed car parking calculation has been prepared below.

Table 3 Proposed car parking calculation

Car Parking	
Car parking requirement (nearest whole number)	= 11 car bays
<ul style="list-style-type: none"> Shop – 1 bay per 20 square metres of net lettable area Gross Floor Area = 68 square metres* (requires 3.4 car bays) Eating house – 1 space per 5 persons Number of persons = 40 (requires 8 car bays) 	
Apply the adjustment factors	(0.72) x 11
<ul style="list-style-type: none"> 0.8 (within 400m of bus route) 0.9 (within 400 of an off street public car park with excess of 50 car bays) 	= 7.92 car bays
Total car bays required (after adjustment factors)	7.92 car bays
Cash-in-lieu requirement from conditional planning approval granted on 2 December 2014	2.28 car bays
Total required car bays	5.64 car bays

*Based on Conditional Planning Approval granted on 2 December 2014.

At the Council Meeting held on 2 December 2014, a cash-in-lieu contribution of \$11,856 for 2.28 parking spaces was required by the land owner. This cash-in-lieu contribution has been paid to the City of Vincent.

Car parking is not proposed to be accommodated on site. The current outdoor area will form part of the outdoor eating area and would reduce the amenity of the area if it were occupied by car parking. There is existing on-street parking adjacent to the property that can accommodate patrons of the eating house/local shop. It is also assumed that the local community will walk or ride to the business. Public car parks are available on Coogee Street in the Mount Hawthorn town centre which is within 400m of No. 2 Coogee Street.

As a result, the landowner is opting to pay a cash-in-lieu contribution rather than providing onsite car parking. It is noted that the 2015/2016 fees and charges state that the cash-in-lieu payment is \$5,400 per parking bay.

2.2 Eating House Dining Area

The outdoor area which was shown in the previous approval is of sufficient size to accommodate the increase in the number of patrons proposed. As a result, no changes are required to the building as part of this application.

2.3 Mural Artwork

The landowner will be undertaking a mural art project on the external west facing wall of the building. It is understood that this does not require planning approval; however liaison with the City's Arts Officer is required. This will be managed separately.

3. Conclusion

The proposed development was granted conditional approval on 2 December 2014.

In order to ensure that the development is financially viable, the owner wishes to amend condition 3.2 of the planning approval to increase the number of patrons from 15 to 40. This will result in a further car parking shortfall of 5.64 car bays.

The landowner proposes to pay a cash-in-lieu payment to accommodate this.